City of Stuart

# A G E N D A

## REGULAR MEETING OF THE STUART CITY COMMISSION
## TO BE HELD July 13, 2020
## AT 5:30 PM Commission Chambers
## 121 SW FLAGLER AVE.
## STUART, FLORIDA 34994

## CITY COMMISSION

**Mayor Michael J. Meier**
**Vice Mayor Eula R. Clarke**
**Commissioner Becky Bruner**
**Commissioner Merritt Matheson**
**Commissioner - VACANT**

## ADMINISTRATIVE

**City Manager, David Dyess**
**City Attorney, Michael J. Mortell**
**City Clerk, Mary R. Kindel**

Agenda items are available on our website at http://www.cityofstuart.us
Phone: (772) 288-5306 . Fax: (772) 288-5305 . E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**(RC)** next to an item denotes there is a City Code requirement for a Roll Call vote.
**(QJ)** next to an item denotes that it is a quasi-judicial matter or public hearing.

**WHAT IS CIVILITY?** *Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.*

## ROLL CALL

**THIS MEETING WILL BE A HYBRID IN PERSON/REMOTE MEETING.**

**In Person:** City Hall can accommodate a small number of citizen participants.

**Teleconference:** Citizens can attend from the comfort of their home via telephone, computer, laptop, tablet or smartphone. Click the below link or call the below phone number to attend.

The City reserves the right to revoke anyone's virtual attendance for cause, just as the sergeant at arms would at an in person meeting.

JOIN MEETING:
By Device- https://us02web.zoom.us/j/85325505356

If you wish to speak during public comment, click raise hand at bottom of window. Your microphone will be un-muted when you are called to speak. Your microphone will be deactivated once you have completed your comment.

By Telephone- Meeting ID: 853 2550 5356
Dial In numbers:
+1 312 626 6799 US
+1 646 558 8656 US
+1 253 215 8782 US
+1 301 715 8592 US

If you wish to speak during public comment press *9 to raise your hand. You will be called by your partially displayed phone number so please listen for that number. The host will lower your hand and mute your line after speaking.

## PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - ALAIN GOINDOO TO SING STAR SPANGLED BANNER

## PROCLAMATIONS

2. TREASURE COAST WATERWAY CLEANUP WEEK - July 19-25, 2020

## PRESENTATIONS

3. RECOGNITION OF ALTERNATIVE WATER SUPPLY APPROPRIATION

4. NAACP RECOGNITION OF STUART POLICE

5. DEPARTMENT OF HEALTH UPDATE

6. FLOODPLAIN AND STORMWATER MANAGEMENT

**COMMENTS BY CITY COMMISSIONERS**

**COMMENTS BY CITY MANAGER**

**APPROVAL OF AGENDA**

**COMMENTS FROM THE PUBLIC (5 Minutes Max.)**

**PUBLIC COMMENT:** *If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.*

**CONSENT CALENDAR**

**CONSENT CALENDAR:** *Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.*

**7.** APPROVAL OF 6/8/2020 CCM, 6/22/2020 CCM, AND 6/22/2020 SCM MINUTES (RC)

**8.** PLAT OF "TRILLIUM" (RC):

RESOLUTION No. 76-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED “TRILLIUM”, WITH LANDS SITUATED IN MILES OR HANSON CREEK, CONTAINING 9.446 ACRES, PREPARED BY RONNIE L. FURNISS OF CAULFIELD AND WHEELER, INC., A FLORIDA REGISTERED PROFESSIONAL SURVEYOR AND MAPPER NO. 6272, PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**9.** MONTEREY ROAD SUBDIVISION WATERMAIN IMPROVEMENTS LOAN AGREEMENT (RC):

RESOLUTION No. 77-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RELATING TO THE DRINKING WATER STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; APPROVING THE FORM AND AUTHORIZING EXECUTION OF THE LOAN AGREEMENT FOR CONSTRUCTION OF THE MONTEREY ROAD SUBDIVISION WATERMAIN IMPROVEMENTS PROJECT; PROVIDING FOR CONFLICTS; SEVERABILITY, AND EFFECTIVE DATE.

**10.** INTERLOCAL AGREEMENT FOR THE DIXIE HIGHWAY AND SE FLORIDA STREET SIDEWALK EXTENSIONS (RC):

RESOLUTION No. 78-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF STUART AND MARTIN COUNTY FOR THE DIXIE HIGHWAY AND SE FLORIDA STREET SIDEWALK EXTENSIONS PROJECT. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**11.** RENEWAL OF ITB #2019-200: CHEMICALS FOR WATER TREATMENT PLANT / WATER RECLAMATION FACILITY (RC):

RESOLUTION No. 79-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO RENEW ITB NO. 2019-100, CHEMICALS FOR WATER TREATMENT PLANT/WATER RECLAMATION FACILITY ON AN "AS NEEDED" BASIS, FOR THE 2nd and FINAL RENEWAL PERIOD THROUGH SEPTEMBER 30, 2021 TO THE FOLLOWING FIRMS, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**12.** KANNER HIGHWAY WATERMAIN REPLACEMENT (RC):

RESOLUTION No. 82-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT No. 9 AND CIP AMENDMENT No. 1 TO THE 2019-2020 WATER SEWER FUND AND CAPITAL IMPROVEMENT PLAN, APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE DESIGN OF THE KANNER HIGHWAY WATERMAIN REPLACEMENT PROJECT IN THE AMOUNT OF $29,770.00, INCORPORATING PROJECT INTO THE CAPITAL IMPROVEMENT PLAN, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**13.** CONTRACT RENEWAL FOR RFP #2017-167 DEBRIS REMOVAL SERVICES (RC):

RESOLUTION No. 85-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE THIRD YEAR OF FOUR (ONE YEAR) RENEWAL OPTIONS OF RFP NO. 2017-167: DEBRIS REMOVAL SERVICES TO THE PRIMARY CONTRACTOR, CROWDER GULF JOINT VENTURE, INC. OF MOBILE, ALABAMA; AND THE SECONDARY CONTRACTOR, DRC EMERGENCY SERVICES OF WEST PALM BEACH, FLORIDA THROUGH AUGUST 31, 2021, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**14.** CONTRACT RENEWAL OF RFP #2017-168: DEBRIS MONITORING SERVICES (RC):

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE THIRD YEAR OF FOUR (ONE YEAR) RENEWAL OPTIONS OF RFP NO. 2017-168: DEBRIS MONITORING SERVICES TO THE PRIMARY CONTRACTOR, THOMPSON CONSULTING SERVICES OF LAKE MARY, FLORIDA; AND THE SECONDARY CONTRACTOR, LANDFALL STRATEGIES, LLC OF SARASOTA, FLORIDA THROUGH AUGUST 31, 2021, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**15.** MEMORANDUM OF UNDERSTANDING AGREEMENT WITH MARTIN COUNTY ON CARES ACT FUNDING (RC):

RESOLUTION No. 87-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT WITH MARTIN COUNTY ON CARES ACT FUNDING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**END OF CONSENT CALENDAR**

**COMMISSION ACTION**

**16.** ON-STREET PARKING SPACES ON ALBANY AVENUE (QUASI-JUDICIAL) (RC):

**(This item was continued from June 22nd)**
RESOLUTION No. 64-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ALLOW THE DEVIATION FROM REQUIREMENTS REGARDING THE

NUMBER OF PARKING SPACES REQUIRED AND ALLOW THE CONSTRUCTION OF NINE (9) NEW ON-STREET PARKING SPACES WITHIN THE URBAN HIGHWAY ZONING DISTRICT; PROVIDING FOR A REVOCABLE PERMIT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; AND FOR OTHER PURPOSES.

**17.** EXTENSION OF DECLARATION OF EMERGENCY - COVID-19 (RC):

RESOLUTION No. 83-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, EXTENDING THE DECLARATION OF A STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**ORDINANCE FIRST READING**

**18.** ESTABLISHMENT OF REGULATIONS FOR MOORE'S CEMETERY (RC):

ORDINANCE No. 2433-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, CREATING CHAPTER 13, CEMETERIES, IN THE CITY'S CODE OF ORDINANCES TO ESTABLISH A UNIFORM SET OF REGULATIONS FOR THE PURCHASE, SALE, USE, AND MAINTENANCE OF CEMETERY SPACES IN THE CITY'S MOORE'S CEMETERY, AND TO PRESCRIBE PROCEDURES FOR THE ADMINISTRATION OF THE CEMETERY, PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**19.** BRIDGEVIEW RESIDENTIAL PLANNED UNIT DEVELOPMENT (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2437-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL OFFICE RESIDENTIAL" TO "MULTI-FAMILY DENSITY RESIDENTIAL" FOR A 15.88 ACRE PARCEL ANNEXED BY ORDINANCE NO. 2415-2019, OWNED BY ATLANTIC REALTY PARTNERS, INC., AND LOCATED ON THE NORTHWEST CORNER OF STATE ROAD 76 (SW KANNER HIGHWAY) AND SW MARTIN HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY ESTABLISH THE BRIDGEVIEW RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) CONSISTING OF TWO HUNDRED TWELVE (212) MULTI-FAMILY UNITS WITHIN TWO FOUR-STORY APARTMENT BUILDINGS; APPROVING A DEVELOPMENT SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**20.** LAKESIDE MARKETPLACE CPUD AMENDMENT (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2445-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING ORDINANCE NO. 1601-97, WHICH ASSIGNED COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONING TO AN 11.42 ACRE PARCEL OF LAND LOCATED ON THE SOUTH SIDE OF SE MARKET PLACE EAST OF U.S. HIGHWAY ONE, BEING MORE FULLY DESCRIBED BY EXHIBIT "A" ATTACHED; PROVIDING FOR MASTER SITE PLAN APPROVAL, DEVELOPMENT CONDITIONS, A TIMETABLE FOR DEVELOPMENT AND MANDATORY PLATTING FOR A 4.02 ACRE PORTION OF ANNEXED PARCEL #F21 TO ACCOMMODATE 24,000 SQUARE FEET OF COMMERCIAL DEVELOPMENT KNOWN AS LAKESIDE MARKET PLACE CPUD; DECLARING THE PROPOSED DEVELOPMENT TO BE

CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; ACCEPTANCE BY THE APPLICANT; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**21.** EVALUATION AND APPRAISAL REPORT (EAR) (RC):

ORDINANCE No. 2442-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) FOR THE COMPREHENSIVE PLAN OF THE CITY OF STUART; STATING THE INTENT OF THE CITY COMMISSION TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING TRANSMITAL OF THE EVALUATION AND APPRAISAL REPORT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY AND ANY OTHER INTERESTED GOVERNMENTAL ENTITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**ORDINANCE SECOND READING**

**QUASI-JUDICIAL HEARINGS:** *Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.*

**DISCUSSION AND DELIBERATION**

**22.** PROPOSED ART/VINYL WRAPPING ON TRAFFIC CONTROL BOXES WITHIN THE CITY LIMITS

**ADJOURNMENT**

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** David Dyess, City Manager

**Title of Item:**

**THIS MEETING WILL BE A HYBRID IN PERSON/REMOTE MEETING.**

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If you wish to speak during public comment, click raise hand at bottom of window. Your microphone will be un-muted when you are called to speak. Your microphone will be deactivated once you have completed your comment.

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+1 253 215 8782 US
+1 301 715 8592 US

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**Summary Explanation/Background Information on Agenda Request:**

**Funding Source:**

**Recommended Action:**

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Mary Kindel, City Clerk

**Title of Item:**

ARTS MOMENT - ALAIN GOINDOO TO SING STAR SPANGLED BANNER

**Summary Explanation/Background Information on Agenda Request:**

N/A

**Funding Source:**

N/A

**Recommended Action:**

Enjoy!

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Ryanne Cavo

**Title of Item:**

TREASURE COAST WATERWAY CLEANUP WEEK - July 19-25, 2020

**Summary Explanation/Background Information on Agenda Request:**

The Marine Industries Association of the Treasure Coast, Inc. and the Florida Inland Navigation District (F.I.N.D.) are deeply concerned with keeping the Treasure Coast waterways clean for all to enjoy.

**Funding Source:**

N/A

**Recommended Action:**

Issue the Proclamation

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | Proclamation - Treasure Coast Waterway Cleanup Week - July 19-25, 2020 | 6/10/2020 | Proclamation |

# PROCLAMATION
# TREASURE COAST WATERWAY CLEANUP WEEK
# JULY 19–25, 2020

**WHEREAS**, the Marine Industries Association of the Treasure Coast, Inc. and the Florida Inland Navigation District (F.I.N.D.) are deeply concerned with keeping the Treasure Coast waterways clean for all to enjoy, and;

**WHEREAS**, in 2019, we collected over 5.10 tons of trash from approximately 125 miles of waterways along the Martin, St. Lucie and Indian River Counties, and;

**WHEREAS**, the 13th Annual Treasure Coast Waterway Cleanup will be held on Saturday, July 25, 2020, and;

**WHEREAS**, this event will attract over 1,000 volunteers, as well as numerous homeowner associations, who will participate in cleaning the waterways of Martin, St. Lucie, and Indian River Counties.

**NOW, THEREFORE**, I, MICHAEL J. MEIER, Mayor of the City of Stuart, Florida do hereby proclaim the week of July 19-25, 2020, as

## TREASURE COAST WATERWAY CLEANUP WEEK

in the City of Stuart, Florida and urges our citizens to volunteer and participate in this event.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Stuart, Florida to be affixed this 13th day of July, 2020.

_____

MICHAEL J. MEIER
MAYOR

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** David Dyess, City Manager

**Title of Item:**

RECOGNITION OF ALTERNATIVE WATER SUPPLY APPROPRIATION

**Summary Explanation/Background Information on Agenda Request:**

A recognition of the state funding appropriation and efforts of our local delegation in obtaining the funding.

**Funding Source:**

N/A

**Recommended Action:**

Review

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** David Dyess, City Manager

**Title of Item:**

NAACP RECOGNITION OF STUART POLICE

**Summary Explanation/Background Information on Agenda Request:**

Jimmy Smith, President of NAACP has asked to present and formally recognize the efforts of the Stuart Police Department.

**Funding Source:**

N/A

**Recommended Action:**

Review

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Michelle Vicat

**Title of Item:**

DEPARTMENT OF HEALTH UPDATE

**Summary Explanation/Background Information on Agenda Request:**

Department of Health Update

**Funding Source:**

N/A

**Recommended Action:**

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Tim Voelker, P.E. - Public Works Assistant Director/City Engineer

**Title of Item:**

FLOODPLAIN AND STORMWATER MANAGEMENT

**Summary Explanation/Background Information on Agenda Request:**

The presentation will give an overview of the revised flood insurance rate maps that became effective on February 19, 2020. In addition, the presentation will also discuss the recent rainfall events, as well as, present the current stormwater management requirements for the City.

**Funding Source:**

N/A

**Recommended Action:**

No action required.

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | Presentation | 7/2/2020 | Attachment |

# FLOODPLAIN AND STORMWATER MANAGEMENT

July 13, 2020

# PART I: Floodplain Management

# Coastal Flood Risk Study Background

Starting in the late 2000s, FEMA has been updating Flood Insurance Studies (FISs) and Flood Insurance Rate Maps (FIRMs) for the entire populated coastline of the country to provide improved flood hazard information to coastal communities.

# Why the Coastal Flood Risk Study was updated

- Flood risk changes over time
- Previous surge analysis is 30 to 40+ years old
- Community risk is better defined through
  - Updated elevation data (topographic data and aerial imagery)
  - New climate data based on recent storms
  - More sophisticated mapping technologies

# Flood Zones

- Zones are determined by FEMA to indicate risk for flooding:
  - High Risk – Special Flood Hazard Area (SFHA), identified as Zone A, Zone AE, Zone V, or Zone VE on FIRM
  - Moderate Risk – Identified as shaded Zone X on FIRM
  - Low Risk – Identified as unshaded Zone X on Firm

# Revised Flood Insurance Rate Maps (FIRMs)

- Became effective on February 19, 2020
- Can be found on City of Stuart's Geographic Information Systems (GIS) website:

https://cityofstuart.us/493/Geographic-Information-Systems-GIS



STATE OF FLORIDA

# DIVISION OF EMERGENCY MANAGEMENT

Ron DeSantis
Governor

Jared Moskowitz
Director

January 31, 2020

Mr. David Dyess, City Manager
City of Stuart
121 Southwest Flagler Ave
Stuart, FL 34994

**RE: Transmittal and Closure of NFIP Community Assistance Visit (CAV) Report**

Dear Mr. Dyess,

Thank you for the City's participation in the NFIP State Coordinating Office Regional Engagement (SCORE) CAV meetings, held December 9 through December 12, 2019, to discuss floodplain management practices, issues, and solutions. Using a three-tiered approach, the State Floodplain Management Office (SFMO) conducted floodplain tours of each community, hosted a six-hour plenary session, and met one-on-one with staff from each community to discuss the communities' floodplain management programs and compliance matters.

The City has addressed or resolved any matters of concern identified by the SFMO during the CAV process, and the SFMO's evaluation of the City's Floodplain Management Program confirms that the City effectively implements its floodplain management program. The State is pleased to close the CAV report. By copy of this letter, the SFMO advises FEMA that the City has a compliant floodplain management program and is deemed eligible to continue participating in the National Flood Insurance Program.

Should you have any questions regarding the Community Assistance Visit or report, please contact me or Shannon Riess at (850) 815-4513 or by email at Shannon.Riess@em.myflorida.com.

Sincerely,

Steve Martin

Steve Martin, CFM
NFIP State Coordinator and Floodplain Manager
Bureau of Mitigation

SM/mk
Attachment
cc w/attach: David Peters, Public Works Director, City of Stuart
Tim Voelker, PE, City Engineer, City of Stuart
Steve Nicolosi, Building Official, City of Stuart
FEMA Region IV, Floodplain Management and Insurance Branch (CIS)
Roy McClure, Natural Hazards Specialist, FEMA Region IV
Shannon Riess, State Floodplain Program Manager, SFMO

# PART II: Stormwater Management

# Road Design Criteria

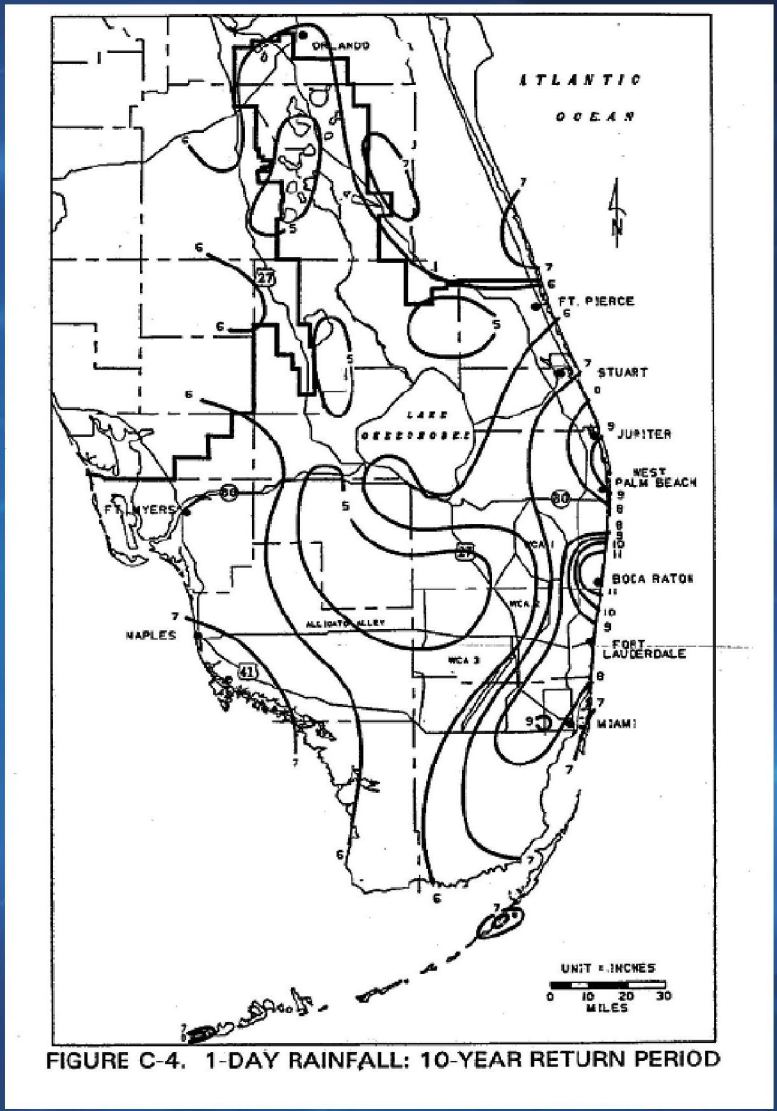


FIGURE C-4. 1-DAY RAINFALL: 10-YEAR RETURN PERIOD

- For local City roads, the design storm is the 10-year, 1-day event
- Approximately 6.8 inches for Stuart
- Set road crown at or above 10-year, 1-day storm event

# Building Design Criteria

- For buildings, the design storm is the 100-year, 3-day event
- Approximately 14 inches for Stuart
- Set building finished floor at or above 100-year, 3-day storm event

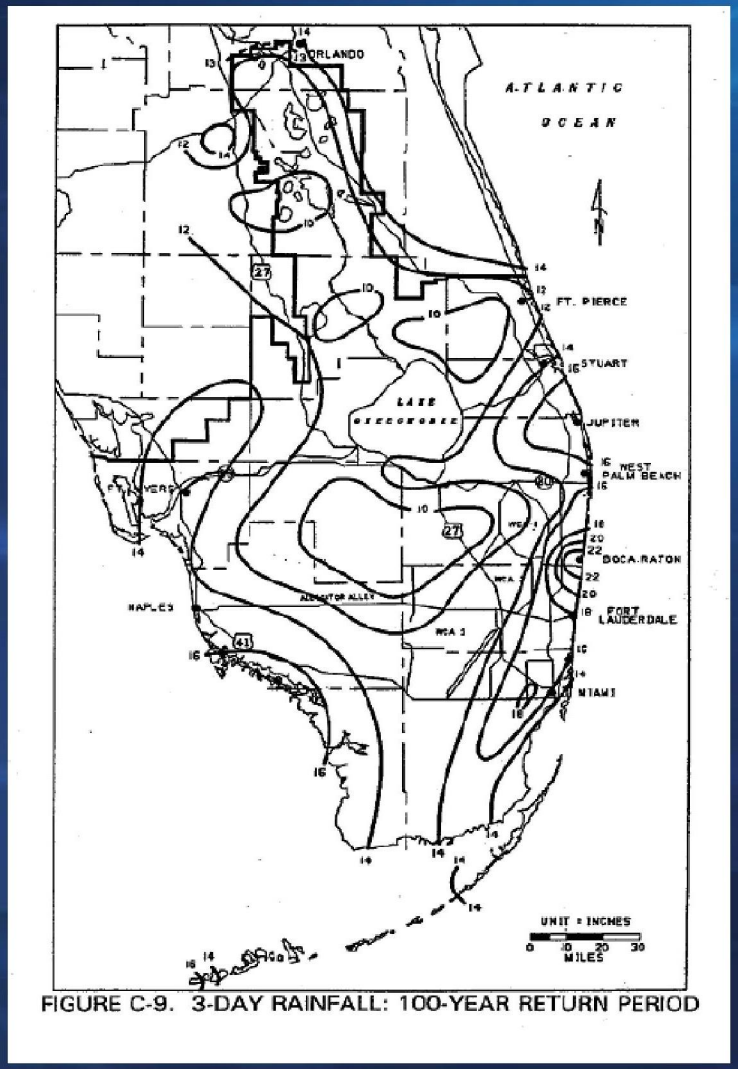
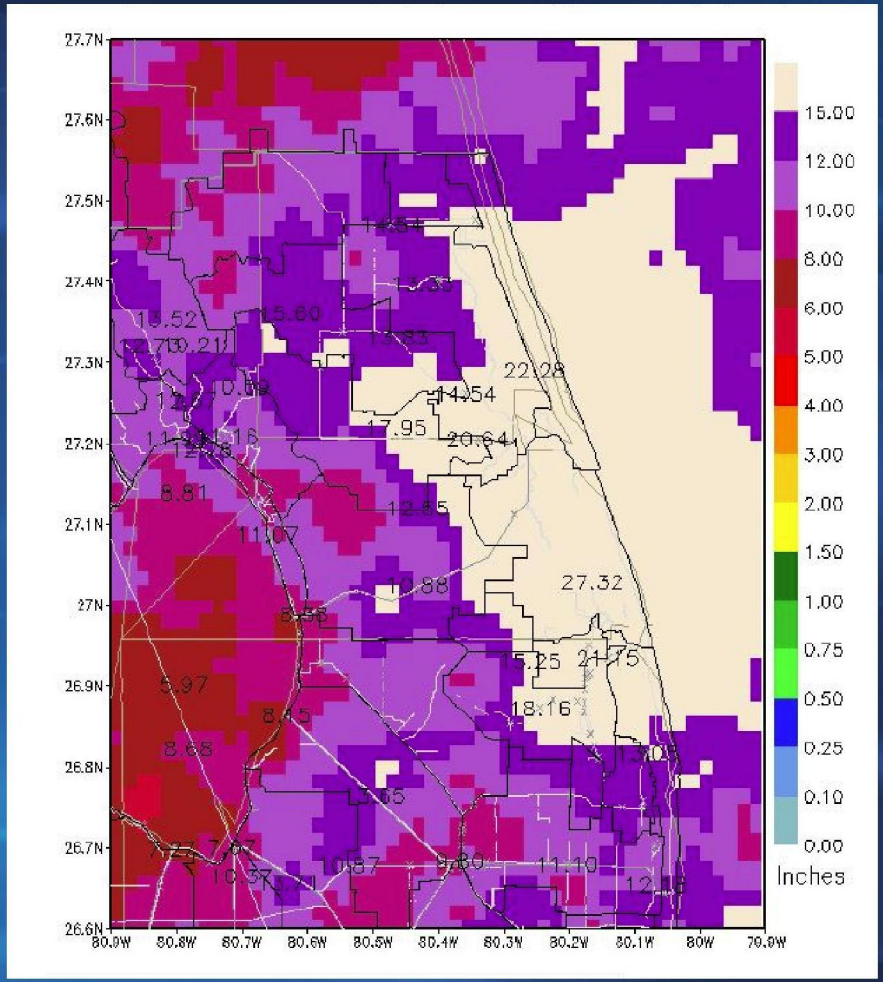


FIGURE C-9. 3-DAY RAINFALL: 100-YEAR RETURN PERIOD

# Recent Rainfall




SFWMD 30 Day Rainfall – 20 + Inches for Stuart

May 11 to June 10, 2020

# Localized Flooding – June 3, 2020



NW Fork Road



SE Flamingo Street



SW Dyer Drive



SE Mango Place

# South Florida Water Management District

- Environmental Resource Permit Applicant's Handbook Volumes I & II specifies stormwater requirements
  - Water quality requirements
    - Volume shall be provided for the first inch of runoff from the developed project, or the total runoff of 2.5 inches times the percentage of imperviousness, whichever is greater
  - Water quantity requirements
    - Post-development discharge rates shall not exceed pre-development discharge rates

# City of Stuart

- Section 6.03.00 of the Land Development Code specifies stormwater requirements
  - Water quality requirements
    - Same as SFWMD
  - Water quantity requirements
    - Same as SFWMD

# Martin County

- Article 4 - Site Development Standards; Division 9 – Stormwater Management of the Land Development Regulations specifies stormwater requirements
  - Water quality requirements
    - More stringent than SFWMD & City of Stuart
    - Required treatment volume is three inches
  - Water quantity requirements
    - Same as SFWMD and City of Stuart

# Suggested Path Forward

- Development Department to organize a workshop with local engineers, as well as, Martin County and SFMWD.
- Any proposed amendments by the workshop will be presented to the LPA and City Commission as an amendment to the Land Development Code.

# QUESTIONS



# THANK YOU

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Mary Kindel, City Clerk

**Title of Item:**

APPROVAL OF 6/8/2020 CCM, 6/22/2020 CCM, AND 6/22/2020 SCM MINUTES (RC)

**Summary Explanation/Background Information on Agenda Request:**

N/A

**Funding Source:**

N/A

**Recommended Action:**

Approve Minutes.

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | 6/8/2020 CCM Minutes | 7/7/2020 | Attachment |
| 🗋 | 6/22/2020 CCM Minutes | 7/7/2020 | Attachment |
| 🗋 | 6/22/2020 SCM Budget Workshop #1 Minutes | 7/7/2020 | Attachment |

# MINUTES
# REGULAR MEETING OF THE STUART CITY COMMISSION
# HELD June 8, 2020
# AT 5:30 PM Commission Chambers & ZOOM Telecommunications
# 121 SW FLAGLER AVE.
# STUART, FLORIDA 34994

## CITY COMMISSION
**Mayor Michael J. Meier**
**Vice Mayor Eula R. Clarke**
**Commissioner Becky Bruner**
**Commissioner Merritt Matheson**
**Commissioner - VACANT**

## ADMINISTRATIVE
**City Manager, David Dyess**
**City Attorney, Michael J. Mortell**
**City Clerk, Mary R. Kindel**

**5:30 PM ROLL CALL – Meeting Called to Order**

**THIS MEETING WAS A HYBRID IN PERSON/REMOTE MEETING.**

**Statement by City Manager Dyess:**
**Pursuant to Executive Order 20-69 issued by the Office of Governor Ron DeSantis on March 20, 2020, due to COVID-19, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location and utilize communications media such as telephonic or video conferencing as provided by Florida Statute 120.54. Procedures for public comment by device; if you wish to speak during public comment, click raise hand at the bottom of the participant window. Your microphone will be unmuted when you are called on to speak. The public may choose to activate their camera if they wish. Both will be deactivated once their public comment time is completed. If attending by phone, press *9 to raise your hand, you will be called by the last three digits of your phone number. All are asked to state their name and address clearly for the record.**

**During Roll Call, for the record, Dyess requested the board state whether they are present in person or attending the meeting virtually.**

**5:32 PM Roll Call**

**Present: Mayor Meier, Vice Mayor Clarke, Commissioner Bruner, Commissioner Matheson (all board members in person)**

**Mayor Meier requested a moment of silence for the death of George Floyd, Brianna Taylor, Ahmad Arbury and countless others. A moment of silence was observed.**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS**

**1.** GARDEN WEEK - JUNE 7-13, 2020

**Ms. Donna Berger, Chairperson of the Garden Club of Stuart thankfully accepted the Proclamation and announced their Garden Tour on March 20th and presented the City with a beautiful purple orchid in honor of Garden Week.**

**PRESENTATIONS**

**2.** DEPARTMENT OF HEALTH UPDATE

**Ms. Carol Ann Vitani of the Florida Department of Health in Martin County provided an update on the COVID-19 status in Martin County, reporting the case count at 917 positive cases and 13 deaths. 42% of the cases are from Indiantown and 37% of the cases are from Stuart zip codes 34994 and 34997. The positivity rate is 8.3%, above the state average but in the target range. Testing provided in May was successful and is currently still provided at this time. With the available testing, the number of cases is expected to rise. Vitani encouraged all to continue safety/hygiene measures and announced additional testing sites in Indiantown and Stuart.**

**3.** HURRICANE PREPAREDNESS PRESENTATION

**Kate Cotner, Florida Power and Light (FPL) Senior External Affairs Coordinator presented on hurricane season preparations, customer outreach and communication, investments, lessons learned from past hurricanes, and the restoration process.**

**Police Captain Derek Ortado presented an update on the City of Stuart Emergency Management Plan, reviewed the current COVID-19 information and per NOAA Hurricane Tracker, reported the 2020 Atlantic Hurricane Season Outlook prediction of 19 named storms. Presentation included goals to prepare year around, adjustment of plans to current events, shelter protocol changes, and City EOC preparations.**

**6:15 PM BY CITY COMMISSIONERS**

**Commissioner Bruner**

- **Thanked City Manager for moving Green Market to Flagler, felt the residents liked it.**

- **Commented that she is glad to see some more people in the room and hopes that more can join us soon.**

**Vice Mayor Clarke**

- **Commented that Arts Moment is usually the first Monday of the month and will return.**
- **Received box of face masks from the Health Dept., placed in front hall for people to take.**
- **Shocked by recent flooding and thanked Dave Peters and Milton Leggett, our departments for what they do.**
- **Commented on the violation that occurred in the CRB Meeting (6/2/2020) Zoom recording, wonder if the people can be traced, stated it is a violation and against the people in our community; thankful for our manager for the way he has handled everything and wanted to let the citizens know that we were wronged and unhappy about the situation.**
- **Inquired about housing as it has been put on hold because of COVID, perhaps it could be a D&D at a future meeting.**
- **Situation/murder of Mr. George Floyd, she was approached and worked with community and City Attorney and looked at what our congress did to pass anti-racism came up with a diversity resolution, significance of June 8th, the 8th item on the agenda, and Mr. Floyd was held for 8+ minutes. Ask Police Chief to give info, guidance, and all to think of this. Commented on the participation in the Black Lives Matter and want things to change for the better and we continue to make a difference step by step.**

**Commissioner Matheson**

- **Thanked the Vice Mayor and complimented her on her words.**
- **Apologized for and condemned the racist comments made over the CRB zoom meeting.**
- **NAACP Office is offering COVID-19 testing on June 20th.**
- **Commented on the recent rain and flooding, our River went from a B+ to a D when graded by the Florida Oceanographic Society. Would like the fertilizer Ordinance to be put on the website as a reminder as fertilizers should not be used through hurricane season. Thankful the Corp and SFWMD for working with us.**

**Mayor Meier**

- **As Mayor of the City, apologized to Mrs. Faye James and Mr. Lewis, the Jewish community members and all members of the community for the attack.**

**6:34 PM Public Comment (on Vice Mayor Clarke's Motion, ie; Letter):**

1) **Helen McBride – Flamingo Avenue; Commented that it should have never of happened but thanked them for their apology.**
2) **Donald Duffy – MLK Blvd.; Commented that he was in attendance, but no one stopped to address the incident or apologize after it happened. Feels the community should have an apology from the City.**
3) **Laurie Prim – Manatee Terrace; Commented against racism.**
4) **Betty Brinkley – Nassau Avenue; Commented on racism in Martin County.**

**6:33 PM MOTION: Write and sign an open letter to the citizens that we condemn this attack that we apologize for it, that we recognize it, and that we look to move forward and move beyond this.**
**Moved by: Vice Mayor Clarke**
**Seconded by: Commissioner Bruner**
**Motion passed unanimously. 6:45 PM**

**Mayor Meier commented on investigating such attacks and noted the protections or the First Amendment, but a formal complaint is being filed with the IC3.**

**Vice Mayor Clarke requested that the City's boards and committees receive training on how to deal with disruptions.**

**6:48 PM COMMENTS BY CITY MANAGER**

**City Manager Dyess**

- **Introduced Ms. Natasha Chen, a law student from the University of Florida Miami as a spontaneous Arts Moment to come forward and read a poem. Natasha commented on equality and read "Let America Be America Again".**
- **Housing Workshop policy direction is currently being implemented in the Comp Plan.**
- **In reference to the Zoom bombing issue, as open government, stated the meeting was not "hacked," people are not restricted from the meeting just as they are not restricted from entering the Chambers. There is a higher level of security by separating the board members attending via Zoom from the public attending via Zoom, but during public comment, anyone can still make inappropriate comments until mutes as quickly as possible.**

**Mayor Meier asked if Public Works could provide a presentation on the flooding in the areas of Ocean, Flaming and Dolphin at an upcoming meeting. Asked Attorney Mortell about inappropriate public comment and his right as the meeting Chair to silence them.**

**Attorney Mortell replied stating the City has a civility code and the person can be asked to leave but if not hurting anyone, could say what they want.**

**APPROVAL OF AGENDA**

**6:56 PM MOTION: Move approval of the agenda as published.**
**Moved by: Vice Mayor Clarke**
**Seconded by: Commissioner Matheson**
**Motion passed unanimously.**

**COMMENTS FROM THE PUBLIC (5 Minutes Max.)**

1) **Faye James – Kanner Hwy; Commented on her experience as a CRB board member during the June 2nd meeting and quoted the zoom meeting interruption offensive word many times, stating she felt unprotected in her own home and upset that the board or City didn't apologize. Stated the CBR Chair, Frank Wacha laughed when the disruption happened; thanked Commissioner Matheson and Mayor Meier for their phone conversations and apologies.**
2) **Betty Brinkley – Nassau Ave.; Commented that CRA money is spent in downtown and East Stuart is treated differently, commented that they are overlooked. Feels they are not treated equal, as with the Coronavirus, no masks are being handed out.**
3) **Jonny Hunter – MLK Blvd.; Moved to comment on Item #6.**
4) **Donald Duffy – MLK Bld.; Commented on equal rights, commented on the President of the United States.**
5) **Jimmy Smith – Apache Ave.; NAACP President, commented about the complaint about the Zoom meeting and glad to see that the City publicly apologized, commented that he knows the City Manager has and will continue to do his best to prevent such instances. Announced June 20th COVID-19 testing available with food, clothing, school supplies, census registration, and the Sheriff and Police Department at the NAACP.**

**Clarke requested Smith get with City Manager and Clerk to know what it takes to be an advisory board Committee so people know that they can come and be a part of a committee.**

6) **Mosezella Williams – 15th; Explained a neighbor's story about not getting police help and is concerned about when she calls the Police, with all going on in society, wants to know she can trust the police.**
7) **ZOOM – Frank Wacha – Commented that he would not tolerate racism and stated he was shocked by the CRB Zoom Meeting disruption and apologized that he did not react differently. Commented that the head of the NAACP would be a great addition to some of our boards.**
8) **ZOOM – James Christie III – Commented on a direct correlation between Ms. Brinkly's comment of East Stuart being neglected and Ms. James's comment about the head of a board chuckling at a racial statement three times. Feels the Chair should have apologized and removed from the board immediately.**

**CONSENT CALENDAR**

**4.** APPROVAL OF 05/26/2020 CCM MINUTES

**5.** ADVISORY BOARD APPOINTMENT OF KATHERINE MAKEMSON TO THE COMMUNITY REDEVELOPMENT BOARD

**END OF CONSENT CALENDAR**

**7:41 PM MOTION: Move approval of the Consent Calendar which includes Item #4 and 5.**
**Moved by: Vice Mayor Clarke**
**Seconded by: Commissioner Matheson**
**Motion passed unanimously.**

**COMMISSION ACTION**

**6.** SPEEDY MART WAIVER (QUASI-JUDICIAL):

RESOLUTION No. 66-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA GRANTING A DISTANCE WAIVER TO SHAHER BARGHOUTHY OWNER OF SPEEDY MART, INC., THEREBY PERMITTING THE SALE OF PACKAGE BEER AND WINE WITHIN 500 FEET OF A SCHOOL AND WAIVING THE PARKING REQUIREMENT FOR THE POPOSED USES AT PROPERTY LOCATED AT 502 THRU 516 MARTIN LUTHER KING JR. BLVD; PROVIDING A SITE PLAN; AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

**Four (4) people sworn; Tom Reetz and Kevin Freeman, City of Stuart Development Department, Joseph Tumminelli, City of Stuart Police Chief, and Shaher Barghouthy.**

**Tom Reetz presented with a brief power point presentation reviewing the location, site plan, and conditions of approval.**

**Applicant Mr. Barghouthy came forward and answered questions about alcohol sales and rental space. Provided Clerk Petition to Support Speedy Mart for the record.**

**Public Comment:**

1) **Jonny Hunter – MLK Blvd.; Opposes the sale to Mr. Barghouthy, feels he is a racist and doesn't want him in the community.**
2) **Adam Jolly – Walton Lake Dr. PSL; Commented that the plaza never used to sell alcohol, statute states that alcohol cannot be sold within 200 feet from a school without commission approval. Opposed to this waiver.**
3) **ZOOM - James Christie III – Requested clarification on the transfer of ownership, opposed.**
4) **Jonny Hunter – Came forward again and stated he does not want the man in their community.**

**7:53 PM MOTION: Move we approve Resolution No. 66-2020.**
**Moved by: Vice Mayor Clarke**
**Seconded by: Commissioner Bruner**
**Motion passed unanimously.**

**7.** CERP LETTER TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD):

RESOLUTION No. 67-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING A LETTER TO THE SOUTH FLORIDA WATER

MANAGEMENT DISTRICT CLARIFYING THE POSITION OF THE CITY ON THE "SAVINGS CLAUSE" IDENTIFIED IN THE WATER RESOURCES DEVELOPMENT ACT OF 2000; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Ben Hogarth, Communications Liaison reported on the letter.**

**8:15 PM MOTION: Approve the CERP letter to the Army Corp of Engineers.**
**Moved by: Commissioner Matheson**
**Seconded by: Vice Mayor Clarke**
**Motion passed unanimously.**

**8:16 PM Mayor called a 5-minute recess.**

**8:24 PM Meeting called to Order.**

**8.** CELEBRATING DIVERSITY:

RESOLUTION No. 69-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CELEBRATING THE DIVERSITY OF OUR COMMUNITY AND DENOUNCING ALL ACTS OF RACISM, INTOLERANCE AND UNLAWFUL DISCRIMINATION, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Vice Mayor Clarke read the Resolution in its entirety and commented on the divides coming to a head. When she was approached about what she was going to do about the injustices, she received assistance from Donna Dupuy to use Charlottesville's Resolution as a model and start in the City of Stuart. Some may say it is a PR gesture because of what is going on in the world now but stated that they are wrong. It is a bold statement for what comes next. As Dr. King has stated, "the journey of a thousand miles begins with a single step". Wants the City to move forward, have a better Police Department and better community relationship. We are better together. Commented we may need a racial reconciliation committee/East Stuart Advisory Committee with regular input from the East Stuart Community.**

**Mayor Meier is in support of a committee and commented on Section 5, addressing the logistics and what may be best, allowing the community to take the lead and what the City's role would be.**

**Commissioner Matheson thanked Vice Mayor Clarke for her leadership and comments, supports the idea of a committee as well. Stated he needs to hear the community's feedback and admitted, as a white male, having privilege and wants to actively work to stop it, and fight for equality. An advisory committee would help him to do that as he will never understand but the first steps are for him to admit it and fight to stop racism. Agrees that it should not be directly under the City but supported by the City.**

**Police Chief Tumminelli came forward and commented on the current situation. There are over 800,000 police officers in the US, and he oversees 46 of them here in**

**Stuart. He stated how unfortunate the situation was and that a person wearing the same uniform as he did something so ugly in Minneapolis and it affects them in Stuart. He has been reviewing our policies and procedures and read the Stuart Police Mission Statement. The Chief will not tolerate racism in his department and reported that he has suspended the use of carotid restraint.**

**Vice Mayor Clarke asked Chief Tumminelli about reprimand policies. Chief responded that if it does not fall under the first amendment and falls under the case law of Chicago, the employee is subject to discipline/termination.**

**Public Comment:**

1) **Faye James – Kanner Hwy; Thanked the Commission for the Resolution and noted that she provided a letter to the City Clerk for the Commissioners about an advisory board.**
2) **Elmira Gainey – Sterling Dr.; In favor of a committee or board and would like people of the community and diverse backgrounds to be involved, feels it's time.**
3) **Helen McBride – Flamingo Ave.; Explained past PTA meeting story in relation to why the black mothers did not attend their meetings to demonstrate that adjustments must be made to get to know one another's lifestyles to allow all to be included.**
4) **Mosezella Williams – 15th; Commented on the board teaching communication between officers and the community, willing to be a volunteer.**

**Commissioner Bruner emotionally commented on her feelings/concerns for the community and wanted all to know how much they care about this subject. Wanted to keep the focus on bad police officers and have the police be involved in the board/committee.**

**8:42 PM MOTION: To adopt Resolution No. 69-20**
**9:28 PM AMENDED MOTION: To create the Celebration Diversity Commission working with other entities. [Section 5 Celebrating Diversity Commission]**
**9:32 PM AMENDED MOTION: The City will return with an agenda item to discuss the creation of the Celebrating Diversity Commission board.**
**Moved by: Vice Mayor Clarke**
**Seconded by: Commissioner Bruner**
**Motion passed unanimously.**

**9.** RESOLUTION EXTENDING THE DECLARATION OF A STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19:

RESOLUTION No. 70-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, EXTENDING THE DECLARATION OF A STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**9:36 PM MOTION: Motion to approve Resolution 70-2020.**
**Moved by: Commissioner Matheson**
**Seconded by: Commissioner Bruner**
**Motion passed unanimously.**

**ORDINANCE FIRST READING**

**10.** HARBOR GROVE APARTMENTS RPUD - FLUM AND RE-ZONING (QUASI-JUDICIAL):

ORDINANCE No. 2436-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL" TO "MULTI-FAMILY RESIDENTIAL" FOR TWO PARCELS EQUALING 13.93 ACRES, OWNED BY TED GLASRUD ASSOCIATES, FL, LLC, LOCATED ON THE WEST SIDE OF S.E. COMMERCE AVENUE, SOUTH OF S.E. INDIAN STREET, AND NORTH OF S.E. FISCHER STREET WITH SAID LANDS BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY ESTABLISH THE AHS AT HARBOR GROVE RESIDENTIAL PLANNED UNIT DEVELOPMENT RPUD CONSISTING OF THREE HUNDRED TWENTY FOUR (324) MULTIFAMILY UNITS WITHIN NINE (9) INDIVIDUAL THREE-STORY APARTMENT BUILDINGS; APPROVING A DEVELOPMENT SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Seven (7) people sworn; Tom Reetz and Kevin Freeman, City of Stuart, Juan Fernandez of AHS, Doug Fitzwater of Lucido and Associates, Susan O'Rourke of O'Rourke Traffic Engineering and Planning, and Bill Mathers, Civil Engineer.**

**Tom Reetz presented the site plan, proposed future land use, zoning, site design layout, developer contribution, environmental comment and the Local Planning Agency (LPA) approval information at the May 21,2020 meeting with conditions.**

**Kevin Freeman presented the data provided from the Martin County Engineer pertaining to traffic/intersection. This project will contribute approximately $420,000 to the County in impact fees. Reviewed staff recommendation.**

**Applicant Juan Fernandez, AHS came forward and briefly explained his company and the project. Doug Fitzwater, Lucido and Associates presented on Harbor Grove then Ms. Susan O'Rourke presented briefly on the traffic engineering.**

**Mayor Meier and Mr. Fernandez discussed building height options. Meier would like to see a section of the units carved out at an 80 to 100 market rate before second reading.**

**10:26 PM MOTION: To approve Harbor Grove Apartments Ordinance No. 2436-2020.**
**Moved by: Commissioner Bruner**
**Seconded by: Vice Mayor Clarke**
**Motion passed unanimously.**

**10:31 PM City Manager Dyess requested to continue Item #16.**

**ORDINANCE SECOND READING**

**10:31 PM 11.** ABANDONMENT OF RIGHT-OF-WAY AT OSCEOLA STREET:

ORDINANCE No. 2431-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO PROVIDE FOR THE ABANDONMENT OF CERTAIN PUBLIC RIGHTOF-WAY WITHIN THE CITY BEING THAT CERTAIN 50-FOOT RIGHT-OF-WAY, AS SET FORTH ON THE PLAT OF KRUEGER PARK, AS RECORDED IN PLAT BOOK 1, PAGE 25, PALM BEACH (NOW MARTIN) COUNTY, FLORIDA PUBLIC RECORDS RUNNING EAST TO WEST, DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO; PROVIDING FOR PAYMENT OF A PRIVILEGE FEE: PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Stephen Mayer, Development Department Senior Planner stated that there is an updated appraisal.**

**10:32 PM MOTION: Move approval of Ordinance No. 2431-2020.**
**Moved by: Vice Mayor Clarke**
**Seconded by: Commissioner Bruner**
**Motion passed unanimously.**

**12.** STUART OCEAN RPUD (QUASI-JUDICIAL):

ORDINANCE No. 2435-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, TO APPPROVE A REZONING FROM R-3 MULTIFAMILY/ OFFICE TO RESIDENTIAL PLANNED UNIT DEVELOPMENT "RPUD" ON THE CITY'S OFFICIAL ZONING MAP; FOR AN 11.04 ACRES PARCEL, OWNED BY SERRAGUI GROUP INVESTMENTS LLC, LOCATED ON THE SOUTH SIDE OF SE OCEAN BLVD BETWEEN THE POINTE ASSISTED LIVING FACILTY AND KINGSWOOD CONDO ASSOCIATION, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING STUART OCEAN TOWNHOMES RPUD CONSISTING OF EIGHTY (80) ATTACHED HOMES; APPROVING A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Ten (10) people sworn; Tom Reetz of the City of Stuart Development Department was the only person who testified.**

**Tom Reetz, Senior Planner briefly reviewed the LPA and Commission history.**

**10:38 PM MOTION: Approve Ordinance 2435-2020, Stuart Ocean.**
**Moved by: Commissioner Bruner**
**Seconded by: Commissioner Matheson**
**Motion passed unanimously.**

**13.** MINOR AMENDMENT TO AVONLEA PUD (QUASI-JUDICIAL):

ORDINANCE No. 2438-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A MINOR AMENDMENT TO "THE NEW AVONLEA" PLANNED UNIT DEVELOPMENT (PUD); THEREBY AMENDING EXHIBIT NUMBER 11 OF THE NEW AVONLEA PUD, ENTITLED THE OFF-SITE INFRASTRUCTURE PLAN BY HJA DESIGN STUDIO; AMENDING THE CONDITION NUMBER 25 ACCORDINGLY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Commissioner Matheson reported that he has completed Form 8B and will abstain from the vote.**

**10:40 PM MOTION: Motion to approve Ordinance No. 2438-2020.**
**Moved by: Commissioner Bruner**
**Seconded by: Vice Mayor Clarke**
**Motion passed 3/4, Matheson Abstained.**

**Clarke - YES**
**Bruner - YES**
**Matheson - ABSTAIN**
**Meier - YES**

**14.** TECO GAS FRANCHISE AGREEMENT:

ORDINANCE No. 2441-2020; AN ORDINANCE GRANTING TO PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, A NONEXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS OF WAY OF THE CITY OF STUART, MARTIN COUNTY, FLORIDA, AND PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Mayor Meier commented on the reasons he is not in favor of this Ordinance; laying gas pipelines in the City and the future carbon footprint and its effects on climate change.**

**10:42 PM MOTION: Motion for Ordinance No. 2441-2020.**
**Moved by: Commissioner Bruner**
**Seconded by: Vice Mayor Clarke**
**Motion passed 3/1.**

**Clarke - YES**
**Bruner - YES**
**Matheson - YES**
**Meier - NO**

**DISCUSSION AND DELIBERATION**

**10:46 PM 15.** PURCHASE OF PROPERTY COMMONLY REFERRED TO AS THE WELL'S BUILDING

**Dyess provided an explanation of the two options before the commission:**
**Option 1 – Do not pursue the contract and withdraw from it.**
**Option 2 – Move forward on a lease contingency and vote on the purchase of the property.**

**10:47 PM MOTION: Approve buying this property, option 2.**
**Moved by: Commissioner Bruner**
**Seconded by: Commissioner Matheson**
**Motion passed unanimously.**

**Public Comment:**
1) **Helen McBride – Commented on the class our City Commissioners and staff showed during the meeting with Martin County last week.**

**16.** PROPOSED ART/VINYL W RAPPING ON TRAFFIC CONTROL BOXES W ITHIN THE CITY LIMITS
**(Continued to date to be determined.)**

**10:51 PM ADJOURNMENT**

_____ _____
**Mary R. Kindel, City Clerk** **Michael J. Meier, Mayor**

**Minutes to be approved at the Regular Commission Meeting this 13th day of July, 2020.**

# MINUTES
# REGULAR MEETING OF THE STUART CITY COMMISSION
# HELD June 22, 2020
# AT 5:30 PM Commission Chambers & ZOOM
# 121 SW FLAGLER AVE.
# STUART, FLORIDA 34994

## CITY COMMISSION
**Mayor Michael J. Meier**
**Vice Mayor Eula R. Clarke**
**Commissioner Becky Bruner**
**Commissioner Merritt Matheson**
**Commissioner - VACANT**

## ADMINISTRATIVE
**City Manager, David Dyess**
**City Attorney, Michael J. Mortell**
**City Clerk, Mary R. Kindel**

**5:33 PM ROLL CALL – Meeting Called to Order**

**THIS MEETING IS A HYBRID IN PERSON/REMOTE MEETING.**

**Statement by City Manager Dyess:**
**Pursuant to Executive Order 20-69 issued by the Office of Governor Ron DeSantis on March 20, 2020, due to COVID-19, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location and utilize communications media such as telephonic or video conferencing as provided by Florida Statute 120.54. Procedures for public comment by device; if you wish to speak during public comment, click raise hand at the bottom of the participant window. Your microphone will be unmuted when you are called on to speak. The public may choose to activate their camera if they wish. Both will be deactivated once their public comment time is completed. If attending by phone, press *9 to raise your hand, you will be called by the last three digits of your phone number. All are asked to state their name and address clearly for the record.**

**During Roll Call, for the record, Dyess requested the board state whether they are present in person or attending the meeting virtually.**

**5:35 PM Roll Call**
**Present: Mayor Meier, Vice Mayor Clarke, Commissioner Bruner, Commissioner Matheson (all board members in person)**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS**

**1.** JUNETEENTH FREEDOM DAY - JUNE 19, 2020

**Recipient, Alishia N. Harriel came forward giving thanks to the City and announcing her appreciation to the residents of Stuart for their support.**

**2.** PRIDE MONTH - JUNE 2020

**Via Zoom, Barbara and Gary Silver of PFLAG Stuart thanked the City and reported on what their organization is about.**

**3.** PARK AND RECREATION MONTH - JULY 2020

**Via Zoom, Jessica Tharp, Recreation Programs Coordinator, accepted the Proclamation and announced the benefits of Parks and Recreation to a community.**

**PRESENTATIONS**

**4.** SERVICE AWARD - JUNE 2020

**Sergio Pecori, Public Works, 20 Years; Not in attendance to accept award.**

**5.** EMPLOYEE OF THE MONTH - JUNE 2020

**Lisa Scott, Executive Assistant to the Police Chief; Ms. Scott came forward and thanked the Chief, City Manager and Commission for the recognition.**

**5:55 PM 6.** DEPARTMENT OF HEALTH UPDATE

**Carol Ann Vitani, Florida Department of Health provided an update on the Coronavirus stating 1,582 positive current cases and 20 deaths in Martin County. The median age has gone down and is now 38 years old and in the last 10 days, 541 positive cases. Asks that people refrain from gatherings of more than 50 people, encourage proper hygiene and preventative measures. Vitani announced testing locations and provided a hotline (772-221-4000) for questions.**

## COMMENTS BY CITY COMMISSIONERS

**Commissioner Bruner**

- **No comments.**

**Commissioner Matheson**

- **Commented on the rainy season and that Lake Okeechobee increased 1 inch in 24 hours, so far, zero discharges.**
- **Encouraged all to treat everyone with respect and dignity, especially on social media.**

**Vice Mayor Clarke**

- **Commented that she came to Martin County as Transportation Planner and is sad about the Roosevelt Bridge failure but hoping the DOT can work with it to have the bridge back up and running soon.**
- **Thankful for the JUNETEENTH Proclamation; asked all to add June 19th, Juneteenth to their calendars so all can learn about it and expressed her appreciation for the NAACP event and all they and the Police did.**
- **Complimented Police Chief Tumminelli for his efforts at the Civic Center last week and stated that he was very good for our community, has high hopes for moving forward.**
- **Commented on her personal Facebook page posting that included 3 Things You Can Do to Stop Racism, stated it was with no intention to cause harm and she pulled it down. Apologized if people were offended. For those who were hurt, would like us all to talk to each other, move forward, and find legal justice and asks that we work together.**

**Mayor Meier**

- **Reported on the Public Comment, stating he plans to follow the rules more strictly, insist that comments happen under items intended. General comments will be for non-agenda items only.**

## COMMENTS BY CITY MANAGER

**No comments.**

## APPROVAL OF AGENDA

**6:21 PM MOTION: Discuss and move Item #17 directly after the Consent Calendar and the motion would also include adding the addendum to the agenda.**
**Moved by: Commissioner Matheson**
**Seconded by: Vice Mayor Clarke**
**Motion passed unanimously.**

**COMMENTS FROM THE PUBLIC (5 Minutes Max.)**

1) **Helen McBride – Flamingo Ave.; Commented about the Martin County Meeting in which a gentleman during public comment stated all the COVID cases were in the City and Indiantown, tired of the County throwing rocks at the City and is thankful the Health Department clarified the information.**

**CONSENT CALENDAR**

**7.** APPOINTMENT OF COMMUNITY REDEVELOPMENT BOARD (CRB) MEMBER, TOM CAMPENNI TO SERVE ON THE COMMUNITY REDEVELOPMENT AGENCY (CRA)

**8.** UTILITY SERVICE AGREEMENT IOANNA LAS, LLC.:

RESOLUTION No. 59-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A UTILITY SERVICE AGREEMENT BETWEEN THE CITY OF STUART AND IOANNA LAS, LLC, TO PROVIDE WATER AND SEWER SERVICE TO NINETEEN INVIVIDUAL APARTMENTS AT 603 SE FEDERAL HIGHWAY, IN THE CITY OF STUART; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**9.** AWARD OF RFP 2020-102: PROFESSIONAL ARCHITECTURAL, ENGINEERING AND RELATED SERVICES FOR THE PUBLIC WORKS COMPLEX:

RESOLUTION No. 72-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF RFP #2020-102, PROFESSIONAL ARCHITECTURAL, ENGINEERING AND RELATED SERVICES FOR THE PUBLIC WORKS COMPLEX TO THE TOP RANKED FIRM, CAPTEC ENGINEERING, INC., OF STUART, FLORIDA, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**10.** AWARD RFP #2020-104: CDBG-MITIGATION:

RESOLUTION No. 73-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF RFP #2020-104, COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) PROGRAM MANAGEMENT SERVICES TO THE TOP RANKED FIRM, GUARDIAN COMMUNITY RESOURCE MANAGEMENT, INC., OF DADE CITY, FLORIDA, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**11.** GRANT FOR EXPANDED SUMMER CAMPS FROM CSCMC:

RESOLUTION No. 74-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING A BUDGET AMENDMENT NO. 06-2020 TO ACCEPT, APPROPRIATE AND AUTHORIZE EXPENDITURES FOR AN AMOUNT NOT TO EXCEED $57,807.00 FROM THE CHILDREN'S SERVICES COUNCIL OF MARTIN

COUNTY; PROVIDING FOR READING EDUCATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**12.** GRANT FOR SAILFISH BALL FIELD BALL PARK TO HOST CAL RIPKEN WORLD SERIES:

RESOLUTION No. 75-2020; BA #07-2020, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING A BUDGET AMENDMENT NO. 07-2020 TO ACCEPT, APPROPRIATE AND AUTHORIZE EXPENDITURES FOR AN AMOUNT NOT TO EXCEED $17,525.00 FROM THE TREASURE COAST SPORTS COMMISSION; PROVIDING FOR READING EDUCATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**13.** BUDGET AMENDMENT NO. 08 TO FY 2020 BUDGET FOR PROPRTY ACQUISITION:

RESOLUTION No. 80-2020; A RESOLUTION OF THE BOARD OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #8 TO THE FY 2020 BUDGET TO TRANSFER FUNDS FROM THE LEASED PROPERTY FUND OF $1,000,000 TO GENERAL FUND AND TO RECOGNIZE DEBT PROCEEDS OF $5,000,000 FOR THE PURCHASE AND ACQUISITION OF A PROPERTY AT OCEAN BOULEVARD AND OSCEOLA STREET KNOWN AS THE "WELLS BUILDING" IN THE AMOUNT OF $6,000,000 FOR THE REDEVELOPMENT OF THE PROPERTIES; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**END OF CONSENT CALENDAR**

**Public Comment:**

1. **Armond Pasquale – Commented on Item #13, doesn't feel the City needs a new building at a time when taxes should lower, and people are in need; opposes the purchase.**

**6:25 PM MOTION: Motion approval of the Consent Calendar Items # 7, 8, 9 10, 11, 12, and 13.**
**Moved by: Vice Mayor Clarke**
**Seconded by: Commissioner Matheson**
**Motion passed unanimously.**

**DISCUSSION AND DELIBERATION**

**17.** COMMUNITY RELATIONS BOARD

**City Manager Dyess Recommendations:**

**Citizen initiated "Community Relations Board or Committee" made up of a City Commissioner, representatives of NAACP, ACES, Concerned Citizens of East Stuart, a Hispanic Organization, Ministerial Alliance, and two At Large positions. He as City Manager would personally facilitate the meetings and have staff present to address the meeting topic. Feels that the community distrusts the government and it would be best as a community board/ committee to meet and discuss topics.**

**Attorney Mortell explained from a legal perspective, if it were to be a City board it would be subject to Sunshine Law, limited to City residents, and would restrict participation and discussion.**

**Commission discussion included the benefits of an independent board, board members, target community areas, the purpose of the board, City facility meeting space, commissioner participation, and overall review of the City Managers plan.**

**Commissioner Bruner commented on a program done in Atlanta, GA in working with children, feels mentoring the children is important and a teaching portion for children on how to communicate with Police officers should be included.**

**Public Comment:**

1) **Amelia Fry – Hibiscus Ave.; Commented with support on Vice Mayor Clarke's Facebook post and read a letter in favor of a board designed to have open conversation about racism.**
2) **Caitlynne Palmieri – Bonita St.; Member of the community that participated in writing the letter that Ms. Fry read and feels it is a powerful way to work together.**
3) **Marrissa Mensik – Collage St.; Complimented David Dyess on his idea and recommended, as a teacher, bringing youth into the board.**
4) **Zoom – Alain Goindoo – Pine; In support of the board and asks that the board includes member of the school board.**
5) **Zoom - Kate McCormic, Candice Rasa, Nancy Polites – Representatives of National Association of Social Workers (NASW) encourages consideration of representation from NASW, a social worker and/or a mental health worker as it's important to look at individuals and the community.**
6) **Zoom – Tom Campenni – Commented on behalf of Vice Mayor Clarke, stating he feels she didn't do anything with malice.**

**Commission discussion concluded in Commissioner Bruner representing the Stuart Commission on the Community Relations Board, the offer to utilize a City facility to host the meetings, and come back with a Resolution.**

**Public Comment:**

1) **Helen McBride – Comments that she prefers the East 10th Street Community Center is not used for the meetings until the COVID-19 virus is over in order to protect the children and the elderly.**
2) **Caitlynne Palmieri – As a dues paying member of the NAACP and someone who works in East Stuart, commented that she would like to see Eula Clarke**

**serve on the Board initially and thanked Commissioner Bruner for volunteering.**

**7:15 PM MOTION: To spend the City Managers time and City resources to furtherance the Community Relations Board and identify Commissioner Bruner as the point person to begin should the Board choose to have the Commission involved.**
**Moved by: Vice Mayor Clarke**
**Seconded by: Commissioner Matheson**
**Motion passed unanimously. 7:21 PM**

**COMMISSION ACTION**

**14.** ON-STREET PARKING SPACES ON ALBANY AVENUE (QUASI-JUDICIAL):

**(REQUESTING CONTINUANCE TO DATE CERTAIN JULY 13, 2020)**
RESOLUTION No. 64-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ALLOW THE DEVIATION FROM REQUIREMENTS REGARDING THE NUMBER OF PARKING SPACES REQUIRED AND ALLOW THE CONSTRUCTION OF NINE (9) NEW ON-STREET PARKING SPACES WITHIN THE URBAN HIGHWAY ZONING DISTRICT; PROVIDING FOR A REVOCABLE PERMIT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; AND FOR OTHER PURPOSES.

**7:22 PM MOTION: Motion to continue item to July 13th.**
**Moved by: Commissioner Matheson**
**Seconded by: Vice Mayor Clarke**
**Motion passed unanimously.**

**15.** LICENSE AGREEMENT BETWEEN THE CITY AND COUNTY, RE: MAINTENANCE OF 18TH STREET:

RESOLUTION No. 71-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF STUART ("CITY") AND MARTIN COUNTY ("COUNTY") TO INSTALL FENCING AND MAINTAIN THE CUL-DE-SAC ROAD KNOWN AS 18TH STREET THAT INTERSECTS SE PALM BEACH ROAD ON THE EAST SIDE OF THE FORMER SUBDIVISION KNOWN AS LAWLER GARDENS THAT IS NOW VACANT LAND; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**City Attorney Mortell reported briefly on his communications with Martin County on this matter and they have asked to fence the property in order to keep it secure. A chain link fence has been agreed upon around three sides and a decorative rod iron fence in the front.**

**Public Comment:**

1) **Troy McDonald – Commented stating his frustration and should not have been done in the first place.**

**7:28 PM MOTION: Move to approve. AMENDED MOTION: Conditional on 17th Street left to the City and not included.**
**Moved by: Commissioner Bruner**
**Seconded by: Vice Mayor Clarke**
**Motion passed unanimously.**

**ADDENDUM**

**1.** DECLARATION OF STATE OF LOCAL EMERGENCY:

RESOLUTION No. 81-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, DECLARING A STATE OF LOCAL EMERGENCY PERTAINING TO A HAZARDOUS CONDITION RELATED TO THE ROOSEVELT BRIDGE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**City Manager Dyess reported on the FDOT measures taken and planned to open one side of the bridge.**

**Mayor Meier announced that he and the City Manager have been participating in daily communication with FDOT; they are continuing to examine the northbound bridge and have not found evidence of structural damage and by Wednesday, may be able to provide a timetable as to an opening of the northbound bridge. Dixie Hwy. may be able to reopen but waiting for additional information.**

**Vice Mayor Clarke commented on the idea of creating a ferry. City Attorney Mortell reported that there is a river taxi that will be charging $5.00 to transport people between the Tide House to the City Hall Dock.**

**7:43 PM MOTION: Approve Resolution 81-2020.**
**Moved by: Commissioner Matheson**
**Seconded by: Vice Mayor Clarke**
**Motion passed unanimously.**

**ORDINANCE FIRST READING**

**16.** EVALUATION AND APPRAISAL REPORT (EAR):

ORDINANCE No. 2442-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) FOR THE COMPREHENSIVE PLAN OF THE CITY OF STUART; STATING THE INTENT OF THE CITY COMMISSION TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING

TRANSMITAL OF THE EVALUATION AND APPRAISAL REPORT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY AND ANY OTHER INTERESTED GOVERNMENTAL ENTITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Stephen Mayer, Development Department Senior Planner presented on the Evaluation and Appraisal Report, reviewing the process that began with staff review, public workshops, Joint LPA/Commission Meetings, now at the final stage holding a transmittal hearing for First Reading. The approved Ordinance after this reading will be transmitted to the State Department of Economic Opportunity, await their comments, then come before the Commission again for Second Reading and adoption. Mayer reviewed the areas of focus under transportation, housing, and conservation.**

**Mayor requested to strike word "geothermal" from Conservation Element, Gola Statement 5.A.**

**Clarke, noted page 5, Policy 2.A.19; wanted to ensure that the future transportation map series was the most up to date information available. Commented on a future road from Johnson Avenue for future discussions.**

**Mayor Meier commented on outdated names of recreation facilities/parks and requested the language be generalized. Intergovernmental should read "attainable" in place of "affordable". New definitions for workforce housing and requests another review of the definitions in the Intergovernmental section.**

**Commissioner Matheson commented on the Infrastructure Element, remarking on the rain events and would like to push for more water retention.**

**8:26 PM MOTION: Motion that this stays the way it has been, to revert to the stricken language [per Conservation Element (5) Policy 5.A5.5 Wetlands C. Buffers.]**
**Moved by: Commissioner Matheson**
**Seconded by: Vice Mayor Clarke**
**No Vote**

**8:44 PM MOTION: Approve Ordinance No. 2442-2020 on First Reading with all changes as discussed.**
**Moved by: Vice Mayor Clarke**
**Seconded by: Commissioner Matheson**
**Motion passed unanimously.**

**ORDINANCE SECOND READING**

**8:45 PM ADDENDUM**

**2.** MARTIN COUNTY EMERGENCY ORDER 20-11 (FACE COVERINGS)

**City Manager Dyess briefly summarized Martin County's Emergency Order 20-11.**

**Mayor Meier commented that he has heard from many concerned members of the public and is in support of mandating face mask be worn by all (except children according to CDC guidelines) in the City.**

**Commissioner Matheson commented that though he agrees, he feels the Police Dept. has a lot to contend with at this time and adding a law that cannot be logically enforced could be putting our officers unnecessarily at risk.**

**City Manager Dyess explained enforceability, stating when conflict is created in telling citizens they can't do something and yet an officer must act and if resistance occurs, "the fight is on." He explained that every time a law is created, additional law enforcement/citizen contact is created that puts officers in contrary interaction with citizens, causing risk.**

**Discussion of face masks will be brought back for further discussion at the July 13th Commission Meeting and Police Chief Tumminelli will provide some information.**

 **9:02 PM ADJOURNMENT**

**_____** **_____**

**Mary R. Kindel, City Clerk** **Michael J. Meier, Mayor**

**Minutes to be approved at the Regular Commission Meeting this 13th day of July, 2020.**

# MINUTES
# SPECIAL MEETING OF THE STUART CITY COMMISSION
# HELD June 22, 2020
# AT 4:00 PM Commission Chambers & ZOOM
# BUDGET WORKSHOP #1
# 121 SW FLAGLER AVE.
# STUART, FLORIDA 34994

## CITY COMMISSION
**Mayor Michael J. Meier**
**Vice Mayor Eula R. Clarke**
**Commissioner Becky Bruner**
**Commissioner Merritt Matheson**
**Commissioner - VACANT**

## ADMINISTRATIVE
**City Manager, David Dyess**
**City Attorney, Michael J. Mortell**
**City Clerk, Mary R. Kindel**

**4:04 PM ROLL CALL – Meeting Called to Order**

**THIS MEETING IS A HYBRID IN PERSON/REMOTE MEETING.**

**Statement by City Manager Dyess:**
**Pursuant to Executive Order 20-69 issued by the Office of Governor Ron DeSantis on March 20, 2020, due to COVID-19, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location and utilize communications media such as telephonic or video conferencing as provided by Florida Statute 120.54. Procedures for public comment by device; if you wish to speak during public comment, click raise hand at the bottom of the participant window. Your microphone will be unmuted when you are called on to speak. The public may choose to activate their camera if they wish. Both will be deactivated once their public comment time is completed. If attending by phone, press *9 to raise your hand, you will be called by the last three digits of your phone number. All are asked to state their name and address clearly for the record.**

**During Roll Call, for the record, Dyess requested the board state whether they are present in person or attending the meeting virtually.**

**Roll Call**
**Present: Mayor Meier, Vice Mayor Clarke, Commissioner Bruner, Commissioner Matheson (all board members in person)**

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

**4:06 PM 1.** FY 2021 BUDGET WORKSHOP #01

**Louis "Joly" Boglioli, Finance Director, presented with a power point presentation on the information the City has from the Property Appraisers Office, including the preliminary taxable value and CRA taxable value. Reviews included the Florida Retirement System adopted rates, TRICO Insurance increase, and the State of Florida revenue projections. Additional reviewed factors to consider are the impacts of COVID-19, multiple demands on federal funding, and impacts of civil activities of the insurance market.**

**Boglioli examined the primary revenue sources on a spreadsheet with the Commission.**

**4:32 PM City Manager Dyess noted that the City will be submitting to receive finding from the Cares Act Funding that the County has received, but can only apply for actual expenses incurred, not lost revenue. To his understanding, portions of that funding may be used for business rent and mortgage mitigation for citizens throughout the entire County.**

**COMMENTS BY CITY COMMISSIONERS**

**COMMENTS BY CITY MANAGER**

**APPROVAL OF AGENDA**

**4:33 PM COMMENTS FROM THE PUBLIC (5 Minutes Max)**

1) **Cher Fisher – President of Kiwanis Club of Stuart; Commented on the various events in the parks and stated it is time to renovate the park. Plans to remove and replace the sand and cover everything with sunshades. They ask the City to partner with them and be mindful of this as they plan the budget with 25% of the $150,000 grant ($37,500) and ask for assistance on an annual basis.**

**DISCUSSION AND DELIBERATION**

**4:38 PM ADJOURNMENT**

| | |
|---|---|
| _____ | _____ |
| **Mary R. Kindel, City Clerk** | **Michael J. Meier, Mayor** |

**Minutes to be approved at the Regular Commission Meeting this 13th day of July, 2020.**

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Tom Reetz

**Title of Item:**

PLAT OF "TRILLIUM" (RC):

RESOLUTION No. 76-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "TRILLIUM", WITH LANDS SITUATED IN MILES OR HANSON CREEK, CONTAINING 9.446 ACRES, PREPARED BY RONNIE L. FURNISS OF CAULFIELD AND WHEELER, INC., A FLORIDA REGISTERED PROFESSIONAL SURVEYOR AND MAPPER NO. 6272, PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

On November 12th, 2019 the City Commission adopted Ordinance 2419-2019, which is a residential town home project on the parcel located south of Miami Street and abutting the north side of Wal-Mart and east of Stuart Landings known as "Trillium".

Exhibit C, Development Conditions, condition #34 of the approving ordinance requires plat approval prior to any development activity. Pursuant to the terms of the PUD, the City must approve the plat if it is in compliance with the development order.

The City's Consultant, Northstar Geometrics has reviewed the plat for consistency with Chapter 177, Florida Statutes and the City's Land Development Code and provided comments which the applicant has addressed. See NorthStar and Kimley Horn final approval comments attached.

**Funding Source:**

N/A

**Recommended Action:**

Move to approve Resolution No. 76-2020 adopting Plat.

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | Resolution No. 76-2020 | 6/23/2020 | Resolution add to Y drive |
| 🗋 | Boundary & Topographic Survey Final | 6/23/2020 | Backup Material |
| 🗋 | Trillium Plat Final | 6/23/2020 | Backup Material |
| | | | Backup |

| | | | |
|---|---|---|---|
| 🗋 | Final Response by Surveyor to Comments | 6/23/2020 | Material |

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION No. 76-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "TRILLIUM", WITH LANDS SITUATED IN MILES OR HANSON CREEK, CONTAINING 9.446 ACRES, PREPARED BY RONNIE L. FURNISS OF CAULFIELD AND WHEELER, INC., A FLORIDA REGISTERED PROFESSIONAL SURVEYOR AND MAPPER NO. 6272, PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

* * * * *

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:**

SECTION 1: That certain plat titled "TRILLIUM" prepared by Ronnie L. Furniss, A Florida Professional Surveyor, a copy of which was initially filed with the City Development Department on February 6, 2020 is hereby approved by the City Commission as being in compliance with the requirements for platting in Chapter 177, Florida Statues and with local laws relative thereto.

SECTION 2: This resolution shall take effect upon adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| VACANT, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |

ADOPTED this 13TH day of July,2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL MORTELL
CITY ATTORNEY

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN THE FOREGOING RESOLUTION 76-2020, AND ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE FOREGOING ORDINANCE. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS RESIDENTIAL PLANNED UNIT DEVELOPMENT ACCORDING TO THIS ORDINANCE, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS ORDINANCE MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ADMINISTRATIVE ACTIONS AND PENALTIES MAY BE TAKEN AGAINST THE UNDERSIGNED, ITS SUCCESSORS OR ASSIGNS, BY THE CITY, INCLUDING BUT NOT LIMITED TO SANCTIONS DESCRIBED IN THIS ORDINANCE, CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING SUSPENSIONS OR REVOCATIONS, AND ANY OR ALL OTHER APPLICABLE CIVIL AND CRIMINAL ACTIONS. IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

Print Name: _____ Meritage Homes of Florida, Inc.

_____ _____

Print Name: _____ Name: Justin Cook

_____ Title: Division President

OWNERS ACKNOWLEDGMENT

The above Acceptance and Agreement of Resolution 76-2020 was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 20_____ by _____.

Personally Known OR Produced Identification

Type of Identification Produced _____

Signature of Notary Public: _____

Commission Expires:

Notary Seal:

# BOUNDARY & TOPOGRAPHIC SURVEY

## LEGAL DESCRIPTION:

PARCEL 6-B

TRACTS 153, 154, 155, 156, 157, AND 158 LYING WEST OF S.E. COMMERCE AVENUE AND SOUTH OF SE MIAMI STREET, SEWALL'S POINT LAND COMPANY SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 7 OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

-LESS AND EXCEPTING LANDS CONVEYED TO HARBOR EDERAL SAVINGS BANK, RECORDED IN OFFICIAL RECORDS BOOK 1693, PAGE 1280.

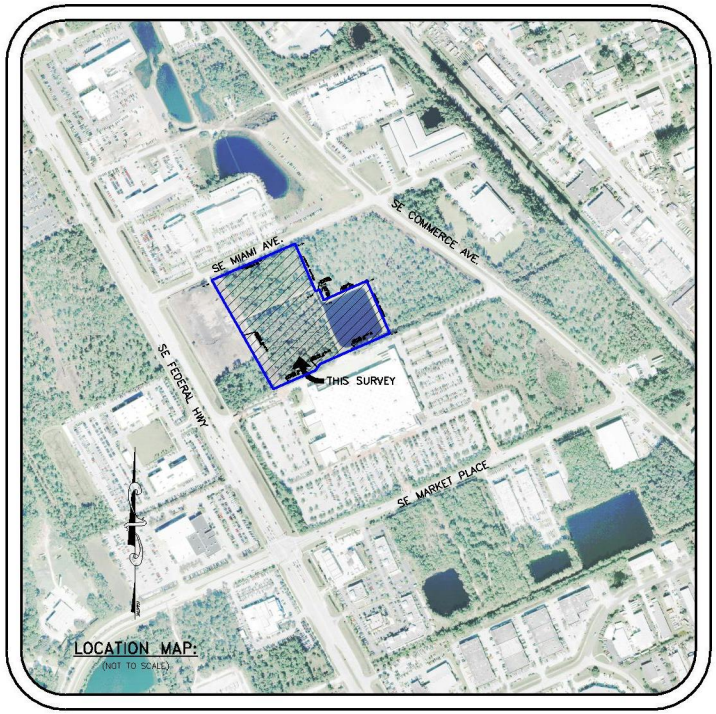
-AND LESS
LESS AND EXCEPTING LANDS CONVEYED TO WAL-MART STORES EAST, LP RECORDED IN OFFICIAL RECORDS BOOK 1948, PAGE 557.

-AND LESS
LESS AND EXCEPTING LANDS CONVEYED TO DKC STUART LANDINGS LLC, RECORDED IN OFFICIAL RECORDS BOOK 2823, PAGE 1546.

-AND LESS
PARCEL 6-A
A PARCEL OF LAND LYING IN A PORTION OF TRACTS 153, 154, 155, AND 156, SEWALL'S POINT LAND COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 7, OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, AND BEING FURTHER DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF S.E. MIAMI AVENUE, DESCRIBED IN OFFICIAL RECORDS BOOK 631, PAGE 1627, HAVING AN 80 FOOT RIGHT-OF-WAY, AND THE SOUTHWEST RIGHT-OF-WAY LINE OF S.E. COMMERCE AVENUE, ALSO DESCRIBED IN OFFICIAL RECORDS BOOK 631, PAGE 1627, HAVING AN 80 FOOT RIGHT-OF-WAY; THENCE ON A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIAL BEARING OF NORTH 61°36'25" EAST, A RADIUS OF 7460.00 FEET, A CENTRAL ANGLE OF 02°22'14", TRAVEL COUNTER-CLOCKWISE, ALONG THE ARC OF SAID NON-TANGENT CURVE, AND SAID 80 FOOT RIGHT-OF-WAY LINE, FOR A DISTANCE OF 308.63 FEET; THENCE SOUTH 55°29'19" EAST, ALONG SAID 80 FOOT RIGHT-OF-WAY LINE, FOR A DISTANCE OF 127.93 FEET TO A POINT ON A TANGENT CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 7460.00 FEET, AND A CENTRAL ANGLE OF 02°35'09"; THENCE TRAVEL CLOCKWISE, ALONG THE ARC OF SAID TANGENT CURVE, AND SAID 80 FOOT RIGHT-OF-WAY LINE, FOR A DISTANCE OF 336.67 FEET TO A POINT ON THE NORTH LINE OF A NON-EXCLUSIVE ACCESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 1948, PAGE 594; THENCE, DEPARTING SAID TANGENT CURVE, AND SAID SOUTHWEST RIGHT-OF-WAY LINE OF S.E. COMMERCE AVENUE, SOUTH 66°16'53" WEST, ALONG SAID NORTH LINE OF THE NON-EXCLUSIVE ACCESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 1948, PAGE 594, FOR A DISTANCE OF 592.21 FEET, TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID TRACT 155; THENCE NORTH 23°40'40" WEST, ALONG THE WEST LINE OF SAID TRACT 155, FOR A DISTANCE OF 319.22 FEET; THENCE, DEPARTING SAID WEST LINE, SOUTH 66°19'20" WEST, FOR A DISTANCE OF 263.00 FEET; THENCE NORTH 23°40'40" WEST, FOR A DISTANCE OF 60.90 FEET; THECE SOUTH 66°19'20" WEST, FOR A DISTANCE OF 20.00 FEET, TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID TRACT 156; THENCE NORTH 23°40'40" WEST, ALONG THE WEST LINE OF SAID RIGHT-OF-WAY LINE OF SAID S.E. MIAMI AVENUE; THENCE NORTH 66°19'21" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, FOR A DISTANCE OF 484.39 FEET TO THE POINT OF BEGINNING OF SAID PARCEL.

## LEGEND:

| | |
|---|---|
| Ⓑ | BACKFLOW PREVENTOR |
| (C) | CALCULATED DIMENSION FROM FIELD MEASUREMENTS |
| C.B.S. | CONCRETE BLOCK STRUCTURE |
| C/L | CENTERLINE |
| ⊗ | CLEANOUT |
| CMP | CORRUGATED METAL PIPE |
| (D) | DEED DIMENSION |
| Δ | DELTA (CENTRAL ANGLE) |
| Ⓓ | DRAINAGE MANHOLE |
| DIP | DUCTILE IRON PIPE |
| ◧ | ELECTRICAL JUNCTION BOX |
| ELEV. | ELEVATION |
| | FIRE HYDRANT |
| F.F. | FINISH FLOOR |
| FND | FOUND |
| GPS | GLOBAL POSITIONING SYSTEM |
| | GUY ANCHOR |
| H.D.P.E. | HIGH DENSITY POLYETHYLENE |
| INV. | INVERT |
| | LIGHT POLE |
| N.A.D. | NORTH AMERICAN DATUM |
| NAVD | NORTH AMERICAN VERTICAL DATUM |
| O.R.B. | OFFICIAL RECORDS BOOK |
| — OHU — | OVERHEAD UTILITY LINE |
| PG. | PAGE |
| P.B. | PLAT BOOK |
| (P) | PLATTED DIMENSION |
| P.O.B. | POINT OF BEGINNING |
| P.O.C. | POINT OF COMMENCEMENT |
| PVC | POLYVINYL CHLORIDE PIPE |
| RCP | REINFORCED CONCRETE PIPE |
| R/W | RIGHT-OF-WAY |
| Ⓢ | SANITARY SEWER MANHOLE |
| — SAN — | SANITARY SEWER LINE |
| | SANITARY SEWER VALVE |
| | SINGLE SUPPORT SIGN |
| — STM — | STORM SEWER LINE |
| ◧ | TELEPHONE PEDESTAL |
| | UTILITY POLE |
| | WATER VALVE |
| | WATER METER |
| ■ PRM | INDICATES SET 4" X 4" CONCRETE PERMANENT REFERENCE MONUMENT WITH DISK STAMPED PRM LB3591 |




**LOCATION MAP:**
(NOT TO SCALE)

ELEVATIONS SHOWN HEREON ARE ON NORTH AMERICAN VERTICAL DATUM 1988.

## SURVEYOR'S NOTES:

1. THE SURVEY DATE IS APRIL 15, 2019. (UPDATE SURVEY APRIL 29, 2020)
2. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY, AS DEFINED IN CHAPTER 5J-17.050(11) OF THE FLORIDA ADMINISTRATIVE CODE.
3. THIS SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
5. BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH, AND ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT. THE BEARING BASE FOR THIS SURVEY IS THE EAST RIGHT OF WAY LINE OF SE FEDERAL HIGHWAY, SAID LINE BEARS N29°29'27"W AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
6. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), AS ESTABLISHED BY NOS CONTROL POINT DESIGNATION "J 403" HAVING A PUBLISHED ELEVATION OF 15.27' (NAVD88). ELEVATION DEPICTED ON THIS SURVEY WERE OBTAINED USING REAL TIME KINEMATIC (RTK) GPS METHODS WITH AN EXPECTED ACCURACY OF +/- 0.1'. A CONVERSION OF NAVD88 + 1.45 TO NGVD29, AN EXAMPLE, FOR A DATUM-SHIFT VALUE OF -1.45, AN ELEVATION OF 15.27 FEET IN NAVD88 WOULD BE 16.72 FEET IN NGVD29.
7. THIS SURVEY DOES NOT HAVE THE BENEFIT OF A CURRENT TITLE COMMITMENT, OPINION, OR ABSTRACT. DURING THE COURSE OF THE SURVEY SOME SEARCHES OF THE PUBLIC RECORDS WERE MADE, BUT THESE SEARCHES WERE NOT EXHAUSTIVE AND SHOULD NOT BE CONSIDERED A SUBSTITUTE FOR A PROPER TITLE COMMITMENT, OPINION, OR ABSTRACT OBTAINED FROM A TITLE AGENCY OR OTHER TITLE PROFESSIONAL.
8. THIS SURVEY DELINEATES THE LOCATIONS OF THE LEGAL DESCRIPTIONS ON THE GROUND, BUT DOES NOT DETERMINE OWNERSHIP OR PROPERTY RIGHTS.
9. UNDERGROUND IMPROVEMENTS, IF ANY, WERE NOT LOCATED EXCEPT AS SHOWN.
10. ADJOINING PROPERTY INFORMATION WAS OBTAINED FROM MARTIN COUNTY PROPERTY APPRAISER OFFICE.
11. AERIAL IMAGERY SHOWN HEREON WAS OBTAINED FROM THE LAND BOUNDARY INFORMATION SYSTEM (LABINS) DATED 2016 AND IS SHOWN FOR INFORMATIONAL PURPOSES ONLY.
12. SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE X PER FEMA MAP NUMBER 12085C, PANEL NUMBER 0163G, WITH AN EFFECTIVE DATE OF 03/16/15.

## CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

FOR THE BENEFIT OF THE FOLLOWING PARTIES ONLY:

1) TED GLASRUD ASSOCIATES FL, LLC
2) INDUSTRIAL DEVELOPMENT CORP.,
3) COMMONWEALTH LAND TITLE INSURANCE COMPANY
4) RICHARD G. COKER JR., P.A.

RONNIE L. FURNISS, PSM
PROFESSIONAL SURVEYOR & MAPPER #6272
STATE OF FLORIDA – LB #3591


CAULFIELD & WHEELER, INC
CIVIL ENGINEERING • SURVEYING
7529 E. INDIAN RIVER RD. – SUITE 103
VERO BEACH, FLORIDA 32967
PHONE (561) 562-1101 / FAX (561) 562-1103


REVISIONS: | BY: | DATE:

BOUNDARY & TOPOGRAPHIC SURVEY
SE MIAMI AVENUE
STUART, FLORIDA 34997

CAD P:\08458-00-00-00-revit\01 drawings\Survey\
REF P:\08458-00-00-00-revit\01 drawings\Survey\JOB
FLD HW, WT, DF | FB./PG. RJ #1/20-22 | DATE 04/15/19
OFF BHM
CKD REB | SHEET 1 OF 2 | DWG 8458-SUR | DATE:

P:\08458-00-00-00-revit\01 drawings\Survey\08458-SUR.dwg, BH F, Jun 23, 2020

# BOUNDARY & TOPOGRAPHIC SURVEY

GRAPHIC SCALE

( IN FEET )
1 INCH = 60 FT.
(INTENDED DISPLAY SCALE)

ELEVATIONS SHOWN HEREON ARE ON NORTH AMERICAN VERTICAL DATUM 1988.




CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LAND SURVEYING
7529 E. INDIAN RIVER ROAD - SUITE 100
VERO BEACH, FLORIDA 32967
PHONE (561) 562-1004 / FAX (561) 562-4402

| | | | | |
|---|---|---|---|---|
| | | | | |
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| | | | | |

# TRILLIUM

BEING A REPLAT OF TRACTS 153, 154, 155, 156, 157, AND 158 LYING WEST OF S.E. COMMERCE AVENUE AND SOUTH OF SE MIAMI STREET, SEWALL'S POINT LAND COMPANY SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 7 OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.
LANDS SITUATED IN MILES OR HANSON GRANT, MARTIN COUNTY, FLORID.
CITY OF STUART, MARTIN COUNTY, FLORIDA.

SUBDIVISION PARCEL CONTROL NUMBER

CLERK'S RECORDING CERTIFICATE:

I, CAROLYN TIMMANN, CLERK OF THE CIRCUIT COURT OF MARTIN COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN PLAT BOOK_____, PAGE_____, MARTIN COUNTY, FLORIDA, PUBLIC RECORDS, THIS_____ DAY OF _____, 2020

CAROLYN TIMMANN
CIRCUIT COURT
MARTIN COUNTY, FLORIDA
BY: _____
DEPUTY CLERK
(CIRCUIT COURT SEAL)

FILE NO.

_____



THIS INSTRUMENT PREPARED BY
RONNIE L FURNISS
OF
**CAULFIELD and WHEELER, INC.**
SURVEYORS-ENGINEERS-PLANNERS
7900 GLADES ROAD, SUITE 100
BOCA RATON, FLORIDA 33434
(561) 392-1991

## LEGAL DESCRIPTION:

TRACTS 153, 154, 155, 156, 157, AND 158 LYING WEST OF S.E. COMMERCE AVENUE AND SOUTH OF SE MIAMI STREET, SEWALL'S POINT LAND COMPANY SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 7 OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

LESS AND EXCEPTING LANDS CONVEYED TO HARBOR EDERAL SAVINGS BANK, RECORDED IN OFFICIAL RECORDS BOOK 1693, PAGE 1280.

AND LESS
LESS AND EXCEPTING LANDS CONVEYED TO WAL-MART STORES EAST, LP RECORDED IN OFFICIAL RECORDS BOOK 1948, PAGE 557.

AND LESS
LESS AND EXCEPTING LANDS CONVEYED TO DKC STUART LANDINGS LLC, RECORDED IN OFFICIAL RECORDS BOOK 2823, PAGE 1546.

AND LESS

A PARCEL OF LAND LYING IN A PORTION OF TRACTS 153, 154, 155, AND 156, SEWALL'S POINT LAND COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 7, OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, AND BEING FURTHER DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF S.E. MIAMI AVENUE, DESCRIBED IN OFFICIAL RECORDS BOOK 631, PAGE 1627, HAVING AN 80 FOOT RIGHT-OF-WAY, AND THE SOUTHWEST RIGHT-OF-WAY LINE OF S.E. COMMERCE AVENUE, ALSO DESCRIBED IN OFFICIAL RECORDS BOOK 631, PAGE 1627, HAVING AN 80 FOOT RIGHT-OF-WAY; THENCE ON A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIAL BEARING OF NORTH 61°36'25" EAST, A RADIUS OF 7460.00 FEET, A CENTRAL ANGLE OF 02°22'14", TRAVEL COUNTER-CLOCKWISE, ALONG THE ARC OF SAID NON-TANGENT CURVE, AND SAID 80 FOOT RIGHT-OF-WAY LINE, FOR A DISTANCE OF 308.63 FEET; THENCE SOUTH 55°29'19" EAST, ALONG SAID 80 FOOT RIGHT-OF-WAY LINE, FOR A DISTANCE OF 127.93 FEET TO A POINT ON A TANGENT CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 7460.00 FEET, AND A CENTRAL ANGLE OF 02°35'09"; THENCE TRAVEL CLOCKWISE, ALONG THE ARC OF SAID TANGENT CURVE, AND SAID 80 FOOT RIGHT-OF-WAY LINE, FOR A DISTANCE OF 336.67 FEET TO A POINT ON THE NORTH LINE OF A NON-EXCLUSIVE ACCESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 1948, PAGE 594; THENCE, DEPARTING SAID TANGENT CURVE, AND SAID SOUTHWEST RIGHT-OF-WAY LINE OF S.E. COMMERCE AVENUE, SOUTH 66°16'53" WEST, ALONG SAID NORTH LINE OF THE NON-EXCLUSIVE ACCESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 1948, PAGE 594, FOR A DISTANCE OF 592.21 FEET, TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID TRACT 155, THENCE NORTH 23°40'40" WEST, ALONG THE WEST LINE OF SAID TRACT 155, FOR A DISTANCE OF 319.22 FEET; THENCE, DEPARTING SAID WEST LINE, SOUTH 66°19'20" WEST, FOR A DISTANCE OF 263.00 FEET; THENCE NORTH 23°40'40" WEST, FOR A DISTANCE OF 60.90 FEET; THECE SOUTH 66°19'20" WEST, FOR A DISTANCE OF 20.00 FEET, TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID TRACT 156; THENCE NORTH 23°40'40" WEST, ALONG THE WEST LINE OF SAID RIGHT-OF-WAY LINE OF SAID S.E. MIAMI AVENUE; THENCE NORTH 66°19'21" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, FOR A DISTANCE OF 484.39 FEET TO THE POINT OF BEGINNING OF SAID PARCEL.

LANDS SITUATED IN MILES OR HANSON GRANT, MARTIN COUNTY, FLORIDA

CONTAINING 9.446 ACRES MORE OR LESS.

## CERTIFICATE OF OWNERSHIP AND DEDICATION:

MERITAGE HOMES OF FLORIDA, INC., A FLORIDA CORPORATION, BY AND THROUGH ITS UNDERSIGNED DIVISION PRESIDENT, HEREBY CERTIFIES THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED ON THE PLAT OF TRILLIUM AND HEREBY DEDICATES AS FOLLOWS:

1. TRACT "R" SHOWN ON THIS PLAT OF TRILLIUM AND DESIGNATED AS PRIVATE IS HEREBY DECLARED TO BE THE PROPERTY OF TRILLIUM RESIDENTIAL COMMUNITY ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, (HEREINAFTER "ASSOCIATION"), AND THE PRIVATE ROAD EASEMENT CONVEYED BY THIS PLAT TO THE ASSOCIATION, FOR ACCESS AND UTILITY PURPOSES (INCLUDING CATV), AND SHALL BE MAINTAINED, REPAIRED AND REPLACED BY THE ASSOCIATION. THE CITY OF STUART SHALL HAVE ACCESS TO SAID TRACT "R" FOR EMERGENCY VEHICLES AND PERSONNEL, BUT SHALL BEAR NO RESPONSIBILITY, DUTY OR LIABILITY FOR THE STREET AND RIGHT-OF-WAY TRACT R DESIGNATED AS SUCH ON THIS PLAT.

2. TRACT "AE" SHOWN ON THIS PLAT OF TRILLIUM AND DESIGNATED AS PRIVATE IS HEREBY DECLARED TO BE THE PROPERTY OF TRILLIUM RESIDENTIAL COMMUNITY ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, (HEREINAFTER "ASSOCIATION"), AND THE ACCESS EASEMENT CONVEYED BY THIS PLAT TO THE ASSOCIATION, FOR ACCESS AND UTILITY PURPOSES (INCLUDING CATV), AND SHALL BE MAINTAINED, REPAIRED AND REPLACED BY THE ASSOCIATION. THE CITY OF STUART SHALL HAVE ACCESS TO SAID TRACT "AE" FOR EMERGENCY VEHICLES AND PERSONNEL, BUT SHALL BEAR NO RESPONSIBILITY, DUTY OR LIABILITY FOR THE STREET AND RIGHT-OF-WAY TRACT AE DESIGNATED AS SUCH ON THIS PLAT

3. ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION. THE CITY OF STUART HAS REGULATORY AUTHORITY OVER BUT SHALL BEAR NO RESPONSIBILITY, DUTY OR LIABILITY FOR, ANY UTILITY EASEMENT DESIGNATED AS SUCH ON THIS PLAT.

4. TRACT "REC" SHOWN ON THIS PLAT OF TRILLIUM AND DESIGNATED AS PRIVATE IS HEREBY DECLARED TO BE THE PROPERTY OF ASSOCIATION, AND THE PRIVATE "REC" TRACT SHALL BE CONVEYED BY DEED TO THE ASSOCIATION, FOR OPEN SPACE, PARK, AND RECREATIONAL PURPOSES, ALONG WITH THE CONSTRUCTION, MAINTENANCE, REPAIR, AND REPLACEMENT OF DRAINAGE LINES THEREIN, AND SHALL BE MAINTAINED, REPAIRED AND REPLACED BY THE ASSOCIATION, WITHOUT RECOURSE TO THE CITY OF STUART.

5. TRACT "O" AS SHOWN ON THIS PLAT OF TRILLIUM IS HEREBY DECLARED TO BE THE PROPERTY OF THE ASSOCIATION, AND IS FURTHER DECLARED TO BE OPEN SPACE AREAS, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR OPEN SPACE, DRAINAGE, UTILITY AND LANDSCAPING PURPOSES, INCLUDING CONSTRUCTION, MAINTENANCE, REPAIR AND REPLACEMENT OF A BUFFER WALL AND RELATED IMPROVEMENTS AND SHALL BE MAINTAINED BY THE ASSOCIATION. THE CITY OF STUART HAS AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY OR LIABILITY FOR TRACT "O" DESIGNATED AS SUCH ON THIS PLAT.

6. TRACT "W" AS SHOWN ON THIS PLAT OF TRILLIUM IS HEREBY DECLARED TO BE THE PROPERTY OF THE ASSOCIATION, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR DRAINAGE AND RETENTION PURPOSES, AND SHALL BE MAINTAINED BY THE ASSOCIATION. THE CITY OF STUART HAS AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY OR LIABILITY FOR TRACT "W" DESIGNATED AS SUCH ON THIS PLAT.

7. TRACT "DT" DRAINAGE TRACT AS SHOWN ON THIS PLAT OF TRILLIUM IS HEREBY DECLARED TO BE THE PROPERTY OF THE ASSOCIATION, WHICH SHALL BE CONVEYED BY DEED TO THE ASSOCIATION FOR ACCESS AND DRAINAGE MAINTENANCE PURPOSES AND SHALL BE MAINTAINED BY THE ASSOCIATION. THE CITY OF STUART HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY. DUTY OR LIABILITY FOR THE LAKE MAINTENANCE EASEMENT DESIGNATED AS SUCH ON THIS PLAT.

8. LAKE MAINTENANCE EASEMENT (LME) AS SHOWN ON THIS PLAT OF TRILLIUM IS HEREBY DEDICATED TO THE ASSOCIATION, WHICH SHALL BE CONVEYED BY THIS PLAT TO THE ASSOCIATION FOR ACCESS AND LAKE MAINTENANCE PURPOSES AND SHALL BE MAINTAINED BY THE ASSOCIATION. THE CITY OF STUART HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY OR LIABILITY FOR THE LAKE MAINTENANCE EASEMENT DESIGNATED AS SUCH ON THIS PLAT.

9. DRAINAGE EASEMENTS (DE) AS SHOWN ON THIS PLAT OF TRILLIUM, AND DESIGNATED AS SUCH ON THE PLAT, ARE HEREBY DEDICATED TO BE THE PROPERTY OF THE ASSOCIATION, AND SHALL BE CONVEYED BY THIS PLAT TO THE ASSOCIATION FOR DRAINAGE PURPOSES AND ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE MAINTAINED, REPAIRED, AND REPLACED BY THE ASSOCIATION. THE CITY OF STUART HAS REGULATORY AUTHORITY OVER, BUT SHALL BEAR NO RESPONSIBILITY, DUTY OR LIABILITY FOR ANY DRAINAGE EASEMENTS DESIGNATED AS SUCH ON THIS PLAT.

SIGNED THIS _____ DAY OF _____ 2020, ON BEHALF OF SAID CORPORATION BY ITS DIVISION PRESIDENT.

MERITAGE HOMES OF FLORIDA, INC., A FLORIDA CORPORATION,

WITNESS BY: _____
PRINT NAME

BY: _____
JUSTIN COOK
DIVISION PRESIDENT

WITNESS BY: _____
PRINT NAME

## ACKNOWLEDGMENT:

STATE OF FLORIDA
COUNTY OF _____

BEFORE ME PERSONALLY APPEARED JUSTIN COOK, DIVISION PRESIDENT, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING CERTIFICATE OF OWNERSHIP AND DEDICATION AS DIVISION PRESIDENT OF MERITAGE HOMES OF FLORIDA, INC., A FLORIDA CORPORATION, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH CERTIFICATE OF OWNERSHIP AND DEDICATION AS DIVISION PRESIDENT OF SAID CORPORATION, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2020.

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC

COMMISSION NUMBER: _____
PRINT NAME

## ACCEPTANCE OF DEDICATION:

TRILLIUM RESIDENTIAL COMMUNITY ASSOCIATION, INC., A FLORIDA, NOT-FOR-PROFIT CORPORATION, HEREBY ACCEPTS THE DEDICATIONS OR RESERVATIONS TO SAID ASSOCIATION AS STATED AND SHOWN HEREON, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME.
DATED THIS _____DAY OF _____, 2020.

TRILLIUM RESIDENTIAL COMMUNITY ASSOCIATION, INC.,
A FLORIDA, NOT-FOR-PROFIT CORPORATION

WITNESS: _____

BY: _____

PRINT NAME: _____

PRINT NAME: DANTE FRAIEGARI

TITLE: VICE PRESIDENT

WITNESS: _____

PRINT NAME: _____

## ACKNOWLEDGEMENT:

STATE OF FLORIDA
COUNTY OF _____
BEFORE ME PERSONALLY APPEARED DANTE FRAIECARI, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING ACCEPTANCE OF DEDICATIONS AS VICE PRESIDENT OF TRILLIUM RESIDENTIAL COMMUNITY ASSOCIATION, INC., A FLORIDA, NOT-FOR-PROFIT CORPORATION AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS DIRECTOR OF SAID CORPORATION, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS_____DAY OF_____,2020.

MY COMMISSION EXPIRES. _____
NOTARY PUBLIC

COMMISSION NUMBER: _____
PRINT NAME

## APPROVAL BY CITY OF STUART:

THIS PLAT IS HEREBY APPROVED BY THE UNDERSIGNED ON THE DATES INDICATED

DATE _____ GREGORY S. FLEMING CITY SURVEYOR AND MAPPER REVIEWER

DATE _____ KEVIN M. ROBERSON, CITY ENGINEER-KIMLEY HORN & ASSOC. INC.

DATE _____ MICHAEL J. MORTELL, CITY ATTORNEY

DATE _____ MICHAEL J. MEIER, MAYOR

DATE _____ MARY KINDEL, CITY CLERK

TRILLIUM RESIDENTIAL COMMUNITY ASSOCIATION, INC

## TITLE CERTIFICATION:

I, DAVID BARKER A MEMBER OF THE FLORIDA BAR, HEREBY CERTIFY THAT AS OF _____, 2020,

1. RECORD TITLE TO THE LANDS DESCRIBED AND SHOWN ON THIS PLAT IS IN THE NAME OF MERITAGE HOMES OF FLORIDA, INC., A FLORIDA CORPORATION EXECUTING THE CERTIFICATE OF OWNERSHIP AND DEDICATION HEREON.

2. ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD, ENCUMBERING THE LAND DESCRIBED HEREON ARE AS FOLLOWS:
A) NONE

3. ALL TAXES THAT ARE DUE AND PAYABLE PURSUANT TO SECTION 197.192, F.S., HAVE BEEN PAID.

DATED: THIS _____ DAY OF _____, 2020.

DAVID BARKER, ATTORNEY
FLORIDA BAR NO.: _____
_____
_____
_____, FLORIDA

## SURVEY NOTES:

1. NO BUILDINGS OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.

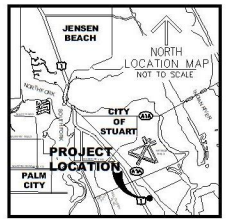
2. APPROVAL OF LANDSCAPING ON UTILITY EASEMENT. (EXCLUDING WATER AND SEWER) SHALL ONLY BE WITH APPROVAL OF ALL UTILITIES OCCUPYING SAID EASEMENT.

3. BEARINGS SHOWN HEREON ARE RELATIVE TO SOUTH RIGHTI-OF-WAY LINE OF SOUTHEAST MIAMI AVENUE HAVING A GRID BEARING OF N66°19'19"E. BEARINGS ARE BASED ON GPS RTK MEASUREMENTS, AND AS TRANSFORMED TO THE NORTH AMERICAN DATUM OF 1983, WITH THE 1990 ADJUSTMENT.

4. LINES INTERSECTING CURVES ARE NON-RADIAL UNLESS SHOWN OTHERWISE.

5. THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

6. IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE THE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITY BEING DETERMINED BY USE RIGHTS GRANTED.




## CERTIFICATE OF SURVEYOR AND MAPPER:

I, RONNIE L. FURNISS, HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND THAT THE PLAT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUES, AND APPLICABLE ORDINANCES OF THE CITY OF STUART, FLORIDA.

DATED:_____

BY: _____
RONNIE L. FURNISS
PROFESSIONAL SURVEYOR AND MAPPER #6272
STATE OF FLORIDA

CAULFIELD AND WHEELER, INC
SURVEYORS – ENGINEERS – PLANNERS
7900 GLADES ROAD, SUITE 100
(561-392-1991)
CERTIFICATION OF AUTHORIZATION NO. LB 3591

SURVEYOR

PLAT BOOK _____
PAGE _____

SHEET 2 OF 5

# TRILLIUM

BEING A REPLAT OF TRACTS 153, 154, 155, 156, 157, AND 158 LYING WEST OF S.E. COMMERCE AVENUE AND SOUTH OF SE MIAMI STREET, SEWALL'S POINT LAND COMPANY SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 7 OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA. LANDS SITUATED IN MILES OR HANSON GRANT, MARTIN COUNTY, FLORID. CITY OF STUART, MARTIN COUNTY, FLORIDA.

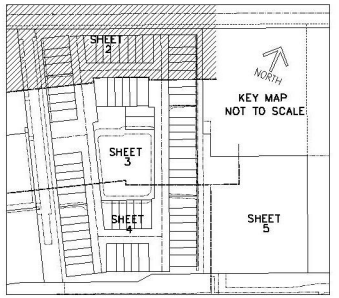

THIS INSTRUMENT PREPARED BY
RONNIE L FURNISS
OF
**CAULFIELD and WHEELER, INC.**
SURVEYORS-ENGINEERS-PLANNERS
7900 GLADES ROAD, SUITE 100
BOCA RATON, FLORIDA 33434
(561) 392-1991


**LEGEND/ABBREVIATIONS**

- ℄ – CENTERLINE
- Δ – DELTA (CENTRAL ANGLE)
- AC – ACERS
- BWE – BUFFER WALL EASEMENT
- ⌭B – CHORD BEARING
- CH – CHORD DISTANCE
- (D) – DEED
- DE – DRAINAGE EASEMENT
- L – ARC LENGTH
- LB – LICENSED BUSINESS
- LME – LAKE MAINTENANCE EASEMENT
- ORB – OFFICIAL RECORD BOOK
- R – RADIUS
- (R) – INDICATES LINE RADIAL LOT LINE
- R/W – RIGHT-OF-WAY
- UE – UTILITY EASEMENT
- PRM – DENOTES PERMANENT REFERENCE MONUMENT 4"X4"X24" CONCRETE MONUMENT WITH ALUMINUM DISK STAMPED "PRM LB3591"
- ● – DENOTES SET 5/8" IRON ROD WITH PLASTIC CAP "C&W LB3591"
- ◉ DENOTES SET PERMANENT CONTROL POINT "PCP LB3591"

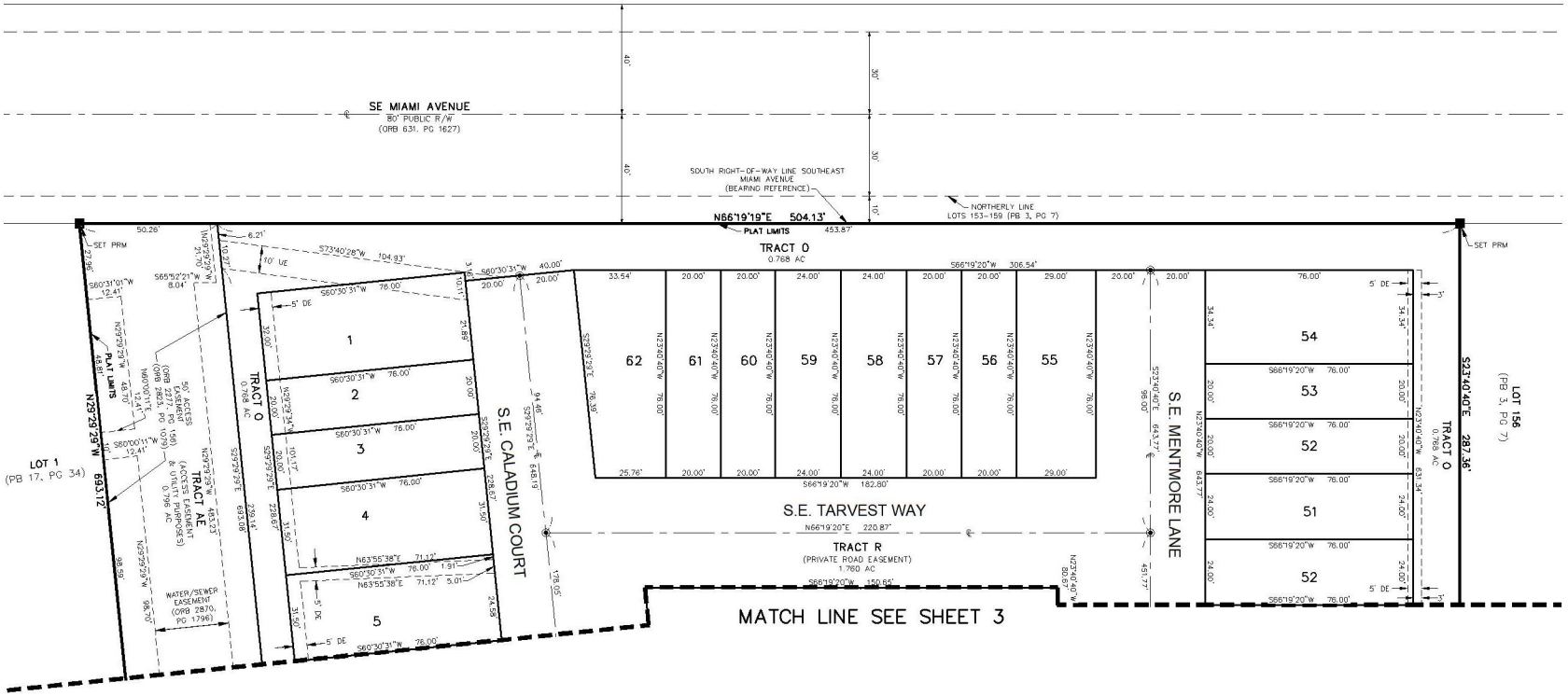
NORTH

GRAPHIC SCALE
( IN FEET )
20 0 20 40 80
INTENDED DISPLAY SCALE 1 INCH = 20 FEET




**SURVEY NOTES:**

1. NO BUILDINGS OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.
2. APPROVAL OF LANDSCAPING ON UTILITY EASEMENT. (EXCLUDING WATER AND SEWER) SHALL ONLY BE WITH APPROVAL OF ALL UTILITIES OCCUPYING SAID EASEMENT.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO SOUTH RIGHT-OF-WAY LINE OF SOUTHEAST MIAMI AVENUE HAVING A GRID BEARING OF N66°19'19"E. BEARINGS ARE BASED ON GPS RTK MEASUREMENTS, AND AS TRANSFORMED TO THE NORTH AMERICAN DATUM OF 1983, WITH THE 1990 ADJUSTMENT.
4. LINES INTERSECTING CURVES ARE NON-RADIAL UNLESS SHOWN OTHERWISE.
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# TRILLIUM

BEING A REPLAT OF TRACTS 153, 154, 155, 156, 157, AND 158 LYING WEST OF S.E. COMMERCE AVENUE AND SOUTH OF SE MIAMI STREET, SEWALL'S POINT LAND COMPANY SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 7 OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA. LANDS SITUATED IN MILES OR HANSON GRANT, MARTIN COUNTY, FLORID. CITY OF STUART, MARTIN COUNTY, FLORIDA.

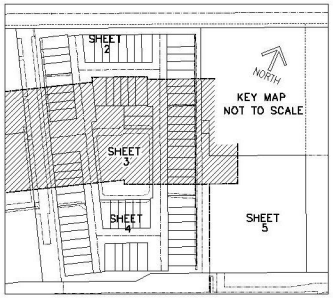
PLAT BOOK _____
PAGE _____

SHEET 3 OF 5

**SURVEY NOTES:**

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THIS INSTRUMENT PREPARED BY
RONNIE L FURNISS
OF
**CAULFIELD and WHEELER, INC.**
SURVEYORS-ENGINEERS-PLANNERS
7900 GLADES ROAD, SUITE 100
BOCA RATON, FLORIDA 33434
(561) 392-1991


NORTH

GRAPHIC SCALE
( IN FEET )
20 0 20 40 80
INTENDED DISPLAY SCALE 1 INCH = 20 FEET

MATCH LINE SEE SHEET 2

LEGEND/ABBREVIATIONS
- ℄ – CENTERLINE
- Δ – DELTA (CENTRAL ANGLE)
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- PRM – DENOTES PERMANENT REFERENCE MONUMENT
- ■ – 4"X4"X24" CONCRETE MONUMENT WITH ALUMINUM DISK STAMPED "PRM LB3591"
- ● – DENOTES SET 5/8" IRON ROD WITH PLASTIC CAP "C&W LB3591"
- ⊙ – DENOTES SET PERMANENT CONTROL POINT "PCP LB3591"

LOT 156
(PB 3, PG 7)

LOT 1
(PB 17, PG 34)

LOT 2
(PB 17, PG 34)

TRACT R
(PRIVATE ROAD EASEMENT)
1.760 AC

TRACT AE
(ACCESS EASEMENT & UTILITIES)
0.796 AC

TRACT O
0.768 AC

TRACT REC
PRIVATE
0.111 AC

TRACT W
(LAKE)
0.688 AC

TRACT DT
(DRAINAGE TRACT)
2.102 AC

S.E. TRILLIUIM WAY

S.E. CALADIUM COURT

S.E. MENTMORE LANE

50' ACCESS EASEMENT (ORB 2823, PG 1670)

WATER/SEWER EASEMENT (ORB 2870, PG 1796)

DRAINAGE EASEMENT
(ORB 1948, PG 560)
(ORB 2138, PG 649)

PLAT LIMITS

MATCH LINE SEE SHEET 4

MATCH LINE SEE SHEET 5

# TRILLIUM

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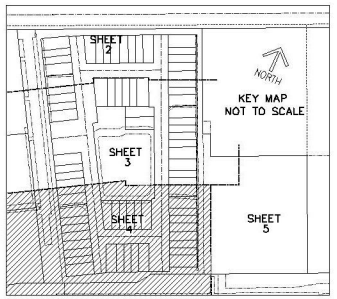
PLAT BOOK _____
PAGE _____

SHEET 4 OF 5

**SURVEY NOTES:**

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THIS INSTRUMENT PREPARED BY
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OF
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SURVEYORS-ENGINEERS-PLANNERS
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(561) 392-1991


NORTH

GRAPHIC SCALE
( IN FEET )
20 0 20 40 80
INTENDED DISPLAY SCALE 1 INCH = 20 FEET

MATCH LINE SEE SHEET 3

MATCH LINE SEE SHEET 5

S.E. CALADIUM COURT
S.E. MENTMORE LANE
S.E. VISCARIA PLACE

TRACT W (LAKE) 0.688 AC
TRACT O 0.768 AC
TRACT R (PRIVATE ROAD EASEMENT) 1.760 AC
TRACT AE (ACCESS EASEMENT & UTILITY PURPOSES) 0.796 AC

LOT 2 (PB 17, PG 34)
LOT 3 (PB 17, PG 34)

20' DRAINAGE EASEMENT (ORB 1948, PG 560)
WATER/SEWER EASEMENT (ORB 2870, PG 1796)
50' ACCESS EASEMENT (ORB 2277, PG 180) (ORB 2823, PG 1071)
DRAINAGE EASEMENT (ORB 1948, PG 560) (ORB 2138, PG 640)
UTILITY EASEMENT (ORB 1951, PG 1474)

PLAT LIMITS

S66°16'53"W 254.15'
S66°16'53"W 424.14'
S37°06'48"W 44.26'
S66°16'53"W 60.06'

SET PRM

WAL-MART AT PORT SEWALL
LOT 1 BLOCK 1
(PB 15, PG 100)

FND 4"X4" CONCRETE MONUMENT STAMPED "KHA LB 696"

ACCESS EASEMENT (ORB 1948, PG 594)

**LEGEND/ABBREVIATIONS**

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PLAT BOOK _____
PAGE _____

SHEET 5 OF 5

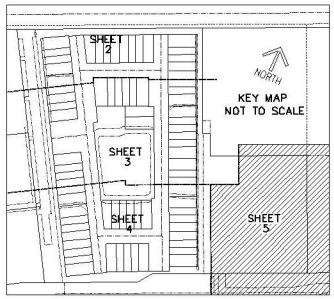
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MATCH LINE SEE SHEET 3

MATCH LINE SEE SHEET 4

LOT 156
(PB 3, PG 7)

LOT 155
(PB 3, PG 7)

N66°19'20"E 263.00'

PLAT LIMITS

SET PRM

TRACT DT
(DRAINAGE TRACT)
2.102 AC

DRAINAGE EASEMENT
(ORB 1948, PG 560)
(ORB 2138, PG 648)

DRAINAGE EASEMENT
(ORB 1948, PG 560)
(ORB 2138, PG 648)

S23°40'40"E 319.22'

PLAT LIMITS

LOT 155
(PB 3, PG 7)

PLAT LIMITS
283.00'
S66°19'53"W 424.14'

SET PRM

ACCESS EASEMENT
(ORB 1948, PG 594)

UTILITY EASEMENT (ORB 1951, PG 1741)

WAL-MART AT PORT SEWALL
LOT 1 BLOCK 1
(PB 15, PG 100)

**SURVEY NOTES:**

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Kimley»Horn

To: Tom Reetz
Senior Planner
City of Stuart Development Department

From: Kevin Roberson, P.E.
Kimley-Horn and Associates, Inc.

Date: February 28, 2020

Re: Trillium Townhomes – Stuart, Florida – Plat review

---

Dear Mr. Reetz,

Kimley-Horn has reviewed the plat submittal documents provided to Kimley Horn on February 14, 2020, prepared by Caufield and Wheeler, Inc. for the proposed Trillium Townhomes development in Stuart, Florida.

Please find below our review comments:

1. On Sheet 1, under the legal description, please describe the significance of Parcels 6 A and 6 B. Those are not found within the plat.
   ***Text of Parcel 6 A and 6 have been removed.***
2. On Sheet 1 under the Certificate of Ownership and Dedication, Item 7, how is this Tract conveyed? ***By future deed, dedication has been revised.***
3. On Sheet 1 under the Certificate of Ownership and Dedication, Item 8, how is this Lake Maintenance Easement conveyed? ***By future deed, dedication has been revised.***
4. On Sheet 1 under approval by City of Stuart, please replace City Engineer with Kevin M. Roberson, City Engineer - Kimley Horn and Associates Inc. ***Revised as requested.***
5. On Sheet 2 Tract AE on the left side of the sheet, please add "and utility purposes" after access easement to match the cover sheet. ***Revised as requested.***
6. On Sheet 3 Tract AE on the left side of the sheet, please add "and utility purposes" after access easement to match the cover sheet. ***Revised as requested.***
7. On Sheet 3, define the limits of the easement within Lot 70. ***Added dimensions to esmt.***
8. On Sheet 4, define the limits of the easement within Lots 71-76. ***Added dimensions to esmt.***
9. On Sheet 4, the existing easements must show bearings and distances if not coincident with parcel lines. ***Added bearing and distances as required.***
10. On Sheet 4 Tract AE on the left side of the sheet, please add "and utility purposes" after access easement to match the cover sheet. ***Revised as requested.***
11. On Sheet 4, add matchline designations on top and right sides of sheet. ***Added designations.***
12. On Sheet 5, add matchline designations on left side of sheet. ***Added designations.***

Thank you for the opportunity to assist the City of Stuart in reviewing the noted project. By conducting this limited evaluation, Kimley-Horn is not assuming responsibility for the content and accuracy of the plans, which remain the sole responsibility of the Engineer of Record and the Surveyor of Record. Please contact us if you have any questions or need additional information.

Sincerely,

Kimley-Horn and Associates, Inc.



Kevin M. Roberson, P.E.
Vice President

NORTHSTAR GEOMATICS

SURVEYING/MAPPING • GIS • ASSET INVENTORY

April 6, 2020

Mr. Thomas Reetz
Senior Planner
City of Stuart Development Department
Via email

RE: Plat Review # 1 – Trillium Plat

Dear Mr. Reetz:

As you requested, I have reviewed the above referenced plat for conformance with City of Stuart Ordinance No. 1804-01 which was provided to me by the City of Stuart for plat review purposes. My review of this plat does not include verifying accuracy of legal descriptions, plat geometry, mathematical calculations or acreages shown on this plat. It is my understanding that this plat was reviewed for conformance with Chap 177, Florida Statutes by Kimley Horn. A duplicate review of Chap 177 was not performed by the undersigned as directed by City staff.

My first review comments are as follows:

1. City Ordinance No. 1804-01 requires digital CAD file in Florida State Plane Coordinates be provided before plat recordation. ***CAD file will be provided.***
2. PRM's must be field verified by reviewing surveyor prior to final approval. Platting surveyor to notify reviewer when PRM's are ready for inspection and must accompany reviewer on inspection. Reviewing surveyor can be contacted at 772-181-6400, or email at gregf@nsgeo.com. ***PRM's have been verified***
3. Sheet numbers are required to be in lower right-hand corner on each sheet. ***City requested upper right for sheet number to be consistent with other plats.***
4. Date of boundary survey must be within 180 days of plat submittal. ***Updated survey to be provide.***
5. Surveyor's notes required on each sheet. ***Added notes as requested.***
6. A written response to each comment is required with next plat review.

Reviewed By:



Gregory S. Fleming
For NorthStar Geomatics, Inc.

PO Box 2371 ● Stuart, Florida 34995 ● Phone (772) 781-6400 ● Fax (772) 781-6462

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Tim Voelker, P.E. - Public Works Assistant Director/City Engineer

**Title of Item:**

MONTEREY ROAD SUBDIVISION WATERMAIN IMPROVEMENTS LOAN AGREEMENT (RC):

RESOLUTION No. 77-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RELATING TO THE DRINKING WATER STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; APPROVING THE FORM AND AUTHORIZING EXECUTION OF THE LOAN AGREEMENT FOR CONSTRUCTION OF THE MONTEREY ROAD SUBDIVISION WATERMAIN IMPROVEMENTS PROJECT; PROVIDING FOR CONFLICTS; SEVERABILITY, AND EFFECTIVE DATE.

**Summary Explanation/Background Information on Agenda Request:**

On April 27, 2020, the City of Stuart adopted Resolution No. 42-2020, authorizing the Drinking Water Facilities State Revolving Fund (SRF) loan application in the amount of $635,835.00 (excluding capitalized interest) for construction of the Monterey Road Subdivision Watermain Improvements project. The SRF loan application was submitted to the Florida Department of Environmental Protection (FDEP) on May 7, 2020.

FDEP subsequently sent the City a proposed loan agreement on June 9, 2020. The estimated amount of principal forgiveness is $384,998.00 and another $330,000.00 of funding is being provided by FDEP. Therefore, the estimated principal amount of the loan to be repaid is $66,232.00 ($781,230.00 - $384,998.00 - $330,000.00). The financing rate on the unpaid principal of the loan amount is 0.00% per annum.

**Funding Source:**

Resolution 44-2020 authorized Budget Amendment No. 5 to the FY 2019-20 Annual Budget for the Monterey Road Subdivision Watermain Improvements project.

**Recommended Action:**

Approve Resolution No. 77-2020.

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | Resolution 77-2020 Authorize Loan Agreement - Monterey Road Subdivision Watermain Improvements | 6/24/2020 | Resolution add to Y drive |
| 🗋 | Exhibit A - State Revolving Fund Loan Agreement DW430440 | 6/29/2020 | Attachment |
| 🗋 | Resolution 42-2020 | 6/29/2020 | Backup Material |

| | | | |
|---|---|---|---|
| 🗋 | Resolution 44-2020 Budget Amendment No. 5 | 6/29/2020 | Backup Material |

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 77-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RELATING TO THE DRINKING WATER STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; APPROVING THE FORM AND AUTHORIZING EXECUTION OF THE LOAN AGREEMENT FOR CONSTRUCTION OF THE MONTEREY ROAD SUBDIVISION WATERMAIN IMPROVEMENTS PROJECT; PROVIDING FOR CONFLICTS; SEVERABILITY, AND EFFECTIVE DATE.**

* * * * *

**WHEREAS**, Florida Statutes provide for loans to local government agencies to finance the construction of clean water projects; and

**WHEREAS,** Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative; to provide assurances of compliance with loan program requirements; and to enter into a loan agreement; and

**WHEREAS,** the City of Stuart, Florida (the "City") has previously adopted Resolution No. 42-2020 on April 27, 2020 authorizing the loan application, establishing pledged revenues, providing assurances and designating authorized representatives; and

**WHEREAS,** the City, now intends to approve the form and authorize execution of the loan agreement attached hereto as Exhibit A (the "Loan Agreement") with the State of Florida Department of Environmental Protection ("FDEP") under the Drinking Water State Revolving Fund for project financing.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:**

SECTION 1: The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2: The loan evidenced by the Loan Agreement in the amount of not to exceed $781,230.00 is hereby approved. The estimated amount of principal forgiveness is $384,998.00 and $330,000.00 of funding is being provided by FDEP. Therefore, the estimated principal amount of the loan to be repaid is $66,232.00. The interest rate on such loan of 0.00% is hereby approved. The Mayor of the City is hereby authorized to execute and deliver the Loan Agreement to be attested and countersigned by its City Clerk of the City, subject to the approval of the City Attorney of the City as to form and legality, and the corporate seal of the City shall be affixed thereto or reproduced thereon.

SECTION 3: If net utility systems revenues are insufficient in any fiscal year to pay the debt service due pursuant to the Loan Agreement in such fiscal year, the City shall covenant, in the Loan Agreement, to budget and appropriate legally available non-ad valorem revenues in the amount of the deficiency. Notwithstanding any provisions of this Resolution or the Loan Agreement to the contrary, (i) the Loan Agreement and the indebtedness evidenced thereby shall not constitute a lien upon any real or personal property of the City, or any part thereof, or any other tangible personal property of or in the City, but shall constitute a lien only on funds budgeted and appropriated for the repayment of the loan, all in the manner and to the extent provided in the Loan Agreement, and (ii) the City shall never be obligated to maintain or continue any of the activities of the City which generate user service charges, regulatory fees or any non-ad valorem revenues.

SECTION 4: All resolutions or part of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 5: If any section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other Section or part of this Resolution.

SECTION 6: This Resolution shall be in full force and take effect immediately upon its passage and adoption.

Resolution No. 77-2020
Authorize Loan Agreement – Monterey Road Subdivision Watermain Improvements

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| VACANT, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |

ADOPTED this 13th day of July, 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL
CITY ATTORNEY

# EXHIBIT A

Loan Agreement

**STATE OF FLORIDA**
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**AND**

**CITY OF STUART, FLORIDA**

# DRINKING WATER STATE REVOLVING FUND
# CONSTRUCTION LOAN AGREEMENT
# DW430440

Florida Department of Environmental Protection
State Revolving Fund Program
Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard, MS 3505
Tallahassee, Florida 32399-3000

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1.02. CORRELATIVE WORDS. 3

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**DRINKING WATER STATE REVOLVING FUND**

**CONSTRUCTION LOAN AGREEMENT**

**DW430440**

THIS AGREEMENT is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF STUART, FLORIDA, (Project Sponsor) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department and the Project Sponsor shall be referred to as "Parties" or individually as "Party".

RECITALS

Pursuant to Section 403.8532, Florida Statutes and Chapter 62-552, Laws of Florida, the Department is authorized to make loans to finance or refinance the construction of public water systems, the planning and design of which have been reviewed by the Department; and

The Project Sponsor has applied for financing of the Project, and the Department has determined that such Project meets all requirements for a Loan and Principal Forgiveness.

AGREEMENT

In consideration of the Department loaning money to the Project Sponsor, in the principal amount and pursuant to the covenants set forth below, it is agreed as follows:

ARTICLE I - DEFINITIONS

1.01. WORDS AND TERMS.

Words and terms used herein shall have the meanings set forth below:

(1) "Agreement" or "Loan Agreement" shall mean this construction loan agreement.

(2) "Authorized Representative" shall mean the official of the Project Sponsor authorized by ordinance or resolution to sign documents associated with the Loan.

(3) "Capitalized Interest" shall mean the finance charge that accrues at the Financing Rate on Loan proceeds from the time of disbursement until six months before the first Semiannual Loan Payment is due. Capitalized Interest is financed as part of the Loan principal.

(4) "Depository" shall mean a bank or trust company, having a combined capital and unimpaired surplus of not less than $50 million, authorized to transact commercial banking or savings and loan business in the State of Florida and insured by the Federal Deposit Insurance Corporation.

(5) "Final Amendment" shall mean the final agreement executed between the parties that establishes the final terms for the Loan such as the final Loan amount, the Financing Rate, Loan Service Fee, amortization schedule and Semiannual Loan Payment amount.

(6) "Final Unilateral Amendment" shall mean the Loan Agreement unilaterally finalized by the Department after Loan Agreement and Project abandonment under Section 8.06 that establishes the final amortization schedule for the Loan.

(7) "Financing Rate" shall mean the charges, expressed as a percent per annum, imposed on the unpaid principal of the Loan.

(8) "Gross Revenues" shall mean all income or earnings received by the Project Sponsor from the ownership or operation of its Water and Sewer Systems, including investment income, all as calculated in accordance with generally accepted accounting principles. Gross Revenues shall not include proceeds from the sale or other disposition of any part of the Water or Sewer System, condemnation awards or proceeds of insurance, except use and occupancy or business interruption insurance, received with respect to the Water or Sewer System.

(9) "Loan" shall mean the amount of money to be loaned pursuant to this Agreement and subsequent amendments.

(10) "Loan Application" shall mean the completed form which provides all information required to support obtaining construction loan financial assistance.

(11) "Loan Debt Service Account" shall mean an account, or a separately identified component of a pooled cash or liquid account, with a Depository established by the Project Sponsor for the purpose of accumulating Monthly Loan Deposits and making Semiannual Loan Payments.

(12) "Loan Service Fee" shall mean an origination fee which shall be paid to the Department by the Project Sponsor.

(13) "Local Governmental Entity" means a county, municipality, or special district.

(14) "Monthly Loan Deposit" shall mean the monthly deposit to be made by the Project Sponsor to the Loan Debt Service Account.

(15) "Operation and Maintenance Expense" shall mean the costs of operating and maintaining the Water and Sewer Systems determined pursuant to generally accepted accounting principles, exclusive of interest on any debt payable from Gross Revenues, depreciation, and any other items not requiring the expenditure of cash.

(16) "Parity Debt" shall mean any debt obligations issued that are on an equal commercial lien position with this Loan.

(17) "Pledged Revenues" shall mean the specific revenues pledged as security for repayment of the Loan and shall be the Gross Revenues derived yearly from the operation of the Water and Sewer Systems after payment of the Operation and Maintenance Expense and the satisfaction of all yearly payment obligations on account of the Senior Revenue Debt and any senior or parity obligations issued pursuant to Section 7.02 of this Agreement.

(18) "Principal Forgiveness" shall mean the amount of money awarded pursuant to this Agreement and subsequent amendments that is not to be repaid.

(19) "Project" shall mean the works financed by this Loan and shall consist of furnishing all labor, materials, and equipment to construct the water main to connect contaminated residential wells project in accordance with the plans and specifications accepted by the Department for the "Monterey Road Subdivision Water Main Improvements" contract.

The Project is in agreement with the planning documentation accepted by the Department effective February 4, 2020. A Florida Categorical Exclusion Notice was published on January 29, 2020 and no adverse comments were received.

(20) "Semiannual Loan Payment" shall mean the payment due from the Project Sponsor to the Department at six-month intervals.

(21) "Senior Revenue Debt" shall mean the following debt obligations:

(a) City of Stuart, Florida, Subordinate Lien Public Utilities Revenue Refunding Note, Series 2006, issued in the amount of $8,129,000, pursuant to Resolution No. 219-06 (the "2006 Note"); and

(b) City of Stuart, Florida, Subordinate Lien Public Utilities Revenue Refunding Note, Series 2007, issued in the amount of $7,142,000, pursuant to Resolution No. 22-07 (the "2007 Note"); and

(c) City of Stuart, Florida, Subordinate Lien Public Utilities Revenue Refunding Note, Series 2011, issued in the amount of $4,178,000, pursuant to Resolution No. 118-2011 (the "2011 Note"); and

(d) Additional bonds issued on a parity with the bonds identified above pursuant to Article III, Section 4(H) of Resolution No. 163-94; and

(e) Any refunding bonds issued to refund the obligations identified above provided such bonds shall not increase annual debt service during the repayment period of this Loan.

(22) "Sewer System" shall mean all facilities owned by the Project Sponsor for collection, transmission, treatment and reuse of wastewater and its residuals.

(23) "Water System" shall mean all facilities owned by the Project Sponsor for supplying and distributing water for residential, commercial, industrial, and governmental use.

1.02. CORRELATIVE WORDS.

Words of the masculine gender shall be understood to include correlative words of the feminine and neuter genders. Unless the context shall otherwise indicate, the singular shall include the plural and the word "person" shall include corporations and associations, including public entities, as well as natural persons.

## ARTICLE II - WARRANTIES, REPRESENTATIONS AND COVENANTS

### 2.01. WARRANTIES, REPRESENTATIONS AND COVENANTS.

The Project Sponsor warrants, represents and covenants that:

(1) The Project Sponsor has full power and authority to enter into this Agreement and to comply with the provisions hereof.

(2) The Project Sponsor currently is not the subject of bankruptcy, insolvency, or reorganization proceedings and is not in default of, or otherwise subject to, any agreement or any law, administrative regulation, judgment, decree, note, resolution, charter or ordinance which would currently restrain or enjoin it from entering into, or complying with, this Agreement.

(3) There is no material action, suit, proceeding, inquiry or investigation, at law or in equity, before any court or public body, pending or, to the best of the Project Sponsor's knowledge, threatened, which seeks to restrain or enjoin the Project Sponsor from entering into or complying with this Agreement.

(4) All permits, real property interests, and approvals required as of the date of this Agreement have been obtained for construction and use of the Project. The Project Sponsor knows of no reason why any future required permits or approvals are not obtainable.

(5) The Project Sponsor shall undertake the Project on its own responsibility, to the extent permitted by law.

(6) To the extent permitted by law, the Project Sponsor shall release and hold harmless the State, its officers, members, and employees from any claim arising in connection with the Project Sponsor's actions or omissions in its planning, engineering, administrative, and construction activities financed by this Loan or its operation of the Project.

(7) All Project Sponsor representations to the Department, pursuant to the Loan Application and Agreement, were true and accurate as of the date such representations were made. The financial information delivered by the Project Sponsor to the Department was current and correct as of the date such information was delivered. The Project Sponsor shall comply with Chapter 62-552, Florida Administrative Code, and all applicable State and Federal laws, rules, and regulations which are identified in the Loan Application or Agreement. Minority and Women's Business Enterprise goals as stated in the plans and specifications apply to this Project. To the extent that any assurance, representation, or covenant requires a future action, the Project Sponsor shall take such action to comply with this agreement.

(8) The Project Sponsor shall maintain records using Generally Accepted Accounting principles established by the Financial Accounting Standards Board. As part of its bookkeeping system, the Project Sponsor shall keep accounts of the Water and Sewer Systems separate from all other accounts and it shall keep accurate records of all revenues, expenses, and expenditures relating to the Water and Sewer Systems, and of the Pledged Revenues, Loan disbursement receipts, and Loan Debt Service Account.

(9) In the event the anticipated Pledged Revenues are shown by the Project Sponsor's annual budget to be insufficient to make the Semiannual Loan Payments for such Fiscal Year when due, the Project Sponsor shall include in such budget other legally available non-ad valorem funds which will be sufficient, together with the Pledged Revenues, to make the Semiannual Loan Payments. Such other legally available non-ad valorem funds shall be budgeted in the regular annual governmental budget and designated for the purpose provided by this Subsection, and the Project Sponsor shall collect such funds for application as provided herein. The Project Sponsor shall notify the Department immediately in writing of any such budgeting of other legally available non-ad valorem funds. Nothing in this covenant shall be construed as creating a pledge, lien, or charge upon any such other legally available non-ad valorem funds; requiring the Project Sponsor to levy or appropriate ad valorem tax revenues; or preventing the Project Sponsor from pledging to the payment of any bonds or other obligations all or any part of such other legally available non-ad valorem funds.

(10) Pursuant to Section 216.347 of the Florida Statutes, the Project Sponsor shall not use this Loan for the purpose of lobbying the Florida Legislature, the Judicial Branch, or a State agency.

(11) The Project Sponsor agrees to construct the Project in accordance with the Project schedule set forth in Section 10.07. Delays incident to strikes, riots, acts of God, and other events beyond the reasonable control of the Project Sponsor are excepted. If for any reason construction is not completed as scheduled, there shall be no resulting diminution or delay in the Semiannual Loan Payment or the Monthly Loan Deposit.

(12) The Project Sponsor covenants that this Agreement is entered into for the purpose of constructing, refunding, or refinancing the Project which will in all events serve a public purpose. The Project Sponsor covenants that it will, under all conditions, complete and operate the Project to fulfill the public need.

(13) The Project Sponsor shall update the revenue generation system annually to assure that sufficient revenues are generated for debt service; operation and maintenance; replacement of equipment, accessories, and appurtenances necessary to maintain the system design capacity and performance during its design life; and to make the system financially self-sufficient.

2.02. LEGAL AUTHORIZATION.

Upon signing this Agreement, the Project Sponsor's legal counsel hereby expresses the opinion, subject to laws affecting the rights of creditors generally, that:

(1) This Agreement has been duly authorized by the Project Sponsor and shall constitute a valid and legal obligation of the Project Sponsor enforceable in accordance with its terms upon execution by both parties; and

(2) This Agreement identifies the revenues pledged for repayment of the Loan, and the pledge is valid and enforceable.2.03. AUDIT AND MONITORING REQUIREMENTS.

The Project Sponsor agrees to the following audit and monitoring requirements.

(1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

| State Resources Awarded to the Project Sponsor Pursuant to this Agreement Consist of the Following: | | | | | |
|---|---|---|---|---|---|
| State Program Number | Funding Source | CSFA Number | CSFA Title or Fund Source Description | Funding Amount | State Appropriation Category |
| Original Agreement | Drinking Water Revolving Loan TF | 37.076 | Drinking Water Facility Construction | $451,230 | 140129 |
| State Program Number | Funding Source | CSFA Number | Fund Source Description | Funding Amount | State Appropriation Category |
| Original Agreement | Water Quality Assurance TF | n/a | Water Supply Restoration | $100,000 | 104134 |
| Original Agreement | Water Quality Assurance TF | n/a | Water Supply Restoration | $145,000 | 101492 |

(2) Audits.

(a) In the event that the Project Sponsor expends a total amount of state financial assistance equal to or in excess of $750,000 in any fiscal year of such Project Sponsor, the Project Sponsor must have a State single audit for such fiscal year in accordance with Section 215.97, Florida Statutes; applicable rules of the Department of Financial Services; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. In determining the state financial assistance expended in its fiscal year, the Project Sponsor shall consider all sources of state financial assistance, including state financial assistance received from the Department of Environmental Protection, other state agencies, and other nonstate entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a nonstate entity for Federal program matching requirements.

(b) In connection with the audit requirements addressed in the preceding paragraph (a); the Project Sponsor shall ensure that the audit complies with the requirements of Section 215.97(7), Florida Statutes. This includes submission of a financial reporting package as defined by Section 215.97(2), Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.

(c) If the Project Sponsor expends less than $750,000 in state financial assistance in its fiscal year, an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, is not required. The Project Sponsor shall inform the Department of findings and recommendations pertaining to the State Revolving Fund in audits conducted by the Project Sponsor in which the $750,000 threshold has not been met. In the event that the Project Sponsor expends less than $750,000 in state financial assistance in its fiscal year, and elects to have an

audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from the non-state entity's resources (i.e., the cost of such an audit must be paid from the Project Sponsor's resources obtained from other than State entities).

(d) The Project Sponsor is hereby advised that the Florida Single Audit Act Requirements may further apply to lower tier transactions that may be a result of this Agreement. For information regarding the Florida Catalog of State Financial Assistance (CSFA), a Project Sponsor should access the Florida Single Audit Act website located at https://apps.fldfs.com/fsaa for assistance.

(3) Report Submission.

(a) Copies of financial reporting packages shall be submitted by or on behalf of the Project Sponsor directly to each of the following:

(i) The Department at one of the following addresses:

By Mail:
**Audit Director**
Florida Department of Environmental Protection
Office of the Inspector General
3900 Commonwealth Boulevard, MS 40
Tallahassee, Florida 32399-3123

or

Electronically:
FDEPSingleAudit@dep.state.fl.us

(ii) The Auditor General's Office at the following address:

State of Florida Auditor General
Room 401, Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

(iii) Copies of reports or management letters shall be submitted by or on behalf of the Project Sponsor directly to the Department at either of the following address:

By Mail:
**Audit Director**
Florida Department of Environmental Protection
Office of the Inspector General
3900 Commonwealth Boulevard, MS 40
Tallahassee, Florida 32399-3123

or

Electronically:
FDEPSingleAudit@dep.state.fl.us

(b) Any reports, management letters, or other information required to be submitted to the Department pursuant to this Agreement shall be submitted timely in accordance with Florida Statutes, or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

(c) Project Sponsors, when submitting financial reporting packages to the Department for audits done in accordance with Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the Project Sponsor in correspondence accompanying the reporting package.

(4) Record Retention.

The Project Sponsor shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of five years from the date of the Final Amendment, and shall allow the Department, or its designee, Chief Financial Officer, or Auditor General access to such records upon request. The Project Sponsor shall ensure that audit working papers are made available to the Department, or its designee, Chief Financial Officer, or Auditor General upon request for a period of five years from the date of the Final Amendment, unless extended in writing by the Department.

(5) Monitoring.

In addition to reviews of audits conducted in accordance with Section 215.97, F.S., as revised monitoring procedures may include, but not be limited to, on-site visits by Department staff and/or other procedures. By entering into this Agreement, the Project Sponsor agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Department. In the event the Department determines that a limited scope audit of the Project Sponsor is appropriate, the Project Sponsor agrees to comply with any additional instructions provided by the Department to the Project Sponsor regarding such audit. The Project Sponsor understands its duty, pursuant to Section 20.055(5), F.S., to cooperate with the Inspector General in any investigation, audit, inspection, review, or hearing. The Project Sponsor will comply with this duty and ensure that any subcontracts issued under this Agreement will impose this requirement, in writing, on its subcontractors.

## ARTICLE III - LOAN REPAYMENT ACCOUNT

### 3.01. LOAN DEBT SERVICE ACCOUNT.

The Project Sponsor shall establish a Loan Debt Service Account with a Depository and begin making Monthly Loan Deposits no later than the date set forth for such action in Section 10.07 of this Agreement.

Beginning six months prior to each Semiannual Loan Payment, the Project Sponsor shall make six Monthly Loan Deposits. The first five deposits each shall be at least equal to one-sixth

of the Semiannual Loan Payment. The sixth Monthly Loan Deposit shall be at least equal to the amount required to make the total on deposit in the Loan Debt Service Account equal to the Semiannual Loan Payment amount, taking into consideration investment earnings credited to the account pursuant to Section 3.02.

Any month in which the Project Sponsor fails to make a required Monthly Loan Deposit, the Project Sponsor's chief financial officer shall notify the Department of such failure. In addition, the Project Sponsor agrees to budget, by amendment if necessary, payment to the Department from other legally available non-ad valorem funds all sums becoming due before the same become delinquent. This requirement shall not be construed to give superiority to the Department's claim on any revenues over prior claims of general creditors of the Project Sponsor, nor shall it be construed to give the Department the power to require the Project Sponsor to levy and collect any revenues other than Pledged Revenues.

3.02. INVESTMENT OF LOAN DEBT SERVICE ACCOUNT MONEYS.

Moneys on deposit in the Loan Debt Service Account shall be invested pursuant to the laws of the State of Florida. Such moneys may be pooled for investment purposes. The maturity or redemption date of investments shall be not later than the date upon which such moneys may be needed to make Semiannual Loan Payments. The investment earnings shall be credited to the Loan Debt Service Account and applied toward the Monthly Loan Deposit requirements.

3.03. LOAN DEBT SERVICE ACCOUNT WITHDRAWALS.

The withdrawal of moneys from the Loan Debt Service Account shall be for the sole purpose of making the Semiannual Loan Payment or for discharging the Project Sponsor's obligations pursuant to Section 8.01.

3.04. ASSETS HELD IN TRUST.

The assets in all accounts created under this Loan Agreement shall be held in trust for the purposes provided herein and used only for the purposes and in the manner prescribed in this Agreement; and, pending such use, said assets shall be subject to a lien and charge in favor of the Department.

## ARTICLE IV - PROJECT INFORMATION

4.01. PROJECT CHANGES.

Project changes prior to bid opening shall be made by addendum to plans and specifications. Changes after bid opening shall be made by change order. The Project Sponsor shall submit all addenda and all change orders to the Department for an eligibility determination. After execution of all construction, equipment and materials contracts, the Project contingency may be reduced.

4.02. TITLE TO PROJECT SITE.

The Project Sponsor shall have an interest in real property sufficient for the construction and location of the Project free and clear of liens and encumbrances which would impair the usefulness of such sites for the intended use.

4.03. PERMITS AND APPROVALS.

The Project Sponsor shall have obtained, prior to the Department's authorization to award construction contracts, all permits and approvals required for construction of the Project or portion of the Project funded under this Agreement.

4.04. ENGINEERING SERVICES.

A professional engineer, registered in the State of Florida, shall be employed by, or under contract with, the Project Sponsor to oversee construction.

4.05. PROHIBITION AGAINST ENCUMBRANCES.

The Project Sponsor is prohibited from selling, leasing, or disposing of any part of the Water or Sewer System which would materially reduce operational integrity or Gross Revenues so long as this Agreement, including any amendments thereto, is in effect unless the written consent of the Department is first secured. The Project Sponsor may be required to reimburse the Department for the Principal Forgiveness funded cost of any such part, taking into consideration any increase or decrease in value.

4.06. COMPLETION MONEYS.

In addition to the proceeds of this Loan, the Project Sponsor covenants that it has obtained, or will obtain, sufficient moneys from other sources to complete construction and place the Project in operation on, or prior to, the date specified in Article X. Failure of the Department to approve additional financing shall not constitute a waiver of the Project Sponsor's covenants to complete and place the Project in operation.

4.07. CLOSE-OUT.

The Department shall conduct a final inspection of the Project and Project records. Following the inspection, deadlines for submitting additional disbursement requests, if any, shall be established, along with deadlines for uncompleted Loan or Principal Forgiveness requirements, if any. Deadlines shall be incorporated into the Loan Agreement by amendment. The Loan principal shall be reduced by any excess over the amount required to pay all approved costs. As a result of such adjustment, the Semiannual Loan Payment shall be reduced accordingly, as addressed in Section 10.05.

4.08. DISBURSEMENTS.

Disbursements shall be made only by the State Chief Financial Officer and only when the requests for such disbursements are accompanied by a Department certification that such

withdrawals are proper expenditures. Disbursements shall be made directly to the Project Sponsor for reimbursement of the incurred construction costs and related services.

Disbursements for materials, labor, or services shall be made upon receipt of the following:

(1) A completed disbursement request form signed by the Authorized Representative. Such requests must be accompanied by sufficiently itemized summaries of the materials, labor, or services to identify the nature of the work performed; the cost or charges for such work; and the person providing the service or performing the work, and proof of payment.

(2) A certification signed by the Authorized Representative as to the current estimated costs of the Project; that the materials, labor, or services represented by the invoice have been satisfactorily purchased, performed, or received and applied to the project; that all funds received to date have been applied toward completing the Project; and that under the terms and provisions of the contracts, the Project Sponsor is required to make such payments.

(3) A certification by the engineer responsible for overseeing construction stating that equipment, materials, labor and services represented by the construction invoices have been satisfactorily purchased, or received, and applied to the Project in accordance with construction contract documents; stating that payment is in accordance with construction contract provisions; stating that construction, up to the point of the requisition, is in compliance with the contract documents; and identifying all additions or deletions to the Project which have altered the Project's performance standards, scope, or purpose since the issue of the Department construction permit.

(4) Such other certificates or documents by engineers, attorneys, accountants, contractors, or suppliers as may reasonably be required by the Department.

## ARTICLE V - RATES AND USE OF THE WATER AND SEWER SYSTEMS

### 5.01. RATE COVERAGE.

The Project Sponsor shall maintain rates and charges for the services furnished by the Water and Sewer Systems which will be sufficient to provide, in each Fiscal Year, Pledged Revenues equal to or exceeding 1.15 times the sum of the Semiannual Loan Payments due in such Fiscal Year. In addition, the Project Sponsor shall satisfy the coverage requirements of all Senior Revenue Debt and Parity Debt obligations.

### 5.02. NO FREE SERVICE.

The Project Sponsor shall not permit connections to, or furnish any services afforded by, the Water or Sewer System without making a charge therefore based on the Project Sponsor's uniform schedule of rates, fees, and charges.

5.03. MANDATORY CONNECTIONS.

The Project Sponsor shall adopt, as necessary, and enforce requirements, consistent with applicable laws, for the owner, tenant or occupant of each building located on a lot or parcel of land which is served, or may reasonably be served, by the Sewer System to connect such building to the Sewer System.

5.04. NO COMPETING SERVICE.

The Project Sponsor shall not allow any person to provide any services which would compete with the Water or Sewer System so as to adversely affect Gross Revenues.

5.05. MAINTENANCE OF THE WATER AND SEWER SYSTEMS.

The Project Sponsor shall operate and maintain the Water and Sewer Systems in a proper, sound and economical manner and shall make all necessary repairs, renewals and replacements.

5.06. ADDITIONS AND MODIFICATIONS.

The Project Sponsor may make any additions, modifications or improvements to the Water and Sewer Systems which it deems desirable and which do not materially reduce the operational integrity of any part of the Water or Sewer System. All such renewals, replacements, additions, modifications and improvements shall become part of the Water and Sewer Systems.

5.07. COLLECTION OF REVENUES.

The Project Sponsor shall use its best efforts to collect all rates, fees and other charges due to it. The Project Sponsor shall establish liens on premises served by the Water or Sewer System for the amount of all delinquent rates, fees and other charges where such action is permitted by law. The Project Sponsor shall, to the full extent permitted by law, cause to discontinue the services of the Water and Sewer Systems and use its best efforts to shut off water service furnished to persons who are delinquent beyond customary grace periods in the payment of Water and Sewer System rates, fees and other charges.

## ARTICLE VI - DEFAULTS AND REMEDIES

6.01. EVENTS OF DEFAULT.

Upon the occurrence of any of the following events (the Events of Default) all obligations on the part of Department to make any further disbursements hereunder shall, if Department elects, terminate. The Department may, at its option, exercise any of its remedies set forth in this Agreement, but Department may make any disbursements or parts of disbursements after the happening of any Event of Default without thereby waiving the right to exercise such remedies and without becoming liable to make any further disbursement:

(1) Failure to make any Monthly Loan Deposit or to make any installment of the Semiannual Loan Payment when it is due and such failure shall continue for a period of 30 days.

(2) Except as provided in Subsection 6.01(1), failure to comply with the provisions of this Agreement, failure in the performance or observance of any of the covenants or actions required by this Agreement or the Suspension of this Agreement by the Department pursuant to Section 8.14, below, and such failure shall continue for a period of 30 days after written notice thereof to the Project Sponsor by the Department.

(3) Any warranty, representation or other statement by, or on behalf of, the Project Sponsor contained in this Agreement or in any information furnished in compliance with, or in reference to, this Agreement, which is false or misleading, or if Project Sponsor shall fail to keep, observe or perform any of the terms, covenants, representations or warranties contained in this Agreement, the Note, or any other document given in connection with the Loan (provided, that with respect to non-monetary defaults, Department shall give written notice to Project Sponsor, which shall have 30 days to cure any such default), or is unable or unwilling to meet its obligations thereunder.

(4) An order or decree entered, with the acquiescence of the Project Sponsor, appointing a receiver of any part of the Water or Sewer System or Gross Revenues thereof; or if such order or decree, having been entered without the consent or acquiescence of the Project Sponsor, shall not be vacated or discharged or stayed on appeal within 60 days after the entry thereof.

(5) Any proceeding instituted, with the acquiescence of the Project Sponsor, for the purpose of effecting a composition between the Project Sponsor and its creditors or for the purpose of adjusting the claims of such creditors, pursuant to any federal or state statute now or hereafter enacted, if the claims of such creditors are payable from Gross Revenues of the Water or Sewer System.

(6) Any bankruptcy, insolvency or other similar proceeding instituted by, or against, the Project Sponsor under federal or state bankruptcy or insolvency law now or hereafter in effect and, if instituted against the Project Sponsor, is not dismissed within 60 days after filing.

(7) Any charge is brought alleging violations of any criminal law in the implementation of the Project or the administration of the proceeds from this Loan against one or more officials of the Project Sponsor by a State or Federal law enforcement authority, which charges are not withdrawn or dismissed within 60 days following the filing thereof.

(8) Failure of the Project Sponsor to give immediate written notice of its knowledge of a potential default or an event of default, hereunder, to the Department and such failure shall continue for a period of 30 days.

6.02. REMEDIES.

All rights, remedies, and powers conferred in this Agreement and the transaction documents are cumulative and are not exclusive of any other rights or remedies, and they shall be in addition to every other right, power, and remedy that Department may have, whether specifically granted in this Agreement or any other transaction document, or existing at law, in equity, or by statute. Any and all such rights and remedies may be exercised from time to time and as often and in such order as Department may deem expedient. Upon any of the Events of

Default and subject to the rights of others having prior liens on the Pledged Revenues, the Department may enforce its rights by, *inter alia*, any of the following remedies:

(1) By mandamus or other proceeding at law or in equity, cause to establish rates and collect fees and charges for use of the Water and Sewer Systems, and to require the Project Sponsor to fulfill this Agreement.

(2) By action or suit in equity, require the Project Sponsor to account for all moneys received from the Department or from the ownership of the Water and Sewer Systems and to account for the receipt, use, application, or disposition of the Pledged Revenues.

(3) By action or suit in equity, enjoin any acts or things which may be unlawful or in violation of the rights of the Department.

(4) By applying to a court of competent jurisdiction, cause to appoint a receiver to manage the Water and Sewer Systems, establish and collect fees and charges, and apply the revenues to the reduction of the obligations under this Agreement.

(5) By certifying to the Auditor General and the Chief Financial Officer delinquency on loan repayments, the Department may intercept the delinquent amount plus six percent, expressed as an annual interest rate, penalty of the amount due to the Department from any unobligated funds due to the Project Sponsor under any revenue or tax sharing fund established by the State, except as otherwise provided by the State Constitution or State law. Penalty interest shall accrue on any amount due and payable beginning on the 30th day following the date upon which payment is due.

(6) By notifying financial market credit rating agencies and potential creditors.

(7) By suing for payment of amounts due, or becoming due, with interest on overdue payments together with all costs of collection, including attorneys' fees.

(8) By accelerating the repayment schedule or increasing the interest rate on the unpaid principal of the Loan to as much as 1.667 times the Financing Rate.

6.03. DELAY AND WAIVER.

No course of dealing between Department and Project Sponsor, or any failure or delay on the part of Department in exercising any rights or remedies hereunder, shall operate as a waiver of any rights or remedies of Department, and no single or partial exercise of any rights or remedies hereunder shall operate as a waiver or preclude the exercise of any other rights or remedies hereunder. No delay or omission by the Department to exercise any right or power accruing upon Events of Default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised as often as may be deemed expedient. No waiver or any default under this Agreement shall extend to or affect any subsequent Events of Default, whether of the same or different provision of this Agreement, or shall impair consequent rights or remedies.

## ARTICLE VII - THE PLEDGED REVENUES

### 7.01. SUPERIORITY OF THE PLEDGE TO THE DEPARTMENT.

From and after the effective date of this Agreement, the Department shall have a lien on the Pledged Revenues, which along with any other Department State Revolving Fund liens on the Pledged Revenues, of equal priority, will be prior and superior to any other lien, pledge or assignment with the following exception. All obligations of the Project Sponsor under this Agreement shall be junior, inferior, and subordinate in all respects in right of payment and security to the Senior Revenue Debt defined in Section 1.01 of this Agreement and to any additional senior obligations issued with the Department's consent pursuant to Section 7.02. The Department may release its lien on such Pledged Revenues in favor of the Department if the Department makes a determination in its sole discretion, based upon facts deemed sufficient by the Department, that the remaining Pledged Revenues will, in each Fiscal Year, equal or exceed 1.15 times the debt service coming due in each Fiscal Year under the terms of this Agreement.

### 7.02. ADDITIONAL DEBT OBLIGATIONS.

The Project Sponsor may issue additional debt obligations on a parity with, or senior to, the lien of the Department on the Pledged Revenues provided the Department's written consent is obtained. Such consent may be granted if the Project Sponsor demonstrates at the time of such issuance that the Pledged Revenues, which may take into account reasonable projections of growth of the Water and Sewer Systems and revenue increases, plus revenues to be pledged to the additional proposed debt obligations will, during the period of time Semiannual Loan Payments are to be made under this Agreement, equal or exceed 1.15 times the annual combined debt service requirements of this Agreement and the obligations proposed to be issued by the Project Sponsor and will satisfy the coverage requirements of all other debt obligations secured by the Pledged Revenues.

## ARTICLE VIII - GENERAL PROVISIONS

### 8.01. DISCHARGE OF OBLIGATIONS.

All Semiannual Loan payments required to be made under this Agreement shall be cumulative and any deficiencies in any Fiscal Year shall be added to the payments due in the succeeding year and all years thereafter until fully paid. Payments shall continue to be secured by this Agreement until all of the payments required shall be fully paid to the Department. If at any time the Project Sponsor shall have paid, or shall have made provision for the timely payment of, the entire principal amount of the Loan and interest, the pledge of, and lien on, the Pledged Revenues to the Department shall be no longer in effect. Deposit of sufficient cash, securities, or investments, authorized by law, from time to time, may be made to effect defeasance of this Loan. However, the deposit shall be made in irrevocable trust with a banking institution or trust company for the sole benefit of the Department. There shall be no penalty imposed by the Department for early retirement of this Loan.

8.02. PROJECT RECORDS AND STATEMENTS.

Books, records, reports, engineering documents, contract documents, and papers shall be available to the authorized representatives of the Department for inspection at any reasonable time after the Project Sponsor has received a disbursement and until five years after the Final Amendment date.

8.03. ACCESS TO PROJECT SITE.

The Project Sponsor shall provide access to Project sites and administrative offices to authorized representatives of the Department at any reasonable time. The Project Sponsor shall cause its engineers and contractors to cooperate during Project inspections, including making available working copies of plans and specifications and supplementary materials.

8.04. ASSIGNMENT OF RIGHTS UNDER AGREEMENT.

The Department may assign any part of its rights under this Agreement after notification to the Project Sponsor. The Project Sponsor shall not assign rights created by this Agreement without the written consent of the Department.

8.05. AMENDMENT OF AGREEMENT.

This Agreement may be amended in writing, except that no amendment shall be permitted which is inconsistent with statutes, rules, regulations, executive orders, or written agreements between the Department and the U.S. Environmental Protection Agency (EPA). This Agreement may be amended after all construction contracts are executed to re-establish the Project cost, Loan amount, Project schedule, and Semiannual Loan Payment amount. A Final Amendment establishing the final Project and the Loan Service Fee based on actual Project costs shall be completed after the Department's final inspection of the Project records.

8.06. ABANDONMENT, TERMINATION OR VOLUNTARY CANCELLATION.

Failure of the Project Sponsor to actively prosecute or avail itself of this Loan (including e.g. described in para 1 and 2 below) shall constitute its abrogation and abandonment of the rights hereunder, and the Department may then, upon written notification to the Project Sponsor, suspend or terminate this Agreement.

(1) Failure of the Project Sponsor to draw Loan proceeds within eighteen months after the effective date of this Agreement, or by the date set in Section 10.07 to establish the Loan Debt Service Account, whichever date occurs first.

(2) Failure of the Project Sponsor, after the initial Loan draw, to draw any funds under the Loan Agreement for twenty-four months, without approved justification or demonstrable progress on the Project.

Upon a determination of abandonment by the Department, the Loan will be suspended, and the Department will implement administrative close out procedures (in lieu of those in

Section 4.07) and provide written notification of Final Unilateral Amendment to the Project Sponsor.

In the event that following the execution of this Agreement, the Project Sponsor decides not to proceed with this Loan, this Agreement can be cancelled by the Project Sponsor, without penalty, if no funds have been disbursed.

8.07. SEVERABILITY CLAUSE.

If any provision of this Agreement shall be held invalid or unenforceable, the remaining provisions shall be construed and enforced as if such invalid or unenforceable provision had not been contained herein.

8.08. USE AS MATCHING FUNDS.

The EPA provided a class deviation from the Provisions of 40 CFR 35.3125(b)(1) to allow these second tier funds to be used as local matching requirements for most EPA grant funded treatment works projects, including special Appropriations Act projects.

8.09. DAVIS-BACON ACT REQUIREMENTS.

(1) The Project Sponsor shall periodically interview 10% of the work force entitled to Davis-Bacon prevailing wages (covered employees) to verify that contractors or subcontractors are paying the appropriate wage rates. Project Sponsors shall immediately conduct interviews in response to an alleged violation of the prevailing wage requirements. As provided in 29 CFR 5.6(a)(5) all interviews must be conducted in confidence. The Project Sponsor must use Standard Form 1445 or equivalent documentation to memorialize the interviews. Copies of the SF 1445 are available from the EPA on request.

(2) The Project Sponsor shall periodically conduct spot checks of a representative sample of weekly payroll data to verify that contractors or subcontractors are paying the appropriate wage rates. The Project Sponsor shall establish and follow a spot check schedule based on its assessment of the risks of noncompliance with Davis-Bacon posed by contractors or subcontractors and the duration of the contract or subcontract. At a minimum, if practicable, the subrecipient should spot check payroll data within two weeks of each contractor or subcontractor's submission of its initial payroll data and two weeks prior to the completion date the contract or subcontract. Project Sponsors must conduct more frequent spot checks if the initial spot check or other information indicates that there is a risk that the contractor or subcontractor is not complying with Davis-Bacon. In addition, during the examinations the Project Sponsor shall verify evidence of fringe benefit plans and payments thereunder by contractors and subcontractors who claim credit for fringe benefit contributions.

(3) The Project Sponsor shall periodically review contractors and subcontractors use of apprentices and trainees to verify registration and certification with respect to apprenticeship and training programs approved by either the U.S Department of Labor (DOL) or a state, as appropriate, and that contractors and subcontractors are not using disproportionate numbers of

laborers, trainees, and apprentices. These reviews shall be conducted in accordance with the schedules for spot checks and interviews described in items (1) and (2) above.

(4) Project Sponsors must immediately report potential violations of the Davis-Bacon prevailing wage requirements to the EPA Davis-Bacon contact Sheryl Parsons at Parsons.Sheryl@epamail.epa.gov and to the appropriate DOL Wage and Hour District Office listed at http://www.dol.gov/whd/america2.htm.

8.10. AMERICAN IRON AND STEEL REQUIREMENT.

The Project Sponsor's subcontracts must contain requirements that all of the iron and steel products used in the Project are in compliance with the American Iron and Steel requirement as described in Section 608 of the Federal Water Pollution Control Act unless the Project Sponsor has obtained a waiver pertaining to the Project or the Department has advised the Project Sponsor that the requirement is not applicable to the Project.

8.11. RESERVED.

8.12. PUBLIC RECORDS ACCESS.

(1) The Project Sponsor shall comply with Florida Public Records law under Chapter 119, F.S. Records made or received in conjunction with this Agreement are public records under Florida law, as defined in Section 119.011(12), F.S. The Project Sponsor shall keep and maintain public records required by the Department to perform the services under this Agreement.

(2) This Agreement may be unilaterally canceled by the Department for refusal by the Project Sponsor to either provide to the Department upon request, or to allow inspection and copying of all public records made or received by the Project Sponsor in conjunction with this Agreement and subject to disclosure under Chapter 119, F.S., and Section 24(a), Article I, Florida Constitution.

**(3) IF THE PROJECT SPONSOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE PROJECT SPONSOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE DEPARTMENT'S CUSTODIAN OF PUBLIC RECORDS AT (850)245-2118, by email at** public.services@dep.state.fl.us, **or at the mailing address below:**

**Department of Environmental Protection**
**ATTN: Office of Ombudsman and Public Services**
**Public Records Request**
**3900 Commonwealth Blvd, MS 49**
**Tallahassee, FL 32399**

8.13. SCRUTINIZED COMPANIES.

(1) The Project Sponsor certifies that it and its subcontractors are not on the Scrutinized Companies that Boycott Israel List. Pursuant to Section 287.135, F.S., the Department may immediately terminate this Agreement at its sole option if the Project Sponsor or its subcontractors are found to have submitted a false certification; or if the Project Sponsor, or its subcontractors are placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the term of the Agreement.

(2) If this Agreement is for more than one million dollars, the Project Sponsor certifies that it and its subcontractors are also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, F.S. Pursuant to Section 287.135, F.S., the Department may immediately terminate this Agreement at its sole option if the Project Sponsor, its affiliates, or its subcontractors are found to have submitted a false certification; or if the Project Sponsor, its affiliates, or its subcontractors are placed on the Scrutinized Companies that Boycott the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the term of the Agreement.

(3) The Project Sponsor agrees to observe the above requirements for applicable subcontracts entered into for the performance of work under this Agreement.

(4) As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize these contracting prohibitions then they shall become inoperative.

8.14. SUSPENSION.

The Department may suspend any or all of its obligations to Loan or provide financial accommodation to the Project Sponsor under this Agreement in the following events, as determined by the Department:

(1) The Project Sponsor abandons or discontinues the Project before its completion,

(2) The commencement, prosecution, or timely completion of the Project by the Project Sponsor is rendered improbable or the Department has reasonable grounds to be insecure in Project Sponsor's ability to perform, or

(3) The implementation of the Project is determined to be illegal, or one or more officials of the Project Sponsor in responsible charge of, or influence over, the Project is charged with violating any criminal law in the implementation of the Project or the administration of the proceeds from this Loan.

The Department shall notify the Project Sponsor of any suspension by the Department of its obligations under this Agreement, which suspension shall continue until such time as the event or condition causing such suspension has ceased or been corrected, or the Department has re-instated the Agreement.

Project Sponsor shall have no more than 30 days following notice of suspension hereunder to remove or correct the condition causing suspension. Failure to do so shall constitute a default under this Agreement.

Following suspension of disbursements under this Agreement, the Department may require reasonable assurance of future performance from Project Sponsor prior to re-instating the Loan. Such reasonable assurance may include, but not be limited to, a payment mechanism using two party checks, escrow or obtaining a Performance Bond for the work remaining.

Following suspension, upon failure to cure, correct or provide reasonable assurance of future performance by Project Sponsor, the Department may exercise any remedy available to it by this Agreement or otherwise and shall have no obligation to fund any remaining Loan balance under this Agreement.

## ARTICLE IX - CONSTRUCTION CONTRACTS AND INSURANCE

### 9.01. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACTS.

The following documentation is required to receive the Department's authorization to award construction contracts:

(1) Proof of advertising.

(2) Award recommendation, bid proposal, and bid tabulation (certified by the responsible engineer).

(3) Certification of compliance with the conditions of the Department's approval of competitively or non-competitively negotiated procurement, if applicable.

(4) Certification Regarding Disbarment, Suspension, Ineligibility and Voluntary Exclusion.

(5) Certification that the Project Sponsor and contractors are in compliance with labor standards, including prevailing wage rates established for its locality by the DOL under the Davis-Bacon Act for Project construction.

(6) Certification that all procurement is in compliance with Section 8.10 which states that all iron and steel products used in the Project must be produced in the United States unless (a) a waiver is provided to the Project Sponsor by the EPA or (b) compliance would be inconsistent with United States obligations under international agreements.

### 9.02. SUBMITTAL OF CONSTRUCTION CONTRACT DOCUMENTS.

After the Department's authorization to award construction contracts has been received, the Project Sponsor shall submit:

(1) Contractor insurance certifications.

(2) Executed Contract(s).

(3) Notices to proceed with construction.

9.03. INSURANCE REQUIRED.

The Project Sponsor shall cause the Project, as each part thereof is certified by the engineer responsible for overseeing construction as completed, and the Water and Sewer Systems (hereafter referred to as "Revenue Producing Facilities") to be insured by an insurance company or companies licensed to do business in the State of Florida against such damage and destruction risks as are customary for the operation of Water and Sewer Systems of like size, type and location to the extent such insurance is obtainable from time to time against any one or more of such risks.

The proceeds of insurance policies received as a result of damage to, or destruction of, the Project or the other Revenue Producing Facilities, shall be used to restore or replace damaged portions of the facilities. If such proceeds are insufficient, the Project Sponsor shall provide additional funds to restore or replace the damaged portions of the facilities. Repair, construction or replacement shall be promptly completed.

## ARTICLE X - DETAILS OF FINANCING

10.01. PRINCIPAL AMOUNT OF LOAN.

The total amount awarded is $451,230, of that, the estimated amount of Principal Forgiveness is $384,998. The estimated principal amount of the Loan to be repaid is $66,232, which consists of $66,232 to be disbursed to the Project Sponsor and $0 of Capitalized Interest.

Capitalized Interest is not disbursed to the Project Sponsor, but is amortized via periodic Loan repayments to the Department as if it were actually disbursed. Capitalized Interest is computed at the Financing Rate, or rates, set for the Loan. It accrues and is compounded annually from the time when disbursements are made until six months before the first Semiannual Loan Payment is due. Capitalized Interest is estimated prior to establishing the schedule of actual disbursements.

10.02. LOAN SERVICE FEE.

The Loan Service Fee is $1,325 for the Loan amount authorized to date. The fee represents two percent of the Loan amount excluding Principal Forgiveness and Capitalized Interest; that is, two percent of $66,232. The Loan Service Fee is estimated at the time of execution of the loan agreement and shall be revised with any increase or decrease amendment. The Loan Service Fee is based on actual Project costs and assessed in the final loan amendment. The Project Sponsor shall pay the Loan Service Fee from the first available repayment(s) following the Final Amendment.

10.03. FINANCING RATE.

The Financing Rate on the unpaid principal of the Loan amount specified in Section 10.01 is 0 percent per annum. However, if this Agreement is not executed by the Project Sponsor and returned to the Department before July 1, 2020, the Financing Rate may be adjusted.

10.04. LOAN TERM.

The Loan term shall be 20 years.

10.05. REPAYMENT SCHEDULE.

Repayments shall be made semiannually (twice per year). The Semiannual Loan Payment shall be computed based upon the principal amount of the Loan less the Principal Forgiveness plus the estimated Loan Service Fee and the principle of level debt service. The Semiannual Loan Payment amount may be adjusted, by amendment of this Agreement, based upon revised information. After the final disbursement of Loan proceeds, the Semiannual Loan Payment shall be based upon the actual Project costs, the actual Loan Service Fee and the Loan Service Fee capitalized interest, if any, and actual dates and amounts of disbursements, taking into consideration any previous payments. Actual Project costs shall be established after the Department's inspection of the completed Project and associated records. The Department will deduct the Loan Service Fee and any associated interest from the first available repayments following the Final Amendment.

Each Semiannual Loan Payment shall be in the amount of $1,689 until the payment amount is adjusted by amendment. The interest portion of each Semiannual Loan Payment shall be computed on the unpaid balance of the principal amount of the Loan, including Capitalized Interest. Interest also shall be computed on the unpaid balance of the Loan Service Fee. Interest shall be computed as of the due date of each Semiannual Loan Payment.

Semiannual Loan Payments shall be received by the Department beginning on June 15, 2021 and semiannually thereafter on December 15 and June 15 of each year until all amounts due hereunder have been fully paid. Funds transfer shall be made by electronic means.

The Semiannual Loan Payment amount is based on the total amount to be repaid of $67,557, which consists of the Loan principal plus the Loan Service Fee with its capitalized interest.

10.06. PROJECT COSTS.

The Project Sponsor and the Department acknowledge that the actual Project costs have not been determined as of the effective date of this Agreement. Project cost adjustments may be made as a result of mutually agreed upon Project changes. Capitalized Interest will be recalculated based on actual dates and amounts of Loan disbursements. If the Project Sponsor receives other governmental financial assistance for this Project, the costs funded by such other governmental assistance will not be financed by this Loan. The Department shall establish the

final Project costs after its final inspection of the Project records. Changes in Project costs may also occur as a result of the Project Sponsor's Project audit or a Department audit.

The Project Sponsor agrees to the following estimates of Project costs:

| CATEGORY | PROJECT COSTS ($) |
|---|---|
| Construction and Demolition | 699,996 |
| Contingencies | 35,000 |
| Technical Services After Bid Opening | 46,234 |
| SUBTOTAL (Disbursable Amount) | 781,230 |
| Less Principal Forgiveness | (384,998) |
| Less Water Supply Restoration funding | (245,000) |
| Less Other DEP funding | (85,000) |
| SUBTOTAL (Loan Amount) | 66,232 |
| Capitalized Interest | 0 |
| TOTAL (Loan Principal Amount) | 66,232 |

Technical services costs of up to 5% of the construction costs are eligible for Principal Forgiveness. Costs that exceed 5% of the construction costs are only eligible for Loan funds.

10.07. SCHEDULE.

The Project Sponsor agrees by execution hereof:

(1) This Agreement shall be effective on February 12, 2020. Invoices submitted for work conducted on or after this date shall be eligible for reimbursement.

(2) Completion of Project construction is scheduled for December 15, 2020.

(3) The Loan Debt Service Account shall be established and Monthly Loan Deposits shall begin no later than December 15, 2020.

(4) The first Semiannual Loan Payment in the amount of $1,689 shall be due June 15, 2021.

10.08. SPECIAL CONDITIONS.

Prior to any funds being released, the Project Sponsor shall submit the following:

(1) A certified copy of the Resolution which authorizes the application, establishes the Pledged Revenues, and designates an Authorized Representative for signing the application and executing the Loan Agreement; and

(2) A Legal Opinion addressing the availability of Pledged Revenues, the right to increase rates, and subordination of the pledge.

ARTICLE XI - EXECUTION OF AGREEMENT

This Loan Agreement DW430440 may be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this Agreement to be executed on its behalf by the Secretary or Designee and the Project Sponsor has caused this Agreement to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this Agreement shall be as set forth below by the Department.

for
**CITY OF STUART**

_____
Mayor

Attest:

I attest to the opinion expressed in Section 2.02, entitled Legal Authorization.

_____
City Clerk

_____
City Attorney

SEAL

for
**STATE OF FLORIDA**
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

_____
Secretary or Designee

_____
Date

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 42-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RELATED TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE FINANCIAL SERVICES DIRECTOR TO SUBMIT THE LOAN APPLICATION AGREEMENT FOR THE $635,835.00 MONTEREY ROAD SUBDIVISION WATERMAIN IMPROVEMENTS PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE LOAN AGREEMENT; DESIGNATING AUTHORIZED REPRESENTATIVES; ESTABLISHING PLEDGED REVENUES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS; SEVERABILITY, AND EFFECTIVE DATE.**

* * * * *

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of clean water projects; and

WHEREAS, Florida Administrative Code requires authorization to apply for loans, to establish pledged revenues, to designate an authorized representative; to provide assurances of compliance with loan program requirements; and enter into a loan agreement; and

WHEREAS, the State Revolving Fund Loan Priority List designates Monterey Road Subdivision Watermain Improvements Project No. DW43044 (the "Project") as eligible for available funding; and

WHEREAS, the City of Stuart, Florida (the "City") intends to enter into a loan agreement with the Florida Department of Environmental Protection under the State Revolving Fund to finance the Project.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AS FOLLOWS:**

SECTION 1: The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2: A Request For Inclusion Form has been submitted to the Florida Department of Environmental Protection for the $635,835.00 loan, excluding capitalized interest, to finance the Project. (the "Loan").

SECTION 3: The revenues pledged for the repayment of the Loan are net water and sewer utility system revenues after payment of debt service on the City's Subordinate Lien Public Utilities Revenue Refunding Note, Series 2006, Subordinate Lien Public Utilities Revenue Refunding Note, Series 2007, Subordinate Lien Public Utilities Revenue Refunding Note, Series 2011, any obligations which refund some or all of the obligations described in above and do not increase the annual debt service payment during the repayment of the Loan and any new money obligations incurred in the future on parity therewith. The debt service on the Loan will be on parity basis with State Revolving Fund Loan WW430400, State Revolving Fund Loan DW430410, State Revolving Fund Loan DW430420, State Revolving Fund Loan DW430430, and State Revolving Fund Loan DW430431.

SECTION 4: The City's Financial Services Director is hereby designated as the authorized representative to provide assurances and commitments required by the loan application.

SECTION 5: The Mayor is hereby designated as the authorized representative to execute the loan agreement to be subsequently approved in substantially final form by the City Commission, which will become a binding obligation in accordance with its terms when signed by both parties. The Mayor is authorized to represent the City in carrying out the City's responsibilities under the loan agreement. The Mayor is authorized to delegate responsibility to appropriate staff to carryout technical, financial, and administrative activities associated with the loan agreement.

SECTION 6: The legal authority for borrowing moneys to finance the Project is Chapter 166, Florida Statutes.

SECTION 7: Conflicts. All Resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 8: Severability. If any section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other Section or part of this Resolution.

SECTION 9: Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

Resolution No. 42-2020
Authorize Loan Application – Monterey Road Subdivision Watermain Improvements Project

Commissioner GLASS LEIGHTON offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner MATHESON and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | Y | | | |
| EULA R. CLARKE, VICE MAYOR | Y | | | |
| BECKY BRUNER, COMMISSIONER | Y | | | |
| KELLI GLASS LEIGHTON, COMMISSIONER | Y | | | |
| MERRITT MATHESON, COMMISSIONER | Y | | | |

ADOPTED this 27th day of April, 2020.

ATTEST:

Mary R. Kindel

MARY R. KINDEL
CITY CLERK

Michael J Meier (May 4, 2020)

MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

Michael J. Mortell
Michael J. Mortell (May 4, 2020)

MICHAEL J. MORTELL
CITY ATTORNEY

CITY OF STUART • FLORIDA • INCORPORATED 1914 • SAILFISH CAPITAL OF THE WORLD •

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 44-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT No. 5 TO THE 2019-2020 WATER SEWER FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF ADDITIONAL FUNDS FOR THE MONTEREY ROAD SUBDIVISION WATERMAIN IMPROVEMENTS PROJECT. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

* * * * *

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA** that:

SECTION 1: The 2019-2020 Year Budget of the Water Sewer Fund of the City of Stuart, Florida, being Resolution No. 44-2020 of the City Commission of the City of Stuart, Florida, as amended, hereinafter the "Budget," is hereby further amended, as follows:

| | | |
|---|---|---|
| From: | Fund Balance | $861,393.28 |
| To: | Water Distribution and Collection, Capital Outlay | $861,393.28 |

This is an authorization of the City Commission of the City of Stuart, Florida authorizing budget amendment no. 5 to the FY 2019-20 Annual Budget to appropriate and expend additional funds for the Monterey Road Subdivision Watermain Improvements project.

SECTION 2: Except as amended hereby, the FY 2019-2020 Annual Budget shall remain in full force and effect.

SECTION 3: This resolution shall take effect on adoption.

Commissioner GLASS LEIGHTON offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner MATHESON and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | Y | | | |
| EULA R. CLARKE, VICE MAYOR | Y | | | |
| BECKY BRUNER, COMMISSIONER | Y | | | |
| KELLI GLASS LEIGHTON, COMMISSIONER | Y | | | |
| MERRITT MATHESON, COMMISSIONER | Y | | | |

ADOPTED this 27th day of April, 2020.

ATTEST:

Mary R. Kindel

MARY R. KINDEL
CITY CLERK

Michael J Meier (May 4, 2020)

MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

Michael J. Mortell
Michael J. Mortell (May 4, 2020)

MICHAEL J. MORTELL
CITY ATTORNEY

CITY OF STUART • FLORIDA • INCORPORATED 1914 • SAILFISH CAPITAL OF THE WORLD •

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Tim Voelker, P.E. - Public Works Assistant Director/City Engineer

**Title of Item:**

INTERLOCAL AGREEMENT FOR THE DIXIE HIGHWAY AND SE FLORIDA STREET SIDEWALK EXTENSIONS (RC):

RESOLUTION No. 78-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF STUART AND MARTIN COUNTY FOR THE DIXIE HIGHWAY AND SE FLORIDA STREET SIDEWALK EXTENSIONS PROJECT. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

The City completed an application in 2017 for Florida Department of Transportation (FDOT) Transportation Alternatives Program (TAP) funding via Martin County for the Dixie Highway and SE Florida Street Sidewalk Extensions project. The Dixie Highway and SE Florida Street Sidewalk Extensions project will provide pedestrian connectivity with the recently completed SE Kindred Street / SE Johnson Avenue Improvement project, as well as, the Dixie Highway Beautification and Sidewalks project. See attached location map. FDOT TAP funding was approved in the amount of $302,955.00. The design and permitting for the project are complete. Construction is anticipated to commence in FY21.

Attached is an Interlocal Agreement between the City of Stuart and Martin County outlining the responsibilities of each entity for completing the Dixie Highway and SE Florida Street Sidewalk Extensions project.

**Funding Source:**

Prior to FDOT and Martin County executing a contract for the work in FY21, the City will provide funds budgeted in FY21, which will be reimbursed, in part, by Martin County at the completion of the project in accordance with Paragraph 7 of the Interlocal Agreement.

**Recommended Action:**

Approve Resolution No. 78-2020.

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | Resolution 78-2020 Interlocal Agreement for Dixie Highway and SE Florida Street Sidewalk Extensions | 6/18/2020 | Resolution add to Y drive |
| 🗋 | Interlocal Agreement | 6/25/2020 | Attachment |
| 🗋 | Location Map | 6/18/2020 | Backup |

Material

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 78-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF STUART AND MARTIN COUNTY FOR THE DIXIE HIGHWAY AND SE FLORIDA STREET SIDEWALK EXTENSIONS PROJECT. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

* * * * *

**WHEREAS**, In consideration of the mutual benefits to the City of Stuart and Martin County, which includes the construction of a sidewalk along SE Florida Street from NW Dixie Highway to SE Johnson Avenue and a sidewalk along NW Dixie Highway from SE 6th Street to SE 5th Street.

**WHEREAS**, funding has been approved in the amount of $302,955.00 for this project from the Florida Department of Transportation (FDOT) Transportation Alternatives Program (TAP); and

**WHEREAS,** the City and the County have agreed to cooperation in the implementation of this project; and

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA** that:

SECTION 1: The City Commission of the City of Stuart hereby authorizes the Mayor and City Clerk to execute an Interlocal Agreement between the City of Stuart and Martin County for the Dixie Highway and SE Florida Street Sidewalk Extensions project.

SECTION 2: This resolution shall take effect on adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption.

The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| VACANT, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |

ADOPTED this 13th day of July, 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL MORTELL
CITY ATTORNEY

**INTERLOCAL AGREEMENT**
**SE DIXIE HIGHWAY (SE 6TH STREET TO SE 5TH STREET) AND**
**SE FLORIDA STREET (SE JOHNSON AVENUE TO SE DIXIE HIGHWAY) SIDEWALK EXTENSION**
**FDOT FM# 441567-1-58-01**

This INTERLOCAL AGREEMENT ("Agreement"), dated _____, 2020, is made by and between MARTIN COUNTY, Florida, a political subdivision of the State of Florida, 2401 S.E. Monterey Road, Stuart, FL 34996 (the "COUNTY") and the CITY OF STUART, a municipal corporation of the State of Florida, 121 S.W. Flagler Avenue, Stuart, Florida 34994 (the "CITY").

WITNESSETH:

WHEREAS, Section 163.01 Fla. Stat., known as the Florida Inter-Local Cooperation Act of 1969, provides a method for governmental entities to cooperate with each other on a basis of mutual advantage to provide services and facilities in a manner that will accord best with the factors influencing the needs and development of local communities; and

WHEREAS, the COUNTY, on behalf of the CITY, has been approved for Florida Department of Transportation ("FDOT") Transportation Alternatives Program ("TAP") funding for a project located within the CITY in the amount of $302,955.00 for sidewalk construction at SE Florida Street from SE Johnson Avenue to CR-707/Dixie Highway and CR 707/Dixie Highway from SE 5th Street to SE 6th Street ("PROJECT"); and

WHEREAS, the CITY has agreed to be solely responsible for all grant administration and PROJECT construction costs and expenses, including but not limited to, maintenance of the PROJECT and will also select and contract for Construction Engineering and Inspection ("CEI") for the PROJECT; and

WHEREAS, in accordance with all applicable Federal, State and COUNTY requirements, the COUNTY will obtain bids, utilizing a unit price and quantity bid document, and enter into a Contract for the goods and services required for the construction of the PROJECT; and

WHEREAS, the COUNTY and CITY have agreed to cooperate in the implementation of the PROJECT whereby the COUNTY utilizes its Local Agency Program ("LAP") certification and eligibility to participate in the FDOT's Local Agency Program grant program on the CITY's behalf; and

WHEREAS, the CITY has retained the services of Culpepper & Terpening, Inc ("Design Engineer") for the design of the PROJECT.

**NOW THEREFORE,** in consideration of the mutual benefits, the parties do hereby agree as follows:

1.A. The PROJECT shall be implemented in accordance with the plans to be developed by the Design Engineer in accordance with all grant requirements which will be submitted for COUNTY Staff review and then, following COUNTY Staff approval, will be made a part hereof as Exhibit "A" to this Agreement.

1.B. The COUNTY will advertise bids, utilizing a unit price and quantity bid document, for the goods and services required for the construction of the PROJECT and will award a CONTRACT to the lowest responsible, responsive bidder in accordance with all applicable Federal, State and County procurement laws and regulations.

2.A. The CITY will, in accordance with Section 287.055, Fla. Stat., Consultant's Competitive Negotiations Act ("CCNA"), as well as CITY policies, solicit Requests for Qualifications for CEI services which are required for contract administration, inspection, and materials sampling and testing for the PROJECT.

2.B. The CITY acknowledges and agrees that it will be solely liable to the COUNTY for all costs associated with the PROJECT. The PROJECT costs are estimated at three hundred two thousand, nine hundred fifty-five dollars ($302,955.00). Prior to the COUNTY's issuance of a Notice to Proceed to the Contractor, the CITY agrees to provide: 1) the total Bid Award, including a fifteen percent (15%) contingency amount; and 2) twenty-one thousand, ninety dollars ($21,090.00 ) non-refundable Contract Administration Fee outlined in Exhibit "B" to this Agreement. COUNTY agrees to place funds designated for outside contract payments in a separate account from which invoices for the PROJECT shall be paid.

2.C. The COUNTY shall promptly review any and all Contractor's invoices submitted in connection with the PROJECT and either approve or disapprove in accordance with the Local Government Prompt Payment Act §218.70 et. seq Fla. Stat. Upon approval of the invoices by both parties, the COUNTY will issue payment.

2.D. Any construction change orders requested by CITY to the PROJECT shall be made in writing to the COUNTY. CITY agrees to be responsible for the cost of any such change order. If the COUNTY does not approve a CITY requested change order, the parties agree to comply with the dispute resolution procedure outlined in Paragraph 4 herein. The parties agree that all change orders requested by Contractor, shall be submitted to the COUNTY by the Contractor. COUNTY and CITY shall promptly review such change order request and if approved, the COUNTY shall issue such change order to the Contractor. CITY agrees to be responsible for the total cost of any such change order. Within 15 days of issuance of a change order which exceeds the 15% contingency originally provided to the COUNTY, the CITY shall provide a check in the amount of the change order to the COUNTY.

2.E. COUNTY shall file on CITY's behalf any reimbursement authorized by FDOT and COUNTY under the terms of the LAP Grant Agreement FM# 441567-1-58-01. Upon final reimbursement from FDOT, the COUNTY shall remit to the CITY the total grant reimbursement received from FDOT plus any unused outside Contractor funds paid by the CITY to COUNTY less the non-refundable Contract Administration Fee.

3. CITY agrees that it shall be solely responsible for maintenance, replacement, and repair of the enhancement project (including, but not limited to, all landscaping, irrigation, signage, fencing, guardrail and handrail) and that COUNTY shall have no responsibility for maintenance, replacement, and repair of the PROJECT. The CITY shall continue to maintain the standard elements of the roadway (pavement, curb, drainage, and sidewalks). The CITY agrees that such maintenance shall be in accordance with Section 116, Title 23 U.S.C.

4. Disputes under this Agreement may be resolved by the COUNTY's Authorized Representatives and the CITY's Authorized Representatives. If such Authorized Representatives are unable to reach a resolution and the parties agree that the issue is of sufficient merit, the parties may select a mediator mutually acceptable to both parties to conduct a mediation of the issues involved and make a recommendation to both parties. The parties agree to be responsible for their respective costs and fees incurred during the mediation and that the mediator's fees and costs shall be paid in equal amounts by each party.

5. COUNTY and CITY agree to hold project meetings on a weekly basis with the Contractor. The CITY's costs to attend required meetings are the responsibility of the CITY.

6. This Agreement may be amended only by written agreement of the parties. A party requesting amendment of the Agreement must propose such amendment in writing to the other party at least ninety-days (90) prior to the proposed effective date of the amendment.

7. This Agreement shall become effective upon execution by both parties and filing with the Clerk of the Circuit Court for Martin County.

8. This Agreement incorporates and includes all prior and contemporaneous negotiations, correspondence, conversations, agreements, and understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior contemporaneous representatives or agreements, whether oral or written.

9. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent be held invalid or unenforceable for the remainder of this Agreement, then the application of such term or provision to person or circumstances other than those as to which it is held invalid or unenforceable shall not be affected, and every other term and provision of this Agreement shall be deemed valid and enforceable to the extent permitted by law.

10. Any notice, request, demand, consent approval or other communication required or permitted by this Agreement shall be given or made in writing and shall be served (as elected by the party giving such notice) by one of the following methods: (i) hand delivery to the other party; (ii) delivery by commercial overnight courier service; or (iii) mailed by registered or certified mail (postage prepaid), return receipt requested. For purposes of notice the addresses are:

**COUNTY**

County Administrator
Martin County Board of County Commissioners
2401 Monterey Road
Stuart, FL 34996

Required Copy to:

County Attorney
Martin County Board of County Commissioners
2401 SE Monterey Road
Stuart, FL 34996

**CITY:**

City Manager
City of Stuart
121 SW Flagler Avenue
Stuart, FL 34994

Required Copy to:

City Attorney
City of Stuart
121 SW Flagler Avenue
Stuart, FL 34994

Notice given in accordance with the provision of this paragraph shall be deemed to be delivered and effective on the date of hand delivery or on the second day after the date of the deposit with an overnight courier or on the date upon which the return receipt is signed or delivery is refused or the notice is designated by the postal authorities as not delivered if mailed.

11. The Project Manager for the CITY of Stuart is Timothy Voelker, PE, City Engineer, 121 SW Flagler Avenue, Stuart, FL 34994, telephone number (772) 288-1292. The Project Manager for the COUNTY is George Dzama, P.E., Public Works Department, 2401 SE Monterey Road, Stuart, FL 34996, telephone number (772) 463-2837.

12. Unless otherwise terminated as provided herein, this Agreement shall continue in perpetuity unless terminated upon the mutual agreement of the parties.

**IN WITNESS WHEREOF,** the parties hereto have caused these presents to be executed the day, month and year aforesaid.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS**
**MARTIN COUNTY, FLORIDA**

_____
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

_____
HAROLD E. JENKINS II
CHAIRMAN

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

_____
SARAH W. WOODS
COUNTY ATTORNEY

---

ATTEST:

**CITY OF STUART, FLORIDA**

_____
MARY KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

_____
MICHAEL J. MORTELL
CITY ATTORNEY

**EXHIBIT A**

APPROVED CONSTRUCTION PLANS

**EXHIBIT B**

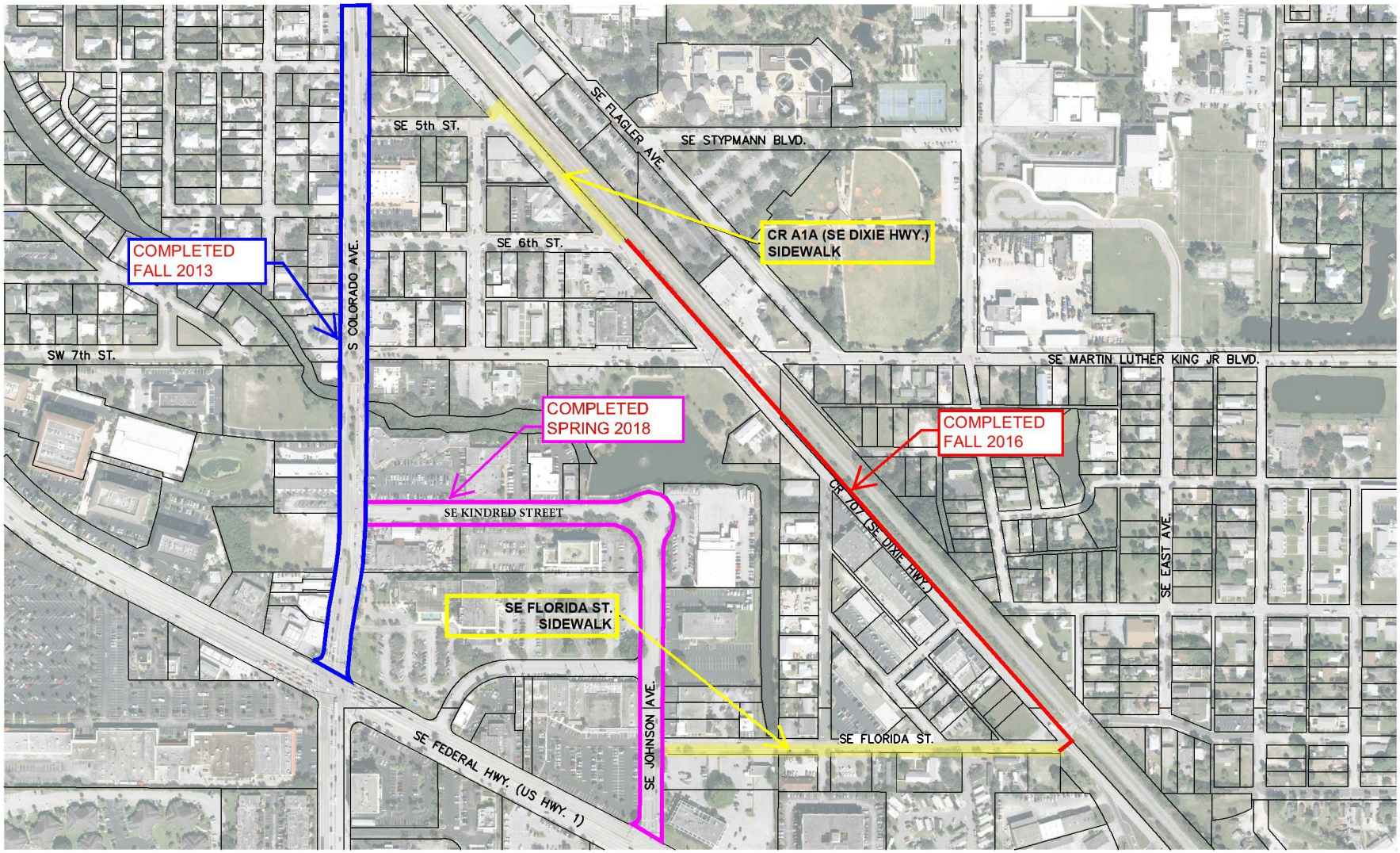
# MARTIN COUNTY PUBLIC WORKS DEPARTMENT

| CONTRACT ADMINISTRATION FEE SCHEDULE | | | |
|---|---|---|---|
| **Contract Position** | **Billable Hours** | **Rate** | **Project Cost** |
| Budget & Finance | 65 | $ 20.00 | $ 1,300.00 |
| County Attorney | 5 | $ 200.00 | $ 1,000.00 |
| Administrative Asst III | 20 | $ 18.00 | $ 360.00 |
| Inspector | 48 | $ 75.00 | $ 3,600.00 |
| Project Manager (RCS) | 118 | $ 90.00 | $ 10,620.00 |
| Project Manager | 12 | $ 90.00 | $ 1,080.00 |
| Sr. Project Manager | 8 | $ 110.00 | $ 880.00 |
| Sr. Project Engineer | 15 | $ 150.00 | $ 2,250.00 |
| | **Total Projected Fee*** | | **$ 21,090.00** |

*Fee includes manhours and expenses paid during pre-construction, construction, and post-construction phases

| | |
|---|---|
| **Estimated Project Cost** | $ 369,488.25 |

**TOTAL CONTRACT ADMINISTRATION FEE** **$ 21,090.00**




SHEET 1 OF 3

CITY OF STUART · FLORIDA · INCORPORATED 1914 · HISTORIC CAPITAL OF THE TREASURE COAST


CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS
2980 SOUTH 25th STREET • FORT PIERCE, FLORIDA 34981
151 SW FLAGLER AVENUE • STUART, FLORIDA 34994
PHONE 772-464-3537 • FAX 772-464-9497 • www.cr-eng.com
STATE OF FLORIDA CERTIFICATION No. LB 4286


# Project Location Map

| | |
|---|---|
| JOB NO: 16-206 | SCALE: 1"=300' |
| DRAWN BY: DPINKERTON | DATE: 1/26/2017 |

P:\Proj-2016\16-206 Stuart - LAP Sidewalk Assistance\Eng\16-206 Location Map.dwg 1/26/2017 2:55:28 PM

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Alaina Knofla

**Title of Item:**

RENEWAL OF ITB #2019-200: CHEMICALS FOR WATER TREATMENT PLANT / WATER RECLAMATION FACILITY (RC):

RESOLUTION No. 79-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO RENEW ITB NO. 2019-100, CHEMICALS FOR WATER TREATMENT PLANT/WATER RECLAMATION FACILITY ON AN "AS NEEDED" BASIS, FOR THE 2nd and FINAL RENEWAL PERIOD THROUGH SEPTEMBER 30, 2021 TO THE FOLLOWING FIRMS, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

August 18, 2018, the City of Stuart City Manager awarded ITB# 2019-200: Chemicals: Water Treatment Plant/Water Reclamation Facility. These chemicals are requested throughout the year on an "as-needed" basis and are required to operate the Water Treatment Plant/Water Reclamation Facility.

In accordance with the ITB package and the executed agreement, this agreement has a provision for renewal under the original terms, conditions, and specifications for two (2) additional one (1) year periods. The City staff recommends renewal of this agreement for the second and final year renewal periods, effective October 1, 2020, through September 30, 2021. Allied Universal Corporation has requested a 3% increase in pricing from .519 a gallon to .535 a gallon for Sodium Hypochlorite, which will still make the price lower than the secondary provider Odyssey Manufacturing Company.

| Item | Vendor | Chemical | Amount |
|---|---|---|---|
| 1 | Allied Universal Corporation | Sodium Hypochlorite | $64,200.00 |
| | Odyssey Manufacturing Company | Sodium Hypochlorite/Secondary Vendor | $66,000.00 |
| 2 | Tanner Industries, Inc. | Anhydrous Ammonia | $14,052.50 |
| 3 | Carus Corporation | Sodium Hexametaphosphate | $19,190.00 |
| 4 | Hawkins, Inc. | Hydrofluorosilicic Acid | $8,070.00 |
| 5 | Hawkins, Inc. | Hydrochloric Acid | $2,706.00 |
| 6 | Hawkins, Inc. | Anionic Dry Polymer | $6,110.00 |
| 7 | Hawkins, Inc. | Cationic Liquid Polymer | $18,218.20 |
| | | **Overall Total** | **$132,546.70** |

**Funding Source:**

Funds are budgeted available in the WTP and WRF operating accounts

**Recommended Action:**

Adopt Resolution No. 79-2020

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | R79-2020 | 6/23/2020 | Cover Memo |

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 79-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO RENEW ITB NO. 2019-100, CHEMICALS FOR WATER TREATMENT PLANT/WATER RECLAMATION FACILITY ON AN "AS NEEDED" BASIS, FOR THE 2nd and FINAL RENEWAL PERIOD THROUGH SEPTEMBER 30, 2021 TO THE FOLLOWING FIRMS, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

* * * * *

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The City Commission of the City of Stuart hereby approves the 2nd and Final of two (2) renewal periods of ITB NO. 2019-100 Chemicals for Water Treatment Plant/Water Reclamation Facility for the period October 1, 2020 through September 30, 2021.

| Item | Vendor | Chemical | Amount |
|---|---|---|---|
| 1 | Allied Universal Corporation | Sodium Hypochlorite | $64,200.00 |
| | Odyssey Manufacturing Company | Sodium Hypochlorite as the secondary vendor | **$66,000.00** |
| 2 | Tanner Industries, Inc. | Anhydrous Ammonia | $14,052.50 |
| 3 | Carus Corporation | Sodium Hexametphosphate | $19,190.00 |
| 4 | Hawkins, Inc. | Hydrofluorosilicic acid | $ 8,070.00 |
| 5 | Hawkins, Inc. | Hydrochloric Acid | $ 2,706.00 |
| 6 | Hawkins, Inc. | Anionic Dry Polymer | $ 6,110.00 |
| 7 | Hawkins, Inc. | Cationic Liquid Polymer | $18,218.20 |
| | | **Overall Total** | **$132,546.70** |

SECTION 2: This resolution shall take effect upon adoption.

Approve Award of ITB #2019-100, Chemicals for Water Treatment Plant/Water Reclamation Facility.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| VACANT, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |

ADOPTED this 13, day of July 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL MORTELL
CITY ATTORNEY

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Tim Voelker, P.E. - Public Works Assistant Director/City Engineer

**Title of Item:**

KANNER HIGHWAY WATERMAIN REPLACEMENT (RC):

RESOLUTION No. 82-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT No. 9 AND CIP AMENDMENT No. 1 TO THE 2019-2020 WATER SEWER FUND AND CAPITAL IMPROVEMENT PLAN, APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE DESIGN OF THE KANNER HIGHWAY WATERMAIN REPLACEMENT PROJECT IN THE AMOUNT OF $29,770.00, INCORPORATING PROJECT INTO THE CAPITAL IMPROVEMENT PLAN, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

The Florida Department of Transportation (FDOT) will be milling and resurfacing Kanner Highway from north of SW Cabana Point Circle to US 1, as well as, completing some drainage improvements along this corridor. The City of Stuart currently has an existing 6-inch ductile iron watermain on the west side of Kanner Highway that has experienced several watermain breaks over the past couple of years. As part of the FDOT milling and resurfacing project, Public Works would like to replace the existing 6-inch watermain at all locations in which the existing sidewalk is proposed to be replaced by the FDOT project.

Public Works has requested Holtz Consulting Engineers, Inc. to provide professional engineering services to prepare construction plans and provide bidding assistance for approximately 1,400 linear feet of watermain replacement from Monterey Road to US 1. See attached scope of work.

The design of the Kanner Highway Watermain Replacement project was not budgeted this fiscal year and came up unexpectedly due to FDOT advancing the Kanner Highway milling and resurfacing project by 3 months to stimulate the economy due to COVID-19.

**Funding Source:**

| | | |
|---|---|---|
| FROM: | Water Distribution and Collection, Capital Outlay<br>20040401 - Stuart Middle School Force Main | $29,770.00 |
| TO: | Water Distribution and Collection, Capital Outlay<br>20044701 - Kanner Hwy Watermain Replacement | $29,770.00 |

**Recommended Action:**

Approve Resolution No. 82-2020; Budget Amendment No. 9; CIP Amendment No. 1.

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | Resolution 82-2020 BA No. 9 CIP No. 1 Kanner Highway Watermain Replacement | 6/23/2020 | Resolution add to Y drive |
| 🗋 | Holtz Consulting Engineers Scope of Work | 6/23/2020 | Backup Material |

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 82-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT No. 9 AND CIP AMENDMENT No. 1 TO THE 2019-2020 WATER SEWER FUND AND CAPITAL IMPROVEMENT PLAN, APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE DESIGN OF THE KANNER HIGHWAY WATERMAIN REPLACEMENT PROJECT IN THE AMOUNT OF $29,770.00, INCORPORATING PROJECT INTO THE CAPITAL IMPROVEMENT PLAN, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

* * * * *

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The 2019-2020 Year Budget of the Water Sewer Fund and Capital Improvement Plan of the City of Stuart, Florida, being Resolution No. 92-2019 of the City Commission of the City of Stuart, Florida, as amended, hereinafter the "Budget" and "Plan" is hereby further amended, as follows:

| | | |
|---|---|---|
| FROM: | Water Distribution and Collection, Capital Outlay | |
| | 20040401 – Stuart Middle School Force Main | $29,770.00 |
| TO: | Water Distribution and Collection, Capital Outlay | |
| | 20044701 – Kanner Hwy Watermain Replacement | $29,770.00 |

This is an authorization of the City Commission of the City of Stuart, Florida authorizing Budget Amendment No. 9 and CIP Amendment No. 1 to the FY 2019-2020 Annual Budget to appropriate and expend funds for the Kanner Highway Watermain Replacement project.

SECTION 2: Except as amended hereby, the FY 2019-2020 Annual Budget shall remain in full force and effect.

SECTION 3: This resolution shall take effect on adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| VACANT, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |

ADOPTED this 13th day of July, 2020.

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL MORTELL
CITY ATTORNEY

**SCOPE OF WORK**
TO THE AGREEMENT FOR
PROFESSIONAL CIVIL ENGINEERING SERVICES, REI#2017-172
BETWEEN THE CITY OF STUART AND
THE FIRM OF
HOLTZ CONSULTING ENGINEERS, INC.

## I. PROJECT DESCRIPTION:

The City of Stuart (CITY) currently has an existing 6-inch ductile iron water main on the west side of Kanner Highway (SR 76). As part of the upcoming Florida Department of Transportation (FDOT) Project: 443995-1-52-01 Kanner Highway from North of SW Cabana Point Circle to SR 5 (US 1), the CITY would like to replace their existing 6-inch water main at all locations in which the existing sidewalk is proposed to be replaced. The CITY has requested Holtz Consulting Engineers, Inc. (CONSULTANT) provide professional engineering services to prepare construction plans and provide bidding assistance for approximately 1,400 linear feet of water main replacement from Monterey Road to US 1. The water main replacement work will be constructed concurrently with the FDOT project. In order to meet the FDOT schedule, constructability plans are to be completed by September 15, 2020 and production plans in mid-November 2020.

## II. AUTHORIZATION AND PURPOSE

This scope of work is an attachment to the Standard Agreement for Professional Engineering Services dated December 11, 2017 between the City of Stuart (CITY) and the firm of Holtz Consulting Engineers, Inc. (CONSULTANT) and made a part thereof. The purpose of this scope of work is to provide the CITY with professional engineering assistance for the design and bidding assistance of approximately 1,400 linear feet of 6-inch water main on Kanner Highway from Monterey Road to US 1 as part of FDOT Project 443995-1-52-01.

## III. GENERAL SCOPE OF WORK

The intent of the following detailed scope of services is to assist the CITY with the items noted above. Specific tasks to be performed by the CONSULTANT are as follows:

### Task 1 – Design Services

CONSULTANT will provide engineering services consisting of preparation of drawings depicting the proposed water mains replacement in accordance with FDOT and CITY standards. Plan utility sheets will be prepared based upon the contract roadway and drainage plans provided by the City of Stuart and/or Stanley Consultants, Inc. Water main replacement on the west side of Kanner Highway will only be in the locations in which the existing 6.5' sidewalk is noted to be replaced. Water main replacement will be at the same location as the existing water main. Detailed engineering sheets for the water improvements will be prepared based upon CITY standards. CONSULTANT will also provide a summary of FDOT pay items and summary of quantities for the proposed utility work to be inserted into contract drawings based upon CITY and FDOT guidelines.

The utility replacement drawings shall be prepared using information from the roadway and stormwater drawings prepared by Stanley Consultants. CONSULTANT shall use drawings from Stanley as the "base" drawings on which the proposed utility work will be depicted.

The utility drawings shall include the following sheets:
- Cover
- Legend and Notes
- Key Sheet
- Plan Sheets (1"=40'/11"x17") (7 Sheets)
- Detail Sheets

CONSULTANT shall provide drawings at the constructability and production plan design milestones for CITY

review and comment.

CONSULTANT shall also prepare engineer's opinion of probable cost of construction at both the constructability and production plan design milestones.

A Utility Work Schedule in accordance with FDOT standards will be prepared and submitted to the CITY as part of the design services.

**Task 2 – Bidding Assistance**

CONSULTANT will perform the following services during the bidding or negotiating phase of the Project:

- Attend the pre-bid meeting
- Respond to questions bidders may have concerning the water adjustment portions of the project. Responses shall be prepared for inclusion in addendum(s) prepared and distributed by others.

## IV. CITY RESPONSIBILITIES

Services and/or materials to be provided by the CITY and other related key assumptions include:

- Prompt review and comment on deliverables.
- Attendance of key personnel at meetings.
- Provide all available as-built information, GIS data, record drawings and other documents that will assist CONSULTANT in preparing Contract Documents.
- Provide design drawings in MicroStation and/or AutoCAD formats.
- Provide the most recent water and sewer standard specifications and details to be incorporated and utilized in the engineering plans.
- No permitting tasks or efforts are included in this work authorization.
- No written specifications are included. The CITY standards and specifications will be utilized for this project.

## V. DELIVERABLES

The project deliverables will be delivered to the CITY in accordance with the schedule provided below:

| TASK | DELIVERABLE | QUANTITY |
|---|---|---|
| Task 1 – Engineering Design Services | Constructability Plans<br>Production Plans | 1 Set of 24" x 36" Plans, 1 Set of 11" x 17" Plans, Electronic Files to include PDF &CAD/MicroStation Files of Plan Sheets – *For Each Design Submittal* |
| | Construction Cost Estimate | Electronic signed and sealed copy |

## VI. SCHEDULES AND TIME CONSTRAINTS

The total time allowed for the CONSULTANT'S services required under this scope of work shall be approximately 12 weeks. The work shall commence upon notice to proceed from the CITY.

Task 1: Design Services

a. Constructability Plans — August 28, 2020
b. Production Plans — October 30, 2020

## VII. COMPENSATION

Payment for all services will be in accordance with the Standard Agreement for Professional Engineering Services. Total compensation shall for all services, materials, supplies and any other items or requirements necessary to complete the work as described herein and shall not exceed $29,770 on a lump sum basis. Tasks shall be as requested and authorized by the City. The above referenced not-to-exceed total shall not be exceeded without written authorization from the City. The break down by tasks is as follows:

| Task | Compensation by Task Lump Sum (LS) |
|---|---|
| Task 1: Design Services | $27,520 |
| Task 2: Bidding Assistance | $2,250 |
| **TOTAL** | **$29,770** |

IN WITNESS WHEREOF, the parties have made and executed this Agreement, the day and year first above written.

CONSULTANT: Holtz Consulting Engineers, Inc.

By:_____ Date:_____
Andrea Holtz, PE, President

ATTEST_____

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APPROVED AS TO COMPLIANCE WITH PURCHASING & CONTRACTS POLICIES AND PROCEDURES

By:_____ Date:_____
Alaina Knofla, CPPB, Purchasing Manager

---

TECHNICAL PROVISIONS OF CONTRACT AND BUDGETARY REQUIREMENTS APPROVED

By:_____ Date:_____
David Peters, Director of Public Works

---

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF STUART CITY ONLY

By:_____ Date:_____
Michael Mortell, City Attorney

---

CITY OF STUART

By:_____ Date:_____
David Dyess, City Manager

**EXHIBIT A**

**"PROFESSIONAL'S PERSONNEL HOURLY RATE SCHEDULE"**

**Holtz Consulting Engineers, Inc.**

| Title | Hourly Rates |
|---|---|
| Senior Principal | $180 |
| Principal | $170 |
| Senior Project Manager | $160 |
| Construction Project Manager | $135 |
| Project Manager | $150 |
| Project Engineer (PE) | $120 |
| Project Engineer (EI) | $105 |
| Senior Designer | $105 |
| CAD Technician (Drafter) | $95 |
| Construction Inspector | $95 |
| Clerical | $60 |

A. Subconsultants will be billed at cost plus 10%.

B. Mileage for authorized travel shall be invoiced at the current IRS rate.

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Alaina Knofla

**Title of Item:**

CONTRACT RENEWAL FOR RFP #2017-167 DEBRIS REMOVAL SERVICES (RC):

RESOLUTION No. 85-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE THIRD YEAR OF FOUR (ONE YEAR) RENEWAL OPTIONS OF RFP NO. 2017-167: DEBRIS REMOVAL SERVICES TO THE PRIMARY CONTRACTOR, CROWDER GULF JOINT VENTURE, INC. OF MOBILE, ALABAMA; AND THE SECONDARY CONTRACTOR, DRC EMERGENCY SERVICES OF WEST PALM BEACH, FLORIDA THROUGH AUGUST 31, 2021, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

On August 14, 2017, the City of Stuart City Commission awarded RFP No. 2017-167: Debris Removal Services to the top two ranked firms, Crowder Gulf Joint Venture, Inc. of Mobile, Alabama as the primary contractor, and DRC Emergency Services of West Palm Beach as the secondary contractor.

This agreement has a renewal provision under the original terms, conditions, prices, and specifications for the third year of four (1 year) renewal periods. Contract performance has been satisfactory with both the primary and secondary Contractors, and both firms have agreed to the renewal. Staff recommends the renewal period effective September 1, 2020 through August 31, 2021.

**Funding Source:**

1730

**Recommended Action:**

Adopt Resolution No. 85-2020

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | R85-2020 | 6/30/2020 | Cover Memo |

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 85-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE THIRD YEAR OF FOUR (ONE YEAR) RENEWAL OPTIONS OF RFP NO. 2017-167: DEBRIS REMOVAL SERVICES TO THE PRIMARY CONTRACTOR, CROWDER GULF JOINT VENTURE, INC. OF MOBILE, ALABAMA; AND THE SECONDARY CONTRACTOR, DRC EMERGENCY SERVICES OF WEST PALM BEACH, FLORIDA THROUGH AUGUST 31, 2021, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

* * * * *

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The City Commission of the City of Stuart, Florida hereby approves the third of four (1 year) renewal periods of RFP# 2017-167: Debris Removal Services with Crowdergulf Joint Venture, Inc., of Mobile, Alabama and the secondary contractor DRC Emergency Services of West Palm Beach, Florida for the renewal period effective September 1, 2020 through August 31, 2021.

SECTION 2: This resolution shall take effect upon adoption.

Resolution No. 85-2020

Approve renewal of RFP #2017-167, Debris Removal Services

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| VACANT, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |

ADOPTED this 13th, day of July 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL MORTELL
CITY ATTORNEY

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Alaina Knofla

**Title of Item:**

CONTRACT RENEWAL OF RFP #2017-168: DEBRIS MONITORING SERVICES (RC):

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE THIRD YEAR OF FOUR (ONE YEAR) RENEWAL OPTIONS OF RFP NO. 2017-168: DEBRIS MONITORING SERVICES TO THE PRIMARY CONTRACTOR, THOMPSON CONSULTING SERVICES OF LAKE MARY, FLORIDA; AND THE SECONDARY CONTRACTOR, LANDFALL STRATEGIES, LLC OF SARASOTA, FLORIDA THROUGH AUGUST 31, 2021, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

On August 14, 2017, the City of Stuart City Commission awarded RFP No. 2017-168: Debris Monitoring Services to the top two ranked firms, the primary contractor Thompson Consulting Services of Lake Mary, Florida and the secondary contractor Landfall Strategies, LLC., of Sarasota, Florida.

This agreement has a renewal provision under the original terms, conditions, prices, and specifications for the third year of four (1 year) renewal periods. Contract performance has been satisfactory with both the primary and secondary Contractors, and both firms have agreed to the renewal. Staff recommends the renewal period effective September 1, 2020 through August 31, 2021.

**Funding Source:**

1730

**Recommended Action:**

Adopt Resolution No. 86-2020

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | R86-2020 | 6/30/2020 | Cover Memo |

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 86-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE THIRD YEAR OF FOUR (ONE YEAR) RENEWAL OPTIONS OF RFP NO. 2017-168: DEBRIS MONITORING SERVICES TO THE PRIMARY CONTRACTOR, THOMPSON CONSULTING SERVICES OF LAKE MARY, FLORIDA; AND THE SECONDARY CONTRACTOR, LANDFALL STRATEGIES, LLC OF SARASOTA, FLORIDA THROUGH AUGUST 31, 2021, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

* * * * *

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The City Commission of the City of Stuart, Florida hereby approves the third of four (1 year) renewal periods of RFP# 2017-168: Debris Monitoring Services with Thompson Consulting Services of Lake Mary, Florida and Landfall Strategies, LLC of Sarasota, Florida for the renewal period effective September 1, 2020 through August 31, 2021.

SECTION 2: This resolution shall take effect upon adoption.

Resolution No. 86-2020

Approve renewal of RFP #2017-168, Debris Monitoring Services

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| VACANT, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |

ADOPTED this 13th, day of July 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL MORTELL
CITY ATTORNEY

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** David Dyess, City Manager

**Title of Item:**

MEMORANDUM OF UNDERSTANDING AGREEMENT WITH MARTIN COUNTY ON CARES ACT FUNDING (RC):

RESOLUTION No. 87-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT WITH MARTIN COUNTY ON CARES ACT FUNDING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

CARES Act funding has been released to Martin County who will be the sole distributor of those funds. As such municipalities can request funds from the CARES Act through Martin County for approved expenditures. Martin County has established a protocol for this process and this item is to authorize the city manager to execute the memorandum of agreement with the county as well as all related documents to request funds.

**Funding Source:**

N/A

**Recommended Action:**

Motion to approve resolution 87-2020

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | R87-2020 MOU with Martin County CARES Act | 7/2/2020 | Resolution add to Y drive |
| 🗋 | CARES Act MOU | 7/2/2020 | Backup Material |

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 87-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT WITH MARTIN COUNTY ON CARES ACT FUNDING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

* * * * *

**WHEREAS,** the County has entered into a CARES Act Funding Agreement with the State of Florida, Division of Emergency Management to receive funding from the Coronavirus Relief Fund pursuant to the CARES Act section 601(d) of the Social Security Act;

**WHEREAS,** the County desires to collaborate with the City of Stuart for the purpose of allocating subawards from the funds allocated under the Coronavirus Relief Fund; and

**WHEREAS,** the City of Stuart is required to strictly comply with the eligibility and reimbursement requirements for use of the Coronavirus Relief Act funds.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT**:

SECTION 1: The purpose of this Agreement is to provide for cooperation and coordination between the parties in carrying out the responsibilities to receive and allocate funding from the Coronavirus Relief Fund.

SECTION 2: The City Commission authorizes the City Manager to execute the Memorandum of Agreement and all related documents to the agreement for receiving of CARES Act Funds.

R87-2020

MOU With Martin County, CARES Funds

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MIKE MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| REBECCA S. BRUNER, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |
| VACANT | | | | |

ADOPTED this 13th day of July 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MIKE MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL MORTELL
CITY ATTORNEY

**MEMORANDUM OF AGREEMENT**
**FOR CARES ACT REIMBURSEMENTS**
**BETWEEN MARTIN COUNTY AND THE CITY OF STUART**

This Memorandum of Agreement (the "Agreement") is made and entered into by Martin County, a political subdivision of the State of Florida (hereinafter referred to as the "County") and the City of Stuart (hereinafter referred to as the "Recipient").

**WHEREAS**, the County has entered into a CARES Act Funding Agreement with the State of Florida, Division of Emergency Management to receive funding from the Coronavirus Relief Fund pursuant to the CARES Act section 601(d) of the Social Security Act;

**WHEREAS**, the County desires to collaborate with the City of Stuart for the purpose of allocating subawards from the funds allocated under the Coronavirus Relief Fund; and

**WHEREAS**, the City of Stuart is required to strictly comply with the eligibility and reimbursement requirements for use of the Coronavirus Relief Act funds.

**NOW, THEREFORE**, in consideration of the cooperative effort between the parties contained herein, the parties agree as follows:

1. **PURPOSE**. The purpose of this Agreement is to provide for cooperation and coordination between the parties in carrying out the responsibilities to receive and allocate funding from the Coronavirus Relief Fund.

2. **TERM OF AGREEMENT.** This Agreement is from March 1, 2020 and shall end on December 30, 2020 unless terminated earlier pursuant to this Agreement.

3. **FUNDING**.

a. The County was awarded funds from the Coronavirus Relief Fund pursuant to the CARES Act section 601(d) of the Social Security Act. As a condition of the receipt of such funds, the County entered into a CARES Act Funding Agreement with the State of Florida, Division of Emergency Management ("CARES Act Funding Agreement"), which is attached and incorporated into this Agreement as Exhibit 1.

b. The County received an initial disbursement of 25% of the total amount allocated to the County. Any additional amounts received will be distributed on a reimbursement basis in accordance with the CARES Act Funding Agreement.

c. Payments/Reimbursements under this Agreement may only be used to cover expenses that:

i. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);

ii. were not accounted for in the most recently approved budget of the Recipient as of March 27, 2020; and

iii. were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020. Funds transferred to Recipient must qualify as a

necessary expenditure incurred due to the public health emergency and meet the criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Department of Treasury if the funds have not been used in a manner consistent with section 601(d) of the Social Security Act.

d. Examples of Eligible Expenses include, but are not limited to:
   i. Medical Expenses
   ii. Public Health Expenses
   iii. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
   iv. Expenses of actions to facilitate compliance with COVID-19 related public health measures.
   v. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency.
   vi. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the fund's eligibility criteria.
   vii. Any other requirements provided in the CARES Act Funding Agreement between the County and the State of Florida, Division of Emergency Management.

e. Reimbursement for travel must be in accordance with section 112.061, Florida Statutes, which includes submission of the claim on the approved state travel voucher.

4. **CONDITIONS FOR RECEIVING FUNDING.** In order to receive funding under the terms of this Agreement, the Recipient must strictly adhere to the following conditions.

a. Recipient acknowledges it has thoroughly reviewed and understands the terms and conditions of the CARES Act Funding Agreement between the County and the State of Florida, Division of Emergency Management and agrees to strictly abide by the terms and conditions of the CARES Act Funding Agreement.

b. Recipient must complete a CARES Act Funding Reimbursement Form, attached as Exhibit 2 ("Reimbursement Form"), and provide all documentation and information necessary to justify and support the payment request, including any additional documentation requested by the County.

c. Recipient must provide a CARES Act Coronavirus Relief Fund Recipient Reimbursement Certification with each Reimbursement Form submitted signed by the official who has the legal authority to bind the Recipient attesting to the accuracy of the of the Reimbursement Form and its attachments. A copy of the required CARES Act Reimbursement Certification is attached as Exhibit 3.

d. Recipient must provide a CARES Act Coronavirus Relief Fund Certification Regarding Lobbying signed by the official who has the legal authority to bind the Recipient. A copy of the Certification Regarding Lobbying is attached as Exhibit 4.

5. **REIMBURSEMENT OF RECIPIENT'S ELIGIBLE EXPENSES**.

a. The County agrees to process requests for reimbursement for all eligible expenses provided all Conditions for Receiving Funding in paragraph 4 above are strictly met.

b. Upon the completion of all of the requirements in paragraph 4 and the County's receipt of the documents in sections 4(b) through (d) ("CARES Act Reimbursement Documentation"), the County shall have 30 days to review such documentation for expense eligibility. Reimbursement of eligible expenses shall be contingent upon the County's review of documentation submitted by the Recipient and determination that the requested expenses are eligible for reimbursement under the terms of the CARES Act Funding Agreement and this Agreement.

c. Upon the determination of eligibility by the County, the County will submit the request for reimbursement to the State of Florida, Division of Emergency Management.

d. Recipient will receive reimbursement under this Agreement within 30 days of the County's receipt of the requested funds from the State of Florida.

e. The County's determination that the requested expenses are eligible for reimbursement and/or payment to Recipient in no way guarantees that the State of Florida, Division of Emergency Management or the Federal government will determine such expenses are eligible. If the State of Florida, Division of Emergency Management or the Federal government determine any expenses are ineligible after the County has reimbursed the Recipient, the Recipient agrees to promptly repay the County of all funds deemed ineligible within 30 days notification of ineligibility to Recipient.

6. **MANDATED CONDITIONS AND OTHER LAWS**. Recipient acknowledges that the use of the funds received under this Agreement are subject to strict compliance with the terms and conditions of the CARES Act Funding Agreement. In accordance with the CARES Act Funding Agreement, Recipient agrees to comply with the following provisions of that Agreement as if it were a party to that Agreement:

a. Paragraph 20, Mandated Conditions and Other Laws.
b. Paragraph 21, Lobbying Prohibition
c. Paragraph 24, Equal Opportunity Employment
d. Paragraph 25, Copeland Anti-Kickback Act
e. Paragraph 26, Contract Work Hours and Safety Standards
f. Paragraph 27, Clear Air Act and Federal Water Pollution Act
g. Paragraph 28, Suspension and Debarment
h. Paragraph 29, Byrd Anti-Lobbying Amendment

i. Paragraph 30, Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms

7. **NOTICE.** The parties shall direct all matters arising in connection with the performance of this Agreement to the attention of the respective contact persons named below for resolution or action:

**For the County:**

George Stokus
Assistant County Administrator
2401 SE Monterey Road
Stuart, FL 34996
(772) 221-2352
gstokus@martin.fl.us

**For the City of Stuart:**

David Dyess
City Manager
121 SW Flagler Avenue
Stuart, FL 34994
(772) 288-5312
ddyess@ci.stuart.fl.us

8. **APPROPRIATIONS**. The County's performance under this Agreement is contingent upon the availability of funding under the CARES Act and does not obligate future appropriation for the obligations created under this Agreement.

9. **RECORDS**. The Recipient shall maintain adequate records to justify all charges, expenses and costs incurred pursuant to this Agreement for the period of time specified in the appropriate retention schedule published by the Florida Department of State.

Both parties to this Agreement are required to comply with all Florida's Public Records laws and specifically agree to: 1) keep and maintain public records that ordinarily and necessarily would be required in accordance with the applicable records retention schedule, 2) provide the public with access to public records at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, and 3) ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by laws.

10. **AUDIT**.

a. In accordance with the receipt and expenditure of funds under this Agreement, Recipient must follow Generally Accepted Accounting Principles as defined in 2 C.F.R. §200.49.

b. As a condition of receiving funds under this Agreement, the County, the State of Florida Division of Emergency Management, the Florida Auditor General or any authorized representative, shall enjoy the right to access to any documents, financial statements, papers or other records of the Recipient which are pertinent to this Agreement in order to make audits, examinations, excerpts and transcripts. The right to access also

includes timely and reasonable access to Recipient's personnel for the purpose of interview and discussion related to such documents.

c. If an audit shows all or any portion of the funds disbursed were not spent in accordance with the conditions of and strict compliance with this Agreement, Recipient will be liable for reimbursement to the County of all funds not spent in accordance with this Agreement within 30 days after notification of such non-compliance.

11. **TERMINATION OF AGREEMENT**. The parties may terminate this Agreement at any time upon 30 days written notice.

12. **LIABILITY**. Each party hereto agrees that it shall be solely responsible for the negligent or wrongful acts of its employees and agents. Nothing contained herein shall constitute a waiver by either party of its sovereign immunity, or the provisions of section 768.28, Florida Statutes. Nothing herein shall be construed as consent by either party to be sued by third parties.

13. **GOVERNING LAW AND VENUE**. This Agreement shall be governed, interpreted, and construed in accordance with the laws of the State of Florida. Venue for any legal action by a party to this Agreement to interpret, construe or enforce this Agreement shall be in a court of competent jurisdiction in and for Martin County, Florida.

14. **WAIVER OF JURY TRIAL.** EACH OF THE PARTIES HERETO HEREBY KNOWINGLY, VOLUNTARILY, AND INTENTIONALLY WAIVES THE RIGHT EITHER OF THEM MAY HAVE TO A TRIAL BY JURY FOR ANY LITIGATION BASED HEREIN, OR ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS AGREEMENT.

15. **SEVERABILITY**. The invalidity or unenforceability of any provision of clause in this Agreement shall not affect the validity or enforceability of any other clause or provision.

16. **DISPUTE RESOLUTION.** Disputes under this Agreement may be resolved by the County's Authorized Representative and the Recipient's Authorized Representative. If such Authorized Representatives are unable to reach a resolution and the parties agree that the issue is of sufficient merit, prior to initiating any lawsuit or proceeding, the parties must select a mediator mutually acceptable to both parties to conduct a mediation of the issues involved. The parties agree to be responsible for their respective costs and fees incurred during the mediation and that the mediator's fees and costs shall be paid in equal amounts by each party.

17. **AUTHORIZATION**. Recipient certifies that it has the legal authority to receive funds under this Agreement and its governing body has authorized the execution and acceptance of this Agreement. The undersigned also certifies that it has the authority to execute and bind the Recipient.

18. **ATTACHMENTS**

a. Exhibit 1: CARES Act Funding Agreement Between Martin County and State of Florida, Division of Emergency Management
b. Exhibit 2: CARES Act Funding Reimbursement Form

c. Exhibit 3: CARES Act Reimbursement Certification
d. Exhibit 4: Certification Regarding Lobbying

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives on the dates appearing beneath their respective signatures.

**MARTIN COUNTY,**

By: _____
Taryn Kryzda,
County Administrator

_____
Date

**CITY OF STUART,**

By: _____
David Dyess, City Manager

_____
Date

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Stephen Mayer

**Title of Item:**

ON-STREET PARKING SPACES ON ALBANY AVENUE (QUASI-JUDICIAL) (RC):

**(This item was continued from June 22nd)**
RESOLUTION No. 64-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ALLOW THE DEVIATION FROM REQUIREMENTS REGARDING THE NUMBER OF PARKING SPACES REQUIRED AND ALLOW THE CONSTRUCTION OF NINE (9) NEW ON-STREET PARKING SPACES WITHIN THE URBAN HIGHWAY ZONING DISTRICT; PROVIDING FOR A REVOCABLE PERMIT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

The applicant, All American Eagle Properties, LLC, is requesting a major urban code conditional use (MUCCU) approval in accordance with Section 3.01.06 of the City of Stuart Land Development Code. The applicant is the owner of the property, located at between SW Federal Highway and SW Albany Avenue, south of SW Joan Jefferson Way, and if granted, the conditional use would allow deviations from the Urban Code, Chapter 3 of the City of Stuart's Land Development Code, to allow the construction of nine (9) new on-street parking spaces on the west side (south bound lane) of Albany Avenue and will grant the City Manager to sign a revocable permit to allow the pavement modifications within public right-of-way.

The property is currently mixed use and is located at 200 and 2005 SW Albany Avenue. The uses are historic and do not currently meet the City's parking regulations. There are 13 existing parking spaces on site, however, the uses on the site would require 40 parking spaces. The applicant desires to accept the non-comforting uses as is, while providing an additional nine (9) on-street parking spaces for general public use on the west side of SW Albany Ave, between SW Joan Jefferson Way and SW 3rd Street.

The property has the following existing uses:
- Salon (1,300 square feet/ 5 stations)
- Residential apartments (6 studio or 1-bedroom units
- Retail (1,500 square feet)
- Restaurant (40 seats)
- Personal service (1,300 square feet)

Due to the above existing uses, the applicant is requesting a waiver of 27 parking spaces, and requesting that nine (9) new on-street parking spaces be factored in the calculation. Therefore, the Major Urban Code Conditional Use relief is a net deficiency of eighteen (18) parking spaces.

Staff recommends approval of the revocable permit to allow the new on-street parking, which abuts the property and will be paid for by the private property owner. The parking spaces will be used for general public use, and parking restrictions (for example, short term parking) may be enforced by the City.

Staff also recommends approval of the deviation from code, allowing the existing uses to continue with no

outstanding non-conforming status in regard to parking. This allows for the potential redevelopment of the site so long as the intensity of uses remain the same. Staff notes that expansion of the uses on the site is not recommended without a more extensive parking study.

On June 2, 2020, the Community Redevelopment Board (CRB) voted to recommend approval of Resolution 64-2020.

**Funding Source:**

N/A

**Recommended Action:**

Motion to approve Resolution 64-2020 conditionalized on not interfering with FDOT and bridge detour construction, but giving parking credit immediately if a delay is necessary.

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | Staff Report | 6/12/2020 | Staff Report |
| 🗋 | Resolution 64-2020 | 6/12/2020 | DRAFT RESOLUTION |
| 🗋 | Streetscape Plan | 5/27/2020 | Exhibit |
| 🗋 | Landscape Plan | 6/12/2020 | Exhibit |
| 🗋 | Survey | 6/12/2020 | Exhibit |
| 🗋 | Color Rendering of streetscape plan | 6/12/2020 | Attachment |
| 🗋 | Applicant Response to Staff Comments | 5/27/2020 | Attachment |
| 🗋 | Application | 5/27/2020 | Attachment |

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 64-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ALLOW THE DEVIATION OF REQUIREMENTS REGARDING THE NUMBER OF PARKING SPACES REQUIRED AND ALLOW THE CONSTRUCTION OF NINE (9) NEW ON-STREET PARKING SPACES WITHIN THE URBAN HIGHWAY ZONING DISTRICT; PROVIDING FOR A REVOCABLE PERMIT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; AND FOR OTHER PURPOSES.**

* * * * *

**WHEREAS,** the City Commission of Stuart, Florida, has adopted and administers Section 3.01.06 of the Land Development Code; and

**WHEREAS,** the applicant, All American Eagle Properties, LLC (The "Owner") filed an application for a Major Urban Code Conditional Use Permit to allow deviation from the Urban Code, Chapter 3 of the City of Stuart's Land Development Code regarding the number of required parking spaces and to allow the construction of nine (9) new on-street parking spaces for public benefit to be considered in the required parking space calculations, Stuart, Florida.

**WHEREAS**, the City Commission held a properly noticed hearing on June 22, 2020, to consider the application for a reduction of required parking as a conditional use; and

**WHEREAS,** at a public hearing the applicant has shown by substantial competent evidence that the proposed use does not create any detrimental effects on adjacent properties, within three hundred (300) feet of the proposed location; and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA** that:

SECTION 1: Subject to the conditions attached hereto, the City Commission hereby grants a Major Urban Code Conditional Use Approval to John Martino, Manager of All-American Eagle Properties, owner of property at 200 and 205 SW Albany Avenue, Stuart, Florida, with the PCN Number of 05-38-41-014-009-00010-6 and 05-38-41-014-009-00020-4. This conditional use runs with the land; and

SECTION 2: A legal description of the Property is set forth in **Exhibit A** of this Resolution. A survey depicting the property and location of the property is attached hereto as **Exhibit B.** Development conditions including a timetable for construction attached hereto as **Exhibit C** and made a part hereof by reference; and

SECTION 3: The streetscape plan is attached hereto as **Exhibit D**; and

SECTION 4: This resolution shall take effect upon adoption; and

SECTION 5: The City Commission approves a revocable permit, to be signed by the City Manager, which permits the private development of new on-street parking within the SW Albany Avenue right of way. The pavement modifications shall be completely installed and inspected by July 1, 2022, or this Major Urban Conditional Use and said revocable permit shall be deemed void.

Resolution #64-2020
All American Eagle Properties – 200 and 205 SW Albany Avenue
Major Conditional Use Approval

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| KELLI GLASS LEIGHTON, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |

ADOPTED this ___ day of _____, 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL MORTELL
CITY ATTORNEY

STATE OF _____

COUNTY OF _____

CITY'S ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____day of _____, 2020, by MICHAEL J. MEIER, Mayor, and Mary R. Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.

Personally Known OR Produced Identification
Type of ID Produced _____

Signature of Notary Public: _____
Commission Expires:

Notary Seal:

## ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN THE FOREGOING RESOLUTION, AND ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE FOREGOING RESOLUTION. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS RESOLUTION MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ADMINISTRATIVE ACTIONS AND PENALTIES MAY BE TAKEN AGAINST THE UNDERSIGNED, ITS SUCCESSORS OR ASSIGNS, BY THE CITY, INCLUDING BUT NOT LIMITED TO SANCTIONS DESCRIBED IN THIS RESOLUTION, CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING SUSPENSIONS OR REVOCATIONS, AND ANY OR ALL OTHER APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

_____
Print Name:_____

_____
Print Name:_____

All-American Eagle Properties, LLC

By:_____
John Martino, Manager

## OWNERS ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2020, by _____

Personally Known OR Produced Identification
Type of ID Produced _____

Signature of Notary Public: _____
Commission Expires:

Notary Seal:

## Exhibit A – Legal Description

Applicant is requested to provide legal description on the survey prior to City Commission hearing

**Exhibit B**
**Legal Survey**

Applicant is requested to provide survey prior to City Commission hearing

**EXHIBIT C – DEVELOPMENT CONDITIONS**

## Approved Plans and Documents

1. The All-American Eagle Properties MUCCU, specifically the construction of the nine additional on-street parking spaces, thereof shall comply with the following drawings:

    a. **Albany Avenue Streetscape Plan, Sheet S1 of 1, prepared by McCarty and Associates, dated 11.19.19, revised on 2.26.20.**

2. All-American Eagle Properties attest the uses located at 200 and 205 SW Albany include the following maximum intensities regarding parking:
    a. Salon (1,300 square feet/ 5 stations)
    b. Residential apartments (6 studio or 1-bedroom units)
    c. Retail (1,500 square feet)
    d. Restaurant (40 seats)
    e. Personal service (1,300 square feet)

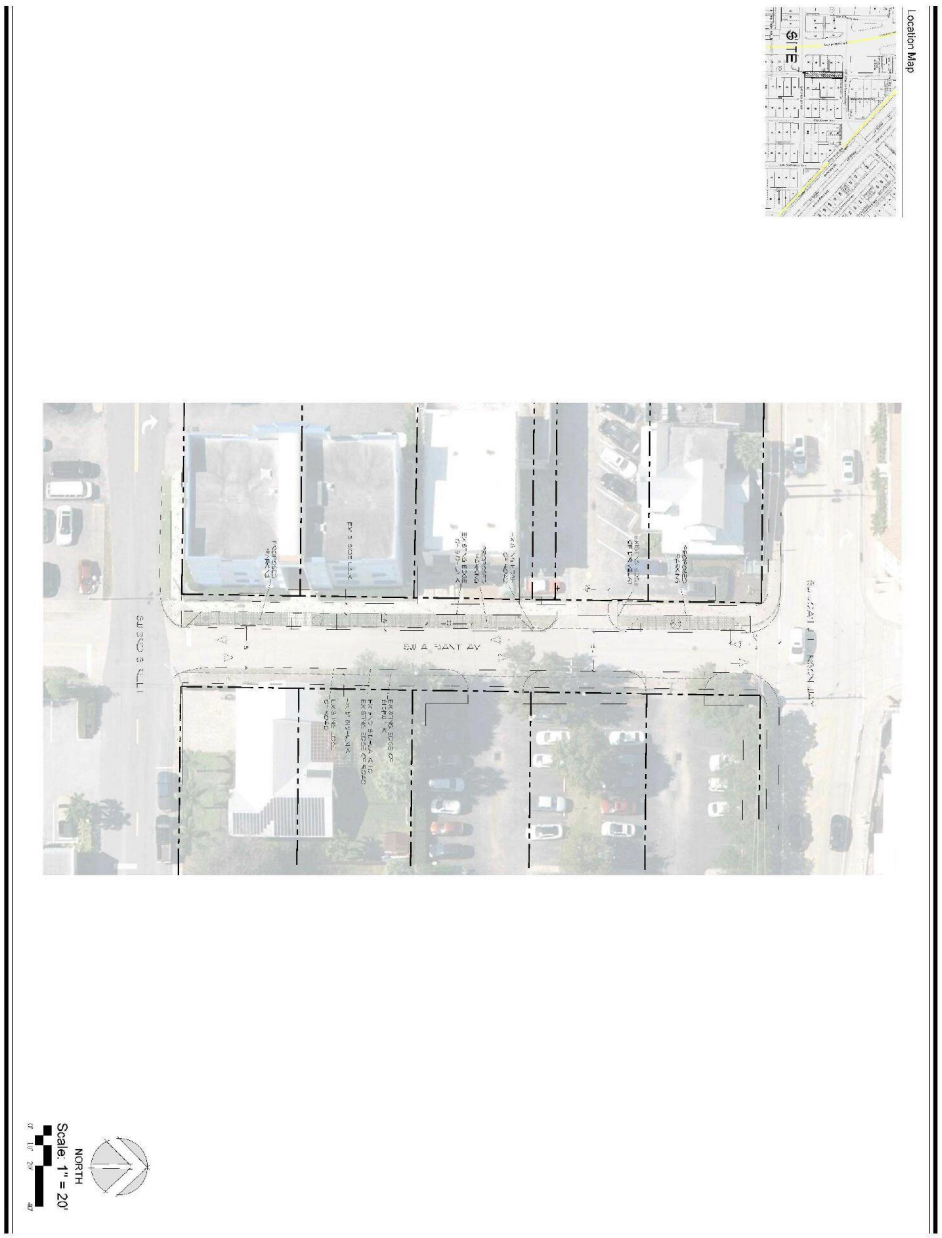
3. The owner shall not exceed the maximum intensity of uses described above in Condition #2, which permits the inclusion of nine on-street parking spaces in the parking calculation and the deficiency of a total of nine parking spaces.

4. The nine on-street parking spaces constructed by the applicant are for general public use and may not be restricted for the use of tenants of any property. The City reserves the right to restrict and enforce temporary parking hours.

5. The project shall be completely installed and inspected by July 1, 2022, or this Major Urban Conditional Use shall be deemed void.

## Exhibit D

## Approval Documents



**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 64-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ALLOW THE DEVIATION OF REQUIREMENTS REGARDING THE NUMBER OF PARKING SPACES REQUIRED AND ALLOW THE CONSTRUCTION OF NINE (9) NEW ON-STREET PARKING SPACES WITHIN THE URBAN HIGHWAY ZONING DISTRICT; PROVIDING FOR A REVOCABLE PERMIT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; AND FOR OTHER PURPOSES.**

* * * * *

**WHEREAS,** the City Commission of Stuart, Florida, has adopted and administers Section 3.01.06 of the Land Development Code; and

**WHEREAS,** the applicant, All American Eagle Properties, LLC (The "Owner") filed an application for a Major Urban Code Conditional Use Permit to allow deviation from the Urban Code, Chapter 3 of the City of Stuart's Land Development Code regarding the number of required parking spaces and to allow the construction of nine (9) new on-street parking spaces for public benefit to be considered in the required parking space calculations, Stuart, Florida.

**WHEREAS**, the City Commission held a properly noticed hearing on June 22, 2020, to consider the application for a reduction of required parking as a conditional use; and

**WHEREAS,** at a public hearing the applicant has shown by substantial competent evidence that the proposed use does not create any detrimental effects on adjacent properties, within three hundred (300) feet of the proposed location; and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA** that:

SECTION 1: Subject to the conditions attached hereto, the City Commission hereby grants a Major Urban Code Conditional Use Approval to John Martino, Manager of All-American Eagle Properties, owner of property at 200 and 205 SW Albany Avenue, Stuart, Florida, with the PCN Number of 05-38-41-014-009-00010-6 and 05-38-41-014-009-00020-4. This conditional use runs with the land; and

SECTION 2: A legal description of the Property is set forth in **Exhibit A** of this Resolution. A survey depicting the property and location of the property is attached hereto as **Exhibit B.** Development conditions including a timetable for construction attached hereto as **Exhibit C** and made a part hereof by reference; and

SECTION 3: The streetscape and landscape plans are attached hereto as **Exhibit D**; and

SECTION 4: This resolution shall take effect upon adoption; and

SECTION 5: The City Commission approves a revocable permit, to be signed by the City Manager, which permits the private development of new on-street parking within the SW Albany Avenue right of way. The pavement modifications shall be completely installed and inspected by July 1, 2022, or this Major Urban Conditional Use and said revocable permit shall be deemed void.

Resolution #64-2020
All American Eagle Properties – 200 and 205 SW Albany Avenue
Major Conditional Use Approval

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |
| | | | | |

ADOPTED this ___ day of _____, 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL MORTELL
CITY ATTORNEY

STATE OF _____

COUNTY OF _____

CITY'S ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____day of _____, 2020, by MICHAEL J. MEIER, Mayor, and Mary R. Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.

Personally Known OR Produced Identification
Type of ID Produced _____

Signature of Notary Public: _____
Commission Expires:

Notary Seal:

## ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN THE FOREGOING RESOLUTION, AND ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE FOREGOING RESOLUTION. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS RESOLUTION MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ADMINISTRATIVE ACTIONS AND PENALTIES MAY BE TAKEN AGAINST THE UNDERSIGNED, ITS SUCCESSORS OR ASSIGNS, BY THE CITY, INCLUDING BUT NOT LIMITED TO SANCTIONS DESCRIBED IN THIS RESOLUTION, CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING SUSPENSIONS OR REVOCATIONS, AND ANY OR ALL OTHER APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

_____
Print Name:_____

_____
Print Name:_____

All-American Eagle Properties, LLC

By:_____
John Martino, Manager

## OWNERS ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2020, by _____

Personally Known OR Produced Identification
Type of ID Produced _____

Signature of Notary Public: _____
Commission Expires:

Notary Seal:

# Exhibit A – Legal Description

PARCEL "A"

Lot 3, and the South 10 feet of Lot 2, Block 9, POTSDAM, as per Plat thereof, recorded in Plat Book B, Page 2, Public Records of Dade County, Florida and re-recorded in Plat Book 1, Page 28, Public Records of Palm Beach (now Martin) County, Florida: LESS AND EXCEPT the East 2 feet of the West 13 feet of both lots as conveyed to the State of Florida by Special Warranty Deed recorded in Official Records Book 110, Page 166, Public Records of Martin County, Florida.

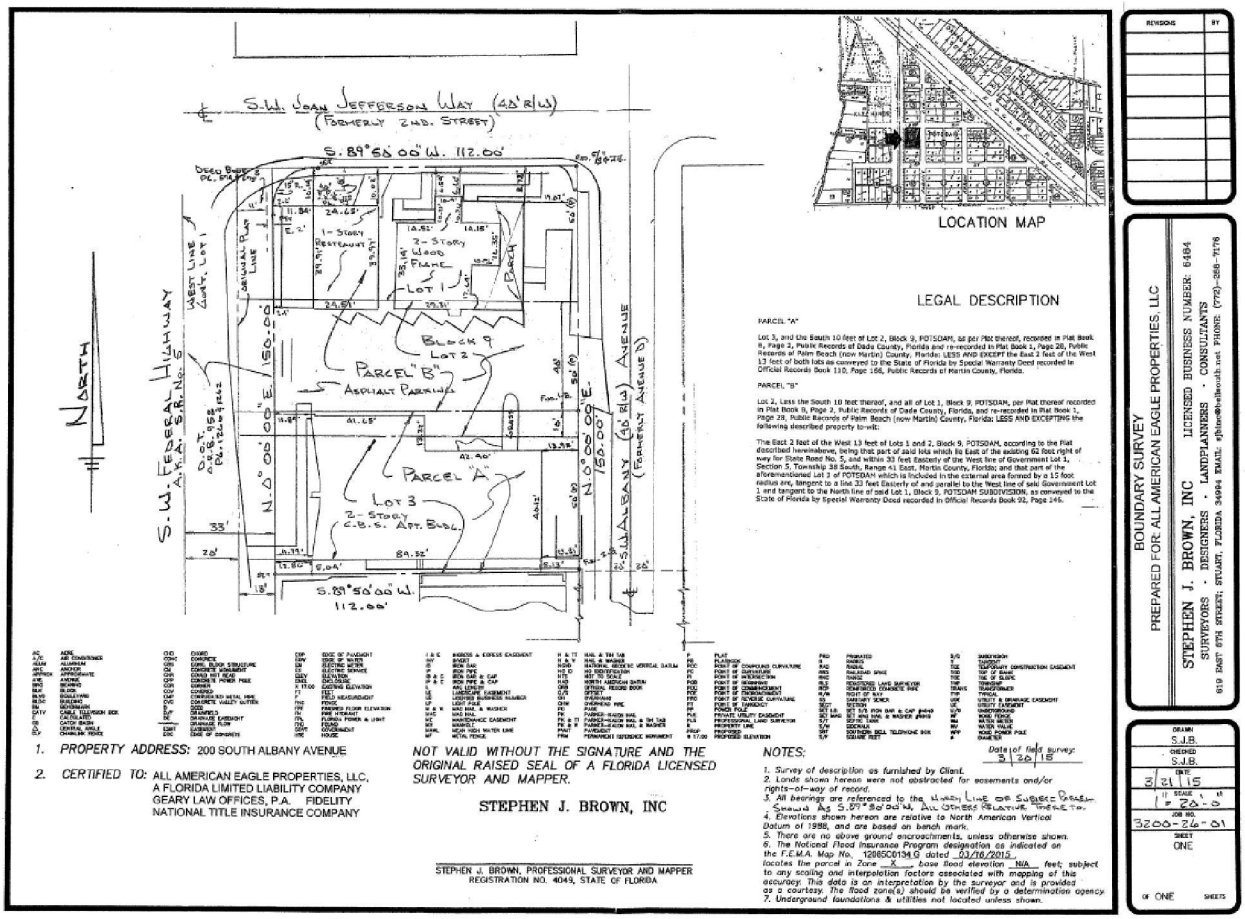
PARCEL "B"

Lot 2, Less the South 10 feet thereof, and all of Lot 1, Block 9, POTSDAM, per Plat thereof recorded in Plat Book B, Page 2, Public Records of Dade County, Florida, and re-recorded in Plat Book 1, Page 28, Public Records of Palm Beach (now Martin) County, Florida: LESS AND EXCEPTING the following described property to-wit:

The East 2 feet of the West 13 feet of Lots 1 and 2, Block 9, POTSDAM, according to the Plat described hereinabove, being that part of said lots which lie East of the existing 62 foot right of way for State Road No. 5, and within 33 feet Easterly of the West line of Government Lot 1, Section 5, Township 38 South, Range 41 East, Martin County, Florida; and that part of the aforementioned Lot 1 of POTSDAM which is included in the external area formed by a 15 foot radius arc, tangent to a line 33 feet Easterly of and parallel to the West line of said Government Lot 1 and tangent to the North line of said Lot 1, Block 9, POTSDAM SUBDIVISION, as conveyed to the State of Florida by Special Warranty Deed recorded in Official Records Book 92, Page 146.

Resolution #64-2020
All American Eagle Properties – 200 and 205 SW Albany Avenue
Major Conditional Use Approval

# Exhibit B
# Legal Survey




1. PROPERTY ADDRESS: 200 SOUTH ALBANY AVENUE
2. CERTIFIED TO: ALL AMERICAN EAGLE PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY GEARY LAW OFFICES, P.A. FIDELITY NATIONAL TITLE INSURANCE COMPANY

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

STEPHEN J. BROWN, INC

STEPHEN J. BROWN, PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 4045, STATE OF FLORIDA

NOTES:
1. Survey of description as furnished by Client.
2. Lands shown hereon were not abstracted for easements and/or rights-of-way of record.
3. All bearings are referenced to the Westerly Line of Subject Parcel Shown As S.89°58'00"W. All Others Relative Thereto.
4. Elevations shown hereon are relative to North American Vertical Datum of 1988, and are based on bench mark.
5. There are no above ground encroachments, unless otherwise shown.
6. The National Flood Insurance Program designation as indicated on the F.E.M.A. Map No. 12085C0134 G dated 03/16/2015, locates the parcel in Zone X, base flood elevation N/A feet; subject to any scaling and interpolation factors associated with mapping of this accuracy. This data is an interpretation by the surveyor and is provided as a courtesy. The flood zone(s) should be verified by a determination agency.
7. Underground foundations & utilities not located unless shown.

Date of field survey: 3/20/18

REVISIONS | BY

BOUNDARY SURVEY
PREPARED FOR: ALL AMERICAN EAGLE PROPERTIES, LLC

STEPHEN J. BROWN, INC — LICENSED BUSINESS NUMBER: 6484
SURVEYORS · DESIGNERS · LANDPLANNERS · CONSULTANTS
819 EAST 6TH STREET, STUART, FLORIDA 34994 EMAIL: sjbinc@bellsouth.net PHONE: (772)-286-7176

DRAWN: S.J.B.
CHECKED: S.J.B.
DATE: 3/21/18
SCALE: 1" = 20'-0"
JOB NO.: 3200-26-01
SHEET: ONE OF ONE SHEETS

**EXHIBIT C – DEVELOPMENT CONDITIONS**

## Approved Plans and Documents

1. The All-American Eagle Properties MUCCU, specifically the construction of the nine additional on-street parking spaces, thereof shall comply with the following drawings:

    a. **Albany Avenue Streetscape Plan, Sheet S1 of 1, prepared by McCarty and Associates, dated 11.19.19, revised on 2.26.20.**

    b. **Albany Avenue Landscape Plan, Sheet LP1 of 1, prepared by McCarty and Associates, dated 11.19.19, revised on 1.22.20**

2. All-American Eagle Properties attest the uses located at 200 and 205 SW Albany include the following maximum intensities regarding parking:
    a. Salon (1,300 square feet/ 5 stations)
    b. Residential apartments (6 studio or 1-bedroom units)
    c. Retail (1,500 square feet)
    d. Restaurant (40 seats)
    e. Personal service (1,300 square feet)

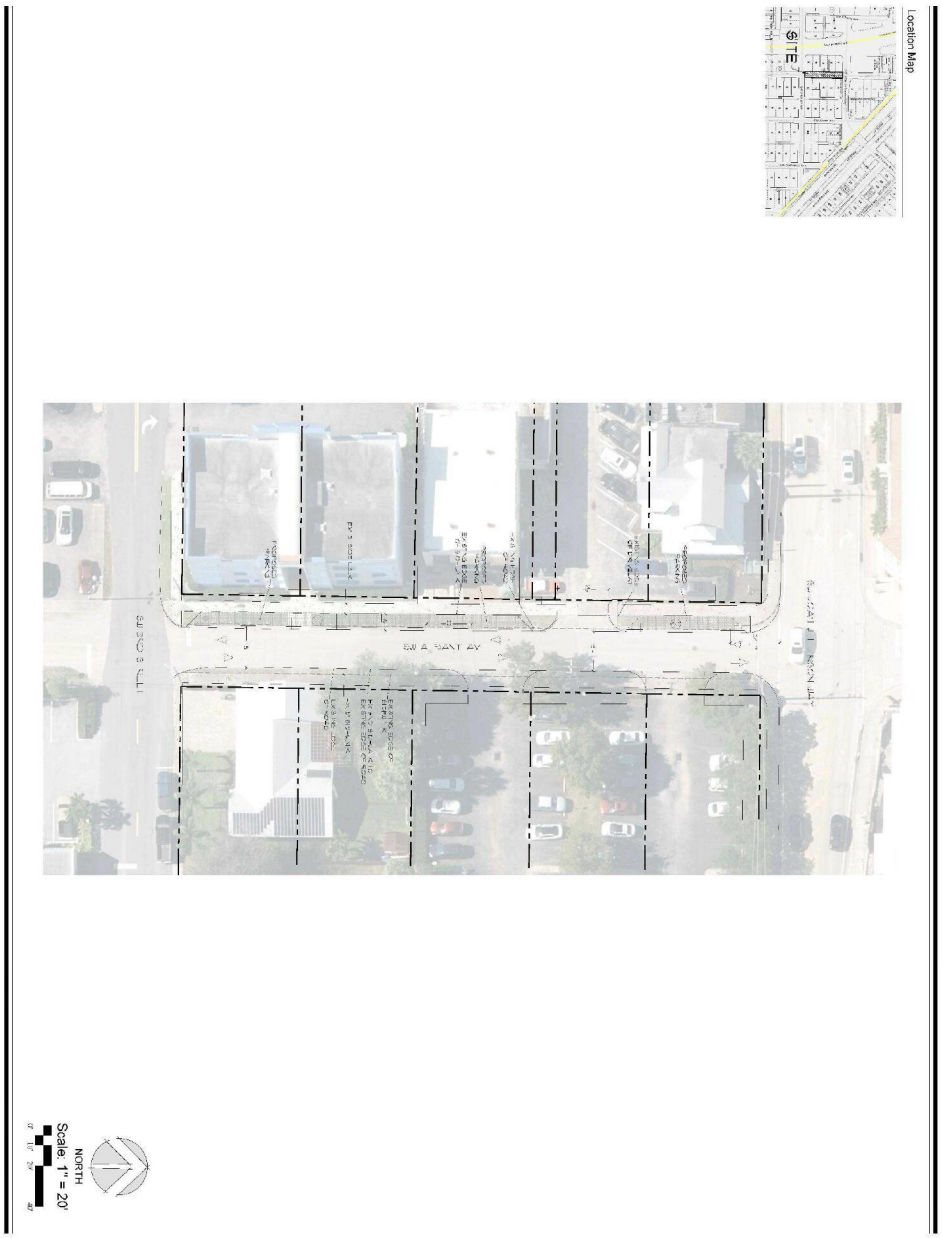
3. The owner shall not exceed the maximum intensity of uses described above in Condition #2, which permits the inclusion of nine (9) on-street parking spaces in the parking calculation and the deficiency of a total of eighteen (18) parking spaces.

4. The nine (9) on-street parking spaces constructed by the applicant are for general public use and may not be restricted for the use of tenants of any property. The City reserves the right to restrict and enforce temporary parking hours.

5. The project shall be completely installed and inspected by July 1, 2022, or this Major Urban Conditional Use shall be deemed void.

## Exhibit D

## Approval Documents



McCarty & Associates
LANDPLANNING AND DESIGN
STUART - FLORIDA

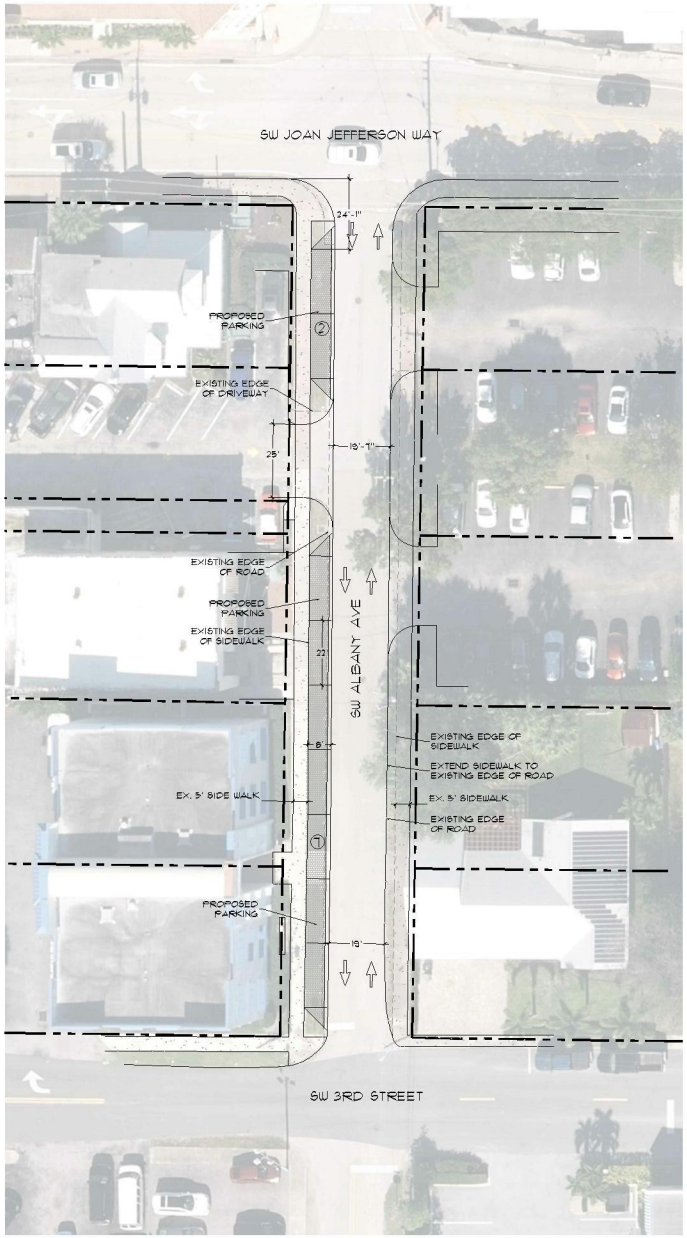
**Albany Avenue Streetscape**
Albany Avenue
Stuart, Florida
**Landscape Plan**

Drawn By: DMS
Checked By: MM
Scale: 1"=20'
Drawing Date: 11/19/2019, 12/2/2020, 12/23/2020

L1 of 1

Location Map




NORTH

Scale: 1" = 20'

0' 10' 20' 40'

McCarty & Associates

LAND PLANNING AND DESIGN

STUART • FT. PIERCE

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

# Albany Avenue Streetscape

Albany Avenue
Stuart, Florida

## Conceptual Site Plan

REGISTERED LANDSCAPE ARCHITECT DANIEL MCRAE LA 6667190 STATE OF FLORIDA

| | |
|---|---|
| Drawn By | DMS |
| Checked By | MM |
| Scale | 1"=20' |
| Drawing Date | 11/19/2019 |
| | 12/13/2019 1/22/2020 |
| | 2/26/2020 |

## Location Map




## Plant List

| Key | Qty | Scientific Name | Common Name | Size | Spacing |
|---|---|---|---|---|---|
| **PALMS** | | | | | |
| VA3 | 4 | Veitchia arecina 'montgomeryana' | Triple Montgomery Palm | 26' OA, triple stem, FF | AS |
| **ACCENTS, SHRUBS & GROUNDCOVERS** | | | | | |
| FM | 65 | Ficus microcarpa 'Green Island' | Green Island Ficus | 3g, 16"x 16" | 24" OC |

ALL PLANT MATERIAL SHALL BE MINIMUM FLORIDA #1 GRADE PER THE FLORIDA GRADES & STADARDS FOR NURSERY PLANTS 2015 EDITION

## Landscape Notes

1. PLANT AND LANDSCAPE MATERIALS SHALL CONFORM TO THE STANDARDS FOR FLORIDA NO. 1, AS GIVEN IN THE GRADES AND STANDARDS FOR NURSERY PLANTS, PARTS I & II, AS PREPARED BY THE FLORIDA DEPT. OF AGRICULTURE AND CONSUMER SERVICES.

2. A 3" THICK LAYER OF ORGANIC NON-CYPRESS MULCH SHALL BE APPLIED TO ALL LANDSCAPE AND PLANTING AREAS.

3. ALL EXOTIC VEGETATION TO BE REMOVED FROM DEVELOPMENT AREA.

4. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED THAT IS CAPABLE OF PROVIDING 100% COVERAGE TO ALL LANDSCAPE AND PLANTING AREAS AND HAVE AN AUTOMATIC MOISTURE SENSOR.

5. IRRIGATION SOURCE TO BE POTABLE WATER. IRRIGATION PLANS SHALL BE PROVIDED PRIOR TO ISSUANCE OF BUILDING PERMIT.

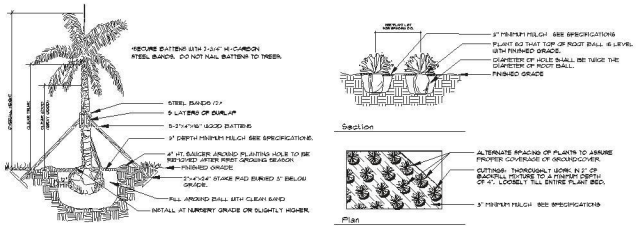
6. EXISTING TREES THAT ARE TO REMAIN SHALL BE BARRICADED ACCORDING TO CITY OF STUART ORDINANCES.

7. THIS PLAN HAS BEEN DESIGNED TO MEET WITH THE TREE PLANTING REQUIREMENTS CONTAINED WITHIN THE FPL DOCUMENT ENTITLED "PLANT THE RIGHT TREE IN THE RIGHT PLACE."

8. FOR EXISTING OR PROPOSED UTILITIES, NO TREE SHALL BE PLANTED WITHIN 11 (UULU) AI MATURE HEIGHT (CONFLICT WITH OVERHEAD POWER LINES. LARGE TREES [ HEIGHT AT MATURITY OF MORE THAN THIRTY (30) FEET ] SHALL BE PLANTED NO CLOSER THAN A HORIZONTAL DISTANCE OF THIRTY (30) FEET FROM THE NEAREST OVERHEAD POWER LINE. MEDIUM HEIGHT TREE [HEIGHT AT MATURITY BETWEEN TWENTY (20) AND THIRTY (30) FEET] SHALL BE OFFSET AT LEAST TWENTY (20) FEET AND SMALL TREES [ HEIGHT AT MATURITY OF LESS THAN (20) FEET ] REQUIRE NO OFFSET.

9. NO TREE, SHRUBS, HEDGES OR VINES SHALL BE PLANTED WITHIN FIVE (5) FEET OF ANY EXISTING OR PROPOSED UTILITY POLE, GUY WIRE OR PAD MOUNTED TRANSFORMER. PALMS SHOULD BE PLANTED AT A DISTANCE EQUAL TO OR GREATER THAN THE AVERAGE FRONT LENGTH PLUS TWO (2) FEET FROM POWER LINES.

## Planting Details




### Palm Planting

APPLIES TO: ROYAL PALMS, QUEEN PALMS, ALEXANDER PALMS, PHOENIX PALMS

- SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION
- STAKING: SPECIAL SITE CONDITIONS MAY REQUIRE MODIFICATION TO STAKING TECHNIQUE. LANDSCAPE CONTRACTOR WILL APPROPRIATELY STAKE ALL PALMS TO PREVENT EXCESSIVE MOVEMENT AND MAINTAIN A VERTICAL POSITION.

### Groundcover Planting

- SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION

## Plant Specifications

SPECIES AND SIZE shall conform to those indicated on the drawings. Nomenclature shall conform to STANDARDIZED PLANT NAMES, current edition. All nursery stock shall be in accordance with Grades and Standards for Nursery Plants Parts I & II, latest edition published by the Florida Department of Agriculture and Consumer Services. All plants not otherwise specified as being Florida Fancy or Specimen shall be Florida Grade Number 1 or better as determined by the Florida Division of Plant Industry. Specimen means an exceptionally heavy, symmetrical, tightly knit plant, so trained or favored in its development that first appearance is unquestionable and outstandingly superior in form, number of branches, compactness and symetry.

GENERAL REQUIREMENTS

All plants shall be freshly dug, sound, healthy, vigorous, well branched, and free of disease and insect eggs and larvae, and shall have adequate root systems. Trees for planting rows shall be uniform in size and shape. All materials shall be subject to approval by the Landscape Architect. Where any requirements are omitted from the plant list, the plants furnished shall be normal for the variety. Plants shall be pruned prior to delivery only upon the approval of the Landscape Architect.

CONTAINER GROWN STOCK

All container grown material shall be healthy, vigorous, well rooted plants, and established in the container in which they are sold. The plants shall have tops which are good quality and in a healthy growing condition. An established container grown plant shall be grown in that container sufficiently long enough for the new fibrous roots to have developed so that the root mass will retain its shape and hold together when removed from the container. Plant root bound in containers are unacceptable.

MEASUREMENTS

Trees: Height shall be measured from ground to the average height of canopy. Spread shall be measured to the end of branching equally around the crown from the center of the trunk. Measurements are not to include any terminal growth. Single trunk trees shall be free of "v" crotches that could be points of weak line structure or disease infestation.

Shrubs: Heights shall be measured from the ground to the average points where nature plant growth stops. Spread shall be measured to the end of branching equally around the entire mass. Measurements are not to include any terminal growth.

Palms: Clear Trunk (C.T.) shall be measured from the ground at the time of installation to the point where the mature aged trunk joins the immature or green portion of the trunk or the head.

Overall Height (O.H.) shall be measured from the ground at the time of installation to a point three quarters the length of the unopened bud. Palms with pierced or burned trunks will not be accepted.

SOIL

Planting soil for use in preparing backfill for plant pits shall be added at a rate of seventy-five (75%) percent to twenty-five (25%) percent existing soil. This soil mix shall be used in all plant pits except Sabal palms which shall be backfilled with clean sand. Planting soil shall be a fertile, friable natural topsoil or loamy character. It shall contain forty (40) to fifty (50) percent decomposed organic matter and shall be free from heavy clay, stones, lime, plants, roots or other foreign materials or noxious grasses (such as Bermuda or nut grass) and noxious weeds. It shall not contain toxic substances which may be harmful to plant growth.

COMMERCIAL FERTILIZER

Two fertilizer shall be used in all types of plantings, except palms. Granular fertilizer shall be uniform in composition, dry and free flowing. This fertilizer shall be delivered to the site in the original unopened bags, each bearing the Manufacturer's statement of analysis, and shall meet the following requirements: eighteen (18%) percent nitrogen, seven (7%) percent phosphorus, twelve (12%) percent potassium, plus iron. Tablet fertilizer ("Agriform" or equal) in 21 gram size shall meet the following requirements: twenty (20%) percent nitrogen, ten (10%) percent phosphorous, five (5%) percent potassium.

The two fertilizers will be applied at the following rates:

| PLANT SIZE | 18-7-12 | "AGRIFORM" TABLET (21 Grams) |
|---|---|---|
| 1 gal. | 1/4 lb. | 1 |
| 3 gal. | 1/3 lb. | 2 |
| 7-15 gal. | 1/2 lb. | 4 |
| 1"-6" caliper | 2 lbs./1" caliper | 2/1" caliper |
| 6" and larger | 3 lbs./1" caliper | 2/1" caliper |

"Florida East Coast Palm Special" will be applied to all palms at installation at a rate of 1/2 lb. per inch of trunk caliper unless otherwise specified.

MULCH

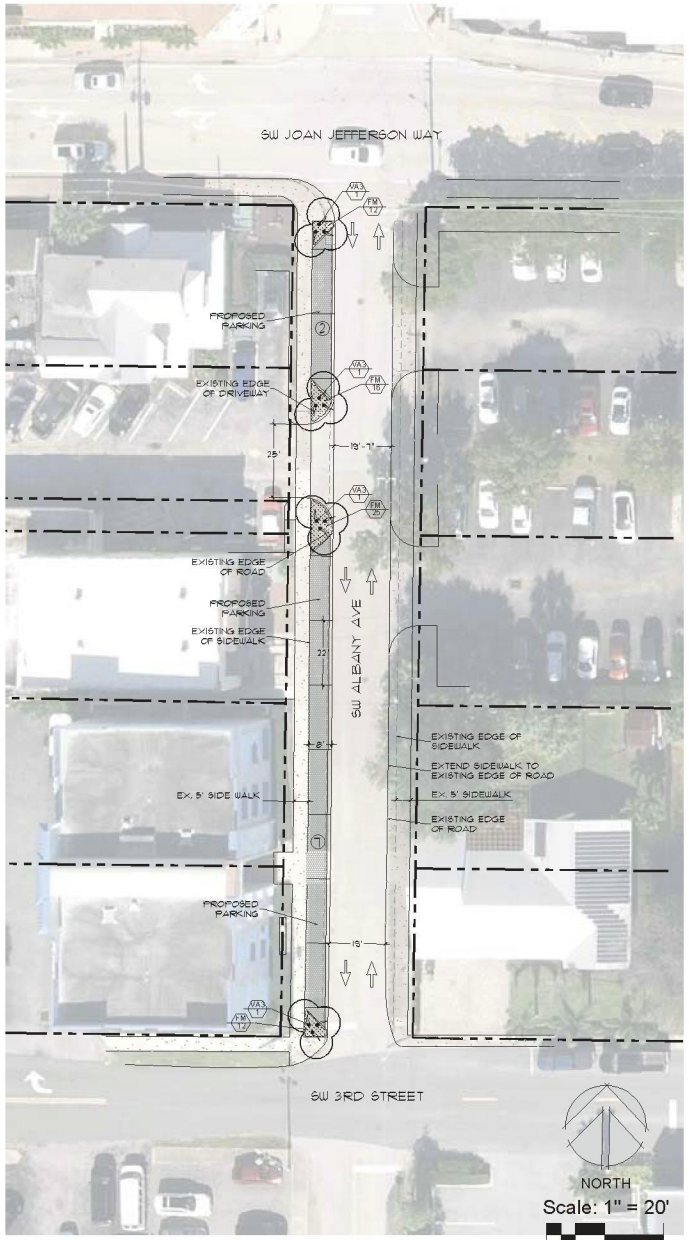
Mulch material shall be three (3) inches of shredded melaleuca mulch (sterilized and free of seeds) or approved equal, moistened at the time of application to prevent wind displacement.

SUBSTITUTIONS

No substitutions of plant material types or size will be allowed without written consent of the Landscape Architect. B&B material will not be accepted as substitute for container grown material unless previously approved. Alternate substitutions shall be indicated in bid.

## Notes

- Prior to the installation of any plant material all existing and imported soils shall be tested and amended to meet the soil specifications and specific plant needs as shown on this plan.
- All plant material, unless specified as being Florida Fancy or Specimen, shall be Florida Grade Number 1 or better as determined by the Florida Division of Plant Industry.
- All plant materials and sod shall have an automatic irrigation system providing 100% coverage.
- Maintain positive drainage away from building.
- All plant material shall be planted, fertilized and mulched as per the Plant Details and Plant Specifications noted on this plan.
- Landscape Contractor shall research plans and contact appropriate agencies to determine location of utilities and obstructions prior to commencing work. Any utilities or unanticipated obstructions shall be reported immediately to the Landscape Architect.
- Landscape Contractor will be responsible for obtaining all necessary permits, licenses, inspections, and insurance as required by the State and local agencies.
- Quantities shown on plant list are for convenience only. If a discrepancy occurs between the plan and plant list, the plan shall prevail.



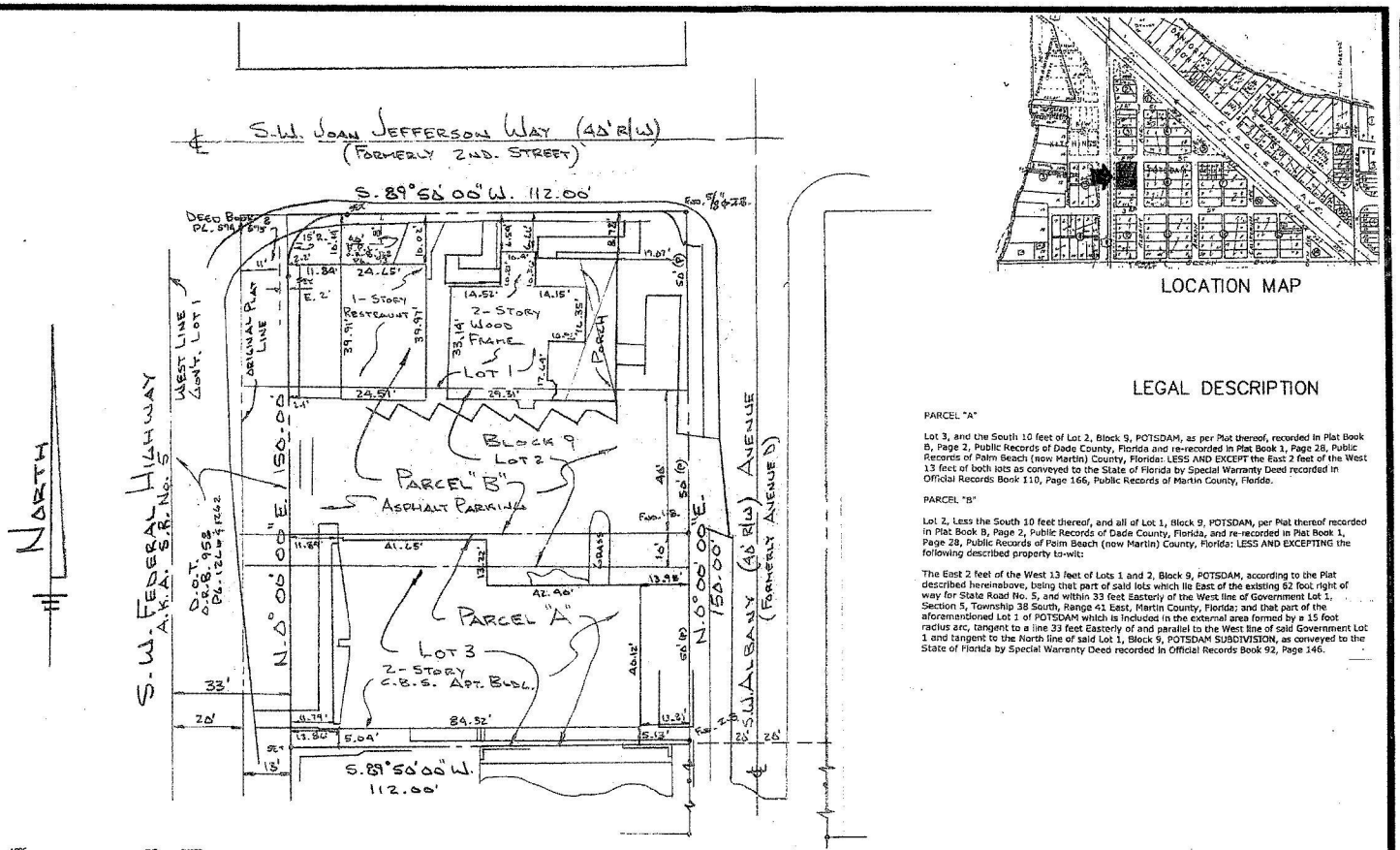

McCarty & Associates
LAND PLANNING AND DESIGN
STUART • FT. PIERCE
772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

# Albany Avenue Streetscape

Albany Avenue
Stuart, Florida

## Landscape Plan

| | |
|---|---|
| Drawn By | DMS |
| Checked By | MM |
| Scale | 1"=20' |
| Drawing Date | 11/19/2019 |
| | 12/13/2019 1/22/2020 |






LOCATION MAP

## LEGAL DESCRIPTION

PARCEL "A"

Lot 3, and the South 10 feet of Lot 2, Block 9, POTSDAM, as per Plat thereof, recorded in Plat Book B, Page 2, Public Records of Dade County, Florida and re-recorded in Plat Book 1, Page 28, Public Records of Palm Beach (now Martin) County, Florida: LESS AND EXCEPT the East 2 feet of the West 13 feet of both lots as conveyed to the State of Florida by Special Warranty Deed recorded in Official Records Book 110, Page 166, Public Records of Martin County, Florida.

PARCEL "B"

Lot 2, Less the South 10 feet thereof, and all of Lot 1, Block 9, POTSDAM, per Plat thereof recorded in Plat Book B, Page 2, Public Records of Dade County, Florida, and re-recorded in Plat Book 1, Page 28, Public Records of Palm Beach (now Martin) County, Florida: LESS AND EXCEPTING the following described property to-wit:

The East 2 feet of the West 13 feet of Lots 1 and 2, Block 9, POTSDAM, according to the Plat described hereinabove, being that part of said lots which lie East of the existing 62 foot right of way for State Road No. 5, and within 33 feet Easterly of the West line of Government Lot 1, Section 5, Township 38 South, Range 41 East, Martin County, Florida; and that part of the aforementioned Lot 1 of POTSDAM which is included in the external area formed by a 15 foot radius arc, tangent to a line 33 feet Easterly of and parallel to the West line of said Government Lot 1 and tangent to the North line of said Lot 1, Block 9, POTSDAM SUBDIVISION, as conveyed to the State of Florida by Special Warranty Deed recorded in Official Records Book 92, Page 146.

| | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| AC | ACRE | CHD | CHORD | EOP | EDGE OF PAVEMENT | I & E | INGRESS & EGRESS EASEMENT | N & T | NAIL & TIN TAB | P | PLAT | PRO | PRORATED | S/D | SUBDIVISION |
| A/C | AIR CONDITIONER | CONC | CONCRETE | EOW | EDGE OF WATER | INV | INVERT | N & W | NAIL & WASHER | PB | PLATBOOK | R | RADIUS | T | TANGENT |
| ALUM | ALUMINUM | CBS | CONC. BLOCK STRUCTURE | EM | ELECTRIC METER | IR | IRON BAR | NGVD | NATIONAL GEODETIC VERTICAL DATUM | PCC | POINT OF COMPOUND CURVATURE | RAD | RADIAL | TCE | TEMPORARY CONSTRUCTION EASEMENT |
| ANC | ANCHOR | CM | CONCRETE MONUMENT | ES | ELECTRIC SERVICE | IP | IRON PIPE | NO ID | NO IDENTIFICATION | PC | POINT OF CURVATURE | RRS | RAILROAD SPIKE | TOB | TOP OF BANK |
| APPROX | APPROXIMATE | CMR | COULD NOT READ | ELEV | ELEVATION | IR & C | IRON BAR & CAP | NTS | NOT TO SCALE | PI | POINT OF INTERSECTION | RNG | RANGE | TOE | TOE OF SLOPE |
| AVE | AVENUE | CPP | CONCRETE POWER POLE | ENCL | ENCLOSURE | IP & C | IRON PIPE & CAP | NAD | NORTH AMERICAN DATUM | POB | POINT OF BEGINNING | RLS | REGISTERED LAND SURVEYOR | TWP | TOWNSHIP |
| BRG | BEARING | COR | CORNER | X 17.00 | EXISTING ELEVATION | L | ARC LENGTH | ORB | OFFICIAL RECORD BOOK | POC | POINT OF COMMENCEMENT | RCP | REINFORCED CONCRETE PIPE | TRANS | TRANSFORMER |
| BLK | BLOCK | COV | COVERED | FT | FEET | LE | LANDSCAPE EASEMENT | O/S | OFFSET | POE | POINT OF ENCROACHMENT | R/W | RIGHT OF WAY | TYP | TYPICAL |
| BLVD | BOULEVARD | CMP | CORRUGATED METAL PIPE | ' | FIELD MEASUREMENT | LB | LICENSED BUSINESS NUMBER | OH | OVERHANG | PRC | POINT OF REVERSE CURVATURE | SS | SANITARY SEWER | UDE | UTILITY & DRAINAGE EASEMENT |
| BLDG | BUILDING | CVG | CONCRETE VALLEY GUTTER | FNC | FENCE | LP | LIGHT POLE | OHW | OVERHEAD WIRE | PT | POINT OF TANGENCY | SECT | SECTION | UE | UTILITY EASEMENT |
| BM | BENCHMARK | D | DEED | FFE | FINISHED FLOOR ELEVATION | M & N | MAG NAIL & WASHER | PC | PACE | PP | POWER POLE | SET I.D. | SET 5/8 IRON BAR & CAP #4049 | U/G | UNDERGROUND |
| CATV | CABLE TELEVISION BOX | D/F | DRAINFIELD | FH | FIRE HYDRANT | MAG | MAG NAIL | PK | PARKER-KALON NAIL | PUE | PRIVATE UTILITY EASEMENT | SET MAG | SET MAG NAIL & WASHER #4049 | WF | WOOD FENCE |
| C | CALCULATED | DE | DRAINAGE EASEMENT | FPL | FLORIDA POWER & LIGHT | ME | MAINTENANCE EASEMENT | PK & TT | PARKER-KALON NAIL & TIN TAB | PLS | PROFESSIONAL LAND SURVEYOR | S/T | SEPTIC TANK | WM | WATER METER |
| CB | CATCH BASIN | | DRAINAGE FLOW | FND | FOUND | MH | MANHOLE | PK & W | PARKER-KALON NAIL & WASHER | P | PROPERTY LINE | S/W | SIDEWALK | WV | WATER VALVE |
| Δ | CENTRAL ANGLE | ESMT | EASEMENT | GOVT | GOVERNMENT | MHWL | MEAN HIGH WATER LINE | PM/T | PANDREST | PROP | PROPOSED | SBT | SOUTHERN BELL TELEPHONE BOX | WPP | WOOD POWER POLE |
| CLF | CHAINLINK FENCE | EOC | EDGE OF CONCRETE | HSE | HOUSE | NF | METAL FENCE | PRM | PERMANENT REFERENCE MONUMENT | ● 17.00 | PROPOSED ELEVATION | S/F | SQUARE FEET | ø | DIAMETER |

1. *PROPERTY ADDRESS:* 200 SOUTH ALBANY AVENUE

2. *CERTIFIED TO:* ALL AMERICAN EAGLE PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY GEARY LAW OFFICES, P.A. FIDELITY NATIONAL TITLE INSURANCE COMPANY

*NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.*

STEPHEN J. BROWN, INC

STEPHEN J. BROWN, PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 4049, STATE OF FLORIDA

*NOTES:*

1. *Survey of description as furnished by Client.*
2. *Lands shown hereon were not abstracted for easements and/or rights-of-way of record.*
3. *All bearings are referenced to the North Line of Subject Parcel Shown As S.89°58'00"W. All Others Relative There To.*
4. *Elevations shown hereon are relative to North American Vertical Datum of 1988, and are based on bench mark.*
5. *There are no above ground encroachments, unless otherwise shown.*
6. *The National Flood Insurance Program designation as indicated on the F.E.M.A. Map No. 12085C0134 G dated 03/16/2015, locates the parcel in Zone X base flood elevation N/A feet; subject to any scaling and interpolation factors associated with mapping of this accuracy. This data is an interpretation by the surveyor and is provided as a courtesy. The flood zone(s) should be verified by a determination agency.*
7. *Underground foundations & utilities not located unless shown.*

Date of field survey: 3/20/15

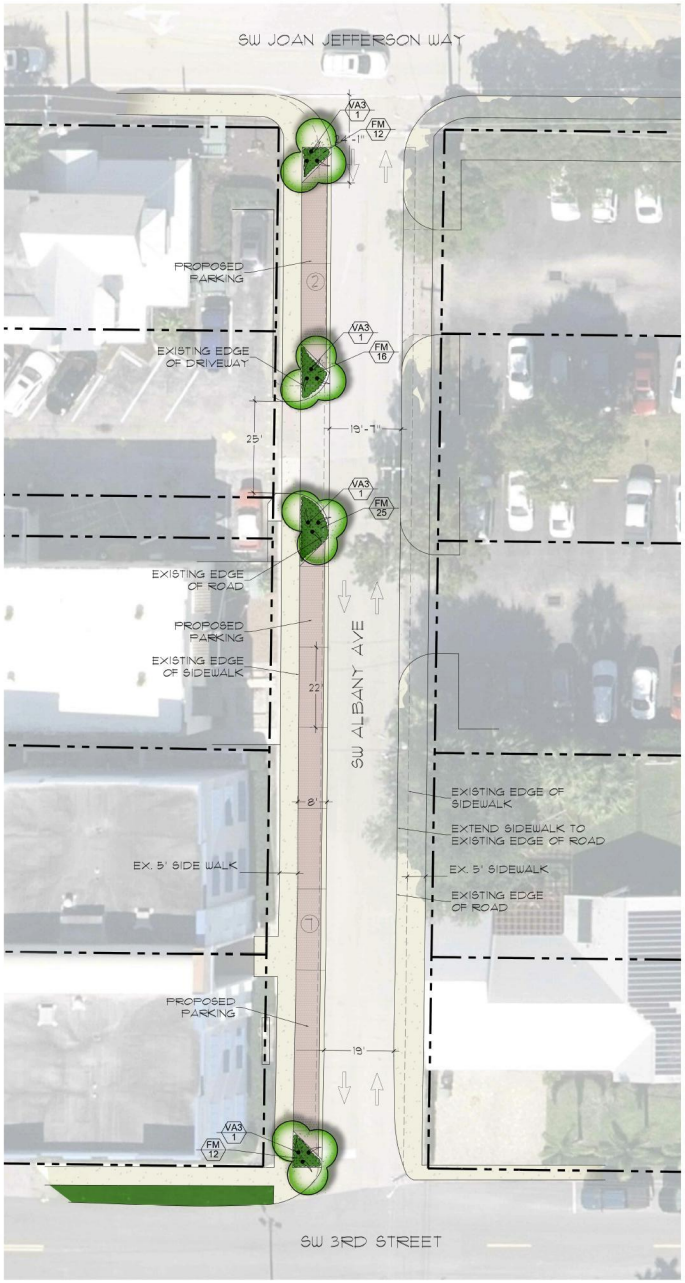
| REVISIONS | BY |
|---|---|
| | |

BOUNDARY SURVEY

PREPARED FOR: ALL AMERICAN EAGLE PROPERTIES, LLC


STEPHEN J. BROWN, INC LICENSED BUSINESS NUMBER: 6484
SURVEYORS · DESIGNERS · LANDPLANNERS · CONSULTANTS
619 EAST 6TH STREET, STUART, FLORIDA 34994 EMAIL: sjbinc@bellsouth.net PHONE: (772)-288-7176


DRAWN: S.J.B.
CHECKED: S.J.B.
DATE: 3/21/15
SCALE: 1" = 20'-0"
JOB NO.: 3200-26-01
SHEET: ONE
OF ONE SHEETS




McCarty & Associates

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

772.341.0322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

# Albany Avenue Streetscape

Albany Avenue
Stuart, Florida

## Landscape Plan Graphic

| | |
|---|---|
| Drawn By | DMS |
| Checked By | MM |
| Scale | 1"=20' |
| Drawing Date | 11/19/2019 |
| | 12/13/2019 1/22/2020 |

LG1 of 1

# McCarty & Associates

**Land Planning and Design LLC**
**www.McCartyLandPlanning.com**
**309 SE Osceola St. Suite 104**
**Stuart Fl 34994**
**772-341-9322**


February 24, 2020

Attn: Stephen Mayer
City of Stuart
Development Department
121 SW Flagler Ave
Stuart FL 34994
Phone:772-288-5300

**RE: All American Eagle Properties–Urban Code Conditional Use -Response to Comments**

Dear Stephen Mayer:

We receive your staff comments dated February 13, 2020 via e-mail. In response to the comments we have provided a response in **bold** following each comment.

1. The City would like to enforce temporary parking on the new on-street spaces during normal business hours.
   **Response: The applicant agrees a three-hour limit during business hours would help ensure the spaces turn over which will better serve the businesses during the day and prevent long term parking.**

2. Public works suggests a 20-foot separation from the intersection and the nearest parking space, to ensure they can get their equipment turning on to the street. It does not seem like we have this separation and it may affect the number of spaces that can be provided.
   **Response: The applicant has revised the proposed street scape layout to provide the 20 ft separation from the intersection. Please see the attached revised street scape design layout.**

3. We need a list of the designated uses and the number of spaces that would require by code. We should have the conditional use request a waiver for the number of spaces that are deficient. There may be a need to justify thru a statement why that will work (i.e.: a mix of uses sharing the parking, a system of parking sharing with the uses, etc).

**Response: Below is a list of the uses and building square footages/units/seats with the required parking calculations.**

| Use | Sqft./# of units | Required parking | Provided/Proposed Parking |
|---|---|---|---|
| Salon (2/station) | 1300/ 5 stations | 10 | |
| Residential apartments (1.5/unit-studios or 1 bedrooms) | 6 | 9 | |
| Zeke's Surf and Paddle-Retail (1/250 sqft , 1/employee) | 1500 | 6 | |
| Basil Garden-Restaurant Limited (1/4 seats, 1/employee) | 40 seats+3 emplo | 10 | |
| Message Therapy- Palm Tree Message (1/300 sqft) | 1300 | 4.33 | |
| | | 39.33 | 22 |

**We believe the uses have different peak time demands with regard to parking so the parking can be shared. The proposed street scape improvements with the on-street parking will help alleviate the parking issue for the property and surrounding properties. The applicant is also requesting an exemption for the 18 parking spaces deficiency.**

4. I have visited the site and noticed that there is a space used to store a vehicle that is mostly used for the paddleboard rental, and not really used as a rotating parking spot. If this is going to be used as a loading zone and not available as a parking spot, then we shouldn't include it in the parking spaces available.
   **Response: The landlord has the ability to enforce parking restrictions as they see fit. We have brought this to the landlord's attention and they will have the tenant remove the vehicle so the space can be counted toward the parking provided and used by all patrons.**

5. General question: would the owner consider assigning parking spaces to assure each use/resident has a dedicated space on site?
   **Response: Assigning parking is not a realistic solution given the parking is to be shared and the tenants have varying hours of operation.**

Let us know if you have any additional comments or questions.

Sincerely,

**McCarty & Associates**

Michael T. McCarty
Principal
Mike@McCartyLandPlanning.com

**CITY OF STUART, FLORIDA**
**DEVELOPMENT DEPARTMENT**
**URBAN CODE CONDITIONAL USE APPLICATION**

Reviewed By: SM

Application must be legible with all relevant fields completed.

Project ID# Z19120003
*(Staff Entry)*

| | |
|---|---|
| Pre-App Conference Date: December 12, 2019 | Application Date: |
| Project Name: All American Eagle Properties LLC | |
| Parcel ID# 05-38-41-014-009-00010-6, 05-38-41-014-009-00020-4 | Project Address: 200 & 205 SW ALBANY AVE, STUART |
| Zoning/CRA Sub-district: Urban Highway | |
| Subdivision: Potsdam | Lot(s): 1,2,3 |

Fee: $1,536.00 – Major Urban Code Conditional Use Permit (Community Redevelopment Board and City Commission Approval)
Fee: $512.00 – Minor Urban Code Conditional Use Permit (Community Redevelopment Board)
(This does not include fees that may be charged as a result of application reviews by the City's consultants or any required recording fees)

A Minor Urban Code Conditional Use Permit shall be required for relief from the following regulations of the urban code; paint colors; public art, and architectural materials.
A Major Urban Code Conditional Use Permit shall be required for relief from the following regulations of the urban code; density, permitted uses, setbacks, location of parking, location of buildings and structures, conflicts with utilities, curb cuts, historic buildings, pitched roofs in the old downtown district, number of stories, building height not to exceed 45 feet, parking located within a building envelope, location of a formula business, and architectural requirements.

**Submittal Requirements:** A completed application form, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, the payment of fees, and pertinent information per application type as determined by the Development Director.

**Approving Authority:** The Development Director is required to prepare a staff report and recommendation concerning this application for the Community Redevelopment Board (CRB) public hearing followed by a recommendation to the City Commission.

**Justification:** Please provide justification supporting the request for an Urban Code Conditional Use Permit (include additional pages if needed).

The owner of the suject property is proposing to improve Albany Ave from SW Joan Jefferson Way south to SW 3rd Rd. The improvements proposed consist of on-street parrellel parking that will be double loaded on both, the east and west, sides of the street. Albany Ave is proposed to be a one way street. The applicant would install these improvements as specifically detailed by the attached Albany Street streetscape plan. These improvements would provide an additional 14 parking spaces that would be creditted to the subject property and run with the land perpetuity. The applicant would also request an exemption of an additional 6 parking spaces for the property to justify and incentivise the capital investment with the public right of way to provide additional parking and improve the streetscape. These improvements will support and encourage future redevelopment of the subject property.

**(over)**

**General Information**
(Please Print or Type)

1. Property Owner, Lessee, Contract Purchaser, or Applicant (circle one):

| | |
|---|---|
| Name: John Martino | City/State/Zip Code: |
| Title: Manager | Telephone Number: |
| Company: All American Eagle Properties LLC | Facsimile Number: |
| Company Address: PO Box 318 Malverne NY | Email Address (optional): |

2. Agent of Record (if any): The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review.

| | |
|---|---|
| Name: Michael McCarty | City/State/Zip Code: |
| Title: Principal | Telephone Number: |
| Company: McCarty & Associates Land Planning and Design LLC | Facsimile Number: |
| Company Address: 309 SE Osceola St. Suite 104 Stuart FL 34994 | Email Address (optional): |

3. The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

| | |
|---|---|
| Name: | City/State/Zip Code: |
| Title: | Telephone Number: |
| Company: | Facsimile Number: |
| Company Address: | Email Address (optional): |

I hereby certify that all information contained herein is true and correct.

4. Signed this 19 day of December, 2019.

John Martino
Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

**State of Florida, Martin County** The foregoing instrument was acknowledged before me on this 19th day of December by John Martino who is personally known to me, or who has produced _____ as identification and who did/did not take an oath.

Grace A. Warner
Notary Signature Grace A Warner

Commission expires Sept 22, 2023

GRACE A. WARNER
MY COMMISSION # GG 337659
EXPIRES: September 22, 2023
Bonded Thru Notary Public Underwriters



GRACE A. WARNER
MY COMMISSION # GG 337659
EXPIRES: September 22, 2023
Bonded Thru Notary Public Underwriters

Commission # GG 337659

**McCarty & Associates**
**Land Planning and Design LLC**
**309 SE Osceola Street, Suite 104**
**Stuart Fl 34994**
**www.McCartyLandPlanning.com**
**772/341-9322**

# TRANSMITTAL

| | |
|---|---|
| Date: | 12-20-19 |
| Deliver To: | Kev Freeman- Planning Director |
| Company: | City of Stuart Plannning Department |
| Project #: | TBD |
| From: | McCarty & Associates Land Planning and Design LLC/ Michael McCarty |
| Re: | 200 & 205 SW Albany Ave – Major Urban Code Conditional Use |

## Comments:

Dear: Mr. Freeman,

Please find attached 1 copy and 1 CD of the following materials for the above referenced project:

- Major Urban Code Conditional Use application
- Check in the amount of $1,536.00 made payable to the City of Stuart
- Albany Avenue Streetscape Conceptual Plan

Let us know if you have any questions.

Sincerely,

**McCarty & Associates**
Michael T. McCarty
Principal
Mike@McCartyLandPlanning.com

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Michael Mortell

**Title of Item:**

EXTENSION OF DECLARATION OF EMERGENCY - COVID-19 (RC):

RESOLUTION No. 83-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, EXTENDING THE DECLARATION OF A STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

The City Commission adopted Resolution 38-2020 ratifying and extending the Mayor's declaration of local state of emergency until April 13, 2020. From April 13, 2020, to the present, the City Commission has continued to monitor the circumstances and as a result has extended the local state of emergency three times. The current resolution is scheduled to expire on July 13, 2020. Because the Covid-19 virus continues to pose a threat to the health and welfare of the Stuart Community, it is in the best interests of the residents of Stuart that the City Commission extend the state of local emergency until August 10, 2020.

**Funding Source:**

N/A

**Recommended Action:**

Motion to approve Resolution 83-2020 extending the State of Local Emergency until August 10, 2020.

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | R83-2020 Extension local emergency | 7/7/2020 | Resolution add to Y drive |

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 83-2020**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, EXTENDING THE DECLARATION OF STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS,** on March 16, 2020, the Mayor of the City of Stuart issued a local emergency declaration pursuant to Florida Statute, §252.38(2); and

**WHEREAS,** on March 17, 2020, the City Commission adopted Resolution 38-2020 extending the Local State of Emergency through April 13, 2020. The City Commission has continued to monitor and extend the local state of emergency from April 13, 2020 until July 13, 2020.

**WHEREAS,** the City Commission hereby finds that the City remains in a local state of emergency due to the potential exposure and spread of COVID-19; and

**WHEREAS,** the State of Florida as well as Martin County, Florida have also extended their emergency declarations due to the Covid-19 pandemic; and

**WHEREAS**, due to the recommendations of the Center for Disease Control, the World Health Organization as well as the State of Emergency entered by the Governor of Florida, it has become necessary to continue emergency operations; and

**WHEREAS,** the City Commission finds that it is necessary and reasonable for the City to continue exercising emergency powers invoked by the Declaration of Local Emergency signed by the Mayor in order to protect the health, safety and welfare of the citizens of Stuart, Florida, and finds that it is necessary to reconfirm and extend the Declaration of Emergency; and

**WHEREAS,** pursuant to Section 252.38(2), Florida Statutes, the City of Stuart shall be authorized to waive the procedures and formalities otherwise required by law pertaining

to performance of public works, operation of the City and otherwise providing for the health and welfare of the citizens of Stuart, Florida.

**WHEREAS,** the City Commission has discussed the public health concerns and balanced the dangers associated with the COVID-19 virus with the need for public meetings and determined that the best interests of the community are served by following the Emergency Orders entered by the Governor, Martin County and the City of Stuart.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, THAT:**

**SECTION 1.** The City Commission hereby extends the Local State of Emergency and Resolution 38-2020 until August 10, 2020 unless terminated by the City Commission at an earlier date.

**SECTION 2.** The Commission hereby authorizes the City Manager to utilize communications media technology such as telephonic and video conferencing as provided in section 120.54(5)(b)(2), Florida Statutes. Further, pursuant to the Governor's Executive Order 20-69, the City Commission shall be exempt from any Florida Statute that requires a quorum to be present in person or requires a local government body to meet at a specific public space.

**SECTION 3**. The City Commission temporarily suspends Section 2-48 of the City of Stuart Code of Ordinances to the extent that it requires the regular City Commission meetings to be held at 121 SW Flagler Avenue and to begin at 5:30. The City Manager shall have the authority to schedule the meetings at such location, including electronic or virtual locations as is reasonable under the circumstances of the State of Local Emergency. Further, Section 2-48(b) is suspended to the extent that it is in conflict with the Governor's Executive Order 20-69 to allow for meetings via electronic means if deemed necessary by the City Manager.

**SECTION 4**. All City Manager Protective Measures executed by the City Manager pursuant to the local state of emergency created by Covid-19 shall remain in full force and effect and shall expire at such time as the declaration of local state of emergency expires or is rescinded by the City Commission.

**SECTION 5.** This Resolution shall authorizes the City to waive the procedures and formalities otherwise required by law pertaining to performance of public works, operation of the City and otherwise providing for the health and welfare of the citizens of Stuart, Florida due to the potential exposure to the Novel Coronavirus (COVID-19).

**SECTION 6.** Procurement. During the Local State of Emergency, the applications within the bid process shall be limited to electronic submissions only. The bids shall be submitted to the email address provided in the proposal request. The bid openings will also be closed to the public in order to avoid cross contamination. The procurement

department shall provide specific instructions and post same to the City Web Site as well as provide the instructions as addendums to all pending proposals.

**SECTION 7.** The Commission hereby authorizes the City Manager in accordance with Sec. 16-4 of city code to suspend city code requirements and to take actions necessary to protect the health and welfare of the community within the parameters of countywide unified command (examples: allowing dedicated parking for curbside pickup, closing athletics fields, suspending 3 hour parking, etc.). The City Manager shall continue to enter Local City Manager Protective Measures Orders as necessary. Any violation of the City Manager Protective Measures shall be enforced as a violation of the Declaration of Local State of Emergency.

**SECTION 8.** Effective Date. This Resolution shall take effect immediately upon adoption.

Commissioner _____ offered the foregoing Resolution and moved its adoption.

The motion was seconded by Commissioner _____ and upon being put to a

roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |
| REBECCA S. BRUNER, COMMISSIONER | | | | |
| Vacant | | | | |

ADOPTED this ____day of July, 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** David D. Peters

**Title of Item:**

ESTABLISHMENT OF REGULATIONS FOR MOORE'S CEMETERY (RC):

ORDINANCE No. 2433-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, CREATING CHAPTER 13, CEMETERIES, IN THE CITY'S CODE OF ORDINANCES TO ESTABLISH A UNIFORM SET OF REGULATIONS FOR THE PURCHASE, SALE, USE, AND MAINTENANCE OF CEMETERY SPACES IN THE CITY'S MOORE'S CEMETERY, AND TO PRESCRIBE PROCEDURES FOR THE ADMINISTRATION OF THE CEMETERY, PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

For years the City has struggled with the how to preserve and protect Moore's Cemetery with no real policies and procedures in place for those residents wishing to have their family members laid to rest in this cemetery.

Although the City receives very few requests for new burials, these policies and procedures will set forth the process by which staff will administer Moore's Cemetery.

This new Chapter in City's Code of Ordinances establishes guidance and applicable rules and regulations associated with the approximately 300 new burial plots and the perpetual care of the entire cemetery.

These rules and regulations were established based cemetery practices in place at numerous municipally owned cemeteries throughout Florida.

Local funeral homes have been provided a copy of these regulations to review and provide comments/suggestions. At 2nd Reading applicable edits will be incorporated.

The City Clerk will be responsible for maintaining all records pertaining to the occupied grave sites and the Public Works Director will administer the activities at the cemetery.

At the 2nd Reading, a corresponding Resolution will be placed on the City Commission Agenda that establishes a fee of $800.00 per plot with an additional fee of $200.00 for up to two (2) cremated remains to be placed on the same plot.

As noted in the attached photographs, a new fence has recently been installed around the entire parameter and a new entrance sign is expected within the next several weeks. Future plans, as funds become available, include additional tree trimming, a paved entrance driveway, and ten (10) parking spaces along Seville Street.

**Funding Source:**

Proceeds from the sale of cemetery space will offset perpetual operation and maintenance expenses.

**Recommended Action:**

Adopt Ordinance 2433-2020 on 1st Reading.

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | Ordinance 2433-2020 Moore's Cemetery | 5/30/2020 | Resolution add to Y drive |
| 🗋 | Moore's Cemetery Perimeter Fence | 5/30/2020 | Attachment |
| 🗋 | New Plots Moore's Cemetery | 5/30/2020 | Attachment |

**BEFORE THE CITY COMMISSION**
**CITY OF STUART, FLORIDA**

**ORDINANCE NUMBER 2433-2020**

**AN ORDINANCE OF THE CITY OF STUART, FLORIDA, CREATING CHAPTER 13, CEMETERIES, IN THE CITY;S CODE OF ORDINANCES TO ESTABLISH A UNIFORM SET OF REGULATIONS FOR THE PURCHASE, SALE, USE, AND MAINTENANCE OF CEMETERY SPACES IN THE CITY'S MOORE'S CEMETERY, AND TO PRESCRIBE PROCEDURES FOR THE ADMINISTRATION OF THE CEMETERY, PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

* * * * *

**WHEREAS,** the creation of this new Chapter in the City's Code of Ordinances is to establish a uniform set of regulations and prescribe procedures for the administration of the City's Moore's Cemetery;

**WHEREAS,** it has been determined that the adoption of rules, regulations, and restrictions is in the best interest of all users of Moore's Cemetery and the citizens of Stuart; .

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA,** that:

**SECTION 1:** The City of Stuart Code of Ordinances is hereby amended to include Chapter 13, Cemeteries, as follows:

# Chapter 13 - CEMETERIES

## Sec. 13-1. - Purpose and intent.

The purpose of this chapter is to establish a uniform set of regulations for the purchase, sale, use and maintenance of cemetery spaces in the City's Moore's Cemetery, and to prescribe procedures for the administration of this cemetery.

## Sec. 16-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Block* means a plot of land consisting of lots and spaces which is identified on the Moore's Cemetery plats filed with the City Clerk's office.

*Cemetery* means the municipal cemetery identified as the Moore's Cemetery, owned and administered by the City.

*Cemetery supervisor* means The Public Works Director or designee who has responsibility for the day-to-day operation and supervision of the cemetery.

*Conveyance.* All provisions herein referring to "conveyance," "sale," "transfer," "deeds," etc., mean the conveyance of a right to burial only in a space and shall not be deemed to convey fee simple title to the space.

*Cremated* or *cremation* means any mechanical or thermal process whereby a dead human body is reduced to ashes and bone fragments. The term "cremation" also includes any other mechanical or thermal process whereby human remains are pulverized, burned, re-cremated, or otherwise further reduced in size or quantity.

*Cremated remains* means the residue of a dead human body that has been cremated.

*Direct disposal establishment* means a place, licensed under F.S. ch. 497, where a direct disposer practices direct disposition.

*Direct disposer* means any person who is licensed in the state to practice direct disposition.

*Direct disposition practice* means the final disposition of a dead human body without preparation of the body of embalming and without any attendant services or rights such as funeral or graveside services.

*Final disposition* means the final disposal of a dead human body whether it be by, but not limited to, earth interment, above ground interment, cremation, burial at sea, or delivery to a medical institution for lawful dissection if the medical institution assumes responsibility for disposal. The term "final disposition" does not include the disposal or distribution of cremated remains and residue of cremated remains.

*Funeral* or *funeral services* means the observance, services, or ceremonies held to commemorate the life of a specific deceased human being and at which the human remains are present.

*Funeral directing* means the making of arrangements for, or directing the arrangements for, the preparation and transportation of dead human bodies for final disposition; or using, in connection with one's name, the term "funeral director," "licensed funeral director," "undertaker," or "mortician"; or offering or holding one's self out as offering such services.

*Funeral director* means any person licensed in the state to practice funeral directing.

*Funeral establishment* means a place, licensed under F.S. ch. 497, where a funeral director or embalmer practices his funeral directing or embalming.

*Grantee* means the person purchasing the space whose name shall appear on the cemetery deed of burial right.

*Grave* means the excavation on a lot for the final disposition of a dead human body.

*Lot* means a numbered plot of land consisting of one space identified on the Moore's Cemetery plats filed with the City Clerk's office.

*Perpetual care* means that the City agrees to perform all landscaping and ground maintenance at no additional cost, including, but not limited to, mowing, trimming, fertilization, pesticide applications, tree and shrub trimming and removal, debris and trash removal, renovations, and approved beautification projects.

*Space* means a lettered plot of land identified on the Moore's Cemetery plat filed with the City Clerk upon which the final disposition of deceased human beings is made.

*Vault* means an underground or aboveground chamber for the final disposition of a dead human body.

Sec. 13-3. - Responsibility for cemetery operation and maintenance.

The general administration and maintenance of the cemetery shall be the responsibility of a cemetery supervisor, who shall be an employee of the Public Works Department.

Sec. 13-4. - Cemetery plat adopted.

(a) The plat of the Moore's Cemetery to be used in conveying rights to burial is hereby adopted and ratified. Said plat is on file in the office of the City Clerk. The plat of the Moore's Cemetery shall consist of a map entitled Record of Burials, Moore's Cemetery.

Sec. 13-5. - Regulation for use of lots and spaces.

The following regulations shall apply to the use of lots and spaces:

(1) No enclosure of any nature such as copings, fences, hedges or ditches shall be allowed around any spaces. Grave mounds shall also not be allowed.

(2) No trees, plants or shrubs shall be planted, pruned or removed unless authorized by the cemetery supervisor.

(3) Artificial flowers may be used on spaces. Ceramic vases may be used for cut flowers. The use of fruit jars, glass vases, glass blocks, tin cans, milk cartons, paper cups or other such containers is not permitted.

(4) Small live plants in clay pots may be placed on spaces.

(5) All cemetery spaces will be allowed one monument or marker. Monuments and/or grave markers shall be of bronze, granite or marble; not more than four feet high. Foundations for monuments shall be adequately designed to prevent future settlement. Monuments shall be placed on a minimum of five inches of concrete with a perimeter reinforcement of #3 rebar.

(6) When footstones are used, such stones shall be aesthetically complimentary to the monuments on the space; shall not be of greater size than 12 inches by 24 inches; and shall be placed only under the direction of the cemetery supervisor.

(7) Urns placed on spaces will be of bronze, granite, marble or smooth-finish concrete and such urns will be kept planted at all times.

(8) The cemetery supervisor may remove, without notice, dead or dormant plants, faded or out-of-season artificial flowers or improper containers, as necessary.

Sec. 13-6. - Sale of spaces.

(a) Spaces may only be sold to and purchased by residents of the city or persons who own a fee simple interest in real property within the city limits or who have previously purchased and continue to own spaces. The deed conveying the right to burial shall be issued to the purchaser by the City Clerk's office.

(b) The City Clerk shall be responsible for sales and shall keep a comprehensive records book reflecting the grantee, section, block, space, grave site number and monetary consideration paid for same.

Sec. 13-7. - Transfer of right to burial prohibited.

(a) Only the remains of the grantee or other person designated in the deed may be buried in a space. The grantee may not transfer the deed; however, the grantee may change the designation of a space by filing a written request with the City Clerk.

(b) If a grantee determines that he no longer wishes to use the space, he may offer the space for sale back to the city. The city will repurchase a space in accordance with Appendix A of the City's Code.

(c) If a grantee has died and elected to not use his space, a representative of the estate of the deceased grantee may offer the space for sale back to the city or designate the space for someone else. A representative of a deceased grantee making such a request will be required to provide the following:

(1) Legal document showing the person is the court ordered representative of the deceased;

(2) Copy of a will that has been admitted to probate showing that the person making the request is the legal representative; or

(3) Notarized affidavit from the person making the request stating that he is the personal representative of the deceased and, as such, has the authority to sell the space to the city or designate the space.

Sec. 13-8. - Cost of spaces.

(a) *Full adult space.* The purchase price of one full adult space is in accordance with Appendix A of the City's Code.

(b) *Second rite of interment.* The grantee or legal representative of a grantee of one full adult space may consent to have two (2) cremated remains buried in the same space in accordance with Appendix A of the City's Code.

Sec. 13-9. - Use of proceeds from sale of spaces.

Revenues designated from the sale of spaces shall be deposited in the City's General Fund.

Sec. 13-10. - Graves and vaults.

No burials above ground in vaults shall be permitted. Grave locations must be approved by the Public Works Director or designee. The grave must be dug to a depth that leaves 18 inches of soil over the top of the vault.

Sec. 13-11. - Burials and removals.

(a) No final disposition shall be made in the cemeteries without the purchase of a space, and a securing of a burial permit issued by the City Clerk. Funeral establishments shall be responsible for arranging the opening and closing of graves at their expense. No graves may be dug or opened, and no bodies may be removed without attendance of the City's designated representative.

(b) Funeral establishments must have on file with the City Clerk a copy pf their most recent license on file with the State of Florida in accordance with FS ch 497.

(c) Funeral establishments must have on a file with the City Clerk a copy of their most recent insurance certificate. Minimum insurance requirements are as follows:

The Funeral establishments shall not commence any work until it has obtained all of the following types of insurance and the City has approved such insurance. Nor shall the Funeral establishment allow any

subcontractor to commence work on its subcontract until all similar insurance required of the subcontractor has been so obtained and approved. All insurance policies shall be with insurers licensed and authorized to do business in the State of Florida. All insurance policies shall be issued by companies authorized to do business under the laws of the State of Florida and rated no less than "B" as to management and no less than Class "VIII" as to strength in accordance with the A.M. Best Company Insurance Guide, or its equivalent as determined by the City in its sole discretion.

**Loss Deductible Clause:** The City shall be exempt from, and in no way liable for, any sums of money which may represent a deductible in any insurance policy. The payment of such deductible shall be the sole responsibility of the Funeral establishment and/or subcontractor providing such insurance.

**Worker's Compensation Insurance:** The Funeral establishment shall provide Worker's Compensation Insurance for all of its employees connected with the any work performed at the City's Moore's Cemetery that complies fully with the State of Florida Worker's Compensation Law, F.S. 440.

**General Liability:** The Funeral establishment shall maintain broad form Commercial General Liability including but not limited to bodily injury, property damage, contractual liability, products and completed operations, and personal injury with limits of not less than $1,000,000 per occurrence, $1,000,000 aggregate covering all work performed at the City's Moore's Cemetery. Include broad form property damage (provide insurance for damage to property under the care custody and control of the Funeral establishment)

**Business Automobile:** The Funeral establishment shall maintain Business Automobile Liability form with coverage for symbol I (any auto) with limits of not less than $1,000,000.00 combined single limit or $500,000.00 per person/ $1,000,000.00 per accident bodily injury and $250,000.00 per accident property damage.

**Certificates of Insurance:** The Funeral establishment will furnish Certificate of Insurance Forms. These shall be completed by the authorized Resident Agent and returned to the City Clerk. This certificate shall be dated and show:

a) The name of the insured, the name of insurer, the number of the policy, its effective date, and its termination date.
b) Statement that the Insurer will mail notice to the City at least thirty (30) days prior to any material changes in provisions or cancellation of the policy.
c) The City of Stuart is to be specifically included as an ADDITIONAL INSURED on General Liability Insurance and Business Automobile Liability Insurance.
d) The City of Stuart shall be named as Certificate Holder. Please Note that the Certificate Holder should read as follows:

**City of Stuart**
**121S.W. Flagler Avenue**
**Stuart, FL 34994**

e) (No City Division, Department, or individual name should appear on the certificate. NO OTHER FORMAT WILL BE ACCEPTABLE.
f) The "Acord" certification of insurance form should be used.

(d) Removal of excess soil after burial or the filling of the gravesite with additional soil after settling shall be the responsibility of the funeral establishment. Any excess soil must be removed the same day as the burial; and any filling needed as a result of settling must be accomplished within five days after burial. Upon failure to remove excess soil or to fill as required above, the City's designated representative may cause same to be accomplished with the costs thereof charged to the funeral establishment, , which cost shall be immediately due and payable.

(e) Any additional city services required due to failure by the applicable funeral establishment to abide by this chapter, and any reasonable rules and regulations promulgated to effectuate this chapter, shall be charged to the funeral establishment and be immediately due and payable.

Sec. 13-12. - Easements.

An easement is reserved along all lot lines for installation of water lines as needed.

Sec. 13-13. - Rules and regulations.

The cemetery supervisor is hereby authorized to establish rules and regulations as may be necessary to provide for the effective and efficient operation of the cemeteries and to protect the health, safety and welfare of the public. Such rules and regulations shall be subject to the approval of the City Manager and shall not be inconsistent with any provisions of this chapter.

Sec. 13-14. - Deeds.

The form for the cemetery deed of burial right is available from the City Clerk. All deeds to spaces in the cemeteries are hereby declared to incorporate and shall be subject to all rules, regulations and conditions contained in this chapter.

Sec. 13-15. - Penalties and enforcement.

Any person, firm, corporation, business entity or any other entity violating any of the provisions of this chapter shall be referred to City code enforcement for disposition. Upon the finding of a violation by code enforcement, any funeral establishment shall automatically be denied further access to the cemetery until compliance has been established.

**SECTION 2:** All ordinances or parts of ordinances herewith are hereby repealed to the extent of such conflict.

**SECTION 3:** If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

**SECTION 4:** The provision of Chapter 13, Cemeteries, shall be codified.

**SECTION 5:** This ordinance shall take effect upon adoption

Passed on first reading the 8th day of June, 2020

Commissioner _____ offered the foregoing Ordinance and moved its adoption.

The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |

ADOPTED on 1st reading this 8th day of June, 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL
CITY ATTORNEY




Seville Street
Moore's Cemetery
Cemetery Plots for Sale
Available
Not Available
25 12.5 0 25 Feet
5 2.5 0 5 Meters

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Stephen Mayer

**Title of Item:**

BRIDGEVIEW RESIDENTIAL PLANNED UNIT DEVELOPMENT (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2437-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL OFFICE RESIDENTIAL" TO "MULTI-FAMILY DENSITY RESIDENTIAL" FOR A 15.88 ACRE PARCEL ANNEXED BY ORDINANCE NO. 2415-2019, OWNED BY ATLANTIC REALTY PARTNERS, INC., AND LOCATED ON THE NORTHWEST CORNER OF STATE ROAD 76 (SW KANNER HIGHWAY) AND SW MARTIN HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY ESTABLISH THE BRIDGEVIEW RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) CONSISTING OF TWO HUNDRED TWELVE (212) MULTI-FAMILY UNITS WITHIN TWO FOUR-STORY APARTMENT BUILDINGS; APPROVING A DEVELOPMENT SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

The intent of this application is to request a Large-scale future land use map (FLUM) amendment to the City's Comprehensive Plan Residential Planned Unit Development assigning a "Multi-Family Density Residential" land use, and a Zoning designation of (RPUD) on the City of Stuart Zoning Map. The subject property is 15.88 acres. The property is currently undeveloped. The intent of this project is to allow 212 attached multi-family apartment homes within two 4-story buildings to be developed on the site while upgrading the drainage and enhancing the upland and wetland preserve.

The 15.88-acre parcel was annexed into the city via Ordinance No. 2415-2019. The applicant is requesting to assign a RPUD zoning district to establish a new site plan and is requesting to assign a Future Land Use designation of Multi-Family Residential in order develop the property for 212 multi-family residential units. The property currently has a Martin County approval for 99,000 square feet of office use, 2 story building over 1 story of parking, and 30' in height. The approved office building is sited 52' from the north property line.

The applicant is requesting the following four (4) waivers from the City's Land Development Code:

1. Section 6.03.02: Drainage Specifications. Finished Floor Elevations of all buildings shall not be lower than 18 inches above the crown of the street on which the building fronts.

Request: The applicant is requesting the finished floor elevation to be 8.25 feet, which is 2.25 feet above the

FEMA flood elevation requirements, however, is below the 9-foot elevation of Kanner Highway. The applicant has provided an engineering statement, prepared by MacKenzie Engineering and Planning, Inc., justifying a relief from the code.

2. Section 6.01.13: Off-Street Parking Schedule. 1.5 parking spaces per unit (studios and 1 bedroom), and 2 parking spaces per unit (2 or more bedroom)

Request: The applicant is requesting a reduction in the number of required parking spaces. The applicant is justifying a smaller number of parking spaces, as they are providing for full protection of the wetlands on site, and they are holding to an industry standard for multi-family developments, at a ratio of 1.6 (or 1.6 parking spaces per unit, which is similar to the City's requirement for 1 bedroom multi-family).

3. Section 6.04.06. Land Use Transitions and Landscape Buffers. The buffer width requirement for a 4-story multi-family use adjacent to a single-family or multi-family use is 55'.

Request: The applicant is requesting a 25' wide landscape buffer along the northern property line, where the proposed multi-family use is abutting an existing mobile home park use. The site line separation between the nearest four-story building and the northern property line that does not run through the wetland is 96.87'. Within this zone, there are three layers of landscaping (foundation planting, interior parking islands, and a heavily planted 25-foot native buffer (with 12'-20' trees and 16'-25' palms). The applicant has also provided a 10' wall to strengthen the visual barrier. The applicant has provided a visual sightline study demonstrating that the view from the 4th story balcony will be blocked by the landscaping, and that the view from the existing mobile homes will be significantly diminished by the screen wall, the landscaping and the distance separating the proposed buildings from the existing residences. Staff recommends that the applicant provide a heavy landscaping buffer screen that substantially increases the visual barrier of the landscaping buffer screen which would normally be 13.75ft in a buffer width of 55ft, under the provisions of Section 6.04.06A.5.b, which states the buffer screen shall be 25% of the buffer width. The buffer screen provided is 25ft, which is 11.25ft wider than the required buffer screen.

Furthermore, the building is located approximately 80 feet from the property line. A 3-story office building has been approved for the site only 52' from the property line. It is reasonable that the additional 100' feet separation proposed by the applicant is justified for the additional story. Staff also notes that the applicant has removed north facing balconies from the building closest to Riverland Park. North facing balconies remain on the second building, but this building is located 154.3 feet from the property line.

4. Section 5.03.02 Wetland Protection Standards. The applicant is required to provide a minimum width of an upland buffer of 75' and at no point less than 50'. This is due to the wetland being an outstanding resource, consisting of mangroves.

Request: The applicant is providing a minimum average width of 75', however, due to site constraints, the minimum buffer narrows to 42.4' at one location. Staff is recommending the use of native groundcover, in lieu of sod in this location, which serves as a buffer between the surface parking area and the upland buffer. The applicant is using Florida Gamma grass and using 100% native plants along the entire length of the buffer between the parking spaces and the wetland buffer. The width of this native planting is 10 feet. If this area is credited toward being similar to an upland buffer, the minimum buffer would be over 50' and therefore acceptable. The waiver would then be to accept the native treatment as upland buffer. Staff is in support of such a waiver, due to the severe site constraint in this narrow portion on the south side of the property, and the inclusion of native vegetation to simulate the natural appearance of the upland buffer.

Staff has meet with representatives of the Riverland Mobile Home Park on two occasions to discuss the applicant's proposal. Staff understands that although the HOA does not represent the views of every resident, there is a mostly unified support of the proposal. Please see the attached letter regarding the Riverland homeowner's statement and the statements of support from Riverland residents in the minutes of the June 18 LPA. Staff has attached the Memo of Understanding between Atlantic Realty and Riverland.

On June 18, 2020, the Local Planning Agency voted to recommend approval as an advisory recommendation to the City Commission as to the need and justification for the change and as to the relationship of the proposed

change to the goals, objectives and policies of the Comprehensive Plan and of the Land Development Code. The Local Planning Agency recommended minor revisions that staff has incorporated as conditions of approval, including parking spaces for mail pick up, mandatory generator in the club house, a planned site for a sheltered bus location and Level 2 EV parking infrastructure. Other minor revisions were also suggested and provided in Ordinance 2437-2020.

**Funding Source:**

N/A

**Recommended Action:**

Motion to recommend approval of Ordinance 2437-2020 on First Reading.

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | Staff Report | 6/30/2020 | Staff Report |
| 🗋 | Ordinance 2437-2020 | 6/30/2020 | Ordinance add to Y drive |
| 🗋 | Staff Comp Plan review | 3/11/2020 | Backup Material |
| 🗋 | RPUD Checklist | 3/11/2020 | Attachment |
| 🗋 | Master Plan | 6/8/2020 | Exhibit |
| 🗋 | Site Plan | 6/8/2020 | Exhibit |
| 🗋 | Landscape Plan | 6/8/2020 | Exhibit |
| 🗋 | Architectural Elevations and footprints | 6/8/2020 | Exhibit |
| 🗋 | Traffic Report | 3/9/2020 | Attachment |
| 🗋 | Concurrency Traffic Analysis | 3/9/2020 | Attachment |
| 🗋 | Environmental Assessment | 3/11/2020 | Attachment |
| 🗋 | Tree Disposition Plan | 3/11/2020 | Attachment |
| 🗋 | FFE Waiver Justification | 3/9/2020 | Attachment |
| 🗋 | Service Availability Letter | 3/9/2020 | Attachment |
| 🗋 | Survey | 3/9/2020 | Attachment |
| 🗋 | Drainage Easement Statement | 6/8/2020 | Attachment |
| 🗋 | Applicant Response to Staff Comments | 6/8/2020 | Backup Material |
| 🗋 | Applicant Justification Statement | 6/8/2020 | Backup Material |
| 🗋 | Photo Rendering | 6/8/2020 | Backup Material |
| 🗋 | Photo Rendering 2 | 6/8/2020 | Backup Material |
| 🗋 | Photo Rendering 3 | 6/8/2020 | Backup Material |
| 🗋 | Riverland HOA Letter | 6/11/2020 | Backup Material |
| 🗋 | Memo of Understanding with Riverland | 6/30/2020 | Backup Material |

**CITY OF STUART**
**CITY COMMISSION**
July 13, 2020

| | |
|---|---|
| **Project Name:** Bridgeview RPUD - FLU & Zoning assignment | **Property Owner:** Atlantic Realty Partners, Inc. (Contract Purchaser) |
| **PCN #:** 40-38-41-001-051-00000-2 | **Applicant/Petitioner:** Atlantic Realty Partners, Inc. (Contract Purchaser) |
| **Ordinance No:** 2437-2020 | **Agent/Representative:** Gentile, Glas, Holloway, O'Mahoney and Associates |
| | **Case Planner:** Stephen Mayer |
| **Location:** On the Northwest Corner of State Road 76 (SW Kanner Highway) and SW Martin Highway | |

| **PROJECT SUMMARY** | | |
|---|---|---|
| ***Property Size (area)*** | | 15.88 Acres |
| ***Present Use*** | | Undeveloped |
| ***Subject Property Land Use*** | | Commercial Office Residential – Martin County |
| *Adjacent FLU* | *North* | Martin County TP (Trailer Park) (Riverland Mobile Home Park) |
| | *South* | Martin County COR (Vacant) |
| | *East* | Commercial (Cleveland Clinic) |
| | *West* | St. Lucie River |
| ***Subject Property Zoning*** | | Commercial Office Residential (COR-1) |
| *Adjacent Zoning* | *North* | Martin County – Mobile Home (Riverland Mobile Home Park) |
| | *South* | Martin County COR (Vacant) |
| | *East* | CPUD (Cleveland Clinic) |
| | *West* | St. Lucie River |
| ***Proposed Land Use Designation & Zoning District*** | | Multi-family Density Residential (RPUD) |
| ***Proposed Zoning District*** | | Residential Planned Unit Development RPUD |
| ***Proposed Use*** | | 212 Multi-family Apartments |
| ***City Approvals*** | | Building Department – No comments at this time.<br>Fire Department – See comments attached<br>Public Works – See comments attached<br>Police Department – No comments at this time |
| ***Brief Explanation*** | | The intent of this application is to request a Large-scale future land use map (FLUM) amendment to the City's Comprehensive Plan Residential Planned Unit |

| | |
|---|---|
| | Development assigning a "Multi-Family Density Residential" land use, and a Zoning designation of (RPUD) on the City of Stuart Zoning Map. The subject property is 15.88 acres. The property is currently undeveloped. The intent of this project is to allow 212 attached multi-family apartment homes within two 4-story buildings to be developed on the site while upgrading the drainage and enhancing the upland and wetland preserve. |
| ***Staff Recommendation:*** Staff recommends approval for the Future Land Use designation to Multi-Family Density Residential and zoning district designation to RPUD (Residential Planned Unit Development). | |



# STAFF REPORT AND RECOMMENDATION

## I. LEGAL NOTICE REQUIREMENTS

**A. Requirements for Application** – The applications for the Future Land Use amendment to Multi-Family Density Residential, and zoning district designation to RPUD have been noticed in accordance with the requirements set forth in Sections 11.01.02, 11.01.09, and 11.02.00 of the Land Development Regulations.

**B. Site Posting Date:** 3-2-2020

**C. Mail Notice Postmark:** 3-2-2020 to property owners within 300 feet

**D. Publication Date:** 10 days prior to Second Reading

## II. LARGE SCALE COMPREHENSIVE PLAN AMENDMENT AND ZONING MAP AMENDMENT ORDINANCE NO. 2398-20198

**III. APPLICATION:** Dated January 16, 2020

## IV. HISTORY OF THE SITE

The 15.88-acre parcel was annexed into the city via Ordinance No. 2415-2019. The applicant is requesting to assign a RPUD zoning district to establish a new site plan and is requesting to assign a Future Land Use designation of Multi-Family Residential in order develop the property for 212 multi-family residential units. The property currently has a Martin County approval for 99,000 square feet of office use, 2 story building over 1 story of parking, and 30' in height. The approved office building is sited 52' from the north property line.

## V. STAFF ANALYSIS

**A. Site and Area Characteristics (Attachment C)**
The subject property consists of one parcel totaling 15.88 acres in size, located on the northwest corner of State Road 76 (Kanner Highway) and Martin Highway.

**B. Project Description**

A Master Site Plan has been planned with 212 multi-family apartments within 2 four-story apartment buildings strategically placed to save all the existing wetland while enhancing the existing upland preserve and providing an average 50' of wetland buffer. The site includes community amenities with generous landscaping.

**C. Future Land Use Amendment and Comprehensive Plan Consistency Review**

A review of the Comprehensive Plan finds that the proposed list of uses that are consistent with the proposed Multi Density Future Land Designation:

*This land-use category is allowing for two or more dwelling units per building. Includes single family detached, duplex/townhomes, apartments, condominiums, patio homes, garden homes, and adult living facilities, foster homes and zero-lot-line residences. Also public facilities, churches day care centers, schools and electric distribution substations are allowed.*

Section 11.01.05G.1 (large-Scale Comprehensive Plan Amendments) of the Land Development Code requires the Local Planning Agency to consider the following criteria prior to making an advisory recommendation to the City Commission:

1. *The existing land use pattern;*

   The existing land use pattern surrounding the project area consist of a mobile home park, commercial and vacant land. Most of the vacant land near the project consists of wetlands within the County (to the South) and the mobile home community to the north (Riverland Park) is recommended to be adequately buffered from the Multi-family use.

2. *The possible creation of an isolated land use classification unrelated to adjacent and nearby classifications;*

   No, the proposed multifamily project will benefit the future commercial development on the east side of Kanner Highway and is consistent with the residential nature of the west side of Kanner Highway. Please see the attached exhibit.

3. *The population density pattern of the area and possible increase or overtaxing of the load on public facilities such as schools, utilities and streets;*

   No. The multifamily land use and the proposed project will rely on City of Stuart Utilities for services which have sufficient capacity to service the proposed project. The school capacity will be coordinated with the Martin County school board and concurrency will be reserved at the time of construction plan permitting. The streets have adequate capacity and the proposed improvements outlined in the proposed RPUD will improve the traffic patterns.

4. *The possible overloading of the City's sewage collection, treatment and disposal facilities;*

   The property will connect to the City's sewage collection, treatment and disposal facilities. The property is within the City of Stuart's service district.

5. *The possible overloading of the City's drainage system;*

   All development on the site would be required to comply with applicable City of Stuart stormwater management requirements with review and permitting from the South Florida Water Management District.

6. *The existing classification boundaries in relation to existing conditions on the subject property;*

   There are no issues in this regard.

7. *The existence of changed or changing conditions which make the passage of the proposed amendment necessary or appropriate;*

   The county/city has shown a trend toward development of residential uses and the need for apartment housing to support the local workforce and young professionals.

8. *The impact of the proposed amendment upon living conditions in the adjacent neighborhood;*

   The type and intensity of development that would be feasible on the subject property would not create an adverse impact to nearby neighborhoods. The site is buffered from abutting neighborhoods the north with an enhanced 25' foot landscape buffer.

9. *The impact of the amendment upon the flow of light and air to adjacent areas;*

   The type and intensity of development that would be feasible on the subject property would not create an adverse impact upon the flow of light and air to adjacent areas.

10. *The impact of the proposed amendment upon property values in the adjacent area;*

    The change in land use designation from commercial to residential would likely result in an increase in property values in the adjacent area by allowing for a local customer base for the surrounding commercial properties.

11. *The existence of other adequate sites in the City for the proposed land use classifications already permitting such use.*

    The goal of the proposed amendment is to allow for uses that are in demand. The subject location is ideal for multifamily units.

**D. Rezoning and Land Development Code Consistency Review**

The application has been reviewed for consistency with the City's LDC. Approval of the rezoning to RPUD would allow for attached housing to be constructed at the site.

The applicant is requesting the following four (4) waivers from the City's Land Development Code:

1. **Section 6.03.02: Drainage Specifications.** Finished Floor Elevations of all buildings shall not be lower than 18 inches above the crown of the street on which the building fronts.

**Request:** The applicant is requesting the finished floor elevation to be 8.25 feet, which is 2.25 feet above the FEMA flood elevation requirements, however, is below the 9-foot elevation of Kanner Highway. The applicant has provided an engineering statement, prepared by MacKenzie Engineering and Planning, Inc., justifying a relief from the code. The letter states that the site is more than two feet above the 100-year flood elevation, that the South Florida Water Management District permitting requirements will be satisfied in regards to on-site drainage, and in the unlikely event that the off-site flood waters do drain on the site (from Kanner Highway, which is where the relief of the Finished Floor Elevations is specifically requested), the flood waters are likely to flow around buildings and discharge into the wetlands that lead to the St. Lucie River.

2. **Section 6.01.13: Off-Street Parking Schedule.** 1.5 parking spaces per unit (studios and 1 bedroom), and 2 parking spaces per unit (2 or more bedroom)

   **Request:** The applicant is requesting a reduction in the number of required parking spaces. The applicant is justifying a smaller number of parking spaces, as they are providing for full protection of the wetlands on site, and they are holding to an industry standard for multi-family developments, at a ratio of 1.6 (or 1.6 parking spaces per unit, which is similar to the City's requirement for 1 bedroom multi-family). Staff can confirm that such a ratio has been requested and granted, such as the Watermark RPUD, and is supportive of the waiver request. Staff notes that an excess of parking demand would be contained to the site and should not affect neighboring properties. The property will also be managed, and therefore the demand for parking will be monitored privately.

3. **Section 6.04.06**. **Land Use Transitions and Landscape Buffers**. The buffer width requirement for a 4-story multi-family use adjacent to a single-family or multi-family use is 55'.

   **Request:** The applicant is requesting a 25' wide landscape buffer along the northern property line, where the proposed multi-family use is abutting an existing mobile home park use. The site line separation between the V-shaped four-story building and the northern property line without going through the wetland is 96.87'. Within this zone, there are three layers of landscaping (foundation planting, interior parking islands, and a heavily planted 25-foot native buffer (with 12'-20' trees and 16'-25' palms). The applicant has also provided a 10' wall to strengthen the visual barrier. The applicant has provided a visual sightline study demonstrating that the view from the 4$^{th}$ story balcony will be blocked by the landscaping, and that the view from the existing mobile homes will be significantly diminished by the screen wall, the landscaping and the distance separating the proposed buildings from the existing residences. Staff recommends that the applicant provide a heavy landscaping buffer that doubles the visual barrier of a landscaping buffer that would normally be in a 55' wide buffer. The width of the buffer is not as important as the density and visual impact that can be provided with an enhanced buffer screen that is 25', which is wider

than the required buffer screen pursuant to Section 6.04.06A.5.b, which states the buffer screen shall be 25% of the buffer width (or 13.75 feet).

Furthermore, the building is located approximately 80 feet from the property line. A 3-story office building has been approved for the site only 52' from the property line. It is reasonable that the additional 100' feet separation proposed by the applicant is justified for the additional story. Staff also notes that the applicant has removed north facing balconies from the building closest to Riverland Park. North facing balconies remain on the second building, but this building is located 154.3 feet from the property line.

4. **Section 5.03.02 Wetland Protection Standards**. The applicant is required to provide a minimum width of an upland buffer of 75' and at no point less than 50'. This is due to the wetland being an outstanding resource, consisting of mangroves.

   **Request:** The applicant is providing a minimum average width of 75', however, due to site constraints, the minimum buffer narrows to 42.4' at one location. Staff is recommending the use of native groundcover, in lieu of sod in this location, which serves as a buffer between the surface parking area and the upland buffer. The applicant is using Florida Gamma grass and using 100% native plants along the entire length of the buffer between the parking spaces and the wetland buffer. The width of this native planting is 10 feet. If this area is credited toward being similar to an upland buffer, the minimum buffer would be over 50' and therefore acceptable. The waiver would then be to accept the native treatment as upland buffer. Staff is in support of such a waiver, due to the severe site constraint in this narrow portion on the south side of the property, and the inclusion of native vegetation to simulate the natural appearance of the upland buffer.

## E. Technical Review by Other Agencies

The City Building, Public Works, Fire, and Police Departments have reviewed the applications and have offered their comments. See attachment to this agenda item. Each department will provide specific comments at final site approval for permitting.

The applicant will be responsible to meet all federal, state and local permitting and environmental standards. Further, the applicant will also be required to demonstrate full compliance at all times.

## F. Public Comment

Staff has meet with representatives of the Riverland Mobile Home Park on two occasions to discuss the applicant's proposal. Staff understands that although the HOA does not represent the views of every resident, there is a mostly unified opposition to some of the elements of the proposal. Although the applicant has modified their wall proposal toward an agreement, the buffer width remains the most important disagreement with the development. In combination with the parking waiver requested, it appears to the

Riverland community that the development is too dense and should remove a floor from the building height.

At the date of this staff report, a letter stating the Riverland homeowner's perspective was not available, but staff will provide such a letter when it is made available to staff.

## VI. LOCAL PLANNING AGENCY BOARD RECOMMENDATION

On June 18, 2020, the Local Planning Agency voted to recommend approval as an advisory recommendation to the City Commission as to the need and justification for the change and as to the relationship of the proposed change to the goals, objectives and policies of the Comprehensive Plan and of the Land Development Code. The Local Planning Agency recommended minor revisions that staff has incorporated as conditions of approval, including parking spaces for mail pick up, mandatory generator in the club house, a planned site for a sheltered bus location and Level 2 EV parking infrastructure. Other minor revisions were also suggested and provided in Ordinance 2437-2020.

## VII. STAFF RECOMMENDATION (APPROVAL WITH CONDITIONS)

Staff has determined that the proposed future land use amendment to Multi-Family Density Residential and rezoning to RPUD is consistent with the goals, objectives and policies of the Comprehensive Plan and the regulations in the Land Development Code. Staff offers no objection to the requests.

**BEFORE THE CITY COMMISSION**

**CITY OF STUART, FLORIDA**

**ORDINANCE NUMBER 2437-2020**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL OFFICE RESIDENTIAL" TO "MULTI-FAMILY DENSITY RESIDENTIAL" FOR A 15.88 ACRE PARCEL ANNEXED BY ORDINANCE NO. 2415-2019, OWNED BY ATLANTIC REALTY PARTNERS, INC., AND LOCATED ON THE NORTHWEST CORNER OF STATE ROAD 76 (SW KANNER HIGHWAY) AND SW MARTIN HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY ESTABLISH THE BRIDGEVIEW RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) CONSISTING OF TWO HUNDRED TWELVE (212) MULTI-FAMILY UNITS WITHIN TWO FOUR-STORY APARTMENT BUILDINGS; APPROVING A DEVELOPMENT SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTANT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

* * * * *

**WHEREAS**, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by Atlantic Realty Partners, Inc., for a 15.88 acre parcel of land located on the northwest corner of State Road 76 (also known as SW Kanner Highway) and SW Martin Highway; and

**WHEREAS**, the City of Stuart has determined the need to change the Future Land Use and Land Development zoning district for said lands; and

**WHEREAS**, the City Commission, has considered the Petitioner's voluntary request for land use designations, a rezoning to RPUD, and has also considered the recommendation of the City staff; and

**WHEREAS**, the Applicant has committed to the City that its development will comply with all development codes, plans, standards and conditions approved by the City Commission; and that it will bind its successors in title to any such commitments made upon approval of the approved RPUD; and

**WHEREAS**, at the hearing the applicant showed by substantial competent evidence that the application is consistent with the Stuart Comprehensive Plan, and the Land Development Code of the City, and with the procedural requirements of law; and

**WHEREAS**, the RPUD development will be in harmony with surrounding properties and their anticipated development;

**WHEREAS,** the foregoing recitals are true and adopted as findings of fact and conclusions of law.

**WHEREAS,** the property is legally described in **"Exhibit A"** of this ordinance. A map depicting the property is attached hereto as **Exhibit "B"** and made a part hereof by reference; and development conditions including a timetable for construction of amenities attached hereto as **Exhibit "C";**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:**

**SECTION 1:** The following new documents are on file as public records of the City, at the office of the City Clerk in City Hall, and attached hereto as **Exhibit "D"**, hereinafter the "Development Documents", shall be deemed a part of the development conditions, and shall supplement any earlier approvals:

a. **The Master Plan, Sheet MP-1, by Gentile, Glas, Holloway, O'Mahoney, and Associates, Inc., dated 4.3.20**
b. **Site Plan, Sheets SP-1 and SP-2, by Gentile, Glas, Holloway, O'Mahoney, and Associates, Inc., dated 4.3.20**
c. **The Landscape Plan, Sheets LP-1, thru LP-3, by Gentile, Glas, Holloway, O'Mahoney, and Associates, Inc., dated 4.3.20**
d. **Architectural Elevations, Sheets A2.10, A2.20A and A2.20B, prepared by Charlan Brock Associates, dated 3.10.20**
e. **Survey, prepared by GCY Incorporated, dated 5.28.19**
f. **Bridgeview Environmental Assessment Report, prepared by EW Consultants, Inc. dated 3.20.20**

SECTION 2: The Future Land Use designation in the City's Comprehensive Land Use Plan shall be established as "Multi-Family Density Residential". This ordinance may not become effective until 31 days after adoption. If challenged within 30 days after adoption, this ordinance may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted large-scale land use amendment is in compliance as defined in s. 163.3184(1)(b).

SECTION 4: The Land Development (Zoning) District designation on the City of Stuart Official Zoning Map shall be established as "RPUD" Residential Planned Unit Development subject to the appeal period stated in Section 2, above.

SECTION 5: Except as otherwise provided herein, no development permits, site permits, or building permits shall be issued by the City except in compliance with the City's Land Development Code.

SECTION 6: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof is hereby repealed to the extent of such conflict. If any provision of this ordinance conflicts with any contractual provision between the City and the developer of the site, this ordinance shall prevail.

SECTION 7: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 8: This ordinance shall be effective upon the last of the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owner. However, the Future Land Use and Zoning Designations granted herein shall not be effective until thirty-one (31) days after adoption, and as otherwise provided by law.

SECTION 9: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owner, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

Passed on first reading the ___ day of _____, 2020.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |
| | | | | |

ADOPTED on second and final reading this ___ day of _____, 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL
CITY ATTORNEY

## ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN A RESIDENTIAL PLANNED UNIT DEVELOPMENT AND IN ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE ABOVE ORDINANCE. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS RESIDENTIAL PLANNED UNIT DEVELOPMENT ACCORDING TO THIS ORDINANCE, ITS CONDITIONS, AND THE DEVELOPMENT PLANS AND DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS ORDINANCE MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ACTIONS MAY BE TAKEN AGAINST THE UNDERSIGNED BY THE CITY, INCLUDING BUT NOT LIMITED TO CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING REVOCATIONS, AND ALL APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

_____ By: _____

Print Name: _____

_____

Print Name: _____

## OWNERS ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2020, by _____

Personally Known OR Produced Identification
Type of ID Produced _____

Signature of Notary Public: _____
Commission Expires:

Notary Seal:

## CITY'S ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____day of _____, 2020, by MICHAEL J. MEIER, Mayor, and Mary R. Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.

Personally Known OR Produced Identification
Type of ID Produced _____

Signature of Notary Public: _____
Commission Expires:

Notary Seal:

# EXHIBIT A – LEGAL DESCRIPTION

Legal Description

PARCEL CONTROL NUMBER 403841001051000002

NORTH PARCEL

Commencing at the intersection of the North line of the Miles or Hanson Grant and the Westerly right of way line of State Road No. 76; thence South 20°42'45" East, a distance of 1500.00 feet to the Point of Beginning; thence continuing along said Westerly right-of-way line, South 20°42'45" East, a distance of 439.03 feet; thence South 06°32'38" East, a distance of 49.16 feet; thence South 20°42'48" East, a distance of 318.71 feet to a point on the Northerly Right-of-Way line of S.W. Martin Highway; thence along said line South 22°47'40" West, a distance of 55.18 feet; thence South 68°30'26" West, a distance of 152.45 feet to the beginning of a tangent curve concave to the North having a radius 881.25 feet; thence Northwesterly along the arc of said curve through a central angle of 41°32'17" a distance 638.89 feet to a tangent line; thence North 69°12'10" West, a distance of 380.47 feet to a point on the Mean High Water Line; thence along said line North 03°47'25" East, a distance of 50.12 feet; thence North 16°40'46" East, a distance of 48.08 feet; thence North 05°17'18" West, a distance of 65.43 feet; thence North 34°10'01" East, a distance of 139.17 feet; thence North 31°06'00" East, a distance of 167.15 feet to a point on the South River Land Mobile Home Park (unrecorded); thence North 65°59'26" East, a distance of 760.50 feet to the Point of Beginning.

Containing 15.88 Acres, more or less.

## EXHIBIT B – LOCATION MAP

**Figure 1. Property Location Map**



## EXHIBIT C – DEVELOPMENT CONDITIONS

**Approved Plans and Documents**

2. The Bridgeview Residential RPUD project and use thereof shall comply with the following drawings:

    a. **The Master Plan, Sheet MP-1, by Gentile, Glas, Holloway, O'Mahoney, and Associates, Inc., dated 4.3.20**
    b. **Site Plan, Sheets SP-1 and SP-2, by Gentile, Glas, Holloway, O'Mahoney, and Associates, Inc., dated 4.3.20**
    c. **The Landscape Plan, Sheets LP-1, thru LP-3, by Gentile, Glas, Holloway, O'Mahoney, and Associates, Inc., dated 4.3.20**
    d. **Architectural Elevations, Sheets A2.10, A2.20A and A2.20B, prepared by Charlan Brock Associates, dated 3.10.20**
    e. **Survey, prepared by GCY Incorporated, dated 5.28.19**
    f. **Bridgeview Environmental Assessment Report, prepared by EW Consultants, Inc. dated 3.20.20**

3. Any modifications to the Master RPUD Site Plan that exceeds 10% of the approved building footprint, building setbacks, gross square footage, building location, parking size, location and number of parking, drainage areas, and location of landscaping may be approved by the City's Development Director, provided however, the Development Director may refer the matter to the City Commission for approval via a public hearing.

4. Development of the Subject Property as a RPUD shall include an impervious area of no more than (30%) impervious coverage for the RPUD. The maximum building height within the RPUD shall be 4 stories or 45'. Height shall be measured from the lowest permissible finished first floor elevation to the surface of a flat roof and to the eave of a pitched roof.

5. Notwithstanding any presence of premium parking, at no time shall any parking space be deemed unavailable for use due to an absence of a lease agreement for the use of said space.

6. Prior to certificate of occupancy of the last building, the applicant shall provide an engineer's written confirmation attesting that the RPUD's storm water system is in place and functioning in compliance with all approved plans and specifications.

7. Erosion and dust control measures to be implemented during construction shall be provided on the civil plans and submitted during site permit review. Water trucks shall be provided by the applicant as necessary during construction in order to reduce dust generated on-site.

8. Prior to clearing of the entire site, the applicant shall install a 4-foot silt fence/barrier along the northern property boundary that will inhibit wildlife from crossing into the Riverland Mobile Home Park.

9. Prior to construction, the applicant shall install the buffer and 10' wall along the northern property boundary, beginning at the eastern corner of the wetland buffer to the property line along Kanner to connect with Riverland.

**Landscaping**

10. The common areas including the projects community recreation areas and entry features shall be provided with landscaping with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition.

11. The City's landscape inspector shall have the opportunity to inspect all trees and/or landscape material with the landscape architect prior to installation. The developer shall bear the pass-thru fee for landscape consulting fees not to exceed $1,500.00.

12. A Landscape maintenance plan, executed in accordance with the Land Development Regulations, shall be submitted to the Development Department and approved prior to the issuance of a vertical construction building permit.

13. Prior to Certificate of Occupancy, all prohibited exotics and invasive species shall be removed from the entire site.

**Required Open Space and Native Preserve Area**

14. Open Space, not including wetlands and required internal landscaping. The RPUD shall be maintain the open space as depicted on the Site Plan by Gentile, Glas, Holloway, O'Mahoney and Associates, Inc. as described in Exhibit C. Required open space may include native vegetation areas and landscape buffers between the RPUD and adjacent property; however, other required landscaping shall not count towards the open space requirement.

15. Excluding wetlands defined by the South Florida Water Management District, not less than 33.4% of the total development site shall remain as undeveloped and recreated native vegetation area. The required native vegetation area may include open space areas and the landscape buffer between the site and adjacent property; however, other required landscaping shall not count towards the native vegetation requirement. The location of the native vegetation shall comply with the project's landscape plan, by Gentile, Glas, Holloway, O'Mahoney and Associates, Inc. The project shall adhere to the Preserve area mitigation and monitoring plan provided to the City prior to vertical construction building permit approval. The owner and developer shall adhere to the provisions of the Wetland Maintenance and Monitoring Plan and permanent maintenance will be the responsibility of the Developer, their successors or assigned.

**Tree Mitigation**

16. The project shall comply with Section 5.05.02 of the "Tree replacement and protection requirements" of the City's Land Development Code.

**Prior to Issuance of Site Permits**

17. Applicant shall provide a digital boundary survey and civil plan prior to the issuance of a site permit.

18. Civil Plans shall be reviewed and approved by all applicable City departments prior to the issuance of a site permit.

19. All regulatory agency permits, including but not limited to the South Florida Water Management District and Army Corp of Engineers, shall be obtained by the applicant and copies provided to the City prior to the commencement of any development activities.

20. All development activities shall comply with the City's Concurrency Management System prior to the issuance of building permits.

21. The applicant shall provide a 4' high silt fence and at least a 6' temporary security fence along the northern boundary prior to any site clearing.

**Development and Construction**

22. The Developer shall construct the project's infrastructure in one phase.

23. The Developer shall install landscaping at the development's entry as shown on the landscaping plan prior to the first certificate of occupancy for a residential unit.

24. The property owner shall provide easements for licensed television services. Preserve area easements shall be dedicated to state agencies with the City of Stuart having the option to have those same easements.

25. In the event of any conflict in the provisions of Exhibit 'C' Development Conditions and attached exhibits, Exhibit 'C' shall prevail.

26. Prior to certificate of occupancy of the last building, the applicant shall provide an engineer's written confirmation attesting that the RPUD's storm water system is in place and functioning in compliance with all approved plans and specifications.

27. Erosion and dust control measures to be implemented during construction shall be provided on the civil plans and submitted during site permit review. Water trucks shall be provided by the applicant as necessary during construction in order to reduce dust generated on-site.

28. All utility improvements constructed by the developer within Florida's Department of Transportation's right-of-way, shall be constructed in a manner and form acceptable to the FDOT. The developer shall grant any such utility easements necessary for this site as may be required by the FDOT.

29. The projects turn lanes as described on the project's Master Site plan shall be completed before the first Certificate of Occupancy from either building is issued.

30. The project's storm water facilities, specifically the Native Planting schemes at the detention/retention areas/wetlands, will be designed using Low Impact Development "(LID) Techniques as described in the University of Florida IFSA Extension publication LID Practices: Integration Wetlands and Enhancing Storm water Basins". The proposed dry retention shall have native grasses along the edges of the retention area are to become part of the stormwater filtration process.

31. Temporary or freestanding storage units are prohibited on the property once construction is complete.

32. Site work including but not limited to land preparation, lake excavation, clearing and grading, drainage and water, sewer and irrigation lines, and private road shall be reviewed approved by the city's public works department and the city's engineering consultant prior to permitting.

33. There shall be no northern facing balconies on any floor of the westernmost building. Any wrap around balconies on the corner shall have a privacy wall on the northern side. All windows on this side shall be clear story windows.

34. Prior to final site plan approval, the applicant shall provide 4 designated parking spaces for mail pick-up.

35. Prior to final site plan approval, the applicant shall provide a dedicated sheltered bus stop location on the plan, which will accommodate the future needs of the Metropolitan Planning Organization and Martin County School Board.

36. Prior to final site plan approval, the applicant shall provide a total of seven (7) EV parking spaces for electric vehicles shall be provided at a level 2 charging rate, with a dedicated branch circuit and overcurrent protection device, per space.

37. Prior to Certificate of Occupancy, the applicant shall provide an emergency generator capable of serving the residents during a storm event.

38. Prior to building permit approval, the applicant shall demonstrate the building uses CMU construction materials.

39. All roof-top mounted equipment, including air conditioners, shall be screened from public view.

**Signage**

40. All signs throughout the RPUD must have a consistent treatment, as to number, location, size, height, lighting, and materials with a unified theme throughout the Planned Unit Development. The development's monument sign shall adhere to the Proposed Entry Monument Sign drawing by Lucido and Associates.

**HOA Requirements & Future Amendments**

41. Owner shall not subject the Property to any condominium conversion and neither shall any portion of the Property be converted to units for sale in connection with a condominium conversion nor shall the title to any such units be transferred to any party other than being held as a single parcel for the purposes of apartment rental unless owner amends this restriction through a minor PUD amendment process.

42. Any applications to amend this Ordinance shall be limited to the Developer.

43. The City may elect at any time to assign a future land use designation of "Conservation" to the PUD's preserve areas without objection by the owners. Further, the City may at its discretion, take over maintenance of the preserve area(s) without objection by the owners.

44. Timetable for development shall be as follows:

| | |
|---|---|
| Site and building permit application deemed sufficient for permit review under city codes and standards. | **December 1, 2022** |
| Final Certificate of Occupancy for all site and building improvements. | **December 1, 2023** |

**Allowable Uses**

45. The following uses shall be permitted:
    a. Multi-Family Residential
    b. Home Occupations in accordance with the City's Land Development Code.

BRIDGEVIEW RPUD.

COMPREHENSIVE PLAN REVIEW

FUTURE LAND USE ELEMENT

Objective A5. - Residential development.

Ensure land use compatibility by grouping complementary land use activities, including mixed-use land use developments in appropriate areas of the City. Work with the developers to integrate vehicular and pedestrian circulation systems, bike paths, parking, building location, and architectural design into a cohesive development.

*Policy A5.1.* The Future Land Use Element of the City's adopted Comprehensive Plan shall provide land for future residential use to promote a more compact development pattern. This shall include sufficient land suitable for the public utility facilities needed to support the projected level and pattern of development.

**The proposed project is compact in form by being clustered in order to protect existing wetlands and their associated buffer areas. The development provides sufficient upland and preservation areas, while providing a medium-density development of approximately 15 dwelling units per acre. There are sufficient public utilities in place to support this pattern of development and the associated impacts of the development.**

*Policy A5.2.* Development on all vacant, un-platted areas designated as residential should be compatible with any surrounding existing homes.

**In order to consider the compatibility of a proposal we need to assess whether the existing residential development (Riverland) adjacent to the northern boundary of the proposed development are able to exist together without problem or conflict. The proposed development proposes an entirely residential development. The proposed buffers and preserve areas within the site, provide sufficient visual shielding to protect the surrounding existing residential development. The 4-storey height of the proposed development is adequately shielded from view. In respect of traffic impacts and safety the applicants' traffic study address volume and safety impacts in that respect and access is available, including a northbound access from Kanner Hwy. Overall, this proposal is considered to be compatible with the adjacent uses.**

*Policy A5.3.* Wherever possible, medium density residential and recreation/open space areas should serve as buffers between higher and lower intensity residential uses to achieve an orderly land use transition.

**The proposed project is of a higher density (15 du/ac). Considering that the highest density allowed within the City is 30 du/ac then this proposal is of a medium density. The proposed development is of greater intensity and height (4-stories) of adjacent residential uses of the Riverland mobile home development (single-story and approximately 9 du/ac).**

**The distance between the proposed building and those existing, which includes a car-parking area and enhanced buffer area provide a transition zone between the existing low density and the medium density proposal.**

*Policy A5.5.* The City shall market itself as a community for families.

**The development forms part of an inventory that widens housing options for existing and new residents of the City.**

*Policy A5.6.* The City shall maintain a height limitation of the greater of 45 feet or four stories of occupiable space for all buildings. The City shall require landscaping of all new development and redevelopment to promote an aesthetic streetscape. The City shall require landscape buffers between single family residential and non-residential uses.

**The proposal complies with the height limitation and incorporates substantial landscaping fronting the streetscape.**

**GOAL STATEMENT B**

Minimize costs to current residents of growth, new development, and redevelopment, and encourage future land uses that maintain or enhance economical and efficient delivery of government utilities and services.

*Objective B1.* - Compact urban form. Discourage urban sprawl by facilitating urban redevelopment and infill development of properties and planning for urban infill and redevelopment of lands located within Stuart in order to achieve a compact urban form.

**The proposal is considered to be a good example of a compact urban form of residential infill.**

*Objective B3. - Desirable pattern of land uses.*

Promote and enhance a pattern of land uses that are compatible; that are convenient to City residents, businesses, and visitors; that avoid inappropriate or wasteful use of land; and that encourage efficient use of land, resources and facilities. Future land uses shall be designated to support the existing or planned community character, thereby prohibiting the development or expansion of uses which are inconsistent with the community's character. Reduce blighted areas through redevelopment. Land development and use regulations shall include provisions to ensure consistency with this Comprehensive Plan.

**The proposal is considered to be a good use of vacant and underutilized land within the community characteristics of the City and one which protects the existing wetlands on site.**

*Policy B3.2.* All development shall be compatible with and complementary to surrounding land uses and shall not unduly affect existing approved activities

**The proposed development, by reason of proposed use, density and buffers is considered to be compatible with and complementary to surrounding activities.**

Policy B1.4. Annexation and redevelopment strategies for infill development and redevelopment should be formulated to produce a future viable economy for the City.

**The proposed development site is an infill development which adds to the local economy through the increased demand for commercial, entertainment and retail services/products by new residential occupiers. The housing units will increase the spectrum and variety of residential accommodation in the City, therefore adding to a balanced housing supply.**

# Residential PUD

| | |
|---|---|
| Project: | Bridgeview RPUD |
| Date | 3/9/2020 |

| | |
|---|---|
| Adjacent N | County Mobile Home (Riverland) |
| Adjacent S | County COR (Vacant) |
| Adjacent E | Cleveland Clinic CPUD |
| Adjacent W | St Lucie River South Fork |
| Total Floor Space (sq.ft) | **None** |

| LDR Reference | Land Development Regulations | RPUD REVIEW STATUS |
|---|---|---|
| 2.07.00 D.1 | Land Use Designation | COMPLY |
| 2.07.00 D.2 a | Uses | COMPLY |
| 2.07.00 D.2 b | Compatible Residential Uses | COMPLY |
| 2.07.00 D.2 c | Commercial (<30%) | NOT APPLICABLE |
| 2.07.00.D.2.d | Commercial Uses (<30%) vertical | NOT APPLICABLE |
| 2.07.00.D.3 | Density | COMPLY |
| 2.07.03 D.4.b | Open Space (>30%) | COMPLY |
| 2.07.03 D.4.c | FAR | COMPLY |
| 2.07.03.D.4.d | Native Vegetaion (>25%) | COMPLY |

**AREA, IMPERVIOUS SURFACE, SETBACK AND HEIGHT**

| | | |
|---|---|---|
| 2.04.03 | Supplemental impervious surface | COMPLY |
| 2.04.04 | Supplemental setback requirements | COMPLY |
| 2.04.05 | Waterfront setbacks | NOT APPLICABLE |
| 2.04.06 | Certain street setbacks | NOT APPLICABLE |
| 2.04.07 | Supplemental building height | COMPLY |
| 2.06.00 | Supplemental Use standards | NOT APPLICABLE |

| | | |
|---|---|---|
| 4.04.01 | Traffic Concurrency | COMPLY |
| 4.09.00 | School Concurrency | TO BE REVIEWED |

**RESOURCE PROTECTION**

| | | |
|---|---|---|
| 5.02.00 | Environmental Assessment | COMPLY |
| 5.03.02 | Wetland Protection | EXCEPTION REQUESTED |
| 5.04.00 | Evironmentally sensitive lands | COMPLY |
| 5.04.03 | Monitoring & Maintenance | REVIEWED AT SITE PLAN |
| 5.05.01 | Tree Survey | COMPLY |
| 5.05.02 | Tree removal | COMPLY |

| | | |
|---|---|---|
| 5.06.00 | Mangrove & Shoreline | NOT APPLICABLE |
| 5.07.00 | Floodplain Management | COMPLY |
| Comp Plan | Comprehensive Plan | COMPLY |

**TRANSPORTATION**

| | | |
|---|---|---|
| 6.01.04 | Sidewalks/bikeways | COMPLY |
| 6.01.05 | Bike Ped (LCD) | COMPLY |
| 6.01.06 | Access | COMPLY |
| 6.01.07 | Drive-through | NOT APPLICABLE |
| 6.01.08 | Vehicular Access | COMPLY |
| 6.01.09 | Parking Code | EXCEPTION REQUESTED |
| 6.01.18 | Off-Street Loading | NOT APPLICABLE |
| 6.01.19 | PILOP | NOT APPLICABLE |

**STORMWATER**

| | | |
|---|---|---|
| 6.03.01 | Generally | TO BE REVIEWED |
| 6.03.04 | Management | TO BE REVIEWED |
| 6.03.08 | Erosion | TO BE REVIEWED |

**LANDSCAPING**

| | | |
|---|---|---|
| 6.04.02 | General Standards | COMPLY |
| 6.04.02 A.1 | Native Landscaping | COMPLY |
| 6.04.06 | Landscape Buffers | EXCEPTION REQUESTED |
| 6.06.02 A.2 | Shade Trees Required | COMPLY |
| 6.06.02 A.4 | Banyan, Fiscus & Rubber Trees | NOT APPLICABLE |
| 6.06.02 A.5 | Proximity to power lines | COMPLY |
| 6.06.02 A.6 | Shrubs | COMPLY |
| 6.06.02 A.7 | Hedges | COMPLY |
| 6.06.02 A.8 | Vines | NOT APPLICABLE |
| 6.06.02 A.9 | Ground cover | COMPLY |
| 6.06.02 A.10 | Grass Area | COMPLY |
| 6.06.02 B | Irrigation | REVIEWED AT SITE PLAN |

**LANDSCAPE DESIGN**

| | | |
|---|---|---|
| 6.04.03 A | Utility Lines (Existing and Proposed) | COMPLY |
| 6.04.03 B.1 | Landscaped Area >20% | COMPLY |
| 6.04.03 B.2 | Interior landscaping >50% | COMPLY |
| 6.04.03 B.3 | location of impervious | COMPLY |
| 6.04.03 B.4 | Mulch | COMPLY |
| 6.04.03 B.5 | Shoreline protection | NOT APPLICABLE |

| | | |
|---|---|---|
| 6.04.03 B.8 | Visibility triangles | COMPLY |
| 6.04.06 | Land Use Transitions | COMPLY |

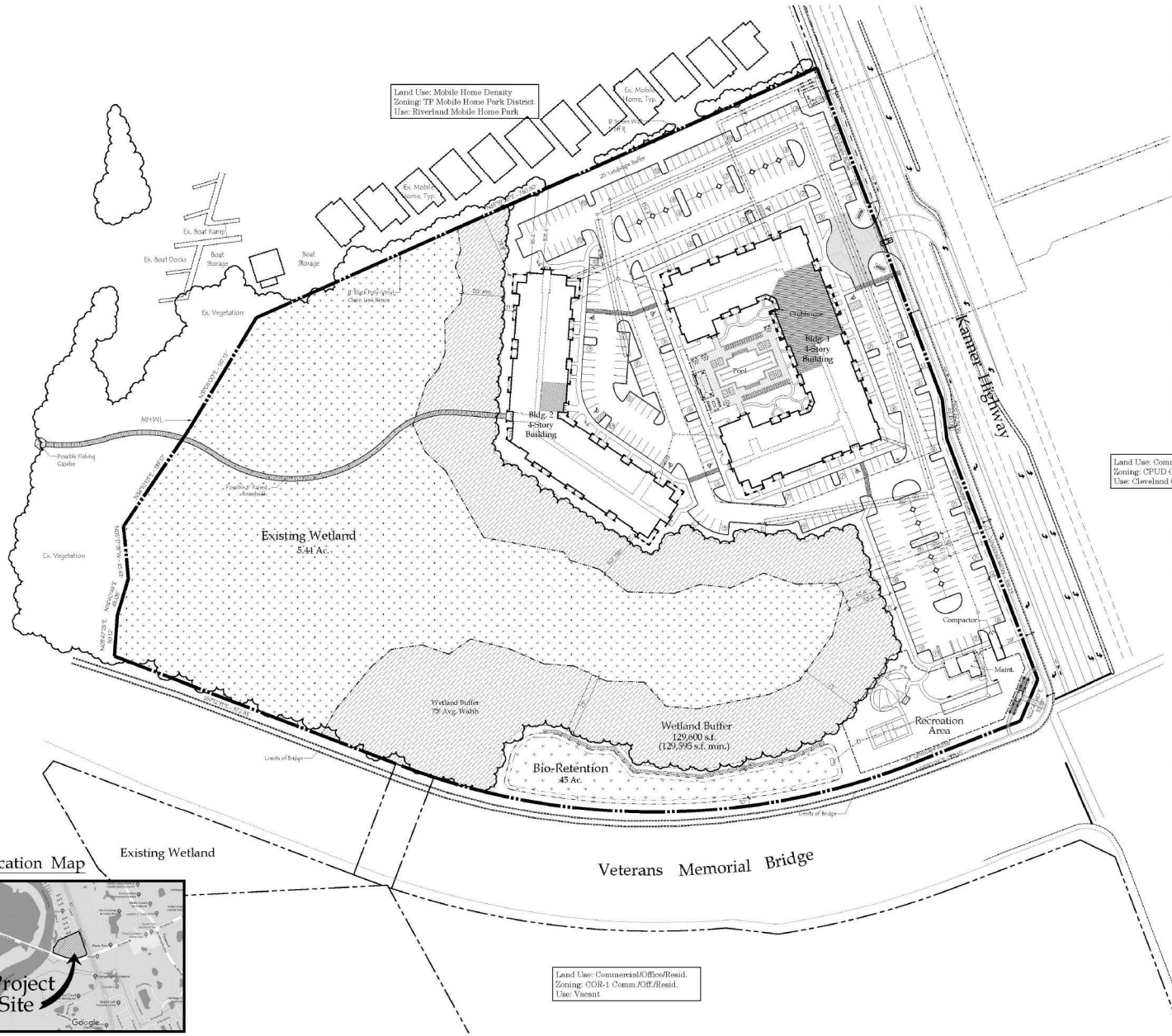
**LANDSCAPING - PARKING AREAS**

| | | |
|---|---|---|
| 6.04.07 A.1 | Landscaped strip adjacent to street | COMPLY |
| 6.04.07 A.2 | Landscaped strip length linear feet | COMPLY |
| 6.04.07 A.2a | Parking area adjacent to street | COMPLY |
| 6.04.07 A.2b | Hedge/wall/berm on outside of strip | COMPLY |
| 6.04.07 A.2c | Other Landscaping | COMPLY |
| 6.06.07 A.2d | Grass | COMPLY |
| 6.04.07 A.3 | Shrubs/ground cover | COMPLY |
| 6.04.07 B | parking screened from private propery | NOT APPLICABLE |
| 6.04.07 B.1 | Landscaped strip adjacent to private property | NOT APPLICABLE |
| 6.04.07 B.2a | Parking area adjacent to private property | NOT APPLICABLE |
| 6.04.07 B.2b | Hedge/wall/berm on outside of strip | NOT APPLICABLE |
| 6.04.07 B.2c | Other Landscaping | NOT APPLICABLE |
| 6.04.07 B.2d | Grass | NOT APPLICABLE |
| 6.04.07 B.3 | Shrubs/ground cover | NOT APPLICABLE |
| 6.04.07 C.1 | Parking Area (Major Dev't only) | COMPLY |
| 6.04.07 C.2 | Parking area rear and sides of building | COMPLY |
| 6.04.07 C.3 | Interior trees | COMPLY |
| 6.04.07 C.4 | Vechicle encroachment | COMPLY |
| 6.04.07 C.5 | Interior landscaped islands | COMPLY |
| 6.04.07 C.6 | Terminal landscaped islands | COMPLY |
| 6.04.07 C.7 | Interior landscaped medians | COMPLY |
| 6.04.07 C.8 | Interior shade trees | COMPLY |
| 6.04.07 D | Visability triangles | COMPLY |
| 6.04.08 | Tree Requirements | COMPLY |
| 6.04.10 | Loading Storage | NOT APPLICABLE |

**COMMERCIAL DEVELOPMENT STANDARDS**

| | | |
|---|---|---|
| 6.05.02 B | Building Location | NOT APPLICABLE |
| 6.05.02 C | Building Orientation | NOT APPLICABLE |
| 6.05.02 D | Façade Design | NOT APPLICABLE |
| 6.05.02 E | Massing | NOT APPLICABLE |
| 6.05.02 F | Other Features | NOT APPLICABLE |
| 6.05.02 G | Transitional Elevations | NOT APPLICABLE |
| 6.05.03 B | Blank Wall Area | NOT APPLICABLE |
| 6.05.03 C | Repeating Façade | NOT APPLICABLE |

| | | |
|---|---|---|
| 6.05.04 | Additional Façade | NOT APPLICABLE |
| 6.05.05 | Roof Treatments | NOT APPLICABLE |
| 6.05.06 | Entryways and customer entrance | NOT APPLICABLE |
| 6.05.07 | Materials and Color | NOT APPLICABLE |
| 6.06.00 | Green Development | NOT APPLICABLE |
| 6.07.00 | Lighting | NOT APPLICABLE |
| 6.08.00 | Dumpster & Recycling | NOT APPLICABLE |
| 6.09.05 | Fences | NOT APPLICABLE |
| 6.11.00 | Signs | TO BE REVIEWED |




## Site Data

| | |
|---|---|
| Total Site Area: | 15.88 Ac., 691,857.47 s.f. |
| Existing Land Use | COR |
| Proposed Land Use | Multi-Family Residential/RPUD |
| Existing Zoning | COR-1 |
| Proposed Zoning | R-3 Residential - Multi-Family Duplex/RPUD |
| Allowable Density | 476 Units (30 du/ac.) |
| Proposed Density | 212 Units (13.35 du/ac.) |
| Allowable Bldg. Ht. | 4-Stories; 45' to eave (+Roof) |
| Proposed Bldg. Ht. | 4-Stories; 42'-6" to eave (+Roof) |

### Bldg. Lot Coverage

| | |
|---|---|
| Max. Bldg. Lot Coverage | 30.0% ; 207,557 s.f. |
| Bldg. 1 | 39,036 s.f. |
| Bldg. 2 | 27,938 s.f. |
| Maintenance Bldg. | 945 s.f. |
| Pool Bldg. | 360 s.f. |
| Proposed Bldg. Lot Cov. | 9.9% ; 68,279 s.f. |

### Preserve Area Calculations

| | |
|---|---|
| Existing Wetland: | 5.44 Ac. |
| Wetland to Remain: | 5.44 Ac. |
| Wetland to be Mitigated | .00 Ac. |
| Existing Upland: | 8.9 Ac. |
| Upland Preserve Required | 2.23 Ac. (25.0%) |
| Upland Preserve Provided | 2.97 Ac. (33.4%) |

### Parking Data

| | Required | Provided |
|---|---|---|
| Studio/1 Bedrooms (108 Units) | 162 Spaces (1.5 sp./unit) | |
| 2+ Bedrooms (104 Units) | 208 Spaces (2 sp./unit) | |
| Total Parking | 370 Spaces (1.75 sp./unit) | 343 Spaces (1.61 sp./unit) |
| Handicap Parking | 8 Spaces | 8 Spaces |

### Building Setback Data

| | Required | Provided |
|---|---|---|
| Front (East) | 25' | 80.6' |
| Rear (West-Waterside) | 25' | 320.5' |
| Side (North) | 35'* | 79.3' |
| Side Corner (South) | 15' | 338.7' |

*N. Side Setback - 25' + 10'/flr. above 1st Flr.

### Pervious/Impervious Calculations

| | |
|---|---|
| Impervious Area | 30.3% ; 211,657.47 s.f. |
| Buildings | 68,279 s.f. |
| Parking & curbs | 113,200 s.f. |
| Walks, decks & patios | 30,178.47 s.f. |
| Pervious Area | 69.4% ; 480,200 s.f. |

### Pedestrian Amenity Data

| | Required | Provided |
|---|---|---|
| Bike Racks (1 rack per 50 units (10 MAX)) | 10 (20 bikes) | 10 (20 bikes) |

### Open Space Calculations

| | |
|---|---|
| Min. Open Space Required | 30.0% ; 207,557.24 s.f. |
| Open Space Provided | 67.0% ; 463,200 s.f. |
| Total pervious area minus req'd parking lot & bldg. landscaping | 17,000 s.f. |

### Location Map




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# Bridgeview

City of Stuart, Florida

Designed: MTH
Drawn: MTH
Approved: GGG MTH EMO
Date: 1/13/20
Job no.
Revisions: 3/11/20
4/3/20

Cad no. CAD0

Seal

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Sheet Title:

Master Site Plan

Scale: 1" = 60'

Sheet No.

MP-1

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# Bridgeview

City of Stuart, Florida

Designed: MTH
Drawn: MTH
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Date: 1/15/20
Job no.
Revisions: 3/11/20
4/3/20

Cad no. CAD0

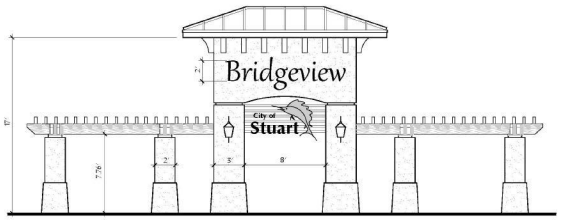
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Sheet Title:
Site Development Plan

Scale: 1" = 40'

Sheet No.
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Gateway Signage Feature



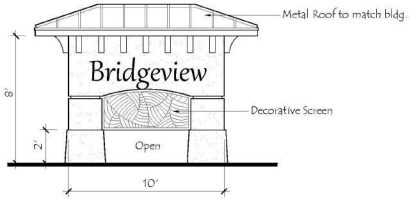
6' Ain Stix 6' Contour Bench
by Anova, or approved equal.
Textured Sandstone Seat Color &
Textured Bronze Frame Color.

Bench Seating Detail



Ain Stix 6' 45 Gal. Trash Receptacle
w/side door, curve top:
by Anova, or approved equal.
Textured Sandstone Panels and Lid Colors.
Textured Bronze Frame Color.

Trash Receptacle Detail

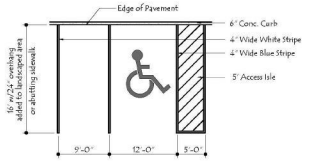



Entry Signage

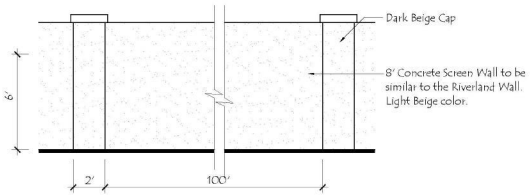


Circle Powder Coated Bike Rack
Surface Mount by Anova, or approved equal.
Textured Sandstone Color
Textured Bronze Frame Color.

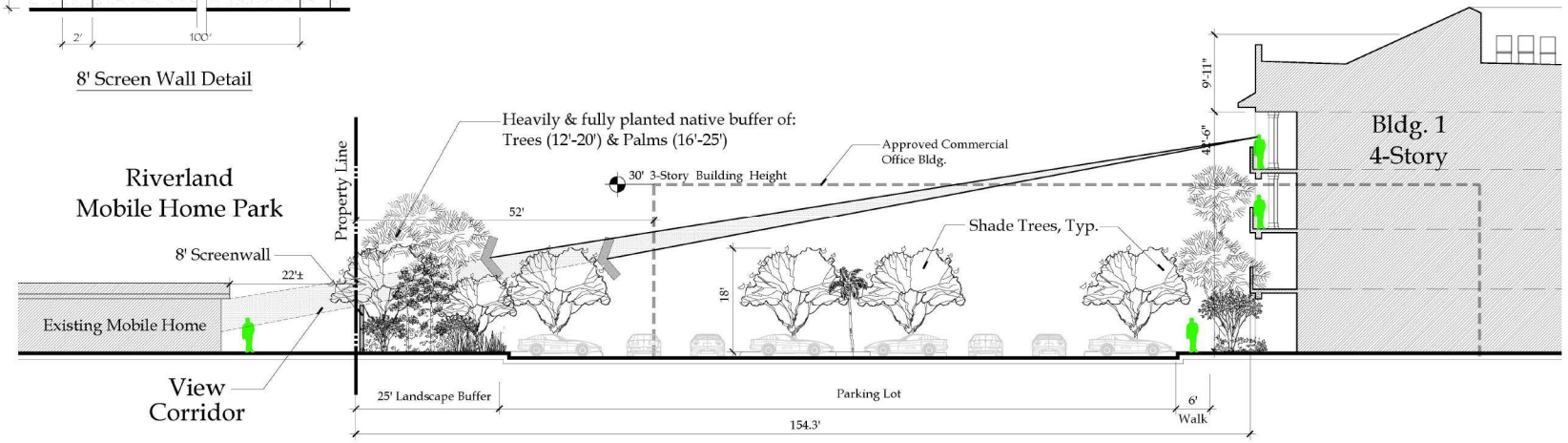
Bike Rack Detail




Typical Parking Detail




8' Screen Wall Detail




Sightline Study to Riverland Mobile Home Park
Section 'A-A'

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3/31/20

Cad no. CAD0

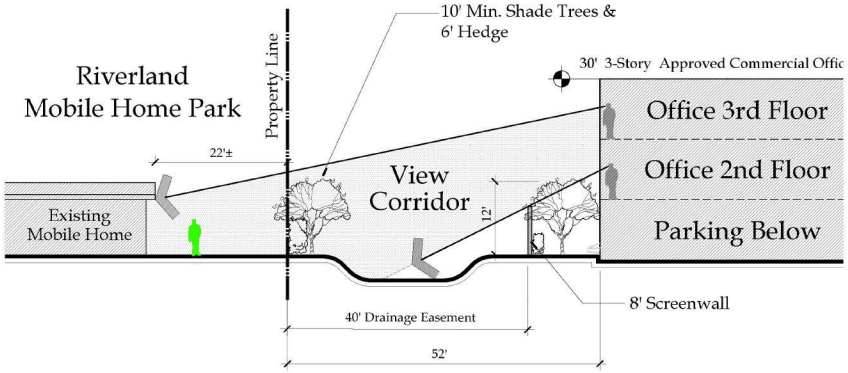
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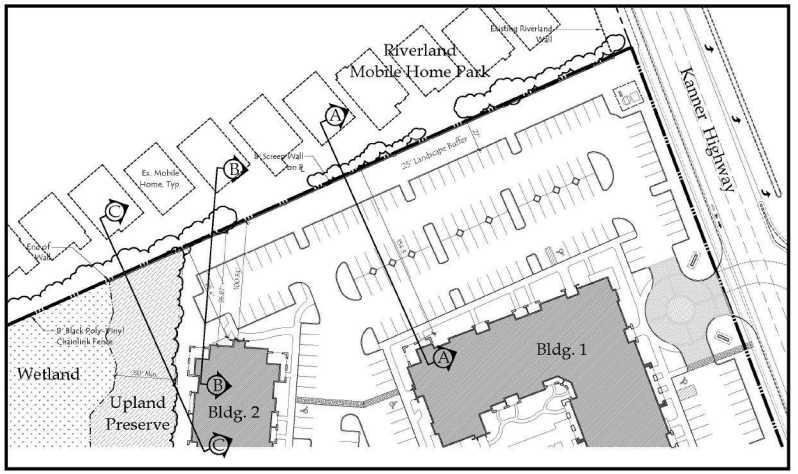
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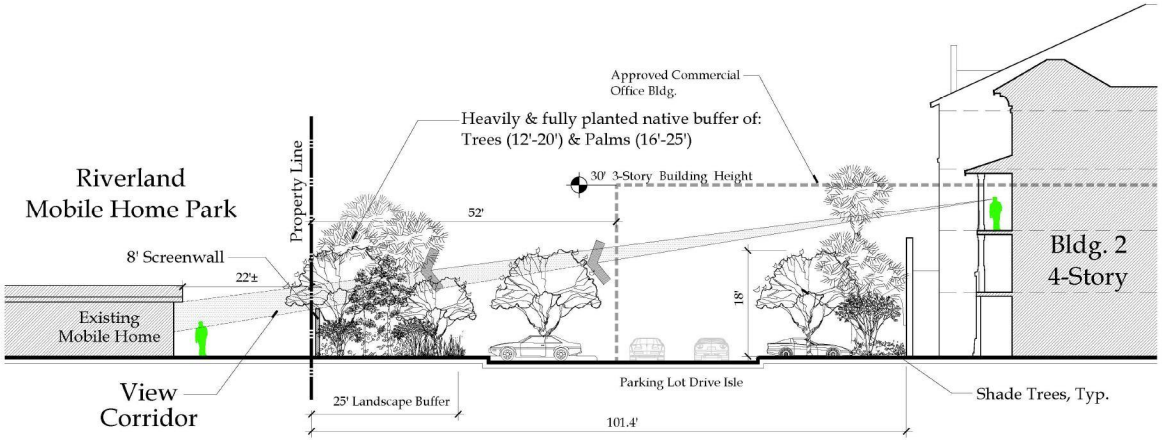
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Sightline Study of Approved 3-Story Office Building




Section-Elevation Location Map




Bldg #2 Sightline Study to Riverland Mobile Home Park - Section

Section 'B-B'

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Revisions: 4/3/20

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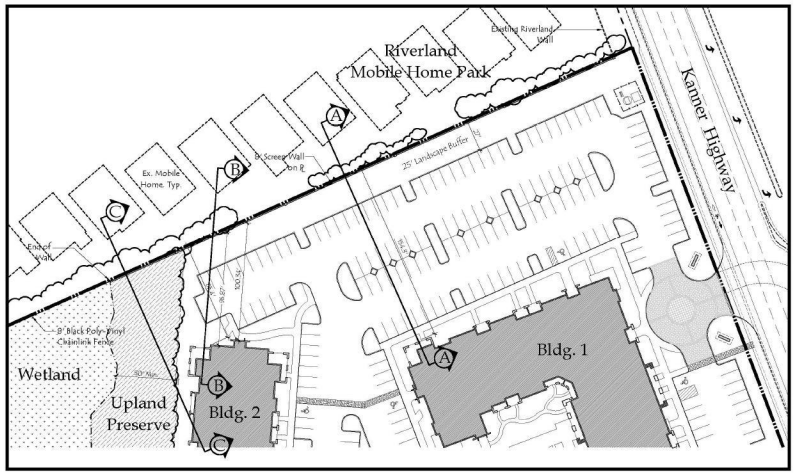
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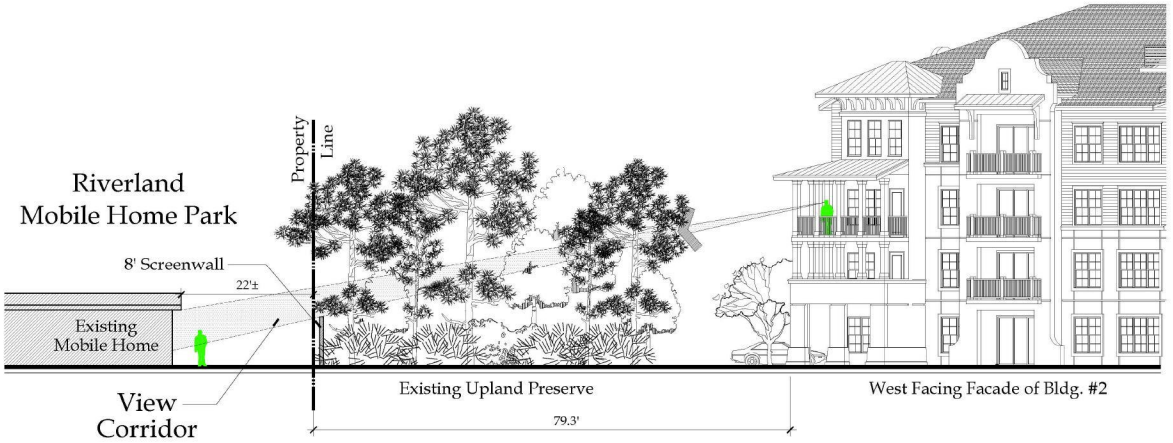
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SP-3
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Section-Elevation Location Map




Bldg #2 Sightline Study to Riverland Mobile Home Park - Section/Elevation

Section-Elevation 'C-C'

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Cad no: CAD0

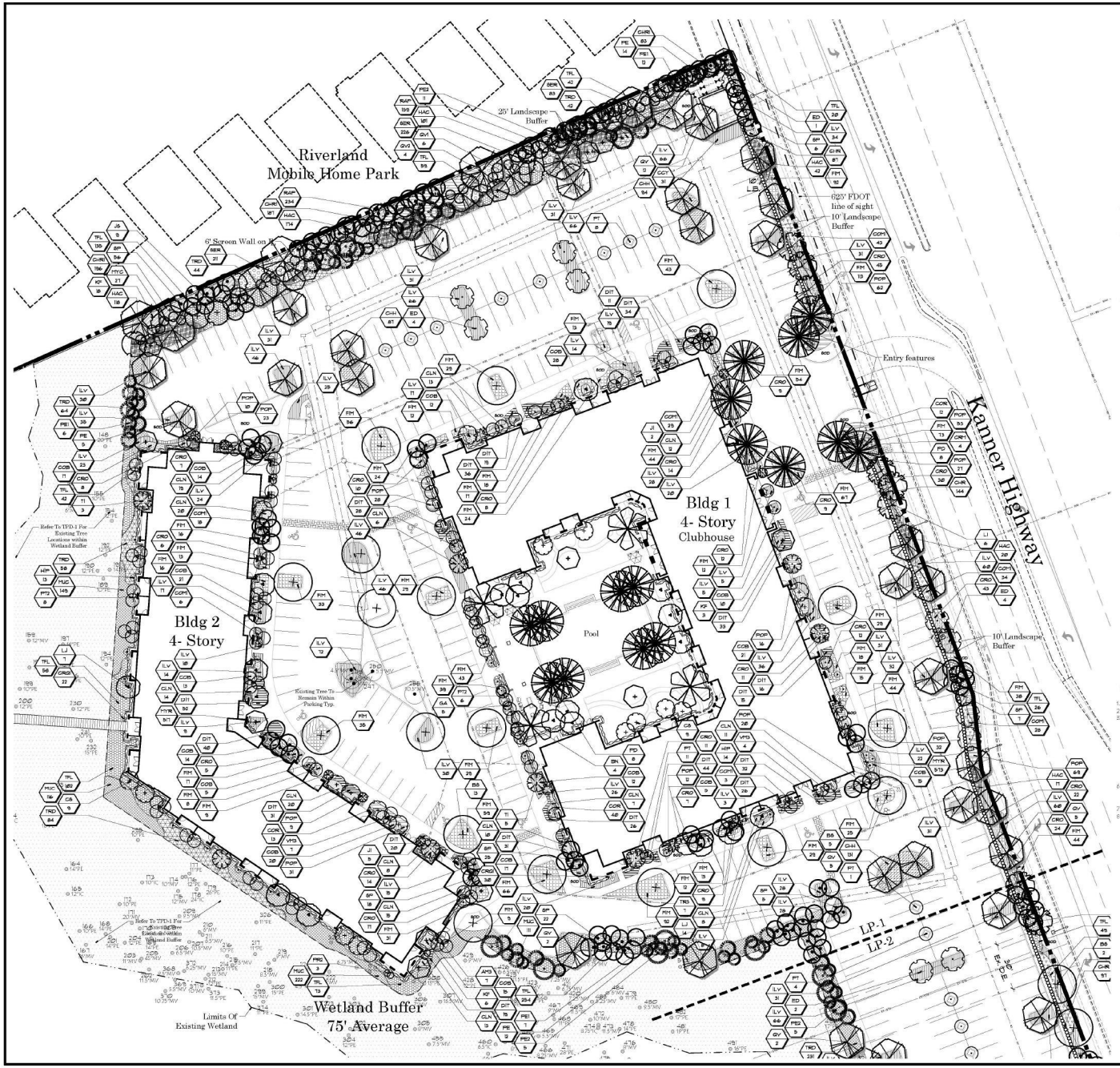
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Site Development Details

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## Landscape Data

### Misc. Data

| | |
|---|---|
| TOTAL SITE AREA | 15.969 A.C. |
| TOTAL BUILDING AREA | 68,000.0 S.F. (12.9 AR) |
| TOTAL IMPERVIOUS AREA | 211,653.42 S.F. (30.28) |

### Tree Requirements

| | |
|---|---|
| FOUNDATION TREES REQ. BLDG. #1 (1,120 L.F.) | 35 TREES (1,075 L.F.) |
| FOUNDATION TREES PROVIDED BLDG. #1 | 45 TREES (4.0 PALMS @ 2:1) |
| FOUNDATION TREES REQ. BLDG. #2 (1,130 L.F.) | 47 TREES (1,205 L.F.) |
| FOUNDATION TREES PROVIDED BLDG. #2 | 54 TREES (47 PALMS @ 2:1) |
| PARKING LOT TREES REQ. (115 ISLANDS) | 115 TREES |
| PARKING LOT TREES PROVIDED | 28 TREES (10 CLUSTERS ISLAND WITH FIRE HYDRANTS) |
| EAST LANDSCAPE BUFFER (1,130 L.F.) | 30 TREES (18 @ 2 - CLUSTERED TREES) |
| EAST LANDSCAPE BUFFER PROVIDED | 41 TREES (14 PALMS @ 2:1) |
| SOUTH LANDSCAPE BUFFER REQ. (1,150 L.F.) | 5 TREES (19 X 1.7) |
| SOUTH LANDSCAPE BUFFER PROVIDED | 13 TREES (7 PALMS @ 2:1) |
| WEST LANDSCAPE BUFFER REQ. (1,130 L.F.) | N/A |
| WEST LANDSCAPE BUFFER PROVIDED | N/A |
| NORTH LANDSCAPE BUFFER REQ. (1,150 L.F.) | 14 TREES (@ 2.9 L.F. |
| NORTH LANDSCAPE BUFFER PROVIDED | 101 TREES (38 PALMS @ 2:1) |
| EXTRA INTERIOR TREES PROVIDED | NO TREES (TRAFFICKING / INTERIOR / BUFFERS 11.1.C.) |
| TOTAL TREES REQ. | 185 TREES |
| TOTAL TREES PROVIDED | 301 TREES (Palms 2:1) |
| | *Add/Round Off Tree Towards Mitigation Credits. (Avg. Tree 12" o.a. 2.5" D.B.H. = 665 D.B.H. Inches) |

| | REQUIRED: | PROVIDED: |
|---|---|---|
| NATIVE TREE REQUIREMENT | 50% | 74.2 % (321 OUT OF 661) |
| NATIVE SHRUB & GROUNDCOVER REQUIREMENT | 50% | 74.0% (51,058 OUT OF 16,800) |
| TOTAL PERCENTAGE OF NATIVE VEG. PROVIDED | 50% | 74.2 % (71,058 OUT OF 71,987) |
| TOTAL CANOPY TREES OF REQUIRED | 50% (91 OF 185) | 265 CANOPY TREES |

## Landscape Notes:

- ALL PLANTING AREAS SHALL RECEIVE SOIL CONTAINING FROM A FULLY AUTOMATIC IRRIGATION SYSTEM, DESIGNED TO ACHIEVE 100% COVERAGE.
- IRRIGATION SHALL BE PROVIDED FROM OFF-SITE WELL.
- ALL MECHANICAL/ELECTRICAL EQUIPMENT SHALL BE SCREENED FROM VIEW ON STREETS BY SOD WITH AN APPROVED HEDGE MATERIAL. HEIGHT OF HEDGE SHALL BE EQUAL TO OR GREATER THAN THE HEIGHT OF THE UTILITY BEING SCREENED.
- CONTRACTOR SHALL PROVIDE A 3-4 SOIL MIXED BERM, MEASURE AS 1 TREE THAT ARE NOT LOCATED WITHIN A LANDSCAPE AREA.
- ALL TREES SHALL BE PLANTED A MINIMUM OF 5 FEET FROM ANY UNDERGROUND UTILITIES. TREES LOCATED TO A DEPTH OF 10'
- TO COMPLY WITH FPL'S GUIDELINES AND MUST COMPLY WITH THE FPL'S TREE TRIMMING MANUAL.
- ROOT BARRIERS SHALL BE INSTALLED FOR ALL TREES LOCATED WITHIN 5'-0" OF CURB OR DRIVEWAYS OR PUBLIC RIGHTS OF WAY.
- ALL TREES SHALL BE STAKED AND GUYED PER DETAIL ON SHEET LP-2 OF THE LANDSCAPE PLANS.
- VEGETATION REMOVAL PERMITS ARE REQUIRED PRIOR TO REMOVING, CLEARING OR TRIMMING ANY VEGETATION FROM PROPERTY LOCATED WITHIN THE CITY OF STUART.
- AT TIME OF PLANTING, ROOTBALLS SHALL BE MADE OF A MIX THAT COMPLIMENTS THE BACKFILL OF ANY SURROUNDING ON ADJACENT, OR BUILDING PROPERTIES.
- SOD AND IRRIGATION SHALL BE PROVIDED WITHIN THE RIGHT-OF-WAY BETWEEN THE SIDEWALK AND THE CURBING.
- ALL TREES LOCATED UNDER, OVER AND WITHIN 10' OF UTILITY LINES SHALL BE PLANTED IN THE MANNER PLACED SQUIRRELED.
- ALL TREES SHALL BE PLANTED A MINIMUM OF 5' FROM ANY UTILITY LINES, AND A MINIMUM OF 10' FROM ANY UTILITY POLE OR 20' FROM THE CENTER OF ANY MAINTENANCE TO POLE LINES.
- ALL PLANT MATERIAL SHALL MEET THE FLORIDA GRADES AND STANDARDS OF FL #1 OR BETTER QUALITY.
- ALL PLANT MATERIAL SHALL BE FIELD ADJUSTED TO AVOID CONFLICTS WITH LIGHT POLES AND ANY OTHER MISC. UTILITIES.

## Plant Legend

| | | |
|---|---|---|
| Southern Slash Pine | Japanese Blueberry | Dianella |
| Live Oak | Triple Montgomery Palm | Croton 'Curly Esy Red' |
| Gumbo Limbo | Alexander Palm 'Single' | Fakahatchee Grass |
| | Alexander Palm 'Double' | Cocoplum 'Horizontalis' |
| Silver Bismarck Palm | Thatch Palm 'Triple' | Croton 'Mammy' |
| | Triple Christmas Palm | Podocarpus 'Pringles' |
| Date Palm | Double roebelinii Palm | Ficus 'Green Island' |
| | Hibiscus | Croton 'Petra' |
| Purple Trumpet Tree | Crinum Lilly 'Queen Emma' | Florida Gamma Grass |
| Crape Myrtle 'Sioux' | Rubber Vine Std. | Dwarf Firebush |
| | Ti Plant 'Auntie Lou' | Cocoplum 'Red Tip' |
| Sabal Palm | Gardenia 'Miami Supreme' | Muhly Grass |
| Silver Buttonwood | Pond Apple | Ilex |
| Black Ironwood | Wax Myrtle | Saw Palmetto |
| | Leather Fern | Sand Cord Grass |
| Southern Red Cedar | Jatropha | Myrsine |
| Bald Cypress | Bougainvillea Std. 'Purple' | Dwarf Clusia |
| Red Maple 'Florida Flame' | | Simpson's Stopper |
| | | Coco Plum 'Red Tip' |
| Ligustrum | | Jamaican Caper |

## Xeriscape Requirements

| | Points Required | Points Provided |
|---|---|---|
| 1. Utilization Of Moisture sensing controller other than rain switch. | 5 | 5 |
| 2. Plan submitted with low, moderate, and high water usage zones indicated. | 5 | - |
| 3. Grass: | | |
| a. 25-50 percent of the grass areas are made up of drought tolerant grass species from the list. | 5 | 5 |
| b. 51 percent or more of the grass areas are made up of drought tolerant grass species from the list. | 10 | - |
| 4. Shrubs: | | |
| a. 25-50 percent of the required shrubs are made up of drought tolerant species from the list. | 5 | - |
| b. 51 percent or more of the required shrubs are made up of drought tolerant species from the list. | 10 | 10 |
| 5. Trees: | | |
| a. 25-50 percent of the required trees are made up of drought tolerant species from the list. | 5 | - |
| b. 51 percent or more of the required trees are made up of drought tolerant species from the list. | 10 | 10 |
| 6. Extra shade trees in vehicular use areas: | | |
| a. 25 percent more than the required shade trees planted in the vehicular use areas. | 5 | - |
| b. 50 percent more than the required shade trees planted in the vehicular use areas. | 10 | 10 |
| 7. Sod area less than 50 percent of landscape area. | 10 | - |
| 8. Utilization of compacted mulched planting beds at least three inches in depth in all planted areas except groundcover. (Use of Cypress mulch not recommended in order to protect natural cypress wetlands) | 10 | 10 |
| Total Points | 50 | 50 |

0 15 30 60 90

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# Bridgeview
City of Stuart, Florida

Designed: NRD
Drawn: BRD
Approved: GGG MTH EMG
Date: 1/11/20
Job no.
Revisions: 3/11/20
04/03/20

Cad no.: CAD#

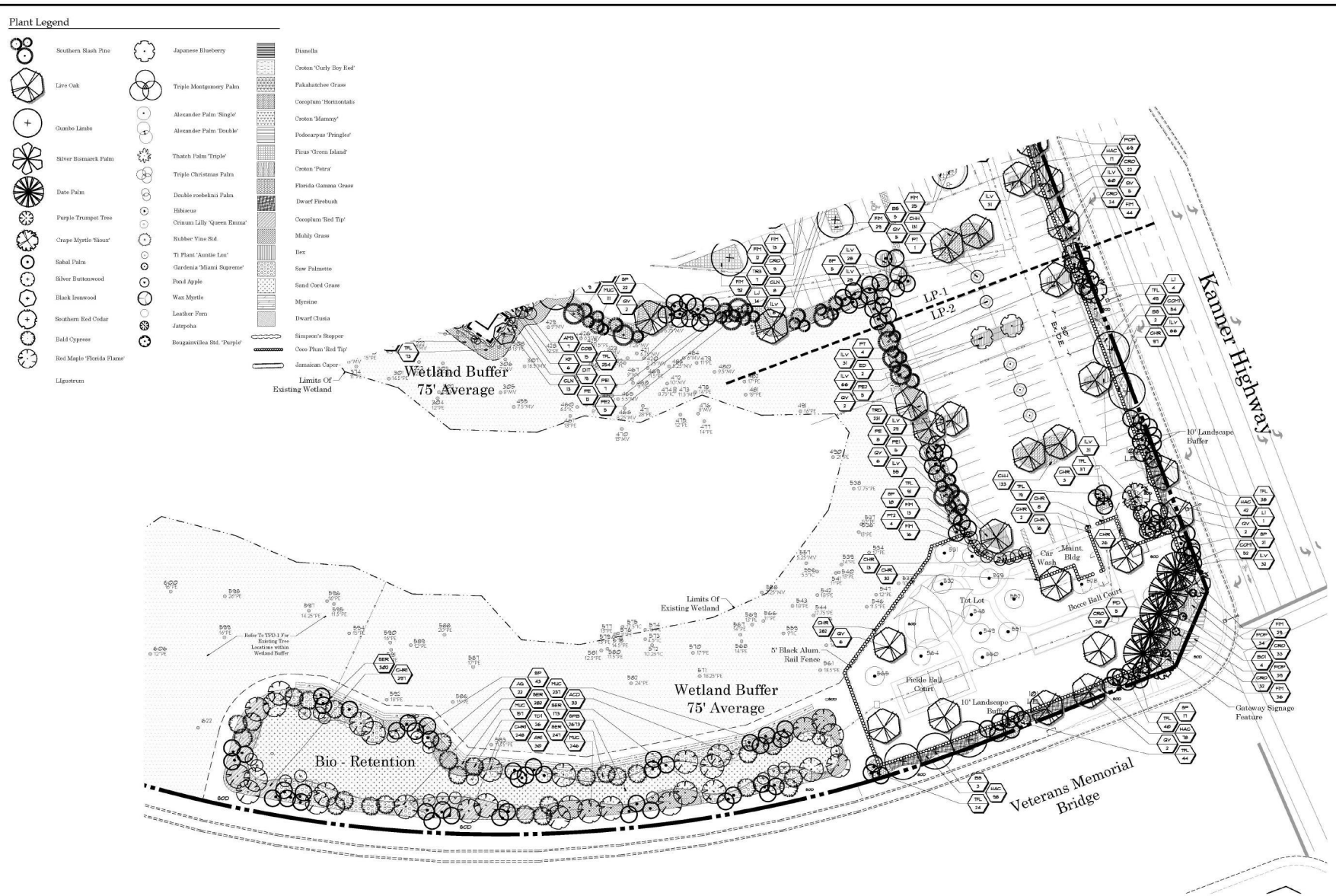
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LC C000127

Sheet Title:
Landscape Development Plan

Scale: 1" = 30'

Sheet No.
LP-1
00-0000




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561-575-9268 FAX
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# Bridgeview
City of Stuart, Florida

Designed: NRD
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Date: 1/11/20
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Seal

Digitally signed by M. Troy Holloway
Date: 2020.04.06 15:54:59 -04'00'
LC C000127

Sheet Title:
Landscape Development Plan

Scale: 1" = 30'

Sheet No.
LP-2
00-0000

# Plant List

**TREES**

| KEY | QTY. | BOTANICAL NAME | COMMON NAME | HEIGHT | SPREAD | CALIPER | SPACING | D.T. | NATIVE | REMARKS |
|---|---|---|---|---|---|---|---|---|---|---|
| ABT | 30 | ACER BUBRUM 'FLORIDA FLAME' | FLORIDA FLAME MAPLE | 12 FT. | 6'-7' | 2" MIN. | A.S. | M | N | FULL & THICK, 3' CLEAR TRUNK |
| AG | 22 | ANNONA GLABRA | POND APPLE | 6-8' | 4-5' | 1.5" | A.S. | L | Y | FULL & THICK |
| BU1 | 4 | BUCHANANIA LUCIDA 'RENWYTH' | HUMPUL (AUSTRALIA) LA STANDARD | 6-7 FT. STANDARD | 3 FT. O.A. | | A.S. | | | FULL & THICK, 10' STANDARD |
| BS | 23 | BURSERA SIMARUBA | GUMBO LIMBO | 12' | 7-9' | 2" MIN. | A.S. | V | Y | 3 PC'T. MIN. FULL SPECIMEN |
| CS | 16 | CONOCARPUS ERECTUS 'SERICEUS' | SILVER BUTTONWOOD | 12' | 6 FT. | 3.5 IN. | A.S. | | | FULL STANDARD, 3' C.T. |
| ED | 11 | ELAEOCARPUS DECIPIENS | JAPANESE BLUEBERRY | 12' | 5-6' | 2.5" | A.S. | L | N | FULL & THICK TO GROUND, CONE SHAPED, MATURE, FULL FOLIAGE |
| GA | 5 | GARDENIA AUGUSTA 'MAMI SUPREME' | MAMI SUPREME GARDENIA | 4' | 3' | - | A.S. | L | N | FULL STANDARD |
| JI | 7 | JATROPHA INTEGERRIMA | JATROPHA | 4' | 3-4 FT. | - | A.S. | L | N | FULL DENSE CANOPY, STANDARD |
| JS | 9 | JUNIPER VIRGINIANA SILICICOLA | SOUTHERN RED CEDAR | 12 FT. | 6-7' | HEAVY | A.S. | V | Y | FULL & THICK TO BASE |
| MF | 27 | MYRSINE GUADENSIS FERRUGM | BLACK IRONWOOD | 12' | 5-6' | 2" MIN. | A.S. | L | N | FULL DENSE CANOPY |
| LI | 11 | LAGERSTROMIA INDICA 'SIOUX' | CRAPE MYRTLE | 12' | 6-7' | 2.5" | A.S. | M | N | FULL DENSE CANOPY - MULTI TRUNK |
| LJ | 21 | LIGUSTRUM JAPONICUM | WAX PRIVET | 12' | 5-10' | MULTI | A.S. | M | N | FULL DENSE CANOPY, MATCHED |
| PE2 | 21 | PINUS ELLIOTTII DENSA | SOUTH FLORIDA SLASH PINE | 16' | 6-7' | | A.S. | V | Y | FULL THICK CANOPY |
| PE1 | 30 | PINUS ELLIOTTII DENSA | SOUTH FLORIDA SLASH PINE | 14' | 6-7' | | A.S. | V | Y | FULL THICK CANOPY |
| PE | 39 | PINUS ELLIOTTII DENSA | SOUTH FLORIDA SLASH PINE | 12' | 4-5' | | A.S. | V | Y | FULL THICK CANOPY |
| QV | 42 | QUERCUS VIRGINIANA | LIVE OAK | 12' | 7-9' | 2.5" | A.S. | V | Y | FULL & THICK, FLAT |
| QV2 | 4 | QUERCUS VIRGINIANA | LIVE OAK | 20' | 12' | 4" | A.S. | V | Y | 2 Min Oak Trunk - Full Dense Canopy - Flat |
| QV1 | 6 | QUERCUS VIRGINIANA | LIVE OAK | 16' | 9-10' | 3.5" | A.S. | V | Y | 3 PC'T. MIN. FULL SPECIMEN, FLAT CROWN, DENSE CANOPY, MATCHED SPECIMENS |
| TI | 6 | TABEBUIA IMPETIGINOSA | PURPLE TRUMPET | 12' | 5-6' | 1.5" | A.S. | M | N | FULL & THICK CANOPY |
| TD1 | 26 | TAXODIUM DISTICHUM | BALD CYPRESS | 6'-10'-12' | 5-6' | | A.S. | L | Y | FULL THICK CANOPY STAGGER HEIGHTS |

**PALMS**

| KEY | QTY. | BOTANICAL NAME | COMMON NAME | HEIGHT | SPREAD | CALIPER | SPACING | D.T. | NATIVE | REMARKS |
|---|---|---|---|---|---|---|---|---|---|---|
| AM2 | 1 | ADONIDIA MERRILLII | CHRISTMAS PALM TRIPLE | 9' | G.W. | TRIPLE | A.S. | L | N | FULL & THICK, TRIPLE TRUNK, SLIM FREE |
| BN | 4 | BISMARCKIA NOBILIS 'SILVER SELECT' | BISMARCK PALM | 9' | G.W. | - | A.S. | M | N | FULL & THICK, MATCHED SPECIMEN SCAR FREE |
| PD | 23 | PHOENIX DACTYLIFERA 'MEDJOOL' | MEDJOOL DATE PALM | 12 | G.W. | HEAVY | A.S. | M | N | FULL & THICK, SPECIMEN, MATCHED SCAR FREE |
| PR2 | 3 | PHOENIX ROEBELENII | DOUBLE PYGMY DATE PALM | 5-6' | O.A. | DOUBLE | A.S. | M | N | FULL & THICK DOUBLE TRUNK |
| PT2 | 16 | PTYCHOSPERMA ELEGANS | ALEXANDER PALM DOUBLE | 9' | G.W. | DOUBLE | A.S. | M | N | FULL, DOUBLE TRUNK, MATCHED HEIGHTS SCAR FREE |
| PT | 24 | PTYCHOSPERMA ELEGANS | ALEXANDER PALM SINGLE | 9' | G.W. | SINGLE | A.S. | M | N | FULL, SINGLE TRUNK SCAR FREE |
| SP | 240 | SABAL PALMETTO | SABAL PALM | 14-22' | C.T. | | A.S. | V | Y | STAGGER HEIGHTS IN GROUPS, NURDURE CUT |
| TR3 | 7 | THRINAX RADIATA | FLORIDA THATCH PALM TRIPLE | 5-6' | O.A. | TRIPLE | A.S. | V | Y | FULL & THICK, TRIPLE, MATCHED HEIGHTS |
| WM1 | 11 | WEDYCIA MONTGOMERYANA | MONTGOMERY PALM TRIPLE | 10' | G.W. | TRIPLE | A.S. | M | N | FULL & THICK, TRIPLE, MATCHED HEIGHTS |

**ACCENTS**

| KEY | QTY. | BOTANICAL NAME | COMMON NAME | HEIGHT | SPREAD | GAL. | SPACING | D.T. | NATIVE | REMARKS |
|---|---|---|---|---|---|---|---|---|---|---|
| ACD | 33 | ACROSTICHUM DANAEIFOLIUM | LEATHER FERN | 30" | 30" | | A.S. | L | Y | FULL TO BASE |
| CW | 90 | CORDYLINE FRUTICOSA 'AUNTIE LOU' | AUNTIE LOU TI PLANT | 2' | O.A. | #5 | A.S. | M | N | FULL TO BASE, 5 PP.P. |
| CRG1 | 52 | CRINUM ASIATICUM 'QUEEN EMMA' | QUEEN EMMA CRINUM | 30" | 30" | | A.S. | M | N | FULL, 1 PP.P. |

**SHRUBS**

| KEY | QTY. | BOTANICAL NAME | COMMON NAME | HEIGHT | SPREAD | GAL. | SPACING | D.T. | NATIVE | REMARKS |
|---|---|---|---|---|---|---|---|---|---|---|
| CO1 | 51 | CAPPARIS CYNOPHALLOPHORA | JAMAICA CAPER | 24" | 18" | #3 MIN | 2' O.C. | V | Y | FULL & THICK TO BASE |
| CHR1 | 1811 | CHRYSOBALANUS ICACO 'RED TIP' | RED TIP COCOPLUM | 24" | 18-36 | #5 | 2' O.C. | V | Y | FULL & THICK TO BASE |
| CHR | 710 | CHRYSOBALANUS ICACO 'RED TIP' | RED TIP COCOPLUM | 24" | 18" | #3 MIN | 2' O.C. | V | Y | FULL TO BASE |
| CLN | 178 | CLUSIA ROSEA 'NANA' | MINIATURE YELLOW APPLE | 10 IN. | 10 IN. | | 2' O.C. | | | FULL & THICK TO BASE |
| COB | 259 | CODIAEUM VARIEGATA CURLY BOY 'RED' | CROTON CURLY BOY 'RED' | 24" | 15" | #3 | 2' O.C. | M | N | FULL TO BASE |
| COM1 | 267 | CODIAEUM VARIEGATUM 'MAMMEY' | MAMMEY CROTON | 24 IN. | 18 IN. | #3 | 2' O.C. | M | N | FULL TO BASE |
| CRO | 410 | CODIAEUM VARIEGATUM 'PETRA' | PETRA CROTON | 22" | 20" | #3 | 2' O.C. | M | N | FULL & THICK TO BASE |
| DT | 510 | DIANELLA TASMANICA | BLUEBERRY FLAX LILY | 14" | 12" | #1 | 1.5' O.C. | M | N | FULL DENSE CLUMP |
| HAC | 699 | HAMELIA PATENS 'COMPACTA' | DWARF FIREBUSH | 30 IN. | 18 IN. | | 2' O.C. | | | FULL TO BASE |
| HP | 27 | HIBISCUS SP. 'PINK' | PINK HIBISCUS | 5' | 5' | #25 | AS | L | N | FULL DENSE CANOPY SPECIMEN STD. |
| ILV | 1801 | ILEX VOMITORIA 'STOKES DWARF' | STOKES DWARF | 12 IN | 12 IN | #5 | 2' O.C. | V | Y | FULL & THICK TO BASE |
| MUC | 1238 | MUHLENBERGIA CAPILLARIS | MUHLY GRASS | 24" | 24" | #3 | 2' O.C. | V | Y | FULL DENSE CLUMP |
| MYP | 1238 | MYRCIANTHES FRAGRANS | SIMPSON'S STOPPER | 24" | 15" | #3 MIN | 2' O.C. | V | Y | FULL TO BASE |
| MYC | 27 | MYRICA CERIFERA | WAX MYRTLE | 6' | 4-5' | #65 | A.S. | V | Y | FULL & THICK TO BASE, TO BE USED AS SCREENING MATERIAL |
| POP | 465 | PODOCARPUS MACROPHYLLUS 'PRINGLES' | DWARF PODOCARPUS | 14 IN | 12 IN | #3 | 2' O.C. | L | N | FULL & THICK TO BASE |
| RAP | 593 | RAPHIA PUNCTATA | MYRSINE | 20" | 15" | #5 | 2' O.C. | V | Y | FULL & THICK TO BASE |
| SER | 1524 | SERENOA REPENS | SAW PALMETTO | 24" | 24" | #3 | 2' O.C. | V | Y | FULL & THICK TO BASE |
| SPB | 3973 | SPARTINA BAKERI | SAND CORDGRASS | 12" | | #3 BARE ROOT | 2' O.C. | V | Y | BARE ROOT INSTALLATION |
| TRD | 533 | TRIPSACUM DACTYLOIDES | FAKAHATCHEE GRASS | 24" | 22" | #5 | 2' O.C. | V | Y | FULL DENSE CLUMP |
| TFL | 1153 | TRIPSACUM FLORIDANA | FLORIDA GAMMA GRASS | 18 IN | 18 IN | #3 | 2.5' O.C. | V | Y | FULL DENSE CLUMP |

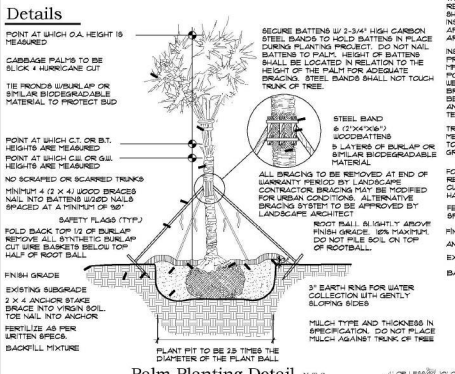
**VINES**

| KEY | QTY. | BOTANICAL NAME | COMMON NAME | HEIGHT | SPREAD | GAL. | SPACING | D.T. | NATIVE | REMARKS |
|---|---|---|---|---|---|---|---|---|---|---|
| CRM | 6 | CRYPTOSTEGIA GRANDIFLORA ROSEA | RUBBER VINE | 5' | 4'5' | #25 | A.S. | L | N | STANDARD FULL DENSE CANOPY |

**GROUNDCOVER**

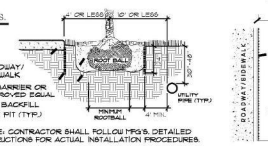
| KEY | QTY. | BOTANICAL NAME | COMMON NAME | HEIGHT | SPREAD | GAL. | SPACING | D.T. | NATIVE | REMARKS |
|---|---|---|---|---|---|---|---|---|---|---|
| CHH | 465 | CHRYSOBALANUS ICACO 'HORIZONTAL' | HORIZONTAL COCOPLUM | 18" | 24" | #3 | 2' O.C. | M | Y | FULL & THICK TO BASE |
| FIM | 1598 | FICUS MICROCARPA 'GREEN ISLAND' | GREEN ISLAND FICUS | 12 IN | 12 IN | #3 | 2' O.C. | M | N | FULL & THICK TO BASE |

# Details

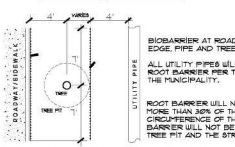



## Palm Planting Detail N.T.S.

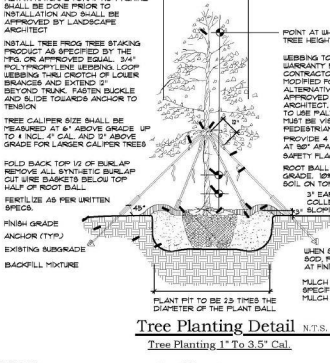
Tree Planting Over 3.5" Cal.




## Tree Root Barrier Section N.T.S.

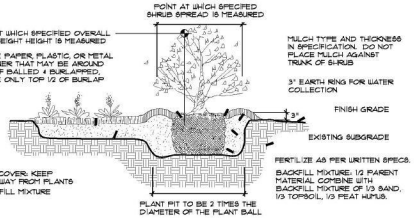



## Tree Root Barrier Plan N.T.S.

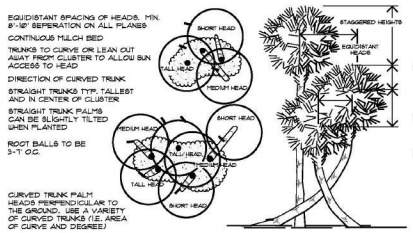



## Tree Planting Detail N.T.S.

Tree Planting 1" To 3.5" Cal.




## Shrub & Ground Cover Planting Detail N.T.S.




## Typical Cabbage Palm Layout N.T.S.

# Specifications - Exterior Plants

1.4: QUALITY ASSURANCE:

SOIL ANALYSIS SHALL BE CONDUCTED BY THE LANDCAPE CONTACTOR PRIOR TO APPLICATION OF ANY SOIL AMENDMENTS, FERTILIZERS AND BACKFILL MIXTURES. THE LANDSCAPE CONTACTOR SHALL USE A QUALIFIED SOIL TESTING LABORATORY.

THE RESULT OF THE SOIL TESTS SHALL BE SUBMITTED TO THE OWNER AND LANDSCAPE ARCHITECT FOR REVIEW PRIOR TO THE APPLICATION OF SAID MATERIALS. ADJUSTMENTS TO THE SOIL AMENDENTS MAY BE MADE UPON CONSULTAION WITH THE OWNER AND THE LANDSCAPE ARCHITECT.

1.5: DELIVERY, STORAGE AND HANDLING:

PRUNING OF TREES SHALL BE DONE ON SITE AFTER PLANTING FOR DAMAGED LIMBS OR AS DIRECTED TO IMPROVE OVERALL PLANT APPEARANCE. DO NOT REMOVE MORE THAN 15% OF BRANCHES. PRUNING METHODS SHALL FOLLOW STANDARD HORTICULTURAL PRACTICES USING APPROPRIATE TOOLS. LOPPING, SHEARING OR TOPPING OF PLANT MATERIAL WILL BE GROUNDS FOR REJECTION. DAMAGED, SCARRIED, FRAYED, SPLIT OR SKINNED BRANCHES, LIMBS OR ROOTS TO BE PRUNED BACK TO LIVE WOOD. THE CENTRAL LEADER OR BUD SHALL BE LEFT INTACT UNLESS SEVERELY DAMAGED.

PRUNE SHRUBS TO REMOVE DAMAGED BRANCHES, IMPROVE NATURAL SHAPE, THIN OUT STRUCTURE AND REMOVE NOT MORE THAN 15% OF BRANCHES.

1.6: WARRANTY:

WARRANT ALL PLANT MATERIAL FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF FINAL ACCEPTANCE AGAINST DEATH AND UNHEALTHY CONDITION, EXCEPT AS MAY RESULT FROM NEGLECT BY OWNER, DAMAGE BY OTHERS AND UNUSUAL PHENOMENA BEYOND CONTRACTOR'S CONTROL. REPLACEMENTS SHALL BE MADE WITH COMPATIBLE SIZE AND QUALITY OF MATERIAL AT A TIME REQUESTED OR ACCEPTABLE BY THE OWNER OR LANDSCAPE ARCHITECT. PLANT MATERIAL REJECTED DURING THE COURSE OF CONSTRUCTION SHALL BE REMOVED WITHIN FIVE (5) WORKING DAYS AND REPLACED BEFORE THE FINAL INSPECTION FOR COMPLETION WILL BE SCHEDULED. WARRANTY ON REPLACEMENT PLANTS SHALL BE 1 YEAR FROM THE DATE OF FINAL ACCEPTANCE OF THE REPLACEMENTS. ANY DAMAGE TO LANDSCAPE, IRRIGATION OR SEEDED AREAS DURING REPLACEMENT OF PLANT MATERIAL SHALL BE CORRECTED BY THE LANDSCAPE CONTRACTOR.

1.7: MAINTENANCE SERVICE:

MAINTENANCE AND GENERAL CLEAN UP SHALL BE PERFORMED DAILY. MAINTENANCE SHALL INCLUDE BUT NOT BE LIMITED TO WATERING, WEEDING, CULTIVATING, RESTORATION OF GRADE, REMOVAL OF LITTER, MOWING, PRUNING, RESETTING SETTLED PLANTS, REMOVING, REPAIRING OR REPLACING STAKES AND GUYS, PROTECTION FROM INSECTS AND DISEASES, FERTILIZATION AND SIMILAR OPERATIONS AS NEEDED TO ENSURE NORMAL GROWTH AND HEALTHY PLANT MATERIAL. MAINTENANCE SHALL BEGIN AFTER EACH PLANT IS PLANTED AND SHALL CONTINUE FOR NINETY (90) DAYS FROM THE DATE OF FINAL ACCEPTANCE.

1.8: QUANTITIES, LOCATION AND SUBSTITUTIONS:

THE QUANTITIES OF PLANT MATERIALS SHOWN ON PLANS SHALL TAKE PRECEDENCE OVER THE PLANT QUANTITIES ON THE PLANT LIST. THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO ADJUST THE NUMBER AND LOCATIONS OF THE DESIGNATED TYPES AND SPECIES OF PLANTS TO BE USED AT ANY OF THE LOCATIONS SHOWN. THE OWNER SHALL RECEIVE A CREDIT OR DEBIT FOR THE UNIT PRICE OF THE PLANT MATERIAL. NO SUBSTITUTION OF PLANT MATERIAL TYPES, SPECIFICATIONS OR SIZES WILL BE PERMITTED WITHOUT WRITTEN AUTHORIZATION FROM THE LANDSCAPE ARCHITECT. THE OWNER AND/OR LANDSCAPE ARCHITECT RESERVES THE RIGHT TO NOT ACCEPT PLANT MATERIAL THAT DOES NOT, IN THE OPINION OF THE OWNER AND/OR LANDSCAPE ARCHITECT, MEET THE SPECIFICATIONS HEREIN.

2.1: PLANT MATERIAL:

2.2:

2.3: PROVIDE SIZES AND SPECIFICATIONS OF PLANTS AS SHOWN ON PLANS OR LISTED ON PLANT LIST. ALL TREES, PALMS, SHRUBS, GROUND COVERS AND OTHER PLANTS SHALL CONFORM TO THE STANDARD OF FLORIDA NO. 1 OR BETTER AS GIVEN IN THE LATEST EDITION OF GRADES AND STANDARDS FOR NURSERY PLANTS BY FLORIDA DEPARTMENT OF AGRICULTURE, PART I AND II. PLANT MATERIAL SHALL ALSO CONFORM TO THE AMERICAN ASSOCIATION OF NURSERYMEN, INC. (ANSI) BULLETIN Z 60.1 - 1990 AND AS REVISED.

SPECIMEN PLANTS SHALL BE FLORIDA FANCY OR BETTER AND SHALL CONFORM TO THE LITERATURE STANDARDS LISTED ABOVE.

2.4: TOP SOIL:

TOPSOIL SHALL BE FRIABLE FERTILE SOIL WITH REPRESENTATIVE CHARACTERISTICS OF AREA SOILS. IT SHOULD BE FREE OF HEAVY CLAY, SILT, STONE, EXCESS LIME, SHELL ROCK, PLANT ROOTS, WEEDS, DEBRIS OR OTHER FOREIGN MATTER. IT SHALL NOT CONTAIN NOXIOUS PLANT GROWTH (SUCH AS BERMUDA, TORPEDO OR NUT GRASS). IT SHALL TEST BETWEEN THE PH RANGE OF 5.0 TO 7.0 UNLESS OTHERWISE SPECIFIED AND CONTAIN NO TOXIC RESIDUE OR SUBSTANCES THAT WOULD ENDANGER PLANT GROWTH. IF TOPSOIL IS NOT AVAILABLE ON SITE, IT SHALL BE IMPORTED FROM LOCAL SOURCES WITH SIMILAR SOIL CHARACTERISTICS TO THAT FOUND AT PROJECT SITE. OBTAIN TOPSOIL ONLY FROM NATURALLY, WELL-DRAINED SITES WHERE TOPSOIL OCCURS IN A DEPTH NOT LESS THAN 4".

2.5: INORGANIC SOIL AMENDMENTS:

SAND SHALL BE CLEAN, SALT-FREE AND CONTAINING NO EXTRANEOUS MATTER.

MYCORRHIZAL AMENDMENT SHALL BE DIEHARD™ TRANSPLANT AS MANUFACTURED BY HORTICULTURAL ALLIANCE OR EQUAL TO WITH THE FOLLOWING INGREDIENTS:

ENDOMYCORRHIZAL FUNGI
ECTOMYCORRHIZAL FUNGI
BENEFICIAL BACTERIA
HUMIC ACID
SOLUBLE SEA KELP
AMINO ACIDS
HORTA-SORB WATER MANAGEMENT GEL
TRICHODERMA
YUCCA PLANT EXTRACTS
VITAMIN B COMPLEX

2.6: ORGANIC SOIL AMENDMENTS:

PEAT HUMUS SHALL BE DECOMPOSED PEAT WITH NO IDENTIFIABLE FIBERS OR IF AVAILABLE, MUCK MAY BE SUBSTITUTED AND SHALL BE FREE FROM STONES, EXCESSIVE PLANT ROOTS, DEBRIS OR OTHER FOREIGN MATTER. MUCK SHALL NOT BE OVERLY SATURATED WITH WATER.

2.7: FERTILIZATION:

PROVIDE FERTILIZER UNIFORM IN COMPOSITION, DRY, AND IN A FREE FLOWING CONDITION FOR APPLICATION BY SUITABLE EQUIPMENT, AND DELIVER IN UNOPENED BAGS OR CONTAINERS, EACH FULLY LABELED.

FERTILIZE TREES, SHRUBS AND GROUND COVERS WITH "MILORGANITE" OR AN APPROVED COMPLETE FERTILIZER. APPLY "MILORGANITE" IN A CIRCLE AROUND THE PLANT BEFORE MULCHING. DO NOT TOUCH THE PLANT WITH THE FERTILIZER. WATER IN FERTILIZER AFTER MULCHING. APPLY MILORGANITE" FERTILIZER AT THE FOLLOWING RATE:

5.00 LBS. OR 14.5 CUPS / PALMS
3.00 LBS. OR 8.70 CUPS / 12-16' MATERIAL
2.00 LBS. OR 5.80 CUPS / 8-12' MATERIAL
0.69 LBS OR 2.00 CUPS / 6-8' MATERIAL
0.19 LBS OR 1/2 CUP / 3 GAL MATERIAL
0.10 LBS. OR 1/4 CUP / 1 GAL MATERIAL

2.8: MULCHES:

MULCH TO BE APPLIED TO ALL PLANTING BEDS, 3" THICK MIN.
PINE STRAW MULCH SHALL BE APPLIED ONLY TO THOSE AREAS AS INDICATED ON THE PLAN. APPLY 6" FLUFFED, 2-3" THICK AFTER COMPACTION.

2.10: PLANTING SOIL MIX:

BACKFILL MIXTURE: 1/2 PARENT SOIL, 1/2 MIXTURE (1/3 SAND, 1/3 TOPSOIL, 1/3 PEAT HUMUS).

3.1: PLANTING BED ESTABLISHMENT:

PREPARATION: PRIOR TO THE INSTALLATION OF PLANTS, THE SITE SHALL BE FREE OF WEEDS, GRASS, SOD, DEBRIS, ROCKS OR OTHER MATERIAL MAKING THE SITE UNPLANTABLE. FOR FINAL ACCEPTANCE ALL PLANTED AREAS SHALL BE WEED FREE.

FINISH GRADING: THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE INSTALLATION AND GRADING OF TOPSOIL. IF NECESSARY, WITH THE GENERAL CONTRACTOR, TO INSURE THE SITE IS AT FINISH GRADE PRIOR TO INSTALLING PLANTS.

3.2: PLANTING TREES:

LAYOUT PLANTS ACCORDING TO LANDSCAPE PLANS. IF A CONFLICT ARISES AS TO THE LOCATION, SPACING OR OTHER CONFLICT, CONTACT THE LANDSCAPE ARCHITECT IMMEDIATELY.

EXCAVATE PIT TO TWO AND ONE-HALF (2 1/2) TIMES THE DIAMETER OF TREE BALL AND NOT LESS THAN 6" DEEPER. COMPACT A LAYER OF BACKFILL MIXTURE IN PIT TO LOCATE COLLAR OF PLANT PROPERLY IN A SLIGHTLY DISHED FINISH GRADE. BACKFILL AROUND BALL WITH BACKFILL MIXTURE, COMPACTED TO ELIMINATE VOIDS AND AIR POCKETS, WATERING THOROUGHLY AS LAYERS ARE PLACED. BUILD 3" HIGH BERM OF SOIL BEYOND EDGE OF EXCAVATION. APPLY FERTILIZER AS SPECIFIED AND THEN MULCH WITH THE TYPE AND THICKNESS SPECIFIED ON PLANT LIST.

GUY AND STAKE TREES, LESS THAN 3.5" IN CALIPER, IN FOUR DIRECTIONS WITH "ARBORBRACE" NYLON TREE GUYING KIT WITH HARDENED NYLON ANCHOR AND 3/4" 800 LB. POLYPROP UV WEBBING, MODEL (ATG-R) OR APPROVED EQUAL. STAKE TREES IMMEDIATELY AFTER PLANTING. FOR MULTI-TRUNK PLANT MATERIAL, ATTACH GUYS TO FOUR (4) LARGEST LIMBS. CARE MUST BE TAKEN NOT TO MAKE GUYS TOO TIGHT. FOR TREES 3.5" IN CALIPER AND OVER, TREES MUST BE STAKED WITH WOOD 2X4 METHOD. FOLLOW PALM STAKING DETAIL FOR REQUIREMENTS. THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO ELIMINATE GUYING OR STAKING. THE OWNER SHALL RECEIVE A CREDIT OR DEBIT FOR THE UNIT PRICE OF THE GUYING OR STAKING. THE LANDSCAPE CONTRACTOR SHALL REMOVE BRACING IN ONE YEAR.

3.2: PLANTING SHRUBS:

EXCAVATE PITS OR TRENCH TWO (2) TIMES DIAMETER OF BALLS OR CONTAINERS, AND 3" DEEPER THAN REQUIRED FOR POSITIONING AT PROPER HEIGHT. COMPACT A LAYER OF BACKFILL MIXTURE IN BOTTOM BEFORE PLACING PLANTS. CONTAINER GROWN MATERIALS SHALL BE PLANTED WITH 48 HOURS AFTER DELIVERY TO SITE. PLACE PLANT IN PIT AND BACKFILL AROUND PLANTS WITH BACKFILL MIXTURE, COMPACTED TO ELIMINATE VOIDS AND AIR POCKETS. WATER THOROUGHLY AS LAYERS ARE PLACED. FORM A 3" HIGH BERM OF SOIL BEYOND THE EDGES OF EXCAVATION. APPLY FERTILIZER AS SPECIFIED AND THEN MULCH WITH THE TYPE AND THICKNESS SPECIFIED ON PLANT LIST, LIFTING PLANT FOLIAGE ABOVE MULCH. MULCH SHALL BE SPREAD BEFORE PLANTING PLANTS IN POTS LESS THAN 1 GALLON SIZE (4", LINERS, ETC.).

3.4: PLANTING GROUNDCOVERS:

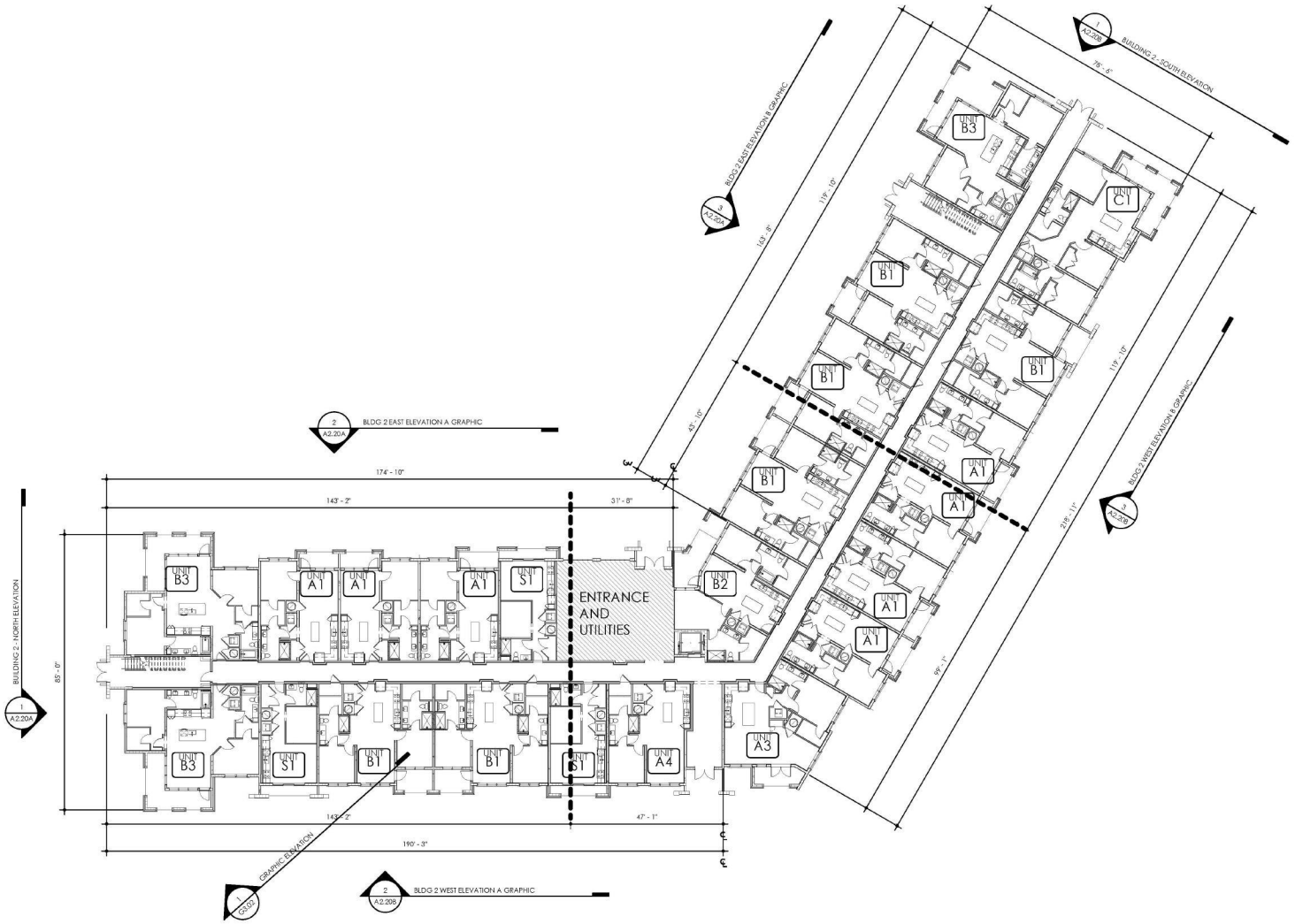
LOOSEN SUBGRADE TO DEPTH OF 4" IN AREAS WHERE TOPSOIL HAS BEEN STRIPPED, AND SPREAD BACKFILL MIXTURE.

SPACE PLANTS AS OTHERWISE INDICATED. DIG HOLES LARGE ENOUGH TO ALLOW FOR SPREADING OF ROOTS. COMPACT BACKFILL TO ELIMINATE VOIDS, AND LEAVE GRADE SLIGHTLY DISHED AT EACH PLANT. WATER THOROUGHLY. APPLY FERTILIZER AS SPECIFIED AND THEN MULCH WITH THE TYPE AND THICKNESS SPECIFIED ON PLANT LIST, LIFTING PLANT FOLIAGE ABOVE MULCH. MULCH SHALL BE SPREAD BEFORE PLANTING PLANTS IN POTS LESS THAN 1 GALLON SIZE (4", LINERS, ETC.).

# Specifications - Lawns and Grasses

2.1: PRODUCTS:

SOD SHALL MEET AMERICAN SOD PRODUCES ASSOCIATION STANDARDS FOR NURSERY GROWN SOD FOR THICKNESS OF CUT, PAD SIZE, STRENGTH OF SECTIONS, MOISTURE CONTENT AND THATCH. SOD SHALL BE GUARANTEED TO BE UNIFORM IN COLOR, LEAF TEXTURE, AND SHOOT DENSITY AND FREE OF WEEDS, DISEASE, FUNGUS, INSECTS OR OTHER IMPERFECTIONS AND SUFFICIENTLY KNITTED TO SUSTAIN GROWT




## 1 BLDG 2 - 1ST FLOOR

SCALE: 1/16" = 1'-0"

BUILDING CONSTRUCTION TYPE: 3A

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City of Stuart, Florida

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BLDG 2 - 1ST FLOOR - CONTROL PLAN

date: **03-10-2020**
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drawn by: **JS**
reviewed by: **CBA**
issue history:
Δ Date

SCHEMATIC DESIGN

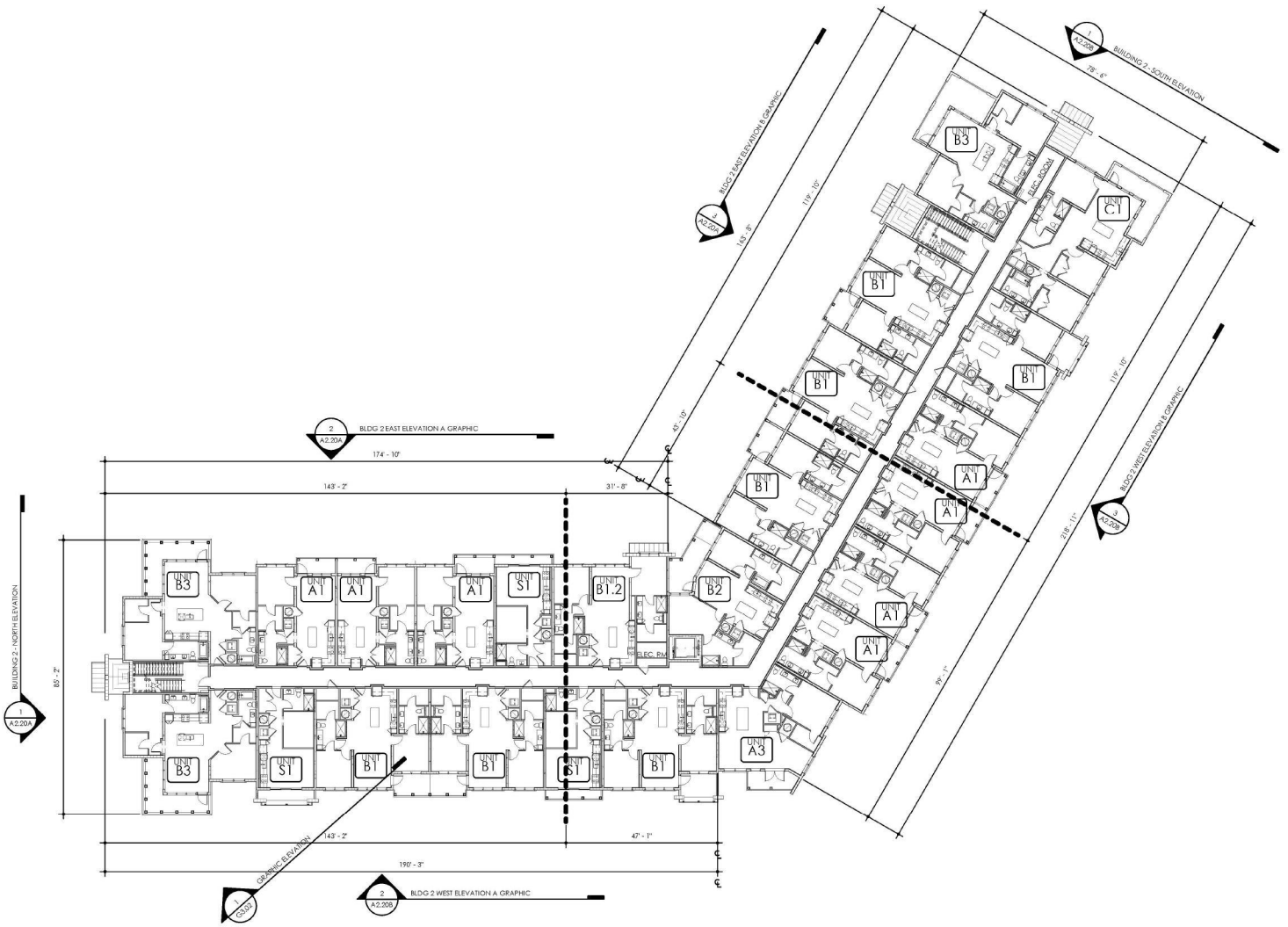
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## 1 BLDG 2 - 2ND FLOOR

SCALE: 1/16" = 1'-0"

BUILDING CONSTRUCTION TYPE: 3A

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drawn by: **Author**
reviewed by: **Checker**
issue history:
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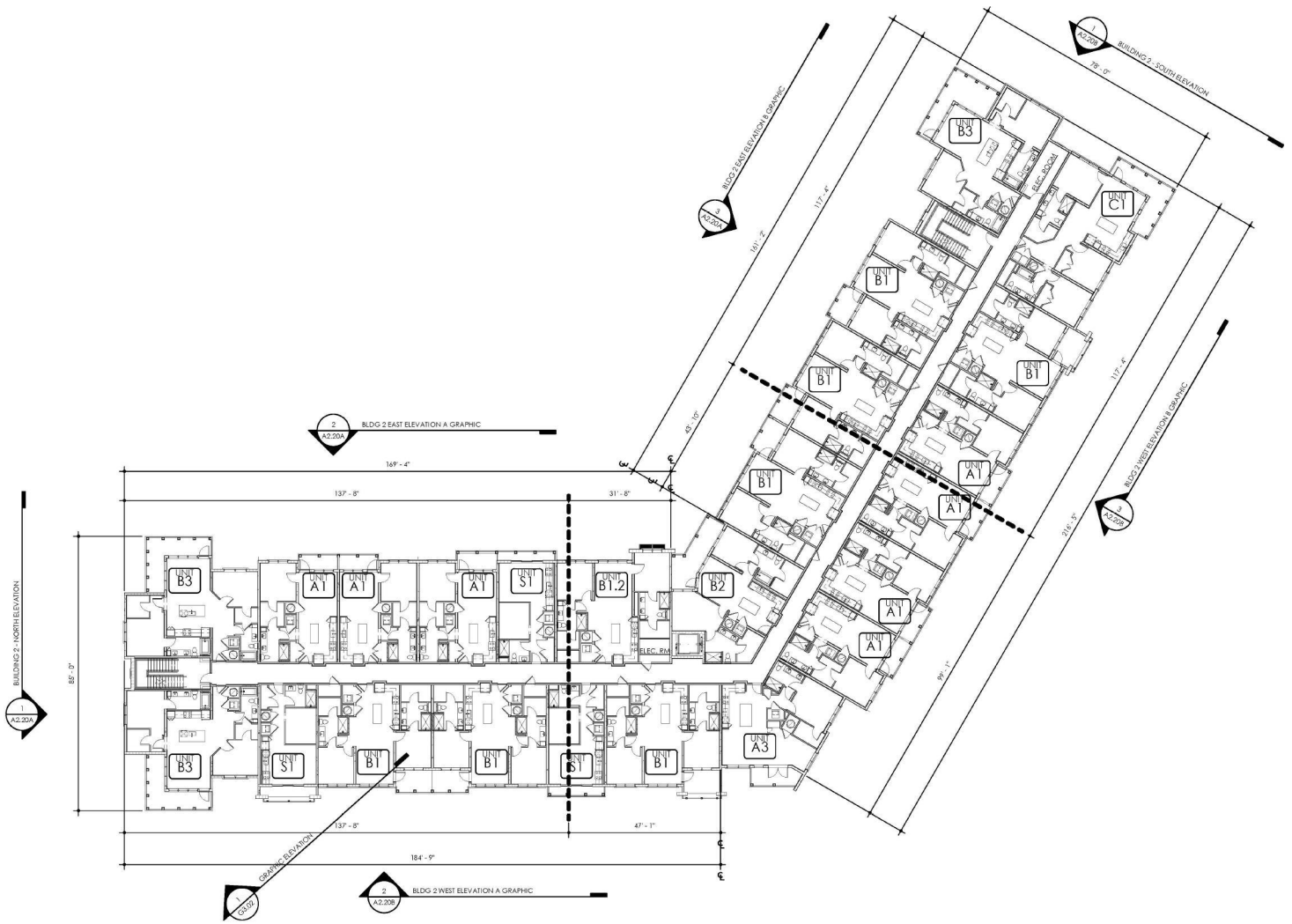
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1 BLDG 2 - 3RD FLOOR

SCALE: 1/16" = 1'-0"

BUILDING CONSTRUCTION TYPE: 3A

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BLDG 2 - 3RD FLOOR - CONTROL PLAN

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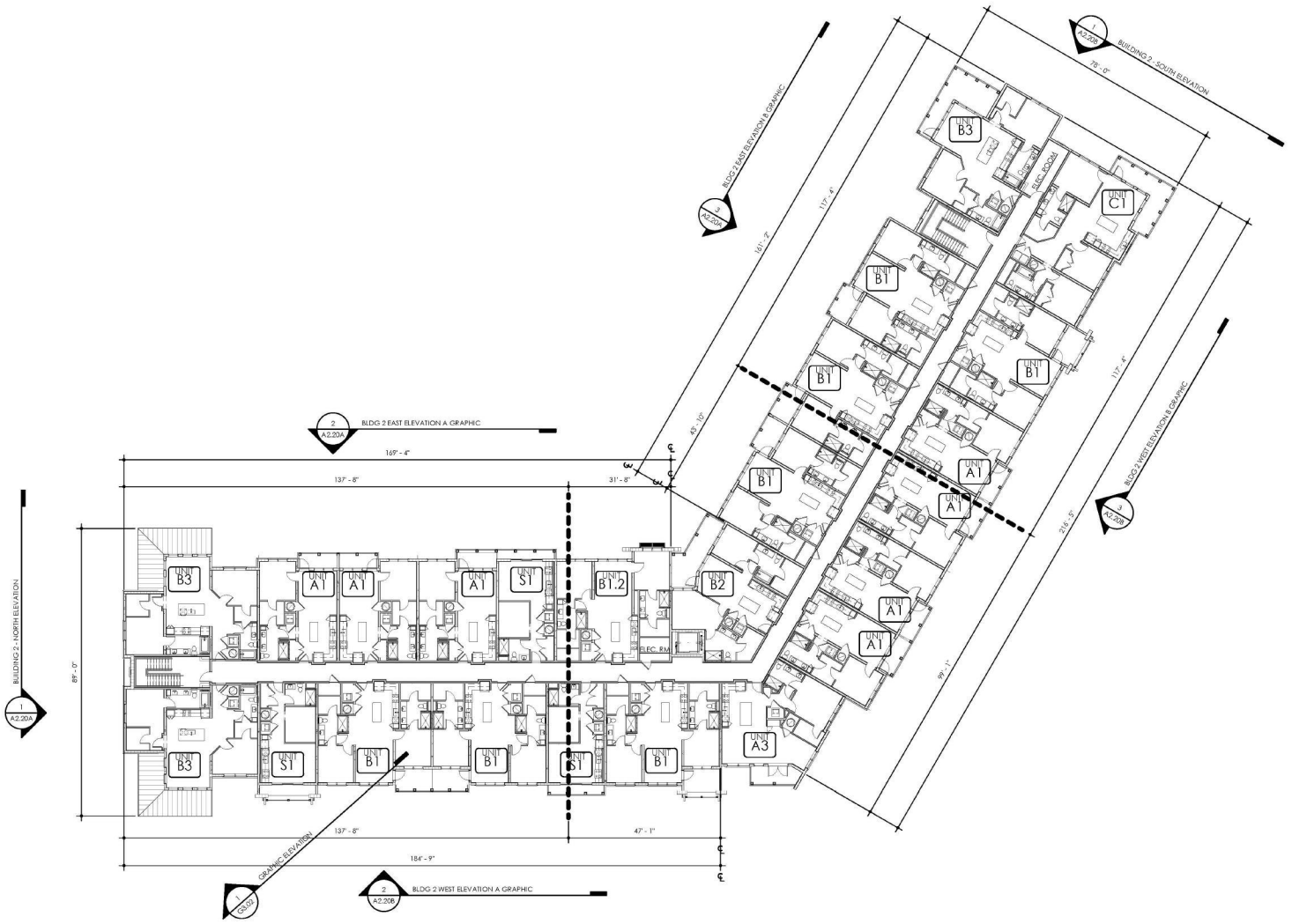
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## 1 BLDG 2 - 4TH FLOOR

SCALE: 1/16" = 1'-0"

BUILDING CONSTRUCTION TYPE: 3A

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BLDG 2 - 4TH FLOOR - CONTROL PLAN

City of Stuart, FL

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## 3 BLDG 2 EAST ELEVATION B GRAPHIC

SCALE: 1/16" = 1'-0"




## 2 BLDG 2 EAST ELEVATION A GRAPHIC

SCALE: 1/16" = 1'-0"

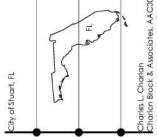



## 1 BUILDING 2 - NORTH ELEVATION

SCALE: 1/16" = 1'-0"

### ELEVATION KEY NOTES

| | |
|---|---|
| E1 | 30 YEAR ARCHITECTURAL STYLE SHINGLES OVER #30 FELT, OVER ROOF SHEATHING, OVER PRE-ENGINEERED ROOF TRUSSES |
| E2 | METAL DRIP EDGE ON ALUMINUM WRAPPED TREATED 1X3 ON TREATED 2X8 FACSIA BOARD WITH ALUMINUM GUTTER PER ROOF PLAN |
| E3 | STANDING SEAM METAL ROOF |
| E4 | FIBER CEMENT TRIM OVER BUILDING WRAP ON EXTERIOR SHEATHING |
| E5 | 6" FIBER CEMENT LAP SIDING OVER BUILDING WRAP ON EXTERIOR SHEATHING |
| E6 | 10" FIBER CEMENT LAP SIDING OVER BUILDING WRAP ON EXTERIOR SHEATHING |
| E7 | FIBER CEMENT PANEL |
| E8 | FIBER CEMENT CLAD COLUMN |
| E9 | 42" VINYL GUARD RAIL, 48" AT FIRST FLOOR BALCONIES FACING POOL COURTYARD. ALL BALCONIES TO HAVE SCREEN ENCLOSURES. |
| E10 | DECORATIVE BRACKET - FYPON OR EQUAL |
| E11 | VINYL WINDOW |
| E12 | STOREFRONT WINDOW SYSTEM |
| E13 | ALUMINUM STANDARD GUTTER (TYP.) |
| E14 | ALUMINUM STANDARD DOWNSPOUT (TYP.) |
| E15 | EXTERIOR LIGHT FIXTURE |
| E16 | GARAGE DOOR |
| E17 | DRYER/BATH VENTS COORDINATE WITH MEP |
| E18 | BUILDING SIGN (BY OTHERS) |
| E19 | STONE VENEER |
| E20 | PRE-CAST HEADER/SILL |
| E21 | SELECT GRADE WOOD, PAINTED |
| E22 | PRE-CAST STONE DETAIL |
| E23 | STUCCO, PAINTED |
| E24 | SHUTTER AWNING |




City of Stuart, FL

Charles L. Charlan
Charlan Brock & Associates, AAC100798

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BUILDING TYPE 2
OVERALL
ELEVATIONS

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## 3 BLDG 2 WEST ELEVATION B GRAPHIC

SCALE: 1/16" = 1'-0"




## 2 BLDG 2 WEST ELEVATION A GRAPHIC

SCALE: 1/16" = 1'-0"

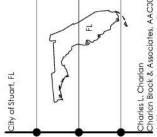



## 1 BUILDING 2 - SOUTH ELEVATION

SCALE: 1/16" = 1'-0"

### ELEVATION KEY NOTES

| | |
|---|---|
| E1 | 30 YEAR ARCHITECTURAL STYLE SHINGLES OVER #30 FELT, OVER ROOF SHEATHING, OVER PRE-ENGINEERED ROOF TRUSSES |
| E2 | METAL DRIP EDGE ON ALUMINUM WRAPPED TREATED 1X3 ON TREATED 2X8 FACSIA BOARD WITH ALUMINUM GUTTER PER ROOF PLAN |
| E3 | STANDING SEAM METAL ROOF |
| E4 | FIBER CEMENT TRIM OVER BUILDING WRAP ON EXTERIOR SHEATHING |
| E5 | 6" FIBER CEMENT LAP SIDING OVER BUILDING WRAP ON EXTERIOR SHEATHING |
| E6 | 10" FIBER CEMENT LAP SIDING OVER BUILDING WRAP ON EXTERIOR SHEATHING |
| E7 | FIBER CEMENT PANEL |
| E8 | FIBER CEMENT CLAD COLUMN |
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| E10 | DECORATIVE BRACKET - FYPON OR EQUAL |
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| E15 | EXTERIOR LIGHT FIXTURE |
| E16 | GARAGE DOOR |
| E17 | DRYER/BATH VENTS COORDINATE WITH MEP |
| E18 | BUILDING SIGN (BY OTHERS) |
| E19 | STONE VENEER |
| E20 | PRE-CAST HEADER/SILL |
| E21 | SELECT GRADE WOOD, PAINTED |
| E22 | PRE-CAST STONE DETAIL |
| E23 | STUCCO, PAINTED |
| E24 | SHUTTER AWNING |




City of Stuart, FL

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BUILDING TYPE 2
OVERALL
ELEVATIONS

date: **03-10-2020**
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*FUTURE LAND USE AMENDMENT*

# Bridgeview
# City of Stuart, FL

*Prepared for:*
Atlantic Realty Acquisitions, LLC.
3500 Lenox Road, Suite 1250
Atlanta, GA 30326

*Prepared by:*

MacKenzie
Engineering & Planning, Inc.
1172 SW 30th Street, Suite 500
Palm City, FL 34990
(772) 286-8030

**181001**
January 2020
© MacKenzie Engineering and Planning, Inc.
CA 29013

Shaun G. MacKenzie P.E.
PE Number 61751

# EXECUTIVE SUMMARY

MacKenzie Engineering and Planning, Inc. (MEP) was retained to evaluate the changes in the Future Land Use and Rezoning for the property located at the northwest corner of Indian Street and Kanner Hwy (SR 76), Stuart, FL (PCN: 40-38-41-00-10-510-0002). The applicant proposes to change the future land use from Commercial, Office, Residential to Multi-Family Residential.

***Future Land Use and Rezoning – Net Increase in External Trips***

The future land use and rezoning amendment trip generation resulting change is 208 daily, -37 AM peak hour (-75 in/38 out), and -11 PM peak hour (40 in/-51 out).

The transportation impacts of the change are de minimis.

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# APPENDICES

Institute of Traffic Engineers' (ITE) report, *Trip Generation (10th Edition)*

Future Land Use Map

Property ID

# INTRODUCTION

A future land use amendment is proposed on 15.88 acres located on the northwest corner of SE Indian Street and Kanner Hwy (SR 76), Martin County, FL (PCN: 40-38-41-00-10-510-0002). The amendment proposes to change the future land use (FLU) from Commercial, Office, Residential (COR) (Martin County) to Multi-Family Residential (MFR). The property details and proposed changes are shown below in Table 1. Figure 1 illustrates the property location.

Table 1. Proposed Land Use Change

| Parcel ID | Existing Land Use | Proposed Land Use |
|---|---|---|
| 40-38-41-00-10-510-0002 | Commercial, Office, Residential | Multi-Family Residential |

The FLU amendment traffic analysis will examine the impacts of changing future land use. The proceeding analysis will examine the ability of the existing roadway network to accommodate the increased demand and the future roadway network to accommodate the increased demand.

**Figure 1. Property Location Map**



# CURRENT DATA

The information contained below was used to develop the foregoing future land use traffic analysis.

- *Trip Generation, 10th Edition* (ITE report)
- Comprehensive Plan

# FUTURE LAND USE CHANGE ANALYSIS

## *TRIP GENERATION*

The study used trip generation rates and equations from the Institute of Transportation Engineers (ITE)'s report, *Trip Generation (10th Edition)* for:

- Multi-Family Housing Mid-Rise (ITE Code 221)
- General Office Building (ITE Code 710)

### Existing Future Land Use (Commercial, Office, Residential)

- 99,000 SF General Office Building (ITE Code 710)

The existing future land use generates the following net new external trips:

- 946 daily, 108 AM peak hour (93 in/15 out), and 102 PM peak hour (16 in/86 out)

The existing future land use generates the following cumulative driveway trips:

- 1,051 daily, 120 AM peak hour (103 in/17 out), and 113 PM peak hour (18 in/95 out)

### Proposed Future Land Use (Multi-Family Residential)

- 212 dwelling units Mid-Rise Multi-Family (ITE Code 221)

The existing future land use generates the following net new external trips and cumulative driveway trips:

- 1,154 daily, 71 AM peak hour (18 in/53 out), and 91 PM peak hour (56 in/35 out)

## Net Impact

The difference between the trip generation potential of the existing future land use and the proposed future land use was examined to determine estimated impact to the existing and future roadway network. Table 2 displays the resulting trip generation.

The proposed development will generate the following net new external trips:

- 208 daily, -37 AM peak hour (-75 in/38 out), and -11 PM peak hour (40 in/-51 out)

The proposed development will generate the following net change driveway trips:

- 103 daily, -49 AM peak hour (-85 in/36 out), and -22 PM peak hour (38 in/-60 out)

The net impact of the change is less than 0 peak hour trips as a result of the future land use amendment from COR to MFR. Adequate transportation capacity is available to serve the property.

Table 2. Future Land Use Trip Generation

| Land Use | Intensity | Daily Trips | AM Peak Hour Total | AM Peak Hour In | AM Peak Hour Out | PM Peak Hour Total | PM Peak Hour In | PM Peak Hour Out |
|---|---|---|---|---|---|---|---|---|
| **Existing FLU Traffic** | | | | | | | | |
| General Office Building | 99.000 1000 SF | 1051 | 120 | 103 | 17 | 113 | 18 | 95 |
| Pass-By Traffic | | | | | | | | |
| General Office Building | 10.0% | 105 | 12 | 10 | 2 | 11 | 2 | 9 |
| | ***NET EXISTING TRIPS*** | ***946*** | ***108*** | ***93*** | ***15*** | ***102*** | ***16*** | ***86*** |
| | **Total Existing Driveway Volumes** | ***1051*** | ***120*** | ***103*** | ***17*** | ***113*** | ***18*** | ***95*** |
| **Proposed FLU Traffic** | | | | | | | | |
| Multifamily Housing(Mid-Rise) | 212 DU | 1,154 | 71 | 18 | 53 | 91 | 56 | 35 |
| **NET CHANGE IN TRIPS (FOR THE PURPOSES OF CONCURRENCY)** | | **208** | **-37** | **-75** | **38** | **-11** | **40** | **-51** |
| **NET CHANGE IN DRIVEWAY VOLUMES** | | **103** | **-49** | **-85** | **36** | **-22** | **38** | **-60** |

Note: Trip generation was calculated using the following data:

| Land Use | ITE Code | Unit | Daily Rate | Pass-by Rate | AM Peak Hour in/out | AM Peak Hour Rate | PM Peak Hour in/out | PM Peak Hour Equation |
|---|---|---|---|---|---|---|---|---|
| Multifamily Housing(Mid-Rise) | 221 | DU | T = 5.45 (X) + -1.75 | 0% | 26/74 | Ln(T) = 0.98 Ln(X) + -0.98 | 61/39 | Ln(T) = 0.96 Ln(X) + -0.63 |
| General Office Building | 710 | 1000 SF | Ln(T) = 0.97 Ln(X) + 2.5 | 10% | 86/14 | T = 0.94 (X) + 26.49 | 16/84 | Ln(T) = 0.95 Ln(X) + 0.36 |

*s:\jobs - share drive\181 - atlantic realty\001 - bridgeview - civil engineering due diligence\3. traffic engineering\future land use - traffic study\[bridgeview - trip generation flu.*

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# REZONING ANALYSIS

The net change was examined to determine the estimated impact to the roadway network. Table 3 displays the rezoning resulting trip generation. The resulting change is 208 daily, -37 AM peak hour (-75 in/38 out), and -11 PM peak hour (40 in/-51 out) trips.

The zoning amendment trip generation results in a decrease to AM peak hour and PM peak hour trips.

Table 3. Rezoning Trip Generation

| Land Use | Intensity | | Daily Trips | AM Peak Hour Total | AM Peak Hour In | AM Peak Hour Out | PM Peak Hour Total | PM Peak Hour In | PM Peak Hour Out |
|---|---|---|---|---|---|---|---|---|---|
| **Existing Zoning Traffic** | | | | | | | | | |
| General Office Building | 99.000 | 1000 SF | 1051 | 120 | 103 | 17 | 113 | 18 | 95 |
| Pass-By Traffic | | | | | | | | | |
| General Office Building | 10.0% | | 105 | 12 | 10 | 2 | 11 | 2 | 9 |
| | ***NET EXISTING TRIPS*** | | ***946*** | ***108*** | ***93*** | ***15*** | ***102*** | ***16*** | ***86*** |
| | **Total Existing Driveway Volumes** | | ***1051*** | ***120*** | ***103*** | ***17*** | ***113*** | ***18*** | ***95*** |
| **Proposed Zoning Traffic** | | | | | | | | | |
| Multifamily Housing(Mid-Rise) | 212 | DU | 1,154 | 71 | 18 | 53 | 91 | 56 | 35 |
| **NET CHANGE IN TRIPS (FOR THE PURPOSES OF CONCURRENCY)** | | | **208** | **-37** | **-75** | **38** | **-11** | **40** | **-51** |
| **NET CHANGE IN DRIVEWAY VOLUMES** | | | **103** | **-49** | **-85** | **36** | **-22** | **38** | **-60** |

Note: Trip generation was calculated using the following data:

| Land Use | ITE Code | Unit | Daily Rate | Pass-by Rate | AM Peak Hour in/out | AM Peak Hour Rate | PM Peak Hour in/out | PM Peak Hour Equation |
|---|---|---|---|---|---|---|---|---|
| Multifamily Housing(Mid-Rise) | 221 | DU | T = 5.45 (X) + -1.75 | 0% | 26/74 | Ln(T) = 0.98 Ln(X) + -0.98 | 61/39 | Ln(T) = 0.96 Ln(X) + -0.63 |
| General Office Building | 710 | 1000 SF | Ln(T) = 0.97 Ln(X) + 2.5 | 10% | 86/14 | T = 0.94 (X) + 26.49 | 16/84 | Ln(T) = 0.95 Ln(X) + 0.36 |

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# ANALYSIS

The future land use and rezoning changes are projected to result in a change of 208 daily, -37 AM peak hour (-75 in/38 out), and -11 PM peak hour (40 in/-51 out) trips. No further peak hour analysis is necessary because the change will result in a decrease in trips. The daily trips are projected to increase by 208 and the daily capacity of Kanner Highway is 59,900 trips per day. Conservatively, the maximum impact of the project is less than one percent (0.3 percent). Therefore the impact of the change is de minimis.

# CONCLUSION

MacKenzie Engineering and Planning, Inc. (MEP) was retained to evaluate the changes in the Future Land Use and Rezoning for the property located at the northwest corner of Indian Street and Kanner Hwy (SR 76), Stuart, FL (PCN: 40-38-41-00-10-510-0002). The applicant proposes to change the future land use from Commercial, Office, Residential to Multi-Family Residential.

***Future Land Use and Rezoning – Net Increase in External Trips***

The future land use and rezoning amendment trip generation resulting change is 208 daily, -37 AM peak hour (-75 in/38 out), and -11 PM peak hour (40 in/-51 out).

The transportation impacts of the change are de minimis.

# APPENDICES

# Land Use: 710
# General Office Building

## Description

A general office building houses multiple tenants; it is a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted. An office building or buildings may contain a mixture of tenants including professional services, insurance companies, investment brokers, and tenant services, such as a bank or savings and loan institution, a restaurant, or cafeteria and service retail facilities. A general office building with a gross floor area of 5,000 square feet or less is classified as a small office building (Land Use 712). Corporate headquarters building (Land Use 714), single tenant office building (Land Use 715), office park (Land Use 750), research and development center (Land Use 760), and business park (Land Use 770) are additional related uses.

If information is known about individual buildings, it is suggested that the general office building category be used rather than office parks when estimating trip generation for one or more office buildings in a single development. The office park category is more general and should be used when a breakdown of individual or different uses is not known. If the general office building category is used and if additional buildings, such as banks, restaurants, or retail stores are included in the development, the development should be treated as a multiuse project. On the other hand, if the office park category is used, internal trips are already reflected in the data and do not need to be considered.

When the buildings are interrelated (defined by shared parking facilities or the ability to easily walk between buildings) or house one tenant, it is suggested that the total area or employment of all the buildings be used for calculating the trip generation. When the individual buildings are isolated and not related to one another, it is suggested that trip generation be calculated for each building separately and then summed.

## Additional Data

The average building occupancy varied considerably within the studies for which occupancy data were provided. The reported occupied gross floor area was 88 for general urban/suburban sites and 96 percent for the center city core and dense multi-use urban sites.

Time-of-day distribution data for this land use for a weekday, Saturday, and Sunday are presented in Appendix A. For the 16 general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:30 and 8:30 a.m. and 4:30 and 5:30 p.m., respectively.

For the three general urban/suburban sites with person trip data, the overall highest volumes during the AM and PM on a weekday were counted between 8:45 and 9:45 a.m. and 12:45 and 1:45 p.m., respectively. For the three dense multi-use urban sites with person trip data, the overall highest volumes during the AM and PM on a weekday were counted between 8:30 and 9:30 a.m. and 4:45 and 5:45 p.m., respectively. For the four center city core sites with person trip data, the overall highest volumes during the AM and PM on a weekday were counted between 9:00 and 10:00 a.m. and 12:45 and 1:45 p.m., respectively.

The average numbers of person trips per vehicle trip at the eight center city core sites at which both person trip and vehicle trip data were collected were as follows:

- 2.76 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 2.90 during Weekday, AM Peak Hour of Generator
- 2.91 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 3.02 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 18 dense multi-use urban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.47 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.47 during Weekday, AM Peak Hour of Generator
- 1.46 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 1.53 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 23 general urban/suburban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.30 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.34 during Weekday, AM Peak Hour of Generator
- 1.32 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 1.41 during Weekday, PM Peak Hour of Generator

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), California, Colorado, Connecticut, Georgia, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Missouri, Montana, New Hampshire, New Jersey, New York, Pennsylvania, Texas, Utah, Virginia, and Washington.

### Source Numbers

161, 175, 183, 184, 185, 207, 212, 217, 247, 253, 257, 260, 262, 273, 279, 297, 298, 300, 301, 302, 303, 304, 321, 322, 323, 324, 327, 404, 407, 408, 418, 419, 423, 562, 734, 850, 859, 862, 867, 869, 883, 884, 890, 891, 904, 940, 944, 946, 964, 965, 972

# General Office Building
(710)

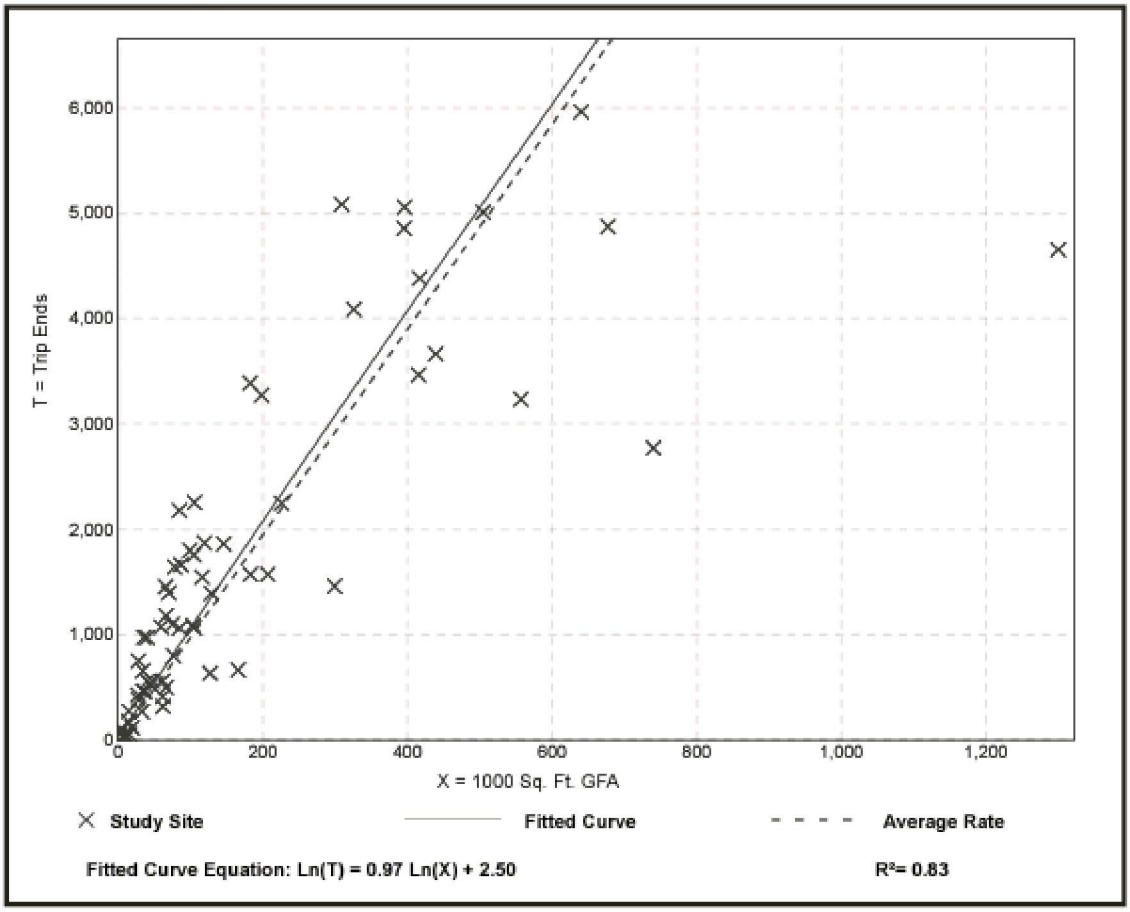
**Vehicle Trip Ends vs:** **1000 Sq. Ft. GFA**
**On a:** **Weekday**

**Setting/Location:** **General Urban/Suburban**
Number of Studies: 66
1000 Sq. Ft. GFA: 171
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|---|---|---|
| 9.74 | 2.71 - 27.56 | 5.15 |

## Data Plot and Equation



# General Office Building
(710)

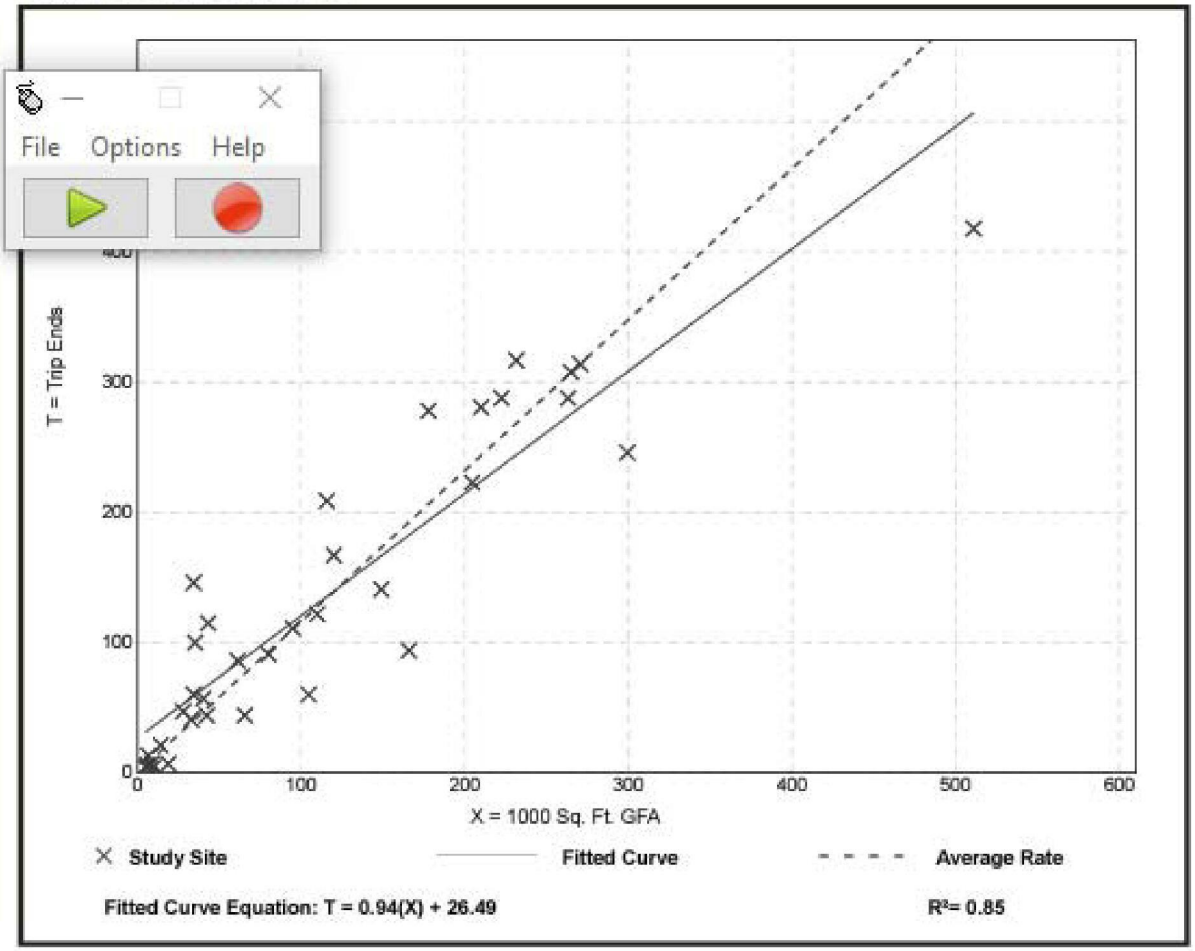
Adobe Digital Editio

**Vehicle Trip Ends vs:** **1000 Sq. Ft. GFA**
**On a:** **Weekday,**
**Peak Hour of Adjacent Street Traffic,**
**One Hour Between 7 and 9 a.m.**
**Setting/Location:** **General Urban/Suburban**
Number of Studies: 35
1000 Sq. Ft. GFA: 117
Directional Distribution: 86% entering, 14% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|---|---|---|
| 1.16 | 0.37 - 4.23 | 0.47 |

## Data Plot and Equation



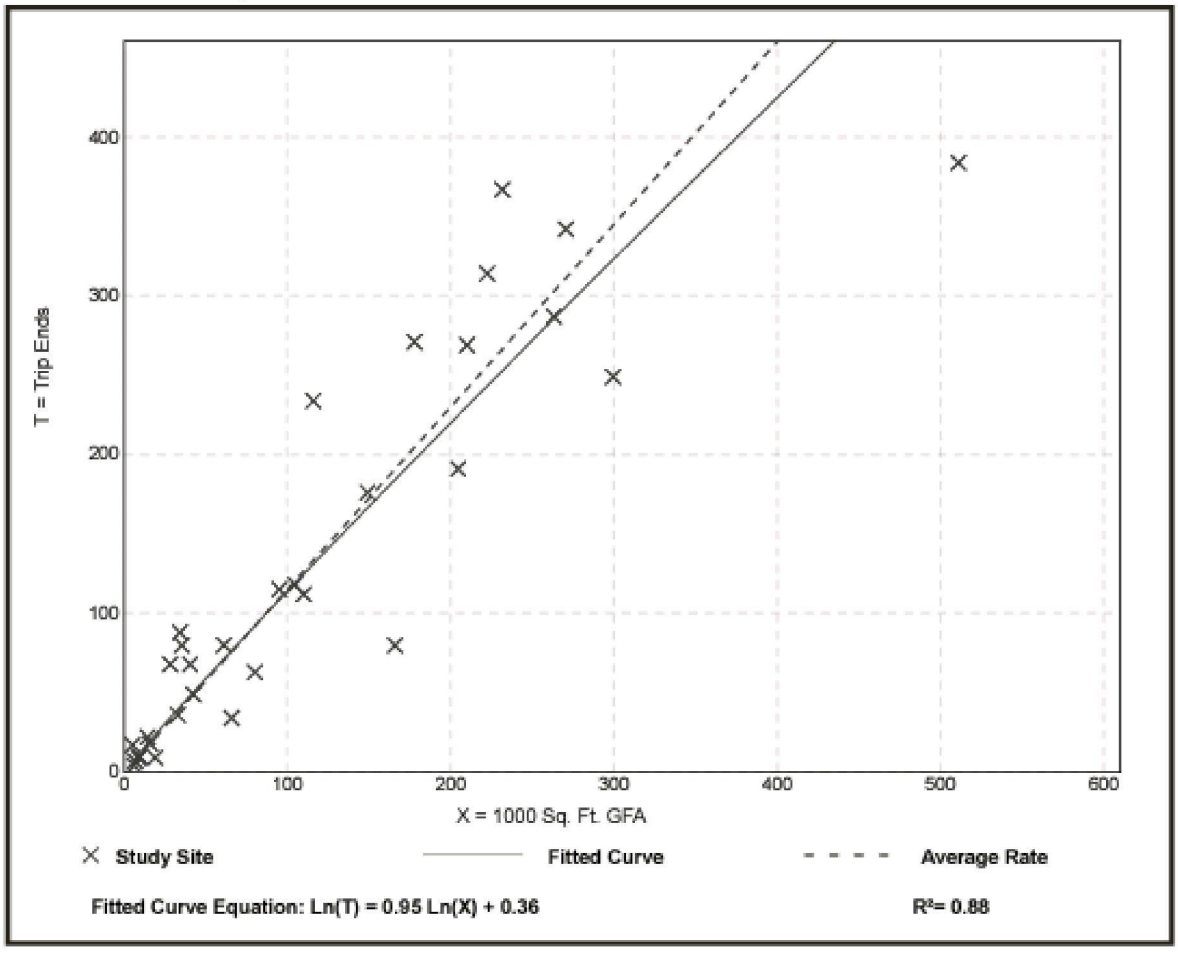
# General Office Building
(710)

**Vehicle Trip Ends vs:** **1000 Sq. Ft. GFA**
**On a:** **Weekday,**
**Peak Hour of Adjacent Street Traffic,**
**One Hour Between 4 and 6 p.m.**
**Setting/Location:** **General Urban/Suburban**
Number of Studies: 32
1000 Sq. Ft. GFA: 114
Directional Distribution: 16% entering, 84% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | Standard Deviation |
|---|---|---|
| 1.15 | 0.47 - 3.23 | 0.42 |

## Data Plot and Equation



# Land Use: 221
# Multifamily Housing (Mid-Rise)

### Description

Mid-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and that have between three and 10 levels (floors). Multifamily housing (low-rise) (Land Use 220), multifamily housing (high-rise) (Land Use 222), off-campus student apartment (Land Use 225), and mid-rise residential with 1st-floor commercial (Land Use 231) are related land uses.

### Additional Data

In prior editions of *Trip Generation Manual*, the mid-rise multifamily housing sites were further divided into rental and condominium categories. An investigation of vehicle trip data found no clear differences in trip making patterns between the rental and condominium sites within the ITE database. As more data are compiled for future editions, this land use classification can be reinvestigated.

For the six sites for which both the number of residents and the number of occupied dwelling units were available, there were an average of 2.46 residents per occupied dwelling unit.

For the five sites for which the numbers of both total dwelling units and occupied dwelling units were available, an average of 95.7 percent of the total dwelling units were occupied.

Time-of-day distribution data for this land use are presented in Appendix A. For the eight general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:00 and 8:00 a.m. and 4:45 and 5:45 p.m., respectively.

For the four dense multi-use urban sites with 24-hour count data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:15 and 8:15 a.m. and 4:15 and 5:15 p.m., respectively. For the three center city core sites with 24-hour count data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 6:45 and 7:45 a.m. and 5:00 and 6:00 p.m., respectively.

For the six sites for which data were provided for both occupied dwelling units and residents, there was an average of 2.46 residents per occupied dwelling unit.

For the five sites for which data were provided for both occupied dwelling units and total dwelling units, an average of 95.7 percent of the units were occupied.

The average numbers of person trips per vehicle trip at the five center city core sites at which both person trip and vehicle trip data were collected were as follows:

- 1.84 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.94 during Weekday, AM Peak Hour of Generator
- 2.07 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 2.59 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 32 dense multi-use urban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.90 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.90 during Weekday, AM Peak Hour of Generator
- 2.00 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 2.08 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 13 general urban/suburban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.56 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.88 during Weekday, AM Peak Hour of Generator
- 1.70 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 2.07 during Weekday, PM Peak Hour of Generator

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), British Columbia (CAN), California, Delaware, District of Columbia, Florida, Georgia, Illinois, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, Ontario, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, Virginia, and Wisconsin.

### Source Numbers

168, 188, 204, 305, 306, 321, 357, 390, 436, 525, 530, 579, 638, 818, 857, 866, 901, 904, 910, 912, 918, 934, 936, 939, 944, 947, 948, 949, 959, 963, 964, 966, 967, 969, 970

# Multifamily Housing (Mid-Rise)
(221)

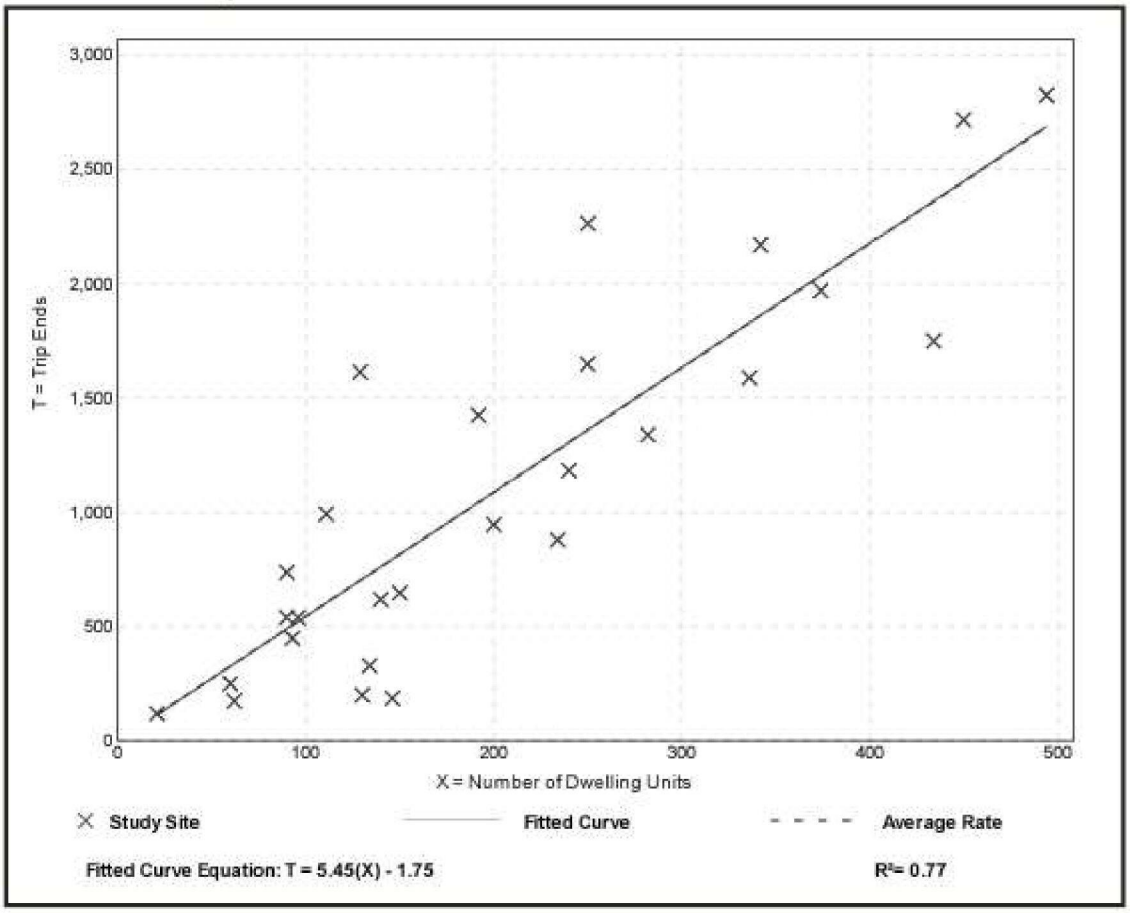
**Vehicle Trip Ends vs: Dwelling Units**
**On a: Weekday**

**Setting/Location: General Urban/Suburban**
Number of Studies: 27
Avg. Num. of Dwelling Units: 205
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per Dwelling Unit

| Average Rate | Range of Rates | Standard Deviation |
|---|---|---|
| 5.44 | 1.27 - 12.50 | 2.03 |

## Data Plot and Equation



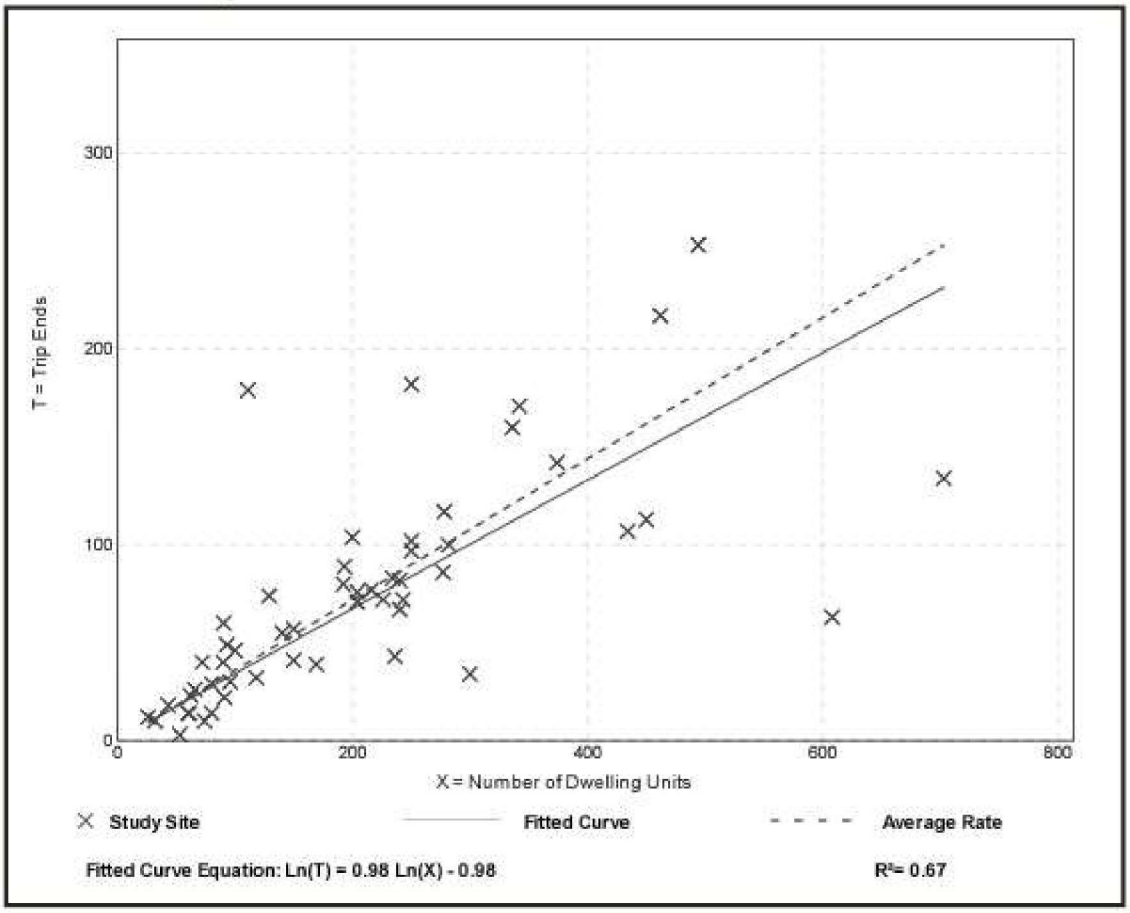
# Multifamily Housing (Mid-Rise)
(221)

**Vehicle Trip Ends vs:** **Dwelling Units**
**On a:** **Weekday,**
**Peak Hour of Adjacent Street Traffic,**
**One Hour Between 7 and 9 a.m.**
**Setting/Location:** **General Urban/Suburban**
Number of Studies: 53
Avg. Num. of Dwelling Units: 207
Directional Distribution: 26% entering, 74% exiting

## Vehicle Trip Generation per Dwelling Unit

| Average Rate | Range of Rates | Standard Deviation |
|---|---|---|
| 0.36 | 0.06 - 1.61 | 0.19 |

## Data Plot and Equation



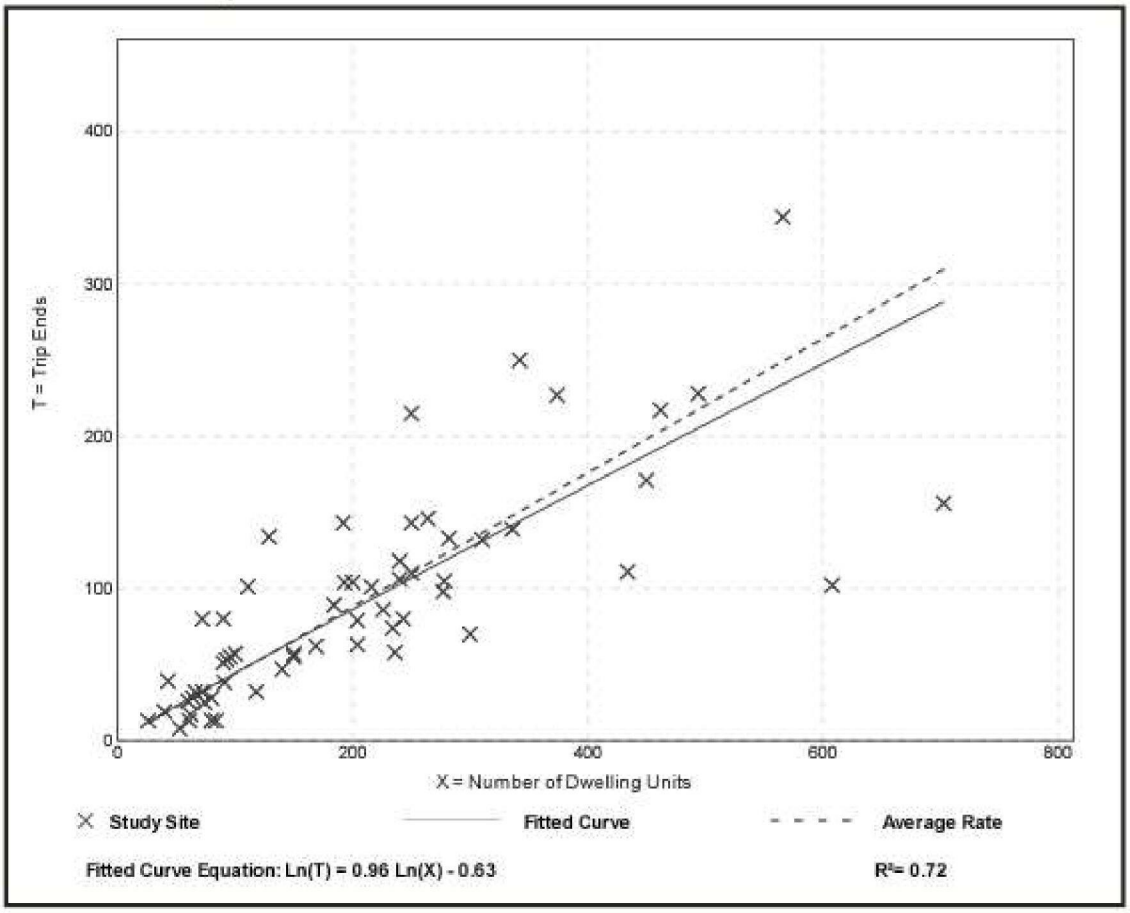
# Multifamily Housing (Mid-Rise)
(221)

**Vehicle Trip Ends vs:** **Dwelling Units**
**On a:** **Weekday,**
**Peak Hour of Adjacent Street Traffic,**
**One Hour Between 4 and 6 p.m.**
**Setting/Location:** **General Urban/Suburban**
Number of Studies: 60
Avg. Num. of Dwelling Units: 208
Directional Distribution: 61% entering, 39% exiting

## Vehicle Trip Generation per Dwelling Unit

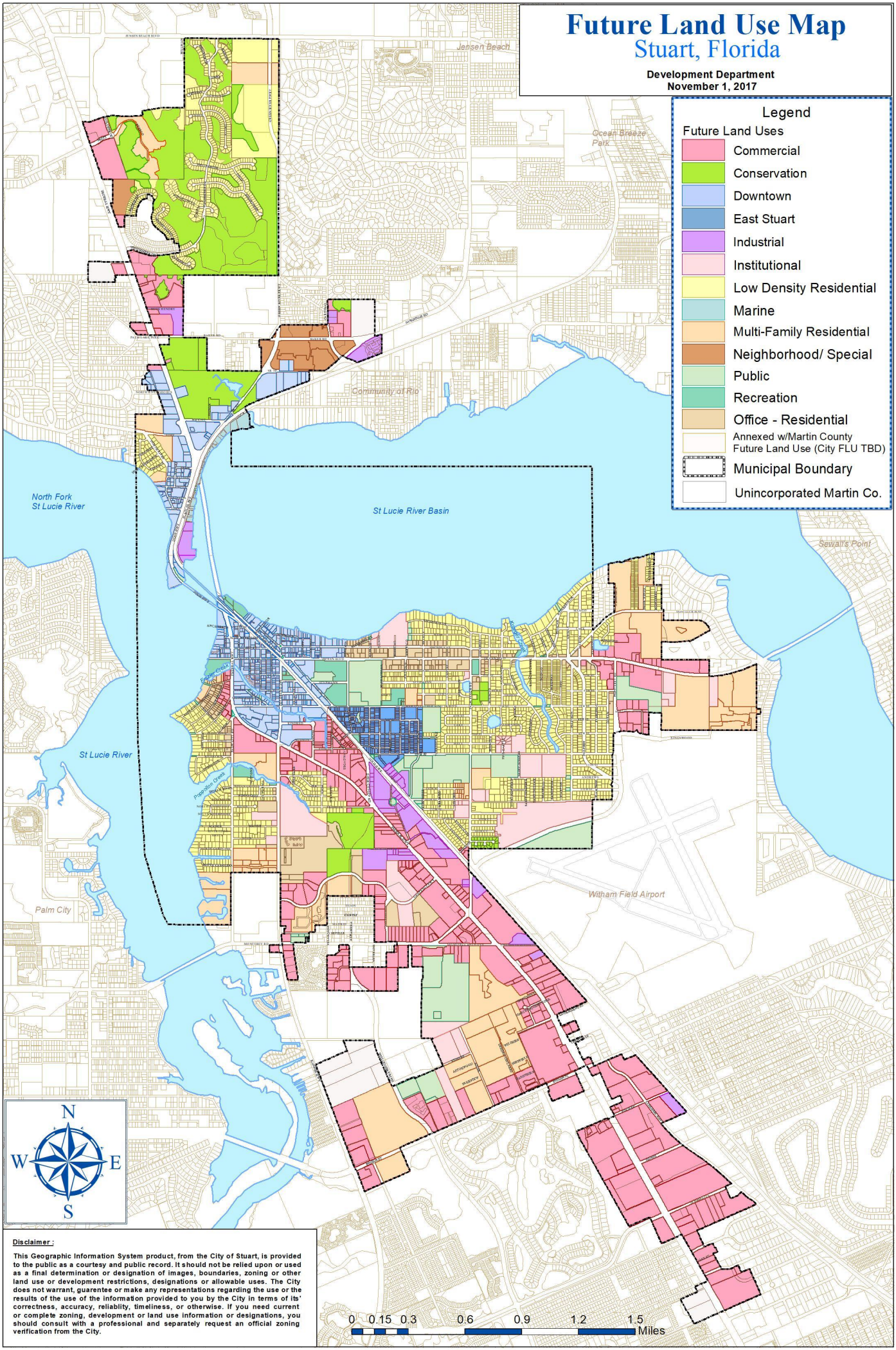
| Average Rate | Range of Rates | Standard Deviation |
|---|---|---|
| 0.44 | 0.15 - 1.11 | 0.19 |

## Data Plot and Equation



# Future Land Use Map
## Stuart, Florida

**Development Department**
**November 1, 2017**




**Disclaimer :**

This Geographic Information System product, from the City of Stuart, is provided to the public as a courtesy and public record. It should not be relied upon or used as a final determination or designation of images, boundaries, zoning or other land use or development restrictions, designations or allowable uses. The City does not warrant, guarentee or make any representations regarding the use or the results of the use of the information provided to you by the City in terms of its' correctness, accuracy, reliablity, timeliness, or otherwise. If you need current or complete zoning, development or land use information or designations, you should consult with a professional and separately request an official zoning verification from the City.

# Martin County, Florida - Laurel Kelly, C.F.A

*generated on 6/18/2019 9:31:28 AM EDT*

## Summary

| Parcel ID | Account # | Unit Address | Market Total Value | Website Updated |
|---|---|---|---|---|
| 40-38-41-001-051-00000-2 | 35989 | S KANNER HWY, STUART | $769,590 | 6/15/2019 |

### Owner Information

| | |
|---|---|
| **Owner(Current)** | FAIRVIEW PROPERTIES INC |
| **Owner/Mail Address** | 2400 S FEDERAL HWY #230<br>STUART FL 34994 |
| **Sale Date** | 3/3/2008 |
| **Document Book/Page** | 2312 2091 |
| **Document No.** | 2069649 |
| **Sale Price** | 0 |

### Location/Description

| | | | |
|---|---|---|---|
| **Account #** | 35989 | **Map Page No.** | HG-11 |
| **Tax District** | 7017 | **Legal Description** | STUART FARMS SLY 300' OF LOT C, LOT D & THAT PART OF LOT E LYING N OF UNNAMED CREEK (LESS SR 76 R/W) & THAT PART OF LOT 6 OF COMMISSIONERS S/D OF HANSON GRANT LYING NLY OF UNNAMED CREEK & ELY OF ST LUCIE CANAL (LESS NLY 1500').. (& LESS FROM ALL ABOVE THAT 4.46 ACRES TO FLDOT PER OR 2441/0936) |
| **Parcel Address** | S KANNER HWY, STUART | | |
| **Acres** | 26.2100 | | |

### Parcel Type

| | |
|---|---|
| **Use Code** | 1000 Vacant Commercial |
| **Neighborhood** | 50100 SW Stuart_Kanner_Willoughby |

### Assessment Information

| | |
|---|---|
| **Market Land Value** | $769,590 |
| **Market Improvement Value** | |
| **Market Total Value** | $769,590 |

*Concurrency*

*Traffic Impact Analysis*

# Bridgeview
# Martin County, FL

*Prepared for:*
Atlantic Realty Acquisitions, LLC.
3500 Lenox Road, Suite 1250
Atlanta, GA 30326

*Prepared by:*

MacKenzie
Engineering & Planning, Inc.
1172 SW 30th Street, Suite 500
Palm City, FL 34990
(772) 286-8030

**181001**
January 2020
© MacKenzie Engineering and Planning, Inc.
CA 29013

Shaun G. MacKenzie P.E.
PE Number 61751

# *EXECUTIVE SUMMARY*

MacKenzie Engineering and Planning, Inc. (MEP) was retained to evaluate the transportation impacts related to development located at the northwest corner of SE Indian Street and Kanner Hwy (SR 76), Martin County, FL (PCN: 40-38-41-00-10-510-0002). The applicant proposes to develop 212 Multi-Family dwelling units (DU).

The development is projected to generate 1,154 daily, 71 AM peak hour (18 in/53 out), and 91 PM peak hour (56 in/35 out) trips.

Adequate transportation capacity is available to serve the project. A left-turn lane into the site exists and additional turn lanes are not warranted or recommended.

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Kanner Highway & Driveway Intersection Surrounding

Kanner Highway & Driveway Analysis AM and PM Results

2018 Martin County Roadway LOS Inventory

Institute of Traffic Engineers' (ITE) report, *Trip Generation (10th Edition)*

Conceptual Site Plan

Property ID

# INTRODUCTION

A 212 multi-family dwelling unit (DU) project is proposed on the northwest corner of SE Indian Street and Kanner Hwy (SR 76), Martin County, FL (PCN: 40-38-41-00-10-510-0002). Figure 1 illustrates the general site location.

The traffic analysis examines the impacts the project. The proceeding analysis examines the ability of the existing roadway network to accommodate the increased demand from the project.

**Figure 1. Site Location Map**




# CURRENT DATA

The information contained below was used to develop the foregoing site impact traffic analysis.

- *Trip Generation, 10th Edition* (ITE report)
- Comprehensive Plan

# *TRIP GENERATION*

## *Traffic Generation*

The trip generation was projected based on the formulas in the Institute of Transportation Engineers' (ITE) report *Trip Generation (10th Edition)* and use Land-Use 221 (Multi-Family Housing Mid-Rise). The proposed development plan consists of the following:

- 212 DU Multi-Family (Land-Use 220 Multi-Family Housing Mid-Rise)

The proposed project is expected to generate the following net external and driveway trips:

- 1,154 daily, 71 AM peak hour (18 in/53 out), and 91 PM peak hour (56 in/35 out)

Table 1 presents the proposed project's trip generation.

Table 1. Trip Generation

**Bridgeview Development**
**CONCURRENCY TRIP GENERATION**

| Land Use | Intensity | Daily Trips | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|---|
| | | | Total | In | Out | Total | In | Out |
| **Proposed Use** | | | | | | | | |
| Multifamily Housing (Mid-Rise) | 212 DU | 1,154 | 71 | 18 | 53 | 91 | 56 | 35 |

Note: Trip generation was calculated using the following data:

| Land Use | ITE Code | Unit | Daily Rate | Pass-by Rate | AM Peak Hour | | PM Peak Hour | |
|---|---|---|---|---|---|---|---|---|
| | | | | | in/out | Rate | in/out | Equation |
| Multifamily Housing (Mid-Rise) | 221 | DU | T = 5.45 (X) + -1.75 | 0% | 26/74 | Ln(T) = 0.98 Ln(X) + -0.98 | 61/39 | Ln(T) = 0.96 Ln(X) + -0.63 |

*s:\jobs - share drive\181 - atlantic realty\001 - bridgeview - civil engineering due diligence\3. traffic engineering\traffic study concurrency\[bridgeview - trip generation concurr*

*Copyright © 2019, MacKenzie Engineering and Planning, Inc.*

## *Internal Capture*

In order to provide a conservative analysis, internal capture is not utilized.

## *Pass-by Capture*

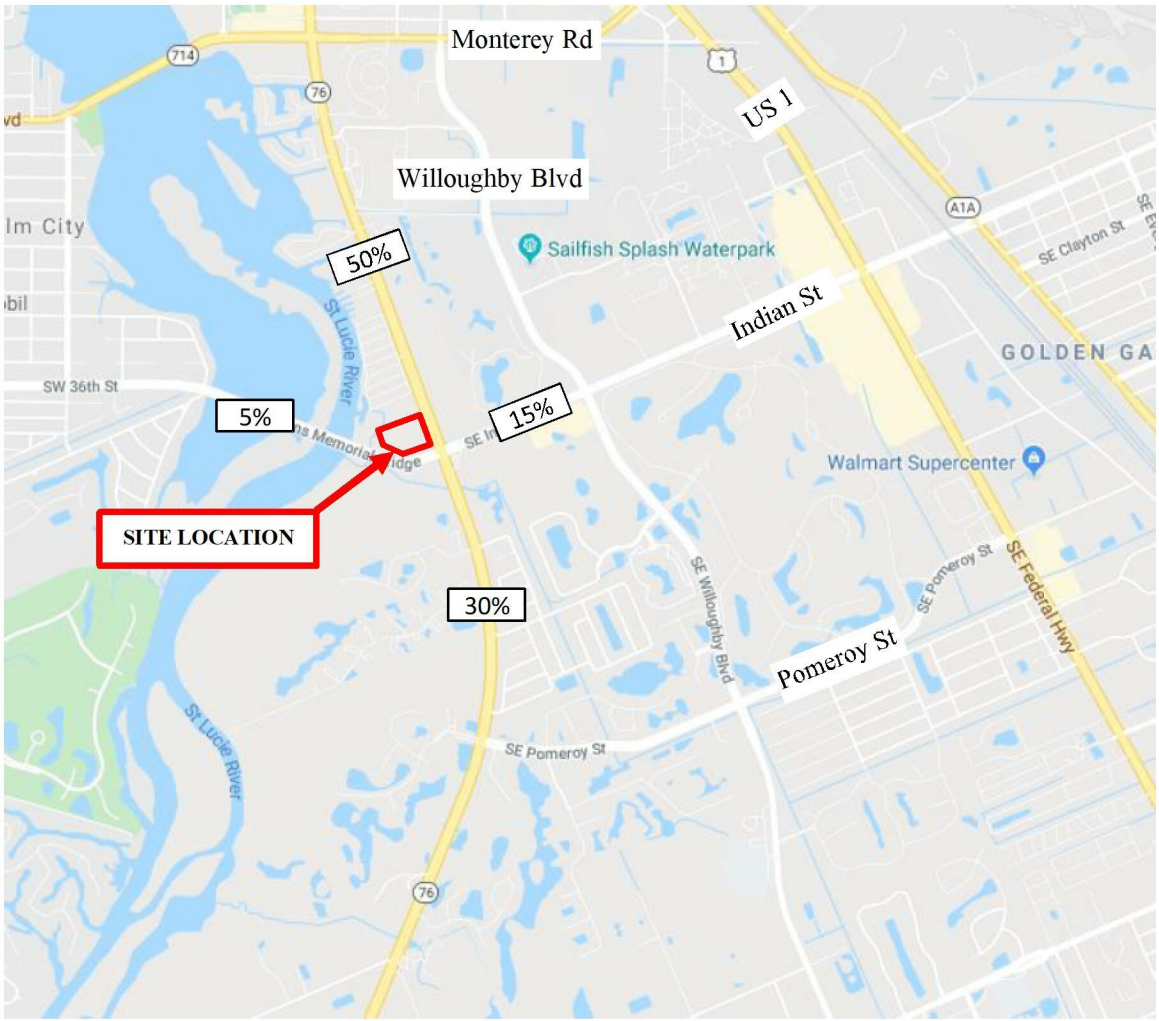
Pass-by capture is proposed at 0 %

# TRAFFIC ASSIGNMENT

The traffic assignment was developed based upon existing and proposed developments, generators, destinations, and knowledge of the local area. These factors were applied using traffic engineering rationale similar to the gravity model.

- North – 50%
- South – 30%
- West – 5%
- East – 15%

**Figure 2. Traffic Distribution**



# SIGNIFICANCE

## Significant Impact

A project significantly impacts a facility if its peak hour trips use more than five percent (5%) of a roadway's capacity (City of Stuart Code, 4.05.02 Traffic Impact Analysis). The project's traffic assignment and net external trips were utilized to determine the number of project trips on each road segment. Road capacities from Martin County's Roadway Inventory report were utilized in the study. In order to determine the project significance, the project's trips were divided by the roadway segment capacity. The roadway capacities and the project significance are shown in Table 2.

## Study Area

Based on Section 4.05.02 of the Code, the study area for transportation concurrency is all links and aggregated segments or parts thereof, on the major road network on which the project traffic has an impact of at least 5 percent and the first directly accessed roadway link (segment).

Table 2. Project Impacts 1-Way Peak Hour (Significance)

| Roadway | From | To | Lanes | Generalized Service Capacity | Assign | Project Traffic | Significance | Significant Impact (Y/N) |
|---|---|---|---|---|---|---|---|---|
| **Kanner Hwy** | Salerno Rd | Indian St | 6 | 3,020 | 30% | 17 | 0.56% | no |
| **(SR 76)** | Indian St | SR-714 | 6 | 3,020 | 100% | 56 | 1.85% | no |
| **CR-714** | Mapp Rd | SR-76 | 4 | 2,000 | 5% | 3 | 0.15% | no |
| | SR-76 | Willoughby Blvd | 4 | 2,000 | 15% | 8 | 0.40% | no |

As shown in Table 2, there are no roadways that are significantly impacted by the project.

# ANALYSIS

The project is required to analyze the directly accessed roadway segment of Kanner Highway.

Table 3. Kanner Highway Peak Hour Peak Direction Traffic Analysis

| Roadway | From | To | Lanes | Service Capacity | Peak Hour Existing Traffic | Count Year | Growth Rate | 2022 Traffic Growth | 2022 Background Traffic | Project Traffic | 2022 Total Traffic | Meets Service Volume |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| SR 76 (Kanner Hwy) | Indian St | SR-714 | 6 | 3,020 | 770 | 2018 | 0.5% | 16 | 786 | 56 | 842 | YES |

Based on the analysis, the adjacent segment of Kanner Highway operates acceptably and transportation concurrency is met. No signalized intersection analysis is necessary because the project consumes less than five percent of the roadway's capacity.

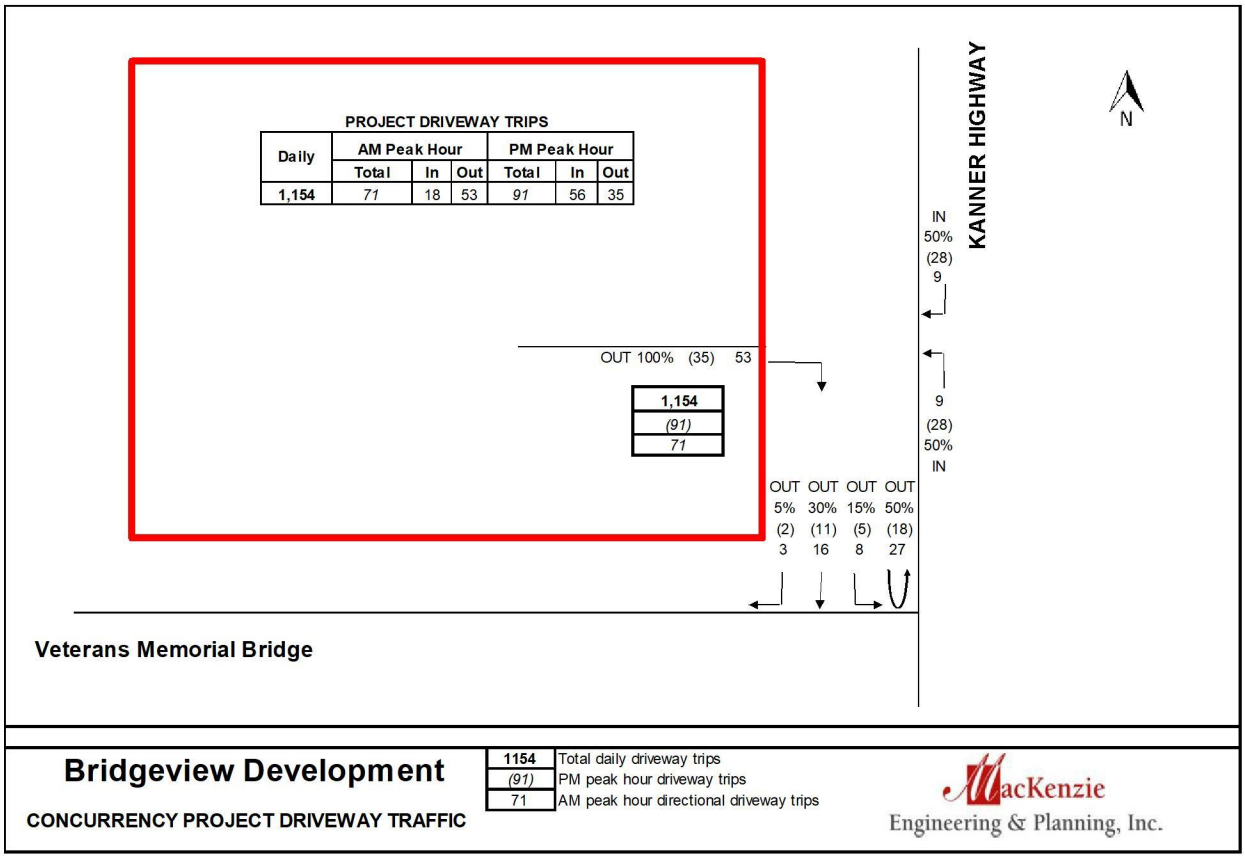
# ACCESS

The project proposes one point of access on Kanner Highway at the existing directional median opening located about 700 feet north of Indian Street.

The access will provide right-in/right-out and left-in movements. A left-turn lane into the project exists. The need for a right-turn lane was evaluated based on FDOT's threshold of 80-120 peak hour right-turns.

Because the peak hour right-turn volume is projected to be 28 vehicles per hour, a right-turn lane into the project is not recommended or needed. Driveway trips are shown in Figure 3. The access was evaluated during the AM and PM peak hours and shows acceptable operation.

**Figure 3. Driveway Trips**



# *Driveway Analysis*

### *Growth Rate*

The Kanner Highway & Driveway intersection historic annual growth on the surrounding facilities is 0.5% based on Martin County 2018 Roadway Level of Service Inventory Report. A 2.0 percent annual compound growth rate will be used for the driveway analysis in order to be conservative.

### *Kanner Highway & Driveway*

MEP evaluated the Kanner Highway & Driveway intersection. With project traffic, the intersection is projected to be under capacity with all movements operating under capacity (v/c ratio less than 1.0). MEP obtained the 95th percentile queue from HCS 7 for each turn-lane at the intersection. Additional turn lanes into the project are not warranted. Storage for the existing left-turn lane into the project is adequate.

Table 4. Kanner Highway & Driveway Storage Analysis

| Direction | Turn-Lane | AM Peak 95th% Queue (veh) | PM Peak 95th% Queue (veh) | Existing Storage (veh) | Adequate |
|---|---|---|---|---|---|
| Eastbound | Right | 1 | 1 | - | YES |
| Northbound | Left | 1 | 1 | 8 | YES |

# CONCLUSION

MacKenzie Engineering and Planning, Inc. (MEP) was retained to evaluate the transportation impacts related to development located at the northwest corner of SE Indian Street and Kanner Hwy (SR 76), Martin County, FL (PCN: 40-38-41-00-10-510-0002). The applicant proposes to develop 212 Multi-Family dwelling units (DU).

The development is projected to generate 1,154 daily, 71 AM peak hour (18 in/53 out), and 91 PM peak hour (56 in/35 out) trips.

Adequate transportation capacity is available to serve the project. A left-turn lane into the site exists and additional turn lanes are not warranted or recommended.

# *APPENDICES*

Bridgeview

AM PEAK HOUR TURNING MOVEMENTS

EXHIBIT 1

Kanner Hwy & Driveway

| | | ebu | ebl | ebt | ebr | wbu | wbl | wbt | wbr | nbu | nbl | nbt | nbr | sbu | sbl | sbt | sbr | totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 7:00 AM | 7:15 AM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 184 | 0 | 0 | 0 | 357 | 0 | 541 |
| 7:15 AM | 7:30 AM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 230 | 0 | 0 | 0 | 341 | 0 | 571 |
| 7:30 AM | 7:45 AM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 298 | 0 | 0 | 0 | 306 | 0 | 604 |
| 7:45 AM | 8:00 AM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 276 | 0 | 0 | 0 | 377 | 0 | 653 |
| 8:00 AM | 8:15 AM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 344 | 0 | 0 | 0 | 328 | 0 | 672 |
| 8:15 AM | 8:30 AM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 332 | 0 | 0 | 0 | 314 | 0 | 646 |
| 8:30 AM | 8:45 AM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 328 | 0 | 0 | 0 | 255 | 0 | 583 |
| 8:45 AM | 9:00 AM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 223 | 0 | 0 | 0 | 214 | 0 | 437 |
| | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2215 | 0 | 0 | 0 | 2492 | 0 | 4707 |
| **Peak Hour Traffic Volume** | | | | | | | | | | | | | | | | | | |
| 7:30 AM | 8:30 AM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1250 | 0 | 0 | 0 | 1325 | 0 | 2575 |

Count Taken: 2/14/2018
Buildout year: 2022
Growth Rate: 2.0%
Peak Season Factor: 1.00

| | ebu | ebl | ebt | ebr | wbu | wbl | wbt | wbr | nbu | nbl | * nbt | nbr | sbu | sbl | * sbt | sbr |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **2/14/2018** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1250 | 0 | 0 | 0 | 1325 | 0 |
| **Peak Season Factor** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Adjusted Volumes** | | 0 | 0 | 0 | | 0 | 0 | 0 | | 0 | 1250 | 0 | | 0 | 1325 | 0 |
| | | 2% | 2% | 2% | | 2% | 2% | 2% | | 2% | 2% | 2% | | 2% | 2% | 2% |
| **Growth 2%** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 103 | 0 | 0 | 0 | 109 | 0 |
| **2022 Volumes** | **0** | **0** | **0** | **0** | **0** | **0** | **0** | **0** | **0** | **0** | **1353** | **0** | **0** | **0** | **1434** | **0** |
| **Project** | 0 | 0 | 0 | 53 | | 0 | 0 | 0 | | 9 | 27 | 0 | 0 | 0 | 0 | 9 |
| **Post** | **0** | **0** | **0** | **53** | **0** | **0** | **0** | **0** | **0** | **9** | **1380** | **0** | **0** | **0** | **1434** | **9** |

| | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Project Traffic** | | | | Out | | | | | | In | Out | | | | | | In |
| **Assignment** | 0% | 0% | 0% | 100% | 0% | 0% | 0% | 0% | 0% | 50% | 50% | 0% | 0% | 0% | 0% | | 50% |

* NBT and SBT Volumes obtained from the FDOT Count Station 89 0114, 2/14/2018

Bridgeview

PM PEAK HOUR TURNING MOVEMENTS

EXHIBIT 1

Kanner Hwy & Driveway

| | | ebu | ebl | ebt | ebr | wbu | wbl | wbt | wbr | nbu | nbl | nbt | nbr | sbu | sbl | sbt | sbr | totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 4:00 PM | 4:15 PM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 286 | 0 | 0 | 0 | 217 | 0 | 503 |
| 4:15 PM | 4:30 PM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 250 | 0 | 0 | 0 | 221 | 0 | 471 |
| 4:30 PM | 4:45 PM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 317 | 0 | 0 | 0 | 245 | 0 | 562 |
| 4:45 PM | 5:00 PM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 310 | 0 | 0 | 0 | 262 | 0 | 572 |
| 5:00 PM | 5:15 PM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 309 | 0 | 0 | 0 | 282 | 0 | 591 |
| 5:15 PM | 5:30 PM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 318 | 0 | 0 | 0 | 261 | 0 | 579 |
| 5:30 PM | 5:45 PM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 247 | 0 | 0 | 0 | 271 | 0 | 518 |
| 5:45 PM | 6:00 PM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 293 | 0 | 0 | 0 | 259 | 0 | 552 |
| | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2330 | 0 | 0 | 0 | 2018 | 0 | 4348 |
| **Peak Hour Traffic Volume** | | | | | | | | | | | | | | | | | | |
| 4:30 PM | 5:30 PM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1254 | 0 | 0 | 0 | 1050 | 0 | 2304 |

Count Taken: 2/14/2018
Buildout year: 2022
Growth Rate: 2.0%
Peak Season Factor: 1.00

| | **ebu** | **ebl** | **ebt** | **ebr** | **wbu** | **wbl** | **wbt** | **wbr** | **nbu** | **nbl** | *** nbt** | **nbr** | **sbu** | **sbl** | *** sbt** | **sbr** |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **2/14/2018** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1254 | 0 | 0 | 0 | 1050 | 0 |
| **Peak Season Facto** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Adjusted Volumes** | | 0 | 0 | 0 | | 0 | 0 | 0 | | 0 | 1254 | 0 | | 0 | 1050 | 0 |
| | | 2% | 2% | 2% | | 2% | 2% | 2% | | 2% | 2% | 2% | | 2% | 2% | 2% |
| **Growth 2%** | | 0 | 0 | 0 | | 0 | 0 | 0 | | 0 | 103 | 0 | | 0 | 87 | 0 |
| **2022 Volumes** | **0** | **0** | **0** | **0** | **0** | **0** | **0** | **0** | **0** | **0** | **1357** | **0** | **0** | **0** | **1137** | **0** |
| **Project** | | 0 | 0 | 35 | | 0 | 0 | 0 | | 28 | 18 | 0 | 0 | 0 | 0 | 28 |
| **Post** | **0** | **0** | **0** | **35** | **0** | **0** | **0** | **0** | **0** | **28** | **1375** | **0** | **0** | **0** | **1137** | **28** |

| | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Project Traffic** | | | | Out | | | | | | In | Out | | | | | | In |
| **Assignment** | 0% | 0% | 0% | 100% | 0% | 0% | 0% | 0% | 0% | 50% | 50% | 0% | 0% | 0% | 0% | | 50% |

* NBT and SBT Volumes obtained from the FDOT Count Station 89 0114, 2/14/2018

# HCS7 Two-Way Stop-Control Report

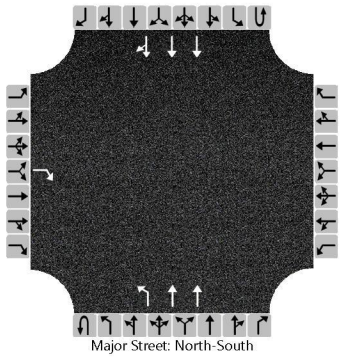
## General Information

| | |
|---|---|
| Analyst | MEP |
| Agency/Co. | MEP |
| Date Performed | 1/15/2020 |
| Analysis Year | 2022 |
| Time Analyzed | |
| Intersection Orientation | North-South |
| Project Description | Bridgeview AM 2022 |

## Site Information

| | |
|---|---|
| Intersection | Kanner Hwy & DW |
| Jurisdiction | |
| East/West Street | Driveway |
| North/South Street | Kanner Hwy |
| Peak Hour Factor | 0.95 |
| Analysis Time Period (hrs) | 0.25 |

## Lanes


Major Street: North-South

## Vehicle Volumes and Adjustments

| Approach | Eastbound | | | | Westbound | | | | Northbound | | | | Southbound | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Movement | U | L | T | R | U | L | T | R | U | L | T | R | U | L | T | R |
| Priority | | 10 | 11 | 12 | | 7 | 8 | 9 | 1U | 1 | 2 | 3 | 4U | 4 | 5 | 6 |
| Number of Lanes | | 0 | 0 | 1 | | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 3 | 0 |
| Configuration | | | | R | | | | | | L | T | | | | T | TR |
| Volume (veh/h) | | | | 53 | | | | | 0 | 9 | 1380 | | | | 1434 | 9 |
| Percent Heavy Vehicles (%) | | | | 2 | | | | | 2 | 2 | | | | | | |
| Proportion Time Blocked | | | | | | | | | | | | | | | | |
| Percent Grade (%) | 0 | | | | | | | | | | | | | | | |
| Right Turn Channelized | No | | | | | | | | | | | | | | | |
| Median Type \| Storage | Left + Thru | | | | | | | | 1 | | | | | | | |

## Critical and Follow-up Headways

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Base Critical Headway (sec) | | | | 7.1 | | | | | | 5.3 | | | | | | |
| Critical Headway (sec) | | | | 7.14 | | | | | | 5.34 | | | | | | |
| Base Follow-Up Headway (sec) | | | | 3.9 | | | | | | 3.1 | | | | | | |
| Follow-Up Headway (sec) | | | | 3.92 | | | | | | 3.12 | | | | | | |

## Delay, Queue Length, and Level of Service

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Flow Rate, v (veh/h) | | | | 56 | | | | | | 9 | | | | | | |
| Capacity, c (veh/h) | | | | 299 | | | | | | 218 | | | | | | |
| v/c Ratio | | | | 0.19 | | | | | | 0.04 | | | | | | |
| 95% Queue Length, $Q_{95}$ (veh) | | | | 0.7 | | | | | | 0.1 | | | | | | |
| Control Delay (s/veh) | | | | 19.8 | | | | | | 22.3 | | | | | | |
| Level of Service (LOS) | | | | C | | | | | | C | | | | | | |
| Approach Delay (s/veh) | 19.8 | | | | | | | | 0.1 | | | | | | | |
| Approach LOS | C | | | | | | | | | | | | | | | |

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# HCS7 Two-Way Stop-Control Report

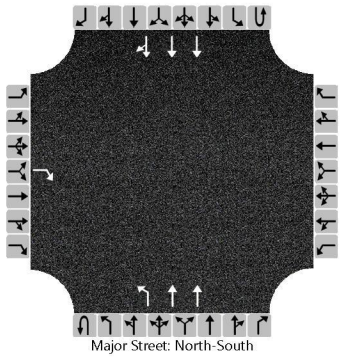
## General Information

| | |
|---|---|
| Analyst | MEP |
| Agency/Co. | MEP |
| Date Performed | 1/15/2020 |
| Analysis Year | 2022 |
| Time Analyzed | |
| Intersection Orientation | North-South |
| Project Description | Bridgeview PM 2022 |

## Site Information

| | |
|---|---|
| Intersection | Kanner Hwy & DW |
| Jurisdiction | |
| East/West Street | Driveway |
| North/South Street | Kanner Hwy |
| Peak Hour Factor | 0.95 |
| Analysis Time Period (hrs) | 0.25 |

## Lanes


Major Street: North-South

## Vehicle Volumes and Adjustments

| Approach | Eastbound | | | | Westbound | | | | Northbound | | | | Southbound | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Movement | U | L | T | R | U | L | T | R | U | L | T | R | U | L | T | R |
| Priority | | 10 | 11 | 12 | | 7 | 8 | 9 | 1U | 1 | 2 | 3 | 4U | 4 | 5 | 6 |
| Number of Lanes | | 0 | 0 | 1 | | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 3 | 0 |
| Configuration | | | | R | | | | | | L | T | | | | T | TR |
| Volume (veh/h) | | | | 35 | | | | | 0 | 28 | 1375 | | | | 1137 | 28 |
| Percent Heavy Vehicles (%) | | | | 2 | | | | | 2 | 2 | | | | | | |
| Proportion Time Blocked | | | | | | | | | | | | | | | | |
| Percent Grade (%) | 0 | | | | | | | | | | | | | | | |
| Right Turn Channelized | No | | | | | | | | | | | | | | | |
| Median Type \| Storage | Left + Thru | | | | | | | | 1 | | | | | | | |

## Critical and Follow-up Headways

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Base Critical Headway (sec) | | | | 7.1 | | | | | | 5.3 | | | | | | |
| Critical Headway (sec) | | | | 7.14 | | | | | | 5.34 | | | | | | |
| Base Follow-Up Headway (sec) | | | | 3.9 | | | | | | 3.1 | | | | | | |
| Follow-Up Headway (sec) | | | | 3.92 | | | | | | 3.12 | | | | | | |

## Delay, Queue Length, and Level of Service

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Flow Rate, v (veh/h) | | | | 37 | | | | | | 29 | | | | | | |
| Capacity, c (veh/h) | | | | 373 | | | | | | 304 | | | | | | |
| v/c Ratio | | | | 0.10 | | | | | | 0.10 | | | | | | |
| 95% Queue Length, $Q_{95}$ (veh) | | | | 0.3 | | | | | | 0.3 | | | | | | |
| Control Delay (s/veh) | | | | 15.7 | | | | | | 18.1 | | | | | | |
| Level of Service (LOS) | | | | C | | | | | | C | | | | | | |
| Approach Delay (s/veh) | 15.7 | | | | | | | | 0.4 | | | | | | | |
| Approach LOS | C | | | | | | | | | | | | | | | |

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COUNTY: 89
STATION: 0114
DESCRIPTION: SR 76/COLORADO AVE - SW OF MONTEREY RD(COUNTY LINK
START DATE: 02/14/2018
START TIME: 2345

| | DIRECTION: N | | | | | DIRECTION: S | | | | | COMBINED |
|---|---|---|---|---|---|---|---|---|---|---|---|
| TIME | 1ST | 2ND | 3RD | 4TH | TOTAL | 1ST | 2ND | 3RD | 4TH | TOTAL | TOTAL |
| 0000 | 23 | 20 | 21 | 17 | 81 | 22 | 26 | 23 | 14 | 85 | 166 |
| 0100 | 17 | 7 | 11 | 9 | 44 | 12 | 6 | 11 | 7 | 36 | 80 |
| 0200 | 12 | 9 | 11 | 7 | 39 | 8 | 14 | 16 | 19 | 57 | 96 |
| 0300 | 7 | 8 | 6 | 4 | 25 | 18 | 23 | 25 | 30 | 96 | 121 |
| 0400 | 11 | 19 | 21 | 18 | 69 | 37 | 51 | 50 | 71 | 209 | 278 |
| 0500 | 41 | 38 | 53 | 51 | 183 | 97 | 113 | 127 | 151 | 488 | 671 |
| 0600 | 71 | 78 | 124 | 154 | 427 | 216 | 267 | 300 | 337 | 1120 | 1547 |
| 0700 | 184 | 230 | 298 | 276 | 988 | 357 | 341 | 306 | 377 | 1381 | 2369 |
| 0800 | 344 | 332 | 328 | 223 | 1227 | 328 | 314 | 255 | 214 | 1111 | 2338 |
| 0900 | 196 | 219 | 236 | 206 | 857 | 236 | 229 | 236 | 200 | 901 | 1758 |
| 1000 | 218 | 226 | 220 | 215 | 879 | 191 | 221 | 180 | 158 | 750 | 1629 |
| 1100 | 249 | 231 | 291 | 224 | 995 | 175 | 203 | 169 | 208 | 755 | 1750 |
| 1200 | 218 | 248 | 224 | 207 | 897 | 174 | 177 | 195 | 165 | 711 | 1608 |
| 1300 | 235 | 227 | 232 | 240 | 934 | 156 | 187 | 174 | 200 | 717 | 1651 |
| 1400 | 231 | 235 | 287 | 370 | 1123 | 232 | 214 | 198 | 189 | 833 | 1956 |
| 1500 | 187 | 240 | 240 | 297 | 964 | 210 | 266 | 164 | 180 | 820 | 1784 |
| 1600 | 286 | 250 | 317 | 310 | 1163 | 217 | 221 | 245 | 262 | 945 | 2108 |
| 1700 | 309 | 318 | 247 | 283 | 1157 | 282 | 261 | 271 | 259 | 1073 | 2230 |
| 1800 | 268 | 237 | 201 | 191 | 897 | 271 | 241 | 193 | 205 | 910 | 1807 |
| 1900 | 153 | 114 | 119 | 100 | 486 | 194 | 177 | 146 | 175 | 692 | 1178 |
| 2000 | 84 | 75 | 63 | 63 | 285 | 157 | 156 | 139 | 135 | 587 | 872 |
| 2100 | 72 | 62 | 64 | 68 | 266 | 116 | 127 | 102 | 101 | 446 | 712 |
| 2200 | 56 | 46 | 46 | 49 | 197 | 87 | 77 | 69 | 42 | 275 | 472 |
| 2300 | 36 | 34 | 32 | 22 | 124 | 46 | 31 | 28 | 27 | 132 | 256 |
| 24-HOUR TOTALS: | | | | | 14307 | | | | | 15130 | 29437 |

PEAK VOLUME INFORMATION

| | DIRECTION: N | | DIRECTION: S | | COMBINED DIRECTIONS | |
|---|---|---|---|---|---|---|
| | HOUR | VOLUME | HOUR | VOLUME | HOUR | VOLUME |
| A.M. | 745 | 1280 | 700 | 1381 | 730 | 2575 |
| P.M. | 1630 | 1254 | 1645 | 1076 | 1630 | 2304 |
| DAILY | 745 | 1280 | 700 | 1381 | 730 | 2575 |

GENERATED BY SPS 5.0.53P

2018 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL

CATEGORY: 8901 CEN.-W OF US1 TO I95

MOCF: 0.96

| WEEK | DATES | SF | PSCF |
|---|---|---|---|
| 1 | 01/01/2018 - 01/06/2018 | 0.98 | 1.02 |
| 2 | 01/07/2018 - 01/13/2018 | 0.99 | 1.03 |
| 3 | 01/14/2018 - 01/20/2018 | 0.99 | 1.03 |
| * 4 | 01/21/2018 - 01/27/2018 | 0.98 | 1.02 |
| * 5 | 01/28/2018 - 02/03/2018 | 0.97 | 1.01 |
| * 6 | 02/04/2018 - 02/10/2018 | 0.96 | 1.00 |
| * 7 | 02/11/2018 - 02/17/2018 | 0.96 | 1.00 |
| * 8 | 02/18/2018 - 02/24/2018 | 0.95 | 0.99 |
| * 9 | 02/25/2018 - 03/03/2018 | 0.95 | 0.99 |
| *10 | 03/04/2018 - 03/10/2018 | 0.94 | 0.98 |
| *11 | 03/11/2018 - 03/17/2018 | 0.94 | 0.98 |
| *12 | 03/18/2018 - 03/24/2018 | 0.95 | 0.99 |
| *13 | 03/25/2018 - 03/31/2018 | 0.95 | 0.99 |
| *14 | 04/01/2018 - 04/07/2018 | 0.96 | 1.00 |
| *15 | 04/08/2018 - 04/14/2018 | 0.97 | 1.01 |
| *16 | 04/15/2018 - 04/21/2018 | 0.98 | 1.02 |
| 17 | 04/22/2018 - 04/28/2018 | 0.99 | 1.03 |
| 18 | 04/29/2018 - 05/05/2018 | 1.00 | 1.04 |
| 19 | 05/06/2018 - 05/12/2018 | 1.02 | 1.06 |
| 20 | 05/13/2018 - 05/19/2018 | 1.03 | 1.07 |
| 21 | 05/20/2018 - 05/26/2018 | 1.03 | 1.07 |
| 22 | 05/27/2018 - 06/02/2018 | 1.03 | 1.07 |
| 23 | 06/03/2018 - 06/09/2018 | 1.03 | 1.07 |
| 24 | 06/10/2018 - 06/16/2018 | 1.04 | 1.08 |
| 25 | 06/17/2018 - 06/23/2018 | 1.04 | 1.08 |
| 26 | 06/24/2018 - 06/30/2018 | 1.05 | 1.09 |
| 27 | 07/01/2018 - 07/07/2018 | 1.05 | 1.09 |
| 28 | 07/08/2018 - 07/14/2018 | 1.06 | 1.10 |
| 29 | 07/15/2018 - 07/21/2018 | 1.06 | 1.10 |
| 30 | 07/22/2018 - 07/28/2018 | 1.05 | 1.09 |
| 31 | 07/29/2018 - 08/04/2018 | 1.04 | 1.08 |
| 32 | 08/05/2018 - 08/11/2018 | 1.03 | 1.07 |
| 33 | 08/12/2018 - 08/18/2018 | 1.03 | 1.07 |
| 34 | 08/19/2018 - 08/25/2018 | 1.03 | 1.07 |
| 35 | 08/26/2018 - 09/01/2018 | 1.04 | 1.08 |
| 36 | 09/02/2018 - 09/08/2018 | 1.05 | 1.09 |
| 37 | 09/09/2018 - 09/15/2018 | 1.06 | 1.10 |
| 38 | 09/16/2018 - 09/22/2018 | 1.05 | 1.09 |
| 39 | 09/23/2018 - 09/29/2018 | 1.04 | 1.08 |
| 40 | 09/30/2018 - 10/06/2018 | 1.03 | 1.07 |
| 41 | 10/07/2018 - 10/13/2018 | 1.02 | 1.06 |
| 42 | 10/14/2018 - 10/20/2018 | 1.01 | 1.05 |
| 43 | 10/21/2018 - 10/27/2018 | 1.01 | 1.05 |
| 44 | 10/28/2018 - 11/03/2018 | 1.00 | 1.04 |
| 45 | 11/04/2018 - 11/10/2018 | 1.00 | 1.04 |
| 46 | 11/11/2018 - 11/17/2018 | 0.99 | 1.03 |
| 47 | 11/18/2018 - 11/24/2018 | 0.99 | 1.03 |
| 48 | 11/25/2018 - 12/01/2018 | 0.99 | 1.03 |
| 49 | 12/02/2018 - 12/08/2018 | 0.98 | 1.02 |
| 50 | 12/09/2018 - 12/15/2018 | 0.98 | 1.02 |
| 51 | 12/16/2018 - 12/22/2018 | 0.98 | 1.02 |
| 52 | 12/23/2018 - 12/29/2018 | 0.99 | 1.03 |
| 53 | 12/30/2018 - 12/31/2018 | 0.99 | 1.03 |

* PEAK SEASON

# Martin County 2018 Roadway Level of Service Inventory Report

| Road Name | From | To | Generalized Service Capacity | 2018 Average Annual Daily Traffic | Peak Hour Factor $K_{30}$ | Directional Distribution $D_{100}$ | 2018 Peak Hour Directional Volume | 2018 Generalized LOS | Avg. Annual Growth Rate |
|---|---|---|---|---|---|---|---|---|---|
| CR-714 (Veteran's Memorial Bridge) | Mapp Rd | SR-76 | 2000 | 23,323 | 0.11 | 0.59 | 1,500 | C | 8.0% |
| CR-723 (Savanna Rd) | CR-707 | NE 24th St | 880 | 9,023 | 0.09 | 0.50 | 393 | C | 2.4% |
| CR-723 (Savanna Rd) | NE 24th St | CR-707A (Jensen Beach Blvd.) | 880 | 10,500 | 0.09 | 0.53 | 473 | C | 1.6% |
| CR-726 (Citrus Blvd) | SR-710 | Greenridge Ln | 740 | 2,779 | 0.08 | 0.58 | 132 | A/B | 4.7% |
| CR-726 (Citrus Blvd) | Greenridge Ln | CR-76A | 740 | 2,553 | 0.09 | 0.57 | 131 | A/B | 5.3% |
| CR-76A (Citrus Blvd.) | CR-726 | SR-714 | 1200 | 4,204 | 0.09 | 0.55 | 215 | A/B | 5.6% |
| CR-76A (SW 96th St) | CR-726 | Pennsylvania Ave | 1200 | 3,768 | 0.09 | 0.56 | 190 | A/B | 4.7% |
| CR-76A (SW 96th St) | Pennsylvania Ave | SR-76 | 800 | 8,115 | 0.09 | 0.63 | 435 | C | 4.5% |
| CR-A1A (Dixie Hwy) | SR-5 | CR-708 | 750 | 3,233 | 0.09 | 0.50 | 147 | C | 4.6% |
| CR-A1A (Dixie Hwy) | CR-708 | Osprey St | 880 | 7,508 | 0.11 | 0.53 | 454 | C | 3.6% |
| CR-A1A (Dixie Hwy) | Osprey St | Heritage Blvd | 1190 | 6,641 | 0.08 | 0.55 | 292 | A/B | 4.1% |
| CR-A1A (Dixie Hwy) | Heritage Blvd | Cove Rd | 1190 | 7,348 | 0.09 | 0.54 | 341 | A/B | 4.7% |
| CR-A1A (Dixie Hwy) | Cove Rd | Salerno Rd | 790 | 12,223 | 0.09 | 0.53 | 602 | D | 3.6% |
| CR-A1A (Dixie Hwy) | Salerno Rd | St. Lucie Blvd | 750 | 16,587 | 0.09 | 0.51 | 753 | E | 3.1% |
| CR-A1A (Dixie Hwy) | St Lucie Blvd | Jefferson St | 750 | 13,991 | 0.10 | 0.50 | 700 | D | 2.5% |
| CR-A1A (Dixie Hwy) | Jefferson St | Indian St | 1630 | 18,643 | 0.08 | 0.52 | 756 | D | 4.0% |
| CR-A1A (Dixie Hwy) | Indian St | SR-714 | 2000 | 16,285 | 0.10 | 0.50 | 790 | C | 0.9% |
| CR-A1A (Dixie Hwy) | SR-714 | SE Fifth St | 675 | 6,585 | 0.09 | 0.55 | 340 | D | 2.0% |
| Dr Martin Luther King Jr Blvd | Farm Rd | SR-710 | 675 | 2,169 | 0.07 | 0.53 | 83 | C | 4.0% |
| Farm Rd | Dr Martin Luther King Jr Dr | Palm Wy | 750 | 2,588 | 0.06 | 0.59 | 93 | C | 2.0% |
| Fox Brown Rd | SR-710 | CR-714 | 740 | 333 | 0.08 | 0.60 | 16 | A/B | 0.0% |

Segments with shaded LOS require additional analysis.
The peaks are: CR-A1A (PM/SB); CR-713 (PM/NB); Murphy Rd (PM/NB); SR-5 (AM/SB); SR-714 [Palm City Bridge] (PM/WB) and SR-714 (PM/WB).


Effective February 18, 2019

# Martin County 2018 Roadway Level of Service Inventory Report

| Road Name | From | To | Generalized Service Capacity | 2018 Average Annual Daily Traffic | Peak Hour Factor $K_{30}$ | Directional Distribution $D_{100}$ | 2018 Peak Hour Directional Volume | 2018 Generalized LOS | Avg. Annual Growth Rate |
|---|---|---|---|---|---|---|---|---|---|
| Goldenrod Rd | Britt Rd | SR-732 | 1630 | 4,838 | 0.08 | 0.61 | 242 | C | 0.5% |
| Goldenrod Rd | SR-732 | SR-5 | 750 | 6,933 | 0.09 | 0.56 | 357 | C | 2.1% |
| Goldenrod Rd | SR-5 | Westmoreland Blvd | 750 | 4,350 | 0.09 | 0.73 | 273 | C | 4.6% |
| Gomez Ave | CR-708 | Crossrip St | 750 | 3,616 | 0.09 | 0.64 | 199 | C | 0.5% |
| Gomez Ave | Crossrip St | Osprey St | 750 | 1,079 | 0.08 | 0.58 | 49 | C | 0.5% |
| Green River Parkway | Dixie Hwy | Baker Rd | 750 | 6,728 | 0.10 | 0.64 | 444 | D | 5.2% |
| Green River Parkway | Baker Rd | SR-732 | 880 | 8,203 | 0.12 | 0.65 | 635 | C | 6.1% |
| Green River Parkway | SR-732 | St. Lucie County | 1190 | 8,395 | 0.10 | 0.63 | 513 | C | 4.2% |
| Horseshoe Point Rd | CR-A1A | Kubin Ave | 675 | 5,725 | 0.08 | 0.53 | 252 | C | 0.5% |
| Indian St | SR-76 | Willoughby Blvd | 2000 | 28,668 | 0.10 | 0.58 | 1,679 | C | 7.0% |
| Indian St | Willoughby Blvd | SR-5 | 2000 | 28,304 | 0.08 | 0.50 | 1,189 | C | 3.9% |
| Indian St | SR-5 | Commerce Ave | 2000 | 22,456 | 0.09 | 0.54 | 1,031 | C | 0.5% |
| Indian St | Commerce Ave | CR-A1A | 2000 | 24,848 | 0.09 | 0.50 | 1,068 | C | 1.0% |
| Indian St | CR-A1A | St Lucie Blvd | 675 | 7,214 | 0.09 | 0.53 | 359 | D | 0.5% |
| Indian River Dr | Palmer St | CR-707 | 750 | 7,243 | 0.09 | 0.57 | 363 | C | 0.5% |
| Island Way | Palm Beach County | Jupiter Road | 1200 | 4,326 | 0.10 | 0.58 | 261 | A/B | 2.6% |
| Island Way | Jupiter Road | Country Club Dr | 750 | 5,230 | 0.08 | 0.52 | 204 | C | 3.1% |
| Jack James Rd | SR-76 | Blue Water Wy | 750 | 2,999 | 0.13 | 0.66 | 255 | C | 4.2% |
| Lares St | CR-708 | CR-A1A | 675 | 3,430 | 0.09 | 0.69 | 206 | C | 2.8% |
| Little Club Wy | Country Club Dr | Wooden Bridge Wy | 675 | 2,382 | 0.08 | 0.55 | 103 | C | 1.2% |
| Locks Rd | Canal St | SR-76 | 675 | 3,722 | 0.08 | 0.53 | 154 | C | 1.1% |

Segments with shaded LOS require additional analysis.
The peaks are: CR-A1A (PM/SB); CR-713 (PM/NB); Murphy Rd (PM/NB); SR-5 (AM/SB); SR-714 [Palm City Bridge] (PM/WB) and SR-714 (PM/WB).

# Martin County 2018 Roadway Level of Service Inventory Report

| Road Name | From | To | Generalized Service Capacity | 2018 Average Annual Daily Traffic | Peak Hour Factor $K_{30}$ | Directional Distribution $D_{100}$ | 2018 Peak Hour Directional Volume | 2018 Generalized LOS | Avg. Annual Growth Rate |
|---|---|---|---|---|---|---|---|---|---|
| SR-732 (Causeway Blvd) | CR-707 | SR-A1A | 1190 | 13,403 | 0.10 | 0.51 | 684 | C | 0.8% |
| SR-732 (Jensen Beach Blvd) | SR-5 | Green River Pkwy | 2000 | 25,891 | 0.10 | 0.52 | 1,319 | C | 0.5% |
| SR-732 (Jensen Beach Blvd) | Green River Pkwy | CR-723 | 2000 | 24,869 | 0.09 | 0.56 | 1,253 | C | 0.5% |
| SR-76 (Kanner Hwy) | SR-15 | SR-710 | 740 | 2,117 | 0.09 | 0.57 | 105 | A/B | 8.0% |
| SR-76 (Kanner Hwy) | SR-710 | CR-708 | 740 | 3,488 | 0.08 | 0.59 | 171 | A/B | 8.0% |
| SR-76 (Kanner Hwy) | CR-708 | CR-711/CR-76A | 1200 | 3,027 | 0.11 | 0.54 | 180 | A/B | 1.9% |
| SR-76 (Kanner Hwy) | CR-711/CR76A | Locks Rd | 2000 | 12,928 | 0.12 | 0.52 | 813 | C | 1.2% |
| SR-76 (Kanner Hwy) | Locks Rd | Jack James | 2000 | 20,494 | 0.09 | 0.60 | 1,082 | C | 2.0% |
| SR-76 (Kanner Hwy) | Jack James | Cove Rd | 3020 | 45,918 | 0.10 | 0.52 | 2,409 | C | 2.4% |
| SR-76 (Kanner Hwy) | Cove Rd | Salerno Rd | 3020 | 31,734 | 0.09 | 0.52 | 1,436 | C | 0.9% |
| SR-76 (Kanner Hwy) | Salerno Rd | Indian St | 3020 | 29,492 | 0.10 | 0.52 | 1,468 | C | 2.6% |
| SR-76 (Kanner Hwy) | Indian St | SR-714 | 3020 | 21,161 | 0.07 | 0.52 | 759 | C | 0.5% |
| SR-76 (Kanner Hwy) | SR-714 | SR-5 | 3020 | 25,033 | 0.08 | 0.50 | 1,001 | C | 0.5% |
| SR-A1A (Ocean Blvd) | SR-714 | St Lucie Blvd | 1630 | 19,372 | 0.11 | 0.57 | 1,193 | D | 1.4% |
| SR-A1A (Ocean Blvd) | St Lucie Blvd | Sewalls Point Rd | 2000 | 21,532 | 0.09 | 0.51 | 1,010 | C | 0.5% |
| SR-A1A (Ocean Blvd) | Sewalls Point Rd | Macarthur Blvd | 925 | 12,803 | 0.09 | 0.54 | 650 | C | 0.5% |
| SR-A1A (Ocean Blvd) | MacArthur Blvd | SR-732 | 1190 | 8,278 | 0.09 | 0.53 | 395 | A/B | 2.5% |
| SR-A1A (Ocean Blvd) | SR-732 | St Lucie County | 1190 | 14,957 | 0.12 | 0.54 | 953 | D | 3.6% |
| St Lucie Blvd | CR-A1A | Indian St | 675 | 3,083 | 0.10 | 0.55 | 163 | C | 0.5% |
| St Lucie Blvd | Indian St | SR-A1A | 675 | 7,420 | 0.11 | 0.54 | 421 | D | 0.8% |
| Westmoreland Blvd | St Lucie County | SR-5 | 790 | 12,542 | 0.08 | 0.60 | 632 | D | 2.6% |

Segments with shaded LOS require additional analysis.
The peaks are: CR-A1A (PM/SB); CR-713 (PM/NB); Murphy Rd (PM/NB); SR-5 (AM/SB); SR-714 [Palm City Bridge] (PM/WB) and SR-714 (PM/WB).


Effective February 18, 2019

# Land Use: 221
# Multifamily Housing (Mid-Rise)

### Description

Mid-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and that have between three and 10 levels (floors). Multifamily housing (low-rise) (Land Use 220), multifamily housing (high-rise) (Land Use 222), off-campus student apartment (Land Use 225), and mid-rise residential with 1st-floor commercial (Land Use 231) are related land uses.

### Additional Data

In prior editions of *Trip Generation Manual*, the mid-rise multifamily housing sites were further divided into rental and condominium categories. An investigation of vehicle trip data found no clear differences in trip making patterns between the rental and condominium sites within the ITE database. As more data are compiled for future editions, this land use classification can be reinvestigated.

For the six sites for which both the number of residents and the number of occupied dwelling units were available, there were an average of 2.46 residents per occupied dwelling unit.

For the five sites for which the numbers of both total dwelling units and occupied dwelling units were available, an average of 95.7 percent of the total dwelling units were occupied.

Time-of-day distribution data for this land use are presented in Appendix A. For the eight general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:00 and 8:00 a.m. and 4:45 and 5:45 p.m., respectively.

For the four dense multi-use urban sites with 24-hour count data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:15 and 8:15 a.m. and 4:15 and 5:15 p.m., respectively. For the three center city core sites with 24-hour count data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 6:45 and 7:45 a.m. and 5:00 and 6:00 p.m., respectively.

For the six sites for which data were provided for both occupied dwelling units and residents, there was an average of 2.46 residents per occupied dwelling unit.

For the five sites for which data were provided for both occupied dwelling units and total dwelling units, an average of 95.7 percent of the units were occupied.

The average numbers of person trips per vehicle trip at the five center city core sites at which both person trip and vehicle trip data were collected were as follows:

- 1.84 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.94 during Weekday, AM Peak Hour of Generator
- 2.07 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 2.59 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 32 dense multi-use urban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.90 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.90 during Weekday, AM Peak Hour of Generator
- 2.00 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 2.08 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 13 general urban/suburban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.56 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.88 during Weekday, AM Peak Hour of Generator
- 1.70 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 2.07 during Weekday, PM Peak Hour of Generator

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), British Columbia (CAN), California, Delaware, District of Columbia, Florida, Georgia, Illinois, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, Ontario, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, Virginia, and Wisconsin.

### Source Numbers

168, 188, 204, 305, 306, 321, 357, 390, 436, 525, 530, 579, 638, 818, 857, 866, 901, 904, 910, 912, 918, 934, 936, 939, 944, 947, 948, 949, 959, 963, 964, 966, 967, 969, 970

# Multifamily Housing (Mid-Rise)
(221)

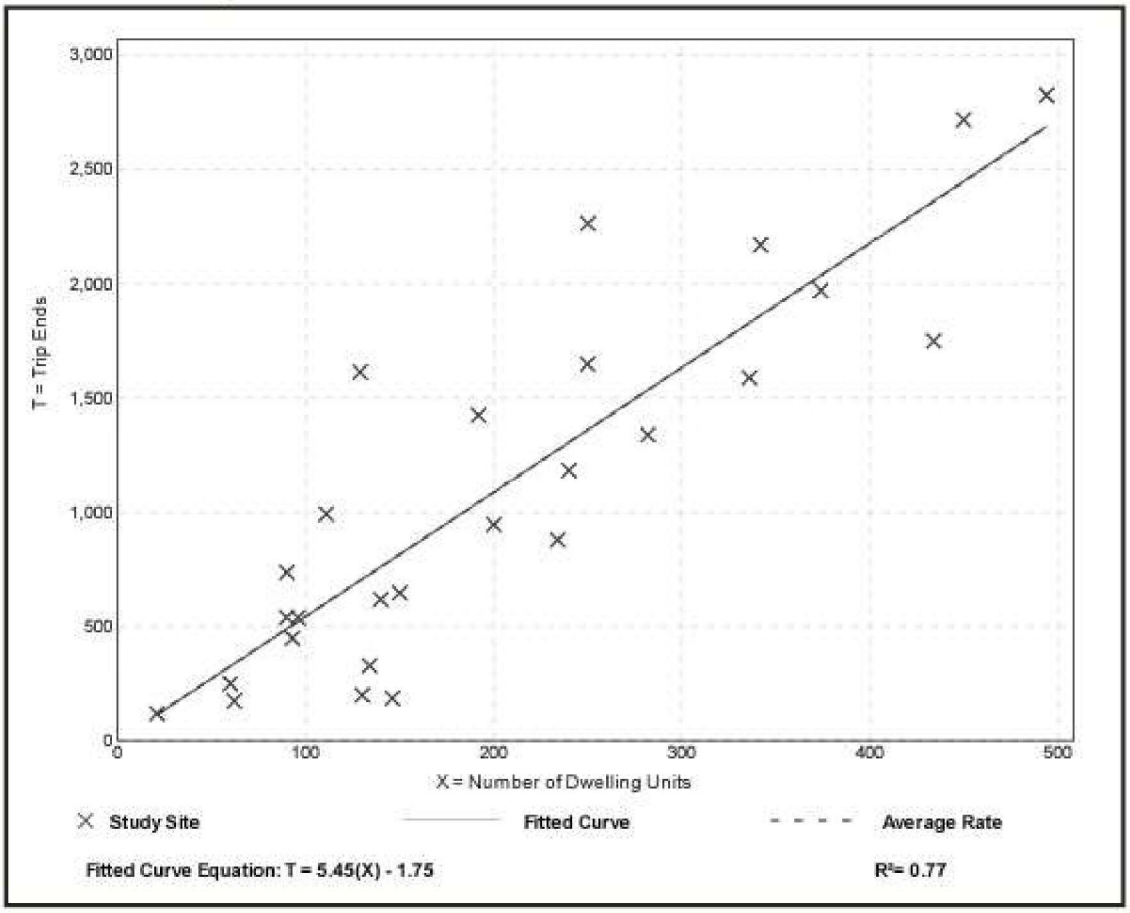
**Vehicle Trip Ends vs: Dwelling Units**
**On a: Weekday**

**Setting/Location: General Urban/Suburban**
Number of Studies: 27
Avg. Num. of Dwelling Units: 205
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per Dwelling Unit

| Average Rate | Range of Rates | Standard Deviation |
|---|---|---|
| 5.44 | 1.27 - 12.50 | 2.03 |

## Data Plot and Equation



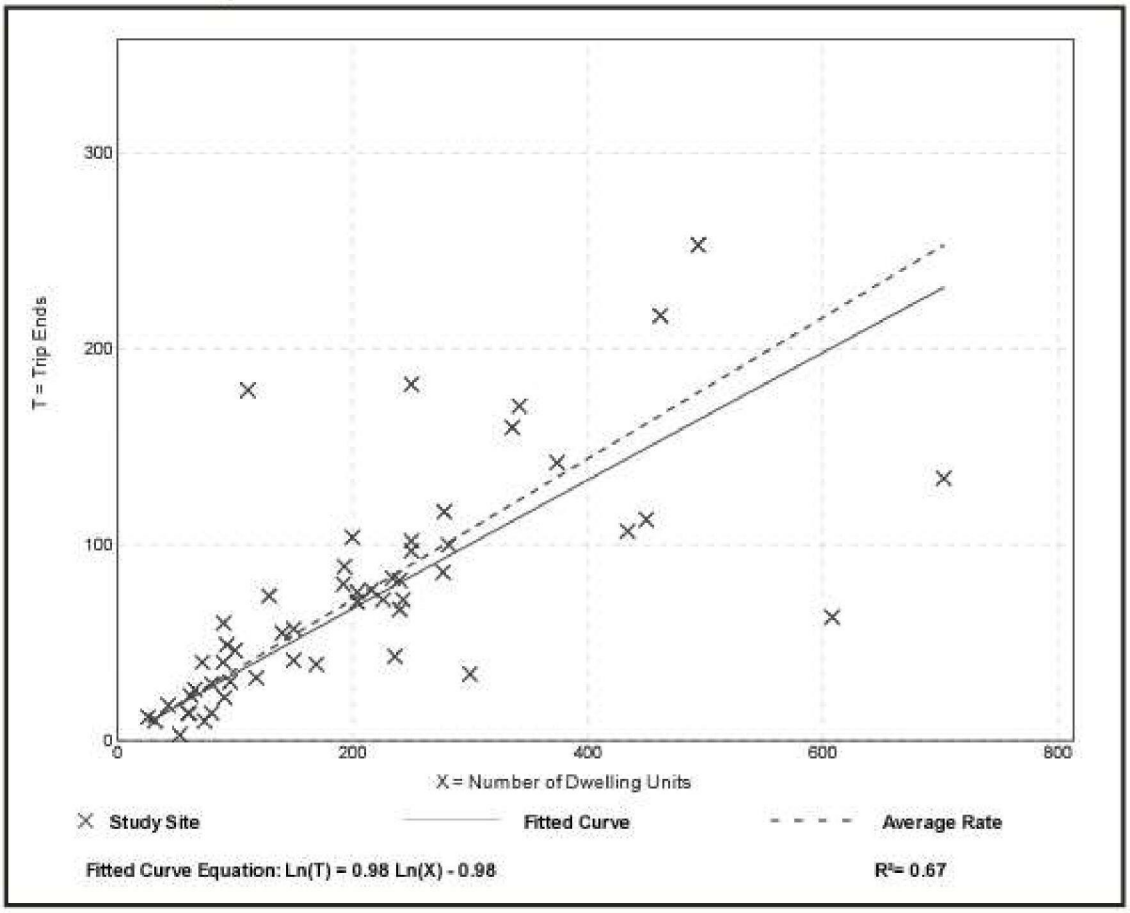
# Multifamily Housing (Mid-Rise)
(221)

**Vehicle Trip Ends vs:** **Dwelling Units**
**On a:** **Weekday,**
**Peak Hour of Adjacent Street Traffic,**
**One Hour Between 7 and 9 a.m.**
**Setting/Location:** **General Urban/Suburban**
Number of Studies: 53
Avg. Num. of Dwelling Units: 207
Directional Distribution: 26% entering, 74% exiting

## Vehicle Trip Generation per Dwelling Unit

| Average Rate | Range of Rates | Standard Deviation |
|---|---|---|
| 0.36 | 0.06 - 1.61 | 0.19 |

## Data Plot and Equation



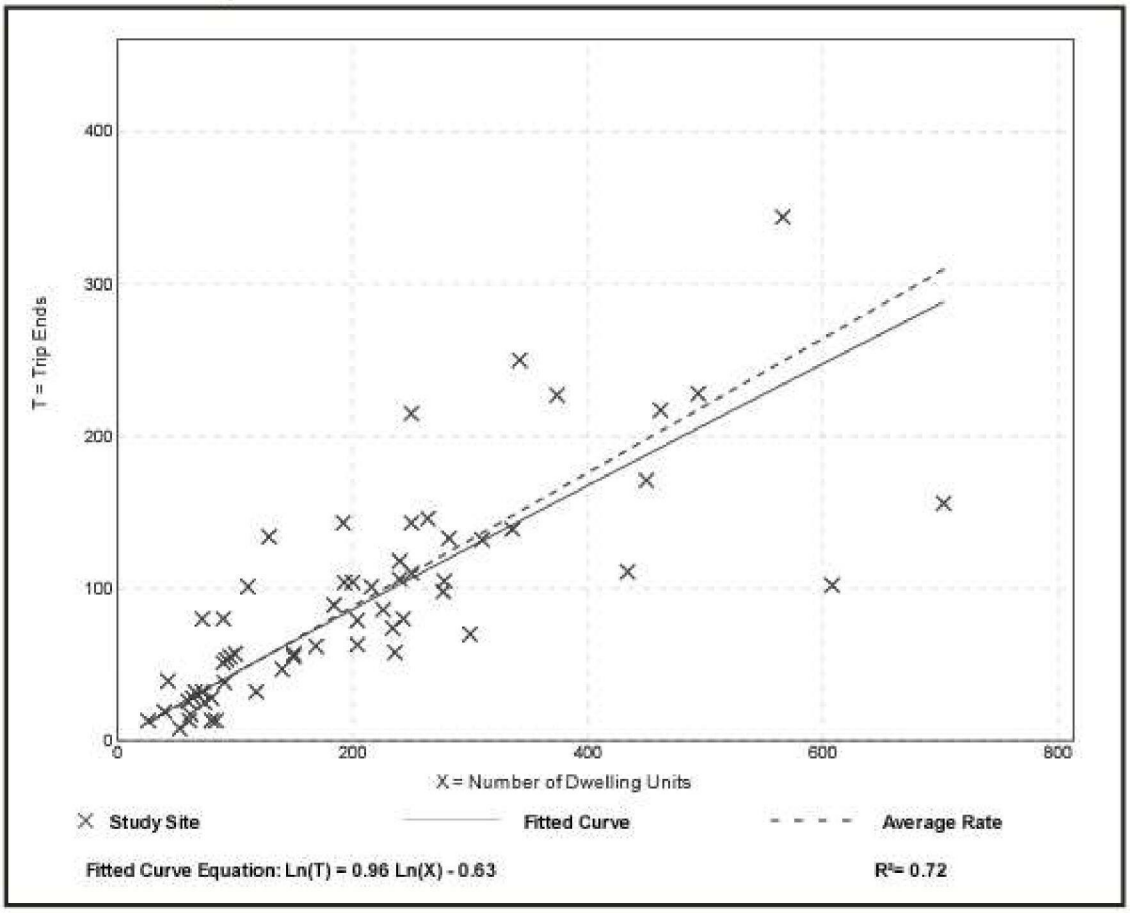
# Multifamily Housing (Mid-Rise)
(221)

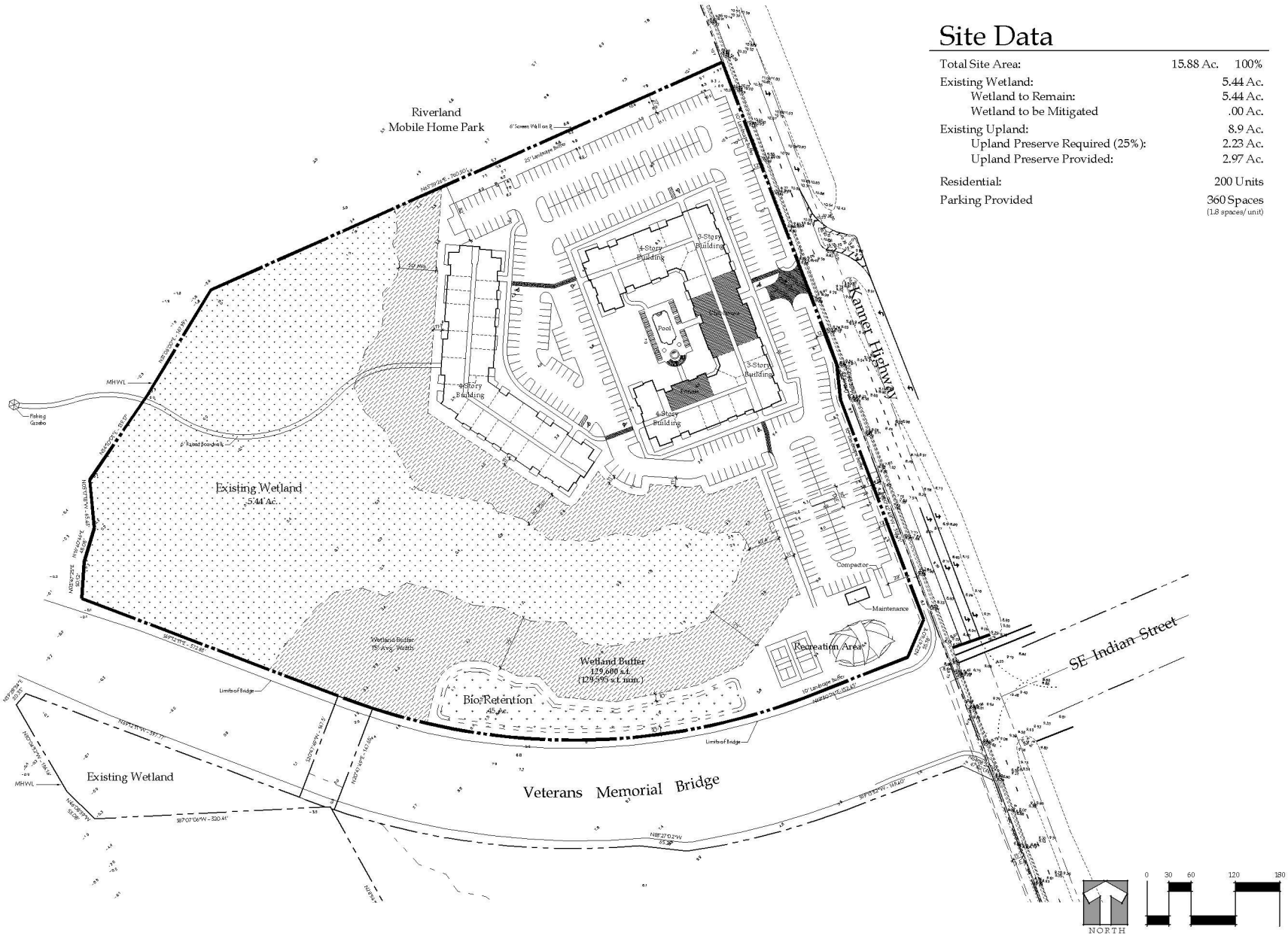
**Vehicle Trip Ends vs:** **Dwelling Units**
**On a:** **Weekday,**
**Peak Hour of Adjacent Street Traffic,**
**One Hour Between 4 and 6 p.m.**
**Setting/Location:** **General Urban/Suburban**
Number of Studies: 60
Avg. Num. of Dwelling Units: 208
Directional Distribution: 61% entering, 39% exiting

## Vehicle Trip Generation per Dwelling Unit

| Average Rate | Range of Rates | Standard Deviation |
|---|---|---|
| 0.44 | 0.15 - 1.11 | 0.19 |

## Data Plot and Equation






# Site Data

| | | |
|---|---|---|
| Total Site Area: | 15.88 Ac. | 100% |
| Existing Wetland: | 5.44 Ac. | |
| Wetland to Remain: | 5.44 Ac. | |
| Wetland to be Mitigated | .00 Ac. | |
| Existing Upland: | 8.9 Ac. | |
| Upland Preserve Required (25%): | 2.23 Ac. | |
| Upland Preserve Provided: | 2.97 Ac. | |
| Residential: | 200 Units | |
| Parking Provided | 360 Spaces (1.8 spaces/ unit) | |

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Planners and
Environmental Consultants

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# Bridgeview
Martin County, Florida

Designed:
Drawn:
Approved:
Date:
Job no.
Revisions:

Cad no. CAD0

Seal

LC C000177

Sheet Title:
Site Development Plan

Scale: 1" = 60'

Sheet No.
SP-1
00-0000

N:\Bridgeview - Atlantic Realty - 19-0409\Drawings\1st Submittal\Bridgeview Site Plan 10-2-19.dwg, 10/2/2019 4:34:35 PM, DWG To PDF.pc3

# Martin County, Florida - Laurel Kelly, C.F.A

*generated on 6/18/2019 9:31:28 AM EDT*

## Summary

| Parcel ID | Account # | Unit Address | Market Total Value | Website Updated |
|---|---|---|---|---|
| 40-38-41-001-051-00000-2 | 35989 | S KANNER HWY, STUART | $769,590 | 6/15/2019 |

### Owner Information

| | |
|---|---|
| **Owner(Current)** | FAIRVIEW PROPERTIES INC |
| **Owner/Mail Address** | 2400 S FEDERAL HWY #230<br>STUART FL 34994 |
| **Sale Date** | 3/3/2008 |
| **Document Book/Page** | 2312 2091 |
| **Document No.** | 2069649 |
| **Sale Price** | 0 |

### Location/Description

| | | | |
|---|---|---|---|
| **Account #** | 35989 | **Map Page No.** | HG-11 |
| **Tax District** | 7017 | **Legal Description** | STUART FARMS SLY 300' OF LOT C, LOT D & THAT PART OF LOT E LYING N OF UNNAMED CREEK (LESS SR 76 R/W) & THAT PART OF LOT 6 OF COMMISSIONERS S/D OF HANSON GRANT LYING NLY OF UNNAMED CREEK & ELY OF ST LUCIE CANAL (LESS NLY 1500').. (& LESS FROM ALL ABOVE THAT 4.46 ACRES TO FLDOT PER OR 2441/0936) |
| **Parcel Address** | S KANNER HWY, STUART | | |
| **Acres** | 26.2100 | | |

### Parcel Type

| | |
|---|---|
| **Use Code** | 1000 Vacant Commercial |
| **Neighborhood** | 50100 SW Stuart_Kanner_Willoughby |

### Assessment Information

| | |
|---|---|
| **Market Land Value** | $769,590 |
| **Market Improvement Value** | |
| **Market Total Value** | $769,590 |

EW CONSULTANTS, INC.
NATURAL RESOURCE MANAGEMENT, WETLAND, AND ENVIRONMENTAL PERMITTING SERVICES

# BRIDGEVIEW

# ATLANTIC RESIDENTIAL

## ENVIRONMENTAL ASSESSMENT REPORT

Prepared by:

**EW CONSULTANTS, INC.**

September 2019
March 2020 (revised)

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2581 METROCENTRE BLVD, SUITE 1 • WEST PALM BEACH, FL 33407 • 561-291-7950 PHONE
WWW.EWCONSULTANTS.COM

## INTRODUCTION –

This report provides an Environmental Assessment of a 15.9+/- acre parcel currently located in unincorporated Martin County, Florida. The property is located in the Hanson Grant, Township 38S, Range 41E. The property is bounded on the west by a mangrove forest associated with the South Fork of the St. Lucie River, on the north by the Riverland mobile home park, on the east by S.R. 76, and on the south by the Veterans Memorial Bridge. The Location Map provided as Figure 1 displays the site location in relation to the surrounding area. Additionally, a 2019 aerial photograph of the site is included as part of this report as Figure 2.

This report includes an inventory of the soil types and vegetative communities present, as well as an analysis of the presence and potential presence of listed species within the parcel. This environmental assessment is based on field reconnaissance on the subject property performed in June 2015, and July 2019.

## GENERAL PROPERTY DESCRIPTION –

Based on a recent site assessment (July 2019), along with several previous site investigations, conducted by staff from EW Consultants, Inc., the dominant land cover of the subject property are undeveloped lands comprised of both upland and wetland habitats. As a result of previously permitted activities, a bridge construction (Veterans' Memorial Bridge) has been completed. Several areas have been disturbed by the activities associated with the construction of the bridge. These areas are returning to their pre-development conditions with minimal invasive exotic vegetation encroaching. Similarly, areas adjacent to the newly constructed roadway, and the existing roadway shoulders are regularly mowed. The remainder of the parcel remain in conditions similar to those existing and observed over the course of the past eleven years.

The site generally consists of upland pine, oak, and scrubby flatwoods, a mix of sand pine scrub habitat, a bay swamp and ditch wetland system, and a portion of disturbed lands present on-site. Detailed discussions of land cover types are described in subsequent sections of this report.

## SOILS –

A Soils Report produced by the United States Department of Agriculture/Natural Resources Conservation Service is provided in the Appendix of this report. According to the NRCS Soil Survey, three different soil types are found on the subject property. A description of the soils are as follows:

***#35 Salerno Sand -*** This soil is a nearly level, poorly drained soil in broad areas of flatwoods. The water table is typically at a depth of less than 10 inches for 2 to 4 months during wet seasons, and at a depth of greater than 40 inches during the dry season

***# 50 Wulfert and Durbin Mucks, Tidal -*** This soil is a very deep, very poorly drained, and rapidly permeable soil in tidal areas along the Coast. The soils were formed with well decomposed organic

material and underlying materials. Slopes range from 0 to 1 percent and are flooded during normal daily high tides.

***#61 Hobe fine sand, 0 to 5 percent slopes -*** This nearly level to gently sloping soil is somewhat excessively drained. It is typically located on knolls and ridges in coastal areas of flatwoods. Often the surface layer is a grey fine sand. The water table is generally at a depth of 50 to 60 inches for brief periods, but is generally at a depth of 60 to 80 inches during the wet season, and below 80 inches the remainder of the year.

**EXISTING LAND COVER TYPES –**

Figure 3 provides an aerial view and nomenclature for the various types of land covers/FLUCCS codes which currently exist on-site. These vegetation types and coverage areas have been verified and checked over the course of the past seven years with the most recent verification conducted in July of 2019. The limits of these land cover types are general in nature; no surveying implements were used during the site investigation. This figure does not reflect a current wetland jurisdictional verification by any regulatory agency.

The land cover types found on the project include:

**Wetland Communities –**

*#611 Bay Swamp – 5.4 acres*
The site contains one wetland consisting of bay/maple swamp transitioning to a mangrove forest (off-site) to the west. The landward extent of the wetland area was verified by the South Florida Water Management District in 2008. The southern and western portions of the parcel contain a wetland system dominated by freshwater hardwood species such as red bay, loblolly bay and red maple. These areas remain in fair to good ecological condition, with some infestation of nuisance exotic plants such as *Lygodium* vine and Brazilian pepper.

The observed vegetation in these swamps predominantly includes the following species of note, as well as others that may not be specifically noted:

| | |
|---|---|
| Loblolly bay | *Gordonia lasianthus* |
| Red bay | *Persea borbonia* |
| Dahoon holly | *Ilex cassine* |
| Red maple | *Acer rubrum* |
| Wax myrtle | *Myrica cerifera* |
| Gallberry | *Ilex glabra* |
| Saw palmetto | *Serenoa repens* |
| Smilax | *Smilax* spp. |
| Grapevine | *Vitis* spp. |
| Swamp fern | *Blechnum* spp. |
| Cinnamon fern | *Osmunda cinnamomea* |
| Strawberry guava | *Psidium cattleianum* |
| Red root | *Lachnanthes caroliniana* |

| | |
|---|---|
| Cabbage palm | *Sabal palmetto* |
| Leather fern | *Acrostichum* spp. |
| Brazilian pepper | *Schinus terebinthifolius* |

**Other Surface Waters (OSW) –**

*#510 Ditch – 0.1 acres*
The project site contains a channelized ditch which is connected to the bay swamp described above. This ditch is located in the east-central portion of the site north of Veterans' Memorial Bridge. It connects to properties off-site to the east via a culvert below Kanner Highway. The ditch is overgrown with a dominance of exotic species such as Brazilian pepper and Old-world climbing fern.

**Native Upland Communities –**

There are five native upland community types found within the project area. Generally, the high point of the property is located adjacent to Kanner Highway, with the terrain gently sloping to the South Fork of the St. Lucie to the west.

A description of the upland habitat types follows and carry the following FLUCCS classifications:

*#411 Pine Flatwoods – 5.0 acres*
The flatwoods are located north and south of the central bay swamp feature. These areas contain a canopy of slash pines and bays with a dense understory of saw palmetto, gallberry and fetterbush up to eight feet in height. The ground cover is generally scarce due to the dense understory. This is likely the result of the long-term exclusion of fire from the site that allowed a dense saw palmetto understory to develop, thereby greatly reducing the ground cover density and diversity by preventing sunlight from reaching the forest floor. Some exotic vegetation is present in this area of flatwoods including Brazilian pepper, Old-world climbing fern, downy rose myrtle, earleaf acacia, and strawberry guava. The areas of pine flatwoods abutting the bay swamp contain more red bay and loblolly bay trees.

The observed vegetation in the flatwoods predominantly include the following species:

| | |
|---|---|
| Slash pine | *Pinus elliottii* |
| Saw palmetto | *Serenoa repens* |
| Loblolly bay | *Gordonia lasianthus* |
| Red bay | *Persea borbonia* |
| Dahoon holly | *Ilex cassine* |
| Climbing fern | *Lygodium* spp. |
| Gallberry | *Ilex glabra* |
| Fetterbush | *Lyonia lucida* |
| Rusty lyonia | *Lyonia ferruginea.* |
| Smilax | *Smilax* spp. |
| Grapevine | *Vitis* spp. |
| Swamp fern | *Blechnum serrulatum* |

| | |
|---|---|
| Brazilian pepper | *Schinus terebinthifolius* |
| Wax myrtle | *Myrica cerifera* |
| Strawberry guava | *Psidium cattleianum* |
| Red root | *Lachnanthes caroliniana* |
| Coinvine | *Dalbergia ecastaphyllum* |
| Earleaf acacia | *Acacia auriculiformis* |

*#412 Scrubby flatwoods – 0.6 acres*
This habitat occurs in the central portion of the site, adjacent to Kanner Highway and in the southern portion of the site adjacent to the bay swamp. These areas are characterized by a canopy of slash pines and scrub oak trees with a dense understory of scrub oaks, saw palmetto, and fetterbush up to eight feet in height.

The following vegetation types exist and were observed within this habitat:

| | |
|---|---|
| Slash pine | *Pinus elliottii* |
| Saw palmetto | *Serenoa repens* |
| Sand live oak | *Quercus virginiana var. geminata* |
| Chapman oak | *Quercus chapmanii* |
| Reindeer moss | *Cladina evansii* |
| Rosemary | *Ceratiola ericoides* |
| Prickly pear | *Opuntia humifusa* |
| Gopher apple | *Licania michauxii* |
| Wire grass | *Aristida* spp. |
| Blazing star | *Liatrus chapmanii* |
| Deer tongue | *Carphephorus paniculatis* |
| Gallberry | *Ilex glabra* |
| Fetterbush | *Lyonia lucida* |
| Rusty lyonia | *Lyonia* spp. |
| Love vine | *Cassytha filiformis* |
| Grapevine | *Vitus* spp. |

*#413 Sand Pine Scrub – 0.2 acres*
There is one area of sand pine scrub located north of the central bay swamp. The canopy in the sand pine/scrub consists of sand pines of various ages with scattered slash pines, as well. The scrub oaks present are above ten feet in height and form a sub-canopy along the eastern edge of the habitat. The dense canopy, combined with a coverage of mature grapevine, is shading out many of the normally occurring ground covers and wild flowers.

The observed vegetation in the sand pine scrub predominantly included the following species:

| | |
|---|---|
| Sand pine | *Pinus clausa* |
| Saw palmetto | *Serenoa repens* |
| Sand live oak | *Quercus virginiana var. geminate* |
| Chapman oak | *Quercus chapmanii* |
| Reindeer moss | *Cladonia evansii* |

| | |
|---|---|
| Rosemary | *Ceratiola ericoides* |
| Prickly pear | *Opuntia humifusa* |
| Gopher apple | *Licania michauxii* |
| Wire grass | *Aristida* spp. |
| Blazing star | *Liatrus chapmanii* |
| Deer tongue | *Carphephorus paniculatis* |
| Gallberry | *Ilex glabra* |
| Fetterbush | *Lyonia lucida* |
| Rusty lyonia | *Lyonia* spp. |
| Love vine | *Cassytha filiformis* |
| Grapevine | *Vitus* spp. |

*#413/421 Sand Pine/Xeric Oak – 3.1 acres*
There is one area of mixed sand pine and xeric oak located in the northeastern portion of the property. This area mainly consists of young scrub oak with an understory of palmetto and sparse sand pine. Sand pines found in this habitat type are generally immature saplings as many of the mature trees fell as a result of the 2004 and 2005 hurricanes. The scrub oak cover is sparse within this habitat type and as a result, there is a greater density and diversity of forbs and other ground cover vegetation typically found in a burned or managed scrub habitat.

The observed vegetation within the sand pine/xeric oak upland community predominantly included the following species of note as well as others that may not be specifically noted:

| | |
|---|---|
| Sand pine | *Pinus clausa* |
| Saw palmetto | *Serenoa repens* |
| Chapman oak | *Quercus chapmanii* |
| Reindeer moss | *Cladina evansii* |
| Wire grass | *Aristida* spp. |
| Blazing star | *Liatris chapmanii* |
| Deer tongue | *Carphephorus paniculatis* |
| Tar flower | *Befaria racemosa* |
| Gallberry | *Ilex glabra* |
| Fetterbush | *Lyonia lucida* |
| Rusty lyonia | *Lyonia ferruginea* |
| Love vine | *Cassytha filiformis* |
| Grapevine | *Vitis* spp. |

**Non-Native Upland Communities –**

*#740 Disturbed Lands – 0.7 acres*
There are several distinct areas of disturbed uplands on-site. These areas are associated with billboards along Kanner Highway, a strip of land used as a drainage swale along the property's north boundary adjacent to the Riverland development, previously cleared areas along Kanner Highway, and areas to the north of the Veterans' Memorial Bridge. Bahia grass and other stabilizing grasses dominate these areas, as well as grapevine, bamboo and Brazilian pepper.

These areas are subject to encroachment of invasive exotic species without proper maintenance activities.

*#814 Roadway – 0.8 acres*
There is a strip of land on-site north of and adjacent to the Veterans' Memorial Bridge which was utilized for the construction of the section of the bridge east of the St. Lucie River to Indian Street. This area is 0.8 acres and has been cleared and filled as part of the bridge construction. The Florida Department of Transportation is in the process of restoring this area to native habitats in accordance with the state permits issued for the bridge construction.

**PRELIMINARY LISTED SPECIES SURVEY -**

During the course of several site visits from 2006 to 2015, and again in July of 2019, observations were made for the potential presence of listed species of animals and plants on the site. With the diversity and condition of the habitat on the subject site, there is a potential for the presence of several listed species.

*Upland Species* -
A preliminary gopher tortoise survey was conducted on-site on January 23, 2008, which covered approximately 20% of the upland habitat in accordance with Florida Fish and Wildlife Conservation Commission protocol for tortoise population projection. No active or inactive burrows or signs (scat, tracks) of tortoises, which is a state Threatened species, were observed during this survey.

In February 2011, a second preliminary gopher tortoise survey was conducted and covered approximately 25% of the upland habitat on-site. No potentially occupied gopher tortoise burrows or evidence of tortoises (scat, tracks) were observed during this survey.

In June 2015, a gopher tortoise verification survey was performed to identify potential use of the property by listed species. Observations were made for listed species, and again, no listed species (or signs of listed species) were observed.

During the July 2019 site visit, which again covered approximately 20% of on-site gopher tortoise habitat, no evidence of tortoises (burrows, scat, tracks) were observed. However, it is likely that a survey covering more of the upland area may yield tortoise activity based on the habitat types on-site. It is recommended that a full survey in accordance with Florida Fish and Wildlife Conservation Commission protocol for tortoise population projection be conducted prior to land alteration.

There are several other species that may be associated with the upland habitats found on the site which are dependent on gopher tortoise burrows, including the gopher frog (Species of Special Concern) and the Eastern indigo snake (Threatened). These are commensal species commonly associated with gopher tortoise burrows. There were no individuals of these species observed during the field surveys.

Other listed faunal species associated with the upland habitat types on-site include the bald eagle (no longer listed but protected under the Bald and Golden Eagle Protection Act), and the Florida Scrub Jay (Threatened). There were no bald eagle nests or individuals observed on-site. An active nest has been identified on Martin County Kiplinger conservation parcel to the south. This nest is located approximately 3,000 feet from the southern boundary of the project site. The current U.S. Fish & Wildlife Service guidance suggests a protective zone of 660 feet for an active nest. Therefore, the project site is outside of this protective zone.

Based on the upland habitats present, a formal scrub jay survey per U.S. Fish & Wildlife guidelines was conducted on-site in March of 2011. No scrub jays or scrub jay activity was observed during this survey. The June 2019 observation was conducted outside of the U.S. Fish & Wildlife guidelines timeframe, therefore a formal scrub jay survey was not conducted. Observations were made to confirm the presence of scrub jays and note suitable habitat for their presence. There were no scrub jays observed on site during the July 2019 site visit, however suitable habitat was noted. It is recommended that a formal scrub jay survey be conducted during the U.S. Fish & Wildlife guidelines timeframes.

The assessments also included a review for upland listed species of plants. No upland species of listed plants were observed during the assessments. Based on habitat types present, air plants (*Tillandsia spp*) could potentially occur, however none were observed during surveys. Additionally, one upland species listed by the State as commercially exploited was observed – saw palmetto.

*Wetland Species* -
There are several listed animal species that are dependent on the types of wetland habitat present on-site and adjacent to the site. Field reconnaissance on the site included observations of white ibis (SSC) and little blue heron (SSC). It is possible that the bay swamp and associated mangrove swamp to the west (off-site) serve as foraging areas for other listed wading birds such as the snowy egret (SSC), tri-colored heron (SSC), roseate spoonbill (SSC), wood stork (Endangered), reddish egret (SSC), and brown pelican (SSC). There were no nesting pairs of the above species observed within the wetland areas on-site.

The assessments also included a review for wetland listed species of plants. One State threatened species was observed – golden leather fern (*Acrostichum aurem*); and one State commercially exploited species was observed – cinnamon fern (*Osmunda cinnamomea*).

**PREVIOUS IMPACTS –**

The project site shows very few signs of previous impacts other than those described under the FLUCCS code 740 and 814 categories. There are no established off-road trails, and trespassing appears to have been kept to a minimum over the years.

**PROPOSED IMPACTS –**

The portion of the existing ditch that falls within the development area will be replaced with a 36-inch culvert. The culvert will outfall into the remaining portion of the existing ditch west of the

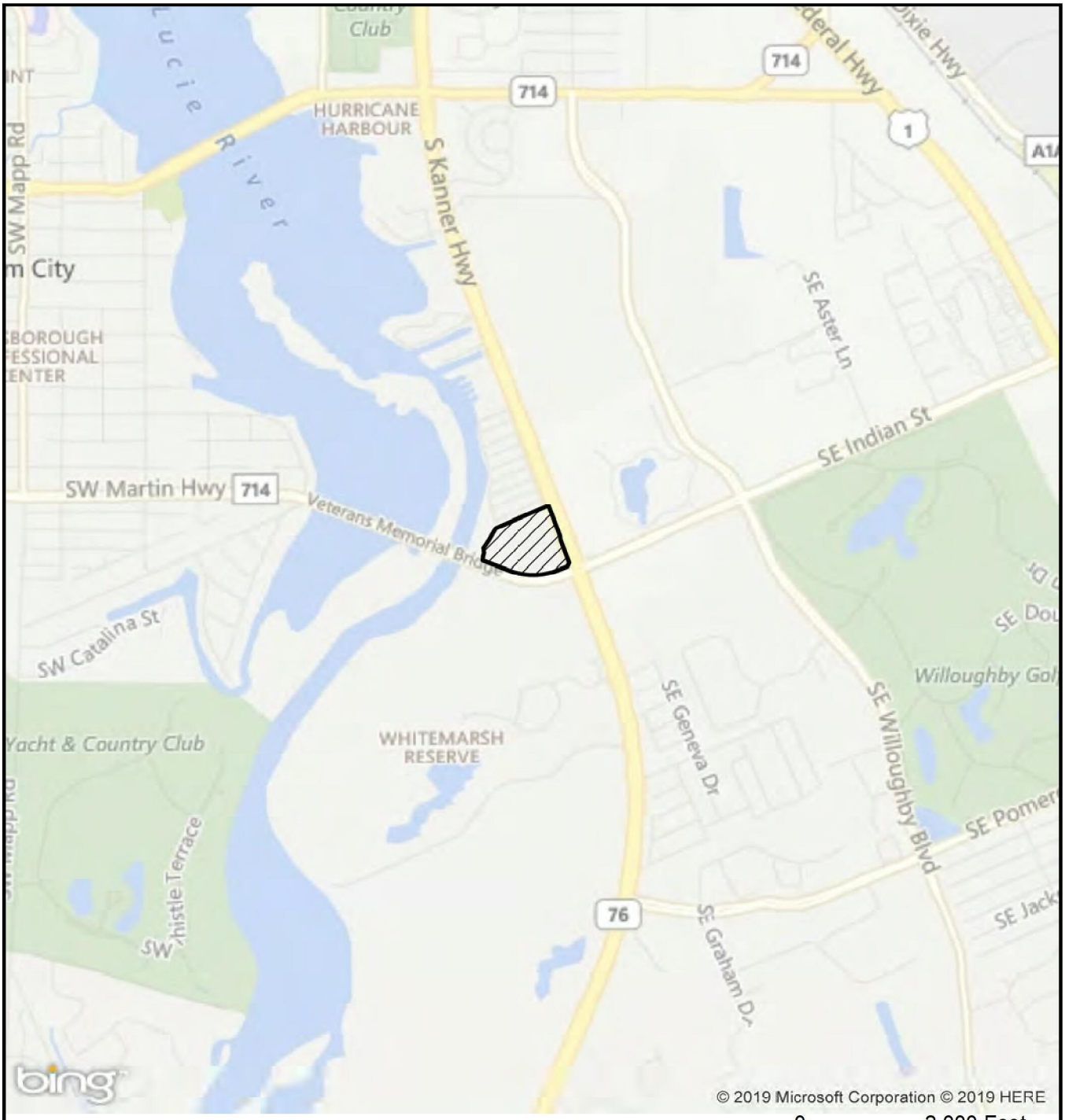
proposed parking area and just east of the upland buffer. Avoiding impacts to the ditch is not practical, as the ditch would run through the parking area. The culvert will allow for the conveyance of the water so there will be no change in hydrology to the wetland area. The ditch is currently overgrown with exotic species, which will be removed allowing for improved water flow and improved habitat quality.

The U.S. Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FWC) will be consulted regarding potential for listed species on the site and recommended protection measures. Any correspondence will be provided to the City.

# APPENDIX

**Figure 1. Location Map**
**Figure 2. Quad Map**
**Figure 3. Aerial Map**
**Figure 4. FLUCFCS Map**

**Attachments:**
**Soils Report**




LEGEND

▨ - SITE (15.9+/- AC)

# BRIDGEVIEW/ATLANTIC RESIDENTIAL

## LOCATION MAP

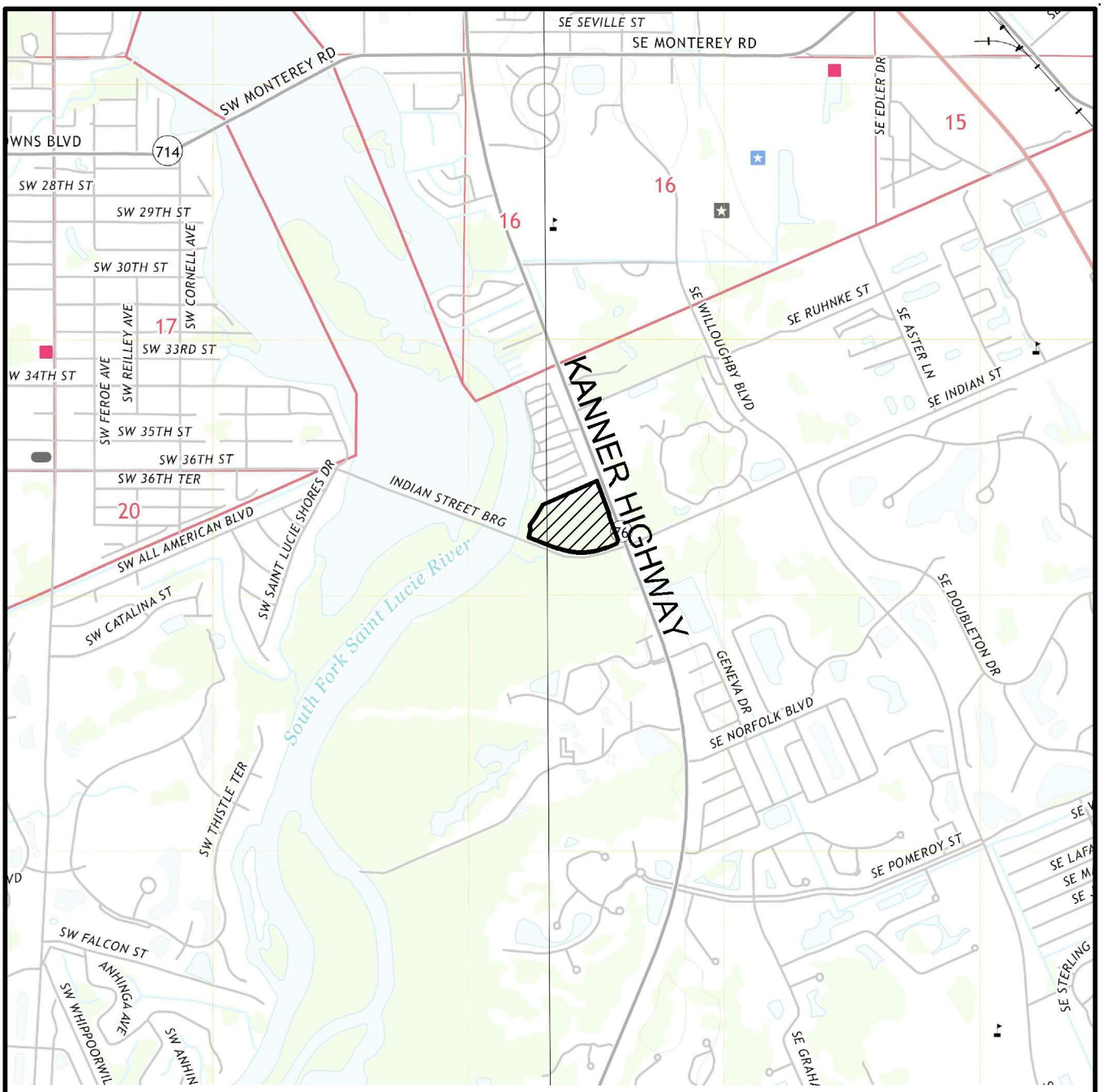

EW CONSULTANTS, INC.

2581 METROCENTRE BLVD., SUITE 1
WEST PALM BEACH, FL 33407
561-291-7950 PHONE 561-530-4908 FAX
WWW.EWCONSULTANTS.COM


JULY 2019

FIGURE

1




USGS QUAD MAP "ST LUCIE INLET", HANSON GRANT, TOWNSHIP 38 SOUTH, RANGE 41 EAST, STUART, MARTIN COUNTY, FLORIDA, LATITUDE 27°09'32" LONGITUDE -80°14'57"

LEGEND

▨ - SITE (15.9± AC)

0 2000

SCALE IN FEET

# BRIDGEVIEW/ATLANTIC RESIDENTIAL

# QUAD


CONSULTANTS, INC.

**EW CONSULTANTS, INC.**

2581 METROCENTRE BLVD., SUITE 1
WEST PALM BEACH, FL 33407
561-291-7950 PHONE 561-530-4908 FAX
WWW.EWCONSULTANTS.COM


**JULY 2019**

FIGURE

**2**

Bridgeview Site.dwg QUAD




MARTIN COUNTY AERIALS DATED 2019

0 400
SCALE IN FEET

# BRIDGEVIEW/ATLANTIC RESIDENTIAL

## AERIAL

EW CONSULTANTS, INC.
2581 METROCENTRE BLVD., SUITE 1
WEST PALM BEACH, FL 33407
561-291-7950 PHONE 561-530-4908 FAX
WWW.EWCONSULTANTS.COM

JULY 2019

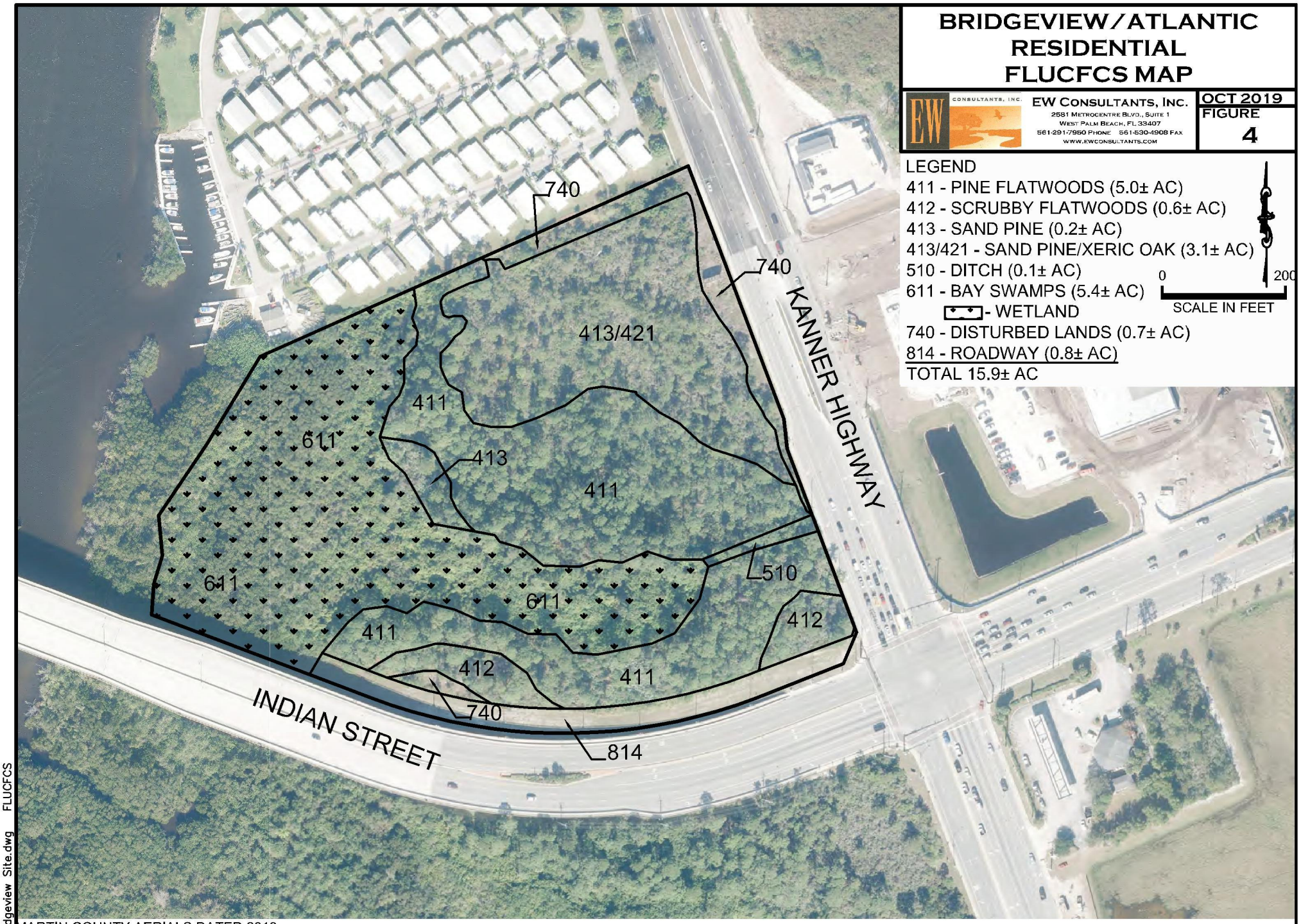
FIGURE
3

Bridgeview Site.dwg AERIAL

# BRIDGEVIEW/ATLANTIC RESIDENTIAL FLUCFCS MAP

EW CONSULTANTS, INC.
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WWW.EWCONSULTANTS.COM

OCT 2019
FIGURE 4




LEGEND
411 - PINE FLATWOODS (5.0± AC)
412 - SCRUBBY FLATWOODS (0.6± AC)
413 - SAND PINE (0.2± AC)
413/421 - SAND PINE/XERIC OAK (3.1± AC)
510 - DITCH (0.1± AC)
611 - BAY SWAMPS (5.4± AC)
- WETLAND
740 - DISTURBED LANDS (0.7± AC)
814 - ROADWAY (0.8± AC)
TOTAL 15.9± AC

0 200
SCALE IN FEET

MARTIN COUNTY AERIALS DATED 2019

Bridgeview Site.dwg FLUCFCS

Soil Map—Martin County, Florida
(BRIDGEVIEW/ATLANTIC RESIDENTIAL)




Map Scale: 1:2,380 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 35 70 140 210

Feet: 0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

## MAP LEGEND

**Area of Interest (AOI)**
- Area of Interest (AOI)

**Soils**
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

**Special Point Features**
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

**Water Features**
- Streams and Canals

**Transportation**
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

**Background**
- Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Martin County, Florida
Survey Area Data: Version 17, Sep 17, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 14, 2015—May 8, 2015

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

# Map Unit Legend

| Map Unit Symbol | Map Unit Name | Acres in AOI | Percent of AOI |
|---|---|---|---|
| 23 | Urban land, 0 to 2 percent slopes | 0.0 | 0.0% |
| 35 | Salerno sand | 6.7 | 42.1% |
| 50 | Wulfert and Durbin mucks, tidal | 4.7 | 29.4% |
| 61 | Hobe fine sand, 0 to 5 percent slopes | 4.5 | 28.4% |
| **Totals for Area of Interest** | | **15.9** | **100.0%** |




## Plant Legend

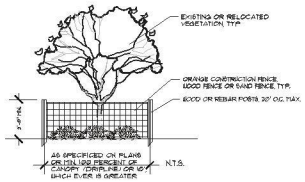
503 19.5 PE — Existing Tree To Remain

Identifies Tree Species & D.B.H.
Tree I.D. Number Typ.

503 16 PE — Existing Tree To Be Removed

## Vegetation Protection Detail

NOT TO SCALE — PRESERVED TREES




FENCING OF UNDISTURBED AREAS:

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL ENCLOSE THE ENTIRE UNDISTURBED AREA OR TREE, WITHIN A FENCE OR SIMILAR BARRIER AS SHOWN. WOODEN (OR EQUIVALENT) POSTS STEEL, REBAR OR WOOD AT LEAST 2 x 2 INCHES SHALL BE IMPLANTED IN THE GROUND DEEP ENOUGH TO BE STABLE AND WITH AT LEAST 3 FEET VISIBLE ABOVE THE GROUND. THE PROTECTIVE POSTS SHALL BE PLACED NOT MORE THAN 20 FEET APART, AND SHALL BE LINKED TOGETHER BY ORANGE NET FENCE FABRIC, OR OTHER. NO HEAVY EQUIPMENT, VEHICLES, STORAGE OR MATERIALS, ETC., SHALL OCCUR WITHIN THE VEG. PROTECTION ZONE. EXTREME CARE SHALL BE TAKEN WHEN WORKING NEAR THE BASE OR TREES. NO FINISH GRADE FILL SHALL BE PLACED WITHIN A ZONE OF 1/3 THE DIAMETER OF THE TREE CANOPY.

FLATWORK CONSTRUCTION WITHIN CANOPY & TREE BARRICADE SHALL BE BE DONE WITH EXTREME CARE TO MINIMIZE DISTURBANCE TO THE ROOTS BY EXCAVATING, COMPACTING OR ADDING FILL.

UTILITY WORK (TRENCHING) WITHIN THE CANOPY & TREE BARRICADE SHALL BE DONE WITH EXTREME CARE TO MINIMIZE DISTURBANCE TO THE ROOTS BY EXCAVATING, COMPACTING OR ADDING FILL. THE TREE BARRICADE WILL BE MODIFIED TEMPORARILY TO ALLOW ONLY THE MINIMUM WORK ZONE NECESSARY INTO THE CANOPY AREA CONTINUING TO PROTECT THE REST OF THE CANOPY AREA WITH BARRICADE. NO FILL, EVEN TEMPORARY, SHALL BE PLACED IN ANY PROTECTED ZONE. AT THE CONCLUSION OF SAID ACTIVITY, THE WORKZONE SHALL BE CLEANED UP & TREE BARRICADES REPLACED TO THEIR ORIGINAL CONFIGURATION.

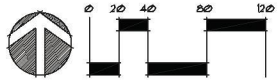
## Tree Disposition Notes:

ALL EXISTING TREES TO BE PRUNED BY A CERTIFIED ARBORIST ONE FOURTH PRIOR SPACE OR GRADE TRUCK OR TREES WITH LIMITED CLEARANCE TO BE TRIMMED FOR SAFE TRAVEL

ALL EXISTING TREES TO BE KEPT MAINTAINED DURING CONSTRUCTION

ALL EXISTING TREES THAT BE DELIVERED AT THE END OF THE PROJECT IN EQUAL OR BETTER CONDITION WHICH ADDRESSES THE SHAPE AND SIZE OF THE CANOPY AND THE SIGNS OF THE QUALITY AND VIGOROUS GROWTH.

ALL DISCOLORED, DEAD AND DAMAGED SPECIES SHALL BE REPLACED FROM THE ENTIRE SITE PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.




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Gentile Glas Holloway O'Mahoney & Associates, Inc.
Landscape Architects Planners and Environmental Consultants
1807 Commerce Lane Suite 101
Jupiter, Florida 33458
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561-575-9560 FAX
www.2gho.com

# Bridgeview

City of Stuart, Florida

Designed: BRD
Drawn: BRD
Approved: GGG MTH EMG
Date: 2/1/22
Job no.:
Revisions:

Cad no.: CADD

Seal

Digitally signed by M. Troy Holloway
Date: 2020.03.11 14:25:14 -04'00'
LC C000127

Sheet Title:
Tree Disposition Plan

Scale: 1" = 40'

Sheet No.
TD-1
00-0000

FILE N:\BRIDGEVIEW - ATLANTIC REALTY - 19-0406\DRAWINGS\2ND SUBMITTAL\BRIDGEVIEW LANDSCAPE PLAN 3-19-20.DWG
PLOTTED: 3/19/20 AT 2:02PM BY BRH
XREFS: BRIDGEVIEW SITE PLAN 3-19-20.DWG

# Existing Tree List

**Bridgeview**
March-20

| Tag # | Species | Proposed Disposition | Tree Within Its Canopy (Yes), or Tree Removed for Canopy (No) (Ft., or, for Palms) To Remain | Tree Removed for Canopy (Yes), or Tree Remains for Canopy (No) (Ft., or, for Palms) To Remain | In Preserve Area | In Development Area | Specimen/Historic | Tree Mitigated Inches | Tree Mitigated Inches | Replacement Palms (1:1) | Notes |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 2 | SAND PINE | REMOVE | | 14.00" | Y | N | S | 14.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 3 | SAND PINE | REMOVE | | 14.00" | Y | N | S | 14.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 4 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 5 | SAND PINE | REMOVE | | 10.00" | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 6 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 7 | SAND PINE | REMOVE | | 7.00" | Y | N | S | 7.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 8 | SAND PINE | REMOVE | | 11.00" | Y | N | S | 11.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 9 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 10 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 11 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 12 | SAND PINE | REMOVE | | 10.00" | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 13 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 14 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 15 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 16 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 17 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 18 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 19 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 20 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 21 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 22 | SAND PINE | REMOVE | | 6.50" | Y | N | S | 6.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 23 | SAND PINE | REMOVE | | 6.50" | Y | N | S | 6.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 24 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 25 | SAND PINE | REMOVE | | 6.50" | Y | N | S | 6.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 26 | SAND PINE | REMOVE | | 8.00" | Y | N | S | 8.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 27 | SAND PINE | REMOVE | | 12.00" | Y | N | S | 12.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 28 | SAND PINE | REMOVE | | 8.00" | Y | N | S | 8.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 29 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 30 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 31 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 32 | SAND PINE | REMOVE | | 11.00" | Y | N | S | 11.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 33 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 34 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 35 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 36 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 37 | SAND PINE | REMOVE | | 11.00" | Y | N | S | 11.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 38 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 39 | SAND PINE | REMOVE | | 6.50" | Y | N | S | 6.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 40 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 41 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 42 | SAND PINE | REMOVE | | 7.50" | Y | N | S | 7.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 43 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 44 | SAND PINE | REMOVE | | 10.00" | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 45 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 46 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 47 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 48 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 49 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 50 | SAND PINE | REMOVE | | 6.50" | Y | N | S | 6.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 51 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 52 | SAND PINE | REMOVE | | 7.50" | Y | N | S | 7.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 53 | SAND PINE | REMOVE | | 12.00" | Y | N | S | 12.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 54 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 55 | SAND PINE | REMOVE | | 7.00" | Y | N | S | 7.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 56 | SAND PINE | REMOVE | | 7.00" | Y | N | S | 7.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 57 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 58 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 59 | SAND PINE | REMOVE | | 8.00" | Y | N | S | 8.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 60 | SAND PINE | REMOVE | | 8.00" | Y | N | S | 8.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 61 | SAND PINE | REMOVE | | 6.50" | Y | N | S | 6.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 62 | SAND PINE | REMOVE | | 8.50" | Y | N | S | 8.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 63 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 64 | SAND PINE | REMOVE | | 10.00" | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 65 | SAND PINE | REMOVE | | 9.00" | Y | N | S | 9.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 66 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 67 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 68 | SAND PINE | REMOVE | | 10.00" | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 69 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 70 | SAND PINE | REMOVE | | 7.00" | Y | N | S | 7.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 71 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 72 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 73 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 74 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 75 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 76 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 77 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 78 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 79 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 80 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 81 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 82 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 83 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 84 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 85 | SAND PINE | REMOVE | | 8.00" | Y | N | S | 8.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 86 | SAND PINE | REMOVE | | 7.50" | Y | N | S | 7.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 87 | SAND PINE | REMOVE | | 10.00" | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 88 | SAND PINE | REMOVE | | 11.00" | Y | N | S | 11.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 89 | SLASH PINE | REMOVE | | 14.00" | Y | N | S | 14.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 90 | SLASH PINE | REMOVE | | 24.00" | Y | N | S | 24.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 91 | SLASH PINE | REMOVE | | 22.00" | Y | N | S | 22.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 92 | SAND PINE | REMOVE | | 7.50" | Y | N | S | 7.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 93 | SAND PINE | REMOVE | | 7.00" | Y | N | S | 7.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 94 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 95 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 96 | SLASH PINE | REMOVE | | 10.00" | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 97 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 98 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 99 | SAND PINE | REMOVE | | 8.00" | Y | N | S | 8.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 100 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 101 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 102 | SAND PINE | REMOVE | | 9.00" | Y | N | S | 9.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 103 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 104 | SLASH PINE | REMOVE | | 22.00" | Y | N | S | 22.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 105 | SAND PINE | REMOVE | | 7.50" | Y | N | S | 7.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 106 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 107 | SAND PINE | REMOVE | | 9.00" | Y | N | S | 9.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 108 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 109 | SAND PINE | REMOVE | | 6.50" | Y | N | S | 6.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 110 | SAND PINE | REMOVE | | 6.50" | Y | N | S | 6.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 111 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 112 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 113 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 114 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 115 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 116 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 117 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 118 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 119 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 120 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 121 | SAND PINE | REMOVE | | 6.50" | Y | N | S | 6.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 122 | SAND PINE | REMOVE | | 7.00" | Y | N | S | 7.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 123 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 124 | SAND PINE | REMOVE | | 5.50" | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 125 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 126 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 127 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 128 | SAND PINE | REMOVE | | 4.50" | Y | N | S | 4.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 129 | SLASH PINE | REMOVE | | 10.00" | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 130 | SLASH PINE | REMOVE | | 18.00" | Y | N | S | 18.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 131 | SAND PINE | REMOVE | | 7.00" | Y | N | S | 7.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 132 | SAND PINE | REMOVE | | 8.00" | Y | N | S | 8.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 133 | SAND PINE | REMOVE | | 6.50" | Y | N | S | 6.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 134 | SLASH PINE | REMOVE | | 20.00" | Y | N | S | 20.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 135 | SAND PINE | REMOVE | | 5.00" | Y | N | S | 5.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 136 | SLASH PINE | REMOVE | | 12.00" | Y | N | S | 12.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 137 | SAND PINE | REMOVE | | 7.50" | Y | N | S | 7.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 138 | SLASH PINE | REMOVE | | 10.00" | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 139 | SAND PINE | REMOVE | | 7.00" | Y | N | S | 7.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 140 | SAND PINE | REMOVE | | 24.00" | Y | N | S | 24.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 141 | SLASH PINE | REMAIN | 20.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 142 | SLASH PINE | REMOVE | | 10.00" | N | Y | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 143 | SAND PINE | REMOVE | | 7.00" | Y | N | S | 7.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 144 | SAND PINE | REMOVE | | 24.00" | Y | N | S | 24.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 145 | SLASH PINE | REMOVE | | 10.00" | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 146 | SLASH PINE | REMOVE | | 10.00" | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 147 | SLASH PINE | REMOVE | | 10.00" | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 148 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 149 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 150 | SAND PINE | REMOVE | | 6.00" | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 151 | SAND PINE | REMOVE | | 7.00" | Y | N | S | 7.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 152 | SLASH PINE | REMOVE | | 16.00" | Y | N | S | 16.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 153 | SLASH PINE | REMAIN | 12.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 154 | SLASH PINE | REMAIN | 10.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 155 | SWEET BAY | REMAIN | 9.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 156 | SWEET BAY | REMAIN | 10.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 157 | SWEET BAY | REMAIN | 12.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 158 | SLASH PINE | REMAIN | 26.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 159 | SWEET BAY | REMAIN | 10.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 160 | SWEET BAY | REMAIN | 12.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 161 | SLASH PINE | REMAIN | 18.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 162 | DAHOON HOLLY | REMAIN | 12.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 163 | SWEET BAY | REMAIN | 10.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 164 | SLASH PINE | REMAIN | 14.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 165 | SLASH PINE | REMAIN | 12.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 166 | SLASH PINE | REMAIN | 14.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 167 | SLASH PINE | REMAIN | 14.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 168 | SLASH PINE | REMAIN | 14.00" | N | Y | S | | | | | REMAIN IN PLACE |
| 169 | SLASH PINE | REMAIN | | 14.00" | N | Y | S | | | | REMAIN IN PLACE |
| 170 | SWEET BAY | REMAIN | | 9.00" | N | Y | S | | | | REMAIN IN PLACE |
| 171 | SWEET BAY | REMAIN | | 20.00" | N | Y | S | | | | REMAIN IN PLACE |
| 172 | SLASH PINE | REMAIN | | 10.00" | N | Y | S | | | | REMAIN IN PLACE |
| 173 | DAHOON HOLLY | REMAIN | | 10.00" | N | Y | S | | | | REMAIN IN PLACE |
| 174 | SWEET BAY | REMAIN | | 14.00" | N | Y | S | | | | REMAIN IN PLACE |
| 175 | SWEET BAY | REMAIN | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 176 | SLASH PINE | REMAIN | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 177 | SLASH PINE | REMAIN | | 11.00" | N | Y | S | | | | REMAIN IN PLACE |
| 178 | DAHOON HOLLY | REMAIN | | 24.00" | N | Y | S | | | | REMAIN IN PLACE |
| 179 | SLASH PINE | REMAIN | | 26.00" | N | Y | S | | | | REMAIN IN PLACE |
| 180 | SWEET BAY | REMOVE | 18.00" | | Y | N | S | | 18.00" | | MITIGATE/REPLACE SWEET BAY TREE, 4.5" DBH MIN. |
| 181 | SLASH PINE | REMOVE | 12.00" | | Y | N | S | 12.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 182 | SLASH PINE | REMOVE | 12.00" | | Y | N | S | 12.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 183 | SLASH PINE | REMOVE | 12.00" | | Y | N | S | 12.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 184 | SLASH PINE | REMOVE | 14.00" | | Y | N | S | 14.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 185 | SAND PINE | REMOVE | 6.50" | | Y | N | S | 6.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 186 | SAND PINE | REMOVE | 5.50" | | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 187 | SAND PINE | REMOVE | 6.00" | | Y | N | S | 6.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 188 | SAND PINE | REMOVE | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 189 | SLASH PINE | REMAIN | | 10.00" | N | Y | S | | | | REMAIN IN PLACE |
| 190 | SLASH PINE | REMAIN | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 191 | SLASH PINE | REMAIN | | 14.00" | N | Y | S | | | | REMAIN IN PLACE |
| 192 | SLASH PINE | REMAIN | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 193 | SLASH PINE | REMOVE | 12.00" | | Y | N | S | 12.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 194 | SLASH PINE | REMAIN | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 195 | SLASH PINE | REMAIN | | 16.00" | N | Y | S | | | | REMAIN IN PLACE |
| 196 | SLASH PINE | REMAIN | | 14.00" | N | Y | S | | | | REMAIN IN PLACE |
| 197 | SLASH PINE | REMAIN | | 10.00" | N | Y | S | | | | REMAIN IN PLACE |
| 198 | SLASH PINE | REMAIN | | 16.00" | N | Y | S | | | | REMAIN IN PLACE |
| 199 | SLASH PINE | REMAIN | | 14.00" | N | Y | S | | | | REMAIN IN PLACE |
| 200 | SLASH PINE | REMAIN | | 14.00" | N | Y | S | | | | REMAIN IN PLACE |
| 201 | SLASH PINE | REMAIN | | 14.00" | N | Y | S | | | | REMAIN IN PLACE |
| 202 | SWEET BAY | REMAIN | | 11.00" | N | Y | S | | | | REMAIN IN PLACE |
| 203 | SWEET BAY | REMAIN | | 46.00" | N | Y | S | | | | REMAIN IN PLACE |
| 204 | SWEET BAY | REMAIN | | 6.50" | N | Y | S | | | | REMAIN IN PLACE |
| 205 | SWEET BAY | REMAIN | | 10.50" | N | Y | S | | | | REMAIN IN PLACE |
| 206 | SWEET BAY | REMAIN | | 5.00" | N | Y | S | | | | REMAIN IN PLACE |
| 207 | SWEET BAY | REMAIN | | 5.50" | N | Y | S | | | | REMAIN IN PLACE |
| 208 | SWEET BAY | REMAIN | | 5.00" | N | Y | S | | | | REMAIN IN PLACE |
| 209 | SWEET BAY | REMAIN | | 6.00" | N | Y | S | | | | REMAIN IN PLACE |
| 210 | SWEET BAY | REMAIN | | 6.50" | N | Y | S | | | | REMAIN IN PLACE |
| 211 | SLASH PINE | REMAIN | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 212 | SLASH PINE | REMAIN | | 15.00" | N | Y | S | | | | REMAIN IN PLACE |
| 213 | SLASH PINE | REMAIN | | 11.00" | N | Y | S | | | | REMAIN IN PLACE |
| 214 | SLASH PINE | REMAIN | | 9.50" | N | Y | S | | | | REMAIN IN PLACE |
| 215 | SLASH PINE | REMAIN | | 10.00" | N | Y | S | | | | REMAIN IN PLACE |
| 216 | SLASH PINE | REMAIN | | 11.00" | N | Y | S | | | | REMAIN IN PLACE |
| 217 | SLASH PINE | REMAIN | | 8.50" | N | Y | S | | | | REMAIN IN PLACE |
| 218 | SWEET BAY | REMAIN | | 9.00" | N | Y | S | | | | REMAIN IN PLACE |
| 219 | SWEET BAY | REMAIN | | 6.50" | N | Y | S | | | | REMAIN IN PLACE |
| 220 | DAWSON HOLLY | REMAIN | | 4.50" | N | Y | S | | | | REMAIN IN PLACE |
| 221 | SWEET BAY | REMAIN | | 7.00" | N | Y | S | | | | REMAIN IN PLACE |
| 222 | SWEET BAY | REMAIN | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 223 | SLASH PINE | REMOVE | 5.50" | | N | Y | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 224 | SAND PINE | REMOVE | 10.00" | | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 225 | SLASH PINE | REMOVE | 10.00" | | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 226 | SLASH PINE | REMOVE | 10.50" | | Y | N | S | 10.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 227 | SLASH PINE | REMOVE | 13.50" | | Y | N | S | 13.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 228 | SLASH PINE | REMOVE | 10.50" | | Y | N | S | 10.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 229 | SLASH PINE | REMOVE | 10.00" | | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 230 | SLASH PINE | REMAIN | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 231 | SLASH PINE | REMAIN | | 10.00" | N | Y | S | | | | REMAIN IN PLACE |
| 232 | SLASH PINE | REMAIN | | 15.00" | N | Y | S | | | | REMAIN IN PLACE |
| 233 | SLASH PINE | REMOVE | 10.00" | | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 234 | SLASH PINE | REMOVE | 12.00" | | Y | N | S | 12.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 235 | SLASH PINE | REMOVE | 11.00" | | Y | N | S | 11.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 236 | SLASH PINE | REMOVE | 10.50" | | Y | N | S | 10.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 237 | SLASH PINE | REMOVE | 11.00" | | Y | N | S | 11.0" | | | MITIGATE

# Existing Tree List

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 522 | SLASH PINE | REMOVE | 10.50" | | | Y | N | S | 10.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 523 | SLASH PINE | REMOVE | 11.00" | | | Y | N | S | 11.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 524 | SLASH PINE | REMOVE | 12.50" | | | Y | N | S | 12.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 525 | SLASH PINE | REMOVE | 10.00" | | | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 526 | SLASH PINE | REMOVE | 10.00" | | | Y | N | S | 10.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 527 | SLASH PINE | REMOVE | 18.50" | | | Y | N | S | 18.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 528 | SLASH PINE | REMOVE | 11.25" | | | Y | N | S | 11.3" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 529 | SLASH PINE | REMAIN | | | 16.25" | N | Y | S | | | | REMAIN IN PLACE |
| 530 | SLASH PINE | REMAIN | | | 13.25" | N | Y | S | | | | REMAIN IN PLACE |
| 531 | SLASH PINE | REMAIN | | | 13.25" | N | Y | S | | | | REMAIN IN PLACE |
| 532 | SLASH PINE | REMAIN | | | 10.00" | N | Y | S | | | | REMAIN IN PLACE |
| 533 | SLASH PINE | REMAIN | | | 9.00" | N | Y | S | | | | REMAIN IN PLACE |
| 534 | SLASH PINE | REMAIN | | | 10.00" | N | Y | S | | | | REMAIN IN PLACE |
| 535 | SLASH PINE | REMAIN | | | 17.00" | N | Y | S | | | | REMAIN IN PLACE |
| 535 | SWEET BAY | REMOVE | 7.00" | | | Y | N | S | | | 7.00" | MITIGATE/REPLACE SWEET BAY TREE, 4.5" DBH MIN. |
| 536 | SLASH PINE | REMAIN | | | 13.00" | N | Y | S | | | | REMAIN IN PLACE |
| 537 | SLASH PINE | REMAIN | | | 10.00" | N | Y | S | | | | REMAIN IN PLACE |
| 538 | SLASH PINE | REMOVE | 17.70" | | | Y | N | S | 17.8" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 539 | SLASH PINE | REMAIN | | | 14.00" | N | Y | S | | | | REMAIN IN PLACE |
| 540 | SLASH PINE | REMAIN | | | 13.00" | N | Y | S | | | | REMAIN IN PLACE |
| 541 | SLASH PINE | REMAIN | | | 11.00" | N | Y | S | | | | REMAIN IN PLACE |
| 542 | SLASH PINE | REMAIN | | | 18.00" | N | Y | S | | | | REMAIN IN PLACE |
| 543 | SLASH PINE | REMAIN | | | 18.00" | N | Y | S | | | | REMAIN IN PLACE |
| 544 | SLASH PINE | REMOVE | 17.70" | | | Y | N | S | 17.8" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 545 | SLASH PINE | REMAIN | | | 15.00" | N | Y | S | | | | REMAIN IN PLACE |
| 546 | SLASH PINE | REMAIN | | | 11.50" | N | Y | S | | | | REMAIN IN PLACE |
| 547 | SLASH PINE | REMAIN | | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 548 | SLASH PINE | REMAIN | | | 10.00" | N | Y | S | | | | REMAIN IN PLACE |
| 549 | LAND PINE | REMAIN | | | 6.50" | N | Y | S | | | | REMAIN IN PLACE |
| 550 | SLASH PINE | REMAIN | | | 11.50" | N | Y | S | | | | REMAIN IN PLACE |
| 551 | SLASH PINE | REMAIN | | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 552 | SLASH PINE | REMAIN | | | 10.00" | N | Y | S | | | | REMAIN IN PLACE |
| 553 | SLASH PINE | REMAIN | | | 17.00" | N | Y | S | | | | REMAIN IN PLACE |
| 554 | SLASH PINE | REMAIN | | | 17.00" | N | Y | S | | | | REMAIN IN PLACE |
| 555 | SLASH PINE | REMAIN | | | 13.00" | N | Y | S | | | | REMAIN IN PLACE |
| 556 | SWEET BAY | REMAIN | | | 5.50" | N | Y | S | | | | REMAIN IN PLACE |
| 557 | SWEET BAY | REMAIN | | | 5.25" | N | Y | S | | | | REMAIN IN PLACE |
| 558 | SWEET BAY | REMAIN | | | 7.25" | N | Y | S | | | | REMAIN IN PLACE |
| 559 | DAHOON HOLLY | REMAIN | | | 9.00" | N | Y | S | | | | REMAIN IN PLACE |
| 560 | SWEET BAY | REMAIN | | | 14.50" | N | Y | S | | | | REMAIN IN PLACE |
| 561 | SLASH PINE | REMAIN | | | 13.50" | N | Y | S | | | | REMAIN IN PLACE |
| 562 | SLASH PINE | REMOVE | 12.00" | | | Y | N | S | 12.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 563 | SLASH PINE | REMOVE | 12.50" | | | Y | N | S | 12.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 564 | SLASH PINE | REMAIN | | | 12.25" | N | Y | S | | | | REMAIN IN PLACE |
| 565 | SWEET BAY | REMAIN | | | 16.00" | N | Y | S | | | | REMAIN IN PLACE |
| 566 | SLASH PINE | REMAIN | | | 11.00" | N | Y | S | | | | REMAIN IN PLACE |
| 567 | SLASH PINE | REMAIN | | | 14.00" | N | Y | S | | | | REMAIN IN PLACE |
| 568 | SLASH PINE | REMAIN | | | 14.00" | N | Y | S | | | | REMAIN IN PLACE |
| 569 | SLASH PINE | REMAIN | | | 13.00" | N | Y | S | | | | REMAIN IN PLACE |
| 570 | SLASH PINE | REMAIN | | | 17.00" | N | Y | S | | | | REMAIN IN PLACE |
| 571 | SLASH PINE | REMAIN | | | 18.25" | N | Y | S | | | | REMAIN IN PLACE |
| 572 | DAHOON HOLLY | REMAIN | | | 10.25" | N | Y | S | | | | REMAIN IN PLACE |
| 573 | DAHOON HOLLY | REMAIN | | | 4.50" | N | Y | S | | | | REMAIN IN PLACE |
| 574 | SLASH PINE | REMAIN | | | 15.00" | N | Y | S | | | | REMAIN IN PLACE |
| 575 | DAHOON HOLLY | REMAIN | | | 17.50" | N | Y | S | | | | REMAIN IN PLACE |
| 576 | SLASH PINE | REMAIN | | | 11.00" | N | Y | S | | | | REMAIN IN PLACE |
| 577 | SLASH PINE | REMAIN | | | 13.00" | N | Y | S | | | | REMAIN IN PLACE |
| 578 | SLASH PINE | REMAIN | | | 13.00" | N | Y | S | | | | REMAIN IN PLACE |
| 579 | SLASH PINE | REMAIN | | | 14.50" | N | Y | S | | | | REMAIN IN PLACE |
| 580 | SLASH PINE | REMAIN | | | 11.50" | N | Y | S | | | | REMAIN IN PLACE |
| 581 | SLASH PINE | REMAIN | | | 12.50" | N | Y | S | | | | REMAIN IN PLACE |
| 582 | SLASH PINE | REMAIN | | | 24.00" | N | Y | S | | | | REMAIN IN PLACE |
| 583 | SLASH PINE | REMAIN | | | 11.75" | N | Y | S | | | | REMAIN IN PLACE |
| 584 | SLASH PINE | REMOVE | 15.00" | | | Y | N | S | 15.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 585 | SLASH PINE | REMOVE | 17.25" | | | Y | N | S | 17.3" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 586 | SLASH PINE | REMAIN | | | 15.00" | N | Y | S | | | | REMAIN IN PLACE |
| 587 | SLASH PINE | REMAIN | | | 17.00" | N | Y | S | | | | REMAIN IN PLACE |
| 588 | SLASH PINE | REMAIN | | | 20.00" | N | Y | S | | | | REMAIN IN PLACE |
| 589 | SLASH PINE | REMAIN | | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 590 | SLASH PINE | REMAIN | | | 16.00" | N | Y | S | | | | REMAIN IN PLACE |
| 591 | SLASH PINE | REMAIN | | | 19.00" | N | Y | S | | | | REMAIN IN PLACE |
| 592 | SLASH PINE | REMAIN | | | 18.00" | N | Y | S | | | | REMAIN IN PLACE |
| 593 | SLASH PINE | REMOVE | 42.00" | | | Y | N | S | 42.0" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 594 | SLASH PINE | REMAIN | | | 19.00" | N | Y | S | | | | REMAIN IN PLACE |
| 595 | SLASH PINE | REMAIN | | | 11.50" | N | Y | S | | | | REMAIN IN PLACE |
| 596 | SLASH PINE | REMAIN | | | 16.00" | N | Y | S | | | | REMAIN IN PLACE |
| 597 | SLASH PINE | REMAIN | | | 14.50" | N | Y | S | | | | REMAIN IN PLACE |
| 598 | SLASH PINE | REMAIN | | | 28.00" | N | Y | S | | | | REMAIN IN PLACE |
| 599 | SLASH PINE | REMAIN | | | 16.00" | N | Y | S | | | | REMAIN IN PLACE |
| 600 | SLASH PINE | REMAIN | | | 16.00" | N | Y | S | | | | REMAIN IN PLACE |
| 601 | SLASH PINE | REMAIN | | | 14.00" | N | Y | S | | | | REMAIN IN PLACE |
| 602 | SLASH PINE | REMAIN | | | 14.00" | N | Y | S | | | | REMAIN IN PLACE |
| 603 | SLASH PINE | REMAIN | | | 17.00" | N | Y | S | | | | REMAIN IN PLACE |
| 604 | SLASH PINE | REMAIN | | | 11.00" | N | Y | S | | | | REMAIN IN PLACE |
| 605 | SLASH PINE | REMAIN | | | 10.50" | N | Y | S | | | | REMAIN IN PLACE |
| 606 | SLASH PINE | REMAIN | | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 607 | SLASH PINE | REMAIN | | | 13.00" | N | Y | S | | | | REMAIN IN PLACE |
| 608 | SLASH PINE | REMAIN | | | 11.50" | N | Y | S | | | | REMAIN IN PLACE |
| 609 | SLASH PINE | REMAIN | | | 11.00" | N | Y | S | | | | REMAIN IN PLACE |
| 610 | SLASH PINE | REMAIN | | | 30.00" | N | Y | S | | | | REMAIN IN PLACE |
| 611 | SLASH PINE | REMAIN | | | 13.00" | N | Y | S | | | | REMAIN IN PLACE |
| 612 | SLASH PINE | REMAIN | | | 16.00" | N | Y | S | | | | REMAIN IN PLACE |
| 613 | SLASH PINE | REMAIN | | | 16.00" | N | Y | S | | | | REMAIN IN PLACE |
| 614 | SLASH PINE | REMAIN | | | 26.00" | N | Y | S | | | | REMAIN IN PLACE |
| 615 | SLASH PINE | REMAIN | | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 616 | SLASH PINE | REMAIN | | | 12.00" | N | Y | S | | | | REMAIN IN PLACE |
| 617 | SLASH PINE | REMAIN | | | 13.50" | N | Y | S | | | | REMAIN IN PLACE |
| 618 | SLASH PINE | REMAIN | | | 15.00" | N | Y | S | | | | REMAIN IN PLACE |
| 619 | SLASH PINE | REMAIN | | | 11.00" | N | Y | S | | | | REMAIN IN PLACE |
| 620 | SLASH PINE | REMAIN | | | 15.25" | N | Y | S | | | | REMAIN IN PLACE |
| 621 | SLASH PINE | REMAIN | | | 18.50" | N | Y | S | | | | REMAIN IN PLACE |
| 622 | LAND PINE | REMOVE | 5.50" | | | Y | N | S | 5.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 623 | SLASH PINE | REMOVE | 10.50" | | | Y | N | S | 10.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 624 | SLASH PINE | REMOVE | 11.50" | | | Y | N | S | 11.5" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| 625 | SLASH PINE | REMOVE | 11.75" | | | Y | N | S | 11.8" | | | MITIGATE/REPLACE WITH PINE TREE MIN. 12' HT. |
| | | TOTAL REMOVE: | 3696.50" | | | | | | | | | |
| | | TOTAL REMAIN: | | 2780.00" | | | | | | | | |
| | | | | | TOTAL REPLACEMENT: | | | | 2924.75" | 771.75" | 0 palms | PER CITY FORMULA 1755 PINES AND 182 TREES TO REPLANT OR MITIGATE (SEE BELOW) |

**OPTIONS:**

Slash/Sand Pine Replacement Formula: 2924.8 "

Total inches to remove X 1.5, divided by 2.5" = 1755 total trees to replant. OR

X 50% = 878 X 175% of Plant Finder cost) $225 X 175% = $219 ) = $192,282 (total to pay into City fund)

**Pine Replacement : 1755** trees (4.5") **OR 50% of trees ( 878 trees) = $192,282**

(based on a $219 replacement - $/)

Tree Replacement Formula: 771.75 " - 445 = 326.8 *

Total inches to remove X 2.5, divided by 4.5" = 182 total trees to replant. OR

X 50% = 91 X 175% of Plant Finder cost) $800 X 175% = $1,400 ) = $127,400 (total to pay into City fund)

**Tree Replacement : 182** trees (4.5") **OR 50% of trees ( 91 trees) = $127,400**

(based on a $1,400 replacement - 4.5")

**PROPOSAL:**

**SLASH/SAND PINE MITIGATION:** APPLICANT PROPOSES TO BUY OUT MITIGATION FOR PINE IMPACTS AT THE RATE SHOWN ABOVE = **$192,282**

**TREE MITIGATION:** APPLICANT PROPOSES TO BUY OUT MITIGATION FOR TREE IMPACTS AT THE RATE SHOWN ABOVE = **$127,400**

**MITIGATION GRAND TOTAL: $319,682**

* 445 additional tree D.B.H. credits exceeding code minimum shall be utilized towards mitigation.

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Gentile Glas Holloway O'Mahoney & Associates, Inc.
Landscape Architects Planners and Environmental Consultants

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www.2gho.com

# Bridgeview
City of Stuart, Florida

Designed: BRD
Drawn: BRD
Approved: GGG MTH EMC
Date: 2/1/22
Job no.:
Revisions:

Cad no.: CADD

Seal

Digitally signed by M. Troy Holloway
Date: 2020.03.11 14:30:37 -04'00'
LC C000127

Sheet Title:
Tree Disposition Plan

Scale: N.T.S.

Sheet No.
TD-3
00-0000

FILE N:\BRIDGEVIEW - ATLANTIC REALTY - 19-0406\DRAWINGS\2ND SUBMITTAL\BRIDGEVIEW LANDSCAPE PLAN 3-19-20.DWG
PLOTTED: 3/19/20 AT 2:25PM BY BEN
XREFS: ENGDEVIEW SITE PLAN SHT-COLOR.DWG

MacKenzie
Engineering & Planning, Inc.
1172 SW 30th Street • Suite 500 • Palm City • Florida • 34990
(772) 286-8030 • www.MackenzieEngineeringInc.com

January 10, 2020

City of Stuart – Planning & Zoning
121 SW Flagler Avenue, Stuart, FL 34994
City Phone: 772-288-1292

Re: Bridgeview Apartments
Master Final Site Plan
Finished Floor Elevation (FFE) - Justification Letter

Shaun G. MacKenzie P.E.
Florida License No. 61751
Transportation Engineer
Engineering Business No. 29013

To whom it may concern,

MacKenzie Engineering and Planning, Inc. prepared this justification letter for the proposed project to demonstrate compliance with the stormwater and flood requirements. The proposed project is located at the northwest corner of Kanner Highway and Indian Street in Stuart, FL (Parcel ID: 40-38-41-001-051-00000-2). The project proposes to construct 212 apartment dwelling units.

In accordance to section *6.03.02.B.4. Finished floor elevations,* finished first floor elevations of all buildings or structures shall not be lower than the higher of the following elevations:

a. Two feet above the flood stage elevations established by FEMA; or
b. 18 inches above the crown of the street on which the building(s) or structure(s) fronts.

The FEMA flood elevation is 6 feet and the proposed flood elevation is 5 feet based on the proposed changes to the FEMA flood maps. The elevation of Kanner Highway varies from 9 feet to 10 feet and the overall site ranges from 3 to 10 feet in elevation (NAVD 88) based on a topographic survey completed in November 2011.

A finished floor elevation of 8.25 feet is proposed, which is 2.25 feet above the FEMA flood elevation. In addition, the site will be permitted to meet South Florida Water Management District (SFWMD) requirements, which are intended to satisfy both flood control and water quality from the site. The site will not comply with part b. of the code, and does not apply to this site because the site will be:

1. More than 2 feet above the 100-year flood elevation.
2. Satisfy SFWMD permitting requirements.
3. In the unlikely event that off-site flood waters drain to the site, the flood waters will flow around the building and discharge into the wetlands that lead to the St. Lucie River.

Therefore, site stormwater management is adequate and we do not believe that this code reference is applicable to the project.

Please contact me at 772-286-8030 if you have any questions.


© MacKenzie Engineering & Planning, Inc.

MacKenzie
Engineering & Planning, Inc.
1172 SW 30th Street • Suite 500 • Palm City • Florida • 34990
(772) 286-8030 • www.mackenzieengineeringinc.com

December 19, 2019

City of Stuart
Public Works Department
121 Flagler Avenue
Stuart, FL 34994

Re: Bridgeview Apartments
Service Availability Letters

To whom it may concern:

Bridgeview Apartments proposes to construct two (2) apartment buildings with 212 dwelling units located at northwest corner of Kanner Highway and Indian Street, Stuart, Florida. The parcel is located north of the Veterans Memorial Bridge, south of Riverland Mobile Home Park development and west of the newly built Martin Memorial Hospital. Below is a list of service availability:

- **Phone** – *AT&T.*
- **Cable** – *AT&T.*
- **Electric** – *Florida Power and Light (FPL).*
- **Water & Wastewater** – *City of Stuart Utilities.*
- **Solid Waste** – *City of Stuart Waste Management.*
- **School –** *Martin County School District.*

Please see attached correspondence with each provider at the end of this letter.

If you have any questions, please do not hesitate to contact Shaun Mackenzie at (772) -834-8909 or shaun@mackenzieengineeringinc.com.

Sincerely,

Shaun MacKenzie

Shaun G. MacKenzie, P.E.
Transportation Engineer
Florida Registration Number 61751
Engineering Business Number 29013

**James P Virga**
Manager OSP Engineering

**AT&T Florida**
329 NW Dixie Hwy
Stuart Florida 34994

T 772-692-2774
Jv3965@att.com
att.com

December 20, 2019

Enel Jean-Juste
Project Manager
MacKenzie Engineering & Planning, Inc.
1172 SW 30th Street, Suite 500
Palm City, FL 34990

RE: Bridgeview Apartments, PN 40-38-41-001-051-00000-2

Enel Jean - Juste:

This letter is in response to your request for information on the availability of service at the above Bridgeview Apartments – NW Corner SE Indian St and S Kanner Hwy in Stuart Florida, Parcel ID: 40-38-41-001-051-00000-2 by **AT&T.**

This letter acknowledges that the above referenced project is located in an area served by AT&T. Any service arrangements for Bridgeview Apartments will be subject to later discussions and agreements between the developer and AT&T. Please be advised that this letter is not a commitment by AT&T to provide service to Bridgeview Apartments in Stuart, FL.

Please contact me at the phone number included in this letter with any questions.

Thank you for contacting AT&T.

Sincerely,
James P Virga
329 NW Dixie Hwy
Stuart Florida 34994
Wireline Access-Construction and Engineering

AT&T

Florida Power & Light Company

December 11, 2019

Enel Jean-Justice/MacKenzie Engineering
1172 SW 30th st, suite 500
Palm City, Fl 34990

Re: Bridgeview Apartments
NW Corner of Kanner Hwy & Indian Street, Stuart, FL

Dear Enel:

Thank you for contacting FPL early in your planning process. At the present time FPL has sufficient capacity to provide electric service to your property. We have facilities available currently available at this location.

Please advise me early in the planning process once the final plans have been approved. This information will help us to provide you with the best service in accordance with applicable rates, rules and regulations. You may also respond to us through www.fpl.com. Please contact me if you have any questions.

Sincerely,

Rob Morris

Senior Technical Specialist

# Martin County School District

## General School Capacity Analysis

**This general analysis is completed to meet the development review policies specified in Section 6.2.6 of the Martin County, City of Stuart and Martin County School Board Interlocal Agreement for School Facilities Siting and Planning, and Section 17.7 Public School Facilities Element of the Martin County Comprehensive Plan.**

**Applicant/Project:** **Bridgeview Apartments**
**Project#:** **Parcel - #40-38-41-001-051-00000-2**

**Date Received:** **1.7.2020**

**Applicant Request:** **Pre-Application for Rezoning FLU & Master Site Plan**

**Student Generation Calculation:**

| | |
|---|---|
| Residential Units | **212** |
| Current Student Generation Rate | **.229** |
| **Elementary** | 21 |
| **Middle** | 12 |
| **High** | 15 |
| **Total Forecasted** | **49** |

**School Zone Enrollment & Permanent Capacity:**

| CSA | 2019-2020 (as of 10/11/19) Enrollment | 2023-2024 COFTE Projected Enrollment | LOS Concurrency Capacity |
|---|---|---|---|
| Stuart Zone – Elementary (Pinewood, Port Salerno, JD Parker Elem) | 2226 | 2299 | 1978 |
| South Zone – Middle (Anderson Middle, Murray Middle) | 1770 | 1724 | 2009 |
| Stuart Zone – High Martin County High | 2179 | 2338 | 2160 |

Note: Current Enrollment reported from FOCUS, October Counts

**Comments:**

This General School Capacity Analysis shall be used in the evaluation of a development proposal, but shall not provide a guarantee that the students from the above referenced project will be assigned to attend the particular school(s) listed. The analysis indicates that the elementary and high school LOS Concurrency is currently over capacity, and projected to continue. Middle schools currently are projected to have capacity.

A School Concurrency Review is completed for Final Site Plan applications that include residential units. At that time a Final Concurrency Determination will be conducted. Mitigation to reach Level of Service (LOS) standards for the School District may need to be remedied based on Final analysis.

Prepared by: **Kimberly Everman, Capital Projects Planning Specialist**
Phone: 772-223-3105, ext. 134
Email: evermak@martin.k12.fl.us

# Boundary Survey for: Atlantic Reality Acquisitions, LLC
# Hanson Grant, Martin County, Florida

## SURVEYORS NOTES

1. Notes indicating directional calls to found points, as indicated hereon, refer to North, South, East or West per the bearing base of the survey.

2. Mean High Water elevations shown on this survey were established in February 2007 and were approved by Florida Department of Environmental Protection under Mean High Water Survey file number 4188, dated December 24, 2007.

   The mean high water elevations for the South Fork of the St. Lucie River is a minus (0.16) feet NAVD 88 and a minus (0.39) feet NAVD 88 for "NO NAME CREEK".

3. All visible above ground visible improvements have been located as shown hereon.

4. Right-of-way information for State Road 76 was obtained from State of Florida State Road Department right-of-way Map Project 5510, Section 890602102, sheet 8, dated August 1941, revised July /, 1947 as recorded in Plat book /, Page 47 Martin County, Florida public records and Florida Department of Transportation Section Map 890602511, pages 13 and 14 dated 1985.

5. Bearings shown hereon are grid and are referenced to a line between National Geodetic Survey mark GCY B01 and GCY D14 having a bearing of North 81°12'32" East.

6. No underground improvements or utilities have been located on this survey.

7. This mean high water line survey complies with Chapter 177, Part III, Florida statues.

8. Additions and or deletions to this survey by other than the signing party (or parties) is prohibited without the written consent of the signing party (or parties).

10. No part of the surveyed lands lies within State Road 76 (SW Kanner Highway).

11. Surveyed lands lies in Parcel Number 4U-38-41-UU1-U51-UUUU-2, including the Southern portion of property.

12. Deeds
   a. Warranty Deed, O.R.B. 2215, Page 602, surveyed land lies within land described.
   b. Quit Claim Deed O.R.B. 2312, Page 2091, surveyed land lies within land described.
   c. Quitclaim Deed O.R.B. 2441, Page 1933, land described lies within surveyed land.

13. The southerly boundary of the surveyed land is adjacent and contiguous to a publicly dedicated right-of-way known Veterans Memorial Bridge, access is neither confirmed nor denied, and the easterly boundary of the surveyed land is adjacent, contiguous and has access to a publicly dedicated right-of way known as State Road 76 a.k.a SW Kanner Highway.

13. ALTA/NSPS Table A Items
   Item 1. Monumentation exist at all corners as shown on sheet 2.
   Item 2. No address number for this undeveloped property.
   Item 3. This property is located in Flood Zone "AE"(EL 6) according to Flood Insurance Rate Map Community Panel No. 12085C0142G, dated March 16, 2018 and Flood Zone "AE"(EL 6), "OTHER FLOOD AREAS" ZONE X and "OTHER AREAS" ZONE X, ZONE D according to Flood Insurance Rate Map Community Panel No. 12085C0161G, dated March 16, 2018.
   Item 4. Gross land area is 22.57± Acres.
   Item 6. (a)&(b) There was no zoning report provided to the surveyor.
   Item 7. There are no buildings on this property.
   Item 8. This property is undeveloped.
   Item 9. This property is undeveloped.
   Item 10. (a)There are no division or party walls with adjoining properties.
   Item 11. All observed utilities are shown on sheet 2.

12. I have reviewed the Chicago Title Insurance Company, commitment for Title Insurance Office File No. RCTC190126 / 401900380RE, with an effective date of 03/26/2019 @ 11:00 P.M., and with regards to the Schedule B, Section II exceptions that are matters of survey and have the following comments:

**EXCEPTION 4** - Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land. There are no known such lands.

**EXCEPTION 5** - Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority of unpaid service charges for service by any water, sewer or gas system supplying the insured land. Not a matter of survey.

**EXCEPTION 6** - Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Miles or Hanson Grant, recorded in Plat Book B, Page 59, Public Records of Dade (now Martin) County, Florida and as recorded in Plat Book 1, Page 11, of the Public Records of Palm Beach (now Martin) County, Florida. With regards to Plat Book B, Page 59 and Plat Book 1, Page 11, no specifically locatable matters of survey can be plotted on this survey.

**EXCEPTION 7** - Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Stuart Farms, recorded in Plat Book 1, Page 63, of the Public Records of Martin County, Florida. With regards to Plat Book 1, Page63 , no specifically locatable matters of survey can be plotted on this survey.

**EXCEPTION 8** - Reservations in favor of the State of Florida contained in Murphy Act Deed recorded in Deed Book 31, Page 137. Affects subject property, shown on sheet 2. Subject property encumbered by Right-of-Way 0.85± acres. The Reservation is that portion of the surveyed lands lying west of the current west right-of-way line (east Boundary) and a line that lies 100.00 feet west of the current centerline of SR 76 (SW Kanner Highway).

**EXCEPTION 9** - Outfall Ditch Easement in favor of the State of Florida, recorded in Official Records Book 42, Page 432. Item (e) affects subject property, shown on sheet 2. Items (a), (b), (c), (d) & (f) does not affect subject property.

**EXCEPTION 10** - Resolutions regarding Zoning recorded in Official Records Book 324, Page 2659 as amended in Official Records Book 326, Page 938 and Official Records Book 357, Page 2364. The subject parcel is wholly contained within Parcel E of Official Records Book 324, page 2659, Official Records Book 326, page 938 and Official Records Book 357, page 2364.

**EXCEPTION 11** - Utility Easement in favor of Martin County, recorded in Official Records Book 1005, Page 251. Does not affect subject property, shown on sheet 2.

**EXCEPTION 12** - Perpetual Easement in favor of the State of Florida Department of Transportation, recorded in Official Records Book 2441, Page 945. Does not affects subject property, shown on sheet 2.

**EXCEPTION 13** - Perpetual Easement in favor of the State of Florida Department of Transportation, recorded in Official Records Book 2441, Page 948 as recorded in Official Records Book 2448, Page 2333. Affects subject property, shown on sheet 2.

**EXCEPTION 14** - Resolution regarding Zoning recorded in Official Records Book 2618, Page 2727. Affects all of subject property. Property is contained within lands described in Exhibit "A" of resolution number 12-10.28, OR Book 2618, page 2727.

**EXCEPTION 15** - Resolution regarding Master Site Plan Approval for Bridgeview Business Center recorded in Official Records Book 2640, Page 2563. Affects all of subject property. Property is contained within lands described in Exhibit "A" of resolution number 12-10.29, OR book 2640-2563.

**EXCEPTION 16** - The nature, extent or existence of riparian is not insured. No riparian known for subject property.

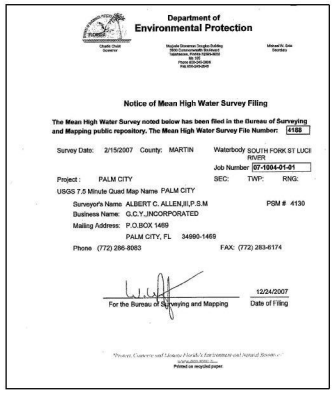
**EXCEPTION 17** - Notwithstanding the legal description in Schedule A, this policy does not insure title to any lands lying below the mean or ordinary high water line of any navigable or tidally influenced waters. Subject property is at and above Mean High Water Line.

**EXCEPTION 18** - As to any portion of the premises herein described which is (a) submerged land or is (b) artificially filled in land, artificially exposed land, or any land accreted thereto, in what was formerly navigable waters, this policy is subject to the right of the United States Government and/or the State of Florida, arising by reason of the United States Government's control over navigable waters in the interest of navigation and commerce, and the inalienable right of the State of Florida in the lands and/or waters of such character. There are no known lands.

CERTIFIED TO:
Chicago Title Insurance Company
Republic Commercial Title Company, LLC
Atlantic Reality Acquisitions, LLC, a Georgia limited liability company, it's successors and assigns of the contract for the purchase and sale of real property for the surveyed land, and the landers of the foregoing.




LOCATION MAP
NOT TO SCALE



Department of
Environmental Protection

Notice of Mean High Water Survey Filing

The Mean High Water Survey noted below has been filed in the Bureau of Surveying and Mapping public repository. The Mean High Water Survey File Number: 4188

Survey Date: 2/15/2007 County: MARTIN Waterbody SOUTH FORK ST LUCIE RIVER

Job Number 07-1004-01-01

Project: PALM CITY SEC: TWP: RNG:

USGS 7.5 Minute Quad Map Name PALM CITY

Surveyor's Name ALBERT C. ALLEN,II,P.S.M PSM # 4130

Business Name: G.C.Y.,INCORPORATED

Mailing Address: P.O.BOX 1469
PALM CITY, FL 34990-1469

Phone (772) 286-8083 FAX: (772) 283-6174

For the Bureau of Surveying and Mapping 12/24/2007 Date of Filing

"Protect, Conserve and Manage Florida's Environment and Natural Resources"
Printed on recycled paper.

Legal Description

PARCEL CONTROL NUMBER 403841001051000002

NORTH PARCEL

Commencing at the intersection of the North line of the Miles or Hanson Grant and the Westerly right of way line of State Road No. 76; thence South 20°42'45" East, a distance of 1500.00 feet to the Point of Beginning; thence continuing along said Westerly right-of-way line, South 20°42'45" East, a distance of 439.03 feet; thence South 06°32'38" East, a distance of 49.16 feet; thence South 20°42'45" East, a distance of 318.71 feet to a point on the Northerly Right-of-Way line of S.W. Martin Highway; thence along said line South 22°47'40" West, a distance of 65.18 feet; thence South 68°30'26" West, a distance of 152.45 feet to the beginning of a tangent curve concave to the North having a radius 881.25 feet; thence Northwesterly along the arc of said curve through a central angle of 41°32'17" a distance 638.89 feet to a tangent line; thence North 69°12'10" West, a distance of 380.47 feet to a point on the Mean High Water Line; thence along said line North 03°47'25" East, a distance of 50.12 feet; thence North 16°40'46" East, a distance of 48.06 feet; thence North 05°17'10" West, a distance of 65.43 feet; thence North 34°10'01" East, a distance of 139.17 feet; thence North 31°06'00" East, a distance of 167.15 feet to a point on the South River Land Mobile Home Park (unrecorded); thence North 65°59'26" East, a distance of 760.50 feet to the Point of Beginning.

Containing 15.88 Acres, more or less.

Certification

(Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper)

To Chicago Title Insurance Company, Republic Commercial Title Company, LLC, Atlantic Realty Acquisitions, LLC, a Georgia limited liability company, it's successors and assigns of the Contract for the purchase and sale of real property for the surveyed land; and the landers of the foregoing. this is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6a, 6b, 6b, 7, 8, 9, 10, 11 of Table A thereof. The field work was completed on 5/28/2019.

I further certify that the Survey of the property shown and described hereon was completed under my direction and said Survey is true and correct to the best of my knowledge and belief.

I further certify that this Survey meets the Standards of Practice for Surveyors set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida State Statutes. No search of the Public Records has been made by this office. The Survey is based on information furnished by client or client's representative.

5/28/2019
Date of Survey

NOTE:
This is an electronically signed and sealed document pursuant to Chapter 5J-17.062, Florida Administrative Code. The printed survey map or report or copies thereof are not valid without the original signature and seal of a Florida licensed surveyor or mapper.

Peter Andersen, PSM

Digitally signed by Peter Andersen, PSM
Date: 2019.06.26 09:59:04 -04'00'

Peter Andersen
Professional Survey and Mapper
Florida Certificate No. 5199

GCY
INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
CERTIFICATE OF AUTHORIZATION LB 4108
CORPORATE OFFICE
PO BOX 1469 • 1505 SW MARTIN HWY.
PALM CITY, FL 34991
(800) 395-1095 • WWW.GCYINC.COM

BOUNDARY SURVEY FOR:
**AtlanticReality Acquisitions, LLC**
MARTIN COUNTY FLORIDA

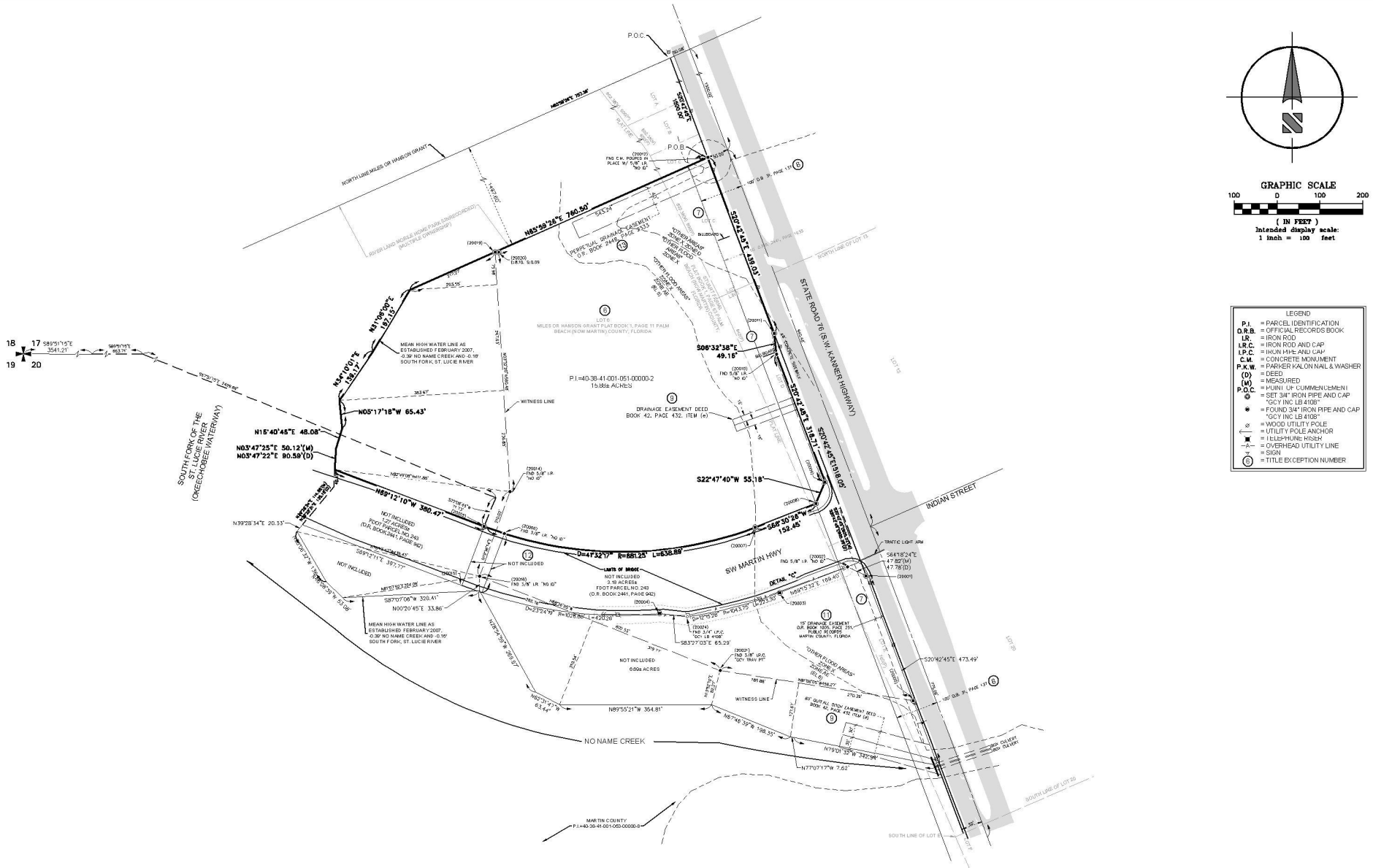
| Scale: | Date: |
|---|---|
| NA | May 2019 |
| Drawn By: | Checked By: |
| M.F.M. | P.A. |

File & Drawing No.: 19103401
Sheet 1 of 2

| No. | Revisions | Date | By |
|---|---|---|---|

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Drawing Name: Bridge View
Page(s): 66 - 69
Field Book(s): 1824




GRAPHIC SCALE

100 0 100 200

( IN FEET )

Intended display scale:
1 inch = 100 feet

LEGEND

| | |
|---|---|
| P.I. | = PARCEL IDENTIFICATION |
| O.R.B. | = OFFICIAL RECORDS BOOK |
| I.R. | = IRON ROD |
| I.R.C. | = IRON ROD AND CAP |
| I.P.C. | = IRON PIPE AND CAP |
| C.M. | = CONCRETE MONUMENT |
| P.K.W. | = PARKER KALON NAIL & WASHER |
| (D) | = DEED |
| (M) | = MEASURED |
| P.O.C. | = POINT OF COMMENCEMENT |
| | = SET 3/4" IRON PIPE AND CAP "GCY INC LB 4108" |
| | = FOUND 3/4" IRON PIPE AND CAP "GCY INC LB 4108" |
| | = WOOD UTILITY POLE |
| | = UTILITY POLE ANCHOR |
| | = TELEPHONE RISER |
| —A— | = OVERHEAD UTILITY LINE |
| | = SIGN |
| 6 | = TITLE EXCEPTION NUMBER |

Drawing Name: Bridge View
Page(s): 66 - 69
Field Book(s): 1824

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| No. | Revisions | Date | By |
|---|---|---|---|

GCY
INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
CERTIFICATE OF AUTHORIZATION LB 4108
CORPORATE OFFICE
PO BOX 1480 • 1505 SW MARTIN HWY.
PALM CITY, FL 34991
(800) 395-1005 • WWW.GCYINC.COM

BOUNDARY SURVEY FOR:

**AtlanticReality Acquisitions, LLC**

MARTIN COUNTY FLORIDA

| Scale: | Date: | File & Drawing No: |
|---|---|---|
| 1"=100' | May 2019 | 19-1034-01 |
| Drawn By: | Checked By: | Sheet |
| M.F.M. | P.A. | 2 of 2 |

MacKenzie
Engineering & Planning, Inc.
1172 SW 30th Street • Suite 500 • Palm City • Florida • 34990
(772) 286-8030 • www.MackenzieEngineeringInc.com

March 24, 2020

City of Stuart – Public Works Department
C/O: Stephen Mayer
121 Flagler Avenue, Stuart, FL 34994

Re: Bridgeview Apartments
Drainage Easement Abandonment Memorandum

Dear Mr. Mayer,

The applicant proposes to abandon the drainage easement located in the northeast corner of the site. Based on recent roadway improvements to Kanner Highway, the drainage pipe and structure discharging into this drainage easement has been plugged and is no longer in use (see attached Indian Street Bridge Roadway Improvement plan). The easement is approximately 40 LF in width and extends 350 LF from the existing right-of-way line containing 14,000 square feet (see attached easement for additional information). The drainage easement can be found in O.R. Book 2448, Page 2333.

Sincerely,

Shaun MacKenzie

Shaun G. MacKenzie, P.E.
Florida Registration Number 61751
Engineering Business Number 29013

APPENDIX:

1. Drainage Easement Warranty Deed & Sketch

181001
March 2020
© MacKenzie Engineering & Planning, Inc.
CA 29013

INSTR # 2204778
OR BK 02448 PG 2333
Pgs 2333 - 2337; (5pgs)
RECORDED 04/21/2010 11:41:13 AM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
RECORDED BY S Phoenix

**07**-PE.02-04/93

This instrument prepared under the direction of:
Laurice C. Mayes, Esq.
Legal Description prepared by:
Pete Diaz, P.S.M.(Rev.03-16-10)
Document prepared by:
Grace K. Abel (Rev.03-22-10)
Department of Transportation
3400 W. Commercial Boulevard
Ft. Lauderdale, Florida 33309

| | |
|---|---|
| Parcel No. | N/A |
| Item/Segment No. | N/A |
| Section No. | 89060-2510(2511) |
| Managing District: | 04 |
| S.R. No. | 76 |
| County: | Martin |

unofficial copy

*** CORRECTIVE PERPETUAL EASEMENT**

THIS EASEMENT made this 30th day of MARCH, 2010, by FAIRVIEW PROPERTIES, INC., a Virginia corporation, authorized to transact business in Florida as FAIRVIEW SOUTH, INC., whose address is: 2400 South Federal Highway, Suite 230, Stuart, Florida 34994-1558, grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION its successors and assigns, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the grantee, its successors and assigns, a perpetual easement for the purpose of clearing, excavating, constructing and maintaining outfall, drainage ditches and drains in, over, under, upon and through the following described land in Martin County, Florida, viz:

(See attached Exhibit "A" sketch and legal description)

* The purpose of this document is to correct an erroneous distance in the Perpetual Easement document, recorded in Official Records Book 02441, Pages 0948-952. This document corrects the distance between the Southeast Corner of Lot C, at the Westerly Existing Right of Way line for State Road 76 (SW Kanner Highway) and the Point of Beginning. This Corrective Perpetual Easement shall supersede and replace that Perpetual Easement previously recorded in Official Records Book 02441, Pages 0948-952.

TO HAVE AND TO HOLD the same unto said grantee, its successors and assigns forever, and the grantor will defend the title to said lands against all persons claiming by, through or under said grantor.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

**Florida Department of Transportation**
**District Four Right of Way**
**3400 West Commercial Boulevard**
**Fort Lauderdale, FL 33309-3421**

ATTEST: Corbin M. Wilkes

Print Name: CORBIN M WILKES

Its _____ Secretary

FAIRVIEW PROPERTIES, INC., a Virginia corporation, authorized to transact business in Florida as FAIRVIEW SOUTH, INC.

By: Knight A Kidinger

Print Name: Knight A. Kidinger

Its President

Signed, sealed and delivered in the presence of: (Two witnesses or Corporate Seal required by Florida Law)

Andrea B Wilkes

Print Name: Andrea B. Wilkes

Courtenay G. Mullen

Print Name: COURTENAY G. MULLEN

~~STATE~~ OF The District of Columbia

COUNTY OF _____

(Corporate Seal)

The foregoing instrument was acknowledged before me this 30th day of March, 2010, by Knight A. Kidinger, _____ of FAIRVIEW PROPERTIES, INC., a Virginia corporation, authorized to transact business in Florida as FAIRVIEW SOUTH, INC., on behalf of the Corporation, who is personally known to me or who has produced _____ as identification.

Print Name: KAREN A. JORDAN
Notary Public in and for the County and State last aforesaid.
My Commission Expires: 9/30/2011
Serial No., if any: _____

Unofficial Copy

**Florida Department of Transportation**
**District Four Right of Way**
**3400 West Commercial Boulevard**
**Fort Lauderdale, FL 33309-3421**

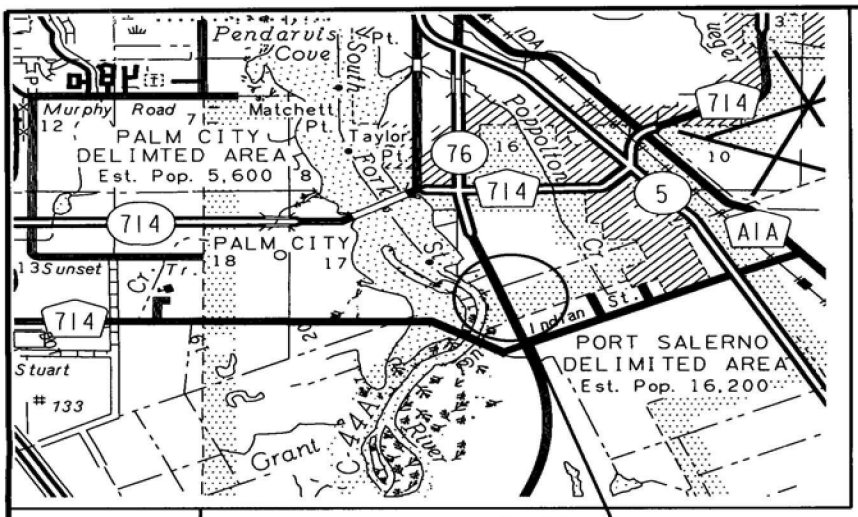



EXHIBIT "A"

TWP. 38 S.
HANSON GRANT

RANGE 41 EAST

LOCATION MAP
NOT TO SCALE

Unofficial Copy

GENERAL NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE RIGHT OF WAY MAP FOR STATE ROAD 76 (SW KANNER HIGHWAY) STATE PROJECT NO. 89060-2510(2511) SHEET 14 OF 20.
2. THIS SKETCH EXIST SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
3. ALL DIMENSIONS ARE CALCULATED UNLESS OTHERWISE NOTED.
4. HATCHED AREA: PERPETUAL DRAINAGE EASEMENT TO BE CONVEYED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION. AREA = 14,000 SQUARE FEET

LEGEND

| | | |
|---|---|---|
| ℄ | - | BASELINE |
| (P) | - | PLAT |
| P.B. | - | PLAT BOOK |
| PG. | - | PAGE |
| P.O.B. | - | POINT OF BEGINNING |
| P.O.C. | - | POINT OF COMMENCEMENT |
| RGE. | - | RANGE |
| R/W | - | RIGHT OF WAY |
| S.R. | - | STATE ROAD |
| TIITF | - | TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND |
| TWP. | - | TOWNSHIP |

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAPPING
3400 W. COMMERCIAL BOULEVARD
FT. LAUDERDALE, FLORIDA 33309
954-777-4551

TIMS: /rwmapping/_Parcel Sketch/89060-2510/rwps.dgn

| REVISION | BY | DATE |
|---|---|---|
| CORRECT P.O.C. TO P.O.B. DISTANCE | T.BROWN | 03-16-10 |

FLORIDA DEPARTMENT OF TRANSPORTATION
PARCEL SKETCH - NOT A SURVEY

STATE ROAD NO. 76 (SW KANNER HIGHWAY) — MARTIN COUNTY

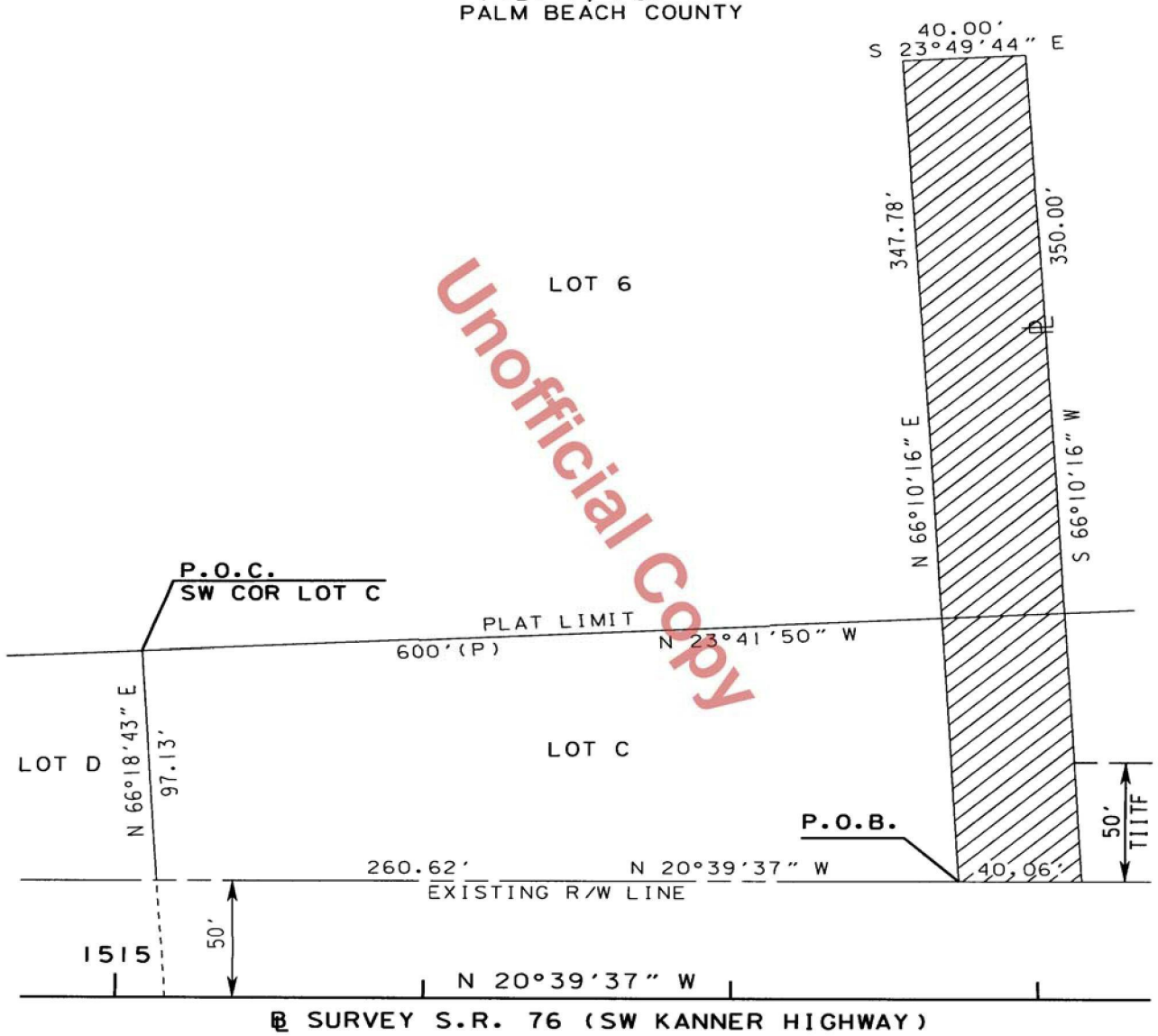
| | BY | DATE | PREPARED BY: | DATA SOURCE: |
|---|---|---|---|---|
| DRAWN | T.BROWN | 12-11-09 | F.D.O.T. DISTRICT 4 | N/A |
| CHECKED | P.DIAZ | 12-11-09 | ITEM/SEG. N/A | SECTION: 89060-2510(2511) — SHEET 1 OF 3 |

Florida Department of Transportation
District Four Right of Way
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309-3421

EXHIBIT "A"

HANSON GRANT
SCALE: 1" = 50'

MAP OF THE SUBDIVISION OF
THE MILES OR HANSON GRANT
P.B. 1, PG. 11
PALM BEACH COUNTY




Unofficial Copy

STUART FARMS
P.B. 1, PG. 63

TIMS: /rwmapping/_Parcel Sketch/89060-2510/rwps.dgn

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | | | FLORIDA DEPARTMENT OF TRANSPORTATION | | | | |
| | | | PARCEL SKETCH - NOT A SURVEY | | | | |
| | | | STATE ROAD NO. 76 (SW KANNER HIGHWAY) | | | | MARTIN COUNTY |
| | | | | BY | DATE | PREPARED BY: F.D.O.T. DISTRICT 4 | DATA SOURCE: N/A |
| CORRECT P.O.C. TO P.O.B. DISTANCE | T.BROWN | 03-16-10 | DRAWN | T.BROWN | 12-11-09 | | |
| REVISION | BY | DATE | CHECKED | P.DIAZ | 12-11-09 | ITEM/SEG. N/A | SECTION: 89060-2510(2511) SHEET 2 OF 3 |

Florida Department of Transportation
District Four Right of Way
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309-3421

EXHIBIT "A"

A part of Lot C, STUART FARMS, according to the plat thereof, as recorded in Plat Book 1, Page 63 of the Public Records of Martin County, Florida, and a part of Government Lot 6, MAP OF THE SUBDIVISION OF THE MILES OR HANSON GRANT, according to the plat thereof, as recorded in Plat Book 1, Page 11 of the Public Records of Palm Beach (now Martin) County, said parts being more particularly described as follows:

Commence at the Southwest Corner of Lot C; thence North 66°18'43" East along the Southerly line of said Lot C, a distance of 97.13 feet to the Westerly Existing Right of Way line for State Road 76 (SW Kanner Highway) as shown on the Right of Way Map for Section No. 89060-2510(2511); thence North 20°39'37" West along said line 260.62 feet to the POINT OF BEGINNING; thence continue North 20°39'37" West along said line, 40.06 feet; thence South 66°10'16" West, 350.00 feet; thence South 23°49'44" East, 40.00 feet; thence North 66°10'16" East, 347.78 feet to the POINT OF BEGINNING.

Containing 14,000 square feet more or less.

I hereby certify that to the best of my knowledge and belief the attached legal description, as shown on the Right of Way Parcel Sketch for State Road No. 76 (SW Kanner Highway), Section No. 89060-2510(2511), is true, accurate and was prepared under my direction.

I further certify that said legal description is in compliance with the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors & Mappers pursuant to Section 5J-17.050-052 Florida Statutes.

Jeffrey D. Smith
Florida Surveyor and Mapper No. 4805
Date: 3-17-10
Florida Department of Transportation

Not valid unless signed and sealed

Unofficial Copy

TIMS: /rwmapping/_Parcel Sketch/89060-2510/rwps.dgn

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | | | FLORIDA DEPARTMENT OF TRANSPORTATION | | | | |
| | | | PARCEL SKETCH - NOT A SURVEY | | | | |
| | | | STATE ROAD NO. 76 (SW KANNER HIGHWAY) | | | | MARTIN COUNTY |
| | | | | BY | DATE | PREPARED BY: F.D.O.T. DISTRICT 4 | DATA SOURCE: N/A |
| CORRECT P.O.C. TO P.O.B. DISTANCE | T.BROWN | 03-16-10 | DRAWN | T.BROWN | 12-11-09 | | |
| REVISION | BY | DATE | CHECKED | P.DIAZ | 12-11-09 | ITEM/SEG. N/A | SECTION: 89060-2510(2511) SHEET 3 OF 3 |

Florida Department of Transportation
District Four Right of Way
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309-3421

Landscape Architects ■ Planners ■ Environmental Consultants

LC-0000177

GENTILE | GLAS | HOLLOWAY | O'MAHONEY & Associates, Inc.

George G. Gentile FASLA
M. Troy Holloway ASLA
Emily M. O'Mahoney FASLA
Dodi Buckmaster Glas AICP

April 6, 2020

Mr. Stephen Mayer
City of Stuart – Planning
121 SW Flagler Avenue
Stuart, FL

Dear Mr. Mayer:

Pursuant to additional staff (and Riverland) comments received via email on March 19, 2020, please accept this letter as our formal written response. Also, attached hereto with this letter are the revised plans in pdf format, which address the comments where applicable. We have also, on this date, forwarded to your office, via FEDEX, one set of hard copies. For your convenience we have prepared our responses in **bold italics.**

1. A construction timeline that includes commitment to install the wall on the northern boundary first, and how that is facilitated with the neighboring property owners.
   ***Response: As discussed, Atlantic Realty Partners plan to construct the project in one continuous phase. Once the affected developable area is cleared, the first priority and phase of construction will be to install the 8' screen wall and chainlink fence along the north property boundary.***

2. A revised application summary to reflect community meetings and requests made by the community.
   ***Response: The justification statement has been revised to provide the date of the meeting and detailed responses to their concerns.***

3. A profile of the development company, providing not sensitive.
   ***Response: An 8 page marketing brochure for Atlantic Residential is attached hereto.***

4. Is the stormwater easement on the Northeast side of the property to be removed?
   ***Response: As we discussed, the subject easement will be removed. This has been stated in more detail on the attached revised Drainage Statement.***

5. The parking ratio is under the code, and this will also necessitate a waiver request. Staff will want to include justification in the form of industry standard or use in similar development(s).
   ***Response: In our previous response/submittal, dated March 11, 2020, we provided some detailed information/data from the ITE, (attached hereto), which indicated Parking Generation rates from 48 different studies. These studies looked at the***

***Peak Period Parking Demands for Occupied Dwelling Units Monday-Friday from 10pm-5am for similar General Urban/Suburban locations with NO nearby rail transit. The results from these ITE studies provided an AVERAGE parking rate of 1.32 parking spaces per unit. We have also attached hereto, a list of specific projects that our client, Atlantic Residential, has entitled, permitted, constructed and successfully operates with parking rates that are actually lower than the 1.75 spaces per unit required by the City of Stuart. As their list of 6 properties indicates, the parking rates vary from 1.29 spaces per unit to 1.61 spaces per unit; for an average of 1.49 spaces per unit. Well below the 1.61 spaces per unit currently being requested.***

| Atlantic Residential Properties | | | | | | | |
|---|---|---|---|---|---|---|---|
| Existing Project | No. of Units | City of Stuart Requirement | Spaces Provided | Parking Ratios Provided | Building Type | Close Proximity to Public Transit? | Project Status |
| Bridgeview - Stuart, FL | 212 | 1.75 Spaces/Unit | 342 | 1.61 Spaces/Unit | Garden - walk up parking | No | Proposed |
| Mayfair Reserve - Wauwatosa, WI | 236 | 1.75 Spaces/Unit | 347 | 1.47 Spaces/Unit | Garden - covered parking | No | Stabilized |
| Revel at the Ballpark - Atlanta, GA | 275 | 1.75 Spaces/Unit | 415 | 1.51 Spaces/Unit | Midrise - covered parking | No | Delivered - In Lease up |
| Parkview - Palmetto Bay, FL | 235 | 1.75 Spaces/Unit | 371 | 1.58 Spaces/Unit | Midrise - covered parking | No | Entitled - In Permitting |
| Evoq Town Flats - John's Creek, GA | 142 | 1.75 Spaces/Unit | 211 | 1.49 Spaces/Unit | Garden - walk up parking | No | Delivered - In Lease up |
| Lumen at Grant Park - Atlanta, GA | 238 | 1.75 Spaces/Unit | 308 | 1.29 Spaces/Unit | Midrise - covered parking | Yes | Stabilized |
| Total Units | 1338 | Total Spaces | 1994 | Avg. Parking Ratio | 1.49 Spaces/Unit | | |

6. Staff recommends an 8' high screen wall (post and panel would be acceptable). The wall may be positioned within buffer area to allow maintenance access. There boundary wall transitions due to soil/ground quality, then a chain-link 8' fence is recommended. A screen wall of 8' would provide a far greater visual barrier.

   ***Response: As requested, an 8' black poly-vinyl chainlink fence and screen wall have been provided along the north property boundary. The fence will be placed on the property line, while the wall will be set 1' south of the property line. We reached out to Riverland on 4/2/2020 regarding their acceptance of this and the need for routine maintenance access; we have not received a response to date.***

7. Riverland residents requested that the Bridgeview screen wall attach to the existing Riverland wall along Kanner Highway.
   ***Response: The proposed Bridgeview screen wall will be attached to the existing Riverland wall as requested, and this has been indicated on the attached plans.***

8. Riverland residents requested a right-turn decal lane into the Bridgeview project.
   ***Response: As discussed, per FDOT standards & guidelines a right turn-lane is NOT warranted, justified or required for this project, based on the projected traffic numbers. As the projected traffic for Bridgeview is only 35% of FDOT's threshold for a turn lane requirement, FDOT has determined & stated during the pre-application conference on April 2, 2020, that NO turnlane will be required or requested.***

9. Staff recommends to move/remove a portion of bldg. #2 with the purpose of providing a setback from the northern boundary which is similar to that of bldg. #1. Wrap around balconies should also be omitted from this elevation. This is also concerning as the sightline study shows the impact from bldg. #1, which is setback further.
   Riverland residents
   ***Response: The required MINIMUM building setback for the northern boundary is 55'; the proposed setback is 79.3' to the closest building corner of Bldg. #2; or 24.3' greater than the required setback. The building height also does NOT exceed the code requirement. However, in an effort to reduce 'balcony' visibility, we have completely removed the balconies from the 2 end units on the 4th floor, as the graphic section and section/elevations on sheets SP-3 & SP-4 indicate. We have also provided TWO different sections, due to the fact that where the building is located closest to the north property line, the heavily vegetated native upland buffer is also located, and will essentially screen the views between the parcels. So we also provided a section graphic that parallels bldg. #2 to the north property line, where NO upland preservation exists, other than the 8' screen wall and the 25' heavily planted fully native landscape buffer. Also, as discussed, we have provided a section graphic of bldg. #1 as well. Although setback further, at 154.3' to the north property boundary, this elevation has more balconies that face north and thought this section was more valid and impacted more properties.***

   ***All 3 sections clearly indicate an extremely narrow cone of visibility into the Riverland Mobile Home Park; and when combined with an 8' screen wall and a heavily vegetated fully planted 25' buffer, with all native oversized plantings, the view will be minimal to non-existent.***

We appreciate the time and follow up discussion with staff. Should you have any questions or require additional information, please feel free to contact myself or Pat Lentini at 561-575-9557.

Sincerely,

**Gentile Glas Holloway O'Mahoney & Associates, Inc.**

M. Troy Holloway, PLA, ASLA, LEED®AP, BD&C
Partner

cc: Steve Sealy, Atlantic Residential

Landscape Architects ■ Planners ■ Environmental Consultants LC-0000177

GENTILE | GLAS | HOLLOWAY | O'MAHONEY & Associates, Inc.

George G. Gentile FASLA
M. Troy Holloway ASLA
Emily M. O'Mahoney FASLA
Dodi Buckmaster Glas AICP

# Bridgeview Residential

## Justification Statement

January 13, 2020
April 6, 2020 Resubmittal

**Introduction/Request:**
On behalf of the Applicant, Atlantic Realty, Inc. and Gentile Glas Holloway O'Mahoney & Associates, Inc. (2GHO) respectfully requesting the following application be reviewed and approved:

- Future Land Use Amendment from COR – Commercial Office Residential (Martin County) to MF – Multi-Family Residential;
- Rezoning from COR-1 Commercial Office Residential (Martin County) to R-3 Residential / RPUD – Residential Planned Unit Development;
- Major Final Site Plan request for a 212 unit residential development (submitted separately).

The subject site is located on the recently annexed parcel of land located on the northwest corner of State Road 76 (SW Kanner Highway) and SW Martin Highway.

**Surrounding Land Use and Zoning:**
The request for a future land use amendment, rezoning, and major final site plan is compatible with the surrounding property uses.

| | Current Zoning | Current FLU | Existing Use |
|---|---|---|---|
| **Subject Area** | Martin County – COR1 | Martin County – COR | Vacant |
| **North** | Martin County - TP | Martin County – Mobile Home | Riverland - Mobile Home Park |
| **South** | SW Martin Highway Martin County COR1 | Martin County – COR | Vacant |
| **East** | SW Kanner Highway City of Stuart - CPUD | SW Kanner Highway – City of Stuart – Commercial | Medical offices |
| **West** | St. Lucie River | | |

**Neighborhood Meeting:**
The applicant had a meeting with the Riverland Mobile Home Park on December 18, 2019, where there were 6 board/community members and 5 residents present. The overall feeling

for the project was positive, however, only the following concerns were expressed at this meeting:

1. Concern about the wildlife, mainly rats, running into their community during construction. In an effort to curtail the influx of wildlife into Riverland, during the clearing process, Atlantic Residential has committed to first install a 4 foot silt fence that will be buried approx. 6 inches below grade along the entire property boundary. They will then commence the clearing process north to south, which will also help direct the wildlife to the south, away from Riverland and towards the native uplands. Once the clearing is complete, an 8' screen wall and chain-link fence will immediately be installed.
2. Residents wanted chain-link fence to the river. Atlantic Residential will install an 8' chain-link fence (as requested) from the eastern edge of the Wetland Buffer to the northwest property corner.
3. Residents wanted a 6-8' wall, similar to theirs and connecting to their existing wall along Kanner Hwy. The plans indicate an 8' screen wall that will connect to the existing Riverland wall along Kanner Hwy.
4. Riverland residents concerned with "increased crime" from the 3 bedroom units proposed. Atlantic Properties has no data indicating increased crime from providing 3 bedroom units. Their plans continue to show 20 units, out of 212, as 3 bedroom units that will attract and appeal more to young families; especially given the demographics and location within the City of Stuart.
5. Riverland requested that we send them everything that we provide the City. We have continued to provide Riverside with pdf's of every plan that we have provided the City.

**Project Description:**

The subject property consists of a newly annexed parcel of 15.88 acres located on the northwest corner of SR 76 (also known as Kanner Highway) and SW Martin Highway, which is the continuation of Indian Street.

As noted above, the applicant is proposing a Future Land Use Amendment and a Rezoning to allow a Residential Planned Unit Development with a proposed density of 13.35 du/ac. Proposed is a 212 unit apartment building with the following mix of bedrooms:

- Studio apartments - 20 units
- 1 bedroom - 88 units
- 2 bedrooms - 84 units
- 3 bedrooms - 20 units

212 units

**Large Scale Comprehensive Plan Amendment:**

**Element 1 – Future Land Use Element Goals, Objectives and Policies**

**Objective A5 – Residential Development – Ensure land use compatibility by grouping complementary land use activities, includes mixed-use land use developments in**

**appropriate areas of the City. Work with the developers to integrate vehicular and pedestrian circulation systems, bike paths, parking, building location, and architectural design into a cohesive development.**

Policy A5.1. The Future Land Use Element of the City's adopted Comprehensive Plan shall provide land for future residential use to promote a more compact development pattern. This shall include sufficient land suitable for the public utility facilities needed to support the projected level and pattern of development.

**Response: As the City of Stuart continues to establish itself as one of Martin County's premier economic hubs, the Applicant is proposing the above described residential development to aid in further stimulating the residential market. It is the applicant's intent to provide a residential use that will not have a negative impact on any adopted levels of services with regards to public utilities. It is important to note, that the future land use, and rezoning requests, from COR to Multi-family Residential will reduce the amount of trips on the adjacent roadways.**

Policy A5.2. Development on all vacant, unplatted areas designed as residential should be compatible with any surrounding existing homes.

**Response: The subject site is in a unique location as it is bound to the west by the St. Lucie River, and to the south by the Kiplinger Nature Preserve. There is an existing mobile home park to the north, which will make the Applicant's proposal compatible. Further, the Applicant's proposal will enhance the property values in the adjacent areas, and work in synergistic fashion with the existing developments to the north to continue the land use pattern of residential.**

Policy A5.3. Wherever possible, medium density residential and recreation/open space areas should serve as buffers between higher and lower intensity residential uses to achieve an orderly land use transition.

**Response: The existing conditions of the area will not necessarily allow for any additional buffer, however, the applicant will be utilizing a 25' landscape buffer to the north of the site to separate from the existing mobile home park. To the south, the Kiplinger Nature Preserve, and Indian Street, will buffer the existing Whitemarsh Reserve community from the proposed residential.**

Policy A5.4. City land development regulations and housing programs should support the provision of housing for very-low-income to moderate-income residents.

**Response: The site provides for much needed apartments in the City of Stuart, no workforce housing is being provided. Based on discussions with the City, projects that are lower than 15 du/ac would not need to provide workforce housing.**

Policy A5.5. The City shall market itself as a community for families.

**Response: This request will allow a mechanism for the Applicant to aid in providing residential stock so that families may have a sense of community.**

Policy A5.6. The city shall maintain a height limitation of the greater of 45 feet or four stories of occupiable space for all buildings. The City shall require landscaping of all new development redevelopment to promote an aesthetic streetscape. The City shall require landscape buffers between single family and non-residential uses.

**Response: The Applicant proposes will not exceed the 45' height requirement. As previously mentioned, it is the intent of the Applicant to provide a 25' landscape buffer between to the north. Further, the Applicant will provide 2.97ac of upland preserve area, which is above the required 2.23ac.**

**Section 11.01.08 Zoning Map Change Application including Planned Unit Development:**

a. The existing land use pattern;

   ***Response: The proposed project would occur on an undeveloped site which is surrounded by roads and a mobile home park on the northwest corner of SW Kanner Highway and Martin Highway. The subject site is an important corner within the area and will offer the city a viable area for residential homes/apartments that are needed.***

b. The possible creation of an isolated district unrelated to adjacent and nearby districts;

   ***Response: No, the proposed residential community would not create an isolated land use classification. Although, the proposed residential community would have a City of Stuart Future Land Use of Multi-Family and Zoning District of Planned Unit Development, it is consistent with the property to the north, which is a mobile home park which is located in Martin County.***

c. The population density pattern of the area and possible increase or overtaxing of the load on public facilities such as schools, utilities and streets;

   ***Response: No. The multi-family land use and proposed project will rely on Martin County Utilities for services which have sufficient capacity to service the proposed project. The school capacity will be coordinated with the Martin County School Board and concurrency will be reserved at the time of construction plan permitting for the Bridgeveiw RPUD. The streets have adequate capacity.***

d. The possible overloading of the city's sewage collection, treatment and disposal facilities;

***Response: The property will not connect to the City's Sewage collection, treatment and disposal facilities. The property is within the Martin County Utilities Service district.***

e. The possible overloading of the city's drainage system;

***Response: All development on the site would be required to comply with applicable City of Stuart stormwater management requirements with review and permitting from the South Florida Water Management District.***

f. The existing district boundaries in relation to existing conditions on the subject property;

***Response: There are no issues in this regard.***

g. The existence of changed or changing conditions which make the passage of the proposed amendment necessary or appropriate;

***Response: The city has shown a trend toward development of residential uses and the need for housing to support the local workforce and young professionals.***

h. The impact of the proposed amendment upon living conditions in the adjacent neighborhood;

***Response: This type and intensity of development is feasible on the subject property and would not create an adverse impact to nearby neighborhoods.***

i. The impact of the amendment upon the flow of light and air to adjacent areas;

***Response: This type and intensity of development is feasible on the subject property and would not create an adverse impact upon the flow of light and air to adjacent areas.***

j. The impact of the proposed amendment upon property values in the adjacent area;

***Response: The change in land use designation from Martin County COR – Commercial Office Residential to residential would likely result in an increase in property values in the adjacent area by allowing for a local customer base for the surrounding commercial properties.***

k. The impact of the proposed amendment upon improvement or development of adjacent property in accordance with existing regulations;

***Response: The proposed amendment will not have any adverse impact on the improvement or development of the adjacent property. As previously stated elsewhere in this justification, the Applicant's proposal will be an upgrade to***

***the existing conditions by establishing a quality residential component, which will aid in increasing the housing stock in Stuart, while also stimulating the tax base.***

I. The existence of other adequate sites in the city for the proposed use in land use classifications already permitting such use.

***Response: There are few vacant properties in this area of Stuart with a land use of multi-family to provide apartments to existing and future residents.***

**Architecture:**

The proposed project is located on the North West corner of Kanner Highway and Veterans Memorial Bridge in the City of Stuart, Florida. The project is a 212 unit multi-family, for rent community consisting of (2) 4-story apartment buildings. There are two distinct apartment building types. An integrated clubhouse, mailroom and leasing center is located in Building Type 1. Units are planned as studios, one bedroom units, two bedroom units, and three bedroom units. A pool and pool deck amenities are planned for the site. There are ancillary structures typically associated with multi-family rental communities which consists of a maintenance office, pool cabana, and a trash compactor enclosure. Parking is distributed throughout the development as surface parking.

**Water/Wastewater and stormwater:**

Included with these applications are the conceptual civil engineering drawing including water wastewater and stormwater information.

**Environmental:**

Generally, the site consists of upland pine, oak and scrubby flatwoods, a mix of sand pine scrub habitat, a bay swamp and ditch wetland system and a portion of disturbed lands present on-site. See included Environmental Assessment report from EW Consultants.

**Waiver(s):**

**Section 6.04.06.B.2 – Transitional regulations:**

**Buffer width requirements for Multi-Story developments – requirement is 25 feet plus 10 feet per upper floor.** The property development is 4 stories of multi-family development – required buffer width is 55 feet.

**Section 6.03.02B.4.b – Drainage Specifications – Finished Floor Elevations. Eighteen inches above the crown of the street on which the buildings or structures front. Please see the attached letter from Mackenzie Engineering for justification of this waiver.**

**Section 6.01.13. Off Street parking – required parking spaces –**

- **Multi-family dwelling units for studios or 1 bedroom – 1.5 per unit**
- **Multi-family dwelling units for 2 or more bedrooms – 2 per unit**

**The waiver being requested for this development is based on industry standards for other similar multi-family developments. ITE information/data has been included with this application to assist with justifying the parking waiver. In addition, the table below indicates parking ratios for similar multi-family projects that Atlantic Residential has entitled, permitted, constructed and in operation today.**

| Atlantic Residential Properties | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Existing Project** | **No. of Units** | **City of Stuart Requirement** | **Spaces Provided** | **Parking Ratios Provided** | | **Building Type** | **Close Proximity to Public Transit?** | **Project Status** |
| Bridgeview - Stuart, FL | 212 | 1.75 Spaces/Unit | 342 | 1.61 Spaces/Unit | | Garden - walk up parking | No | Proposed |
| Mayfair Reserve - Wauwatosa, WI | 236 | 1.75 Spaces/Unit | 347 | 1.47 Spaces/Unit | | Garden - covered parking | No | Stabilized |
| Revel at the Ballpark - Atlanta, GA | 275 | 1.75 Spaces/Unit | 415 | 1.51 Spaces/Unit | | Midrise - covered parking | No | Delivered - In Lease up |
| Parkview - Palmetto Bay, FL | 235 | 1.75 Spaces/Unit | 371 | 1.58 Spaces/Unit | | Midrise - covered parking | No | Entitled - In Permitting |
| Evoq Town Flats - John's Creek, GA | 142 | 1.75 Spaces/Unit | 211 | 1.49 Spaces/Unit | | Garden - walk up parking | No | Delivered - In Lease up |
| Lumen at Grant Park - Atlanta, GA | 238 | 1.75 Spaces/Unit | 308 | 1.29 Spaces/Unit | | Midrise - covered parking | Yes | Stabilized |
| **Total Units** | **1338** | **Total Spaces** | **1994** | **Avg. Parking Ratio** | **1.49 Spaces/Unit** | | | |

**Conclusion:**

On behalf of the applicant, Gentile Glas Holloway O'Mahoney & Associates, Inc. respectfully request approval of this application. The Project Managers at Gentile Glas Holloway O'Mahoney & Associates, Inc. are M. Troy Holloway and Patricia Lentini.


BRIDGEVIEW


BRIDGEVIEW


BRIDGEVIEW

**RIVERLAND, INC.**
**3500 S. KANNER HIGHWAY OFFICE**
**STUART, FL 34994**
**OFFICE: (772) 287-8811 FAX: (772) 287-2102**
**riverlandin@comcast.net**

June 10, 2020

Chairman
City of Stuart Local Planning Agency
HAND DELIVERED TO THE CITY OF STUART

Re: Forthcoming LPA Hearing on Parcel 40-38-41-001-051-00000-2 (Bridgeview Project)

Sir:

I would like to take this opportunity to inform you and the other members of the Local Planning Agency (LPA) that representatives of the Riverland Cooperative and Atlantic Realty Inc are still in active discussions regarding certain concerns of the Riverland community related to the development of the above parcel, the development commonly referred to as the 'Bridgeview Project'.

While still ongoing I do feel sufficiently confident that by the June 18 Local Planning Agency hearing that a consensus will be reached between Riverland and Atlantic. As such, I also expect our Riverland representatives at the hearing will be able to advise the LPA that the Riverland community has no objections to the approval process for this project continuing forward.

Regards,

Chris Mancuso (by direction) JC

CHRIS MANCUSO
President, Board of Directors

DocuSign Envelope ID: 44A1C7EC-EAA8-48DC-BEAF-31E22924DBF8



# MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) provides details on, and outlines roles and responsibilities for, various matters on which an understanding have been reached between Riverland Inc ('Riverland'), an ownership cooperative located at 3500 South Kanner Highway, Stuart FL 34994, and Atlantic Realty Acquisitions LLC ('Atlantic'), a developer located at One Alliance Center, 3500 Lenox Road Suite 1250, Atlanta GA 30326, and in regard to the planned residential development of Parcel 40-38-41-001-051-00000-2 located between Riverland and the Veterans Memorial Bridge (the 'Bridgeview site'). This MOU is a summary of prior exchanges and communications between Riverland and Atlantic regarding the Bridgeview site, details certain understandings regarding construction activities along the common property boundary and provides a framework for future communications between Riverland and Atlantic. Both Riverland and Atlantic recognize this MOU does not supersede or replace any government rule, regulation, or land development code requirement.

1 **Wall Construction:** Along the common boundary between Riverland and the Bridgeview site is of special importance to the Riverland community residents due to security, privacy, noise abatement and crime prevention concerns. As such:

1.1 Riverland will support any Atlantic request to the City of Stuart for any waiver and/or exemption to the City of Stuart Land Development Code, or to the regulations and/or requirements of other governmental bodies, and as needed to achieve the expectations outlined in this MOU.

1.2 Upon request Riverland will provide Atlantic a temporary construction easement to facilitate meeting the expectations of this MOU.

1.2.1 If an easement is desired Atlantic will provide a draft instrument to Riverland sufficiently in advance of the start of activity to allow for review and execution by Riverland, and with clearly defined start and end dates.

1.2.2 For any easement Atlantic will compensate Riverland in the amount of one dollar ($1) plus other services to be rendered, with those other services limited to the various landscaping expectations outlined in this MOU.

1.2.3 Atlantic will ensure all Atlantic contractors (or subcontractors) will not perform work on Riverland property during a Federally recognized holiday, or outside the daily hours of 7am to 6pm.

DocuSign Envelope ID: 44A1C7EC-EAA8-48DC-BEAF-31E22924DBF8



1.2.4 Atlantic will ensure that all Atlantic contractors (or subcontractors) are aware the speed limit in Riverland is 15 miles per hour, and all vehicles must yield to any pedestrian, bicycle or golf cart.

1.2.5 As applicable, Atlantic will ensure that any contractor (or subcontractor) performing work on Riverland property meets all state mandated minimum insurance requirements for General Liability Insurance, Automobile Liability and Worker' Compensation, and will demonstrate such upon the request of Riverland.

1.2.6 If required, Atlantic will ensure all contractors (or subcontractors) have any required state or county occupational licenses, and will obtain any state or county approvals or permits required for any work performed Riverland property, and any costs associated with the above will be borne by either Atlantic or the contractor (or subcontractor).

1.3 Prior to conducting any site clearing operations, or construction activities of any kind on the Bridgeview site, Atlantic will first install along the Riverland side of the adjoining property line in areas free of existing brush:

1.3.1 A four-foot (4') high silt fence and with this fence extending at least six-inches (6") below the existing surface grade.

1.3.2 Temporary security fencing of the type typically seen with construction projects of this type.

1.4 Only after the installation of the above silt and security fencing will Atlantic commence site clearing activities on the Bridgeview site, and will conduct those operations in such a manner as to minimize wildlife migration from the Bridgeview site into Riverland, and generally clear the site from the adjoining property line towards the Veterans Memorial Bridge. During site clearing operations Atlantic is authorized to remove brush or other material found along the Riverland side of the adjoining property line, if Atlantic deems it necessary to achieve the expectations outlined in this MOU.

**Note:** Atlantic recognizes Riverland is especially concerned about the noise and dust associated with site clearing operations and commits to exercising all reasonable and prudent control and mitigation measures where possible to reduce the impact of site clearing operations on Riverland residents.

1.5 Once the Bridgeview site is cleared and prior to other major construction activities on the Bridgeview site Atlantic commits to installing a ten-foot (10') high wall (the 'wall') along the adjoining property line starting at a point where the existing Riverland wall along Kanner Highway would cross into the Bridgeview site if extended in that direction, and then along the adjoining property line towards the South Fork of the St Lucie River until the wetlands on the Bridgeview

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site are reached. Atlantic also commits to the further installation of a ten-foot (10') black poly-vinyl coated chain-link fence extension (the 'extension') from that point and continuing until the South Fork of the St Lucie River is reached. Lastly, Atlantic also commits to constructing a short connecting wall along Kanner Highway to eliminate any resultant gap between the existing Riverland wall along Kanner Highway and the wall installed along the adjoining property line.

1.6 The method of construction utilized by Atlantic for the wall and extension is at Atlantic's discretion, but Atlantic recognizes Riverland desires a final uniform appearance similar to the existing Riverland wall along Kanner Highway, but with certain exceptions:

1.6.1 The wall along the adjoining property line does not need – and Riverland does not desire the inclusion of – partial height wrought iron fence sections as can be seen in the existing Riverland wall along Kanner Highway.

1.6.2 The short connecting wall between the existing Riverland wall along Kanner Highway and the wall along the adjoining property line is to be of the same height as the existing Kanner Highway wall.

1.6.3 A portion of the wall along the adjoining property line closest to Kanner Highway may be stepped or sloped, if in the opinion of Atlantic such a change is needed for aesthetic purposes.

1.6.4 For clarity, Riverland has no appearance expectations of the wall extension other than it be of a uniform and aesthetically pleasing appearance.

1.7 Riverland recognizes that Atlantic intends to install the wall one-foot or twelve-inches (1' or 12") inside of (or offset from) the adjoining property line to ensure any wall footers or foundations exist solely on the Bridgeview site, and Atlantic may adjust this offset during construction or site preparation as needed to achieve this goal. Atlantic recognizes that Riverland desires the wall and extension to be as close to the adjoining property line as possible, but that Riverland also desires the wall extension to be installed at the same distance from the adjoining property line as the face of the wall.

1.8 Riverland recognizes both sides of the adjoining property line are brush-filled with vegetation of various types, contains fencing and other landscaping material, and the land is of varying elevation that includes several previously constructed earthen berms. Riverland authorizes Atlantic to recontour the Riverland property along the adjoining property line as necessary to achieve a uniform non-undulating face and height for the wall and extension.

1.9 Atlantic recognizes Riverland would like to see the wall and extension constructed as soon as possible after site clearing operations have concluded, but Riverland recognizes construction may be delayed by the need for additional site preparation for footings or foundations for the

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wall, and/or be impacted by the availability of material, equipment or other resources, and/or impacted by weather or other reasons not within the control of Atlantic.

1.10 After construction of the wall and extension, and at a time convenient to the construction schedule – perhaps when sub-contractors are performing work elsewhere on the Bridgeview site – Atlantic will in no particular order:

1.10.1 Closely plant a single row of three-gallon sized Areca palms along the Riverland side of the wall and extension at a distance roughly three-feet (3') from the face of the wall and extension, at three-feet (3') intervals between each palm, and along the entire length of the wall and extension. Upon expiration of any warranty or certificate of workmanship provided to Atlantic by Atlantic's contractors (or sub-contractors) Riverland will assume responsibility for all plant care required by the palms.

1.10.2 Remove the previously installed fencing.

1.10.3 Re-seed or re-sod any disturbed area on the Riverland side of the wall and extension, at which point Riverland will assume responsibility for groundskeeping in these areas.

**2 Communications:** Between Riverland and Atlantic can include any subject matter as needed to ensure an equitable relationship, but will specifically include:

2.1 Atlantic providing Riverland with a copy of the project construction schedule and/or project plan once available, along with updates in the event of significant changes.

2.2 During the period of any construction activity at the Bridgeview site the senior member of the on-site management team managing the construction activity, or the designated representative of the same, will meet with the Riverland Board of Directors during their regularly scheduled monthly meetings, and provide the board members a briefing on the construction activities of the previous month and those anticipated during the upcoming month.

**Note:** The Directors meet monthly only when a quorum of board members are in-residence at Riverland. Depending on the number of board members who are seasonal vs permanent residents the board may or may not actually meet any given month, especially during the summer months. Atlantic can assume the board is <u>not</u> meeting any given month unless Riverland indicates a monthly board meeting will be held, and Riverland commits to providing Atlantic a minimum of 14 days advance notice of any such monthly board meeting.

2.3 Once the Bridgeview site is operational the senior member of the on-site management team, or the designated representative of the same, will attend the Annual Meeting of the Riverland Shareholders, and during that meeting provide the Riverland Board of Directors with a

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monetary instrument in the amount of $500 for landscaping expenses. Riverland will levy no other obligations on the attending Atlantic representative, but upon request by Atlantic at least fourteen (14) days in advance will make time available during the annual meeting for any presentation and/or question-and-answer session and/or any other matter desired by Atlantic.

**Note:** The Annual Meeting of Riverland Shareholders is required by Florida statue and is always held at 9:30am on the third Friday of every February. Atlantic can assume this activity is being held each year unless otherwise advised by Riverland.

**3 Crime Prevention:** At the request of either Riverland or Atlantic both organizations will participate in and support any crime prevention efforts initiated by either and involving the Sheriff's Office of Martin County and/or the City of Stuart Police Department.

**4 Points of Contacts:** For correspondence or notifications, questions or clarifications, or for any other matter, can be directed as follows:

4.1 For Riverland: All contacts can be reached via the Office Manager, Riverland Inc, 3500 South Kanner Highway, Stuart FL 34994, Phone 772-287-8811, Fax 772-287-2102, Email riverlandin@comcast.net, and are as follows:

4.1.1 From June 18 to July 27, 2020, the point of contact is any member of the Bridgeview Committee, a temporary committee formed by the Riverland Board of Directors under the auspices of Florida Statute 710.103(6):

| Primary Contacts: | Alternate Contacts: |
|---|---|
| Don Barber | Bill Sparks |
| Ted Collagan | Brenda Nolin |
| Bob Crichton | |

4.1.2 After June 27, 2020, all communications should be directed to the Office Manager, who will then redirect the communication as appropriate to a member of the Board of Directors, or to the Chairperson of a Committee of the Board of Directors, or to a Riverland employee.

4.1.3 Any communication or other matter requiring escalation can be directed via the Office Manager to the President, Board of Directors, who in-turn will act upon or redirect the communication as appropriate.

4.2 For Atlantic:

4.2.1 From June 18, 2020, to the start of construction activities at the Bridgeview site the point of contact is M Troy Holloway, Partner, Gentile, Glas, Holloway, O'Mahoney &

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Associates Inc, 1907 Commerce Lane Suite 101, Jupiter FL 33458, Phone 561-575-9557x102, Fax 561-575-9557, Email troy@2gho.com, who in-turn will act upon or redirect the communication as appropriate.

4.2.2 From the start of construction activities to the end of construction activities at the Bridgeview site the point of contact is the senior member of the on-site management team managing construction activities, or the designated representative of the same, and who in-turn will act upon or redirect the communication as appropriate.

4.2.3 After the start of public operations at the Bridgeview site the point of contact is the senior member of the on-site management team, or the designated representative of the same, and who in-turn will act upon or redirect the communication as appropriate.

4.2.4 Any communication or other matter requiring escalation, or any communication need arising after construction activities have concluded at the Bridgeview site but prior to the establishment of an on-site management team, can be directed to the Office of the Chief Executive Officer, Atlantic Realty Acquisitions LLC, One Alliance Center, 3500 Lenox Road Suite 1250, Atlanta GA 30326, Phone 404-591-2900, Fax 404-591-2901, Email info@atlanticresi.com, and who in-turn will act upon or redirect the communication as appropriate.

**Executed June 18, 2020, and by and:**

For Riverland

**DONALD G. BARBER JR**
Member, Bridgeview Committee
Riverland Inc

*Signing for and as directed by:*

**CHRIS MANCUSO**
President
Riverland Inc

For Atlantic

DocuSigned by:
Richard Aaronson
44D3BA20C6314A8...

**RICHARD D. AARONSON**
Chief Executive Officer
Atlantic Realty Acquisitions LLC

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Tom Reetz

**Title of Item:**

LAKESIDE MARKETPLACE CPUD AMENDMENT (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2445-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING ORDINANCE NO. 1601-97, WHICH ASSIGNED COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONING TO AN 11.42 ACRE PARCEL OF LAND LOCATED ON THE SOUTH SIDE OF SE MARKET PLACE EAST OF U.S. HIGHWAY ONE, BEING MORE FULLY DESCRIBED BY EXHIBIT "A" ATTACHED; PROVIDING FOR MASTER SITE PLAN APPROVAL, DEVELOPMENT CONDITIONS, A TIMETABLE FOR DEVELOPMENT AND MANDATORY PLATTING FOR A 4.02 ACRE PORTION OF ANNEXED PARCEL #F21 TO ACCOMMODATE 24,000 SQUARE FEET OF COMMERCIAL DEVELOPMENT KNOWN AS LAKESIDE MARKET PLACE CPUD; DECLARING THE PROPOSED DEVELOPMENT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; ACCEPTANCE BY THE APPLICANT; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

The Local Planning Agency unanimously approved the project at its regularly scheduled meeting on June 18, 2020 with conditions that the applicant update the site plan with the following:

1. A 'no parking on grassed area' sign on the west side of building No. 3.
2. Widening of the crosswalk from 5 feet to 6 feet connecting building No.'s 1 & 2 with building No. 3.

The applicant has made these revisions and staff has updated Exhibit D of the Ordinance.

The subject property consists of approximately 4.02 acres, and is a portion of a larger 11.4-acre CPUD, located on the south side of SE Market Place, east of the intersection with US Highway One. In 1998, the City Commission annexed the property (then known as Parcel #F21) and provided a Commercial Future Land Use designation and a CPUD zoning district. Since then, the property has remained undeveloped and vacant. The subject property is approximately 4.02 acres and is located on the eastern half of the original parcel. Marketplace at Stuart Condominium Assoc., Inc. now request a major PUD amendment to develop the aforementioned commercial parcel.

The applicant is proposing to adopt a site plan for the commercial parcel, which is to be developed in one phase of three buildings. Building #1 consist of 8,000 sq. ft. of Industrial space. Building #2 consist of 4,400 sq.ft. of retail space and 3,600 sq. ft. of warehouse space. Building three, located in the rear of the site contains 8,000 sq. ft. of industrial space. The buildings meet the commercial design criteria of the code and will be an attractive addition to the area.

Staff notes that the CPUD meets the technical requirements of the Land Development Code. Because there is no existing upland area the applicant has provided 29.3% open space. Additionally, the applicant has provided

10,000 square feet of pavers at the project's entrance and received a 50% credit towards perviousness of the site. The large existing lake has been reconfigured to maximize the use of the site with permit from SFWMD.

**Funding Source:**

N/A

**Recommended Action:**

Move to approve Ordinance 2445-2020 at First Reading.

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | Ordinance 2445-2020 | 6/25/2020 | Ordinance add to Y drive |
| 🗋 | Ordinance 2445-2020 Exhibit D | 6/25/2020 | Ordinance add to Y drive |
| 🗋 | Staff Report - By Tom Reetz | 6/25/2020 | Staff Report |
| 🗋 | Traffic Analysis | 6/9/2020 | Backup Material |
| 🗋 | Warranty Deed | 6/9/2020 | Backup Material |
| 🗋 | Staff Code Review | 6/9/2020 | Backup Material |
| 🗋 | Application letter | 6/9/2020 | Backup Material |
| 🗋 | CPUD amendment application | 6/9/2020 | Backup Material |
| 🗋 | Permit | 6/12/2020 | Backup Material |
| 🗋 | Engineering Statement | 6/12/2020 | Backup Material |

**BEFORE THE CITY COMMISSION**

**CITY OF STUART, FLORIDA**

**ORDINANCE NUMBER 2445-2020**

**AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING ORDINANCE NO. 1601-97, WHICH ASSIGNED COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONING TO AN 11.42 ACRE PARCEL OF LAND LOCATED ON THE SOUTH SIDE OF SE MARKET PLACE EAST OF U.S. HIGHWAY ONE, BEING MORE FULLY DESCRIBED BY EXHIBIT "A" ATTACHED; PROVIDING FOR MASTER SITE PLAN APPROVAL, DEVELOPMENT CONDITIONS, A TIMETABLE FOR DEVELOPMENT AND MANDATORY PLATTING FOR A 4.02 ACRE PORTION OF ANNEXED PARCEL #F21 TO ACCOMMODATE 24,000 SQUARE FEET OF COMMERCIAL DEVELOPMENT KNOWN AS LAKESIDE MARKET PLACE CPUD; DECLARING THE PROPOSED DEVELOPMENT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; ACCEPTANCE BY THE APPLICANT; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

**WHEREAS,** on April 13, 1998, the City Commission annexed an 11.4-acre parcel of land known as #F21 thru the adoption of Ordinance No. 1599-97; and

**WHEREAS,** on August 24, 1998, the City Commission further provided a Future Land Use designation of Commercial and zoning district of CPUD to said land thru the adoption of Ordinance No. 1600-97 and Ordinance No. 1601-97, respectively; and

**WHEREAS,** a portion of the parcel remains undeveloped and vacant; and

**WHEREAS,** the Local Planning Agency heard this agenda item on June 18, 2018, and provided recommendation of approval to the City Commission; and

**WHEREAS**, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by William J. Mathers (Agent) of Mathers Engineering Corp.; and

**WHEREAS,** an application for a major amendment to Ordinance 1601-97 was properly filed on behalf of the petitioner, Daniel Lawrence of D. Lawrence Properties LLC, Osiris Ramos of Market Place at Stuart Condominium Assoc. Inc. and OK of Martin County, LLC.

**WHEREAS**, the property is legally described as set forth in an 'Exhibit A' to this ordinance; and

**WHEREAS**, the Applicant has committed to the City that its development will comply with all development codes, plans, standards and conditions approved by the City Commission; and that it will bind its successors in title to any such commitments made upon approval of this CPUD amendment; and

**WHEREAS**, at the hearing the applicant showed by substantial competent evidence that the application is consistent with the Stuart Comprehensive Plan, and the Land Development Code of the City, and with the procedural requirements of law; and

**WHEREAS**, the CPUD development will be in harmony with surrounding properties and their anticipated development;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:

**SECTION 1:** The foregoing recitals are true and adopted as findings of fact and conclusions of law.

**SECTION 2:** The legal description of the property is set forth in **Exhibit 'A'** attached hereto and made a part hereof by reference. A Boundary Survey depicting the Property is attached hereto as **Exhibit 'B'** and made a part hereof by reference. The conditions of development attached hereto as **Exhibit 'C'** and made a part hereof by reference, and each shall constitute one of the development documents.

**SECTION 3:** The following new documents are on file as public records of the City, at the office of the City Clerk in City Hall, and attached hereto as **Exhibit 'D'**, hereinafter the 'Development Documents', shall be deemed a part of the development conditions, and shall supplement any earlier approvals:

A. **Boundary Survey by Christian Fenex and Associates, LLC, dated 08.08.18 with tree and pond update on 03.05.19.**
B. **Site Plan, Sheet 1 of 1 by Mathers Engineering Corporation, dated November 2019, and revised on 1.23.20, 6.8.20, and 6.24.20.**
C. **Landscape Plan, Sheets LA1 thru LA5, by Doug Fitzwater, Landscape Architect, dated 10.13.19, and revised on 4.19.20.**
D. **Architectural Site Plan & Elevations, Sheets SD-1 thru SD-4, by Ahern and Associates, PA, dated 8.26.19.**
E. **Lighting Plan, Sheets SD-5 by Ahern and Associates, PA, dated 1.22.20.**
F. **Environmental Assessment, by Saskowsky and Associates, Inc. dated 1.13.20**

**SECTION 4:** Except as otherwise provided herein, no development permits, site permits or building permits shall be issued by the City except in compliance with the aforesaid Development Documents. The failure of the Developer to complete development, or to comply

with the Development Documents, or with any term or condition of development set forth in this ordinance, shall be deemed a zoning violation and no further permits, or other development approvals or orders shall be issued by the City to the owner until the violation has been resolved, and the matter may become the subject of a code enforcement action brought by the City. This section shall not impair the due process or other legal rights of the Developer to seek administrative or judicial redress.

**SECTION 5:** Following the adoption and acceptance of this ordinance by the Owner, and in addition to any other action for failure to complete development or otherwise comply with the Development Documents, the City Development Director may obtain a hearing before the City Commission, and shall thereupon give at least five (5) days written notice of the time, date and location of the hearing, along with specific notice of the alleged breach. At the hearing before the City Commission the developer may appear and may contest the allegation of breach or explain the reason or reasons for the breach. Upon a finding of a material breach of the Development Documents and therefore, the Ordinance(s) adopting the same, the City Commission may impose any or all the following:

a. Initiate the process to amend or repeal this or any other ordinance pertaining to the development.
b. Direct the City Development Director to initiate the process to rezone the PUD property or any portion of the PUD property.
c. Impose an administrative penalty of up to $1,000.00 for each violation, and up to $5,000.00 for each repeat violation that occurs, along with all reasonable costs, including attorney's fees incurred by the City.

Any breach of any provision or condition of this PUD ordinance by the developer shall be considered a zoning violation subject to any remedies provided herein, or as otherwise provided

by law. In the event a violation found continues from day to day, each day the violation is found to continue shall be deemed a separate violation.

**SECTION 6:** All ordinances or parts of ordinances in conflict with this ordinance or any part thereof are hereby repealed to the extent of such conflict. If any provision of this ordinance conflicts with any prior contractual provision between the City and the developer of the site, this ordinance shall prevail.

**SECTION 7:** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

**SECTION 8:** This ordinance and agreement shall be effective upon the adoption by the City Commission, and proper execution by the Owner.

**SECTION 9:** The complete execution and recording of this Ordinance by the City Clerk shall occur no later than 60 days from the date of this approval, failing which this ordinance shall be void.

Passed on first reading the 13th day of July 2020.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| VACANT, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |

ADOPTED on second and final reading this _____day of _____, 2020.

ATTEST:

_____ _____

MARY R. KINDEL MICHAEL J. MEIER

CITY CLERK MAYOR

APPROVED AS TO FORM

AND CORRECTNESS:

_____

MICHAEL J. MORTELL

CITY ATTORNEY

CITY'S ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____day of _____, 2020, by MICHAEL J. MEIER, Mayor, and Mary R. Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.

Personally Known OR Produced Identification
Type of ID Produced _____

Signature of Notary Public: _____
Commission Expires:

Notary Seal:

## ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN A RESIDENTIAL PLANNED UNIT DEVELOPMENT AND IN ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE ABOVE ORDINANCE. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS RESIDENTIAL PLANNED UNIT DEVELOPMENT ACCORDING TO THIS ORDINANCE, ITS CONDITIONS, AND THE DEVELOPMENT PLANS AND DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS ORDINANCE MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ACTIONS MAY BE TAKEN AGAINST THE UNDERSIGNED BY THE CITY, INCLUDING BUT NOT LIMITED TO CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING REVOCATIONS, AND ALL APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES: D. Lawrence Properties LLC

_____

Print Name: _____ By: _____

_____

Print Name: _____

## OWNERS ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2020, by _____

Personally Known OR Produced Identification
Type of ID Produced _____

Signature of Notary Public: _____
Commission Expires:

Notary Seal:

WITNESSES: Market Place at Stuart Condominium Assoc. Inc.

_____

Print Name: _____ By: _____

_____

Print Name: _____

OWNERS ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2020, by _____

Personally Known OR Produced Identification
Type of ID Produced _____

Signature of Notary Public: _____
Commission Expires:

Notary Seal:

WITNESSES: OK of Martin County, LLC

_____

Print Name: _____ By: _____

_____

Print Name: _____

OWNERS ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2020, by _____

Personally Known OR Produced Identification
Type of ID Produced _____

Signature of Notary Public: _____
Commission Expires:

Notary Seal:

**EXIBIT "A"**

**Legal Description**

Unit# 2Legal Description

A parcel of land lying in Lot B, The Exposition, according to the map or plat thereof, as recorded in Plat Book 9, Page 17, of the Public Records of Martin County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Lot B, The Exposition; Thence South 23 degrees 12 minutes 20 seconds East along the East line of said Lot B, a distance of 81.00 feet; Thence South 66 degrees 47 minutes 40 seconds West, a distance of 10.00 feet to the Point of Beginning; Thence South 23 degrees 12 minutes 20 seconds East, a distance of 80.00 feet; Thence South 66 degrees 47 minutes 40 seconds West, a distance of 115.00 feet; Thence North 23 degrees 12 minutes 20 seconds West, a distance of 80.00 feet; Thence North 66 degrees 47 minutes 40 seconds East, a distance of 115.00 feet to the Point of Beginning.

Being also known as Unit# 2, of MarketPlace At Stuart, a condominium, according to the Declaration of Condominium thereof, as recorded January 17, 2019, in Official Records Book 3037, Page 405, of the Public Records of Martin County, Florida, and any amendments and supplements thereto, together with its undivided share in the common elements and the limited common elements appurtenant thereto.

AND Unit# 3 Legal Description

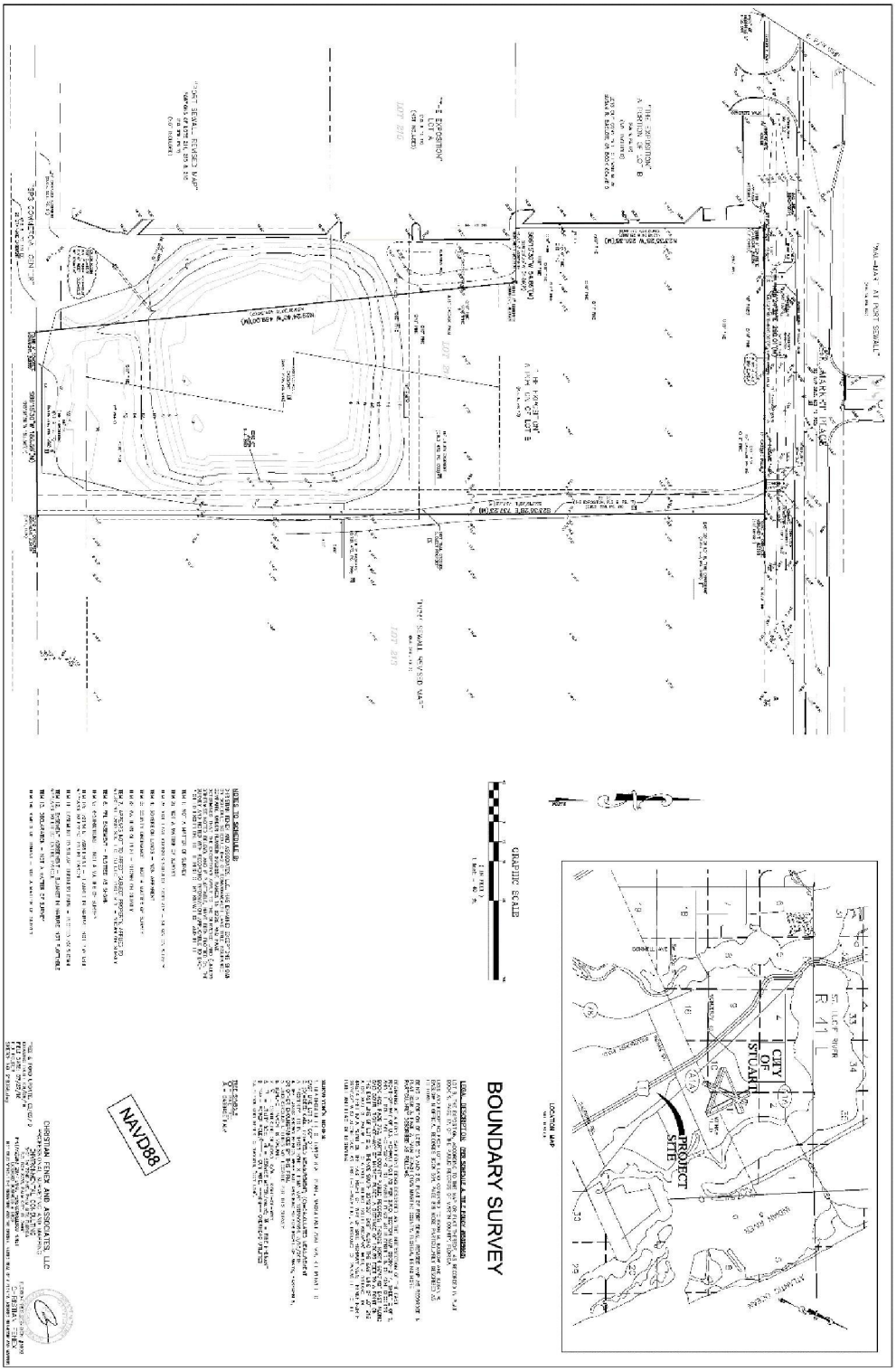
A parcel of land lying in Lot B, The Exposition, according to the map or plat thereof, as recorded in Plat Book 9, Page 17, of the Public Records of Martin County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Lot B, The Exposition; Thence South 23 degrees 12 minutes 20 seconds East along the East line of said Lot B, a distance of 316 . feet; Thence South 66 degrees 47 minutes 40 second West, a distance of10.00 feet to the Point of Beginning; Thence South 23 degrees 12 minutes 20 seconds East, a distance of 80.00 feet; hence South 66 degrees 47 minutes 40 seconds West, a distance of 115.00 feet; Thence North 23 degrees 12 minutes 20 seconds West, a distance of 80.00 feet; Thence North 66 degrees 47 minutes 40 seconds East r...a distance of 115.00 feet to the Point of Beginning.

Being also known as Unit# 3, of Market Place At Stuart, a condominium, according to the Declaration of Condominium thereof, as recorded January 17, 2019, in Official Records Book 3037, Page 405, of the Public Records of Martin County, Florida, and any amendments and supplements thereto, together with its undivided share in the common elements and the limited common elements appurtenant thereto.

These units are subject to The Declaration of Protective Covenants for Stuart Business Park recorded in O.R. Book 450, Page 945, of the Public Records of Martin County, Florida, as amended, it being the intent to reimpose same.

## EXIBIT "B" Boundary Survey



## EXHIBIT "C"

## DEVELOPMENT CONDITIONS

**Approved Plans and Documents**

1. The project and the use thereof shall comply with the following drawings:

   **A. Boundary Survey by Christian Fenex and Associates, LLC, dated 08.08.18 with tree and pond update on 03.05.19.**

   **B. Site Plan, Sheet 1, by Mathers Engineering Corporation, dated November 2019, 2019, and revised on 1.23.20, 6.8.20, and 6.24.20.**

   **C. Landscape Plan, Sheets LA1 thru LA5, by Doug Fitzwater, Landscape Architect, dated 10.13.19, and revised on 4.19.20**

   **D. Architectural Site Plan & Elevations, Sheets SD-1 thru SD-4, by Ahern and Associates, PA, dated 8.26.19.**

   **E. Lighting Plan, Sheets SD-5 by Ahern and Associates, PA, dated 1.22.20.**

   **F. Environmental Assessment, by Saskowsky and Associates, Inc. dated 1.13.20**

2. Any modifications to the Master CPUD Site Plan that exceeds 10% of the approved building footprint, building setbacks, gross square footage, building location, parking size, location and number of parking, drainage areas, and location of landscaping may be approved by the City's Development Director, provided however, the Development Director may refer the matter to the City Commission for approval via a public hearing.

3. CPUD standards regarding circulation, parking, utilities, drainage, open space and all other applicable standards shall apply as described in the LDR except as modified in this and any future ordinance.

**Landscaping**

4. All landscape areas shall be provided with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition.

5. The City's landscape inspector shall have the opportunity to inspect all trees and/or landscape material with the landscape architect prior to installation. The developer shall bear the pass-thru fee for landscape consulting fees not to exceed $1,500.00.

6. A Landscape maintenance plan, executed in accordance with the Land Development Regulations, shall be submitted to the Development Department and approved prior to the issuance of a certificate of occupancy.

**Required Open Space and Native Preserve Area**

7. Not less than 25% of the CPUD shall be Open Space as defined in the City Land Development Regulations. Required Open Space may include native vegetation areas and landscape buffers between the CPUD and adjacent property; however, other required landscaping shall not count towards the open space requirement. In the event less than 25% of the CPUD is comprised of native vegetation area, then all the existing native vegetation area shall be maintained as part of the required open space.

8. Excluding wetlands defined by the South Florida Water Management District, not less than 29.3% of the total development site shall remain as Open Space.

**Tree Mitigation**

9. The landscape plan shall be reviewed again during site permit review to verify that on-site plantings meet Tree mitigation requirements per Section 5.05.02 of the City's Land Development Code.

**Prior to Issuance of Site Permits**

10. Applicant shall provide a digital boundary survey and civil plan prior to the issuance of a site permit.

11. Civil Plans shall be reviewed and approved by all applicable City departments prior to the issuance of a site permit.

12. All regulatory agency permits, including but not limited to the South Florida Water Management District and Army Corp of Engineers, shall be obtained by the applicant and copies provided to the City prior to the issuance of a site permit.

13. All development activities shall comply with the City's Concurrency Management System prior to the issuance of building permits.

14. The lake after improvements that have been permitted by SFWMD will be given easement to the Stuart Business Parks Association for maintenance. The project's drainage system will be designed and permitted (SFWMD) to comply with conditions, peak discharge rates, water quality requirements, etc., as outlined in the Stuart Business Park Master Stormwater Plan prepared by A.J. Hydro Engineering, Inc.

**Development and Construction**

15. 'Hat racking' of trees is prohibited on the property.

16. Developer shall acquire a curb-cut permit from City for the connection from SE Market Place into the development.

17. The developer is responsible for designing and constructing sanitary sewer for the development site.

18. Construction activity shall be limited from 7:00 am to 6:00 pm Monday - Saturday.

19. Any backflow prevention devices and above ground utilities shall be delineated on the landscape plans during final site plan review and shall be out of view or screened from the public right-of-way.

20. Erosion and dust control measures to be implemented during construction shall be provided on the civil plans and submitted during site permit review. Water trucks shall be provided by the applicant as necessary during construction in order to reduce dust generated on-site.

21. Lighting poles in the parking areas shall not exceed 25' in height. Lighting poles in the pedestrian areas shall not exceed 15' in height. Prior to issuance of a vertical building permit, a photometric plan with details shall be submitted and reviewed and all site lighting shall comply with a plan acceptable to the City.

22. All utility improvements constructed by the developer within the City's right-of-way, shall be constructed in a manner and form acceptable to the City's Public Works department.

23. Building addresses and/or numbers shall be in plain view and shown on each building plan submitted at the time of building permit application in accordance with the City Code and shall be consistent with the sign plan.

24. Any sidewalk damaged during construction of latter phases shall be repaired or replaced prior to the issuance of a Certificate of Occupancy for the first building of the affected phase.

25. Temporary or freestanding storage units are prohibited on the property once construction is complete.

26. In the event of any conflict in the provisions of Exhibit 'C' Development Conditions and attached exhibits, Exhibit 'C' shall prevail.

27. A minimum 8-foot wide sidewalk is required to be built along SE Market Place and connect to an internal 6-foot sidewalk system. All buildings and structures shall have an on-site walkway connection with the off-site sidewalk system.

28. No trailers prefabricated or modular structures shall be permitted except on a temporary basis to assist in development and with rentals and sales of realty within the CPUD. Such trailers or structures shall be removed within thirty days of a direction to do so issue by the City Development Director. Failure to remove such a trailer or structure accordingly shall be deemed a violation of the City Code.

29. Subject to the provisions of the LDR, the Developer shall comply with all requirements of the City Comprehensive Plan and of the LDR including but not limited to, planned unit development regulations applicable to the Property at time of permitting.

**Development Timetable**

30. Timetable for development shall be as follows:

| TIMETABLE OF DEVELOPMENT | |
|---|---|
| Site and building permit application deemed sufficient for permit review under city codes and standards. | **August 31, 2021** |
| Final Certificate of Occupancy for all site and building improvements. | **January 1, 2023** |

**Allowable Uses**

31. The following uses shall be permitted
    Auto sales, repair and servicing (enclosed)
    Boat storage, dry (enclosed)
    Governmental buildings
    Cold storage
    Commercial nursery or tree farm
    Community garden (refer to supplemental standards in Section 2.06.08) LDR
    Dry-cleaning plants
    Farm equipment and supplies sales establishment

Industrial, low-impact
Newspaper or publishing plants
Places of public assembly
Public facilities and services
Repair services
Retail, non-intensive
Warehousing, provided such use does not generate nuisance impacts.

**Prohibited**

32. No temporary or modular buildings are permitted on the property except for permitted temporary construction/leasing trailers.

33. Billboards are prohibited on the property.

34. Banners and any other sign or advertising device not in accordance with the City's Land Development Regulations are prohibited, except as may be permitted by this CPUD.

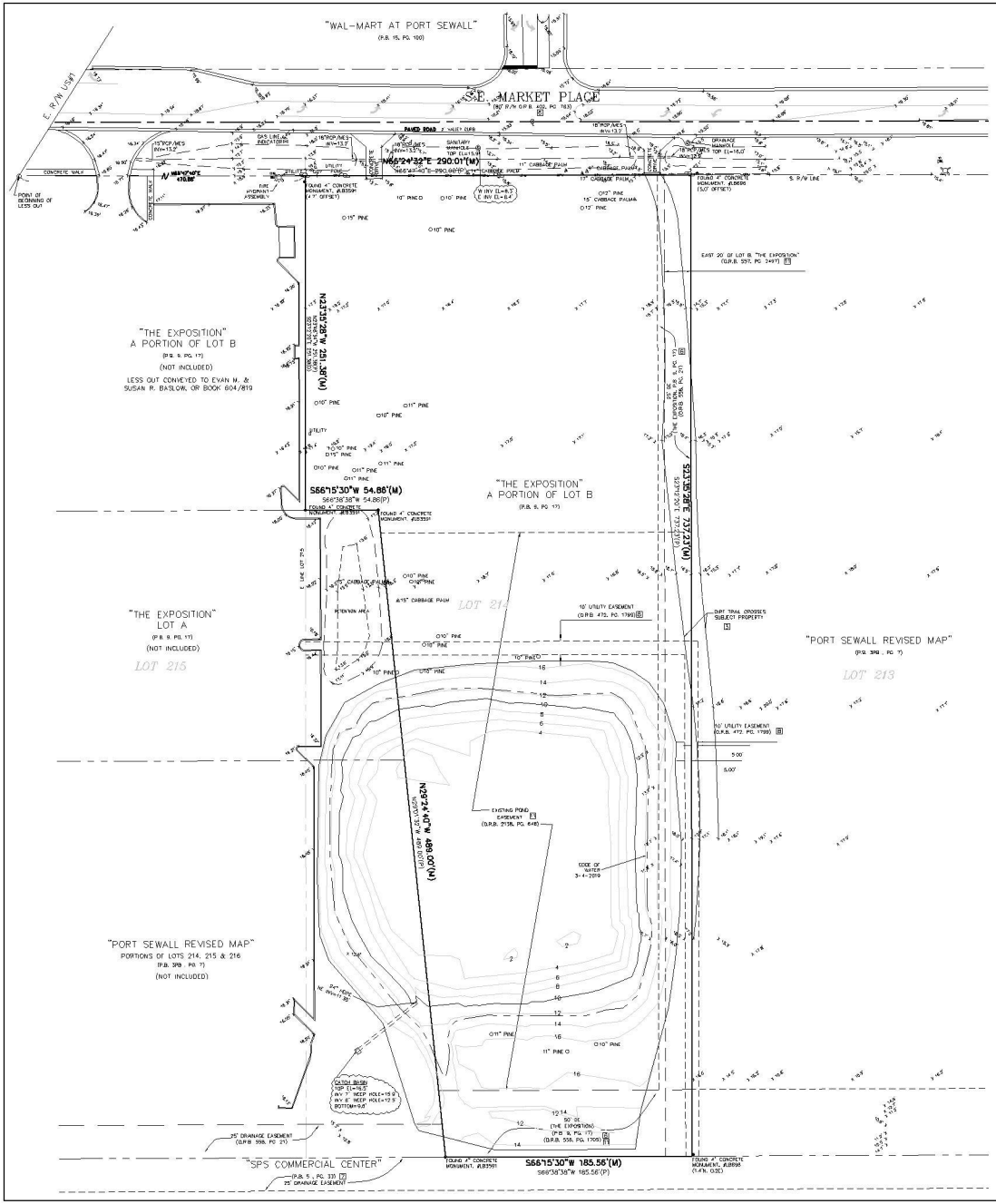
35. No vehicles shall be displayed or stored within the public right-of-way at any time.

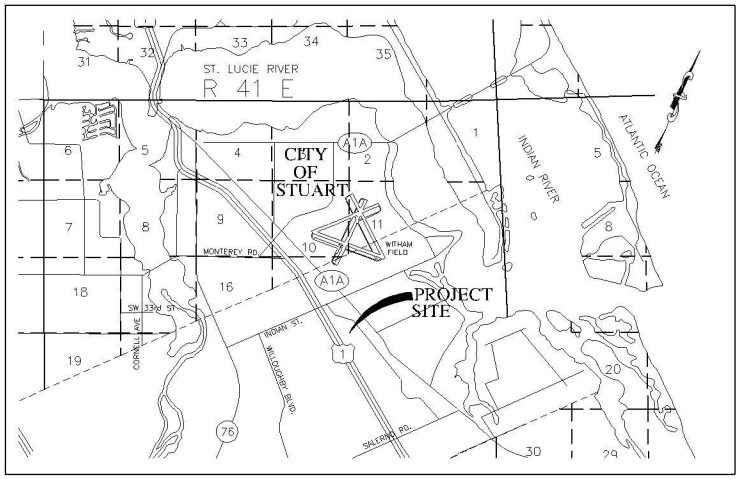
**Signage**

36. The Lakeside Market Place monument fronting SE Market Place shall be limited to 10'-0" in height and shall be set back 10' from the property line. A unified sign plan, for all three buildings shall be reviewed and approved at the time of civil plan approval demonstrating compliance with the LDR for signs, as to number, location, size, height, lighting, and materials with a unified theme throughout the development.

**Platting**

37. Plat approval per Section 11.01.04. A shall occur prior to a certificate of occupancy being issued.




LOCATION MAP
NOT TO SCALE

GRAPHIC SCALE
40 0 20 40 80 160
( IN FEET )
1 inch = 40 ft.

# BOUNDARY SURVEY

**LEGAL DESCRIPTION:** **(PER SCHEDULE A, TITLE POLICY #15028860)**

LOT B, THE EXPOSITION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 17, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

LESS AND EXCEPTING FROM LOT B LAND CONVEYED TO EVAN M. BASLOW AND SUSAN R. BASLOW IN OFFICIAL RECORDS BOOK 804, PAGE 819 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOTS 215 AND 216, PLAT OF PORT SEWALL REVISED MAP AS RECORDED IN PLAT BOOK 3, PAGE 7, PALM BEACH (NOW MARTIN) COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING DESCRIBED AS THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO.1 AS PER S.R.D. SECTION MAP 89010-2114, SHEET 2 OF 9, AND THE SOUTH RIGHT-OF-WAY OF S.E. MARKET PLACE AS RECORDED IN OFFICIAL RECORDS BOOK 402, PAGE 763, MARTIN COUNTY PUBLIC RECORDS; THENCE NORTH 66°47'40" EAST ALONG SAID SOUTH RIGHT-OF-WAY OF MARKET PLACE, A DISTANCE OF 470.88 FEET TO A POINT ON THE EAST LINE OF LOT 215; THENCE SOUTH 23°12'20" EAST ALONG THE EAST LINE OF LOT 215 A DISTANCE OF 251.38 FEET TO A POINT; THENCE SOUTH 66°38'38" WEST, A DISTANCE OF 445.14 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF SAID HIGHWAY NO.1; THENCE NORTH 29°01'32" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 253.66 FEET TO THE POINT AND PLACE OF BEGINNING.

**SURVEYOR'S NOTES:**

1. BEARINGS REFER TO FLORIDA STATE PLANE, NAD83 EAST ZONE 901, REFERENCED TO EAST LINE LOT B, "GCY 014".
2. (D)=DEED CALL; (M)=FIELD MEASUREMENT; (C)=CALCULATED MEASUREMENT
3. PROPERTY LIES IN FLOOD ZONE X, FEMA MAP 12085C0164, 3/16/2015.
4. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAYS, EASEMENTS, OR OTHER ENCUMBRANCES BY THIS FIRM.
5. UNDERGROUND UTILITIES NOT LOCATED PER THIS SURVEY.
6. SUBJECT PARCEL IS VACANT.
7. ℄ = CENTERLINE OF ROAD; R/W = RIGHT-OF-WAY.
8. ☐ = UTILITY BOX; Ⓜ = SERVICE METER/VALVE; Ⓗ = FIRE HYDRANT
9. "⊙⊔ = POWER POLE; ——— = GUY WIRE; - - -ohw- - - OVERHEAD UTILITIES
10. ELEVATIONS REFER TO NAVD88, "GCY 014".

TREE SYMBOLS
○ = PINE TREE
△ = CABBAGE PALM

NAVD88

**NOTES TO SCHEDULE B:**

CHRISTIAN FENEX AND ASSOCIATES, LLC., HAS EXAMINED EXCEPTIONS SHOWN ON SCHEDULE SCHEDULE B-2 OF COMMONWEALTH LAND TITLE INSURANCE COMPANY, ORDER NUMBER 6998557, RAMOS 18-5228, AND HAVE DETERMINED THAT THE EXCEPTIONS APPLY TO THE SURVEYED LAND (UNLESS OTHERWISE NOTED BELOW), AND IF PLOTTABLE, HAVE BEEN PLOTTED ON THE SURVEY AND NOTED WITH RECORDING INFORMATION APPLICABLE TO EACH PLOTTED EXCEPTION, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ITEM 1: NOT A MATTER OF SURVEY

ITEM 2: NOT A MATTER OF SURVEY

ITEM 3: DIRT TRAIL CROSSES SUBJECT PROPERTY – SHOWN ON SURVEY

ITEM 4: SOVEREIGN LANDS – NON APPARENT

ITEM 5: COUNTY ORDINANCE – NOT A MATTER OF SURVEY

ITEM 6: MATTERS OF PLAT – SHOWN ON SURVEY

ITEM 7: APPEARS NOT TO AFFECT SUBJECT PROPERTY, APPLIES TO ADJACENT LAND SOUTH OF SUBJECT PROPERTY. – SHOWN ON SURVEY

ITEM 8: FPL EASEMENT – PLOTTED AS SHOWN

ITEM 9: RESTRICTIONS – NOT A MATTER OF SURVEY

ITEM 10: EASEMENT AGREEMENT – BLANKET IN NATURE; NOT PLOTTABLE APPEARS TO EFFECT ENTIRE PARCEL

ITEM 11: EASEMENT TO STUART BUSINESS PARK – PLOTTED AS SHOWN

ITEM 12: EASEMENT AGREEMENT – BLANKET IN NATURE; NOT PLOTTABLE APPEARS TO EFFECT ENTIRE PARCEL

ITEM 13: DECLARATION – NOT A MATTER OF SURVEY

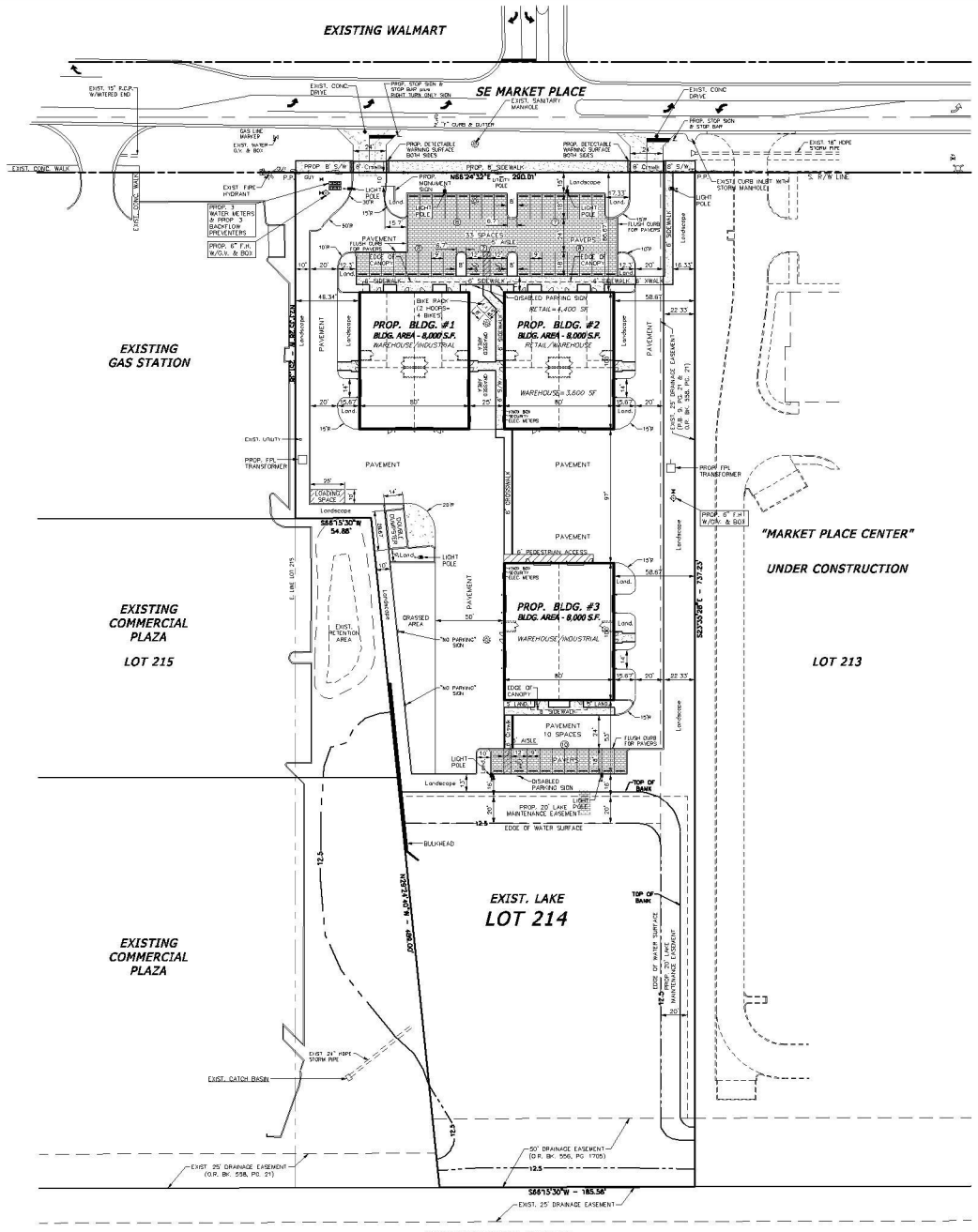
ITEM 14: RIGHTS OF TENANT – NOT A MATTER OF SURVEY

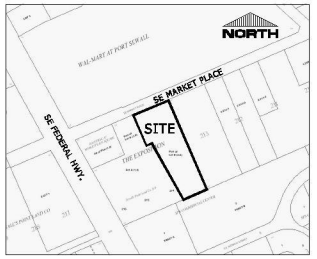

CHRISTIAN FENEX AND ASSOCIATES, LLC
PROFESSIONAL SURVEYING AND MAPPING
ENVIRONMENTAL CONSULTING
3401 SW 72ND AVE., PALM CITY, FLORIDA
P.O. BOX 2533, PALM CITY, FL 34991
PH.(772)283-2977 EMAIL FENEXD@BELLSOUTH.NET
LICENSED BUSINESS # 6858


TREE & POND UPDATE: 03/05/19
DRAWING DATE: 08/08/18
FIELD DATE: 07/27/18
F.B. FOLDER
SKETCH NO. 218086.dwg

FLORIDA REGISTRATION #5102
CHRISTIAN FENEX

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.




## LOCATION MAP

GRAPHIC SCALE

( IN FEET )
1 inch = 40 ft.

THIS AREA IS A DESIGNATED CONSTRUCTION SITE AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY. FLORIDA STATUTE 810.09

NO TRESPASSING SIGN DETAIL

LEGAL DESCRIPTION:

Lot B, The Exposition, according to the Map or Plat thereof, as recorded in Plat Book 9, Page 17, Public Records of Martin County, Florida.

Less and Excepting from Lot B land conveyed to Evon M. Baslow and Susan R. Baslow in Official Records Book 604, Page 819 more particularly described as follows:

Being a Portion of Lots 215 and 216, Plat of Port Sewall Revised Map as recorded in Plat Book 3, Page 7, Palm Beach (now Martin) County, Florida, being more particularly described as follows:

Beginning at a Point, said point being described as the Intersection of the East Right-of-Way of U.S. Highway No.1 as per S.R.D. Section Map 89010-2114, Sheet 2 of 9, and the South Right-of-Way of S.E. Market Place as Recorded in Official Records Book 402, Page 763, Martin County Public Records; thence North 68°47'40" East along said South Right-of-Way of Market Place, a distance of 470.88 Feet to a Point on the East Line of Lot 215; thence South 23°12'20" East along the East Line of Lot 215 a distance of 251.38 Feet to a Point; thence South 66°38'28" West, a distance of 445.14 Feet to a Point on the East Right-of-Way of said Highway No.1; thence North 29°01'32" West, along said East Right-of-Way Line, a distance of 253.86 Feet to the Point and Place of Beginning.

SPECIAL NOTES AS PER CITY OF STUART:

1. All signs will comply with the requirements of the sign regulations at the time of permitting.
2. Disabled parking spaces shall comply with the Florida Accessibility Code for Building Construction. All access areas meet the required slopes of the Florida Accessibility Code.
3. Landscaping shall be installed by a licensed commercial landscape contractor. There is to be an irrigation system installed to ensure continued growth of all planting areas.
4. A No Trespassing Sign shall be installed for the construction phase of this project. See signage detail on this sheet.
5. Dumpster Enclosure Gates shall have gate stops at the end of the open arc to lock gates open during servicing.
6. All mechanical equipment associated with the building on the ground shall be located in the rear or sides and shall be screened with materials consistent with the architectural design. Roof top mechanical equipment shall be screened from view.
7. Detectable Warning Surfaces shall comply with the Florida Accessibility Code for Building Construction. Pattern in concrete shall be "In-Line Truncated Dome".
8. Building address signage will be posted on front and rear of building and shall be at least 6" tall as per Stuart Police Department.
9. Landscape irrigation source from existing Lake.

PROPOSED USE:

INDUSTRIAL BUILDINGS & RETAIL/WAREHOUSE BUILDING

SITE DATA:

LAND USE - COMMERCIAL
ZONING - CPUD

TOTAL PARCEL SIZE = 175,152 SF (4.02 AC.)
TOTAL BUILDING G.F.A. = 24,000 SF
PERCENT BUILDING COVERAGE = 13.7%

MAXIMUM BUILDING HEIGHT = 22 FT

PARKING CALCULATIONS:

BUILDING #1 - 8,000 SF (INDUSTRIAL)

1 SPACE PER 1,000 SF FOR FIRST 10,000 SF
PROPOSED 8,000 SF/1000 = 8 SPACES

TOTAL SPACES REQUIRED = 8

BUILDING #2 - 8,000 SF (RETAIL/WAREHOUSE)

1 SPACE PER 250 SF RETAIL
PROPOSED RETAIL SPACE = 4,400 SF/250 = 18 SPACES

PLUS 1 SPACE PER 1,000 SF WAREHOUSE
PROPOSED WAREHOUSE SPACE = 3,600 SF/1000 = 4 SPACES

TOTAL SPACES REQUIRED = 22

BUILDING #3 - 8,000.300 SF (INDUSTRIAL)

1 SPACE PER 1,000 SF FOR FIRST 10,000 SF
PROPOSED 8,000 SF/1000 = 8 SPACES

TOTAL SPACES REQUIRED = 8

PARKING SUMMARY:

TOTAL PROJECT SPACES REQUIRED = 38
TOTAL PROJECT SPACES PROVIDED = 43

TOTAL PROJECT DISABLED SPACES REQUIRED = 2
TOTAL PROJECT DISABLED SPACES PROVIDED = 3

SITE AREA CALCULATIONS:

| | | |
|---|---|---|
| TOTAL PARCEL SIZE | 175,152 SF | |
| 25% CPUD OPEN SPACE REQ. | 43,788 SF | 25% |
| CPUD OPEN SPACE PROVIDED | 46,285 SF | 26.4% |

NOTE: OPEN SPACE IS ALSO DEFINED AS PERVIOUS AREA IN TABULATIONS

SITE IMPERVIOUS TABLE:

| | | |
|---|---|---|
| IMPERVIOUS AREAS: | | |
| PROPOSED BUILDINGS: | 24,000 SF | |
| PROPOSED PAVEMENT: | 44,571 SF | |
| PAVERS = 10,882 SF x 50% = | 5,441 SF | |
| PROPOSED SIDEWALK: | 3,851 SF | |
| PROP. CURB, PADS, ETC.: | 1,899 SF | |
| LAKE AT CONTROL ELEVATION | 43,664 SF | |
| TOTAL IMPERVIOUS AREA: | 123,426 SF | 70.5% |

SITE PERVIOUS TABLE:

| | | |
|---|---|---|
| PERVIOUS AREAS: | | |
| LANDSCAPE AREAS: | 46,285 SF | |
| PLUS CREDIT FOR PAVERS | | |
| PAVERS = 10,882 SF x 50% = | 5,441 SF | |
| TOTAL PERVIOUS AREA | 51,726 SF | 29.5% |

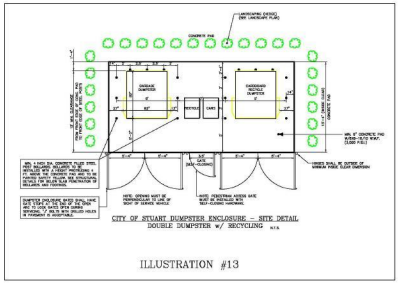



ILLUSTRATION #13

NOTES:

1. TOP PORTION OF FTP 25 & 26 SHALL HAVE A REFLECTIVE BLUE BACKGROUND WITH WHITE REFLECTIVE SYMBOL AND BORDER.
2. BOTTOM PORTION SHALL HAVE A REFLECTIVE WHITE BACKGROUND WITH BLACK OPAQUE LEGEND AND BORDER.
3. FTP 25 & 26 IS FOR USE IN AREAS WHERE SPACE IS LIMITED.
4. HEIGHT SHALL BE 7 FEET MEASURED FROM THE GROUND OR SIDEWALK TO THE BOTTOM OF "PERMIT ONLY" SIGN OR 6 FEET TO THE BOTTOM OF "$250 FINE" SIGN.

PARKING BY DISABLED PERMIT ONLY

$ 250 FINE

| DATE | REVISIONS |
|---|---|
| 4.23.20 | PER CITY COMMENTS |
| 4.08.20 | PER CITY COMMENTS |
| 4.24.20 | PER CITY COMMENTS |


MATHERS ENGINEERING CORPORATION
EB 0004466
PHONE: (772) 287-0625
2401 SE DIXIE HIGHWAY
STUART, FL 34996


# Lakeside Markeplace

CITY OF STUART, FLORIDA

## SITE PLAN


WILLIAM J. MATHERS, P.E.
FL REG. # 19666


| | |
|---|---|
| DRAWN | D.R.A. |
| CHECKED | W.J.M. |
| DATE | NOVEMBER 2019 |
| SCALE | 1" = 40' |
| JOB NO. | 3745-01 |
| SHEET | 1 |
| OF | 1 SHEETS |

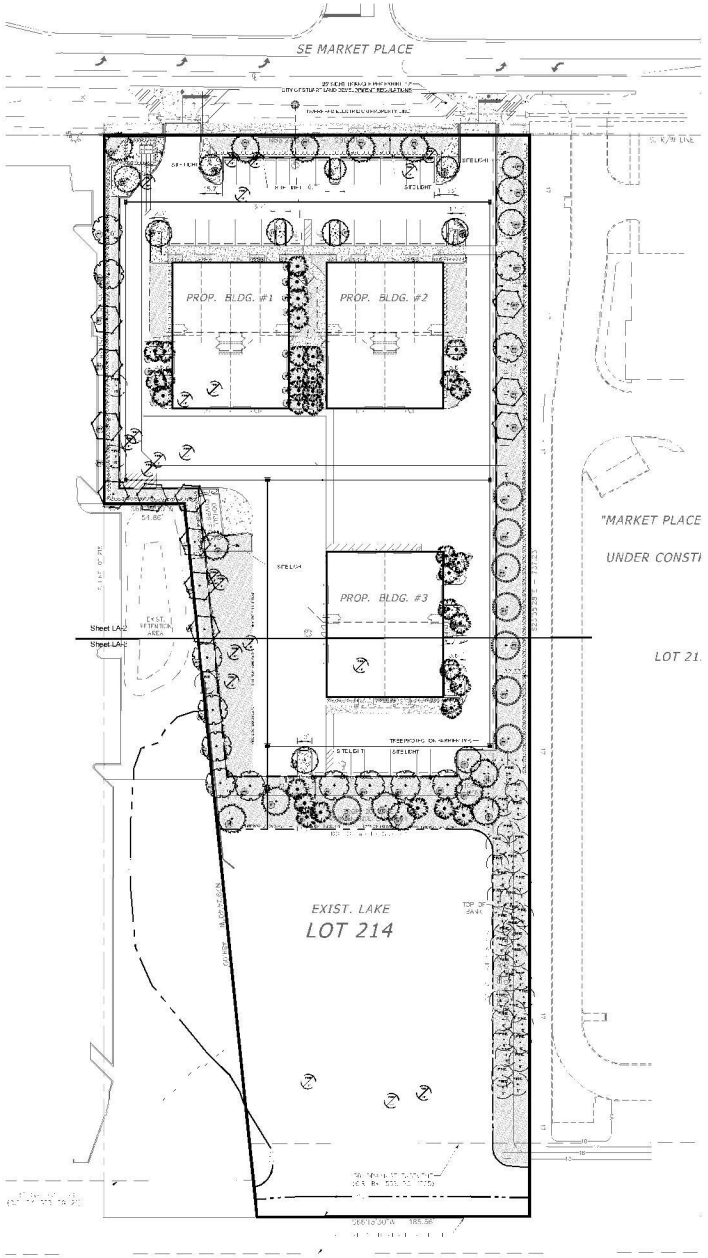

NOTE: AS PER THE LATEST REVISIONS OF F.A.C. 5J-17.053, THE ELEMENTS OF THIS PLAN SHEET, CONSISTING OF TEXTUAL, GRAPHIC, TABULAR AND/OR SPECIFICATION INFORMATION, PERTAINING TO THE ARCHITECTURAL, LANDSCAPE ARCHITECTURAL, CIVIL, STRUCTURAL, MECHANICAL, ELECTRICAL AND PLUMBING SYSTEMS OF THE PROJECT, HAVE BEEN PREPARED BY, OR UNDER THE DIRECT SUPERVISION OF AN APPROPRIATELY LICENSED PROFESSIONAL; OR BY A PERSON HOLDING A CURRENT CERTIFICATE OF COMPETENCY ISSUED UNDER THE PROVISIONS OF F.S. 468, PART XII, OR A BUSINESS ORGANIZATION HOLDING A CURRENT CERTIFICATE OF AUTHORIZATION ISSUED UNDER THE PROVISIONS OF F.S. 468, PART XII, OR A BUSINESS ORGANIZATION EXEMPT FROM CERTIFICATION PURSUANT TO F.S. 468.



COPYRIGHT - ALL DRAWINGS SHOWN & NOTED HEREON ARE INSTRUMENTS OF SERVICE BY THE ENGINEER AND SHALL REMAIN THE PROPERTY OF THE ENGINEER WHETHER THE PROJECT FOR WHICH THEY ARE PREPARED IS EXECUTED OR NOT. THEY ARE NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER. VISUAL CONTACT WITH THESE PLANS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.



X:\Clients Revised Site 2019\Dwg\Current Site_Plan Access.plan\Plan 3 Lakeside Marketplace.dwg, 4/24/2020 10:28:59 AM




## PLANT SCHEDULE LANDSCAPE

| TREES | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | CALIPER | NOTES | NATIVE |
|---|---|---|---|---|---|---|---|---|---|---|
| | BS | 12 | Bursera simaruba | Gumbo Limbo | Field Grown | 12' HT. | 6' SPR. | 2" Caliper | | Native |
| | CO | 4 | Cocos nucifera 'Maypan' | Maypan Palm | Field Grown | 12' HT. | 6' SPR. | 2" Caliper | | Native |
| | IE | 13 | Ilex x attenuata 'Eagleston' | Eagleston Holly | Field Grown | 12' HT. | 6' SPR. | 2" Caliper | | Native |
| | QL | 13 | Quercus laurifolia | Laurel Leaved Oak | Field Grown | 12' HT. | 6' SPR. | 2" Caliper | | Native |
| | QV | 9 | Quercus virginiana | Southern Live Oak | Field Grown | 12' HT. | 6' SPR. | 2" Caliper | | Native |
| | SM | 8 | Swietenia mahagoni | West Indian Mahogany | Field Grown | 12' HT. | 6' SPR. | 2" Caliper | | Native |
| MITIGATION TREE REMOVAL | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | CALIPER | NOTES | NATIVE |
| | MR10 | 12 | Mitigation Tree Removal | Mitigation Tree Removal | Slash Pine | Existing | | 10" Caliper | | |
| | MR11 | 6 | Mitigation Tree Removal | Mitigation Tree Removal | Slash Pine | Existing | | 11" Caliper | | |
| | MR12 | 2 | Mitigation Tree Removal | Mitigation Tree Removal | Slash Pine | Existing | | 12" Caliper | | |
| | MR15 | 2 | Mitigation Tree Removal | Mitigation Tree Removal | Slash Pine | Existing | | 15" Caliper | | |
| MITIGATION TREES PRESERVED | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | CALIPER | NOTES | NATIVE |
| | MP10 | 3 | Mitigation Tree Preserve Mitigation Tree Preservation | Slash Pine | Existing | | | 10" Caliper | | |
| | MP12 | 3 | Mitigation Tree Preserve Mitigation Tree Preservation | Slash Pine | Existing | | | 12" Caliper | | |
| | MP6 | 31 | Mitigation Tree Preserve Mitigation Tree Preservation | Slash Pine | Existing | | | 6" Caliper | | |
| | MP8 | 2 | Mitigation Tree Preserve Mitigation Tree Preservation | Slash Pine | Existing | | | 8" Caliper | | |
| PALMS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | CALIPER | NOTES | NATIVE |
| | SBM | 36 | Sabal palmetto | Cabbage Palmetto | Field Grown | 16'CT | | | Slick, Heavy Caliper | Native |
| SHRUBS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | NOTES | NATIVE | |
| | CR | 160 | Crossandra hybrid 'Red Tip' | Red Tip Crossbush | 3G | 24" HT. | 12" W | 30" on center | Native | |
| | LCD | 342 | Liriope muscari | Small Leaf Liriope | 3G | 24" HT. | 12"W | 30" on center | Non-native | |
| | VO | 65 | Viburnum obovatifolium | Guam Viburnum | 3G | 24" HT. | 12"W | 24" on center | Non-native | |
| SHRUB AREAS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | NOTES | NATIVE | SPACING |
| | IR | 464 | Ilex x attenuata 'East Palatka' | East Palatka Holly | 3G | 12'HT. | 12' W | | Native | 30" o/c |
| GROUND COVERS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | NOTES | NATIVE | SPACING |
| | PW | 30,445sf | Paspalum notatum | Bahia Grass | Sod | | | | | |

## Tree Code Type Legend

- PT — Perimeter of vehicular use area
- IT — Interior trees
- IP — Interior palm trees

Interior Parking Landscape Area

Perimeter Parking Landscape Area

## Tree Mitigation Data

**TREE REMOVAL CHART**

TREES FROM LANDSCAPE PLANS

| SPECIES | QNTY. | DBH INCHES | TOTAL INCHES |
|---|---|---|---|
| PINE TREE (10"DBH) | 12 | 10 | 120 |
| PINE TREE (11"DBH) | 6 | 11 | 66 |
| PINE TREE (12"DBH) | 2 | 12 | 24 |
| PINE TREE (15"DBH) | 2 | 15 | 30 |
| TOTAL | 22 | | 240 |

| MITIGATION | INCHES AT DBH | REQUIRED INCHES (MITIGATE ON SITE OR PROVIDE PAYMENT IN LIEU OF) |
|---|---|---|
| SLASH PINE (1.5 X REPLACEMENT) | 240 | 360 INCHES |
| SUB TOTAL | | 360 INCHES |

SEC. 5.05.02 - Slash Pines may be substituted with palm trees on a 1:1 ratio. For every one foot of clear trunk of palm tree exceeding minimum palm tree size per the landscape code, credit will be given for one inch of replacement.

**TREE PRESERVATION CHART**

TREES FROM LANDSCAPE PLANS

| SPECIES | QNTY. | DBH INCHES | TOTAL INCHES |
|---|---|---|---|
| PINE TREE (6"DBH) | 31 | 6 | 186 |
| PINE TREE (8"DBH) | 2 | 8 | 16 |
| PINE TREE (10"DBH) | 3 | 10 | 30 |
| PINE TREE (12"DBH) | 3 | 12 | 36 |
| TOTAL | 39 | | 268 |

**TREE MITIGATION PROVIDED**

TREES FROM LANDSCAPE PLANS ; DEFICIT OF 92 INCHES (360" REMOVED- 268" PRESERVED

| SPECIES | SIZE | QNTY. | Value | TOTAL INCHES |
|---|---|---|---|---|
| Sabal Palm | 16' CT | 31 | 4.5 | 139.5 |
| TOTAL | | 31 | | 139.5 |

## Tree Mitigation Notes:

1. If during construction the Owner is able to preserve additional trees, the Owner reserves the right to coordinate with City of Stuart Staff to administratively amend the landscape plan to reduce number of planted trees.
2. Prior to any land preparation or other development activities a protective barrier easily visible to equipment operators shall be placed around all protected trees so as to encompass the entire tree protection zone. If a tree is mechanically damaged during construction then a replacement tree shall be provided per tree mitigation requirements.
3. Tree locations and sizes provided by Christian Fenex Survey and Coastal Land Development,

## Irrigation Notes:

1. Adequate irrigation of landscaped areas shall be provided for the first full growing season and continue thereafter only as necessary to maintain required vegetation in good and healthy condition. Proposed landscaping will be low water use once established, therefore the irrigation system shall be designed accordingly.
2. Irrigation systems shall conform to the following standards: Irrigation systems shall be continuously maintained in working order and shall be designed not to overlap water zones or to water impervious areas.
3. No irrigation system shall be installed or maintained abutting any public street which causes water from the system to overspray onto the roadway or to strike passing vehicular traffic.
4. Irrigation system shall be set to adequately irrigate all landscape during establishment period. The setting shall be reduced to allow water usage for all landscaping.

NORTH

0 40 80 120 feet

SCALE: 1" = 40'

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SUNSHINE STATE ONE CALL OF FLORIDA, INC.

## Sheet Index:


| | |
|---|---|
| Landscape Plan | LA-1 |
| South Landscape Plan & Plant Schedule | LA-2 |
| North Landscape Plan & Plant Schedule | LA-3 |
| Landscape Details | LA-4 |
| Landscape Specifications | LA-5 |


## Landscape Data:

| | |
|---|---|
| Total Site Area: | 175,152 sf. (4.02 Ac.) |
| Total Developed Area: | 175,152 sf. (4.02 Ac.) |
| Existing Use: | Vacant |
| Proposed Use: | Office & Warehouse |
| Proposed Zoning: | CPUD |
| Future Land Use Designation: | PUD |
| Minimum Number of Required Trees (175,152 / 2,500) = One tree for additional parking stalls | 71 trees |
| Trees Provided (50 planted trees + 31 preserved trees + 17 palms (35 palms/ 2)) | 107 trees |

Sec. 6.04.02. General Provisions

| | Required | Provided |
|---|---|---|
| A1. At least 50 % of all required landscaping shall collectively consist of native vegetation | 50% | 80% |
| A1. No one tree shall exceed 25% of the the minimum number of trees required | Cannot exceed 13 trees | Maximum of 13 Trees |
| A2. Not less than 50 % of all trees to meet requirements shall be shade trees | Minimum of 35 shade trees | Provided 42 shade trees |

Sec. 6.04.02. General Provisions

| | | |
|---|---|---|
| B.1. Not less than 20% of the total gross area of a development shall be landscaped | 35,030 sf. | 46,709 sf. |
| B.2. Not less than 50 percent of the required landscaping for a major development shall be interior landscaping | 17,515 sf | 18,544 sf |
| B.7. In the event that number of parking stall exceeds the minimum number by the parking code (100 sf per additional stall) | | |
| (Exceed minimum stalls by 5 x 100sf = 500 sf of additional landscaping) | 500 sf | 11,679 sf(46,709 SF Landscape Provided - 35,030 sf Landscape Required) |
| (For each additional 500sf of impervious area for additional stall one tree shall be provided 5x1625ft-510 sf/ 500= 1 tree) | 1 tree | 1 tree |

Sec. 6.04.07 Parking Areas for multi-family and all non-residential developments

| | | |
|---|---|---|
| Parking area landscaping adjacent to streets | | |
| A.2.a One tree for every 30 lf of required landscape strip, planted not more than 50 feet apart. (135 lf) | 4 trees | 4 trees |
| A.4 Not less than 25% of the landscape strip shall be ground cover or sod | | 100% |
| Parking area landscaping adjacent to private property | | |
| B.2.a One tree for every 30 lf of required landscape strip, planted not more than 50 feet apart (1,070 lf) | 34 trees | 38 trees |
| B.4 Not less than 25% of the landscape strip shall be ground cover or sod | | 100% |
| Parking area interior landscaping | | |
| C.1. For a major development, not less than 50% of the required landscaping shall be interior landscaping (35,030 / 2= 17,515 sf) | 17,515 sf | 18,083 sf |
| C.2. One tree per every 30' (Side and rear building perimeter 840 lf/30= 28 Trees) | 28 trees | 28 palm trees |
| C.3. Interior landscaping shall include not less than one tree for every 500 sf of interior landscaped area | 35 Minimum Trees | 35 Provided |
| (17,515 sf/500= 35 trees) (Provided 35 palms and 18 trees ) | | |
| C.5. Interior islands shall contain one shade tree (4 interior islands= 4 shade trees) | 4 shade trees | 4 shade trees |
| C.6. Terminal islands shall contain one shade tree (5 terminal islands= 5 shade trees) | 5 shade trees | 5 shade trees |
| C.8. Not less than 50% of trees used in parking area interior landscaping shall be shade trees . (9 interior trees at parking) | 5 shade trees | 5 shade tree |

Sec. 6.04.08 Development Landscaping Requirements

| | | |
|---|---|---|
| C. One existing or planted tree for every 2,500 sf of development site area = One tree for additional parking stalls | 71 trees | 71 trees |
| C. Not less than 20% of the development site shall be landscaped | 35,030 sf | 46,285 sf |

Sec. 6.04.05 Xeriscape Landscaping

| | |
|---|---|
| 1. Min. 50 Points Required | |
| 1. Utilization of moisture-conserving soil treatments and water-conserving mulch/debris. | 5 Points |
| 2. Plants identified with low, moderate and high water usage zones indicated on the landscape plan. (See general irrigation note 1) | 5 Points |
| 3. Grass: 91% or more of the grass area can be made up of drought tolerant species from the list | 10 Points |
| 4. Shrubs: 91% or more of the shrubs/vines are made up of drought tolerant species from the list. | 10 Points |
| 5. Trees: 91% or more of the trees are made up of drought tolerant species from the list. | 10 Points |
| 6. Utilization of compacted mulched planting beds at least 3" deep, no open soil areas. | 10 Points |
| Total: | 50 Points |

## General Landscape Notes:

- Alternative plant species for required landscape may be permitted subject to review and approval by the City of Stuart prior to installation.
- The owner may replant the existing sabal palms on-site to count towards the sabal palms in the plant list.
- All prohibited exotic or invasive species shall be removed from the entire site prior to the issuance of a Certificate of Occupancy.
- All required landscaping shall be installed prior to the issuance of a Certificate of Occupancy.
- No Cypress Mulch is to be used on site. Eucalyptus or Melaleuca Mulch is to be used in a 3" consistent layer in all planting beds.
- Enhanced landscaping beyond minimum requirements will conform to all applicable sections of the City of Stuart Landscape Development Regulations. As-built drawings will be submitted to the City of Stuart with Certification of Landscaping installation and Maintenance.
- This plan has been designed to meet the tree planting requirements contained within the FPL document entitled 'Plant the Right Tree in the Right Place'.
  - For existing or proposed utilities, no tree shall be planted where it could, at mature height conflict with overhead power lines.
  - Large trees (height at maturity of more than 30') shall be planted no closer than a horizontal distance of 30' from the nearest overhead power line.
  - Medium height trees (height at maturity between 20' and 30') shall be offset at least 20' and small trees (height at maturity of less than 20') require no offset.
  - No tree shrubs, hedges or vines shall be planted within 5' of an existing or proposed utility pole, guy wire or pad-mounted transformer.
  - Palms should be planted at a distance equal to or greater than the average frond length plus two (2) feet from power lines.
  - Tree species shall be selected as to minimize conflicts with existing or proposed utilities.
- Encroachments into required bufferyards and landscape areas by vehicles, boats, mobile homes or trailers shall not be permitted, and required landscape areas shall not be used for the storage or sale of materials or products or the parking of vehicles and equipment.
- The property owner, or successors in interest, or agent, if any, shall be jointly and severally responsible for the following:
  a. Regular maintenance of all landscaping to be kept alive and in good condition and in a way that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds, and litter. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching and other maintenance, as needed and in accordance with acceptable horticultural practices;
  b. Repair or replacement of required walls, fences, or structures to a structurally sound condition;
  c. Regular maintenance, repair or replacement, where necessary, of any screening or buffering required by this division;
  d. Herpetual maintenance to prohibit the re-establishment of harmful exotic species within landscaping and preservation areas; and
  e. Replacement of any required landscaping in easement areas that may be disturbed by future maintenance.


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# Lakeside Market Place

City of Stuart
Martin County, Florida

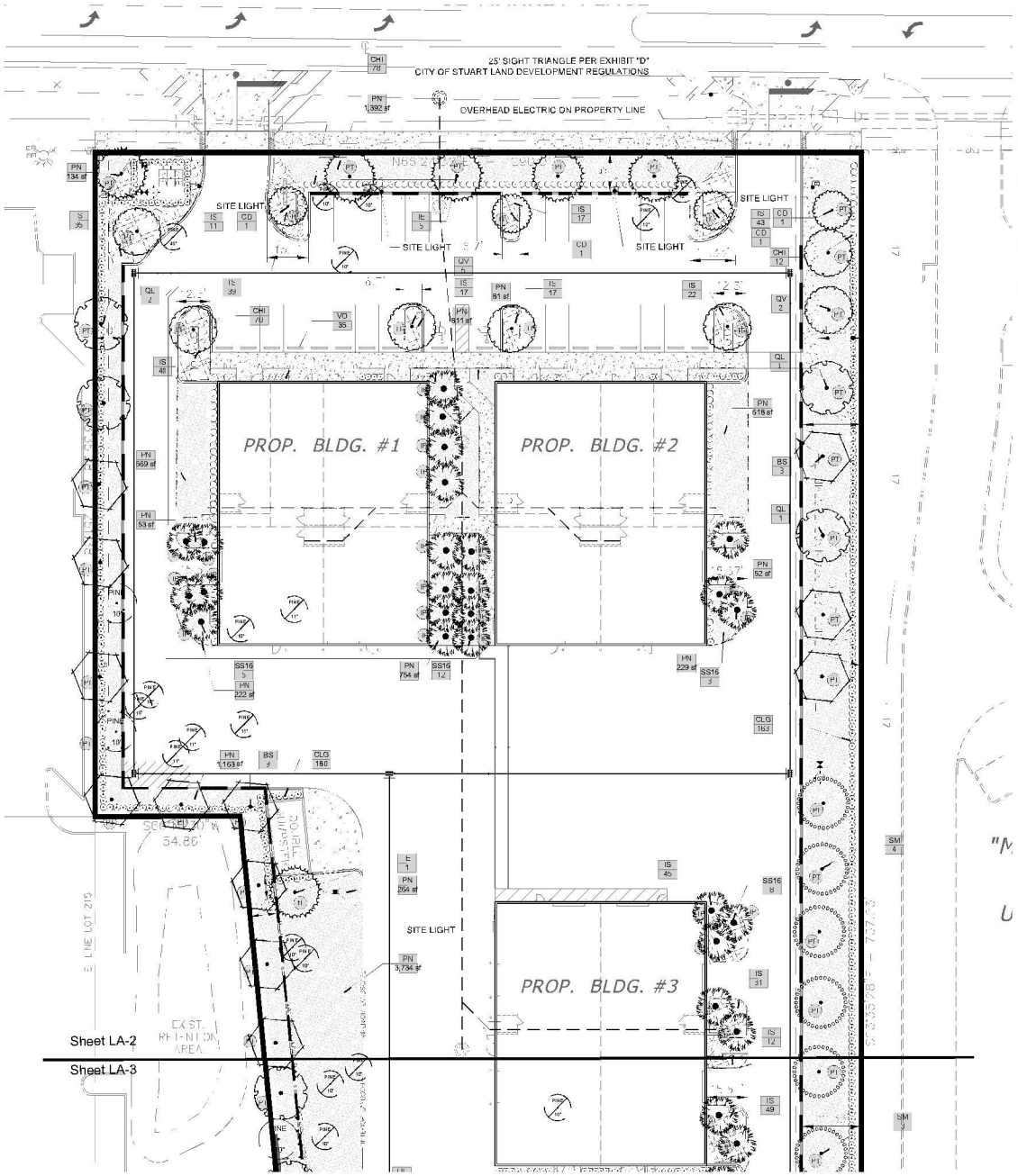
## Landscape Planting Plan

Project Start Date: October 13, 2019
Drawn By: DF

Revisions:
1-27-20 Response to Comments
4-19-20 Response to Comments

Sheet:

# LA1




## PLANT SCHEDULE SHEET LA2

| TREES | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | CALIPER | NOTES | NATIVE |
|---|---|---|---|---|---|---|---|---|---|---|
| | BS | 12 | Bursera simaruba | Gumbo Limbo | Field Grown | 12' HT | 6' SPR | 2" Caliper | | Native |
| | CD | 4 | Coccoloba diversifolia | Pigeon Plum | BSG | 12' HT | 6'W | 2" Caliper | | Native |
| | IE | 6 | Ilex x attenuata 'Eagleston' | Eagleston Holly | Field Grown | 12' HT | 6' SPR | 2" Caliper | | Native |
| | QL | 4 | Quercus laurifolia | Laurel-leaved Oak | Field Grown | 12' HT | 6' SPR | 2" Caliper | | Native |
| | QV | 7 | Quercus virginiana | Southern Live Oak | Field Grown | 12' HT | 6' SPR | 2" Caliper | | Native |
| | SM | 4 | Swietenia mahagoni | West Indian Mahogany | Field Grown | 12' HT | 6' SPR | 2" Caliper | | Native |
| MITIGATION TREE- REMOVED | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | CALIPER | NOTES | NATIVE |
| | MR10 | 7 | Mitigation Tree Removal | Slash Pine | Existing | | | 10" Caliper | | |
| | MR11 | 4 | Mitigation Tree Removal | Slash Pine | Existing | | | 11" Caliper | | |
| | MR12 | 2 | Mitigation Tree Removal | Slash Pine | Existing | | | 12" Caliper | | |
| | MR15 | 2 | Mitigation Tree Removal | Slash Pine | Existing | | | 15" Caliper | | |
| MITIGATION TREES- PRESERVED | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | CALIPER | NOTES | NATIVE |
| | MP10 | 2 | Mitigation Tree Preserve Mitigation Tree Preservation | Slash Pine | Existing | | | 10" Caliper | | |
| PALMS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | CALIPER | NOTES | NATIVE |
| | SS16 | 25 | Sabal palmetto | Cabbage Palmetto | Field Grown | 16' CT | | | Slick; Heavy Caliper | Native |
| SHRUBS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | NOTES | NATIVE | |
| | CHI | 160 | Chrysobalanus icaco 'Red Tip' | Red Tip Cocoplum | 3G | 24" HT | 12" W | 30" on-center | Native | |
| | CLG | 305 | Clusia guttifera | Small Leaf Clusia | 3G | 24" HT | 12"W | 30" on-center | Non-native | |
| | VO | 35 | Viburnum odoratissimum | Sweet Viburnum | 3G | 24" HT | 12"W | 24" on-center | Non-native | |
| SHRUB AREAS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | NOTES | NATIVE | |
| | IS | 388 | Ilex vomitoria 'Schillings' | Schillings Holly | 3G | 12"HT | 12" W | | Native | |
| GROUND COVERS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | NOTES | NATIVE | |
| | PN | 10,212 sf | Paspalum notatum | Bahia Grass | SOD | | | | | |

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# Lakeside Market Place

City of Stuart
Martin County, Florida

## Landscape Planting Plan

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Drawn By: DF

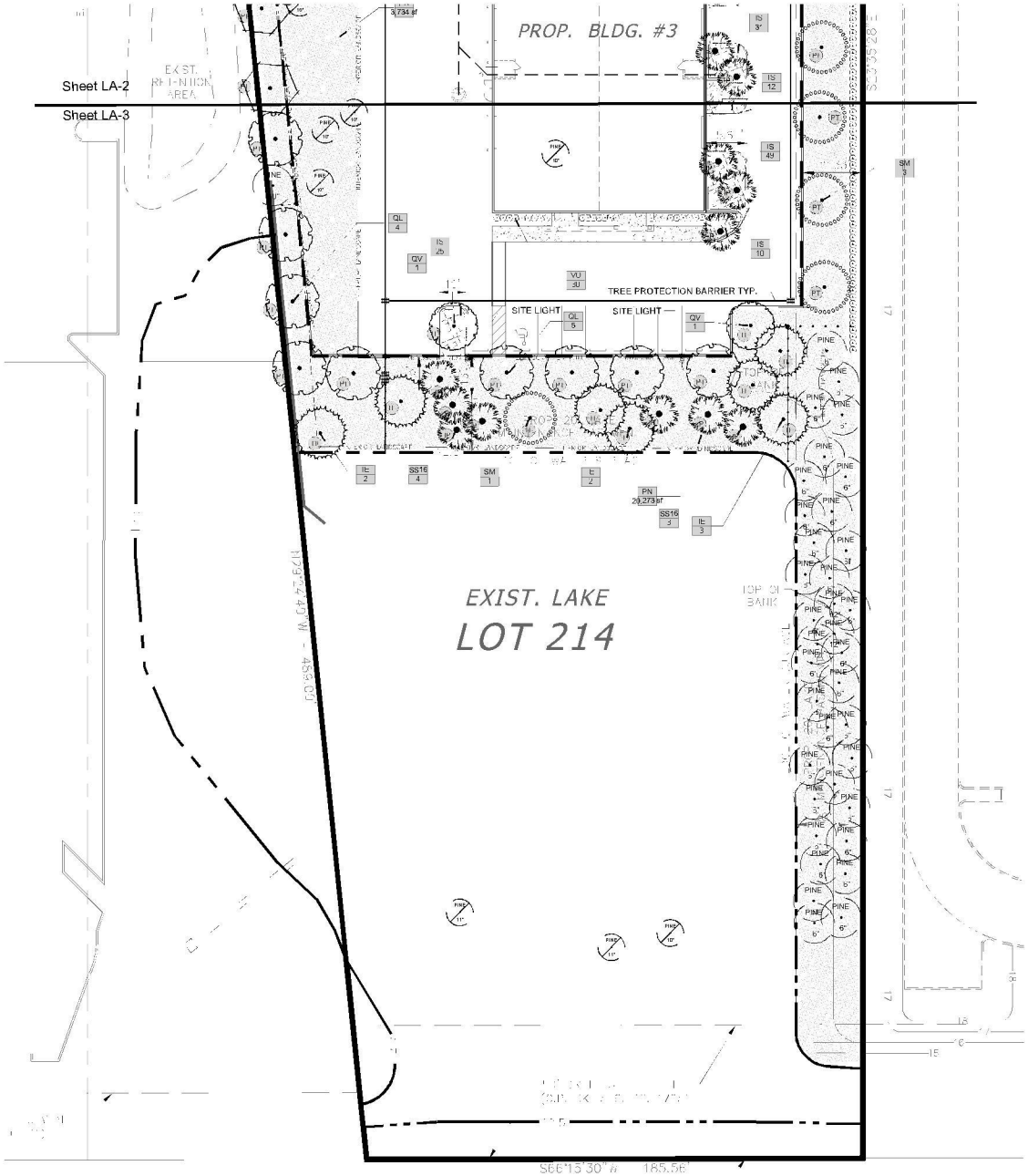
Revisions:
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NORTH

0 20 40 60 feet
SCALE: 1" = 20'

Sheet:
LA2




## PLANT SCHEDULE SHEET LA3

| TREES | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | CALIPER | NOTES | NATIVE |
|---|---|---|---|---|---|---|---|---|---|---|
| | IE | 7 | Ilex x attenuata 'Eagleston' | Eagleston Holly | Field Grown | 12' HT | 6' SPR | 2" Caliper | | Native |
| | QL | 9 | Quercus laurifolia | Laurel-leaved Oak | Field Grown | 12' HT | 6' SPR | 2" Caliper | | Native |
| | QV | 2 | Quercus virginiana | Southern Live Oak | Field Grown | 12' HT | 6' SPR | 2" Caliper | | Native |
| | SM | 4 | Swietenia mahagoni | West Indian Mahogany | Field Grown | 12' HT | 6' SPR | 2" Caliper | | Native |

| MITIGATION TREE- REMOVED | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | CALIPER | NOTES | NATIVE |
|---|---|---|---|---|---|---|---|---|---|---|
| | MR10 | 5 | Mitigation Tree Removal | Slash Pine | Existing | | | 10" Caliper | | |
| | MR11 | 2 | Mitigation Tree Removal | Slash Pine | Existing | | | 11" Caliper | | |

| MITIGATION TREES- PRESERVED | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | CALIPER | NOTES | NATIVE |
|---|---|---|---|---|---|---|---|---|---|---|
| | MP10 | 1 | Mitigation Tree Preserve Mitigation Tree Preservation | Slash Pine | Existing | | | 10" Caliper | | |
| | MP12 | 3 | Mitigation Tree Preserve Mitigation Tree Preservation | Slash Pine | Existing | | | 12" Caliper | | |
| | MP6 | 31 | Mitigation Tree Preserve Mitigation Tree Preservation | Slash Pine | Existing | | | 6" Caliper | | |
| | MP8 | 2 | Mitigation Tree Preserve Mitigation Tree Preservation | Slash Pine | Existing | | | 8" Caliper | | |

| PALMS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | CALIPER | NOTES | NATIVE |
|---|---|---|---|---|---|---|---|---|---|---|
| | SS16 | 10 | Sabal palmetto | Cabbage Palmetto | Field Grown | 16' CT | | | Slick, Heavy Caliper | Native |

| SHRUBS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | NOTES | NATIVE |
|---|---|---|---|---|---|---|---|---|---|
| | CLG | 38 | Clusia guttifera | Small Leaf Clusia | 3G | 24" HT | 12"W | 30" on-center | Non-native |
| | VO | 30 | Viburnum odoratissimum | Sweet Viburnum | 3G | 24" HT | 12"W | 24" on-center | Non-native |

| SHRUB AREAS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | NOTES | NATIVE |
|---|---|---|---|---|---|---|---|---|---|
| | IS | 96 | Ilex vomitoria 'Schillings' | Schillings Holly | 3G | 12"HT | 12"W | | Native |

| GROUND COVERS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONTAINER | HEIGHT | WIDTH | NOTES | NATIVE |
|---|---|---|---|---|---|---|---|---|---|
| | PN | 24,007 sf | Paspalum notatum | Bahia Grass | SOD | | | | |

Doug Fitzwater
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Phone: 772-260-9612
E-Mail: Doug@DougFitzwater.com



# Lakeside Market Place

City of Stuart
Martin County, Florida

## Landscape Planting Plan

Project Start Date: October 13, 2019
Drawn By: DF

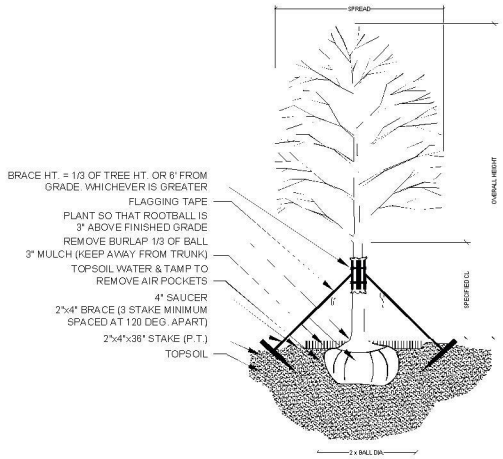
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NORTH

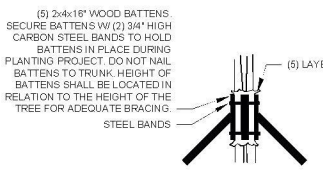
0 20 40 60 feet
SCALE: 1" = 20'

Sheet:
LA3




## TREE PLANTING & STAKING

NOT TO SCALE



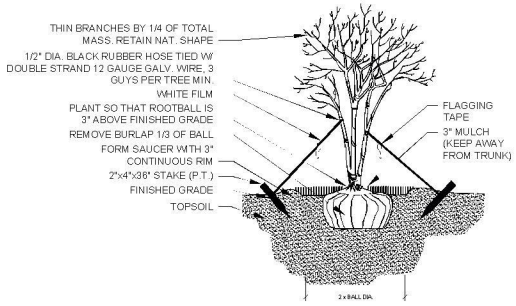

## BRACING DETAIL

NOT TO SCALE



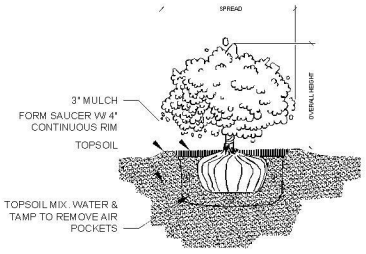

## PALM PLANTING - ANGLE STAKE

NOT TO SCALE



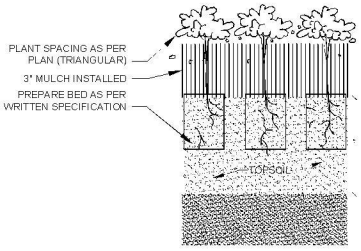

## MULTI-TRUNK PLANTING & GUYING

NOT TO SCALE



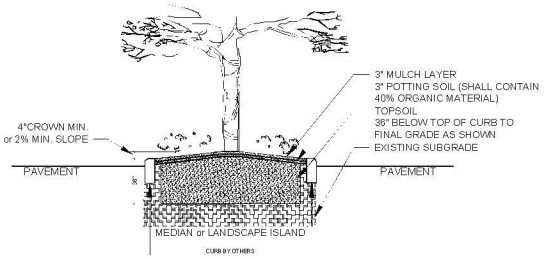

## SHRUB PLANTING

NOT TO SCALE




## GROUNDCOVER PLANTING DETAIL

NOT TO SCALE

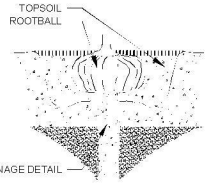



THIS DETAIL SHOWN DEPICTS A MEDIAN AND/OR LANDSCAPE ISLAND AND IS FOR GRAPHIC PURPOSES ONLY; SOIL PREPARATION SHALL APPLY TO ALL TREE, SHRUB, & GROUND COVER AREAS. THIS DOES NOT INCLUDE SOD AREAS

## LANDSCAPE AREA PREPARATION DETAIL

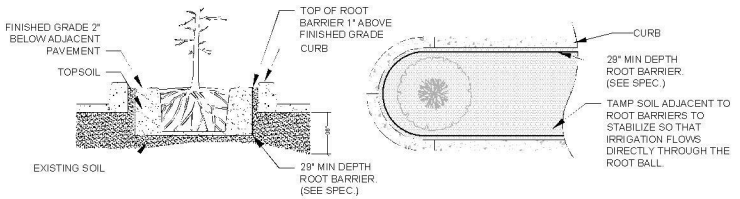
NOT TO SCALE

- "TOPSOIL SHALL BE NATURAL, FRIABLE, FINE LOAMY SOIL POSSESSING CHARACTERISTICS OF REPRESENTATIVE TOPSOIL IN THE VICINITY OF THE PROJECT SITE THAT PRODUCES HEAVY GROWTH.
- TOPSOIL SHALL HAVE A PH RANGE OF 5.5-7.4, FREE FROM SUBSOIL, WEEDS, LITTER, SODS, CLAY, STONES, STUMPS, ROOTS, TRASH, HERBICIDES, TOXIC SUBSTANCES, OR ANY OTHER MATERIAL WHICH MAY BE HARMFUL TO PLANT GROWTH, OR HINDER PLANTING OPERATIONS.
- TOPSOIL SHALL CONTAIN A MINIMUM OF 3% ORGANIC MATERIAL.
- TOPSOIL MUST PERCOLATE WATER AT A RATE OF 1" PER HOUR (SEE ALSO DRAINAGE TESTING DETAIL FOR TREES)
- LANDSCAPE AREA SOILS SHALL BE APPROVED BY LANDSCAPE ARCHITECT/OWNER PRIOR TO PLANTING




## DRAINAGE TESTING DETAIL

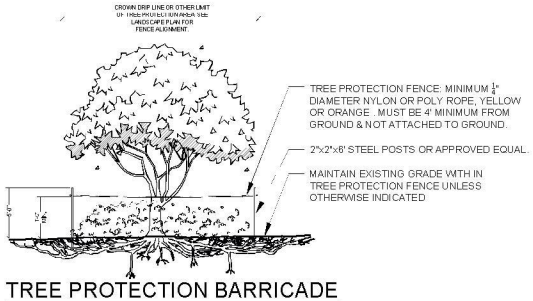
NOT TO SCALE




## SPECIAL APPLICATIONS ROOT BARRIER DETAIL

NOT TO SCALE

NOTES:
1- ROOT BARRIER SHALL BE "BIO-BARRIER 29" DEPTH OR APPROVED EQUAL.
2- ROOT BARRIER SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.
3- OWNER TO REQUEST ROOT BARRIER. NOT SPECIFIED ON THIS PLAN.




## TREE PROTECTION BARRICADE

NOT TO SCALE

NOTES:
1- SEE LANDSCAPE PLAN FOR FENCE ALIGNMENT.
3- NO PRUNING SHALL BE PERFORMED EXCEPT BY APPROVED ARBORIST.
4- NO EQUIPMENT SHALL OPERATE INSIDE THE PROTECTIVE FENCING INCLUDING DURING FENCE INSTALLATION AND REMOVAL.

## DRAINAGE TESTING/DRAINAGE CHANNEL REQUIREMENTS.

PRIOR TO PLANTING, ALL PLANTING PITS SELECTED FOR TESTING SHALL BE TESTED IN THE FOLLOWING MANNER.

A. DIG EACH PLANTING PIT TO THE MINIMUM SPECIFIED SIZE.

B. FILL PLANTING PIT WITH TWELVE INCHES (12") OF WATER. IF THE WATER LEVEL DROPS FOUR (4") OR MORE WITHIN FOUR (4) HOURS, THE DRAINAGE IS SUFFICIENT AND A DRAINAGE CHANNEL IS NOT REQUIRED. IF THE WATER LEVEL DROPS LESS THAN FOUR INCHES (4") WITHIN THE FOUR (4) HOUR PERIOD, A DRAINAGE CHANNEL IS REQUIRED.

C. WHERE REQUIRED, THE DRAINAGE CHANNEL MUST EXTEND DOWN THROUGH THE NON POROUS SOIL AND INTO POROUS SOIL. (SEE DETAIL)

D. ALL MATERIAL REMOVED FROM THE DRAINAGE CHANNEL SHALL BE DISCARDED.

E. WHEN BACKFILLING PLANTING PITS WITH NATIVE TOPSOIL, CARE MUST BE TAKEN TO KEEP THE CONSISTENCY OF THE SOIL MIX THE SAME THROUGHOUT THE PLANTING PIT AND DRAINAGE CHANNEL.

Doug FitzWater
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# Lakeside Market Place

City of Stuart
Martin County, Florida

Landscape Planting Detail

Project Start Date: October 13, 2019
Drawn By: DF

Revisions:
1-27-20 Response to Comments
4-19-20 Response to Comments

Sheet:

LA4

LANDSCAPE SPECIFICATIONS

PART 1: GENERAL CONDITIONS

1.01 SCOPE:
A. The landscape contract includes the supplying and planting of all trees, shrubs, vines, and ground cover together with all necessary labor, equipment, tools and materials needed for the successful completion, execution and maintenance of the landscape plans.

1.02 AGENCY STANDARDS:
A. Grades and standards of plant materials to be used shall be true to name, size, condition and graded Florida #1 or better as stated in: Grades and Standards of Florida Plant Materials published by the State of Florida Department of Agriculture, Tallahassee, Florida.

1.03 SITE EXAMINATION:
A. The Landscape Contractor shall personally examine the site and fully acquaint him/herlself with all of the existing conditions in order that no mis-understanding may afterwards arise as to the character or extent of the work to be performed, and, additionally, in order to acquaint him/herself with all precautions to be taken in order to avoid injury to property or persons. No additional compensation will be granted because of any unusual difficulties which may be encountered in the execution or maintenance of any portion of the work.

1.04 ERRORS AND OMISSIONS:
A. The plant list is a part of the drawings and is furnished as a convenience. The plant list indicates the name, size and quantities of specific plant materials as called for and is located on the drawings. The Landscape Contractor is responsible for his/her own quantity count, and any discrepancy between drawings and plant list shall be considered as correct on the drawings.

B. The Landscape Contractor shall not take advantage of errors or omissions in the specifications or contract drawings. Full instruction will be given if such errors are discovered. Upon the discovery of any discrepancies in, or omissions from the drawings or documents, or should the Landscape Contractor be in doubt as to their meaning, the Landscape Architect shall be notified and will determine the actions necessary to each query.

C. If plans and specifications are found to disagree after the contract is awarded, the Landscape Architect shall be the judge as to which was intended.

1.05 EXECUTION OF THE WORK:
A. The Landscape Contractor shall have his labor crews controlled and directed by a Foreman well versed in plant materials, planting methods, reading plans, and coordination between job and nursery in order to execute installation correctly and in a timely manner.

B. The Landscape Contractor shall provide a competent English-speaking Foreman on the project at all times, who shall be fully authorized as the Contractor's agent on the work. The Foreman shall be capable of reading and thoroughly understanding the Plans, Specifications and other Contract Documents. If the Superintendent is deemed incompetent by the Landscape Architect, he (the superintendent) shall be immediately replaced.

C. The Landscape Contractor shall be available for any meetings with the Owner and/or Landscape Architect during implementation of the job. Any additional work or changes required as a result of failure to communicate with the Owner or Landscape Architect during implementation will be the responsibility of the Landscape Contractor.

1.06 PROTECTION OF PUBLIC AND PROPERTY:
A. The Landscape Contractor shall protect all materials and work against injury from any cause and shall provide and maintain all necessary safeguards for the protection of the public. He shall be held responsible for any damage or injury to persons or property which may occur as a result of his fault or negligence in the execution of the work, i.e. damage to underground pipes or cables.

1.07 CHANGES AND EXTRAS:
A. The Contractor shall not start work on any changes or "extras" in the project until a written agreement setting forth the adjusted prices has been executed by the Owner and the Contractor. Any work performed on changes or "extras" prior to execution of a written agreement may or may not be compensated for by the Owner at his discretion.

1.08 GUARANTEE:
The Landscape Contractor shall furnish a written guarantee warranting all materials, workmanship and plant materials, except sod, for a period of 18 MONTHS from the time of completion and acceptance by the Landscape Architect and Owner. Sod shall be guaranteed to 90 calendar days after acceptance by the Landscape Architect and Owner. All plant material shall be alive and in satisfactory condition and growth for each specific kind of plant at the end of the guarantee period. The guaranteeing of plant material shall be construed to mean complete and immediate replacement with plant material of the same variety, type, size, quality and grade as that of the originally specified material. During the guarantee period it shall be the Landscape Contractor's responsibility to immediately replace any dead or unhealthy material as determined by the Landscape Architect. The guarantee will be null and void if plant material is damaged by lightning, hurricane force winds, or any other acts of God, as well as vandalism or lack of proper maintenance.

B. At the end of the specified guarantee period, any plant required under this contract that is dead or not in satisfactory condition, as determined by the Landscape Architect, shall be replaced. The Landscape Contractor shall be responsible for the full replacement cost of plant materials for the first replacement and share subsequent replacement (s) costs equally with the Owner, should the replacement plant fail to survive.

1.09 CARE AND MAINTENANCE:
A. The Landscape Contractor shall be responsible for the care and maintenance of all plant materials and irrigation when applicable until final acceptance by the Owner or Landscape Architect.

B. The Owner agrees to execute the instructions for such care and maintenance.

1.10 SAFETY:
A. It shall be the responsibility of the Landscape Contractor to protect all persons from injury and to avoid property damage. Adequate warning devices shall be placed and maintained during the progress of the work.

B. It shall be the contractor's responsibility to conform to all local, state, and federal safety laws and codes including the Federal Occupational Safety And Health Act (O.S.H.A.).

1.11 CONTRACTOR QUALIFICATION:
A. The Owner may require the apparent contractor (s) to qualify him/herself to be a responsible entity by furnishing any or all of the following documentary data:
1. A financial statement showing assets and liabilities of the company current to date.
2. A listing of not less than (3) completed projects of similar scope and nature.
3. Permanent name and address of place of business.
4. The number of regular employees of the organization and length of time the organization has been in business under the present name.

1.12 INSURANCE AND BONDING:
A. The contractor (s) shall submit proof of insurance for this job for the time period that the work is done. The minimum amount of insurance shall be $300,000.00 per person and $300,000.00 per aggregate or as required by owner and agreed to in the contract. The successful bidder shall be required to have this coverage in effect before beginning work on the site.

B. The Owner shall have the right to require the Contractor to furnish bonds covering faithful performance of the Contract and payment obligations arising thereunder as stipulated in bidding requirements or specifically required in the Contract Documents on the date of execution of the Contract.

1.13 PERMITS AND CERTIFICATES:
A. All contractors shall secure and pay for all permits and certificates required for his/her class of work.

PART 2: MATERIALS

2.01 PLANT MATERIALS:
A. A complete list of plants is shown on the drawings, including a schedule of quantities, sizes, and such other requirements deemed necessary. In the event discrepancies occur, the specifications on the drawings shall govern.

B. Substitutions: Substitutions of plant materials or changes in size or spacing of materials will be permitted ONLY upon written authorization by the Owner or the Landscape Architect. If plant material is not of sufficient size to meet applicable codes, a letter of variance from the appropriate agency must be obtained by the Contractor prior to issuance of any change order. If material of smaller size is to be accepted, the quantity of material shall be increased, at no additional cost to the Owner, to meet the intent of the drawings.

C. All plant materials shall have a habit of growth that is normal for the species and shall be healthy, vigorous and equal to or exceed the measurements specified in the plant list, which are the minimum acceptable sizes. Plants shall be measured before pruning with branches in normal position. Any necessary pruning shall be done at the time of planting.

D. All plant materials shall be nursery grown, unless otherwise noted, Florida #1 or better and shall comply with all required inspections, grading standards and plant regulations as set forth by the Florida Department of Agriculture's Grades and Standards for Nursery Plants, most current addition and Grades and Standards for Nursery Plants, most current addition.

E. Plants that do not have the normal balance of height and spread typical for the respective plant shall not be acceptable.

F. The Landscape Contractor shall install each plant to display its best side. Adjustments may be required if plants are not installed properly and/or approved by the Landscape Architect at no additional cost to owner.

2.02 INSPECTION

A. The Landscape Architect and Owner may inspect trees and shrubs at place of growth or at site before planting, for compliance with requirements for genus, species, variety, size and quality. The Landscape Architect and Owner retain the right to further inspect trees and shrubs for size and condition of balls and root systems, insects, injuries and latent defects, and to reject unsatisfactory or defective material at any time during progress of work. Rejected plant materials shall be immediately removed from project site.

2.03 PROTECTION OF PLANT MATERIALS:
A. Balled and burlapped plants (B & B) shall be dug with firm natural balls of earth of sufficient diameter and depth to encompass the fibrous and feeding root system necessary for full recovery of the plant. Balls shall be firmly wrapped with burlap similar materials and bound with cord, rope, or wire mesh. All collected plants shall be balled and burlapped.

B. Plants with broken, damaged or insufficient rootballs will be rejected.

C. All plant material shall be protected from possible bark injury or breakage of branches. All plants transported by open trucks shall be adequately covered to prevent windburn, drying or damage to plants.

D. Plants which cannot be planted immediately on delivery to the site shall be covered with moist soil, mulch or other protection from the drying of wind and sun. All plants shall be watered as necessary by the Landscape Contractor until planted.

2.04 STORAGE
A. All plant materials shall be stored on the site in designated areas, specified by the Landscape Architect or Owner's agent.

B. No plant material shall be stored longer than seventy-two (72) hours unless approved by Landscape Architect and/or owner.

C. The Landscape Architect reserves the right to reject any plant materials not in conformance with these specifications.

D. All rejected material shall be immediately removed from the site and replaced with acceptable material at no cost to the Owner.

2.05 PROTECTION DURING PLANTING:
A. Trees moved by winch or crane shall be thoroughly protected from chain marks, girdling or bark slippage by means of burlap, wood battens or other approved methods. Battens shall NOT be attached to the tree with nails

2.06 TOP SOIL:
A. Planting soil for all plantings shall consist of topsoil and be natural; friable, fertile, fine loamy soil possessing characteristics of representative topsoil in the vicinity of the project site that produces heavy growth. Topsoil shall have a PH range of 5.5-7. 4, free from subsoil, weeds, litter, sods, clay, stones, stumps, roots, trash, herbicides, toxic substances, or any other material which may be harmful to plant growth, or hinder planting operations. Topsoil shall contain a minimum of 3% organic material. Topsoil must percolate water at a rate of 1" per hour (See also drainage testing detail for trees)

B. Landscape Area Preparation. The intent of this section is to ensure a healthy growing environment for all planting material in all landscaped areas. Landscape Contractor to examine existing soils prior to planting to ensure conformance to all definitions of "Topsoil" (seeLandscape Area Preparation Detail); In addition, a 3" layer of high organic (min 40%) potting soil shall be added to the topsoil and mixed in at time of planting. *East Coast Recycling Inc.* is a recommended source for imported Topsoil (if needed) as well as the top 3" layer of potting soil.

Existing soils must meet all definitions of 'Topsoil' as described above in all planting areas throughout the site. If existing soils do not meet all definitions of Topsoil, please refer to the 'Landscape Area Preparation' detail. Examination may require existing soils to be tested by an accredited testing laboratory. Should a soil test be necessary, Contractor shall contact soil testing lab directly to confirm such lab's soil collection and transmittal protocol; all costs if any shall be borne by the Contractor. Contractor shall provide to Landscape Architect for review the results of the soil test if conducted. Contractor shall schedule an on-site meeting with Landscape Architect to review existing and/or imported soils prior to planting. The Landscape Area Preparation is the responsibility of the Landscape Contractor. He/she shall except all responsibility of planting soils and shall honor all guarantee items in section 1.08.

2.07 FERTILIZER:
A. Commercial fertilizer shall comply with the state and local fertilizer laws. Nitrogen shall not be less than 40% from organic source. Inorganic chemical nitrogen shall not be derived from the sodium form of nitrate. Fertilizers shall be delivered to the site in unopened original containers, each bearing the manufacturer's guaranteed analysis. Any fertilizer that becomes caked or otherwise damaged shall be rejected.

B. Thoroughly mixed 3 lbs. of commercial fertilizer to each cubic yard of planting soil.

C. Tabletized fertilizer shall be Agriform planting tablets 20-10-5 formula, 21 gram or equal. All trees and shrubs shall be fertilized with tabletized fertilizer as follows. While backfilling plant holes, fertilizer tablets shall be equally spaced and placed adjacent to the ball mid-way in depth in accordance with the following rates:

1 gallon container 1 tablet
3 gallon container 2 tablets
5 gallon container 3 tablets
7 gallon container 5 tablets

Large tubs, wire baskets, grow bags, and balled and burlapped material shall have 1 tablet for each 1/2 inch of trunk diameter (measured 3 feet from ground) or for each foot of height or spread of larger shrub material. The Landscape Architect reserves the right to inspect and review the application of fertilizer.

2.08 MULCH:
A. Mulch material shall be clean, dry, free of weeds, seeds and pests, moistened at the time of application to prevent wind displacement. Cypress &/or Red mulch is prohibited.

B. All trees and shrub beds shall receive 3" mulch immediately after planting and thoroughly watered. Apply 3" max on tree & palm rootballs, keep 6" away from tree & palm trunks or as required by local jurisdiction.

PART 3 EXECUTION
3.01 DIGGING:
A. The Landscape Contractor shall exercise care in digging and other work so as not to damage existing work, including overhead wires, underground pipes and cables and the pipes and hydrants of watering systems. Should such overhead or underground obstructions be encountered which interfere with planting, the Owner shall be consulted and contractor will adjust the location of plants to clear such obstruction. The Contractor shall be responsible for the immediate repair of any damage caused by his work.

3.02 GRADING:
A. Grading for drainage, swales, etc. to within 4 inches of the finished grade to be provided by others.

B. It shall be the responsibility of the Landscape Contractor to provide the final grading during the course of landscape installation so as to bring sod and planting areas to their proper elevations in relation to walks, paving, drain structures, and other site conditions. The site grading plan must be checked prior to installation of sod to insure that drainage and other conditions will NOT be modified.

3.03 PLANTING:
A. Planting shall take place during favorable weather conditions.

B. The Contractor shall call for utility locates and ascertain the location of all utilities and easements so proper precautions can be taken not to damage or encroach on them.

C. Tree Planting shall be located where it is shown on the plan. No planting holes shall be dug until the proposed locations have been staked on the ground by the Contractor.

D. Excavation of holes shall extend to the required subgrades as specified on the planting diagrams located in the landscape plans. Plant pits shall be circular in outline and shall have a profile which conforms to the aforementioned "Tree and Shrub Planting Diagrams".

E. A representative number of planting pits (a minimum of one in every 25 feet throughout the entire site) shall be tested for proper drainage. See Landscape Details for complete testing methods and requirements.

F. Planting pits shall be excavated to the following dimensions and backfilled with Topsoil- see Landscape Area Preparation Detail;
1 Gallon material (1 gal.): 12" x 12" x 12" min.
3 Gallon material (3 gal.): 20" x 20" x 18" min.
Lerio material (7 gal.): 30" x 30" x 24" min.
Field grown material and trees: 1-1/2 times width of ball and depth of ball plus 12" min.

G. No planting or laying of sod shall be initiated until the area has been cleaned of existing sod or other plant materials, rough grass, weeds, debris, stones etc. and the ground has been brought to an even grade, with positive drainage away from buildings and towards drain inlets and swales and approved by Landscape Architect or owner's rep.

H. Each plant shall be planted in an individual hole as specified for trees, shrubs, and vines.

I. All plants shall be set to ultimate finished grade. No filling will be permitted around trunks or stems. All ropes, wire, stakes, etc., shall be removed from sides and top of the ball and removed from hole before filling in.

J. All flagging ribbon shall be removed from trees and shrubs before planting.

K. Excess excavation (fill) from all holes shall be removed from the site, at no additional expense to Owner.

L. All palms shall be backfilled with sand, thoroughly washed in during planting operations and with a shallow saucer depression left at the soil line for future watering's. Saucer areas shall be top-dressed two (2") inches deep with topsoil raked and left in a neat, clean manner.

3.04 PRUNING:
A. Remove dead and broken branches from all plant material. Prune to retain typical growth habit of individual plants with as much height and spread as possible in a manner which will preserve the plant's natural character.

B. Make all cuts with sharp instruments flush with trunk or adjacent branch, in such a manner as to insure elimination of stubs. Cuts made at right angles to line of growth will not be permitted.

C. Trees shall not be poled or topped.

D. Remove all trimming from site.

3.05 GUYING:

A. All trees over six (6') feet in height shall, immediately after setting to proper grade, be guyed with three sets of two strands, No. 12 gauge malleable galvanized iron, in tripod fashion. See Detail.

B. Wires shall not come in direct contact with the tree but shall be covered with an approved protection device at all contact points. Wires shall be fastened in such a manner as to avoid pulling crotches apart.

C. Stake & Brace all trees larger than 12' ca. See detail. Stakes shall be 2" x 2" lumber of sufficient length to satisfactorily support each tree.

D. Turnbuckles for guying trees shall be galvanized or cadmium plated and shall be of adequate size and strength to properly maintain tight guy wires.

3.06 WATER:
A. Each plant or tree shall be thoroughly watered in after planting. Watering of all newly installed plant materials shall be the responsibility of the Landscape Contractor until final acceptance by the Landscape Architect.

B. Prior to installing any irrigation system components, the contractor shall obtain a water sample from the proposed water supply and conduct a particle size and count analysis on the sample using the services of a reputable lab certified in such analysis. Submit the test results to the owner/owner's representative for review and approval. Do not proceed further with system installation until given written approval to do so.

3.07 SOD:
A. The Landscape Contractor shall sod all areas indicated on the drawings.

B. It shall be the responsibility of the Landscape Contractor to fine grade all landscape areas, eliminating all bumps, depressions, sticks, stones, and other debris.

C. The sod shall be firm, tough texture, having a compacted growth of grass with good root development. It shall contain no noxious weeds, or any other objectionable vegetation, fungus, insects, or disease. The soil embedded in the sod shall be good clean earth, free from stones and debris.

D. Before being cut and lifted, the sod shall have been mowed at least three times with a lawn mower, with the final mowing not more than seven days before the sod is cut. The sod shall be carefully cut into uniform dimensions.

E. 6-6-6 fertilizer with all trace elements is to be applied at the rate of 40 lbs. per 1,000 sq. ft. prior to laying sod.

F. Solid sod shall be laid with closely abutting, staggered joints with a tamped or rolled, even surface.

G. The finished level of all sod areas after settlement shall be one (1") inch below the top of abutting curbs, walks, paving and wood borders to allow for building turf.

H. If in the opinion of the Landscape Architect, top dressing is necessary after rolling, clean yellow sand will be evenly applied over the entire surface and thoroughly washed in.

3.08 SEEDING:
A. The Landscape Contractor shall remove all vegetation and rocks larger than (1") in diameter from areas to be seeded, scarify the area, then apply fertilizer at a rate of 500 lbs. per acre.

B. Application: Argentine Bahia Grass seed- 200 Pounds per acre mixed with common hulled Bermuda seed- 30 lbs. per acre. All other seed mixtures shall be applied per the manufacturer's instructions.

C. Roll immediately after seeding with a minimum 500 pound roller, then apply straw mulch at the rate of 2,500 pounds per acre.

D. Apply fertilizer at the rate of 150 lbs. per acre 45-60 days after seeding.

3.09 CLEANING UP:
A. The contractor shall at all times keep the premises free from accumulations of waste materials or rubbish caused by his employees or work. He shall leave all paved areas "broom clean" when completed with his work.

3.10 MAINTENANCE:
A. Maintenance shall begin immediately after each plant is installed and shall continue until all planting has been accepted by the Owner or Landscape Architect. Maintenance shall include watering, weeding, removal of dead materials, resetting plants to proper grades or upright positions, spraying, restoration of planting saucer and/or any other necessary operations.

B. Proper protection to lawn areas shall be provided and any damage resulting from planting operations shall be repaired promptly.

C. Replacement of plants during the maintenance period shall be the responsibility of the Contractor, excluding vandalism or damage on the part of others, lighting, or hurricane force winds, until final acceptance.

D. In the event that weeds or other undesirable vegetation become prevalent, it shall be the Contractor's responsibility to remove them.

E. Trees or other plant material which fall or are blown over during the maintenance period will be reset by the Contractor at no additional expense to the Owner, the only exception being hurricane force winds.

3.11 COMPLETION, INSPECTION AND ACCEPTANCE:
A. Completion of the work shall mean the full and exact compliance and conformity with the provisions expressed or implied in the Drawings and in the Specifications, including the complete removal of all trash, debris, soil or other waste created by the Landscape Contractor.

B. Inspection of work to determine completion of contract, exclusive of the possible replacement of plants, will be made by the Owner and/or Landscape Architect at the conclusion of all planting and at the request of the Landscape Contractor.

C. All plant material shall be alive and in good growing condition for each specified kind of plant at the time of acceptance. The rating of each plant according to Florida Grades and Standards shall be equal to or better than that called for on the plans and in these Specifications at the time of final inspection and acceptance.

D. After inspection, the Landscape Contractor will be notified by the Owner of the acceptance of all plant material and workmanship, exclusive of the possible replacement of plants subject to guarantee.

E. All trees & shrubs shall be straight and in correct position per the landscape plans, details and specifications. All nursery, shipping and identification tags & ribbons shall be removed from trees & shrubs immediately after planting.

Doug FitzWater
Landscape Architect

Phone: 772-266-9612
E-Mail: Doug@DougFitzwater.com



# Lakeside Market Place

City of Stuart
Martin County, Florida

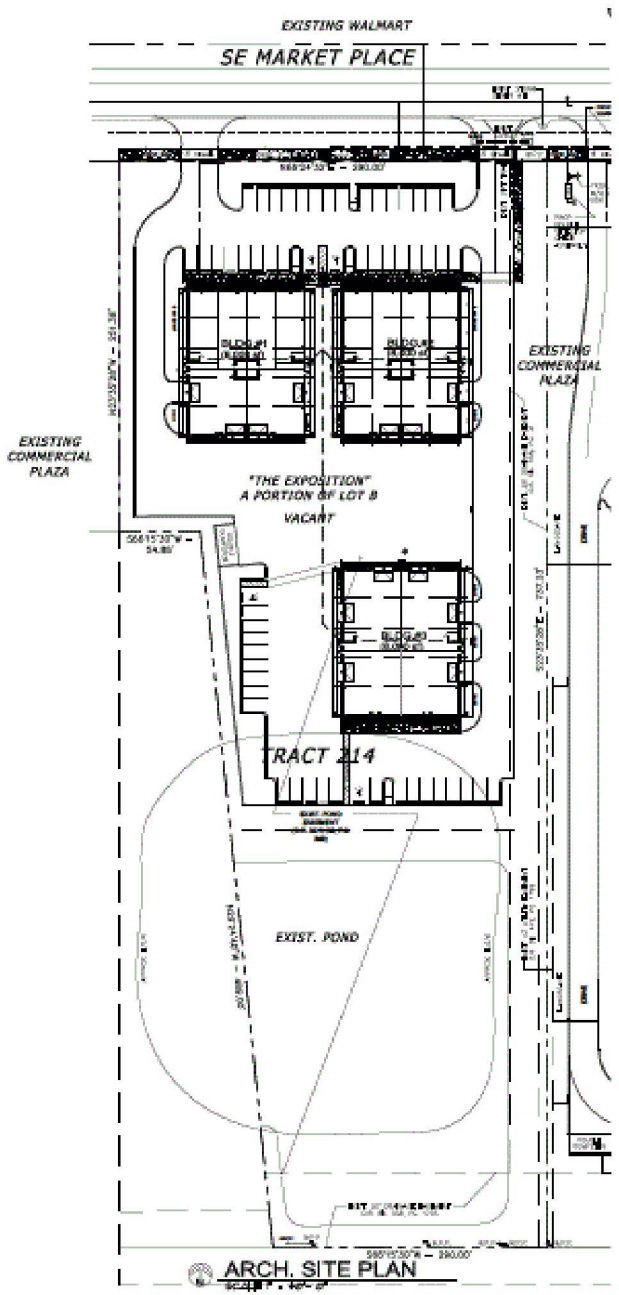
## Specifications

Project Start Date: October 13, 2019
Drawn By: DF

Revisions:
1-27-20 Response to Comments
4-19-20 Response to Comments

Sheet:

LA5




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GENERAL PROJECT NOTES

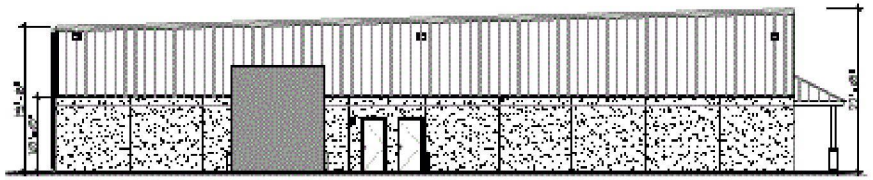
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COASTAL LAND DEVELOPMENT
MARKET PLACE BUSINESS CENTER
NEW CONSTRUCTION

REV. DATE

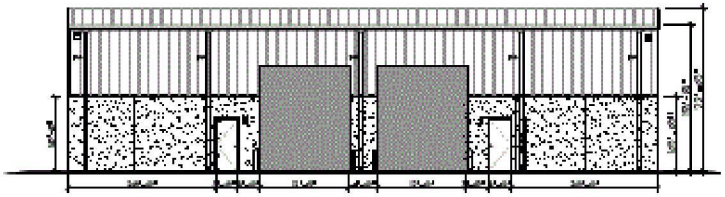
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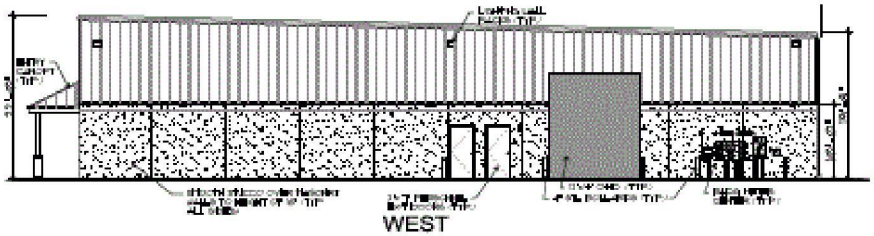
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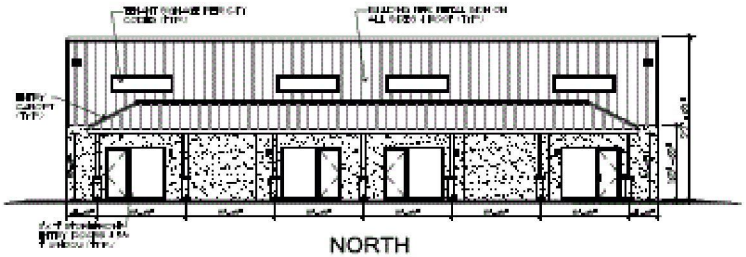
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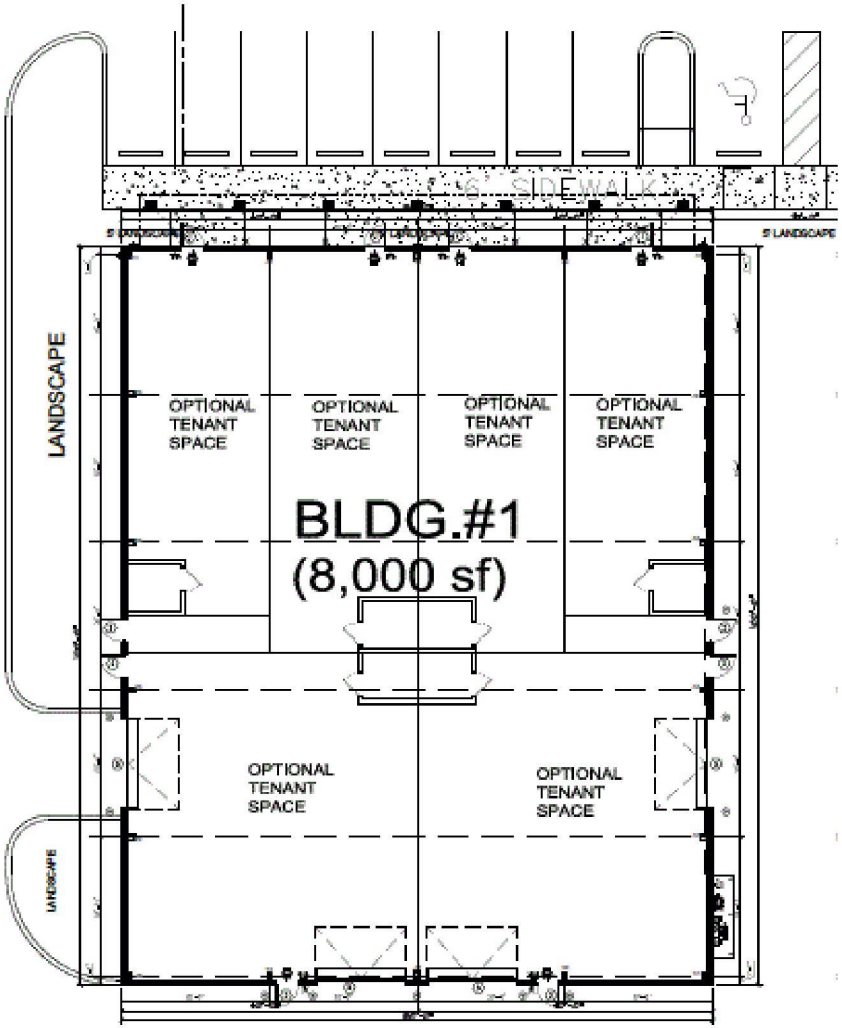


WEST



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BUILDING #1 EXTERIOR ELEVATIONS




BUILDING #1 FLOOR PLAN

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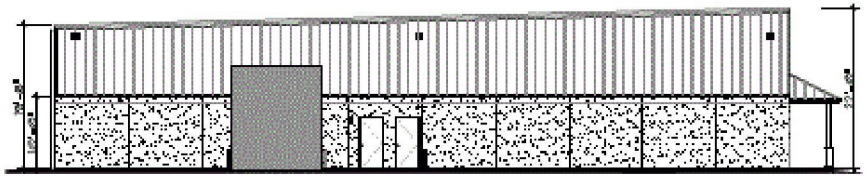
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COASTAL LAND DEVELOPMENT
MARKET PLACE BUSINESS CENTER
NEW CONSTRUCTION

REV. DATE:

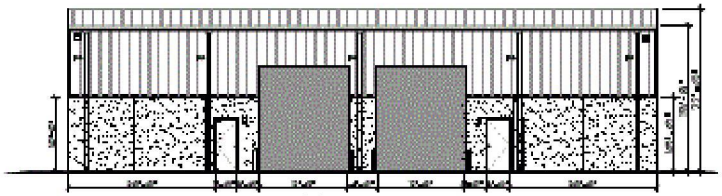
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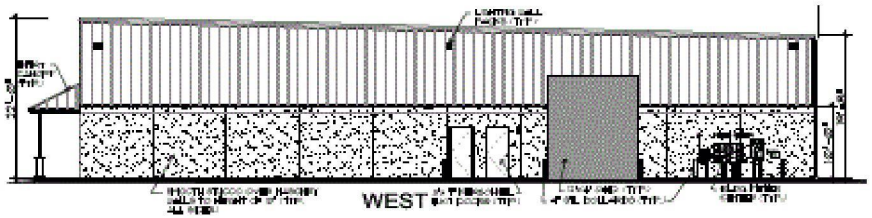
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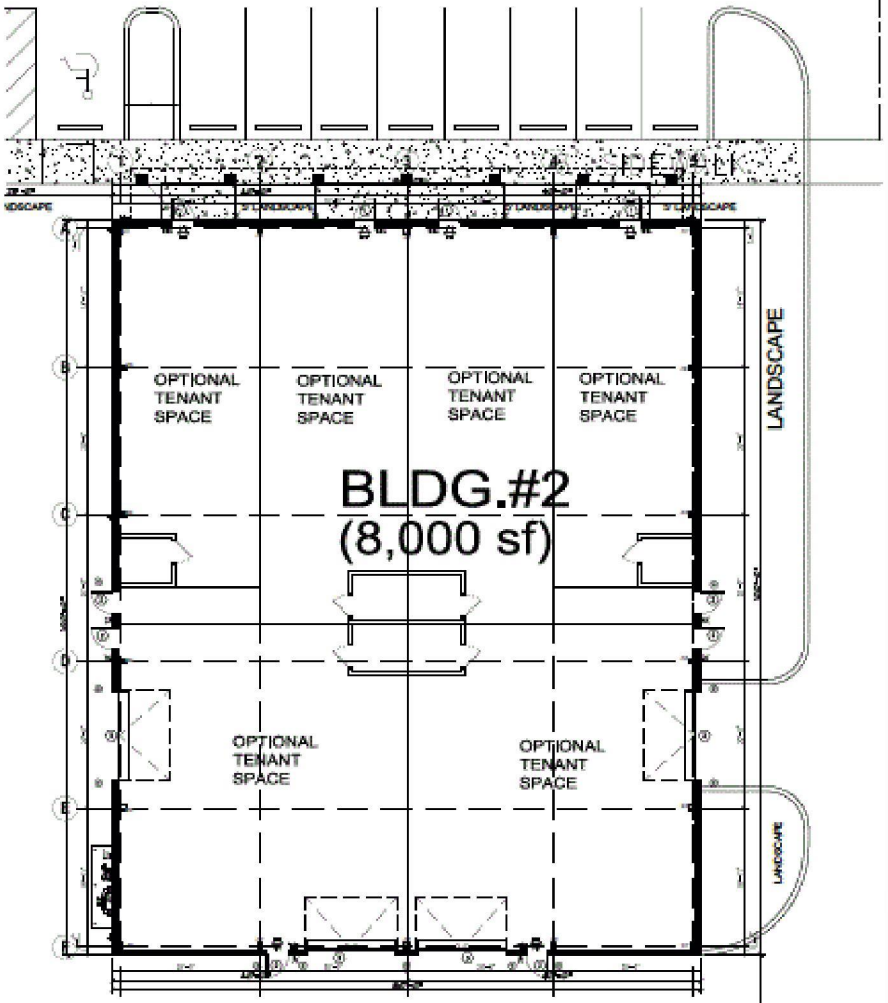


WEST



NORTH

BUILDING #2 EXTERIOR ELEVATIONS




BUILDING #2 FLOOR PLAN

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PROJECT TITLE
COASTAL LAND DEVELOPMENT
MARKET PLACE BUSINESS CENTER
NEW CONSTRUCTION

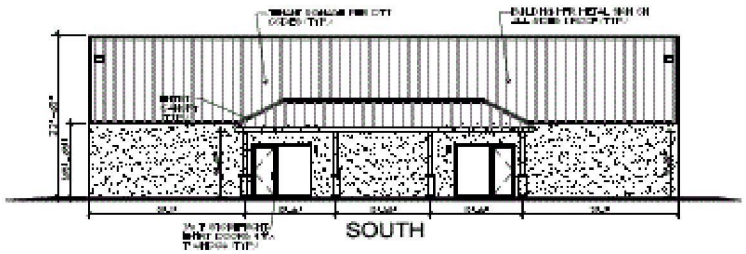
John M. Ahern

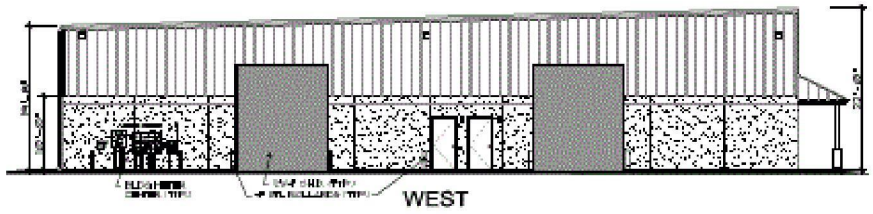
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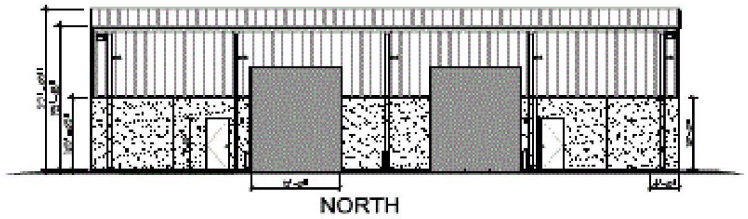
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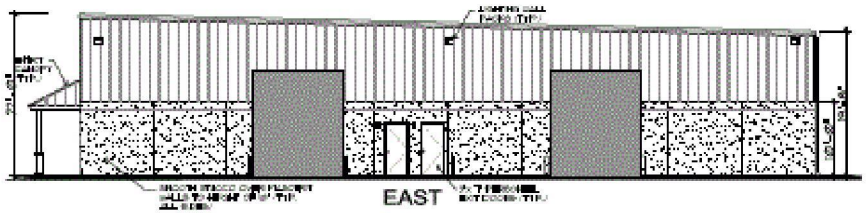
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26-AUGUST-2019

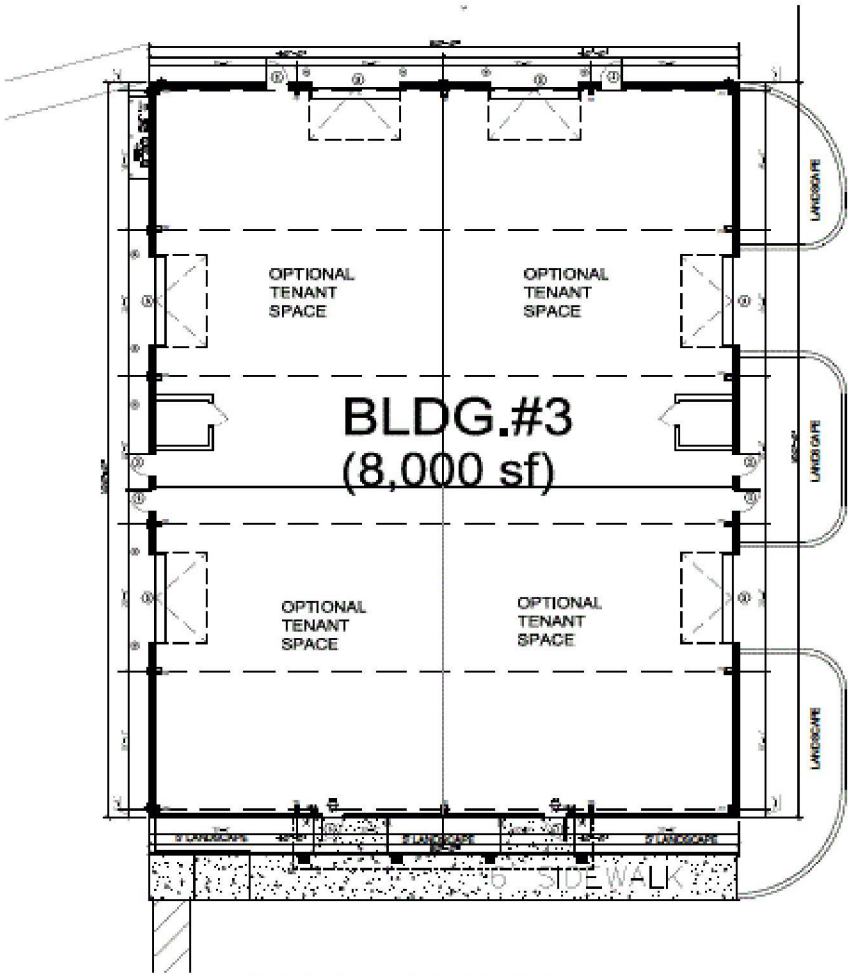



BUILDING #3 EXTERIOR ELEVATIONS




BUILDING #3 FLOOR PLAN

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FIELD VERIFY ALL DIMENSIONS

PROJECT TITLE:
COASTAL LAND DEVELOPMENT
MARKET PLACE BUSINESS CENTER
NEW CONSTRUCTION

John M. Ahern

REV. DATE

PROJECT 2019-2152 | ISSUED

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26-AUGUST-2019

# SASKOWSKY & ASSOCIATES, INC.
## ECOLOGICAL CONSULTANTS
**Stuart, Florida**

**ENVIRONMENTAL ASSESSMENT:**
**LAKESIDE MARKETPLACE PUD**
**SE MARKET PLACE**
**Parcel Control No.:**
**38-38-41-010-000-00020-8**

This Environmental Assessment includes maps and text which depict the site's wetland and upland habitats, if present, previous impacts or any other significant ecological or environmental features present on the subject property:

**Legal Description**- EXPOSITION, LOT B (LESS BEG NW COR, NE ALG N/LN 470.88, SE 251.38 TO LOT LN, SW 445.14 TO W/LN LOT B, NW 253.86 TO POB. AS DESC IN OR 604/820)

**Site Location**- The 4.020-acre property is located on SE Market Street, Stuart, Florida. (Sec. 38, T38S, R41E). Please refer to Exhibit "1"-Location Aerial.

**Site Description**-The subject property was cleared a number of years ago. The subsequent regrowth of vegetation includes a mix of invasive exotic trees and a few native slash pines and cabbage palms. A man-made retention pond (+/- 0.94 acres) and a drainage ditch (south property line) are located on the property. Remnants of homeless camps and piles of trash and debris were noted on site. Please refer to Exhibit "2"-Site Aerial.

**Total property**- 4.020 acres
**Wetlands**-0 acres
**Uplands**-3.08 acres
**Retention Pond**-0.94 acres
**Native upland habitat**-0 acres
**Preserve Area required**-0 acres

**Habitats** - The following habitats were found to be present on the site;

**Wetlands Habitat**- There are no wetlands on the subject property. The site was field reviewed for the presence of wetland indicators (hydric soils, wetland vegetation, hydrological indicators). None were found to be present on the site to indicate that a wetland currently exists. The Soils Map of Martin County indicates hydric soils were once present in the area around the subject property and may have existed on the northwest corner of the property line (See Exhibit "3"-Soils Map). However, these wetlands have been filled in and the areas have been developed.

**Uplands Habitat**-The upland portion of the site consists of invasive exotic vegetation including Australian pine, Ear-leaf acacia, Melaleuca, and Brazilian pepper. Numerous Slash pines are noted onsite with a few cabbage palms and saw palmetto. There is no native upland habitat on the property. A clearing permit was issued by the City of Stuart for the removal of exotic vegetation.

**(Habitats continued);**

**Retention Pond**-A 0.94-acre man-made retention pond is located on the subject property.

**Protected Species** – The following is a list of rare, endangered, threatened, or species of special concern, of both flora and fauna, with the potential to be found on the subject property (based on the Florida Fish and Wildlife Conservation Commision list):

**FLORA**: None

**FAUNA**:

**Fish**: None

**Amphibians:**

Gopher frog (*Lithobates capito*) SSC; Not observed (Because of habitat destruction, the gopher frog is very rare in its traditional southern range.

**Reptiles:**

Gopher tortoise (*Gopherus polyphemus*) ST
Florida pine snake (*Pituophis melanoleucus mugitus*) SSC
Eastern indigo snake (*Drymarchon corais couperi*) FT

**Birds:**

Little blue heron (*Egretta caerulea*) SSC
Snowy egret (*Egretta thula*) SSC
White ibis (*Eudocimus albus*) SSC
Wood stork (*Mycteria americana*) FE
Florida sandhill crane (*Grus canadensis praetensis*) ST

**Mammals**: None

FT-Federally threatened ST- State threatened SSC-Species of special concern

A gopher tortoise/listed species survey was conducted in accordance with the scientific methodology and techniques outlined in *Wildlife Methodology Guidelines* and in *Ecology & Habitat Protection Needs of Gopher Tortoise Populations Found on Lands Slated for Development in Florida* published by the Florida Wildlife Commission (FWC). Methodology employed was parallel belt transects walked at ten-meter intervals or as otherwise adjusted based on specific site conditions. In addition, while conducting the pedestrian transects through the subject property, any listed species observed was noted.

There were no gopher tortoise burrows located on the subject property. No other listed species of flora or fauna was found to utilize the subject property, nor were any other indicators of listed species noted on the subject property (scat, burrows, nests, dens, etc.) on the day of the gopher tortoise survey.

**(Environmental Assessment continued);**

**Wildlife Observations**-This heavily degraded site is not expected to support any significant amount of wildlife other than typical urban species (raccoon, opossum, rats). However, the onsite pond does provide habitat for fish, reptiles and amphibians. In addition, wading birds can be expected to utilize the lake.

**Florida Land Use, Cover, & Forms Classification System (FLUCFCS)** -The following classification numbers are assigned to the subject property:

**740 Disturbed Lands**-Disturbed Lands are those areas which have been Changed due primarily to human activities other than mining.

**524 Lakes**-less than 10 acres (4 hectares) which are dominant features.



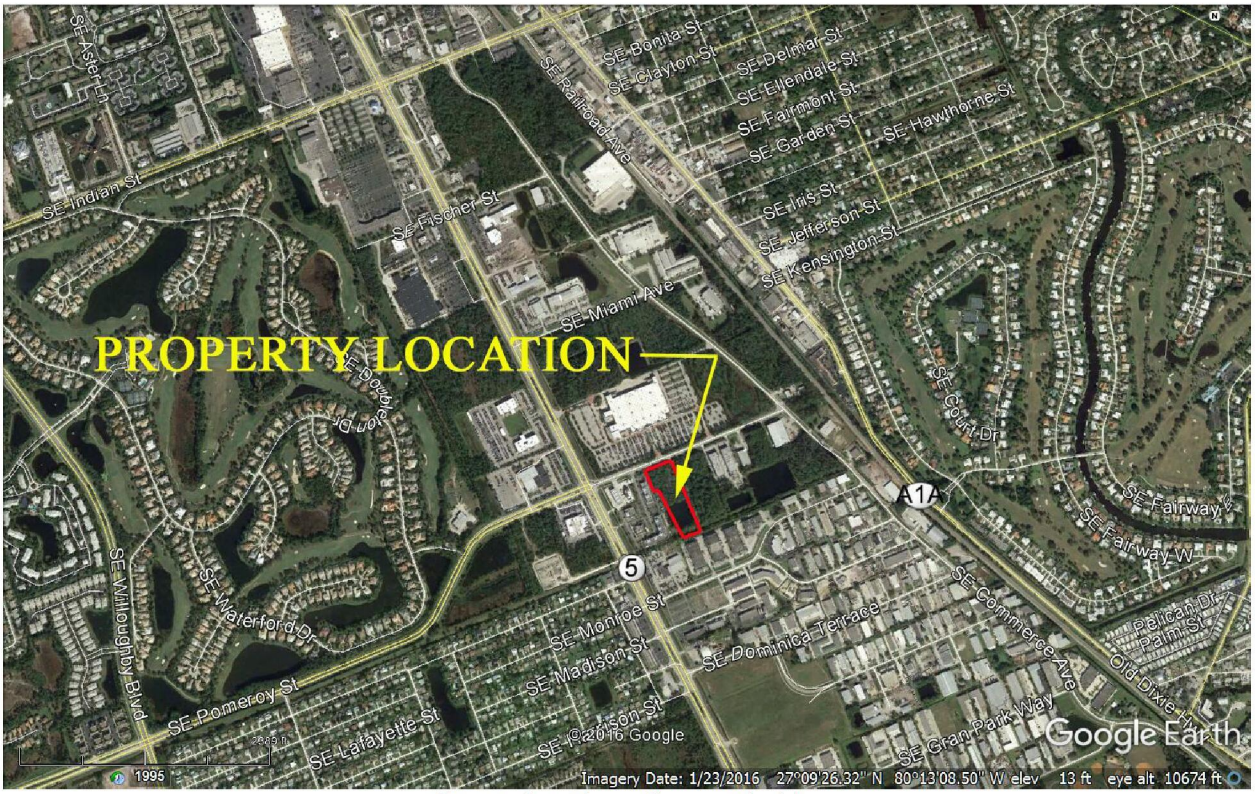
**Signed:**_____ **Date:** 1-13-2020

Daniel M. Saskowsky, President, Senior Ecologist
Saskowsky & Associates, Inc.

**4639 SE Glenridge Trail**
**Stuart, Florida 34997**

**Phone: 772-283-3490 772-708-6641**
**email: dsaskowsky@bellsouth.net**

**EXHIBIT "1"-**
**LOCATION AERIAL**
**LAKESIDE MARKETPLACE PUD**



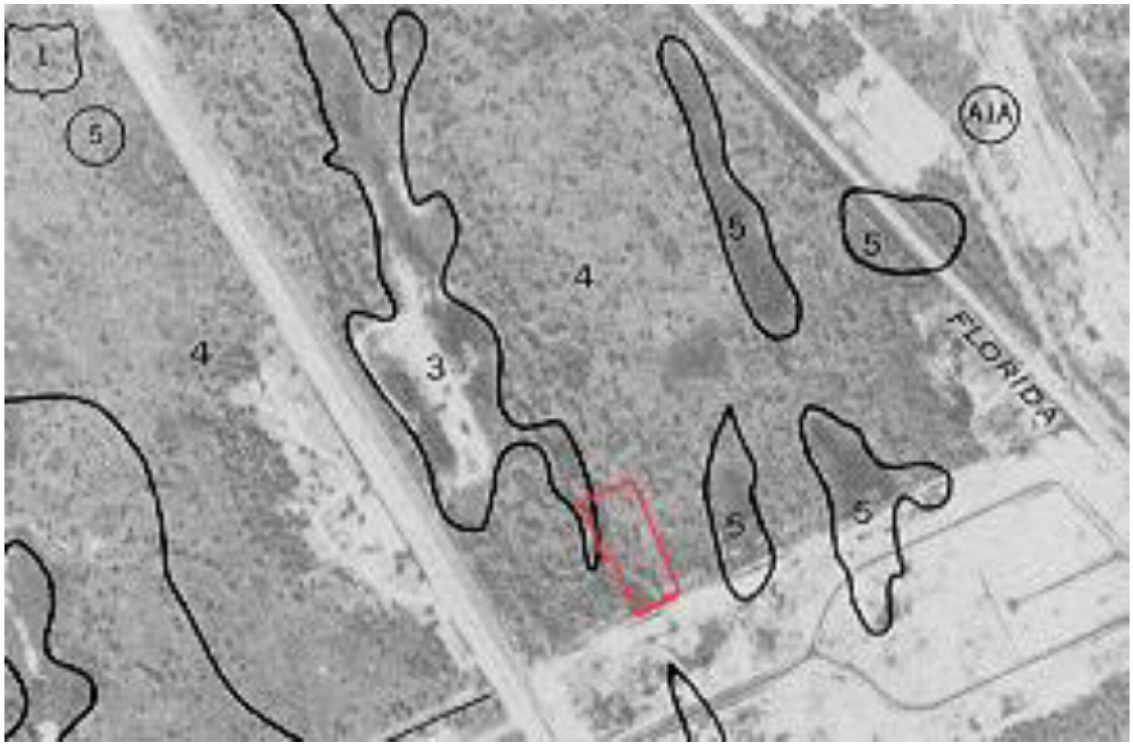

SE Market Place, Stuart, Florida.

**EXHIBIT "2"-**
**SITE AERIAL**
**LAKESIDE MARKETPLACE PUD**




**Total property**- 4.020 acres
**Wetlands**-0 acres
**Uplands**-3.08 acres
**Retention Pond**-0.94 acres
**Native upland habitat**-0 acres
**Preserve Area required**-0 acres

**EXHIBIT "3"-**
**SOILS MAP**
**LAKESIDE MARKETPLACE PUD**




#3-Lawnwood fine sand, depressional
#4-Waveland sand
#5-Waveland sand, depressional

# SASKOWSKY & ASSOCIATES, INC.

**ECOLOGICAL CONSULTANTS**

**ECOLOGICAL SURVEYS & ASSESSMENTS**
**WETLAND DELINEATION & WETLAND MONITORING**
**PRESERVE AREA MANAGEMENT PLANS**
**NATIVE LANDS MANAGEMENT**
**HABITAT RESTORATION**

January 6, 2020

Eva Salinas
620 South Meridian Street
Tallahassee, Florida 32399-1600

**RE: LAKESIDE MARKETPLACE PUD; SE Market Place, Stuart, Martin County, FL.**
**PCN; 38-38-41-010-000-00020-8.**

Greetings Ms. Salinas;
I am requesting listed species occurrences records and critical habitats information for a project located in Martin County, Florida. The City of Stuart is requesting the information as part of the development review process for this parcel. Please refer to Exhibit "1"-Site Aerials. The 4.020-acre site is located in a commercial/retail section of Stuart. The property does not contain any native upland habitat or wetlands. A man-made retention lake (0.94-acres) is located on the site. Exotic vegetation (Brazilian pepper, ear-leaf acacia, Australian pine, Melaleuca) was removed from the site last year but is rapidly returning. There are no structures on the site. However, remnants of numerous homeless camps were observed.

Thank you.

Sincerely,

Daniel M. Saskowsky, President, Senior Ecologist
Saskowsky & Associates, Inc.

**4639 SE Glenridge Trail** **Phone: 772-283-3490 772-708-6641**
**Stuart, Florida 34997** **e-mail: dsaskowsky@bellsouth.net**

**EXHIBIT "1"-Site Aerials**




**PCN; 38-38-41-010-000-00020-8, Martin County**



# SASKOWSKY & ASSOCIATES, INC.

**ECOLOGICAL CONSULTANTS**

**ECOLOGICAL SURVEYS & ASSESSMENTS**
**WETLAND DELINEATION & WETLAND MONITORING**
**PRESERVE AREA MANAGEMENT PLANS**
**NATIVE LANDS MANAGEMENT**
**HABITAT RESTORATION**


January 6, 2020

Cody VanderPloeg
Archaeological Data Analyst
Florida Master Site File
500 South Bronough Street
Tallahassee, FL 32399-0250

**RE: SE Market Place, Stuart, Martin County. PCN; 38-38-41-010-000-00020-8.**

Greetings Mr. VanderPloeg;
I am inquiring about any historical or archeological considerations in the area of the subject project site. The City of Stuart is requesting the information as part of the development review process for this parcel. Please refer to Exhibit "1"-Site Aerial. Thank you.

Sincerely,



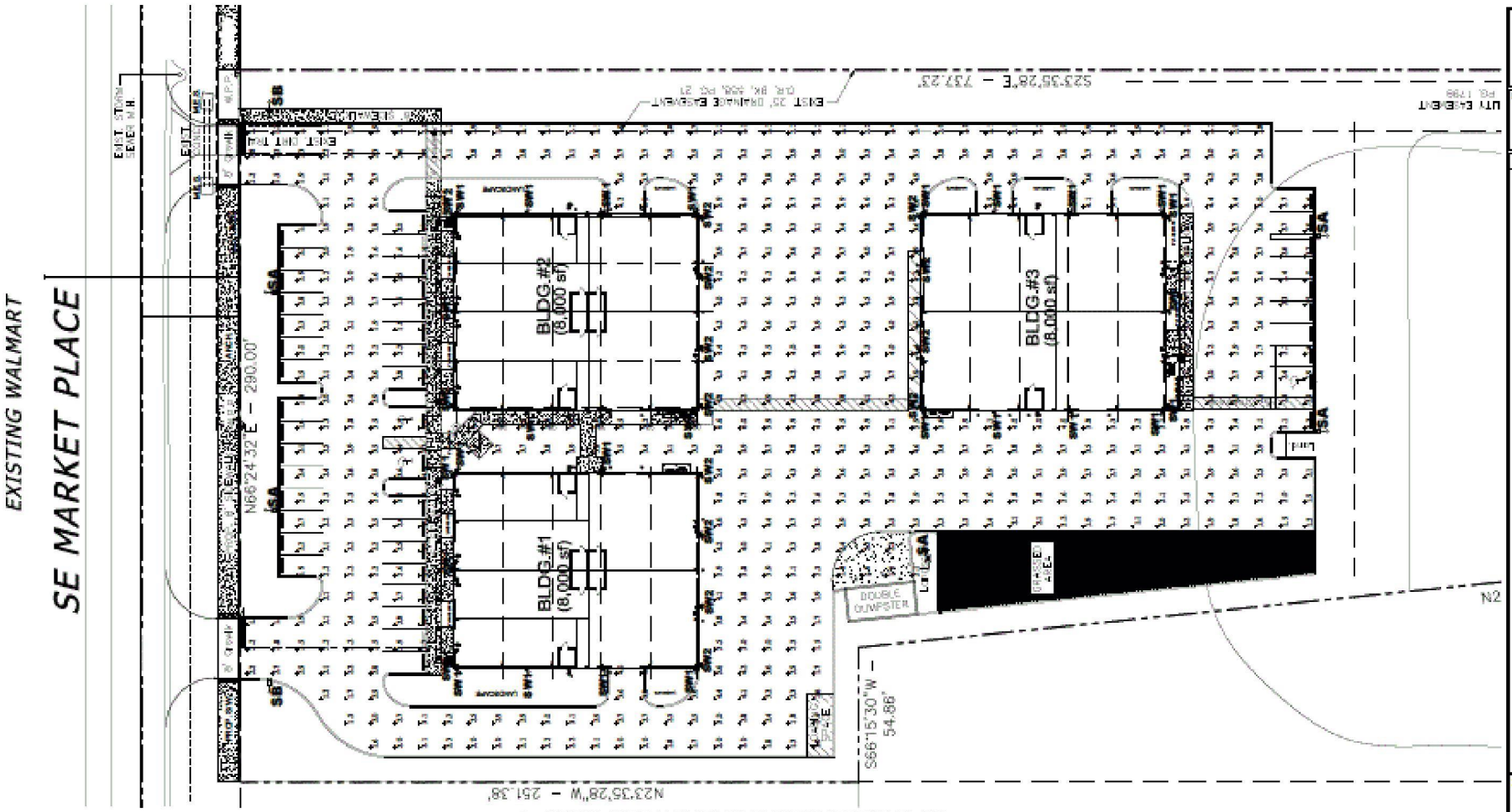
Daniel M. Saskowsky, President, Senior Ecologist
Saskowsky & Associates, Inc.


**4639 SE Glenridge Trail** **Phone: 772-283-3490 772-708-6641**
**Stuart, Florida 34997** **e-mail: dsaskowsky@bellsouth.net**

**EXHIBIT "1"-Site Aerial**




**PCN; 38-38-41-010-000-00020-8, Martin County**




ARCH. SITE LIGHTING PHOTOMETRIC PLAN

SCALE: 1" = 20'-0"

**Project: COASTAL LAND DEVELOPMENT - SITE STUART, FL 01/20/2020**

**Luminaire Schedule**

| Qty | Symbol | Label | Arrangement | Manufacturer | Description | Lamp/Luminaire Lumens | LLF | Luminaire Watts | Total Watts |
|---|---|---|---|---|---|---|---|---|---|
| 5 | | SA | SINGLE | Lithonia Lighting | RSX1 LED P1 40K T5 HS<br>SRA POLE MOUNT 20' A,F,G | 5410 | 0.900 | 51.2400 | 51.2400 |
| 2 | | SB | SINGLE | Lithonia Lighting | RSX1 LED P1 40K T5 HS<br>SRA POLE MOUNT 20' A,F,G | 5220 | 0.900 | 51.2400 | 51.2400 |
| 20 | | SW1 | SINGLE | Lithonia Lighting | DSXW1 LED 20C 1000 40K FAU UNIVOLT<br>WH WALL MOUNT 15.5' A,J,G (Bottom of fixture) | 7572 | 0.900 | 72.0 | 72.0 |
| 15 | | SW2 | SINGLE | Lithonia Lighting | DSXW1 LED 20C 1000 40K TFTM UNIVOLT<br>WH WALL MOUNT 15.5' A,J,G (Bottom of fixture) | 7777 | 0.900 | 72.0 | 72.0 |

**Photometric Calculation Summary**

| Label/Type | Units | Avg | Max | Min | Avg/Min | Max/Min |
|---|---|---|---|---|---|---|
| Illuminance | Fc | 5.45 | 9.4 | 1.1 | 5.45 | 8.55 |

John M. Ahern

AHERN & ASSOCIATES, ARCHITECTS, P.A.

(C) 2019 AHERN & ASSOCIATES, ARCHITECTS

DO NOT SCALE DRAWINGS
FIELD VERIFY ALL DIMENSIONS

PROJECT TITLE
COASTAL LAND DEVELOPMENT
MARKET PLACE BUSINESS CENTER
NEW CONSTRUCTION

REV. DATE

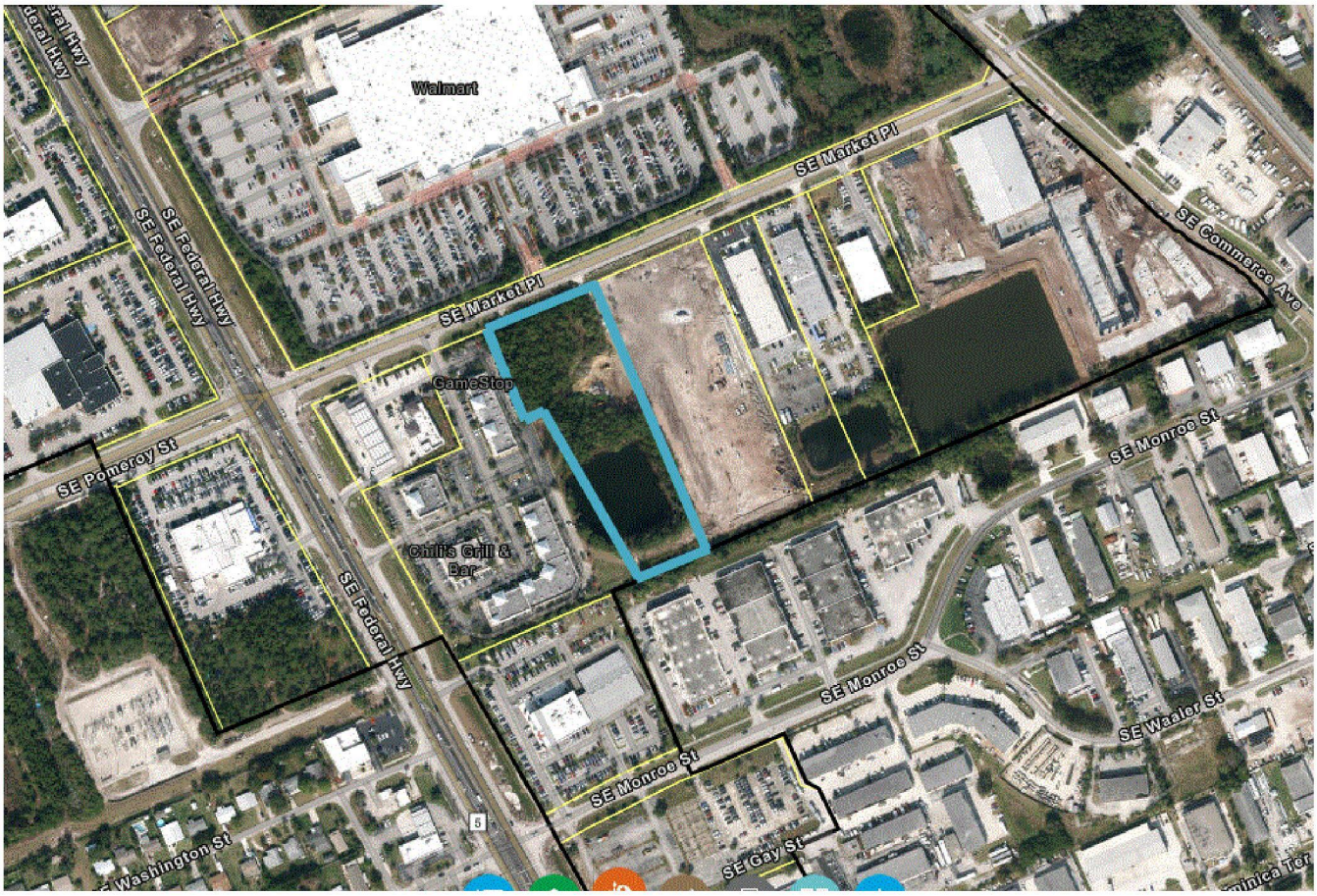
PROJECT 2019-2152
ISSUED 22-JAN-2020

SHEET
SD-5

# CITY OF STUART
# CITY COMMISSION
July 13, 2020

| | |
|---|---|
| **Project Name:** Lakeside Market Place CPUD – Major amendment to the PUD | **Property Owner:** D LAWRENCE PROPERTIES LLC; MARKETPLACE AT STUART CONDOMINIUM AS; OK OF MARTIN COUNTY LLC |
| **Project No.:** Z19110002 | **Applicant/Petitioner:** Gregory A. Hale, Asbury 716 LLC |
| **Ordinance No:** 2445-2020 | **Agent/Representative:** Holly Mathers |
| **Location:** 2700 SE Market Place | **Case Planner:** Tom Reetz |

**Location Map**



| **PROJECT SUMMARY** | | |
|---|---|---|
| ***Property Size (area)*** | | 4.02Acres |
| ***Present Use*** | | Vacant |
| ***Subject Property Land Use*** | | Commercial |
| *Adjacent FLU* | *North* | Across SE Market Place – Commercial (Wal-Mart) |
| | *South* | Industrial – Martin County |
| | *East* | Commercial |
| | *West* | Commercial |
| ***Subject Property Zoning*** | | CPUD (Commercial Planned Unit Development) |
| *Adjacent Zoning* | *North* | Across SE Market Place – CPUD (Wal-Mart) |
| | *South* | M2 Industrial – Martin County |
| | *East* | CPUD |
| | *West* | CPUD |
| ***Proposed Land Use Designation & Zoning District*** | | Amended Commercial, (CPUD) |
| ***Proposed Use*** | | 24,000 square feet of Commercial-Industrial/Warehouse/Retail limited to uses allowed by Ordinance 2445-2020 |
| ***City Approvals*** | | Building Department – No comments.<br>Fire Department – Conceptual site plan approval<br>Public Works – Double dumpster per plan<br>Police Department – Conceptual site plan approval |
| ***Brief Explanation*** | | The subject property is 4.02 acres. The property is currently vacant portion to the master CPUD for Parcel #F21. The intent of this major amendment to the master PUD ordinance (1601-97) is to allow three (3) buildings with a total of 24,000 square foot buildings of which 16,000 will be designated for Industrial, 3,600 for warehouse, and 4,400 as retail use. |
| ***Staff Recommendation:*** Staff recommends approval of Ordinance 2445-2020, a major amendment to the CPUD, including the adoption of a site plan, timetables of development, and conditions of development to the CPUD. | | |

# STAFF REPORT AND RECOMMENDATION

## I. LEGAL NOTICE REQUIREMENTS

**A. Requirements for Application** – The applications for a major PUD amendment have been noticed in accordance with the requirements set forth in Sections 11.01.02, 11.01.09, and 11.02.00 of the Land Development Regulations.

**B. Site Posting Date:** 06.01.2020

**C. Mail Notice Postmark:** 06.01.2020 to property owners within 300 feet

**D. Publication Date:** 10 days prior to Second Reading

## II. APPLICATION: Dated November 7, 2019

The owners of the property, D LAWRENCE PROPERTIES LLC; MARKETPLACE AT STUART CONDOMINIUM AS and OK OF MARTIN COUNTY LLC, have requested to develop the CPUD, a portion of the master CPUD known as Parcel #F21. The city recommended a Major PUD amendment to Ordinance 1601-97, as required by the land development code.

In summary, the proposal consists of the construction of a 24,000 sq. ft. of commercial space in three buildings.

- **Total Site Area:** SF or 4.02 acres
- **Proposed Building:** 24,000 Sq. Ft. (Building #1: 8,000 sq. ft. (Industrial); Building #2: 8,000 sq. ft. (Retail/Warehouse); Building #3: 8,000 sq. ft. (Industrial)
- **Impervious Area:** 128,867 SF or 73.6 %
- **Pervious Area:** 46,285SF or 26.4%
- **Building Height:** 22 feet
- **Parking Spaces:** Required 38; Provided 43

## III. HISTORY OF THE SITE

The subject property consists of approximately 4.02 acres and is a portion of a larger 11.4-acre CPUD, located on the south side of SE Market Place, east of the intersection with US Highway One. In 1998, the City Commission annexed the property (then known as Parcel #F21) and provided a Commercial Future Land Use designation and a CPUD zoning district. Since then, the property has remained undeveloped and vacant with 4.91 acres abutting to the west approved for similar development. The subject property is approximately 4.02 acres and is located on the eastern half of the original parcel. The three owners/entities now request a major PUD amendment to develop the commercial parcel.

## IV. STAFF ANALYSIS

### A. Site and Area Characteristics

The subject property consists of one parcel totaling 4.02 acres in size, located on the south side of Market Place east of the intersection with US Highway One. The property is vacant and undeveloped. To the north and across SE Market Place is the Wal-Mart CPUD, a regional commercial center.

### B. Project Description

The applicant is proposing a site plan for the commercial parcel, which is to be developed in one phase for three buildings as described above.

### C. Land Development Code Consistency Review

Staff has reviewed the CPUD site plan for consistency with the City's Land Development Code and summarizes the findings as follows:

**Landscaping, Trees and Upland Preserve**

Landscape buffers have been provided on all sides of the property, which includes a 15-foot-wide landscape buffer along SE Market Place and an average 22.3-foot landscape buffer along the west property line. The east property boundary consists of a 10-foot landscape buffer, enhanced with Live Oaks and Gumbo Limbo trees.

Of the subject CPUD, approximately 26.4% will remain pervious, which includes open space, landscape buffers and interior landscaping. The landscape plan includes 46,709 square feet of landscaping, which exceeds the 20% threshold for a PUD by 11,679 square feet. Not including the interior landscaping, the applicant is providing 26.4% open space, which meets the land development code technical requirement to leave 25% of the site as open space.

Tree mitigation is required due to the proposed removal of 240" of slash pines, which pursuant to Section 5.05.02, would require the replacement or payment of the equivalent of 360" of like species. The applicant proposes to replant 407.5 inches on site including Sabal palms.

**Access and Parking**

The property will have two points of vehicular access from SE Market Place. Access to entry points of the CPUD have met EMS vehicle turning movement requirements. The site includes internal pedestrian connection and interconnection with a proposed 8-foot sidewalk along the south side of SE Market Place.

The applicant is providing 43 total parking spaces,

An extra 500 sq. feet of landscaping is provided at 100sq. ft. for every additional parking space over the required spaces.

### Signage

One monument sign is proposed at the entrance to identify the Lakeside Market Place project. The sign will be 10' from the right of way, no more than 10 feet in height.

### Upland Preserve and Wetland Mitigation

According the applicant's environmental assessment, there are no wetlands on the CPUD portion of the PUD, and there no upland habitat.

| **SITE DESIGN QUALITATIVE DEVELOPMENT STANDARDS** |
|---|
| The purpose of these standards is to insure that all site plan development complies with the Comprehensive Plan of the City and with the Stuart Land Development Regulations and to promote harmonious and compatible development within the City. |
| ***1. Harmonious and Efficient Organization*** |
| The proposed development is efficiently planned and through its design and layout takes account of existing and possible development in the immediate vicinity of the site. The proposal reflects its surroundings and pattern of development. All vehicular use areas have been designed so as not to adversely impact on the character of existing neighboring development. Site improvements required for construction should not negatively impact or have any harmful effects on adjacent properties. |
| ***2. Preservation of Natural Conditions*** |
| There is no existing upland habitat and the applicant has provided more than the required 25% open space supplemented with landscaping. |
| ***3. Screening and Buffering*** |
| The Landscape Plan for the subject site proposes to create screening, landscape buffering in locations along the front, sides, and rear portion of the subject property. The scope and extent of the screening and buffering proposed is considered to be adequate. |
| ***4. Enhancement of Residential Privacy*** |
| Landscaping and site layout is proposed in such a manner that existing and future abutting uses will not create a visual or auditory nuisance; in terms of potential impact upon the proposal. |
| ***5. Emergency Access and Access to Public and Private Ways*** |
| The proposed development provides adequate access for emergency vehicles. All elements of this proposal have been designed so as to incorporate safe and convenient access to all public and private ways throughout the site. |
| ***6. Pedestrian Circulation*** |
| A 8' (foot) sidewalk will be provided along SE Market Place. 6' (foot) internal pedestrian links are provided to all buildings on the site. |
| ***7. Location and Design of Access Drives*** |
| The site has two points of ingress and egress from SE Market Place. Adequate stacking spaces are provided within the ingress driveway. |
| ***8. Co-ordination of on-site and off-site circulation*** |
| The proposed development has arranged and coordinated the internal drives and parking areas to facilitate efficient vehicular and pedestrian circulation. Both formal and informal pedestrian links flow through and inter-connect the development. Connection is provided with off-site pedestrian |

| |
|---|
| routes. |
| ***9. Location and Design of on-site ways*** |
| The on-site driveways and parking areas have been located and designed to be minimal in form and to occupy no more land than is required to provide safe and convenient vehicular and pedestrian circulation. |
| ***10. Drainage*** |
| The drainage will be addressed in full at final site plan submission. In accordance with the City's Land Development Regulations, the site must provide water quality storage for the applicable run-off volume and limit post-development discharges at pre-development rates for all applicable design storm events. Drainage will be accommodated on site in a manner which shall not adversely affect nearby property or the public storm drainage system. |
| ***11. Exterior Lighting*** |
| The proposed development will provide decorative exterior lighting at 15ft in height in the vehicular and pedestrian use areas. The lighting does not conflict with the proposed landscaping and will not impact or produce glare on the nearby neighborhood or interfere with the aesthetics of the surrounding area or with public safety and convenience. |

### D. Technical Review by Other Agencies

The City Building, Public Works, Fire, and Police Departments have reviewed the applications and have offered their comments. Each department will provide specific comments at final site approval for permitting.

The applicant will be responsible to meet all federal, state and local permitting and environmental standards. Further, the applicant will also be required to demonstrate full compliance at all times.

## VI. LOCAL PLANNING AGENCY BOARD RECOMMENDATION

The Local Planning Agency shall make an advisory recommendation to the City Commission as to the need and justification for the change and as to the relationship of the proposed change to the goals, objectives and policies of the Comprehensive Plan and of the Land Development Code. The Local Planning Agency shall include in its recommendation to the City Commission any information which it deems is relevant to issues relating to the proposed amendment.

## VII. STAFF RECOMMENDATION (APPROVAL WITH CONDITIONS)

Staff has determined that the proposed major amendment to CPUD is consistent with the goals, objectives and policies of the Comprehensive Plan and the regulations in the Land Development Code. Furthermore, staff has determined that the site plan proposed for the CPUD to allow three (3) buildings with a total of 24,000 square feet of commercial building is consistent with the Land Development Code and recommends Ordinance No. 2445-2020 with conditions of approval.

O'ROURKE
ENGINEERING & PLANNING

# TRAFFIC ANALYSIS

**FOR**

**Lakeside Market Place**

**Prepared for:**

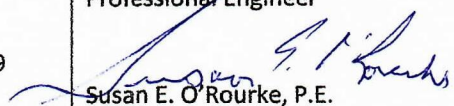
**Mr. Osiris Ramos**
**Coastal Land Development**

**Prepared by:**

**O'Rourke Engineering & Planning**
**969 SE Federal Highway, Suite 402**
**Stuart, Florida 34994**
**772-781-7918**

**April 15, 2020**

**MR19082.0**

| | |
|---|---|
| Prepared by:<br>O'Rourke Engineering & Planning<br>Certificate of Authorization: #26869<br>969 SE Federal Highway, Ste. 402<br>Stuart, Florida 34994<br>772-781-7918 | Professional Engineer<br><br>Susan E. O'Rourke, P.E.<br>Date signed and sealed: 4/15/2020<br>License #: 42684 |

O'ROURKE
ENGINEERING & PLANNING

August 21, 2019

Mr. Osiris Ramos
Coastal Land Development
5640 SE Grouper Avenue
Stuart, FL 34997

**Re: Lakeside Market Place**

Dear Mr. Ramos:

O'Rourke Engineering & Planning has completed the traffic analysis of the proposed development of 4,400 square feet of retail and 19,600 square feet of warehouse use located east of US-1/SE Federal Highway and south of Market Place in Stuart, Florida. The steps in the analysis and the ensuing results are presented herein.

It has been a pleasure working with you, if you have any questions or comments, please do not hesitate to contact our office.

Respectfully submitted,
**O'Rourke Engineering & Planning**

Susan E. O'Rourke, P.E.
President

*CH - Lakeside Market Place Report – 4.14.20*

969 SE Federal Hwy, Suite 402 | Stuart, FL 34994 | 772-781-7918 | SEORourke@comcast.net

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### APPENDICES


**APPENDIX A: Site Plan**
**APPENDIX B: Martin County 2018 LOS Report**
**APPENDIX C: Intersection Analysis Data**
**APPENDIX D: Driveway Analysis Data**

## INTRODUCTION

O'Rourke Engineering & Planning was retained to prepare a traffic analysis for the proposed 4,400 square feet of retail and 19,600 square feet of warehouse use to be located east of SE Federal Highway (US-1) and south of Market Place in Stuart, Florida. The purpose of this report is to determine the project impact on the surrounding roadway system.

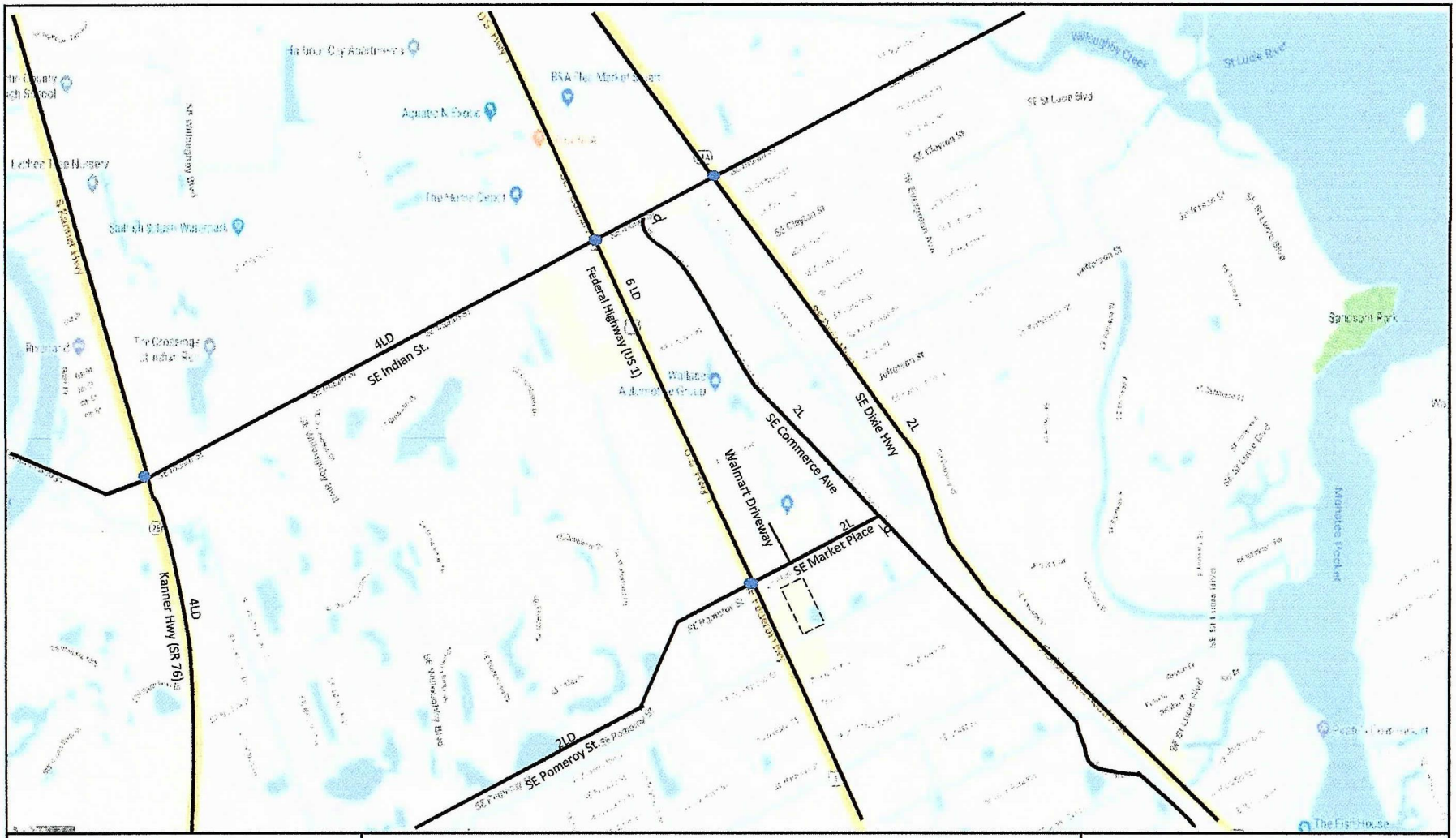
In order to make the determination that the project complies with City of Stuart Concurrency Guidelines, the following analytical steps were taken:

- summary of the project
- summary of existing lane geometries
- summary of existing traffic volumes
- assessment of project traffic
- determination of impact area
- summary of short term cumulative traffic volumes
- summary of levels of service with project traffic added

Each of these steps is outlined herein.

## PROJECT DESCRIPTION

The project is 4,400 square feet of retail and 19,600 square feet of warehouse use to be located east of SE Federal Highway (US-1) and south of Market Place. The project location is shown in **Figure 1**. The project site plan is provided in **APPENDIX A.**




| | | |
|---|---|---|
| N<br>NTS | Legend | Figure 1 |
| O'ROURKE ENGINEERING & PLANNING<br>969 SE Federal Hwy Suite 402<br>Stuart, FL 34994 | = Project Location<br>= Traffic Signal<br>= Stop Sign<br>(xx) = # of Lanes | Project Location<br>Lakeside Market Place |

C2.M.Lakeside.Figure1_8.21.19

## EXISTING CONDITIONS

The study area is defined as the roadways upon which the project has an impact of 5% of the level of service capacity of the roadway and immediate accessed link. Once the project traffic was assigned, the study area was refined based on the impact percentages.

The study area roadways were defined in terms of existing lane geometrics and existing traffic volumes.

### Existing Lane Geometrics and Traffic Control

The study area was reviewed to determine the existing number and type of lanes, and the traffic control along the roadway. Each roadway is described below.

- Federal Highway (US-1) is a six-lane divided arterial roadway with a north/south alignment

- Market Place is a two-lane undivided collector roadway with an east/west alignment

### Existing Traffic Volumes/ Service Volume

Traffic volumes were obtained from the Martin County 2018 Roadway Level of Service Inventory Report. The number of lanes and the associated peak hour/peak direction service volumes will be summarized in the upcoming sections of the report. The service volumes were developed based on the functional classification contained in the County Comprehensive Plan and the 2018 Martin County Level of Service Report. These documents are included in **APPENDIX B.**

## PROJECT TRAFFIC

To estimate traffic generated by the project, the ITE Trip Generation, 10$^{th}$ Edition trip rates were applied. Pass by percentage rates were obtained from the Martin County Impact Fee Study. These calculations provide an estimate of the typical generation. Trip generation for the project is shown in **Table 1.**

As shown, the project will generate 443 net new daily trips. There will be 27 AM peak hour trips and 55 PM peak hour trips.

**Table 1 Trip Generation**

**Table 1a- Daily**

| Description | Land Use Code | Intensity | Units | Daily Trip Generation | Directional Split | | Gross Trips | | | Pass-by Trips | | Daily Trips | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | In | Out | In | Out | Total | | | In | Out | Total |
| Shopping Center | 820 | 4,400 | DU | Ln(T)= .68Ln(X)+5.57 | 50% | 50% | 360 | 359 | 719 | 345 | 48% | 187 | 187 | 374 |
| Warehousing | 150 | 19,600 | SF | T = 1.58(X) + 45.54 | 50% | 50% | 38 | 39 | 77 | 8 | 10% | 35 | 34 | 69 |
| **Total** | | | | | | | **398** | **398** | **796** | **353** | | **222** | **221** | **443** |

Source: ITE 10th Edition

**Table 1b- AM Peak Hour**

| Description | Land Use Code | Intensity | Units | Daily Trip Generation | Directional Split | | Gross Trips | | | Pass-by Trips | | AM Trips | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | In | Out | In | Out | Total | | | In | Out | Total |
| Shopping Center | 820 | 4,400 | DU | T= 0.94(X) | 62% | 38% | 2 | 2 | 4 | 2 | 48% | 1 | 1 | 2 |
| Warehousing | 150 | 19,600 | SF | T= 0.12(x) + 25.32 | 77% | 23% | 22 | 6 | 28 | 3 | 10% | 19 | 6 | 25 |
| **Total** | | | | | | | **24** | **8** | **32** | **5** | | **20** | **7** | **27** |

Source: ITE 10th Edition

**Table 1c - PM Peak Hour**

| Description | Land Use Code | Intensity | Units | Daily Trip Generation | Directional Split | | Gross Trips | | | Pass-by Trips | | PM Trips | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | In | Out | In | Out | Total | | | In | Out | Total |
| Shopping Center | 210 | 4,400 | DU | Ln(T)=0.74Ln(x)+2.89 | 48% | 52% | 26 | 28 | 54 | 26 | 48% | 13 | 15 | 28 |
| Warehousing | 150 | 19,600 | SF | T= 0.12(x) + 27.82 | 27% | 73% | 8 | 22 | 30 | 3 | 10% | 7 | 20 | 27 |
| **Total** | | | | | | | **34** | **50** | **84** | **29** | | **20** | **35** | **55** |

Source: ITE 10th Edition

## PROJECT DISTRIBUTION/ ASSIGNMENT/IMPACT

The project traffic was distributed by general geographic direction and then assigned to the roadway network.

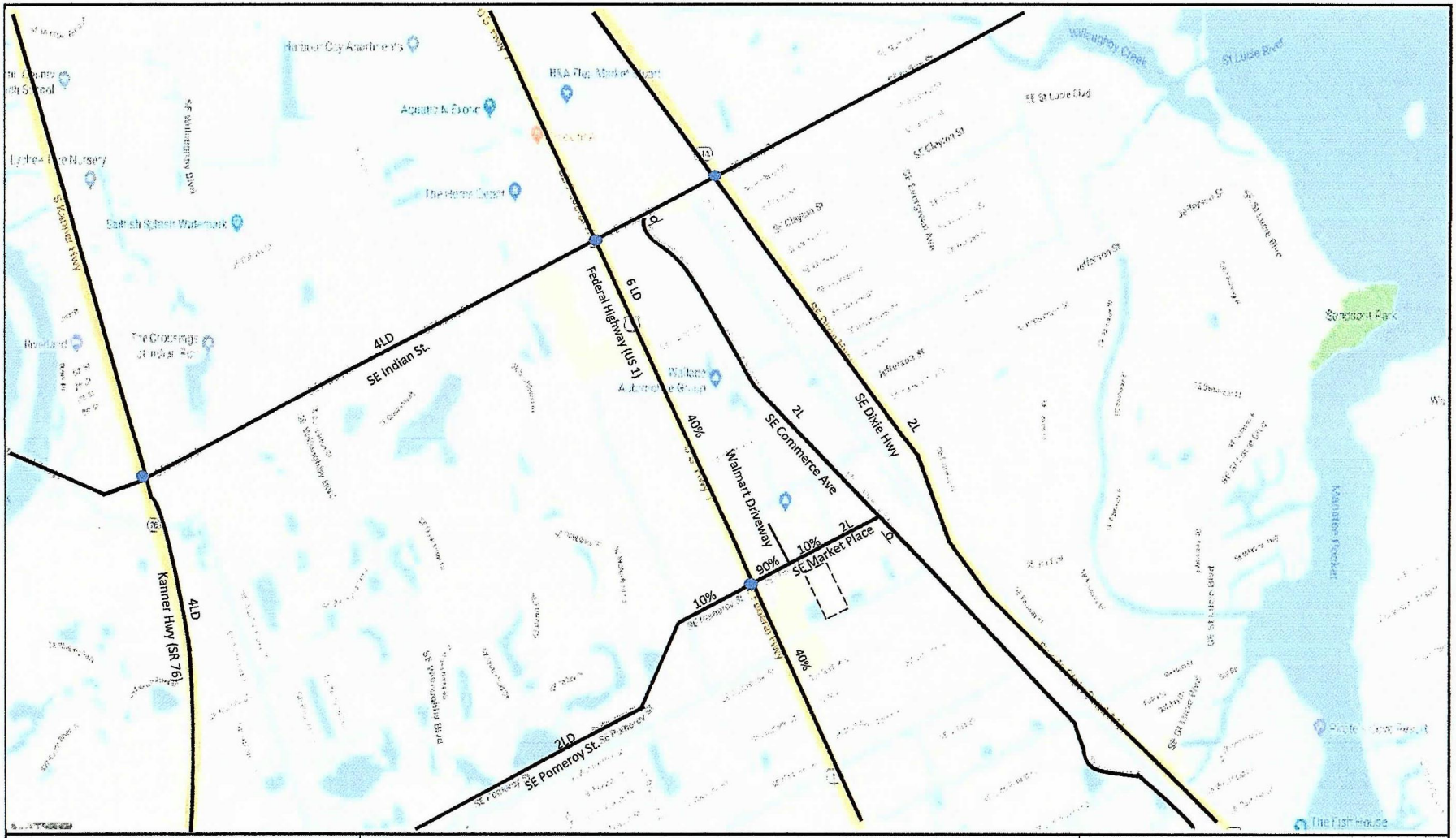
**Distribution/ Assignment** – This general distribution led to an assignment of trips based on the anticipated ultimate destinations and the roadway paths used to reach those destinations. The project assignment is shown in **Figure 2.**

**Impact – Tables 2a and 2b** summarize the project impact as a percent of service volume capacity. Project traffic is considered significant when the impact is 5% or more of LOS D.

## LINK ANALYSIS / CONCURRENCY REVIEW

In order to assess the impact on the significant links and the adjacent links, the total traffic on the link at project buildout was compared to the roadway capacity. To estimate the total traffic in 2021, the existing link volumes developed from the Martin County 2018 Roadway Level of Service Inventory Report were grown 3 years using the average annual growth rate also provided in the report.

**Tables 3a and 3b** summarize the results of the link analysis. As shown, the roadways will operate at acceptable levels of service.




| | | |
|---|---|---|
| N<br>NTS | Legend | Figure 2 |
| O'ROURKE ENGINEERING & PLANNING<br>969 SE Federal Hwy Suite 402<br>Stuart, FL 34994 | = Project Location<br>= Traffic Signal<br>= Stop Sign<br>(xx) = # of Lanes<br>(xx%) = % Assignment | Percent Assignment<br>Lakeside Market Place |

**Table 2a: Percent Impact - AM Peak Hour**

| Segment | From | To | Direction | | Lanes | Is Project Traffic 5% or More of Capacity? | LOS D Directional Peak Hour | Directional Peak Project Volume | Project Percent Assignment | Directional Percent Project of Capacity |
|---|---|---|---|---|---|---|---|---|---|---|
| Indian St | SR-5 | Commerce Ave | EB | IN | 4LD | no | 2000 | 1 | 5% | 0.05% |
| | SR-5 | Commerce Ave | WB | OUT | 4LD | no | 2000 | 0 | 5% | 0.00% |
| | Commerce Ave | CR-A1A | EB | OUT | 4LD | no | 2000 | 1 | 10% | 0.05% |
| | Commerce Ave | CR-A1A | WB | IN | 4LD | no | 2000 | 2 | 10% | 0.10% |
| US 1 | Monroe St | Indian St | NB | OUT | 6LD | no | 3020 | 3 | 40% | 0.10% |
| | Monroe St | Indian St | SB | IN | 6LD | no | 3020 | 8 | 40% | 0.26% |
| | Indian St | SR-714 | NB | OUT | 6LD | no | 3020 | 2 | 25% | 0.07% |
| | Indian St | SR-714 | SB | IN | 6LD | no | 3020 | 5 | 25% | 0.17% |
| Commerce Ave | Monroe St | Indian St | NB | OUT | 2L | no | 750 | 0 | 5% | 0.00% |
| | Monroe St | Indian St | SB | IN | 2L | no | 750 | 1 | 5% | 0.13% |
| Market Pl | SR-5 | Commerce Ave | EB | IN | 2L | no | 790 | 18 | 90% | 2.28% |
| | SR-5 | Commerce Ave | WB | OUT | 2L | no | 790 | 6 | 90% | 0.76% |
| Pomeroy St | Willoughby Blvd | SR-5 | EB | IN | 2LD | no | 790 | 2 | 10% | 0.25% |
| | Willoughby Blvd | SR-5 | WB | OUT | 2LD | no | 790 | 1 | 10% | 0.13% |

In: 20
Out: 7

**Table 2b: Percent Impact - PM Peak Hour**

| Segment | From | To | Direction | | Lanes | Is Project Traffic 5% or More of Capacity? | LOS D Directional Peak Hour | Directional Peak Project Volume | Project Percent Assignment | Directional Percent Project of Capacity |
|---|---|---|---|---|---|---|---|---|---|---|
| Indian St | SR-5 | Commerce Ave | EB | IN | 4LD | no | 2000 | 1 | 5% | 0.05% |
| | SR-5 | Commerce Ave | WB | OUT | 4LD | no | 2000 | 2 | 5% | 0.10% |
| | Commerce Ave | CR-A1A | EB | OUT | 4LD | no | 2000 | 4 | 10% | 0.20% |
| | Commerce Ave | CR-A1A | WB | IN | 4LD | no | 2000 | 2 | 10% | 0.10% |
| US 1 | Monroe St | Indian St | NB | OUT | 6LD | no | 3020 | 14 | 40% | 0.46% |
| | Monroe St | Indian St | SB | IN | 6LD | no | 3020 | 8 | 40% | 0.26% |
| | Indian St | SR-714 | NB | OUT | 6LD | no | 3020 | 9 | 25% | 0.30% |
| | Indian St | SR-714 | SB | IN | 6LD | no | 3020 | 5 | 25% | 0.17% |
| Commerce Ave | Monroe St | Indian St | NB | OUT | 2L | no | 750 | 2 | 5% | 0.27% |
| | Monroe St | Indian St | SB | IN | 2L | no | 750 | 1 | 5% | 0.13% |
| Market Pl | SR-5 | Commerce Ave | EB | IN | 2L | no | 790 | 18 | 90% | 2.28% |
| | SR-5 | Commerce Ave | WB | OUT | 2L | no | 790 | 32 | 90% | 4.05% |
| Pomeroy St | Willoughby Blvd | SR-5 | EB | IN | 2LD | no | 790 | 2 | 10% | 0.25% |
| | Willoughby Blvd | SR-5 | WB | OUT | 2LD | no | 790 | 1 | 10% | 0.13% |

In: 20
Out: 35

**Table 3a: Link Analysis - AM Peak Hour**

| Segment | From | To | Direction | | Lanes | Is Project Traffic 5% or More of Capacity? | 2018 AADT | K Factor | D Factor | 2018 Volume Peak Hour Peak Direction | Growth Rate | 2021 Volume Peak Hour Peak Direction | LOS D Directional Peak Hour | Directional Peak Project Volume | Project Percent Assignment | Directional Percent Project of Capacity | Total Traffic (Peak Direction) | Does Project Meet Concurrency? |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Market Pl | SR-5 | Commerce Ave | EB | IN | 2L | no | 4431 | 0.08 | 0.540 | 187 | 1.019 | 198 | 790 | 18 | 90% | 2.28% | 216 | Yes |
| | SR-5 | Commerce Ave | WB | OUT | 2L | no | 4431 | 0.08 | 0.460 | 163 | 1.019 | 173 | 790 | 6 | 90% | 0.76% | 179 | Yes |

Source: Martin County 2018 Roadway Level of Service Inventory Report

| | |
|---|---|
| In: | 20 |
| Out: | 7 |
| Years Grown: | 3 |

**Table 3b: Link Analysis - PM Peak Hour**

| Segment | From | To | Direction | | Lanes | Is Project Traffic 5% or More of Capacity? | 2018 AADT | K Factor | D Factor | 2018 Volume Peak Hour Peak Direction | Growth Rate | 2021 Volume Peak Hour Peak Direction | LOS D Directional Peak Hour | Directional Peak Project Volume | Project Percent Assignment | Directional Percent Project of Capacity | Total Traffic (Peak Direction) | Does Project Meet Concurrency? |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Market Pl | SR-5 | Commerce Ave | EB | IN | 2L | no | 4431 | 0.08 | 0.460 | 163 | 1.019 | 173 | 790 | 18 | 90% | 2.28% | 191 | Yes |
| | SR-5 | Commerce Ave | WB | OUT | 2L | no | 4431 | 0.08 | 0.540 | 187 | 1.019 | 198 | 790 | 32 | 90% | 4.05% | 230 | Yes |

Source: Martin County 2018 Roadway Level of Service Inventory Report

| | |
|---|---|
| In: | 20 |
| Out: | 35 |
| Years Grown: | 3 |

## INTERSECTION ANALYSIS

The intersections of Market Place and Federal Highway (US-1) were counted in December of 2017. A seasonal factor of 1.065 was applied, which is the average of the FDOT seasonal factor for west of US 1 and east of US 1. The existing volumes were grown 4 years to 2021 using the Martin County Average Annual Growth rate for US-1. The project traffic was then added to obtain the total turning movements.

The intersections were analyzed using the Highway Capacity Software. The intersection of US 1 and Market Place operates at level of service D for the AM and PM peak hours at existing condition. Under buildout conditions, the intersections will continue to operate at Level of Service D for the AM and PM peak hours. Substantial delay was calculated for the westbound movements, but the counts were made in December with Walmart being very active. The intersection data and turning movement counts data are shown in **APPENDIX C.**

## DRIVEWAYS

The site currently has two driveways onto Market Place, one on either side of the Walmart Driveway. The westernmost driveway is located within the Walmart left-turn lane. Therefore, it will be limited to right-in / right-out only. The two-way left turn lane currently serves the eastern driveway. The easternmost driveway will be full access.

**Figure 3** shows the driveway locations and volumes in the AM and PM peak hour. The driveway was analyzed using Highway Capacity Software. The driveway will operate at a LOS of C or better at project buildout. **Appendix D** includes the supporting driveway analysis and data.

## CONCLUSION

With 443 daily trips, 27 AM peak hour trips and 55 PM peak hour trips, the project does not create the need for additional improvements to the roadway network. Therefore, the project meets the requirements for concurrency.




| | IN | OUT |
|---|---|---|
| Daily | 398 | 398 |
| AM | 24 | 8 |
| PM | 34 | 50 |

NTS

O'ROURKE ENGINEERING & PLANNING

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Stuart, Fl, 34994

**Legend**

XX(XX) = AM(PM)

= Distance from Edge to Edge of Driveways

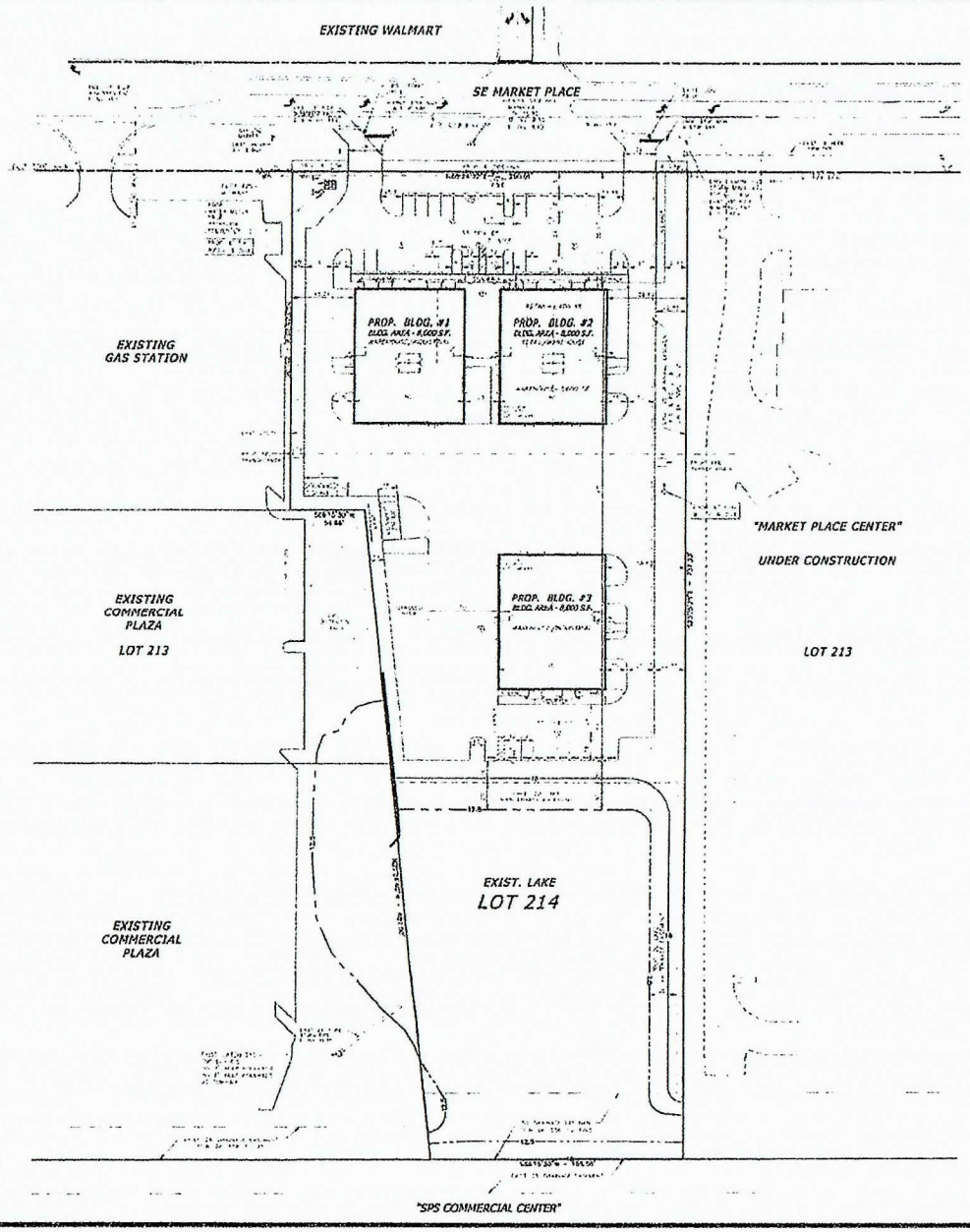
**Figure 3**

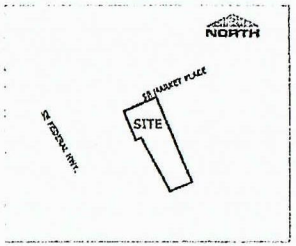
Driveway Volumes

Lakeside Marketplace

# APPENDIX A

## Site Plan




LOCATION MAP

GRAPHIC SCALE

NO TRESPASSING SIGN DETAIL

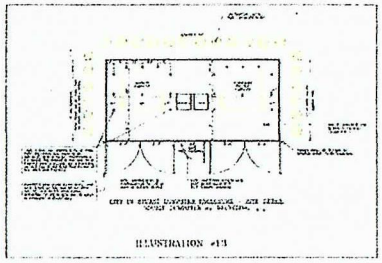
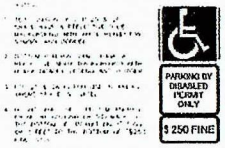


ILLUSTRATION #13




| DATE | REVISION |
|---|---|

Lakeside Marketplace

CITY OF STUART, FLORIDA

SITE PLAN A-1

1

# APPENDIX B

## Martin County 2018 LOS Report

# Martin County 2018 Roadway Level of Service Inventory Report

| Road Name | From | To | Generalized Service Capacity | 2018 Average Annual Daily Traffic | Peak Hour Factor $K_{30}$ | Directional Distribution $D_{100}$ | 2018 Peak Hour Directional Volume | 2018 Generalized LOS | Avg. Annual Growth Rate |
|---|---|---|---|---|---|---|---|---|---|
| Baker Rd | SR-5 | CR-723 | 750 | 5,134 | 0.09 | 0.51 | 230 | C | 2.2% |
| Berry Ave | Golden Bear Wy | CR-714 | 750 | 3,496 | 0.09 | 0.50 | 157 | C | 0.9% |
| Berry Ave | CR-714 | Sunset Tr | 750 | 1,917 | 0.09 | 0.53 | 91 | C | 1.0% |
| Britt Rd | Pine Lake Dr | SR-5 | 750 | 4,538 | 0.08 | 0.58 | 208 | C | 0.5% |
| Citrus Blvd. | CR-714 (Martin Hwy) | Port St. Lucie Blvd. | 1200 | 5,145 | 0.12 | 0.81 | 479 | C | 6.3% |
| Commerce Ave | Salerno Rd | Monroe St | 750 | 6,810 | 0.10 | 0.60 | 413 | D | 2.5% |
| Commerce Ave | Monroe St | Indian St | 750 | 6,726 | 0.11 | 0.60 | 432 | D | 1.2% |
| Country Club Dr | Palm Beach County | Island Way | 750 | 2,978 | 0.08 | 0.53 | 120 | C | 4.2% |
| Country Club Dr | Island Way | Little Club Dr | 750 | 3,665 | 0.08 | 0.59 | 164 | C | 4.4% |
| County Line Rd | Little Club Dr | SR-5 | 750 | 2,517 | 0.08 | 0.53 | 105 | C | 0.5% |
| Cove Rd | SR-76 | Willoughby Blvd | 880 | 13,912 | 0.10 | 0.51 | 681 | C | 3.3% |
| Cove Rd | Willoughby Blvd | SR-5 | 880 | 14,894 | 0.09 | 0.54 | 732 | C | 2.1% |
| Cove Rd | SR-5 | CR-A1A | 750 | 12,683 | 0.08 | 0.52 | 547 | D | 4.2% |
| Cove Rd | CR-A1A | End | 675 | 5,547 | 0.09 | 0.57 | 285 | C | 0.5% |
| CR-609 (Allapattah Rd) | SR-710 | CR-714 | 740 | 1,793 | 0.09 | 0.53 | 85 | A/B | 5.3% |
| CR-609 (Allapattah Rd) | CR-714 | St Lucie County | 740 | 1,812 | 0.09 | 0.65 | 106 | A/B | 6.0% |
| CR-707 (Beach Rd) | Palm Beach County | CR-708 | 675 | 1,928 | 0.09 | 0.63 | 111 | C | 5.3% |
| CR-707 (Dixie Hwy) | CR-723/CR-707 | CR-707 (Indian River Dr) | 750 | 5,401 | 0.09 | 0.51 | 237 | C | 0.5% |
| CR-707 (Indian River Dr) | CR-707 (Dixie Hwy) | CR-707A (Jensen Beach Blvd.) | 675 | 10,488 | 0.10 | 0.54 | 578 | D | 2.2% |
| CR-707 (Indian River Dr) | CR-707A | SR-732 | 675 | 5,683 | 0.08 | 0.53 | 241 | C | 0.5% |
| CR-707 (Indian River Dr) | SR-732 | St. Lucie County | 675 | 6,216 | 0.09 | 0.61 | 334 | C | 3.1% |

Segments with shaded LOS require additional analysis.
The peaks are: CR-A1A (PM/SB); CR-713 (PM/NB); Murphy Rd (PM/NB); SR-5 (AM/SB); SR-714 [Palm City Bridge] (PM/WB) and SR-714 (PM/WB).

# Martin County 2018 Roadway Level of Service Inventory Report

| Road Name | From | To | Generalized Service Capacity | 2018 Average Annual Daily Traffic | Peak Hour Factor $K_{30}$ | Directional Distribution $D_{100}$ | 2018 Peak Hour Directional Volume | 2018 Generalized LOS | Avg. Annual Growth Rate |
|---|---|---|---|---|---|---|---|---|---|
| CR-714 (Veteran's Memorial Bridge) | Mapp Rd | SR-76 | 2000 | 23,323 | 0.11 | 0.59 | 1,500 | C | 8.0% |
| CR-723 (Savanna Rd) | CR-707 | NE 24th St | 880 | 9,023 | 0.09 | 0.50 | 393 | C | 2.4% |
| CR-723 (Savanna Rd) | NE 24th St | CR-707A (Jensen Beach Blvd.) | 880 | 10,500 | 0.09 | 0.53 | 473 | C | 1.6% |
| CR-726 (Citrus Blvd) | SR-710 | Greenridge Ln | 740 | 2,779 | 0.08 | 0.58 | 132 | A/B | 4.7% |
| CR-726 (Citrus Blvd) | Greenridge Ln | CR-76A | 740 | 2,553 | 0.09 | 0.57 | 131 | A/B | 5.3% |
| CR-76A (Citrus Blvd.) | CR-726 | SR-714 | 1200 | 4,204 | 0.09 | 0.55 | 215 | A/B | 5.6% |
| CR-76A (SW 96th St) | CR-726 | Pennsylvania Ave | 1200 | 3,768 | 0.09 | 0.56 | 190 | A/B | 4.7% |
| CR-76A (SW 96th St) | Pennsylvania Ave | SR-76 | 800 | 8,115 | 0.09 | 0.63 | 435 | C | 4.5% |
| CR-A1A (Dixie Hwy) | SR-5 | CR-708 | 750 | 3,233 | 0.09 | 0.50 | 147 | C | 4.6% |
| CR-A1A (Dixie Hwy) | CR-708 | Osprey St | 880 | 7,508 | 0.11 | 0.53 | 454 | C | 3.6% |
| CR-A1A (Dixie Hwy) | Osprey St | Heritage Blvd | 1190 | 6,641 | 0.08 | 0.55 | 292 | A/B | 4.1% |
| CR-A1A (Dixie Hwy) | Heritage Blvd | Cove Rd | 1190 | 7,348 | 0.09 | 0.54 | 341 | A/B | 4.7% |
| CR-A1A (Dixie Hwy) | Cove Rd | Salerno Rd | 790 | 12,223 | 0.09 | 0.53 | 602 | D | 3.6% |
| CR-A1A (Dixie Hwy) | Salerno Rd | St. Lucie Blvd | 750 | 16,587 | 0.09 | 0.51 | 753 | E | 3.1% |
| CR-A1A (Dixie Hwy) | St Lucie Blvd | Jefferson St | 750 | 13,991 | 0.10 | 0.50 | 700 | D | 2.5% |
| CR-A1A (Dixie Hwy) | Jefferson St | Indian St | 1630 | 18,643 | 0.08 | 0.52 | 756 | D | 4.0% |
| CR-A1A (Dixie Hwy) | Indian St | SR-714 | 2000 | 16,285 | 0.10 | 0.50 | 790 | C | 0.9% |
| CR-A1A (Dixie Hwy) | SR-714 | SE Fifth St | 675 | 6,585 | 0.09 | 0.55 | 340 | D | 2.0% |
| Dr Martin Luther King Jr Blvd | Farm Rd | SR-710 | 675 | 2,169 | 0.07 | 0.53 | 83 | C | 4.0% |
| Farm Rd | Dr Martin Luther King Jr Dr | Palm Wy | 750 | 2,588 | 0.06 | 0.59 | 93 | C | 2.0% |
| Fox Brown Rd | SR-710 | CR-714 | 740 | 333 | 0.08 | 0.60 | 16 | A/B | 0.0% |

Segments with shaded LOS require additional analysis.
The peaks are: CR-A1A (PM/SB); CR-713 (PM/NB); Murphy Rd (PM/NB); SR-5 (AM/SB); SR-714 [Palm City Bridge] (PM/WB) and SR-714 (PM/WB).

# Martin County 2018 Roadway Level of Service Inventory Report

| Road Name | From | To | Generalized Service Capacity | 2018 Average Annual Daily Traffic | Peak Hour Factor $K_{30}$ | Directional Distribution $D_{100}$ | 2018 Peak Hour Directional Volume | 2018 Generalized LOS | Avg. Annual Growth Rate |
|---|---|---|---|---|---|---|---|---|---|
| Goldenrod Rd | Britt Rd | SR-732 | 1630 | 4,838 | 0.08 | 0.61 | 242 | C | 0.5% |
| Goldenrod Rd | SR-732 | SR-5 | 750 | 6,933 | 0.09 | 0.56 | 357 | C | 2.1% |
| Goldenrod Rd | SR-5 | Westmoreland Blvd | 750 | 4,350 | 0.09 | 0.73 | 273 | C | 4.6% |
| Gomez Ave | CR-708 | Crossrip St | 750 | 3,616 | 0.09 | 0.64 | 199 | C | 0.5% |
| Gomez Ave | Crossrip St | Osprey St | 750 | 1,079 | 0.08 | 0.58 | 49 | C | 0.5% |
| Green River Parkway | Dixie Hwy | Baker Rd | 750 | 6,728 | 0.10 | 0.64 | 444 | D | 5.2% |
| Green River Parkway | Baker Rd | SR-732 | 880 | 8,203 | 0.12 | 0.65 | 635 | C | 6.1% |
| Green River Parkway | SR-732 | St. Lucie County | 1190 | 8,395 | 0.10 | 0.63 | 513 | C | 4.2% |
| Horseshoe Point Rd | CR-A1A | Kubin Ave | 675 | 5,725 | 0.08 | 0.53 | 252 | C | 0.5% |
| Indian St | SR-76 | Willoughby Blvd | 2000 | 28,668 | 0.10 | 0.58 | 1,679 | C | 7.0% |
| Indian St | Willoughby Blvd | SR-5 | 2000 | 28,304 | 0.08 | 0.50 | 1,189 | C | 3.9% |
| Indian St | SR-5 | Commerce Ave | 2000 | 22,456 | 0.09 | 0.54 | 1,031 | C | 0.5% |
| Indian St | Commerce Ave | CR-A1A | 2000 | 24,848 | 0.09 | 0.50 | 1,068 | C | 1.0% |
| Indian St | CR-A1A | St Lucie Blvd | 675 | 7,214 | 0.09 | 0.53 | 359 | D | 0.5% |
| Indian River Dr | Palmer St | CR-707 | 750 | 7,243 | 0.09 | 0.57 | 363 | C | 0.5% |
| Island Way | Palm Beach County | Jupiter Road | 1200 | 4,326 | 0.10 | 0.58 | 261 | A/B | 2.6% |
| Island Way | Jupiter Road | Country Club Dr | 750 | 5,230 | 0.08 | 0.52 | 204 | C | 3.1% |
| Jack James Rd | SR-76 | Blue Water Wy | 750 | 2,999 | 0.13 | 0.66 | 255 | C | 4.2% |
| Lares St | CR-708 | CR-A1A | 675 | 3,430 | 0.09 | 0.69 | 206 | C | 2.8% |
| Little Club Wy | Country Club Dr | Wooden Bridge Wy | 675 | 2,382 | 0.08 | 0.55 | 103 | C | 1.2% |
| Locks Rd | Canal St | SR-76 | 675 | 3,722 | 0.08 | 0.53 | 154 | C | 1.1% |

Segments with shaded LOS require additional analysis.
The peaks are: CR-A1A (PM/SB); CR-713 (PM/NB); Murphy Rd (PM/NB); SR-5 (AM/SB); SR-714 [Palm City Bridge] (PM/WB) and SR-714 (PM/WB).

# Martin County 2018 Roadway Level of Service Inventory Report

| Road Name | From | To | Generalized Service Capacity | 2018 Average Annual Daily Traffic | Peak Hour Factor $K_{30}$ | Directional Distribution $D_{100}$ | 2018 Peak Hour Directional Volume | 2018 Generalized LOS | Avg. Annual Growth Rate |
|---|---|---|---|---|---|---|---|---|---|
| MacArthur Blvd | Sailfish Point | SR-A1A | 675 | 5,386 | 0.10 | 0.58 | 306 | C | 0.5% |
| Mapp Rd | South End | CR-714 | 750 | 5,277 | 0.08 | 0.67 | 297 | C | 0.5% |
| Mapp Rd | CR-714 | SR-714 | 750 | 11,742 | 0.09 | 0.53 | 529 | D | 0.5% |
| Mapp Rd | SR-714 | Matheson Ave | 750 | 5,650 | 0.09 | 0.53 | 275 | C | 1.9% |
| Mapp Rd | Matheson Ave | North End | 750 | 7,637 | 0.08 | 0.54 | 322 | C | 0.5% |
| Market Pl | SR-5 | Commerce Ave | 790 | 4,431 | 0.08 | 0.54 | 187 | C | 1.9% |
| Matheson Ave | SR-714 | Mapp Rd | 750 | 5,077 | 0.09 | 0.61 | 279 | C | 0.5% |
| Monroe St | SR-5 | Commerce Ave | 750 | 1,775 | 0.11 | 0.64 | 130 | C | 1.7% |
| Murphy Rd | Mapp Rd | High Meadow Ave | 750 | 5,986 | 0.10 | 0.51 | 302 | C | 0.5% |
| Murphy Rd | High Meadow Ave | St Lucie County | 750 | 9,699 | 0.13 | 0.72 | 887 | F | 4.5% |
| Ocean Blvd | Flagler Ave | Palm Beach Rd | 790 | 9,760 | 0.10 | 0.60 | 556 | D | 1.7% |
| Ocean Blvd | Palm Beach Rd | SR-714 | 1465 | 12,209 | 0.10 | 0.52 | 635 | C | 0.5% |
| Osprey St | SR-5 | CR-A1A | 750 | 5,057 | 0.07 | 0.54 | 197 | C | 1.0% |
| Osprey St | CR-A1A | Gomez Ave | 750 | 1,864 | 0.09 | 0.61 | 100 | C | 0.5% |
| Palm Beach Rd | SR-714 | Ocean Blvd | 710 | 8,272 | 0.09 | 0.55 | 428 | D | 0.5% |
| Palm City Rd | SR-714 | SR-5 | 750 | 7,323 | 0.08 | 0.59 | 363 | C | 1.1% |
| Palmer St | CR-707 | Indian River Dr | 750 | 3,007 | 0.11 | 0.61 | 205 | C | 1.8% |
| Pineapple Wy | CR-707A(Jensen Beach Blvd.) | SR-732 | 750 | 11,663 | 0.10 | 0.53 | 593 | D | 2.5% |
| Pomeroy St | SR-76 | Willoughby Blvd | 790 | 8,804 | 0.08 | 0.62 | 442 | D | 2.4% |
| Pomeroy St | Willoughby Blvd | SR-5 | 790 | 8,898 | 0.08 | 0.57 | 380 | C | 3.9% |
| Salerno Rd | SR-76 | Willoughby Blvd | 880 | 7,950 | 0.09 | 0.52 | 389 | C | 3.5% |

Segments with shaded LOS require additional analysis.
The peaks are: CR-A1A (PM/SB); CR-713 (PM/NB); Murphy Rd (PM/NB); SR-5 (AM/SB); SR-714 [Palm City Bridge] (PM/WB) and SR-714 (PM/WB).

# Martin County 2018 Roadway Level of Service Inventory Report

| Road Name | From | To | Generalized Service Capacity | 2018 Average Annual Daily Traffic | Peak Hour Factor $K_{30}$ | Directional Distribution $D_{100}$ | 2018 Peak Hour Directional Volume | 2018 Generalized LOS | Avg. Annual Growth Rate |
|---|---|---|---|---|---|---|---|---|---|
| Salerno Rd | Willoughby Blvd | SR-5 | 790 | 9,765 | 0.12 | 0.62 | 727 | D | 1.8% |
| Salerno Rd | SR-5 | Commerce Ave | 750 | 9,439 | 0.08 | 0.55 | 431 | D | 0.5% |
| Salerno Rd | Commerce Ave | CR-A1A | 750 | 7,502 | 0.09 | 0.51 | 337 | C | 0.5% |
| Seabranch Blvd | Doubletree Dr | SR-5 | 2000 | 6,403 | 0.09 | 0.55 | 310 | C | 0.5% |
| Sewalls Pt Rd | SR-A1A | Palmer St | 675 | 9,542 | 0.09 | 0.52 | 461 | D | 1.0% |
| Skyline Dr | CR-707A | CR-707 | 675 | 2,064 | 0.08 | 0.55 | 87 | C | 3.0% |
| SR-5 (US-1) | Palm Beach County | CR-A1A | 3110 | 21,690 | 0.09 | 0.56 | 1,032 | A/B | 3.8% |
| SR-5 (US-1) | CR-A1A | CR-708 | 2000 | 17,113 | 0.09 | 0.68 | 1,094 | C | 3.1% |
| SR-5 (US-1) | CR-708 | Osprey St | 2000 | 24,451 | 0.10 | 0.65 | 1,589 | C | 2.0% |
| SR-5 (US-1) | Osprey St | Seabranch Blvd | 2000 | 24,010 | 0.08 | 0.61 | 1,128 | C | 1.2% |
| SR-5 (US-1) | Seabranch Blvd | Cove Rd | 3020 | 30,639 | 0.08 | 0.51 | 1,313 | C | 0.5% |
| SR-5 (US-1) | Cove Rd | Salerno Rd | 3020 | 34,682 | 0.08 | 0.54 | 1,461 | C | 0.5% |
| SR-5 (US-1) | Salerno Rd | Monroe St | 3020 | 42,146 | 0.08 | 0.52 | 1,775 | C | 0.9% |
| SR-5 (US-1) | Monroe St | Indian St | 3020 | 45,627 | 0.08 | 0.52 | 1,922 | C | 1.3% |
| SR-5 (US-1) | Indian St | SR-714 | 3020 | 45,758 | 0.09 | 0.51 | 2,194 | C | 0.9% |
| SR-5 (US-1) | SR-714 | SR-5A | 3020 | 38,109 | 0.09 | 0.54 | 1,934 | C | 0.7% |
| SR-5 (US-1) | SR-5A(Cut-off Rd) | SR-76 | 3020 | 36,130 | 0.09 | 0.51 | 1,640 | C | 0.5% |
| SR-5 (US-1) | SR-76 | Palm City Rd | 2520 | 49,890 | 0.08 | 0.57 | 2,247 | D | 1.4% |
| SR-5 (US-1) | Palm City Rd | Joan Jefferson Wy | 2520 | 55,868 | 0.08 | 0.64 | 2,860 | F | 0.8% |
| SR-5 (US-1) | Joan Jefferson Wy | Wright Blvd | 3020 | 59,857 | 0.08 | 0.60 | 2,892 | C | 1.4% |
| SR-5 (US-1) | Wright Blvd | Baker Rd | 3020 | 54,975 | 0.08 | 0.50 | 2,172 | C | 1.1% |

Segments with shaded LOS require additional analysis.
The peaks are: CR-A1A (PM/SB); CR-713 (PM/NB); Murphy Rd (PM/NB); SR-5 (AM/SB); SR-714 [Palm City Bridge] (PM/WB) and SR-714 (PM/WB).

# APPENDIX C

## Intersection Analysis Data

# MARTIN COUNTY TRAFFIC

**Intersection:** 83 SR-5 (US1) @ POMEROY/MARKET ST

| | SBLT | NB | EBLT | WB | NBLT | SB | WBLT | EB |
|---|---|---|---|---|---|---|---|---|
| **PHASE** | **1** | **2** | **3** | **4** | **5** | **6** | **7** | **8** |
| **Min green** | 10 | 25 | 7 | 10 | 10 | 25 | 7 | 10 |
| **Vehicle Ext** | 4 | 4 | 3 | 3 | 3 | 4 | 3 | 3 |
| **Max 1** | 20 | 60 | 20 | 30 | 20 | 60 | 20 | 30 |
| **Max 2** | | | | | | | | |
| **Yellow** | 4.4 | 4.8 | 3.7 | 4 | 4.4 | 4.8 | 3.7 | 4 |
| **Red Clear** | 2.3 | 2.1 | 3.4 | 3.1 | 2.6 | 2.1 | 2.7 | 3.4 |
| | | | | | | | | |
| **Walk** | 0 | 7 | 0 | 5 | 0 | 7 | 0 | 5 |
| **Ped Clear** | 0 | 23 | 0 | 32 | 0 | 26 | 0 | 33 |
| | | | | | | | | |
| **Start Up** | | Green | | | | Green | | |
| **Locking Detector** | | X | | | | X | | |
| **Veh. Recalls** | | Min | | | | Min | | |
| | | | | | | | | |
| **Assigned ph.** | | | 3 | | | | 7 | |
| **Cross Switch Ph** | | | 8 | | | | 4 | |

April 1, 2020

**MARTIN COUNTY TRAFFIC**

**LOCATION:** **83** **SR-5 (US1) @ POMEROY/MARKET ST**

## Day Plan

**Day 2 = Weekdays Day 1 = Weekends**

| DAY | START | COBALT plan | | | |
|---|---|---|---|---|---|
| 1 | 9:00 | 1 | | | |
| 1 | 21:00 | 99 | Free | | |
| 2 | 6:00 | 3 | | | |
| 2 | 9:30 | 5 | | | |
| 2 | 15:00 | 7 | | | |
| 2 | 18:30 | 9 | | | |
| 2 | 20:30 | 99 | Free | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| Plan | | 1 | | 3 | 5 | 7 | 9 | |
|---|---|---|---|---|---|---|---|---|
| OFFSET | | 94 | | 66 | 89 | 37 | 21 | |
| CYCLE LENGTH | | 160 | | 160 | 160 | 160 | 140 | |
| Cobalt Sequence | | 5 | | 1 | 5 | 1 | 5 | |
| PHASE | | SPLITS (SECONDS) | | | | | | |
| 1 | SBLT | 44 | | 39 | 39 | 39 | 36 | |
| 2 | NB | 65 | | 69 | 72 | 66 | 57 | |
| 3 | EBLT | 22 | | 25 | 22 | 20 | 18 | |
| 4 | WB | 29 | | 27 | 27 | 35 | 29 | |
| 5 | NBLT | **25** | | 23 | **22** | 31 | **23** | |
| 6 | SB | 84 | | 85 | 89 | 74 | 70 | |
| 7 | WBLT | 26 | | 25 | 22 | 30 | 20 | |
| 8 | EB | 25 | | 27 | 27 | 25 | 27 | |

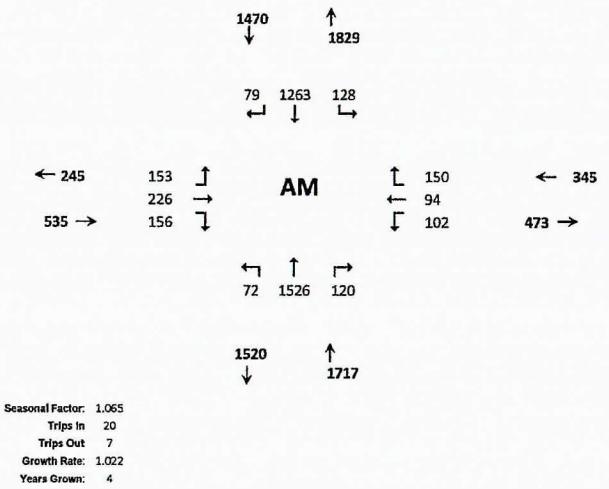
**Lagging** phase when **BOLD** type & gray box

Printed 04/01/20

# TURNING MOVEMENT VOLUME COUNTS

**N/S STREET:** US 1 **E/W STREET:** Pomeroy St / Market Pl **CONTROL:**
**FILENAME:** Lake Side Market Place
**COUNT DATE:** 12/19/2017 **DAY:** Tuesday **CITY:** Stuart **INTERSECTION:**
**REPORT DATE:** 8/22/2019 **ANALYSIS YEAR:** 2021

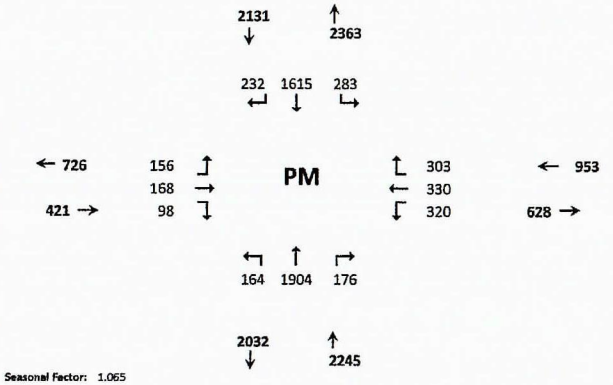
| 15 Min Period | Northbound | | | Southbound | | | Eastbound | | | Westbound | | | | ONE HOUR SUM |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | NBL | NBT | NBR | SBL | SBT | SBR | EBL | EBT | EBR | WBL | WBT | WBR | TOTAL | |
| 7:00-7:15 | 7 | 254 | 19 | 16 | 262 | 16 | 22 | 24 | 28 | 17 | 16 | 8 | 689 | 3167 |
| 7:15-7:30 | 12 | 252 | 14 | 27 | 237 | 19 | 36 | 43 | 47 | 18 | 10 | 19 | 734 | 3378 |
| 7:30-7:45 | 14 | 362 | 25 | 28 | 252 | 9 | 28 | 69 | 40 | 9 | 21 | 32 | 889 | 3480 |
| 7:45-8:00 | 21 | 329 | 21 | 22 | 252 | 19 | 33 | 47 | 37 | 22 | 23 | 29 | 855 | 3371 |
| 8:00-8:15 | 13 | 331 | 33 | 21 | 279 | 22 | 43 | 36 | 32 | 35 | 28 | 27 | 900 | 3434 |
| 8:15-8:30 | 14 | 291 | 17 | 32 | 304 | 18 | 28 | 41 | 25 | 19 | 8 | 39 | 836 | |
| 8:30-8:45 | 16 | 298 | 28 | 25 | 231 | 15 | 42 | 35 | 31 | 21 | 16 | 22 | 780 | |
| 8:45-9:00 | 10 | 319 | 29 | 40 | 298 | 18 | 30 | 51 | 23 | 41 | 20 | 39 | 918 | |
| AM PEAK HOUR IS FROM: | 7:30 AM TO 8:30AM | | | | | | | | | | | | | |
| Volumes | 62 | 1313 | 96 | 103 | 1087 | 68 | 132 | 193 | 134 | 85 | 80 | 127 | 3480 | |
| Season Factor | 66 | 1398 | 102 | 110 | 1158 | 72 | 141 | 206 | 143 | 91 | 85 | 135 | 3706 | |
| Growth | 72 | 1526 | 112 | 120 | 1263 | 79 | 153 | 224 | 156 | 99 | 93 | 148 | 4043 | |
| In/Out | - | - | In | In | - | - | - | In | - | Out | Out | Out | - | |
| Percentage | 0% | 0% | 40% | 40% | 0% | 0% | 0% | 10% | 0% | 40% | 10% | 40% | 0% | |
| PROJECT | 0 | 0 | 8 | 8 | 0 | 0 | 0 | 2 | 0 | 3 | 1 | 3 | 0 | |
| Total | 72 | 1526 | 120 | 128 | 1263 | 79 | 153 | 226 | 156 | 102 | 94 | 150 | 4067 | |




Seasonal Factor: 1.065
Trips In 20
Trips Out 7
Growth Rate: 1.022
Years Grown: 4

C-3

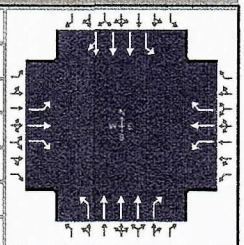
| 15 Min Period lanes | Northbound | | | Southbound | | | Eastbound | | | Westbound | | | | ONE HOUR SUM |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | NBL | NBT | NBR | SBL | SBT | SBR | EBL | EBT | EBR | WBL | WBT | WBR | TOTAL | |
| 4:00-4:15 | 40 | 469 | 32 | 57 | 306 | 36 | 34 | 29 | 19 | 87 | 80 | 101 | 1290 | 4906 |
| 4:15-4:30 | 22 | 370 | 42 | 64 | 378 | 45 | 29 | 33 | 23 | 66 | 73 | 53 | 1198 | 4834 |
| 4:30-4:45 | 30 | 388 | 47 | 67 | 359 | 60 | 30 | 36 | 17 | 65 | 77 | 59 | 1235 | 4824 |
| 4:45-5:00 | 49 | 412 | 24 | 49 | 347 | 59 | 41 | 45 | 25 | 45 | 51 | 36 | 1183 | 4784 |
| 5:00-5:15 | 64 | 355 | 32 | 63 | 375 | 62 | 30 | 27 | 28 | 48 | 85 | 49 | 1218 | 4628 |
| 5:15-5:30 | 27 | 432 | 23 | 51 | 378 | 59 | 27 | 30 | 25 | 49 | 44 | 43 | 1188 | |
| 5:30-5:45 | 30 | 372 | 37 | 61 | 375 | 65 | 34 | 27 | 25 | 40 | 77 | 52 | 1195 | |
| 5:45-6:00 | 41 | 319 | 39 | 40 | 311 | 69 | 28 | 46 | 23 | 36 | 31 | 44 | 1027 | |
| PM PEAK HOUR IS FROM: | 4:00PM TO 5:00PM | | | | | | | | | | | | | |
| Volumes | 141 | 1639 | 145 | 237 | 1390 | 200 | 134 | 143 | 84 | 263 | 281 | 249 | 4906 | |
| Season Factor | 150 | 1746 | 154 | 252 | 1480 | 213 | 143 | 152 | 89 | 280 | 299 | 265 | 5225 | |
| Growth | 164 | 1904 | 168 | 275 | 1615 | 232 | 156 | 166 | 98 | 306 | 326 | 289 | 5700 | |
| In/Out | - | - | In | In | - | - | - | In | - | Out | Out | Out | - | |
| Percentage | 0% | 0% | 40% | 40% | 0% | 0% | 0% | 10% | 0% | 40% | 10% | 40% | 0% | |
| Project | 0 | 0 | 8 | 8 | 0 | 0 | 0 | 2 | 0 | 14 | 4 | 14 | 0 | |
| Total | 164 | 1904 | 176 | 283 | 1615 | 232 | 156 | 168 | 98 | 320 | 330 | 303 | 5750 | |




Seasonal Factor: 1.065
Growth Rate: 1.022
Trips In: 20
Trips Out: 35
Years Grown: 4

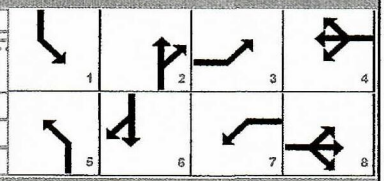
# HCS7 Signalized Intersection Results Summary

| General Information | | | | Intersection Information | |
|---|---|---|---|---|---|
| Agency | O'Rourke Engineering & Planning | | | Duration, h | 0.25 |
| Analyst | James Kemp | Analysis Date | Apr 14, 2020 | Area Type | Other |
| Jurisdiction | City of Stuart | Time Period | AM Peak Hour | PHF | 0.95 |
| Urban Street | US 1 | Analysis Year | 2021 | Analysis Period | 1> 7:00 |
| Intersection | Market Place/Pomeroy | File Name | CH - US-1 & Market Place - AM - 4.14.20.xus | | |
| Project Description | Lakeside Market Place | | | | |



| Demand Information | EB | | | WB | | | NB | | | SB | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Approach Movement | L | T | R | L | T | R | L | T | R | L | T | R |
| Demand ( *v* ), veh/h | 153 | 226 | 156 | 102 | 94 | 150 | 72 | 1526 | 120 | 128 | 1263 | 79 |

| Signal Information | | | |
|---|---|---|---|
| Cycle, s | 160.0 | Reference Phase | 2 |
| Offset, s | 0 | Reference Point | End |
| Uncoordinated | No | Simult. Gap E/W | On |
| Force Mode | Fixed | Simult. Gap N/S | On |




| | EB | | WB | | | NB | | |
|---|---|---|---|---|---|---|---|---|
| Green | 9.7 | 4.0 | 85.3 | 10.3 | 4.9 | 18.5 | | |
| Yellow | 4.4 | 0.0 | 4.8 | 3.7 | 0.0 | 4.0 | | |
| Red | 2.6 | 0.0 | 2.1 | 2.7 | 0.0 | 3.1 | | |

| Timer Results | EBL | EBT | WBL | WBT | NBL | NBT | SBL | SBT |
|---|---|---|---|---|---|---|---|---|
| Assigned Phase | 3 | 8 | 7 | 4 | 5 | 2 | 1 | 6 |
| Case Number | 1.1 | 3.0 | 1.1 | 3.0 | 2.0 | 3.0 | 2.0 | 4.0 |
| Phase Duration, s | 21.6 | 30.5 | 16.7 | 25.6 | 16.7 | 92.2 | 20.6 | 96.2 |
| Change Period, ( $Y+R_c$ ), s | 7.1 | 7.4 | 6.4 | 7.4 | 7.0 | 6.9 | 6.7 | 6.9 |
| Max Allow Headway ( *MAH* ), s | 3.0 | 3.1 | 3.0 | 3.1 | 3.0 | 0.0 | 3.0 | 0.0 |
| Queue Clearance Time ( $g_s$ ), s | 14.4 | 21.6 | 10.3 | 17.4 | 8.6 | | 13.8 | |
| Green Extension Time ( $g_e$ ), s | 0.1 | 0.8 | 0.1 | 0.8 | 0.1 | 0.0 | 0.2 | 0.0 |
| Phase Call Probability | 1.00 | 1.00 | 0.99 | 1.00 | 0.97 | | 1.00 | |
| Max Out Probability | 0.60 | 0.19 | 0.00 | 0.28 | 0.00 | | 0.00 | |

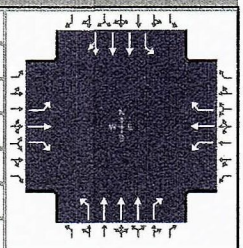
| Movement Group Results | EB | | | WB | | | NB | | | SB | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Approach Movement | L | T | R | L | T | R | L | T | R | L | T | R |
| Assigned Movement | 3 | 8 | 18 | 7 | 4 | 14 | 5 | 2 | 12 | 1 | 6 | 16 |
| Adjusted Flow Rate ( *v* ), veh/h | 161 | 238 | 164 | 107 | 99 | 158 | 76 | 1606 | 126 | 135 | 952 | 461 |
| Adjusted Saturation Flow Rate ( *s* ), veh/h/ln | 1810 | 1900 | 1610 | 1810 | 1900 | 1610 | 1810 | 1725 | 1610 | 1810 | 1900 | 1840 |
| Queue Service Time ( $g_s$ ), s | 12.4 | 19.6 | 15.5 | 8.3 | 7.8 | 15.4 | 6.6 | 33.6 | 6.4 | 11.8 | 23.6 | 23.6 |
| Cycle Queue Clearance Time ( $g_c$ ), s | 12.4 | 19.6 | 15.5 | 8.3 | 7.8 | 15.4 | 6.6 | 33.6 | 6.4 | 11.8 | 23.6 | 23.6 |
| Green Ratio ( *g/C* ) | 0.20 | 0.14 | 0.14 | 0.18 | 0.11 | 0.11 | 0.06 | 0.53 | 0.53 | 0.09 | 0.56 | 0.56 |
| Capacity ( *c* ), veh/h | 295 | 274 | 232 | 172 | 216 | 183 | 109 | 2759 | 858 | 157 | 2120 | 1027 |
| Volume-to-Capacity Ratio ( *X* ) | 0.547 | 0.867 | 0.706 | 0.623 | 0.458 | 0.863 | 0.694 | 0.582 | 0.147 | 0.856 | 0.449 | 0.449 |
| Back of Queue ( *Q* ), ft/ln ( 95 th percentile) | 239.1 | 398.7 | 269.5 | 172.2 | 169.9 | 292.2 | 140.1 | 491.3 | 109.8 | 237.4 | 392.9 | 389.1 |
| Back of Queue ( *Q* ), veh/ln ( 95 th percentile) | 9.6 | 15.9 | 10.8 | 6.9 | 6.8 | 11.7 | 5.6 | 19.7 | 4.4 | 9.5 | 15.7 | 15.6 |
| Queue Storage Ratio ( *RQ* ) ( 95 th percentile) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Uniform Delay ( $d_1$ ), s/veh | 55.8 | 67.0 | 65.2 | 58.4 | 66.3 | 69.7 | 73.7 | 25.3 | 18.9 | 72.1 | 20.9 | 20.9 |
| Incremental Delay ( $d_2$ ), s/veh | 0.6 | 16.2 | 4.3 | 1.4 | 0.6 | 19.5 | 2.9 | 0.9 | 0.4 | 5.1 | 0.7 | 1.4 |
| Initial Queue Delay ( $d_3$ ), s/veh | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Control Delay ( *d* ), s/veh | 56.4 | 83.2 | 69.5 | 59.8 | 66.9 | 89.2 | 76.7 | 26.2 | 19.3 | 77.1 | 21.6 | 22.3 |
| Level of Service (LOS) | E | F | E | E | E | F | E | C | B | E | C | C |
| Approach Delay, s/veh / LOS | 71.5 | E | | 74.5 | E | | 27.8 | C | | 26.6 | C | |
| Intersection Delay, s/veh / LOS | 37.1 | | | | | | D | | | | | |

| Multimodal Results | EB | | WB | | NB | | SB | |
|---|---|---|---|---|---|---|---|---|
| Pedestrian LOS Score / LOS | 2.75 | C | 2.62 | C | 2.10 | B | 2.10 | B |
| Bicycle LOS Score / LOS | 1.42 | A | 1.09 | A | 1.48 | A | 1.34 | A |

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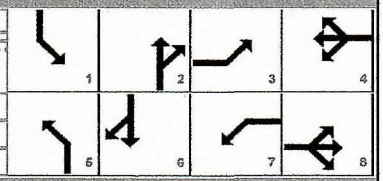
# HCS7 Signalized Intersection Results Summary

| General Information | | | | Intersection Information | |
|---|---|---|---|---|---|
| Agency | O'Rourke Engineering & Planning | | | Duration, h | 0.25 |
| Analyst | James Kemp | Analysis Date | Apr 14, 2020 | Area Type | Other |
| Jurisdiction | City of Stuart | Time Period | PM Peak Hour | PHF | 0.95 |
| Urban Street | US 1 | Analysis Year | 2021 | Analysis Period | 1> 7:00 |
| Intersection | Market Place/Pomeroy | File Name | CH - US-1 & Market Place - PM - 4.14.20.xus | | |
| Project Description | Lakeside Market Place | | | | |



| Demand Information | EB | | | WB | | | NB | | | SB | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Approach Movement | L | T | R | L | T | R | L | T | R | L | T | R |
| Demand ( *v* ), veh/h | 156 | 168 | 98 | 320 | 330 | 303 | 164 | 1904 | 176 | 283 | 1615 | 232 |

| Signal Information | | | |
|---|---|---|---|
| Cycle, s | 160.0 | Reference Phase | 2 |
| Offset, s | 0 | Reference Point | End |
| Uncoordinated | No | Simult. Gap E/W | On |
| Force Mode | Fixed | Simult. Gap N/S | On |




| | EB | | | WB | | | NB | | | SB | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Green | 17.0 | 3.8 | | 63.6 | 12.9 | 3.6 | 17.6 | | | | | |
| Yellow | 4.4 | 4.4 | | 4.8 | 3.7 | 3.7 | 4.0 | | | | | |
| Red | 2.6 | 2.3 | | 2.1 | 3.4 | 2.7 | 3.4 | | | | | |

| Timer Results | EBL | EBT | WBL | WBT | NBL | NBT | SBL | SBT |
|---|---|---|---|---|---|---|---|---|
| Assigned Phase | 3 | 8 | 7 | 4 | 5 | 2 | 1 | 6 |
| Case Number | 1.1 | 3.0 | 1.1 | 3.0 | 2.0 | 3.0 | 2.0 | 4.0 |
| Phase Duration, s | 20.0 | 25.0 | 30.0 | 35.0 | 24.0 | 70.5 | 34.5 | 81.0 |
| Change Period, ( $Y+R_c$ ), s | 7.1 | 7.4 | 6.4 | 7.4 | 7.0 | 6.9 | 6.7 | 6.9 |
| Max Allow Headway ( *MAH* ), s | 3.0 | 2.9 | 3.0 | 2.9 | 3.0 | 0.0 | 3.0 | 0.0 |
| Queue Clearance Time ( $g_s$ ), s | 14.6 | 16.4 | 27.3 | 31.2 | 16.8 | | 27.6 | |
| Green Extension Time ( $g_e$ ), s | 0.0 | 0.2 | 0.0 | 0.0 | 0.2 | 0.0 | 0.3 | 0.0 |
| Phase Call Probability | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | | 1.00 | |
| Max Out Probability | 1.00 | 1.00 | 1.00 | 1.00 | 0.01 | | 0.23 | |

| Movement Group Results | EB | | | WB | | | NB | | | SB | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Approach Movement | L | T | R | L | T | R | L | T | R | L | T | R |
| Assigned Movement | 3 | 8 | 18 | 7 | 4 | 14 | 5 | 2 | 12 | 1 | 6 | 16 |
| Adjusted Flow Rate ( *v* ), veh/h | 164 | 177 | 0 | 337 | 347 | 21 | 173 | 2004 | 185 | 298 | 1322 | 623 |
| Adjusted Saturation Flow Rate ( *s* ), veh/h/ln | 1810 | 1900 | 1610 | 1810 | 1900 | 1610 | 1810 | 1899 | 1610 | 1810 | 1898 | 1775 |
| Queue Service Time ( $g_s$ ), s | 12.6 | 14.4 | 0.0 | 25.3 | 29.2 | 1.7 | 14.8 | 50.8 | 12.2 | 25.6 | 44.4 | 44.9 |
| Cycle Queue Clearance Time ( $g_c$ ), s | 12.6 | 14.4 | 0.0 | 25.3 | 29.2 | 1.7 | 14.8 | 50.8 | 12.2 | 25.6 | 44.4 | 44.9 |
| Green Ratio ( *g/C* ) | 0.21 | 0.12 | 0.12 | 0.29 | 0.18 | 0.18 | 0.12 | 0.41 | 0.41 | 0.62 | 0.48 | 0.48 |
| Capacity ( *c* ), veh/h | 210 | 233 | 197 | 369 | 352 | 298 | 219 | 2363 | 668 | 342 | 1825 | 853 |
| Volume-to-Capacity Ratio ( *X* ) | 0.782 | 0.760 | 0.000 | 0.914 | 0.988 | 0.071 | 0.788 | 0.848 | 0.277 | 0.871 | 0.724 | 0.730 |
| Back of Queue ( *Q* ), ft/ln ( 95 th percentile) | 270.2 | 306.4 | 0 | 509.9 | 631.2 | 31.5 | 288.7 | 801.4 | 213 | 475 | 695.6 | 683.4 |
| Back of Queue ( *Q* ), veh/ln ( 95 th percentile) | 10.8 | 12.3 | 0.0 | 20.4 | 25.2 | 1.3 | 11.5 | 32.1 | 8.5 | 19.0 | 27.8 | 27.3 |
| Queue Storage Ratio ( *RQ* ) ( 95 th percentile) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Uniform Delay ( $d_1$ ), s/veh | 55.8 | 68.9 | 0.0 | 50.9 | 65.2 | 53.8 | 68.3 | 43.4 | 31.0 | 63.0 | 34.1 | 33.2 |
| Incremental Delay ( $d_2$ ), s/veh | 15.8 | 12.3 | 0.0 | 26.0 | 44.6 | 0.0 | 6.4 | 4.0 | 1.0 | 15.6 | 2.5 | 5.4 |
| Initial Queue Delay ( $d_3$ ), s/veh | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Control Delay ( *d* ), s/veh | 71.6 | 81.1 | 0.0 | 76.9 | 109.8 | 53.9 | 74.7 | 47.5 | 32.0 | 78.6 | 36.6 | 38.7 |
| Level of Service (LOS) | E | F | | E | F | D | E | D | C | E | D | D |
| Approach Delay, s/veh / LOS | 76.5 | E | | 92.4 | F | | 48.2 | D | | 42.8 | D | |
| Intersection Delay, s/veh / LOS | 53.3 | | | | | | D | | | | | |

| Multimodal Results | EB | | WB | | NB | | SB | |
|---|---|---|---|---|---|---|---|---|
| Pedestrian LOS Score / LOS | 2.75 | C | 2.61 | C | 2.53 | C | 2.25 | B |
| Bicycle LOS Score / LOS | 1.05 | A | 1.65 | B | 1.79 | B | 1.72 | B |

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# APPENDIX D

## Driveway Analysis Data

# HCS7 Two-Way Stop-Control Report

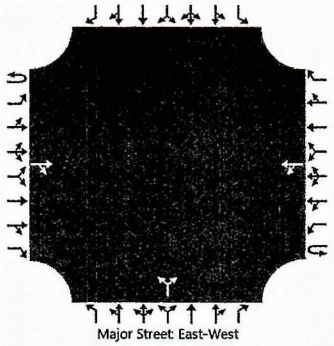
## General Information

| | |
|---|---|
| Analyst | James Kemp |
| Agency/Co. | O'Rourke Engineering |
| Date Performed | 4/14/2020 |
| Analysis Year | 2021 |
| Time Analyzed | AM Peak Hour |
| Intersection Orientation | East-West |
| Project Description | Marketplace |

## Site Information

| | |
|---|---|
| Intersection | Project Driveway |
| Jurisdiction | Martin County |
| East/West Street | Market Place |
| North/South Street | Project Driveway |
| Peak Hour Factor | 0.95 |
| Analysis Time Period (hrs) | 0.25 |

## Lanes




## Vehicle Volumes and Adjustments

| Approach | Eastbound | | | | Westbound | | | | Northbound | | | | Southbound | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Movement | U | L | T | R | U | L | T | R | U | L | T | R | U | L | T | R |
| Priority | 1U | 1 | 2 | 3 | 4U | 4 | 5 | 6 | | 7 | 8 | 9 | | 10 | 11 | 12 |
| Number of Lanes | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | | 0 | 1 | 0 | | 0 | 0 | 0 |
| Configuration | | | | TR | | LT | | | | | LR | | | | | |
| Volume (veh/h) | | | 305 | 8 | | 2 | 205 | | | 7 | | 4 | | | | |
| Percent Heavy Vehicles (%) | | | | | | 3 | | | | 3 | | 3 | | | | |
| Proportion Time Blocked | | | | | | | | | | | | | | | | |
| Percent Grade (%) | | | | | | | | | | 0 | | | | | | |
| Right Turn Channelized | | | | | | | | | | | | | | | | |
| Median Type \| Storage | Undivided | | | | | | | | | | | | | | | |

## Critical and Follow-up Headways

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Base Critical Headway (sec) | | | | | | 4.1 | | | | 7.1 | | 6.2 | | | | |
| Critical Headway (sec) | | | | | | 4.13 | | | | 6.43 | | 6.23 | | | | |
| Base Follow-Up Headway (sec) | | | | | | 2.2 | | | | 3.5 | | 3.3 | | | | |
| Follow-Up Headway (sec) | | | | | | 2.23 | | | | 3.53 | | 3.33 | | | | |

## Delay, Queue Length, and Level of Service

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Flow Rate, v (veh/h) | | | | | | 2 | | | | | 12 | | | | | |
| Capacity, c (veh/h) | | | | | | 1224 | | | | | 558 | | | | | |
| v/c Ratio | | | | | | 0.00 | | | | | 0.02 | | | | | |
| 95% Queue Length, $Q_{95}$ (veh) | | | | | | 0.0 | | | | | 0.1 | | | | | |
| Control Delay (s/veh) | | | | | | 7.9 | | | | | 11.6 | | | | | |
| Level of Service (LOS) | | | | | | A | | | | | B | | | | | |
| Approach Delay (s/veh) | | | | | 0.1 | | | | 11.6 | | | | | | | |
| Approach LOS | | | | | | | | | B | | | | | | | |

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# HCS7 Two-Way Stop-Control Report

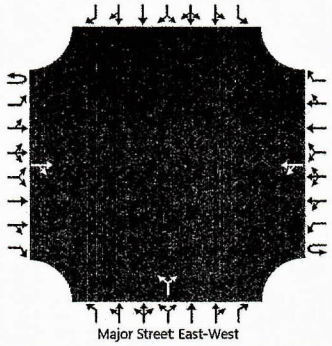
## General Information

| | |
|---|---|
| Analyst | James Kemp |
| Agency/Co. | O'Rourke Engineering |
| Date Performed | 4/14/2020 |
| Analysis Year | 2021 |
| Time Analyzed | PM Peak Hour |
| Intersection Orientation | East-West |
| Project Description | Marketplace |

## Site Information

| | |
|---|---|
| Intersection | Project Driveway |
| Jurisdiction | Martin County |
| East/West Street | Market Place |
| North/South Street | Project Driveway |
| Peak Hour Factor | 0.95 |
| Analysis Time Period (hrs) | 0.25 |

## Lanes




## Vehicle Volumes and Adjustments

| Approach | Eastbound | | | | Westbound | | | | Northbound | | | | Southbound | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Movement | U | L | T | R | U | L | T | R | U | L | T | R | U | L | T | R |
| Priority | 1U | 1 | 2 | 3 | 4U | 4 | 5 | 6 | | 7 | 8 | 9 | | 10 | 11 | 12 |
| Number of Lanes | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | | 0 | 1 | 0 | | 0 | 0 | 0 |
| Configuration | | | | TR | | LT | | | | | LR | | | | | |
| Volume (veh/h) | | | 504 | 13 | | 3 | 525 | | | 24 | | 16 | | | | |
| Percent Heavy Vehicles (%) | | | | | | 3 | | | | 3 | | 3 | | | | |
| Proportion Time Blocked | | | | | | | | | | | | | | | | |
| Percent Grade (%) | | | | | | | | | | 0 | | | | | | |
| Right Turn Channelized | | | | | | | | | | | | | | | | |
| Median Type \| Storage | Undivided | | | | | | | | | | | | | | | |

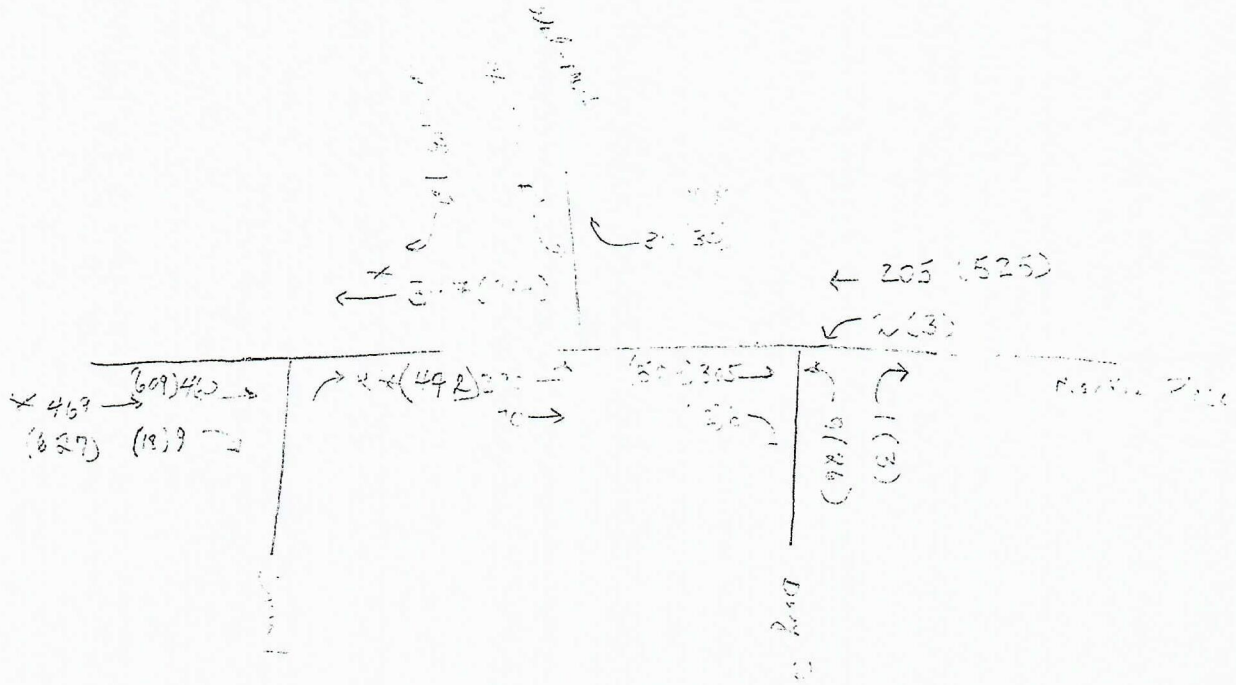
## Critical and Follow-up Headways

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Base Critical Headway (sec) | | | | | | 4.1 | | | | 7.1 | | 6.2 | | | | |
| Critical Headway (sec) | | | | | | 4.13 | | | | 6.43 | | 6.23 | | | | |
| Base Follow-Up Headway (sec) | | | | | | 2.2 | | | | 3.5 | | 3.3 | | | | |
| Follow-Up Headway (sec) | | | | | | 2.23 | | | | 3.53 | | 3.33 | | | | |

## Delay, Queue Length, and Level of Service

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Flow Rate, v (veh/h) | | | | | | 3 | | | | | 42 | | | | | |
| Capacity, c (veh/h) | | | | | | 1020 | | | | | 303 | | | | | |
| v/c Ratio | | | | | | 0.00 | | | | | 0.14 | | | | | |
| 95% Queue Length, $Q_{95}$ (veh) | | | | | | 0.0 | | | | | 0.5 | | | | | |
| Control Delay (s/veh) | | | | | | 8.5 | | | | | 18.8 | | | | | |
| Level of Service (LOS) | | | | | | A | | | | | C | | | | | |
| Approach Delay (s/veh) | | | | | 0.1 | | | | 18.8 | | | | | | | |
| Approach LOS | | | | | | | | | C | | | | | | | |

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205 (525)
(3)
(827) (19)
(6)

Record ed in Martin County, FL 1/23/2019 2:56 PM
--C a ro lyn Timman n, Clerk of the Circuit Court & Comptroller
Rec Fees: $27.00Deed Tax: S2,800.00
C FN#2735296 BK 3037 PG 2176 PAGE I of 3

THOMAS A. FOGT, ESQ.
736 Colorado Avenue
Stuart, FL 34997

Pa rcel ID Number : 38-38-41-010-000-00020.80000

# Warranty Deed

This Indentu re, Made this J day of January , 2019 A.O Between
Ted Glasrud Associates FL, LLC, a Florida limited liability company

of the County of Martin , Stute of Florida , grantor, and
OK of Martin County, LLC, a Florida limited liability company

whose address is: 5945 SE General Lee Terrace, Stuart, FL 34997

of the County of Martin State of Florida , grantee.
Witnesseth that the GRANTOR, for and in consideration of the swn of
----------TEN LLARS ($10)---------- DOLLARS
nnd other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, h granted, bargained and sold lo the said GRANTEE and GRANTEE'S heirs, successors and 11SSigns forever, the following described Jund, situate, lying and being in the County of Martin State of Florida to wit:

Unit# 2 Legal Description

A parcel of land lying in Lot B, The Exposition, according to the map or plat thereof, as recorded in Plat Book 9, Page 17, of the Public Records of Martin County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Lot B, The Exposition; Thence South 23 degrees 12 minutes 20 seconds East along the East line of said Lot B, a distance of 81.00 feet; Thence South 66 degrees 47 minutes 40 seconds West, a distance of 10.00 feet to the Point of Beginning; Thence South 23 degrees 12 minutes 20 seconds East, a distance of 80.00 feet; Thence South 66 degrees 47 minutes 40 seconds West, a distance of 115.00 feet; Thence North 23 degrees 12 minutes 20 seconds West, a distance of 80.00 feet; Thence North 66 degrees 47 minutes 40 seconds East, a distance of 115.00 feet to the Point of Beginning.

Being also known as Unit# 2, of MarketPlace At Stuart, a condominium, according to the Declaration of Condominium thereof, as recorded January 17, 2019, in Official Records Book 3037, Page 405, of the Public Records of Martin County, Florida, and any amendments and supplements thereto, together with its undivided share in the common elements and the limited common elements appurtenant thereto.

AND Unit# 3Legal Description
(Continued on Attached)

and the grantor docs hereby fully warrant the title to said land. and will defend the same against luwful claims of all persons whomsoever.
Law C".cncroted byO lli,play S)'llems. In,c:. 2019 (163)763-Slll form FLWD•2

# Warranty Deed -Page 2

J>yrcel ID Number: 38-38-41-010-000-00020. 80000

In**Witness Whereof,** the grantor has hereunto set his band and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Ted Glasrud Associates FL, LLC, a Florida. limited i ility company, by Gl ...., n Management, as its Manager

Alicia Fischer
Printed Name: Alicia Fischer
Witness

By: _____ (Seal)
Theodore G. Glasrud
as President

P.O. Address: 759 South Federal Highway, Sic. 217
Stuart, FL 34994

DAVID A CHRISTENSEN
Printed Name: DAVID A CHRISTENSEN
Witness

Unofficial

STATE OF
COUNTY OF

The foregoing instrument was aL-knowledged before me this r/1 5-k" day of January , 2019 by Theodore G. Glasrud, as President of Glasrud Management, Inc., as Manager of Ted Glasrud Associates FL, LLC, a Florida. limited liability company

KRISTEN R BROWN
Notary Public - State of Florida
Commission # GG 138758
My Comm. Expires Sep 29, 2021
Bonded through National Notary Assn.

AL

co ification

diiame: t<qs-/ep. R. 6rowo
Notary Public
My Commission Expires: 'f /2..4-{ '2..(



UICI'Galcraicdb)IO Dioplay S,__ Ino.. 2019 (163)76)-SSSS Fann fLW!}.I

# Warranty Deed -Page 3

Parcel ID Number : 38-38-41-010-000-00020.80000

A parcel of land lying in Lot B, The Exposition, according to the map or plat thereof, as recorded in Plat Book 9, Page 17, of the Public Records of Martin County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Lot B, The Exposition; Thence South 23 degrees 12 minutes 20 seconds East along the East line of said Lot B, a distance of 316.00 feet ; Thence South 66 degrees 47 minutes 40 second West, a distance of 10.00 feet to the Point of Beginning; Thence South 23 degrees 12 minutes 20 seconds East, a distance of 80.00 feet; hence South 66 degrees 47 minutes 40 seconds West, a distance of 115.00 feet; Thence North 23 degrees 12 minutes 20 seconds West, a distance of 80.00 feet; Thence North 66 degrees 47 minutes 40 seconds East a distance of 115.00 feet to the Point of Beginning.

Being also known as Unit# 3, of MarketPlaceAt Stuart, a condominium, according to the Declaration of Condominium thereof, as recorded January 17, 2019, in Official Records Book 3037, Page 405, of the Public Records of Martin County, Florida, and any amendments and supplements thereto, together with its undivided share in the common elements and the limited common elements appurtenant thereto.

These units are subject to The Declaration of Protective Covenants for Stuart Business Park recorded in O.R. Book 450, Page 945, of the Public Records of Martin County, Florida, as amended, it being the intent to reimpose same.

L.uc,-Gcncntcdby LJ Dilj>!ay Sysi.:rns. Inc. 2019 (163)76)-SSSS Fomi fL\YU-2

# Commercial PUD

| | |
|---|---|
| Project: | Lakeside Marketplace |
| Date | 6.9.20 |

| | |
|---|---|
| Adjacent N | Wlmart CPUD |
| Adjacent S | County Industrial |
| Adjacent E | Marketplace Center CPUD |
| Adjacent W | Racetrac CPUD and retail |
| Total Floor Space (sq.ft) | **24,000** |

| LDR Reference | Land Development Regulations | CPUD REVIEW STATUS |
|---|---|---|
| 2.07.00 E.1 | Land Use Designation | COMPLY |
| 2.07.00 E.2 a | Uses | COMPLY |
| 2.07.00 E.2 b | Residential (<30%) | NOT APPLICABLE |
| 2.07.00 E.2 c | Commercial Residential (<30%) | NOT APPLICABLE |
| 2.07.00 E.2 c | Commercial Uses | COMPLY |
| 2.07.03 E.3.b | Open Space (>25%) | COMPLY |
| 2.07.03 E.3.c | Native Vegetation (>25%) | NOT APPLICABLE |

**AREA, IMPERVIOUS SURFACE, SETBACK AND HEIGHT**

| | | |
|---|---|---|
| 2.04.03 | Supplemental impervious surface | EXCEPTION REQUESTED |
| 2.04.04 | Supplemental setback requirements | COMPLY |
| 2.04.05 | Waterfront setbacks | COMPLY |
| 2.04.06 | Certain street setbacks | COMPLY |
| 2.04.07 | Supplemental building height | COMPLY |
| 2.06.00 | Supplemental Use standards | REVIEWED AT SITE PLAN |

| | | |
|---|---|---|
| 4.04.01 | Traffic Concurrency | COMPLY |
| 4.09.00 | School Concurrency | NOT APPLICABLE |

**RESOURCE PROTECTION**

| | | |
|---|---|---|
| 5.02.00 | Environmental Assessment | COMPLY |
| 5.03.02 | Wetland Protection | COMPLY |
| 5.04.00 | Evironmentally sensitive lands | NOT APPLICABLE |
| 5.04.03 | Monitoring & Maintenance | REVIEWED AT SITE PLAN |
| 5.05.01 | Tree Survey | COMPLY |
| 5.05.02 | Tree removal | COMPLY |
| 5.06.00 | Mangrove & Shoreline | NOT APPLICABLE |
| 5.07.00 | Floodplain Management | NOT APPLICABLE |

| | | |
|---|---|---|
| Comp Plan | Comprehensive Plan | COMPLY |

**DEVELOPMENT STANDARDS**

| | | |
|---|---|---|
| 6.00.03 | Principles of Design | COMPLY |
| 6.00.04.A | Qualitative Design | COMPLY |
| 6.00.04.B | Qualitative Design Standards | COMPLY |

**TRANSPORTATION**

| | | |
|---|---|---|
| 6.01.02 | Streets | COMPLY |
| 6.01.03 | Rights of Way | COMPLY |
| 6.01.04 | Sidewalks/bikeways | COMPLY |
| 6.01.05 | Bike Ped (LCD) | COMPLY |
| 6.01.06 | Access | COMPLY |
| 6.01.07 | Drive-through | NOT APPLICABLE |
| 6.01.08 | Vehicular Access | COMPLY |
| 6.01.09 | Parking Code | COMPLY |
| 6.01.18 | Off-Street Loading | COMPLY |
| 6.01.19 | PILOP | NOT APPLICABLE |

**STORMWATER**

| | | |
|---|---|---|
| 6.03.01 | Generally | REVIEWED AT SITE PLAN |
| 6.03.04 | Management | REVIEWED AT SITE PLAN |
| 6.03.08 | Erosion | REVIEWED AT SITE PLAN |

**LANDSCAPING**

| | | |
|---|---|---|
| 6.04.02 | General Standards | COMPLY |
| 6.04.02 A.1 | Native Landscaping | COMPLY |
| 6.06.02 A.2 | Shade Trees Required | COMPLY |
| 6.06.02 A.4 | Banyan, Fiscus & Rubber Trees | NOT APPLICABLE |
| 6.06.02 A.5 | Proximity to power lines | COMPLY |
| 6.06.02 A.6 | Shrubs | COMPLY |
| 6.06.02 A.7 | Hedges | COMPLY |
| 6.06.02 A.8 | Vines | COMPLY |
| 6.06.02 A.9 | Ground cover | COMPLY |
| 6.06.02 A.10 | Grass Area | COMPLY |
| 6.06.02 B | Irrigation | REVIEWED AT SITE PLAN |

**LANDSCAPE DESIGN**

| | | |
|---|---|---|
| 6.04.03 A | Utility Lines (Existing and Proposed) | COMPLY |
| 6.04.03 B.1 | Landscaped Area >20% | COMPLY |

| | | |
|---|---|---|
| 6.04.03 B.2 | Interior landscaping >50% | COMPLY |
| 6.04.03 B.3 | location of impervious | TO BE REVIEWED |
| 6.04.03 B.4 | Mulch | COMPLY |
| 6.04.03 B.5 | Shoreline protection | NOT APPLICABLE |
| 6.04.03 B.8 | Visibility triangles | TO BE REVIEWED |
| 6.04.06 | Land Use Transitions | NOT APPLICABLE |

**LANDSCAPING - PARKING AREAS**

| | | |
|---|---|---|
| 6.04.07 A.1 | Landscaped strip adjacent to street | COMPLY |
| 6.04.07 A.2 | Landscaped strip length linear feet | COMPLY |
| 6.04.07 A.2a | Parking area adjacent to street | COMPLY |
| 6.04.07 A.2b | Hedge/wall/berm on outside of strip | COMPLY |
| 6.04.07 A.2c | Other Landscaping | COMPLY |
| 6.06.07 A.2d | Grass | COMPLY |
| 6.04.07 A.3 | Shrubs/ground cover | COMPLY |
| 6.04.07 B | parking screened from private propery | COMPLY |
| 6.04.07 B.1 | Landscaped strip adjacent to private property | COMPLY |
| 6.04.07 B.2a | Parking area adjacent to private property | COMPLY |
| 6.04.07 B.2b | Hedge/wall/berm on outside of strip | COMPLY |
| 6.04.07 B.2c | Other Landscaping | COMPLY |
| 6.04.07 B.2d | Grass | COMPLY |
| 6.04.07 B.3 | Shrubs/ground cover | COMPLY |
| 6.04.07 C.1 | Parking Area (Major Dev't only) | COMPLY |
| 6.04.07 C.2 | Parking area rear and sides of building | COMPLY |
| 6.04.07 C.3 | Interior trees | COMPLY |
| 6.04.07 C.4 | Vechicle encroachment | COMPLY |
| 6.04.07 C.5 | Interior landscaped islands | COMPLY |
| 6.04.07 C.6 | Terminal landscaped islands | COMPLY |
| 6.04.07 C.7 | Interior landscaped medians | COMPLY |
| 6.04.07 C.8 | Interior shade trees | COMPLY |
| 6.04.07 D | Visability triangles | TO BE REVIEWED |
| 6.04.08 | Tree Requirements | COMPLY |
| 6.04.10 | Loading Storage | COMPLY |

**COMMERCIAL DEVELOPMENT STANDARDS**

| | | |
|---|---|---|
| 6.05.02 B | Building Location | COMPLY |
| 6.05.02 C | Building Orientation | COMPLY |
| 6.05.02 D | Façade Design | COMPLY |
| 6.05.02 E | Massing | NOT APPLICABLE |
| 6.05.02 F | Other Features | NOT APPLICABLE |

| | | |
|---|---|---|
| 6.05.02 G | Transitional Elevations | TO BE REVIEWED |
| 6.05.03 B | Blank Wall Area | COMPLY |
| 6.05.03 C | Repeating Façade | NOT APPLICABLE |
| 6.05.04 | Additional Façade | NOT APPLICABLE |
| 6.05.05 | Roof Treatments | NOT APPLICABLE |
| 6.05.06 | Entryways and customer entrance | COMPLY |
| 6.05.07 | Materials and Color | TO BE REVIEWED |
| 6.06.00 | Green Development | TO BE REVIEWED |
| 6.07.00 | Lighting | COMPLY |
| 6.08.00 | Dumpster & Recycling | COMPLY |
| 6.09.05 | Fences | COMPLY |
| 6.11.00 | Signs | TO BE REVIEWED |

MATHERS ENGINEERING
CORPORATION

2431 SE Dixie Highway
Stuart, FL 34996
Phone: (772) 287-0525
Email: mathersengineers@bellsouth.net
EB 0004456

November 06, 2019

Mr. Kevin Freeman, Development Director
City of Stuart
121 SW Flagler Avenue
Stuart, FL 34994
Via Hand Delivery

**RE: Request for Proposed Development –**
**Planned Unit Development (PUD) Amendment Application**
**Project Name: Lakeside Marketplace**
**Address: 2700 S.E. Market Place, Stuart**
**Parcel ID# 38-38-41-010-000-00020.80000**

Dear Mr. Freeman:

The following information and attached documents are provided for review by the Development Department for the PUD Amendment Application Submittal:

**Project Narrative:**

This is a request for Site Plan Approval of a project located on the south side of S.E. Market Place between the gas station and Market Place Center.

The project consists of 3 buildings totaling 24, 000 s.f.

**Existing Lake Relocation:**

The Lakeside Marketplace project had previously received permission from South Florida Water Management District with Permit Number 43-101917-P to shift the existing lake southward. Therefore the proposed Site Plan shows the lake in the approved relocated location.

**Other Conditions:**

Proposed Utilities:
Sewer – Martin County Utilities
Water – Martin County Utilities
Irrigation – From Lake

- 1 Check in the amount of $3,072.00, representing Application Fee.
- 1 Original Signed and Notarized Planned Unit Development (PUD) Amendment Application.
- 1 Original Development Conditions to the CPUD.
- 1 Copy Warranty Deed.

MATHERS ENGINEERING
CORPORATION

2431 SE Dixie Highway
Stuart, FL 34996
Phone: (772) 287-0525
Email: mathersengineers@bellsouth.net
EB 0004456

- 1 Original Special Power of Attorney of each the three property owners.
- 1 Original Signed and Sealed Traffic Study.
- 1 Environmental Assessment dated January 2019.
- 1 Original Signed and Sealed Site Plan.
- 1 Original Autoturn Plan.
- 1 Original Signed and Sealed Boundary and TOPO Survey.
- 1 Original Landscape Plan.
- 1 Original Signed and Sealed Architectural Elevation and Floor Plans.

Enclosed is a disk with all the above documents in PDF Format.

Should you have any questions or if I may be of further assistance, please do not hesitate to contact me.

Sincerely,

Holly Mathers

enclosures

**CITY OF STUART, FLORIDA**
**DEVELOPMENT DEPARTMENT**
**PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT APPLICATION**

Reviewed By: _____

Application must be legible with all relevant fields completed.

| | |
|---|---|
| Pre-App Conference Date: | Application Date: |
| Project Name: Lakeside Marketplace | |
| Parcel ID# 38-38-41-013-000-00001-0/ Director | Project Address: 2700 S.E. Market Place |
| Zoning/CRA Sub-district: CPUD Commercial Planned Unit Development | |
| Subdivision: | Lot(s): |

Fees: Major PUD Amendment - $3,072.00; Minor PUD Amendment: $2,048.00; PUD Agreement Amendment (text change only): $1,024.00 *(this does not include fees that may be charged as a result of application review by the City's consultants or any required recording fees)*

A Major Planned Unit Development Amendment is one which shall include any one of the following;

- A change of two (2) percent or more in the area of any land use designations shown on the site plan;
- Any change in the list of proposed uses;
- An increase in residential density of five (5) percent or more;
- An increase in nonresidential Building square footage of ten (10) percent or more;
- A change in the boundary of the PUD district;
- A change in the site plan or approval regarding any area(s) set aside and designated for future development;
- Any other change determined by the City Development Director to have a potentially significant impact on City services or the surrounding neighborhood;
- An amendment of greater than twelve (12) months to an originally approved timetable of development. Such an amendment may only be approved upon good cause shown to the City Commission. Any contributions conditioned as part of the original PUD agreement shall be revisited upon application for timetable extension. A timetable extension greater than twelve (12) months will require a full concurrency review.

*(A Minor Planned Unit Development Amendment is any amendment that is not a Major Amendment.)*

**Submittal Requirements:** A completed application form, the payment of fees, a site plan, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, and any other information as may be required by the City Development Director in order to do a thorough review of the request. (Note: A concept plan may, at the discretion of the applicant, be submitted instead of a site plan if a site plan has not previously been approved. However, in doing so the applicant acknowledges that a site plan will need to be submitted for City Commission approval prior to making application for a development permit.) *(The data requirements for a site plan and a concept plan are available at the Development Department)*

**Approving Authority:** The Development Director is required to prepare a staff report and recommendation concerning this application. For a Major PUD amendment, the Local Planning Agency (LPA) is required to hold an advertised public hearing and formulate a recommendation to the City Commission. For both types of applications, the City Commission is required to hold an advertised public hearing after which it may approve, approve with conditions, or deny the application.

**Justification:** Written justification supporting the application and demonstrating how the application remains: (a) consistent with the relevant components of the City of Stuart Comprehensive Plan including concurrency with adopted levels-of-service for utilities/facilities and compatibility with existing/planned uses and (b) complies with the relevant development standards of the City of Stuart Land Development Code.

**(over)**

**General Information**
(Please Print or Type)

1. Property Owner, Lessee, Contract Purchaser, or Applicant (circle one):

| | |
|---|---|
| Name: Osiris Ramos | City/State/Zip Code: Stuart, Florida 34997 |
| Title: President / Director | Telephone Number: (772) 463-8333 |
| Company: Marketplace at Stuart Condominium Assoc., Inc. | Facsimile Number: (772) 463-8334 |
| Company Address: 5640 S.E. Grouper Avenue | Email Address (optional): coastallanddev@att.net |

2. Agent of Record (if any): The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review.

| | |
|---|---|
| Name: William J. Mathers, P.E. | City/State/Zip Code: Stuart, Florida 34996 |
| Title: Engineer of Record | Telephone Number: (772) 287-0525 |
| Company: Mathers Engineering Corp. | Facsimile Number: |
| Company Address: 2431 S.E. Dixie Highway | Email Address (optional): mathersengineers@bellsouth.net |

3. The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

| | |
|---|---|
| Name: Osiris Ramos | City/State/Zip Code: Stuart, Florida 34997 |
| Title: President / Director | Telephone Number: (772) 463-8333 |
| Company: Marketplace at Stuart Condominium Assoc. Inc. | Facsimile Number: (772) 463-8334 |
| Company Address: 5640 S.E. Grouper Avenue | Email Address (optional): coastallanddev@att.net |

I hereby certify that all information contained herein is true and correct.

4. Signed this 10th day of September, 2019.

Osiris Ramos
Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

THERESA JEAN ORTADO
Notary Public – State of Florida
Commission # GG 135168
My Comm. Expires Dec 9, 2021
Bonded through National Notary Assn.

**State of Florida, Martin County** The foregoing instrument was acknowledged before me on this 10th day of Sept 2019 by Osiris Ramos who is personally known to me, or who has produced _____ as identification and who did/did not take an oath.

Theresa Jean Ortado
Notary Signature

Commission expires: Dec 9, 2021

**General Information**
(Please Print or Type)

1. Property Owner, Lessee, Contract Purchaser, or Applicant (circle one):

| | |
|---|---|
| Name: Daniel Lawrence | City/State/Zip Code: Palm City, Florida 34990 |
| Title: Authorized Member | Telephone Number: (772) 283-2383 |
| Company: D Lawrence Properties LLC | Facsimile Number: |
| Company Address: 1336 SW Alligator Street | Email Address (optional): dan@danielsfence.com |

2. Agent of Record (if any): The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review.

| | |
|---|---|
| Name: William J. Mathers, P.E. | City/State/Zip Code: Stuart, Florida 34996 |
| Title: Engineer of Record | Telephone Number: (772) 287-0525 |
| Company: Mathers Engineering Corp. | Facsimile Number: |
| Company Address: 2431 S.E. Dixie Highway | Email Address (optional): mathersengineers@bellsouth.net |

3. The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

| | |
|---|---|
| Name: Daniel Lawrence | City/State/Zip Code: Palm City, Florida 34990 |
| Title: Authorized Member | Telephone Number: (772) 283-2383 |
| Company: D Lawrence Properties LLC | Facsimile Number: |
| Company Address: 1336 SW Alligator Street | Email Address (optional): dan@danielsfence.com |

I hereby certify that all information contained herein is true and correct.

4. Signed this 17th day of SEPT., 2019.

Daniel J. Lawrence
Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

**State of Florida, Martin County** The foregoing instrument was acknowledged before me on this 17th day of SEPT 2019 by DANIEL LAWRENCE who is personally known to me, or who has produced _____ as identification and who did/did not take an oath.

Notary Signature

Commission expires:

Alicia J. Hill
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF976609
Expires 3/29/2020

**General Information**
(Please Print or Type)

1. Property Owner, Lessee, Contract Purchaser, or Applicant (circle one):

| | |
|---|---|
| Name: Osiris Ramos | City/State/Zip Code: Stuart, Florida 34997 |
| Title: Manager | Telephone Number: (772) 463-8333 |
| Company: OK of Martin County LLC | Facsimile Number: (772) 463-8334 |
| Company Address: 5640 S.E. Grouper Avenue | Email Address (optional): coastallanddev@att.net |

2. Agent of Record (if any): The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review.

| | |
|---|---|
| Name: William J. Mathers, P.E. | City/State/Zip Code: Stuart, Florida 34996 |
| Title: Engineer of Record | Telephone Number: (772) 287-0525 |
| Company: Mathers Engineering Corp. | Facsimile Number: |
| Company Address: 2431 S.E. Dixie Highway | Email Address (optional): mathersengineers@bellsouth.net |

3. The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

| | |
|---|---|
| Name: Osiris Ramos | City/State/Zip Code: Stuart, Florida 34997 |
| Title: Manager | Telephone Number: (772) 463-8333 |
| Company: OK of Martin County LLC | Facsimile Number: (772) 463-8334 |
| Company Address: 5640 S.E. Grouper Avenue | Email Address (optional): coastallanddev@att.net |

I hereby certify that all information contained herein is true and correct.

4. Signed this 30th day of August, 2019.

THERESA JEAN ORTADO
Notary Public - State of Florida
Commission # GG 135168
My Comm. Expires Dec 9, 2021
Bonded through National Notary Assn.

Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

**State of Florida, Martin County** The foregoing instrument was acknowledged before me on this 30th day of August 2019 by Osiris Ramos who is personally known to me, or who has produced _____ as identification and who did/did not take an oath.

Theresa Jean Ortado
Notary Signature

Commission expires: Dec 9, 2021

**South Florida Water Management District**
**Individual Environmental Resource Permit No. 43-101917-P**
**Date Issued: August 27, 2019**

**Permittee:** Ok Of Martin County, LLC
5640 SE Grouper Avenue
Stuart, FL 34997

**Project:** Osiris Lake Modifications

**Application No.** 190606-11

**Location:** Martin County, See Exhibit 1

Your application for an Individual Environmental Resource Permit is approved. This action is taken based on Chapter 373, Part IV, of Florida Statutes (F.S.) and the rules in Chapter 62-330, Florida Administrative Code (F.A.C.). Unless otherwise stated, this permit constitutes certification of compliance with state water quality standards under section 401 of the Clean Water Act, 33 U.S.C. 1341, and a finding of consistency with the Florida Coastal Management Program. Please read this entire agency action thoroughly and understand its contents.

This permit is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- The attached General Conditions for Environmental Resource Permits.
- The attached Special Conditions.
- All referenced Exhibits.

All documents are available online through the District's ePermitting site at www.sfwmd.gov/ePermitting.

If you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights", we will assume that you concur with the District's action.

The District does not publish notices of action. If you wish to limit the time within which a person may request an administrative hearing regarding this action, you are encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Legal requirements and instructions for publishing a notice of agency action, as well as a noticing format that can be used, are available upon request. If you publish a notice of agency action, please send of a copy of the affidavit of publication provided by the newspaper to the District's West Palm Beach office for retention in this file.

If you have any questions regarding your permit or need any other information, please call us at 1-800-432-2045 or email ERP@sfwmd.gov.

Ricardo A. Valera, P.E.
Bureau Chief, Environmental Resource Bureau

**South Florida Water Management District**
**Individual Environmental Resource Permit No. 43-101917-P**

| | |
|---|---|
| **Date Issued:** August 27, 2019 | **Expiration Date:** August 27, 2024 |
| **Project Name:** | Osiris Lake Modifications |
| **Permittee:** | Ok Of Martin County, LLC<br>5640 SE Grouper Avenue<br>Stuart, FL 34997 |
| **Operating Entity:** | Ok Of Martin County, LLC<br>5640 SE Grouper Avenue<br>Stuart, FL 34997 |
| **Location:** | Martin County |
| **Permit Acres:** | 3.00 acres |
| **Project Land Use:** | Commercial |
| **Special Drainage District:** | N/A |
| **Water Body Classification:** | CLASS III |
| **FDEP Water Body ID:** | 3208C |
| **Conservation Easement to District:** | No |
| **Sovereign Submerged Lands:** | No |

**Project Summary**
District staff has reviewed the information submitted June 6, 2019, for the permitted development known as Osiris Lake Modifications, construction for which was originally authorized under Permit No. 43-00014-S Stuart Business Park (SBP). This modification authorizes the reconfiguration of the existing lake, with the addition of 125 feet of retaining wall at lake control elevation. The construction results in an increase of 0.03 acres of lake at the control elevation of the master stormwater management (SWM) Basin 1. No other modifications to the parcel or master SWM systems are proposed with this project.

Issuance of this permit constitutes certification of compliance with state water quality standards in accordance with Rule 62-330.062, F.A.C..

**Site Description**
The site is vacant land within the previously permitted Basin 1 of the SBP master SWM system. Please refer to Exhibit No. 1.0 Location Map. The project is located within Industrial Development Corporation Parcel 9 as identified in Application No. 120614-4, Exhibit 2.0 Page 2 of 6.

For information on wetland and surface water impacts, please see the Wetlands and Other Surface Water section of this permit.

**Ownership, Operation and Maintenance**
Perpetual operation and maintenance of the stormwater management system is the responsibility of Stuart Business Park Owners Association, Inc. as indicated in the submitted draft governing documents. Upon completion of construction and in conjunction with submittal of the construction completion certification, a request for transfer to the operating entity and recorded copies of its governing documents must be submitted in accordance with General Condition No. 7.

**Engineering Evaluation:**

**Land Use**
The applicant's engineer has demonstrated that the proposed lake area at 12.5 ft NAVD88 (SBP master SWM system Basin 1 control elevation) and 14.0 ft NAVD88 (1.29 and 1.46 acres, respectively) and resultant incremental storage volume (2.07 acre-feet) does not significantly differ from the existing lake area at 12.5 ft NAVD88 and 14.0 ft NAVD88 (1.26 and 1.53 acres, respectively) and resultant incremental storage volume (2.09 acre-feet).

**Water Quality**

The existing SBP master SWM system provides water quality treatment equivalent to 2.5 inches over the percent imperviousness (1.65 inches over Basin 1) for all existing projects and roadways connected to the SBP master SWM system.

All future projects connecting to the SBP master SWM system, including upland development on Parcel 9, shall provide water quality treatment equivalent to the greater of 1 inch or 2.5 inches times the percent imperviousness within the proposed project limits and 1/2 inch of dry pre-treatment for all commercial projects prior to discharging to the SBP master SWM system.

The project includes implementation of an Erosion Control Plan (Exhibit No. 2.0) as additional reasonable assurance of compliance with water quality criteria during construction and operation.

**Water Quantity**
**Discharge**
The project is consistent with the existing land use and site grading assumptions. used during the design of the master stormwater management system. Therefore, existing parcel discharge to the SBP master SWM system should remain unchanged.

**Perimeter Berm**

The project is located within the limits of SBP master SWM system Basin 1. The proposed lake top of bank meets the existing elevations of Parcel 9.

**Certification, Operation, and Maintenance**
Pursuant to Chapter 62-330.310, F.A.C., Individual Permits will not be converted from the construction phase to the operation phase until construction completion certification of the project is submitted to and accepted by the District. This includes compliance with all permit conditions, except for any long term maintenance and monitoring requirements. It is suggested that the permittee retain the services of an appropriate professional registered in the State of Florida for periodic observation of construction of the project.

For projects permitted with an operating entity that is different from the permittee, it should be noted that until the construction completion certification is accepted by the District and the permit is transferred to an acceptable operating entity pursuant to Sections 12.1-12.3 of the Applicant's Handbook Volume I and Section 62-330.310, F.A.C., the permittee is liable for operation and

maintenance in compliance with the terms and conditions of this permit.

In accordance with Section 373.416(2), F.S., unless revoked or abandoned, all SWM systems and works permitted under Part IV of Chapter 373, F.S., must be operated and maintained in perpetuity.

The efficiency of SWM systems, dams, impoundments, and most other project components will decrease over time without periodic maintenance. The operation and maintenance entity must perform periodic inspections to identify if there are any deficiencies in structural integrity, degradation due to insufficient maintenance, or improper operation of projects that may endanger public health, safety, or welfare, or the water resources. If deficiencies are found, the operation and maintenance entity is responsible for correcting the deficiencies in a timely manner to prevent compromises to flood protection and water quality. See Section 12.4 of the Applicant's Handbook Volume I for Minimum Operation and Maintenance Standards.

**Environmental Evaluation:**

**Wetlands and Other Surface Waters**

There are no wetlands on the site or in adjacent areas. The site contains a stormwater lake. Portions of the lake will be filled and uplands will be excavated, with a net increase of 0.03 acres in area. The lake was included in the stormwater management system authorized by Permit No. 43-00014-S (Application No. 030714-12). Therefore, pursuant to subsection 62-340.700(2)(a), F.A.C., the lake is not delineated as other surface waters.

**Fish, Wildlife, and Listed Species**

The project site does not contain significant habitat for wetland-dependent endangered or threatened wildlife species, or species of special concern. No wetland-dependent endangered or threatened species or species of special concern were observed onsite and the potential use of the site by such species is minimal.

This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements if, in the future, endangered or threatened species or species of special concern are discovered on the site.

**Related Concerns:**

**Historical/ Archeological Resources**
The District has received correspondence from the Florida Department of State, Division of Historical Resources indicating that no significant archaeological or historical resources are recorded on the project site; therefore the project is unlikely to have an effect upon any such resources.

This permit does not release the permittee from complying with any other agencies' requirements in the event that historical and/or archaeological resources are found on the site.

**Water Use Permit Status**
The applicant has indicated that irrigation is not required.

The District has determined that dewatering for this project qualifies for the permit by rule under Rule 40E-2.061, F.A.C.

This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation.

**General Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.**

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (http://www.flrules.org/Gateway/reference.asp?No=Ref-02505), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.

5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.

6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
   a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex- "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit"[Form 62-330.310(3)]; or
   b. For all other activities- "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
   c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:
   a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as

applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

9. This permit does not:
a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
b. Convey to the permittee or create in the permittee any interest in real property;
c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

12. The permittee shall notify the Agency in writing:
a. Immediately if any previously submitted information is discovered to be inaccurate; and
b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from

the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

**Special Conditions for Individual Environmental Resource Permits, 62-330.350, F.A.C.**

1. The construction authorization for this permit shall expire on the date shown on page 2.

2. Operation and maintenance of the stormwater management system shall be the responsibility of Stuart Business Park Owners Association, Inc. Upon completion of construction and in conjunction with submittal of the as-built certification, a request for transfer to the operating entity with supporting documentation must be submitted in accordance with General Condition No. 7.

3. Discharge facilities: through Existing Facilities.

4. Lake side slopes shall be no steeper than 4:1 (horizontal:vertical) to a depth of two feet below the control elevation. Side slopes shall be nurtured or planted from 2 feet below to 1 foot above control elevation to insure vegetative growth.

5. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.

6. Prior to initiating construction activities associated with this Environmental Resource Permit (ERP), the permittee is required to hold a pre-construction meeting with field representatives, consultants, contractors, District Environmental Resource Bureau (ERB) staff, and any other local government entities as necessary. The purpose of the pre-construction meeting is to discuss construction methods, sequencing, best management practices, identify work areas, staking and roping of preserves where applicable, and to facilitate coordination and assistance amongst relevant parties. To schedule a pre-construction meeting, please contact ERB staff from the Okeechobee Service Center at (863) 462-5260 or via e-mail at: pre-con@sfwmd.gov. When sending a request for a pre-construction meeting, please include the application number, permit number, and contact name and phone number.

7. Prior to any future construction, the permittee shall apply for and receive an Individual ERP. As part of the permit application, the applicant for that phase shall provide documentation verifying that the proposed construction is consistent with the design of the master stormwater management system, including the land use and site grading assumptions.

8. All commercial/industrial parcels shall provide a minimum dry pre-treatment volume of 1/2 inch of runoff prior to discharge into the master stormwater management system.

9. The exhibits and special conditions in this permit apply only to this application. They do not supersede or delete any requirements for other applications covered in Permit No. 43-00014-S unless otherwise specified herein.

10. This permit does not authorize the permittee to cause any adverse impact to or “take” of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code

for definitions of “take” and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a “take” permit cannot be issued. Requests for further information or review can be sent to: FWCConservationPlanningServices@MyFWC.com.

## Project Work Schedule for Permit No. 43-101917-P

The following activities are requirements of this Permit and shall be completed in accordance with the Project Work Schedule below. Please refer to both General and Special Conditions for more information. Any deviation from these time frames will require prior approval from the District's Environmental Resources Bureau and may require a minor modification to this permit. Such requests must be made in writing and shall include: (1) reason for the change, (2) proposed start/finish and/or completion dates, and (3) progress report on the status of the project.

| Condition No. | Date Added | Description | Due Date | Date Satisfied |
|---|---|---|---|---|
| GC 4 | 08/27/2019 | Construction Commencement Notice | 48 hours prior to Construction | |
| GC 6 | 08/27/2019 | Submit Certification | 30 Days After Construction Completion | |
| GC 7 | 08/27/2019 | Submit Operation Entity Documentation | Within 30 days of Certification | |
| SC 6 | 08/27/2019 | Pre-Construction Meeting | Prior to Construction | |

GC = General Condition

SC = Special Condition

**Distribution List**

William Mathers, Mathers Engineering Corporation

US Army Corps of Engineers - Permit Section

Martin County Board of County Commissioners

Martin County Growth Management Department

Martin County Engineering Department

**Exhibits**

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website at http://my.sfwmd.gov/ePermitting and searching under this application number 190606-11.

Exhibit No. 1.0 Location Map

Exhibit No. 2.0 SWM Plans

## NOTICE OF RIGHTS

As required by Sections 120.569 and 120.60(3), Fla. Stat., the following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all of the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

### RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a SFWMD decision which affects or may affect their substantial interests shall file a petition for hearing with the Office of the District Clerk of the SFWMD, in accordance with the filing instructions set forth herein, within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, or posting that the SFWMD has or intends to take final agency action, or publication of notice that the SFWMD has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action which materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional Rule 28-106.111, Fla. Admin. Code, point of entry.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Fla. Stat., shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

### FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk of the SFWMD. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at SFWMD headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.
- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. It will be necessary to request that the SFWMD's security officer contact the Office of the District Clerk. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document. A party who files a document by e-mail shall (1) represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and that the party shall produce it upon the request of other parties; and (2) be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed.

**INITIATION OF ADMINISTRATIVE HEARING**

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Fla. Stat., and Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, SFWMD file number or any other SFWMD identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

**MEDIATION**

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401–.405, Fla. Admin. Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

**RIGHT TO SEEK JUDICIAL REVIEW**

Pursuant to Section 120.68, Fla. Stat., and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal with the Office of the District Clerk of the SFWMD in accordance with the filing instructions setforth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the clerk of the appropriate district court of appeal.

MATHERS ENGINEERING
CORPORATION

2431 SE Dixie Highway
Stuart, FL 34996
Phone: (772) 287-0525
EB#0004456

June 10, 2020

Mr. Thomas Reetz, Senior Planner
City of Stuart Development Department
121 SW Flagler Avenue
Stuart, FL 34994

**RE: Engineer Statement for the Lakeside Marketplace CPUD**
**Property located at 2700 SE Market Place, Stuart**

Dear Mr. Reetz:

The proposed project consists of 3 buildings totaling 24,000 SF with required parking area. The total site is 4.02 acres. The project is summarized as follows:

Access:

- Ingress and egress will be off of Market Place owned by the City of Stuart.

Utilities:

- Water and wastewater service will be provided by existing utilities within Market Place that are owned and operated by Martin County Utilities.

Drainage:

- The Lake at the South end of the property is owned by a new owner but is maintained by Stuart Business Park Association. A separate SFWMD permit was obtained for Basin I Master Drainage System. A copy of the this SFWMD permit is attached.

  The project's storage and discharge will meet the Stuart Business Park's Master South Florida Water Management District's permit requirements as verified by the agency's permit to be issued prior to site plan final approval. Onsite storage will be provided by exfiltration trenches, landscape and grassed areas, and limited pavement storage. The allowable maximum discharge will be controlled by the discharge structure into the existing modified onsite lake on the South side of the property.

Sincerely,

William J. Mathers, P.E.
WJM/hmm
enclosure

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Stephen Mayer/ Kev Freeman

**Title of Item:**

EVALUATION AND APPRAISAL REPORT (EAR) (RC):

ORDINANCE No. 2442-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) FOR THE COMPREHENSIVE PLAN OF THE CITY OF STUART; STATING THE INTENT OF THE CITY COMMISSION TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING TRANSMITAL OF THE EVALUATION AND APPRAISAL REPORT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY AND ANY OTHER INTERESTED GOVERNMENTAL ENTITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Summary Explanation/Background Information on Agenda Request:**

As a planning principle, every 7 years, Chapter 163 of the Florida Statutes (F.S.) requires that all local governments review and evaluate their comprehensive plan. This process is called the Evaluation and Appraisal Report (EAR). On May 23, 2019, the City's Development Department issued a notification letter to the Department of Economic Opportunity (DEO), prepared in accordance with Section 163.3191, F.S., stating that the City reviewed its Comprehensive Plan and has determined that amendments are necessary to reflect changes in state requirements in Chapter 163, Part II, F.S. These changes to Chapter 163 F.S. are attached to this agenda. The City acknowledged that it has one year from this date (May 23, 2020) to prepare and transmit the proposed amendments to the State Land Planning Agency (DEO).

The purpose of this planning process is to update the Comprehensive Plan (Plan) through recommended EAR-based plan amendments and assess the City's progress in implementing the Plan. The EAR is intended to accomplish several important purposes: Identify planning related community issues; review past actions of the local government in implementing the plan since the last EAR; assess the degree in which plan objectives have been achieved; assess both successes and shortcomings in the plan; identify ways that the plan should be changed; respond to changes in state requirements and regional plans; and ensure effective intergovernmental coordination.

In February and March, public input was requested and encouraged through three (3) public workshops and one (1) focus group discussion with Stuart Main Street. With careful consideration of the public comment, staff has identified five (5) major issues: 1) Plan for Environmental Resiliency and Sustainability; 2) Promote Diverse, Attractive and Healthy Housing; 3) Enhance Mobility for All Residents; 4) Strengthen the Local Economy; and 5) Make Investments in Capital Improvements for the Future.

On June 4th, the Local Planning Agency (LPA) reviewed the draft EAR and text amendments, and made their comments at a public hearing. Staff has incorporated the comments received at the workshop and LPA hearings, and is presenting the transmittal EAR with the amended Goals, Objectives, and Policies, as well as EAR recommendations that will be approved as action items for staff to complete after the EAR is adopted.

Attached is the transmittal package in its complete form, which includes: 1)the DEO transmittal cover letter, 2)

Exhibit A - the Evaluation and Appraisal Report, containing the analysis and the recommendations based on the entire EAR process, 3) Exhibit B - the transmittal Ordinance 2442-2020, 4) Exhibit C - minutes from June 22nd, 5) The summary of mandatory changes due to State Statute requirements, and 6) Exhibit E - the proposed Comprehensive Plan revisions, each element with text changes in strike thru and underlined form. Exhibit D is the advertising notice, which will appear in the newspaper on July 3rd, more than 7 days prior to the transmittal hearing date.

On June 22, the City Commission provided instruction to staff regarding the transmittal package. Staff has incorporated the comments and is providing a clean transmittal package for review and will follow-up with the transmittal to DEO.

**Funding Source:**

N/A

**Recommended Action:**

Motion to approve Ordinance 2442-2020 with the transmittal package, including the recommended EAR Report and Comprehensive Plan text amendments.

**ATTACHMENTS:**

| | Description | Upload Date | Type |
|---|---|---|---|
| 🗋 | Transmittal Letter | 6/29/2020 | Exhibit |
| 🗋 | Exhibit A - Final EAR | 6/29/2020 | Exhibit |
| 🗋 | Exhibit B - Ordinance 2442-2020 | 6/29/2020 | Exhibit |
| 🗋 | Exhibit C - Minutes | 6/29/2020 | Exhibit |
| 🗋 | Exhibit D - Ad | 6/29/2020 | Exhibit |
| 🗋 | Exhibit E cover | 6/29/2020 | Exhibit |
| 🗋 | Future Land Use Element Recommended Changes | 6/29/2020 | Exhibit |
| 🗋 | Transportation Element Recommended Changes | 6/29/2020 | Exhibit |
| 🗋 | Housing Element Recommended Changes | 6/29/2020 | Exhibit |
| 🗋 | Infrastructure Element Recommended Changes | 6/29/2020 | Exhibit |
| 🗋 | Conservation Element Recommended Changes | 6/29/2020 | Exhibit |
| 🗋 | Recreation and Open Space Element Recommended Changes | 6/29/2020 | Exhibit |
| 🗋 | Infrastructure Element Recommended Changes | 6/29/2020 | Exhibit |
| 🗋 | Capital Improvement Element Recommended Changes | 6/29/2020 | Exhibit |
| 🗋 | Coastal Management Element Recommended Changes | 6/29/2020 | Exhibit |
| 🗋 | Public Schools Facilities Element Recommended Changes | 6/29/2020 | Exhibit |

| | | | |
|---|---|---|---|
| 🗋 | Economic Development Element Recommended Changes | 6/29/2020 | Exhibit |

City of Stuart
Development Department 121 SW Flagler Avenue ~ Stuart, FL 34994 Phone: (772) 288-5326 ~ Fax: 288-5388

Add Date

Department of Economic Opportunity
Attention: Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, Florida 32399

RE: CITY OF STUART ORDINANCE NO. 2442-2020 – EVALUATION AND APPRAISAL REPORT - TRANSMITTAL OF PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENT

The City of Stuart Comprehensive Plan Amendment (Ordinance No. 2442-2020) is hereby transmitted to the Florida Department of Economic Opportunity (DEO) pursuant to the requirements of Section 163.3184 F.S. The proposed amendments are based on the City's 2020 Evaluation and Appraisal Report (EAR) pursuant to Section 163.3191, F.S. The City anticipates adoption of the proposed amendment in July or August 2020.

The City held a public hearing with the Local Planning Agency on June 4, 2020 to review the proposed EAR and corresponding Comprehensive Plan Text Amendment. The City Commission conducted a public hearing on June 22, 2020, to review the draft EAR, and on July 13, 2020 approved (add vote count) to transmit the amendment package to the DEO.

This transmittal includes three copies (one paper copy and two electronic copies in Portable Document Format (PDF) on a CD ROM, with each reviewing agency receiving a copy via email of the proposed EAR-based amendments. The transmittal package includes the following items:

1. Cover Letter
2. Memo to Reviewing Agencies
3. Exhibit A: Transmitted EAR by City Commission on 7.13.2020
4. Exhibit B: Ordinance No. 2442-2020 with exhibits
5. Exhibit C: Minutes from City Commission Meeting – 6.22.2020 and 7.13.2020
6. Exhibit D: Advertising Notice
7. Exhibit E: Proposed Comprehensive Plan revisions in ~~strikethrough~~ and underline format

The proposed amendments are being submitted under the state coordinated review process. By this letter, I hereby certify that the required number of copies of the amendments have been sent as of this date to the identified reviewing agencies as required by Section 163.3184(1)(c), F.S. For purposes of complying with Section 163.3184(2), F.S. please be advised that the proposed amendment is not applicable to an area of critical state concern.

If you require further information, please contact me by telephone at (772) 600-1255; by fax at (772) 288-5388 or by email at smayer@ci.stuart.fl.us

Respectfully,

Stephen Mayer, Senior Planner
City of Stuart Development Department

Enclosures:

Cc: (full packet on disc):

Stephanie Heidt, AICP, Treasure Coast Regional Planning Council
Deborah Oblaczynski and Terry Manning, AICP, South Florida Water Management District
Nicki Van Vonno, Martin County
John Krane, P.E., Florida Dept. of Transportation, District 4
Florida Dept. of Environmental Protection Plan Review
Robin Jackson, Florida Dept. of State, Bureau of Historic Preservation

Cc (letter only):
Stuart City Commission
David Dyess, City Manager
Michael Mortell, City Attorney
Kev Freeman, City Development Director
Mary Kindel, City Clerk

# Exhibit A:
# Evaluation and Appraisal Report
# 6.22.2020

# ACKNOWLEDGEMENTS

## City Commission

Mayor ..... Michael J. Meier
Vice Mayor ..... Eula Clarke
Commissioner ..... Becky Bruner
Commissioner ..... Kelli Glass Leighton
Commissioner ..... Merritt Matheson

## Local Planning Agency

Chair ..... Ryan Strom
Vice Chair ..... Li Roberts
Board Member ..... Larry Massing
Board Member ..... Bill Mathers
Board Member ..... Christina de la Vega
Board Member ..... Michael Herbach
Board Member ..... Campbell Rich
Ex Officio ..... Garret Grabowski

## City Staff

City Manager ..... David Dyess
Executive Assistant to City Manager ..... Michelle Vicat
City Attorney ..... Michael J. Mortell
City Clerk ..... Mary Kindel
Development Director ..... Kevin Freeman
Development Director Executive Assistant ..... Jordan Pinkston
Senior Planner ..... Stephen Mayer
Senior Planner ..... Thomas Reetz
CRA Administrator ..... Pinal Gandhi-Savdas
GIS Analyst ..... Michele Jett
Public Works Director ..... David Peters
Assistant Public Works Director ..... Tim Voelker, PE
Public Works Program Manager ..... Anne Ellig
Community Services Director ..... Jim Chrulski
Community Affairs Liaison ..... Ben Hogarth
Special Events ..... Michelle Arbuzow
Financial Services Director ..... Louis J. Bigliolli CGFO
Emergency Management Coordinator ..... Derek Ortado

## Consultant: Cardno

Project Manager ..... Amy Worsham, AICP
Senior Planner ..... Britta Ayers, AICP
Land Planner & Landscape Architect ..... Kaitlyn Woolard, PLA
Senior Land Planner ..... Lorrie Viola, LEED AP

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Exhibit 1: Proposed Comprehensive Text Amendments Per Statutory Requirements

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# 1.0 Introduction

## 1.1 Statement of Purpose

*The City of Stuart's Comprehensive Plan serves as a blueprint for future development and guides growth within the community.*

The City of Stuart adopted its Comprehensive Plan in 1989. Since then, the City has evaluated its blueprint for the future twice, in 1996 and 2009. In 2019, the City once again initiated an evaluation of its Comprehensive Plan. The City completed this Evaluation and Appraisal Report as a tool to review changes the City has experienced since its 2009 Evaluation Appraisal Report, to assess the direction the community wants to grow in, and address mandatory changes due to Florida Statue changes. This document provides recommend considerations and changes to the City's Comprehensive Plan to assist Stuart in achieving its desired future vision. Recommendations were based on community and staff input and reviewing the current Comprehensive Plan holistically. Additionally, Exhibit 1 of this document provides text amendments to the Comprehensive Plan to primarily address changes in state requirements.

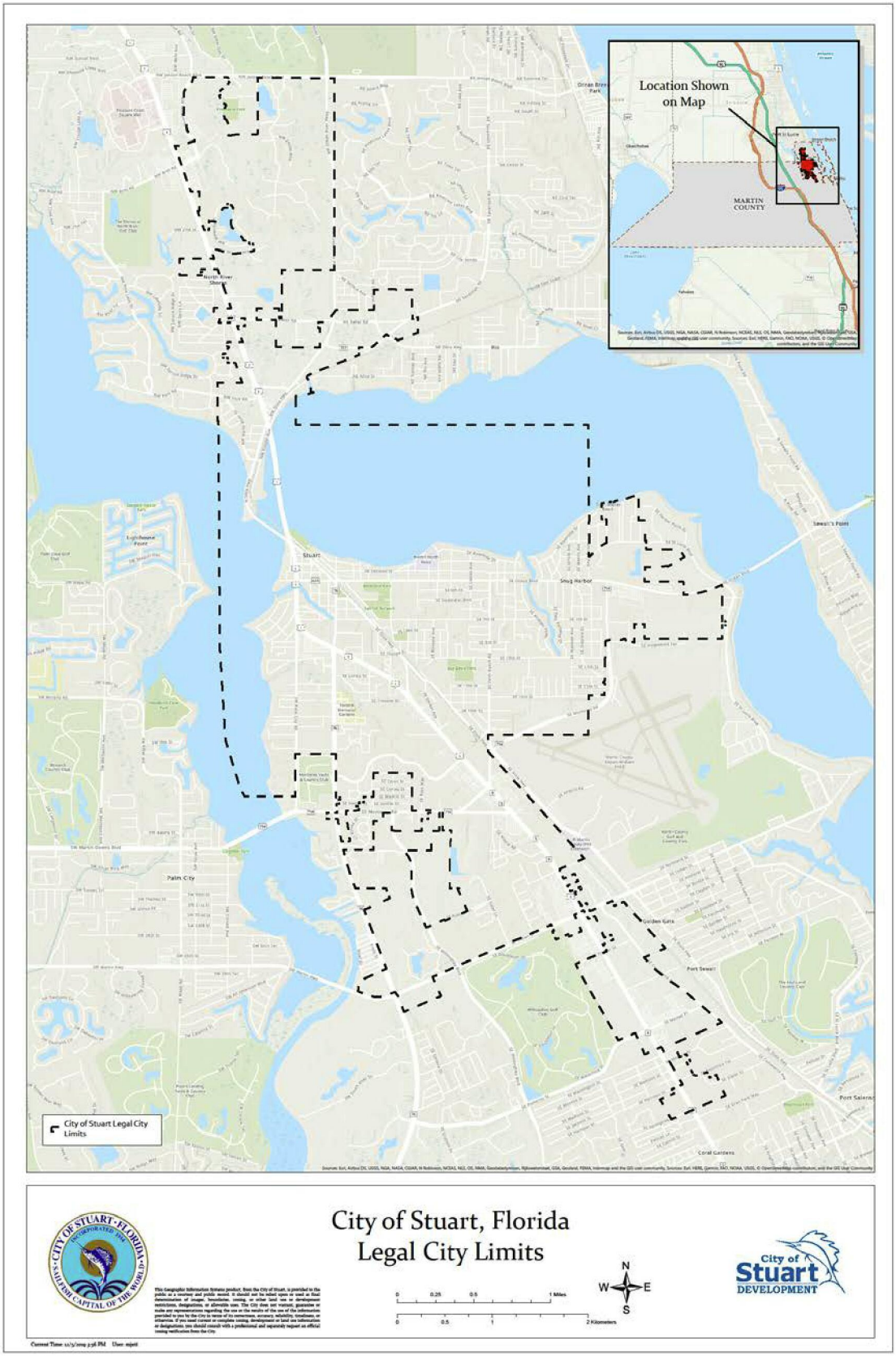
The next step will be for the City to utilize the recomendations of the Evaluation and Appraisal Report to update the Comprehensive Plan to reflect the City's vision and to adapt to changing needs of the community.

## 1.2 Profile of the City

The City of Stuart is located along east coast Florida's Treasure Coast and lies along the broad St. Lucie River, as shown on Map 1. Stuart's location on the St. Lucie River and close proximity to the Atlantic Ocean is an asset to the community and has a strong influence on the City known as the "Sailfish Capital of the World." Public access to the waterfront and protection of the waterways and associated natural resources are important concerns that inform the City's Comprehensive Plan. Throughout its history, the City has maintained its character as a moderately developed waterfront community with a small-town feel.

Stuart is the county seat of Martin County. The City currently encompasses 6.12 square miles of land with an estimated permanent resident population of 16,504 people, which is estimated to increase each winter with nearly 4,000 seasonal residents.






*Map 1: Legal City Limits*

## 1.3 Change in Population

Table 1-1 presents historical population growth in the City of Stuart based on US Census and University of Florida BEBR data. The City's population increased by 911 residents, an increase of 5.52% population during the 2010 – 2019 period. This equates to an approximate growth of 101 residents per year or 0.61%, which is consistent with the United States' growth rate in 2018 of 0.67% (census.gov). However, this growth rate is lower than Florida's 2020 estimated growth rate of 1.8%. Additionally, approximately 50.71% of the population growth is attributed to land annexations. Table 1-2 provides estimated population projections. It is estimated the City's population will increase to 19,064 residents by the year 2035, an increase of 2,560 residents between 2019 and 2035.

**Table 1-1 Historical Population Growth (Residents)**

| Year | Resident Population |
|---|---|
| 1990* | 11,936 |
| 2000* | 14,725 |
| 2010* | 15,593 |
| 2015* | 15,984 |
| 2016* | 16,197 |
| 2017* | 16,250 |
| 2018* | 16,293 / 16,425** |
| 2019** | 16,504 |

Sources: * U.S. Bureau of the Census
** University of Florida BEBR estimate

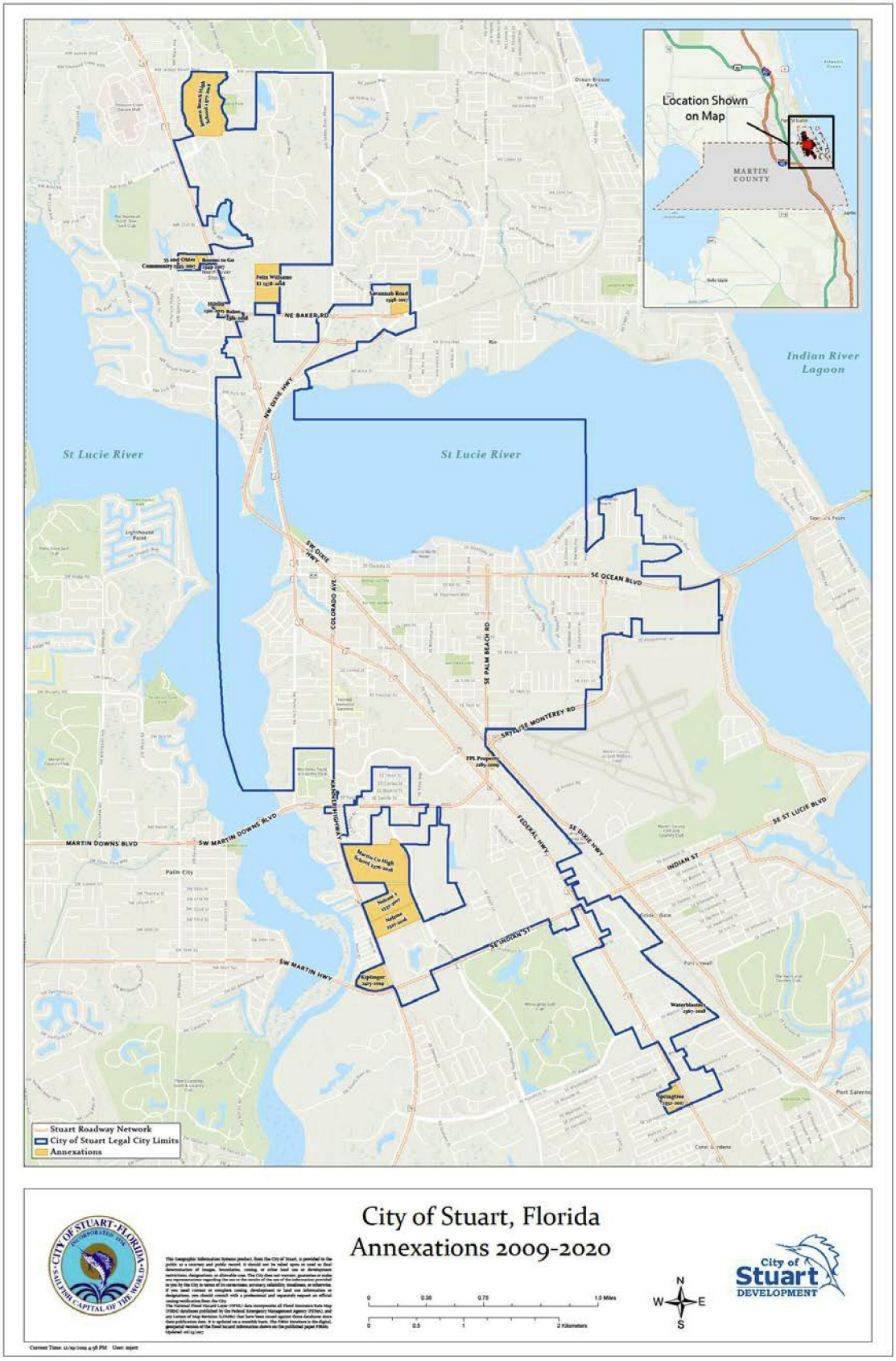
**Table 1-2 Population Projections (Resident Population)**

| Year | City of Stuart Estimate Population |
|---|---|
| 2020 | 16,769 |
| 2025 | 17,490 |
| 2030 | 18,212 |
| 2035 | 19,064 |

**Source:** Stuart Ten-Year Water Supply Facilities Work Plan; January-2019

## 1.4 Changes in Land Area

Map 2 shows City annexations between 2009 and 2019. A total of 276.79 acres were annexed during this period. An inventory of annexed properties, including the assigned City land-use designation for each, and estimated added population from the annexation is presented in Table 1-3. Six commercial, four residential, three institutional, and one industrial properties were annexed. The residential properties are projected to add an estimated 972 persons to the City's population. Two of the annexed parcel developments have been completed, adding approximately 462 residents to the City. This accounts for approximately 50.71% of the City's population growth over the last decade. Table 1-4 provides the acreage of annexations by land use type. Three schools were annexed into the City, accounting for 56.96% of the annexed acres, along with 61.80 and 53.91 acres of commercial and residential properties, respectively. The local power provider, Florida Power and Light, annexed 3.27 acres of industrial property in 2009.




*Map 2: Annexations 2009-2020*

**Table 1-3 Annexation Activity: 2009 to 2019**

| Year | Parcel Name | Acreage | Potential Population | Land Use Designation |
|---|---|---|---|---|
| 2009 | FPL | 3.27 | 0 | Industrial |
| 2015 | Wynne/Hotel | 2.96 | 0 | Commercial |
| 2016 | Nehme/Rice | 24.29 | 0 | Commercial |
| 2017 | Nehme Holdings | 29.22 | 0 | Commercial |
| 2017 | Anchor Bank | 9.6 | 182 | Residential |
| 2017 | Werner Bols | 15.2 | 280 | Residential |
| 2017 | Kornbluh/Rooms to Go | 2.57 | 0 | Commercial |
| 2017 | Stuart 13/Springtree | 13.58 | 280* | Residential |
| 2018 | Crocker Group/ Waterblasters | 1.96 | 0 | Commercial |
| 2018 | Martin High School | 65.18 | 0 | Institutional |
| 2018 | Jensen Beach High School | 65.80 | 0 | Institutional |
| 2018 | Felix Williams | 26.53 | 0 | Institutional |
| 2018 | Baker Rd LLC | 0.80 | 0 | Commercial |
| 2019 | Kiplinger | 15.53 | 230** | Residential |
| **Total** | | **276.49** | **972** | |

*Project Approval **Project Potential

**Table 1-4 Annexation Area by Future Land Use Category: 2009-2019**

| Future Land Use Category | Acres | Percentage of Total 2009-2019 Annexations |
|---|---|---|
| Industrial | 3.27 | 1.18% |
| Commercial | 61.80 | 22.35% |
| Residential | 53.91 | 19.49% |
| Institutional | 157.51 | 56.96% |
| Total Acres | 276.54 | 100% |



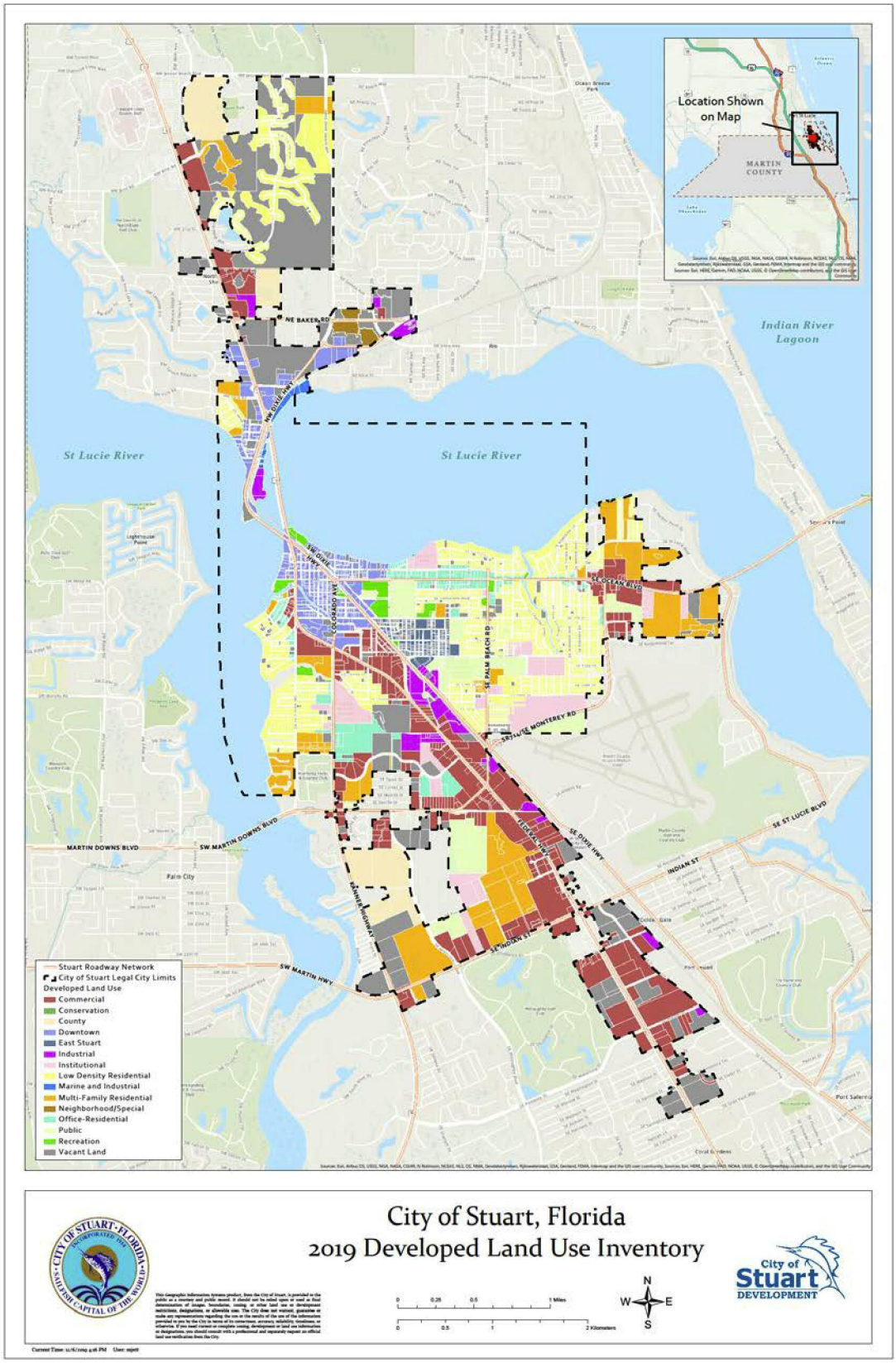
## 1.5 Vacant Land for Development



An inventory of vacant land, by land-use category, is presented in Table 1-5. In total, the City had 852.96 vacant acres in 2019. Locations of vacant parcels are illustrated on Map 3. The majority of vacant land, 412.35 acres, is conservation land. There are 175.59 acres of vacant commercial property, which accounts for 20.59% of all vacant land in the City. Multi-family residential land use accounts for the third greatest amount of vacant acres, with 66.87 acres. Marine/Industrial is the category with the least available vacant land, having only 0.54 acres, which is 0.06% of the available vacant land. Several land-use categories have less than 25 acres of vacant land, including marine/industrial, East Stuart, industrial, institutional, and office/residential.

**Table 1-5 2019 Vacant Land Inventory by Future Land Use Map Designation**

| Land Use Designation | Land Use Distribution | |
|---|---|---|
| | Acres | Percent |
| Commercial | 175.59 | 20.59% |
| Conservation | 412.35 | 48.34% |
| County Designations | 49.48 | 5.8% |
| Downtown | 28.25 | 3.31% |
| East Stuart | 12.12 | 1.42% |
| Industrial | 15.06 | 1.77% |
| Institutional | 16.31 | 1.91% |
| Low Density Residential | 37.47 | 4.39% |
| Marine/Industrial | .54 | .06% |
| Multi-Family Residential | 66.87 | 7.84% |
| Neighborhood/Special District | 25.51 | 3.00% |
| Office/Residential | 13.41 | 1.57% |
| Total Acres | 852.96 | 100% |




*Map 3 Developed Land Use Inventory*

## 2.0 Community Engagement

*The City recognizes the importance of public workshops and has provided for and encouraged public participation throughout the Evaluation and Appraisal Report planning process.*

### 2.1 Community Engagement Activities

The following activities were completed by City staff in an effort to inform, engage, and solicit input from residents, business owners, stakeholders, and interested parties:




- Created a City of Stuart webpage for Evaluation and Appraisal Report information
- Distributed a survey through the Evaluation and Appraisal Report website and email
- Advertised community engagement meetings
- Developed a flyer encouraging participation in the community engagement meetings
- Advertised community engagement meetings through email, hard copies, word of mouth, and social media
- Promoted attendance at community engagement meetings in the “info bits” on City utility bills
- City staff conducted personal outreach to Martin County schools and the Stuart Community Redevelopment Area
- Held community meetings:
  - October 7, 2019 –Public Workshop #1
  - December 4, 2019 - Focus group discussion with Stuart Main Street
  - December 11, 2019 - Public Workshop #2
  - February 25, March 3, and March 10, 2020 - Joint Local Planning Agency and City Commission meetings



### a) October 7, 2019 –Public Workshop #1



At the initial Public Workshop for the Evaluation and Appraisal Report, the City asked for public input on the following issues:

1. Neighborhoods
2. Mobility
3. Environment
4. Public Services
5. Business

Participants placed green, yellow, and red dots stickers on photos of the community to indicate if they believed the City was doing well in that category, could improve, or should reevaluate the direction they are moving. Table 2-1 summarizes the overall findings.

**Table 2-1 Public Workshop #1 Public Input Summary**

| Input Category | Doing Well | Room for Improvement | Need to Reassess Track |
|---|---|---|---|
| Environment | > Natural Resources & Habitat<br>> Open Space & Green Space | > Water Quality<br>> Resiliency & Climate Change<br>> Renewable & Alternative Energy | None |
| Mobility | > Walkability | > Passenger Train<br>> Alternative Transportation<br>> Parking<br>> Biking | > Traffic & Streetscape |
| Public Services | > Potable Water & Utilities<br>> Parks & Recreation<br>> Sanitation & Recycling<br>> Beautification<br>> Stormwater<br>> Sewer & Septic | None | None |
| Neighborhoods | > Architectural Standards & Design<br>> Density | > Historic Preservation<br>> Affordable Housing<br>> Future Land Use<br>> Housing Stock/Type | None |
| Business | > Community Redevelopment Area<br>> Downtown<br>> Capital Improvements | > Local Economy<br>> Jobs<br>> Commercial & Industrial Land Use | None |




**b) December 4, 2019 – Stuart Main Street Focus Group**

The Stuart Main Street Focus Group was primarily a roundtable discussion, where all attendees were given an opportunity to provide input on issues and ideas for improvement related to the Comprehensive Plan and the Land Development Code. Input gathered informed recommendations in this Evaluation and Appraisal Report.

**c) December 11, 2019 - Public Workshop #2**

During the second Public Workshop, the City provided a brief overview of the Evaluation and Appraisal Report and Comprehensive Plan update process. Discussion was opened up to the public.




**d) Joint Local Planning Agency and City Commission Meetings**

Joint Local Planning Agency and City Commission Meetings were held February 25, March 3, and March 10, 2020 to review and revise draft recommendations of the Evaluation and Appraisal Report. Representatives asked questions, provided feedback, and gave input on the finding and recommendations outlined in the Evaluation and Appraisal Report.

# 3.0 General Recommendations

*"A blueprint for the future."*

*The City's Comprehensive Plan serves as a blueprint for future development and guides growth. It guides the City's future actions through goals, objectives, and policies and establishes a framework for prioritizing investments. As the City grows and revisions are made to state laws (Chapter 163, Florida Statutes), the City shall update its Comprehensive Plan so the document grows and adjusts to a changing world and new demands.*

## 3.1 Description of the Issue

As state statutes are updated and revised, it is the City's responsibility to evaluate and amend the Comprehensive Plan to reflect the changes in state requirements. Since adoption of its first Comprehensive Plan in 1989, the City of Stuart has evaluated its blueprint for the future twice, in 1996 and 2009. In 2019, the City once again initiated an evaluation of its Comprehensive Plan; this Evaluation and Appraisal Report is part of that process. In the overall evaluation of the Comprehensive Plan, the following major issues were identified per state requirements and City staff input, and community engagement activities.

a) **Compliance with State Statutes:** The City needs to complete amendments to its Comprehensive Plan to reflect changes in state requirements in Chapter 163, Part II, Florida Statutes.
b) **Readability:** City staff and members of the public indicated that the City's current Comprehensive Plan is cumbersome and difficult to read and use.

## 3.2 Comprehensive Plan Evaluation

a) **Compliance with State Statutes:** In Spring 2019, the City, in conjunction with their consultant, Cardno, Inc., reviewed its Comprehensive Plan and determined that amendments were necessary to reflect 2010 - 2018 changes in state requirements in Chapter 163, Part II, Florida Statutes. During the reviewed timeframe, it was noted that several amendments had been completed, including adopting 2009 Evaluation and Appraisal Report-based amendments. Some additional amendments included, but were not limited to the following:
    - Revisions to the Capital Improvements Element
    - Future Land Use Map updates
    - Implementing an Economic Development Element
    - Annexations

    Amendments that need to be completed and that are being incorporated into this Evaluation and Appraisal Report include the following:
    - Deleting references to Rule 9J-5, Florida Administrative Code
    - Changing "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act"
    - Correcting "Department of Community Affairs" to "Department of Economic Opportunity"
    - Updating 5 and 10-year planning horizons to 2025 and 2030
    - Add new policy and revise existing policy within the Coastal Management Element to adhere to the requirements under the Peril of Flood Act




**b) Readability:** During review of the Comprehensive Plan, several factors were noted that contribute to making the Plan difficult to read. These include the use of numerous acronyms, development-related language, lack of graphics, and references to outdated programs and policies. The Comprehensive Plan should be revised to be more graphic and easier to understand through clear, concise, and current language and strategic use of graphics to promote concept understanding and visual appearance of the document. Additionally, reorganizing closely aligned Elements can ease use of the document and assist the City in more effectively monitoring implementation. It was also recommended to reorganize the Elements into "Pillars." A suggested reorganization is provided in Section 3.4

### 3.3 Recommendations

1. Make Comprehensive Plan more graphic and simplify language to improve readability and ease of understanding. The Plan should use clear, concise language, an active voice, and graphics to break up monotony of narrative, make the Plan more visually interesting, and improve understanding of concepts.
2. Reorganize optional and required Elements into the following "Pillars:" Environment, Neighborhoods, Infrastructure, Community and Economic Development, and Government and Implementation.
3. Revise Comprehensive Plan to have short and midterm planning horizons of 5 (year 2020) and 10 (year 2030) years to encourage quick action by the City.
4. Delete policies that have been implemented or are no longer relevant.
5. Incorporate sustainability and resiliency information/sections into each Element, as-needed.
6. Required per Florida State Statutes: Adopt text amendments in Exhibit 1 of this document to make the following changes:
   - **a)** Removing references to Rule 9J-5, Florida Administrative Code
   - **b)** Changing "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act"
   - **c)** Correcting "Department of Community Affairs" to "Department of Economic Opportunity"
   - **d)** Adopt removal of references to Rule 9J-5, which is no longer applicable, in Exhibit 1 of this document.

### 3.4 Recommended Reorganization of Elements

It is recommended that the Comprehensive Plan Elements be organized into "Pillars." Reorganizing closely aligned Elements can ease use of the document and can assist the City in more effectively monitoring implementation. Further, it is recommended that three new Elements be added: Historic Preservation and Neighborhood Vibrancy, Community

Redevelopment Agency, and Administration and Implementation.

The purpose of adding the Historic Preservation and Neighborhood Vibrancy Element is to have one policy location that helps drive promoting and retaining community character. Part of the City's character is preserving historic buildings and cultural assets. Historic preservation is something the community stated the City can improve upon.

The Community Redevelopment Agency (CRA) has some specific goals and objectives that differ from the remainder of the City. Housing these specific goals and objectives under one Element would collocate CRA-specific goals and objectives. This Element would need to reference the CRA's adopted Community Redevelopment Plan. Alternatively, the City can consider adding a CRA section to each Element.

Adding an Administration and Implementation Element can assist the City in implementing the Comprehensive Plan through providing timeline goals, monitoring and evaluation procedures, and guidance to complete monitoring, evaluation, and updating procedures.

It is also recommended to remove Element X - Public Schools Facilities and incorporate relevant goals, objectives, and policies into the existing Element VII - Intergovernmental Coordination Element.

**Environment Pillar**

1. Coastal Management (currently Element IX)
2. Conservation Element (currently Element V)

**Neighborhoods Pillar**

1. Future Land Use Element (currently Element I)
2. Housing Element (currently Element III)
3. Recreation and Public Space (currently Element VI)
4. Historic Preservation and Neighborhood Vibrancy (optional Element to be added)

**Infrastructure Pillar**

1. Mobility (currently Element II - Transportation)
2. Capital Improvements and Concurrency Management System (currently Element VIII)
3. Public Services (currently Element IV – Infrastructure)

**Community & Economic Development Pillar**

1. Economic Development (currently optional Element XI)
2. Community Redevelopment Agency (optional Element to be added)

**Government and Implementation Pillar**

1. Intergovernmental Coordination Element (currently Element VII)
2. Administration and Implementation (optional Element to be added)

# 4.0 Environment

*Minimizing the impact of climate change, improving water quality and using renewable energy and resiliency planning for a sustainable future, has emerged as a paramount concern both globally and for the City of Stuart. While global efforts are taking place, ultimately climate adaption and efforts to improve water quality and promote renewable energy use must be planned for and implemented at the local level. The City's Comprehensive Plan has been evaluated in terms of the three primary components: water quality and natural resources, renewable and alternative energy, and resiliency planning.*

*The City established a multi-departmental committee to identify opportunities for incorporating sustainability and resiliency concepts into decision-making and policy goals for the future, which will evolve into a sustainability and resilience plan.*

## 4.1 Description of Issue

The following major issues have been identified through community engagement activities and interviews with City staff and should be addressed through updates to the City's Comprehensive Plan's goals, objectives and policies.



a. **Water Quality and Natural Resources:** According to public input, one of the greatest major issues facing the City is water quality. Comprehensive Plan objectives encourage low impact development (LID) strategies and, since the 2009 Evaluation and Appraisal, wetland policies are better-defined which helps improve the quality of natural resources and minimize environmental impacts. Community Investment Plan (CIP) infrastructure goals such as reverse osmosis plants and non-mandatory septic-to-sewer programs, as well as planning requirements for irrigation strategies and approved landscape materials help promote sustainable water supply. The City and community agree these programs have been successful; however, currently there is no baseline of acceptable water quality, no established system of measurement, nor a water quality action plan in place.

b. **Renewable and Alternative Energy and Resource Use:** The previous objectives to provide sustainable and smart growth principles, green-house gas reduction strategies, increased use of renewable energy alternatives, and to formalize a mandatory Green Development review section, were identified through the community engagement process as the highest ranked issues to address in the Comprehensive Plan update. The City supports the Solar Energy Loan Fund and the Florida Green Energy Works program, continues to implement solar projects, and is considering a required sustainability matrix for development. With both successes and shortcomings in the previous plan, updates must focus on mandatory policy with measurable outcomes.

c. **Resiliency Planning:** The City organized a multi-department sustainable committee

in October 2019 with the goal to create a Sustainability Plan by April 2020. Resiliency will be a key component to the City's sustainability. Resiliency is the ability of the built and natural environment to resist, adjust to and recover from the effects of a hazard. Current goals promote protection of the coastal shoreline from erosion and capital assets from destructive forces, while also providing for emergency evacuation and procedures for post-disaster redevelopment. According to the South Florida Regional Climate Change Compact, unified sea level rise projections for South Florida project sea levels will rise by three to seven inches by 2030 and nine to 24 inches by 2060. While the City understands potential impacts of climate change, sea level rise, intense storm events and shoreline exposure, an effective disaster management plan that incorporates resiliency and sustainability strategies is not in place. Areas of the City are prone to flooding and risk impacts from hurricanes and sea level rise. Flood zones designated by the Federal Emergency Management Agency (FEMA), the City's Coastal High Hazard Area, coastal sea level rise projections, and hurricane storm surge projection maps are provided in Maps 4-7. These maps indicate areas of the community vulnerable to flooding and hurricanes. This information can help inform policies to protect infrastructure, residents, and the coastline.



## 4.2 Potential Social, Economic and Environmental Impact

The City of Stuart seeks to provide its residents a high quality of life and attract tourists and businesses that will contribute to the economic vitality of the City. Implementing policy, planning and CIP guidelines that encourage pedestrian and transit friendly development; reduce negative impacts on the natural environment; and identify strategies for a resilient and sustainable future, will help create a community where families want to work, live and play. Redevelopment in areas of adequate infrastructure and services reduces impact on natural areas and greenhouse gas emissions. Policies to support a smart and resilient city will shift the social behavior of the community towards a more efficient and sustainable use of City resources, resulting in an increased quality of life for residents and visitors of Stuart.

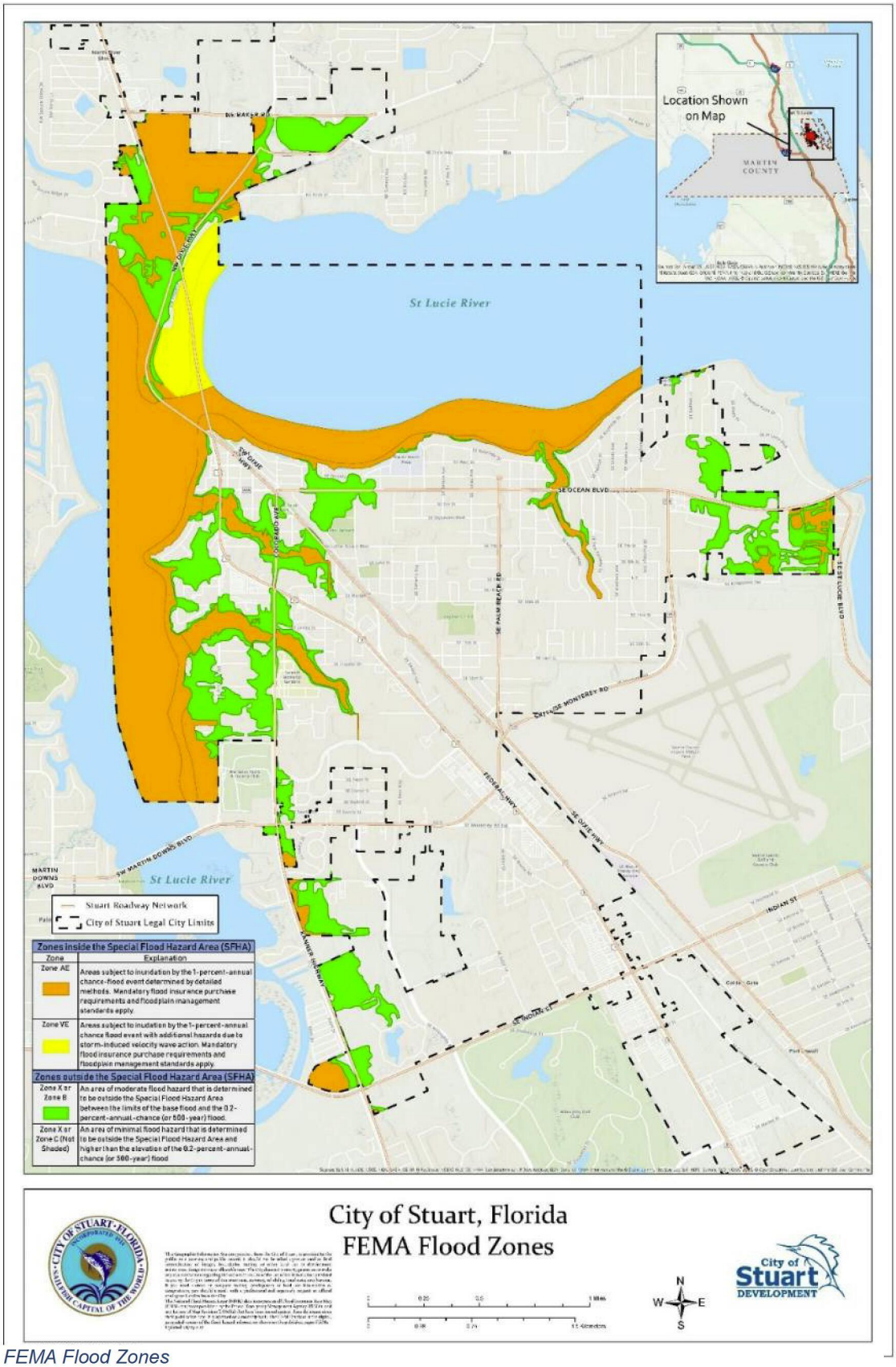
a. **Water Quality and Natural Resources:** Most residents are drawn to the natural beauty of Stuart. The health of the natural environment is crucial to maintaining the

City's economic vitality, which is largely impacted by tourism and seasonal residents. The City recognizes the importance of the health of the natural environment and its role in the City's sustainable future. The City is exceeding their goals for providing conservation and open space. In an effort to improve water quality, Stuart is working to convert septic systems to public sewer, currently providing residential and commercial users financial incentives to convert. There are further opportunities for the City to improve stormwater runoff to reduce environmental impacts from development.

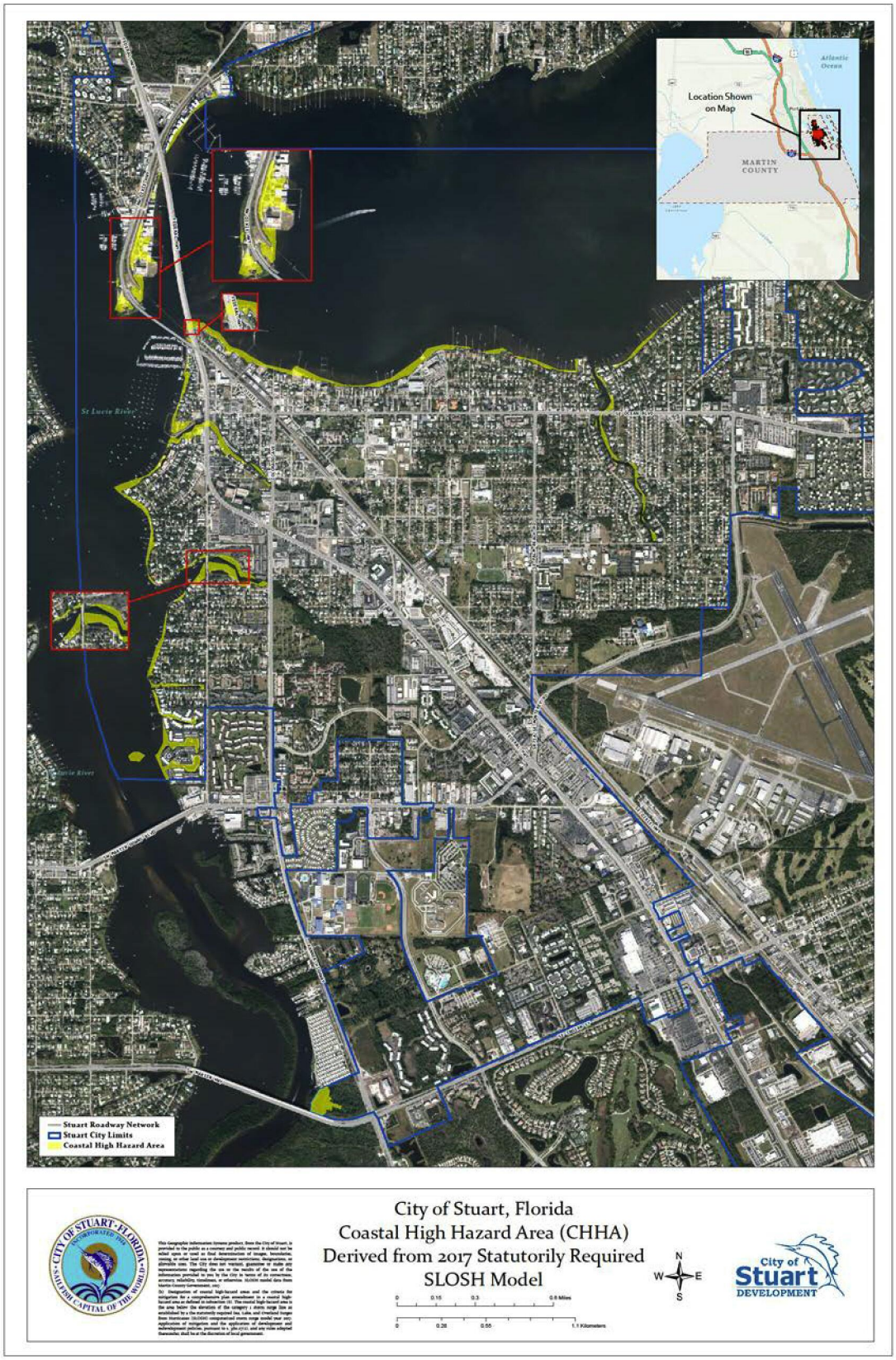
b. **Renewable and Alternative Energy and Resource Use:** For a sustainable future, energy reliability is critical. The City of Stuart's primary source of power is provided by Florida Power and Light, who currently has one of the lowest emission profiles of any utility in North America. This is important for local air quality and health of Stuart residents and visitors. In addition, individual solar projects are being built in the City however, power production is currently unknown. By quantifying the energy realized by the solar panels projects, the City can set baseline goals by which to measure proposed projects. By educating and communicating renewable and alternative energy information to the public, the City can encourage individuals and developers to support sustainable energy sources within the community. Implementing policy that includes measurable standards for development review, requiring alternative energy credits, providing a matrix of choices for developers (such as incentives for electric charging stations or quantifying solar requirements for appropriate projects) are all efforts the City can promote for greater sustainability.

c. **Resiliency Planning:** Being resilient to sea level rise and storm events is one of the most pressing issues for Florida communities. The future economic, social, and environmental costs can be catastrophic if a community is not well prepared. Flood risk needs to be mitigated with strong policies, tools, and strategies. Other coastal communities are finding that the cost of sea level rise and storm impact have forced them to develop practices and policy that can improve climate change resilience. Practice and policy that should be considered by the City include pushing development outside of areas prone to flooding and developing and redeveloping more resilient structures, particularly in flood-prone areas. Development tools may include retrofitting buildings for increased flood risk; designing infrastructure that can withstand higher water levels; raising seawalls; installing tidal valves; implementing natural drainage features, such as bioswales and stormwater buffers; reducing the heat island effect through increased landscaping, shading, and green building practices; and adopting building practices that reduce vulnerability to increased storm events.

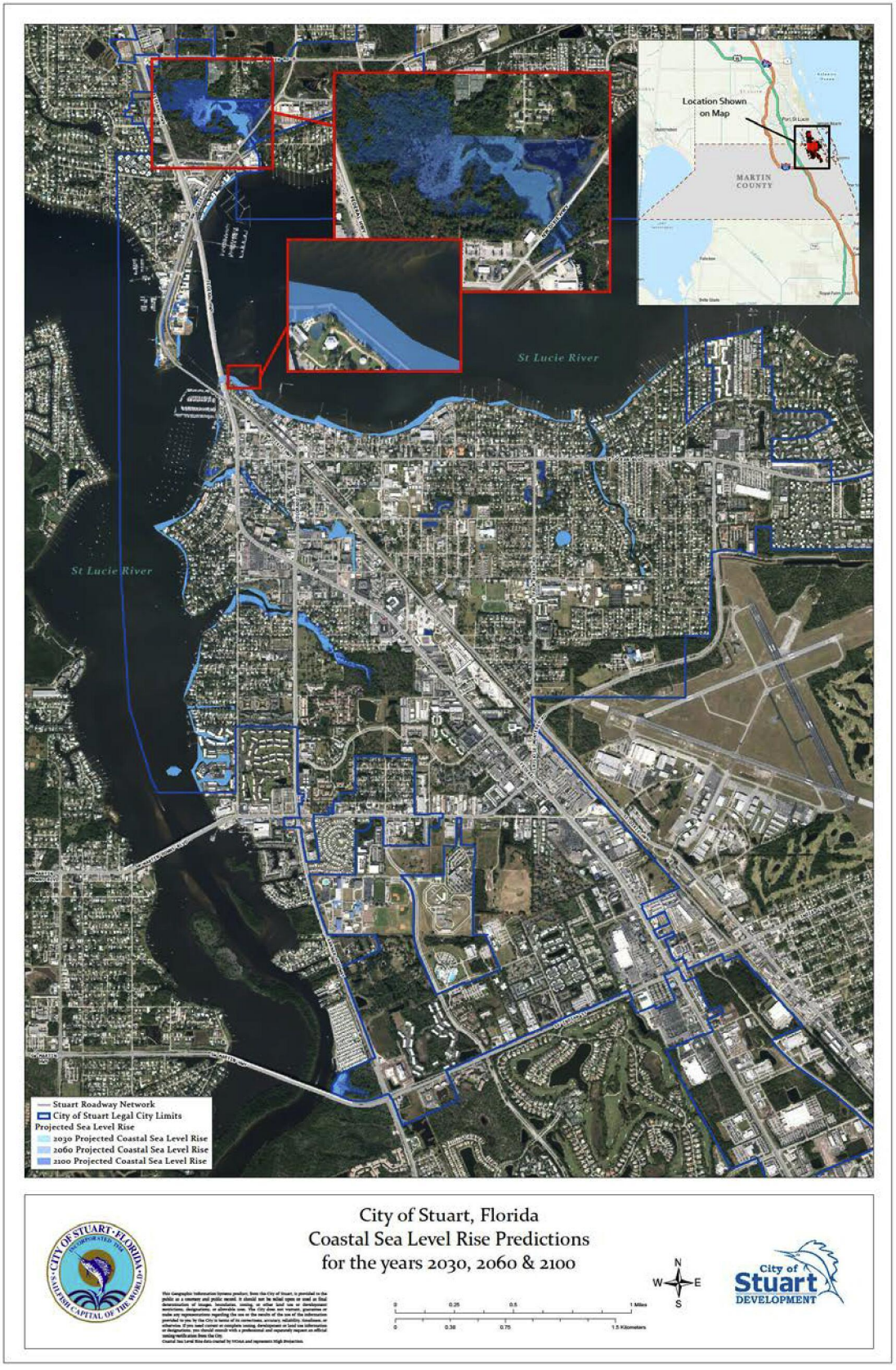




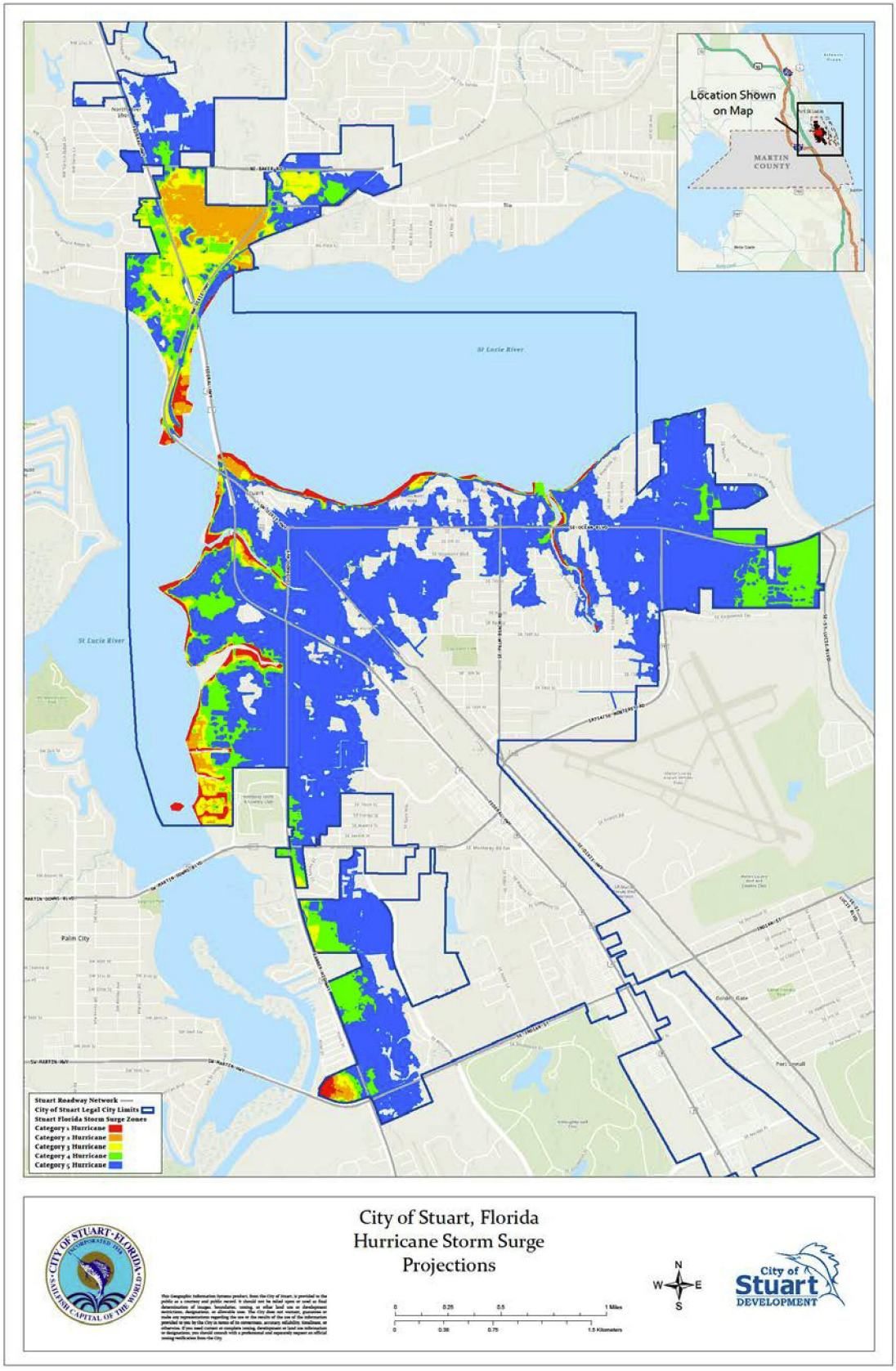

*Map 4: FEMA Flood Zones*




*Map 5: Coastal High Hazard Area*




*Map 6: Coastal Sea Level Rise Predictions*




*Map 7: Hurricane Storm Surge Projections*

## 4.3 Comprehensive Plan Evaluation

a. **Water Quality and Natural Resources:** In order to show its commitment to improving and protecting water quality, the City must enforce its established policies. Coastal Element Policy A1.1 calls for enforcing and monitoring the City's master drainage plan and flood control prevention ordinance; however, the data for these will need to be updated and reviewed with the new FEMA maps and climate change information available. Conservation Element Policy A2 and Infrastructure Element A4d encourages LID practices in development project; however, there are no specific measures or practices in place to guide developers and plan reviewers, or goals and timelines established by which to accomplish these LID practices.

b. **Renewable and Alternative Energy and Resource Use:** The Conservation Element Goal A provides for and supports renewable and alternative energy use, but there are no set goals or timeline established by which the City can measure their progress. The goal statement promotes the use of renewable resources when appropriate, but the goal is not specific or measurable. Established polices other than Future Land Use Element A6.5, which specifically promotes and encourages use of renewable and alternative energy, should be updated to provide incentives for their use and quantify the requirements.

1. **Resiliency Planning:** The Coastal Element goals protect the coastal and natural resources with programs and procedures that balance coastal development activities with the preservation of natural resources. Risks of stronger storm events and sea level rise has resulted in the need to adapt redevelopment and development in vulnerable areas. Based on the new FEMA Flood Zone, Coastal High Hazard, Sea Level Rise, and Hurricane Storm Surge Maps (Maps 4-7); review of vulnerable areas; and needing to meet requirements of the Perils of Flood Act, the Coastal Management Element needs policy updates. Moving development out of flood-prone areas and requiring stricter and more resilient redevelopment and development standards in vulnerable areas will help protect the City from major financial and infrastructure losses occurring from major storm events. This will also lead to a more resilient and sustainable future for the City.



## 4.4 Recommendations

### Resilience and Sustainability

1. Incorporate climate change narrative and identify best available information on weather and climate change phenomena that are current and potential future threats to the area, and outline a general framework for adaption, mitigation, and resilience.
2. Add policy to develop a resilience strategy as part of standalone Sustainability Plan, recognizing the risks of Stuart's geographic location and outlining the City's commitment to resilience-building efforts.
3. Add policy to become designated as a SolSmart Community.
4. Strengthen policy to encourage new development in higher elevations and areas less vulnerable to flooding.
5. Consider resiliency general design guidelines and/or area-based/targeted form-based codes that mandate resilient design in vulnerable areas.
6. Consider sea level rise in government infrastructure and stormwater infrastructure projects.
7. Add policy to replace City fleet vehicles with hybrid or electric cars, when possible.
8. Encourage new development to include infrastructure for electric vehicles.



### Coastal Management

1. Required: Amend the Coastal Management Element to add new policies

pertaining to the adoption and implementation of strategies to protect property and infrastructure from the impacts of climate change and coastal flooding for compliance with Chapter 163.3178.

**a.** Add policy to reduce the flood risk in coastal areas that result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise.
**b.** Add policy to encourage removal of coastal real property from the Federal Emergency Management Agency (FEMA) flood zone designations.
**c.** Add policy to follow site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in Florida.
**d.** Add policy for development to be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.
**e.** Add policy to require construction seaward of the coastal construction control line to be consistent with chapter 161, Florida Statutes.
**f.** Add policy for the City to remain a participant in the National Flood Insurance Program Community Rating System to achieve flood insurance premium discounts for its residents.

2. Consider policy to encourage engineering and natural (living shoreline) techniques along the shoreline to reduce wave impacts during normal and extreme storm events.

3. Consider impacts of public expenditures and development within the coastal high-hazard area.

4. Consider creating an Adaption Action Area(s) to prioritize areas for adaptation planning and infrastructure needs. This area may include the Coastal High Hazard Area and areas of the City projected to be inundated by sea-level within a determined set of time to match planning horizons.

**Conservation**

1. Incorporate climate change, resiliency, and sustainability into Elements, where appropriate.

2. Incorporate area-based, light Transit-Oriented Design (TOD) principals to reduce transportation related impacts, increase density where appropriate, and reduce greenfield development.

3. Encourage low-emission transportation options.

4. Modify objective that encourages Low-Impact Development (LID) to reduce impacts of stormwater runoff and require integration of site-specific LID best management practices for all new development.

5. Support and incorporate policy for green and sustainable design guidelines.

6. Update Landscape Code to remove inconsistencies and encourage use of Florida-friendly and native plants.

7. Encourage a variety of groundcovers within landscape requirements, including

xeroscaping groundcover options, to reduce the requirements for sod in new development.

8. Review and update wetland protection standards within the Land Development Code.

9. Support reduction of the heat island effect and encourage implementation of shade strategies through Landscape and Development Codes. Strategies to create more shade in the urban environment include increased tree coverage, use of green roofs and parking shade structures with solar panels, and roof lines to cover sidewalks.



10. Establish tree canopy baseline and implement policy to encourage expanding tree coverage. Include language to allow for a reduced tree canopy grace period following natural disasters.

11. Update City's ordinances and Land Development Code to encourage and remove barriers to renewable energy production.

12. Enhance solid waste reduction by increasing recycling goals and strengthening the public education program.

13. Develop baseline of renewable energy usage within the City to allow for measuring future successes.

14. Add policy to reduce City's dependence on Surficial Aquifer through public education, reducing water usage, and seeking alternative supply sources.
15. Add policy to support tree mitigation for planned unit developments (PUDs) and new development that replaces plant/tree-life within City limits, including living shoreline projects.
16. Add policy to allow City's tree replacement fund to be used for living shorelines and stormwater projects.
17. Add objective to increase pervious areas and allow for a variety of pervious hardscape materials.
18. Add goal, objectives, and policy to promote brownfield redevelopment.



# 5.0 Neighborhoods

*"Promote desirable, affordable, and vibrant neighborhoods that meet the demands of our current and future residents"*

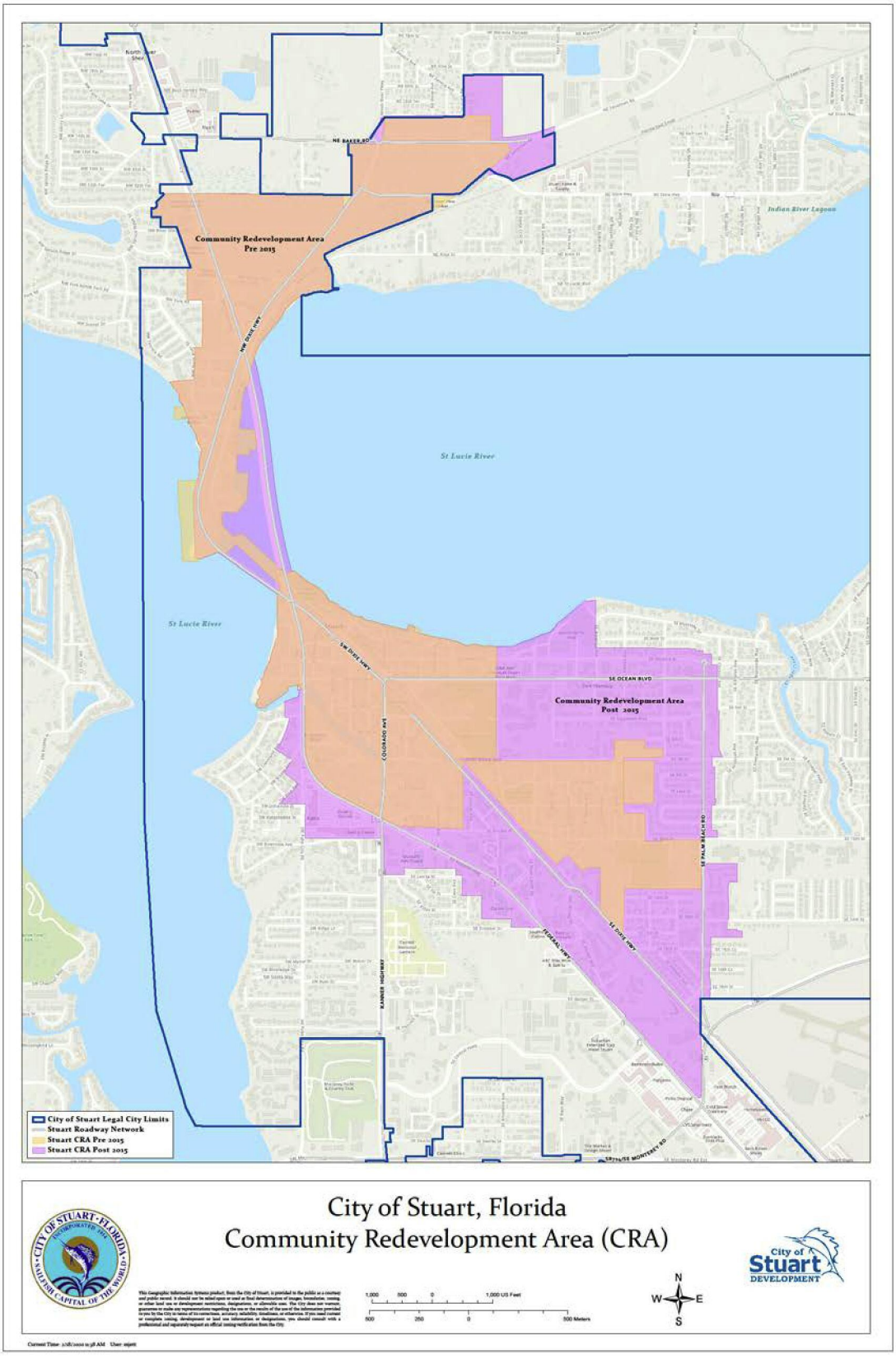
*Strong neighborhoods are at the center of the City of Stuart's community identity. The City has identified areas in which the Comprehensive Plan should be updated to promote positive development and redevelopment patterns. The existing Elements, objectives, and policies in the Comprehensive Plan will be evaluated on their effectiveness in promoting desirable, affordable, and vibrant neighborhoods that meet the demands of Stuart's current and future residents. Stuart strives to provide neighborhoods that provide a diverse housing stock, promote density and walkability, and preserve and enhance the area character.*

## 5.1 Description of the Issue



Stuart has strived to maintain its unique area character while faced with the challenges of growth and development. These planning efforts date back to 1986 with the creation of the Community Redevelopment Agency (CRA). This effort spurred a series of planning initiatives to maintain and enhance neighborhood health and vitality including the Downtown Master Plan of 1988 and the 2002 Community Redevelopment Plan. In the 2009 Evaluation and Appraisal Report, recommendations were provided on issue of land use compatibility, architectural design, and neighborhood vitality. In 2015, the CRA expanded its limits as shown on Map 8, covering an estimated 1,168 acres, and gaining a larger footprint of residential land within Stuart. In August 2019, the City of Stuart adopted a Community Redevelopment Plan (CRP) with the purpose of guiding the city in identifying priorities and opportunities within the CRA. The CRP outlined a vision for growth and unification of Stuart while protecting the existing built and natural environments. The CRP's goals, vision, and objectives align closely with those of the greater Stuart limits and the overall Comprehensive Plan objectives and policies.

As Stuart continues to grow and adapt to current development trends, new challenges arise while old challenges persist. It is recommended that the Neighborhood Pillar be broken down into the following four Elements to address the major issues facing Stuart: Future Land Use; Housing; Recreation and Open Space; and Historic Preservation and Neighborhood Vibrancy.

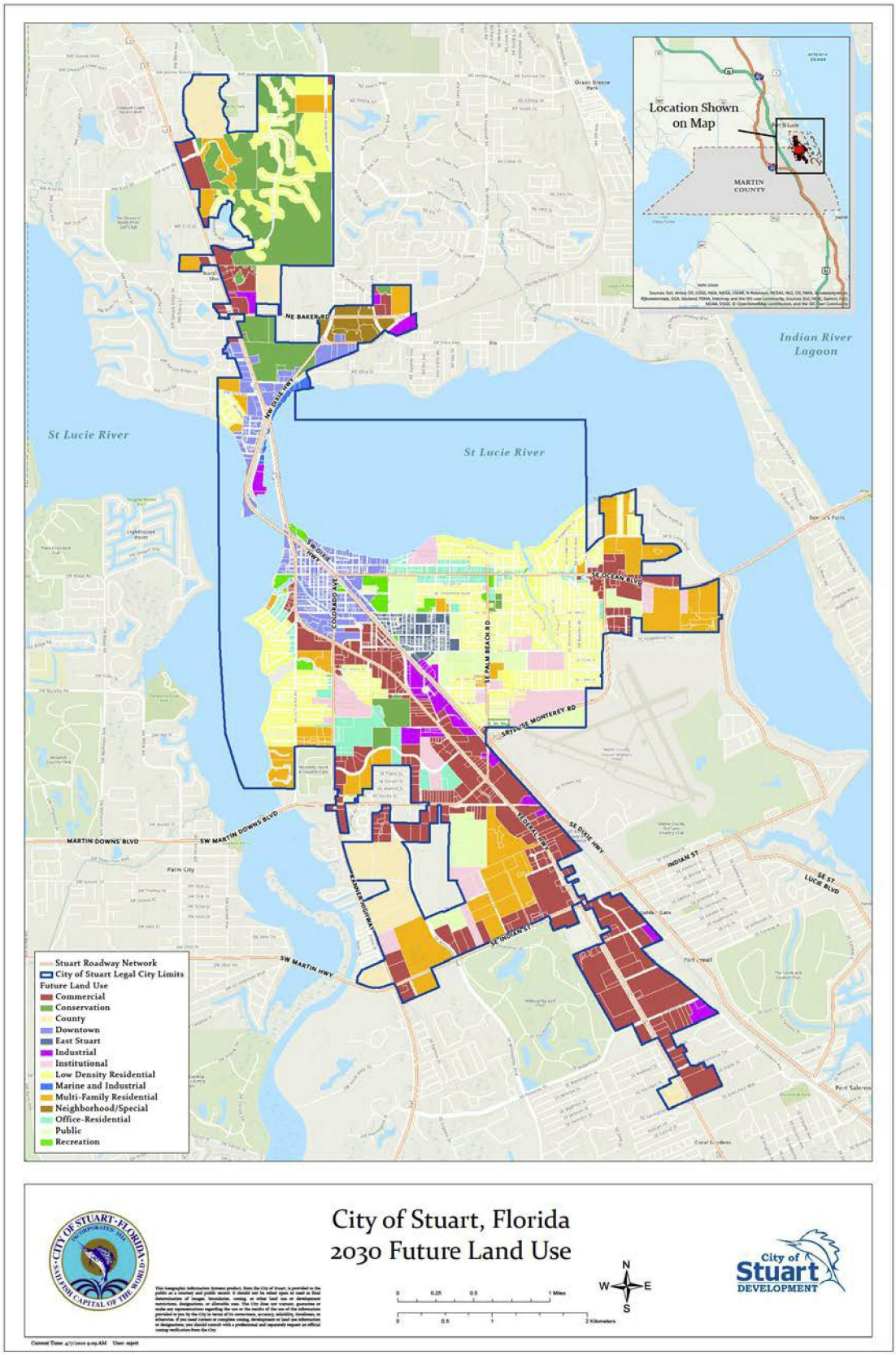



*Map 8: Community Redevelopment Area (CRA) 2015 Expansion*

a. **Future Land Use:** The current 2030 Future Land Use Map is provided as Map 9. Several issues have been identified related to land development patterns and future land use needs within the community, which should be explored in the Comprehensive Plan update. Stuart has identified a need to increase development density for the purposes of promoting more walkable neighborhoods, increased use of public transit, improved access to public amenities, and access to downtown businesses. Allowing more density in key areas throughout the community will also encourage a more diverse housing stock and affordability of housing options. Stuart should evaluate opportunities for infill development and possible revision to design criteria that can be a barrier to infill development projects. Stuart has identified a need to better define architectural and site design standards in the Comprehensive Plan. Clearly defining desired architectural and site design standards that encompass the unique character of the community within the Comprehensive Plan will better serve to influence new minimum requirements in the Land Development Code. New development should complement existing development while allowing for a range of architectural design types.

b. **Housing:** Like many areas in Martin County, the City of Stuart has a need for a more diverse and affordable housing stock that meets the demands of current residents and is attractive to future businesses and residents. Currently, Stuart has the lowest median home value within the County and struggles with an aging housing stock with most homes built between 1970 and 1989. As a result, many neighborhoods within the City limits, and specifically in the CRA, suffer from vacant or dilapidated properties and widespread blight. Due to the age of existing properties, many homes do not meet current standards and building codes for hurricane and storm resiliency. Finding opportunities to incentivize rehabilitation of existing structures, infill development, and historic preservation will aid in combating blight, improving home resilience, and increasing affordable housing opportunities. Stuart also lacks diversity in available housing types. The Comprehensive Plan should be evaluated to allow for and promote mixed use and missing alternative housing types (i.e., cottage lots, granny flats, accessory dwelling units, etc.). As seen in Table 5-1, there is large multi-family and mixed-use residential housing potential within the community. Providing a greater mix of housing types will also support the need for affordable housing and promote a thriving community.






*Map 9: 2030 Future Land Use Map*

**Table 5-1 - 2019 Vacant Residential Land Development Potential**

| Land Use Designation | Land Use | | |
|---|---|---|---|
| | Acres | Dwelling Units | Maximum DU/Acre |
| Multi-Family Residential | 66.87 | 668 | 10 |
| Neighborhood/Special District | 25.51 | 382 | 15 |
| Office/Residential | 13.41 | 134 | 10 |
| Low Density Residential | 37.47 | 326 | 8.7 |
| Downtown | 28.25 | 423 | 15 |
| East Stuart | 12.12 | 206 | 17 |
| Total Acres | 183.63 | 2139 | |

c. **Recreation & Open Space:** The City has a need for comprehensive planning initiatives to improve existing recreation and open spaces and identify opportunities for new recreation and open space in the community. Many of the existing facilities are in need of updating to improve accessibility, pedestrian infrastructure and beautification. Current recreation and open space planning strategies within the Comprehensive Plan will be evaluated for their effectiveness in meeting and anticipating future needs for a growing population. The Comprehensive Plan should address the inventory of vacant property comparatively to the needs for future recreation and open space. The connectivity between all recreation and open space should also be evaluated to promote walkability, bike-ability, and increase overall accessibility to these neighborhood amenities. The Comprehensive Plan should make healthy communities a priority by marketing and promoting recreation opportunities. In addition, the need for new amenities for healthy communities, such as fitness stations and greenway trail systems, as well as fitness programming should be evaluated.

d. **Historic Preservation & Neighborhood Vibrancy**: History and historic preservation drive much of the character, aesthetic, and sense of place that exists in the community. The process in which we updated existing and proposed building architecture should be evaluated to ensure new development does not overpower the existing character. Site design standards and the public realm must be addressed to improve connectivity and the pedestrian experience within community open space. By strengthening its historic preservation efforts, the City aims to stabilize many neighborhoods, increase property values, and support more sustainable development. The City needs to evaluate existing methods for developing an inventory of and preserving historic structures. The City also should consider developing an inventory of cultural assets as they move to push more artistic installations, mural programs, and other cultural projects to promote neighborhood vibrancy.

## 5.2 Potential Social, Economic, and Environmental Impacts

Providing a healthy range of land uses to drive the future growth of Stuart is essential to the social, economic, and environmental health of the city. Incentivizing greater density and infill development patterns will aid in the preservation of open space and protection of natural resources. Establishing policies that promote infill and redevelopment activity, that maintain neighborhood compatibility and minimize negative impacts on adjacent properties will contribute to neighborhood stability. It will also increase property values, occupancy rates and marketability of properties. As these neighborhood changes occur, the economic vitality and status of Stuart as a commercial hub for greater Martin County is enhanced.

Communities facing a lack of affordable and diverse housing stock face a number of economic and social issues including poverty, homelessness, foreclosures and displacement of residents. Community blight and dilapidated housing lower morale and sense of place, discourage tourism, and negatively impact the overall quality of life for all Stuart residents. In addition, as the quality of the built environment degrades, so does public perception of place, promoting lack of ownership in community spaces, encouraging illicit activity, and setting the stage for further blight to occur. Communities that fail to provide adequate affordable housing for residents lack an economically and socially diverse population that is essential to healthy cities. Increasing opportunities for quality affordable housing can increase the level of disposable income for residents and their ability to spend their money in the neighborhood and downtown. Gaining more housing diversity in the City will also serve as an economic development incentive as many employees of existing Stuart businesses commute in from outside the City. Providing opportunities for its workforce to live and work within the City is a great incentive for existing businesses as well as a draw for future businesses. Securing adequate housing stock may in turn draw employees back to the City as a live-work destination.

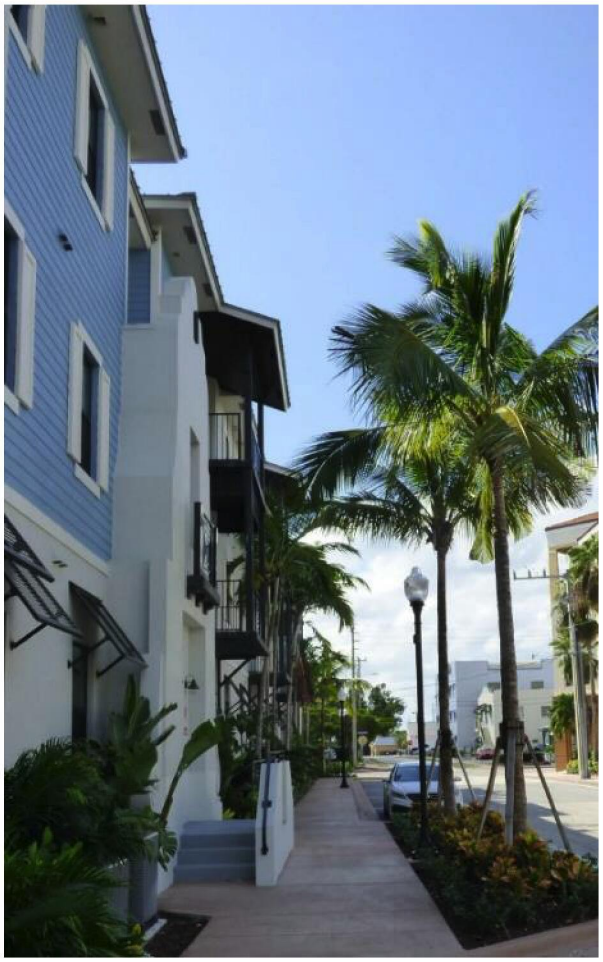
Improving community amenities, recreation opportunities, public access to open space, and pedestrian level infrastructure is essential to safe, inviting, and vibrant communities. The primary issues facing the community in recreation and public space include: the need to update and improve existing parks within the city limits; the need to find additional opportunities to preserve open space and provide more parks; the need to provide Stuart residents with access to the waterfront; and, the need to develop connectivity between open space, recreation and other community amenities. Weaving recreation and public space amenities into the fabric of existing neighborhoods will ensure resilient and strong neighborhoods. Ensuring that access to the water and greenspace is maintained and enhanced will have positive economic and social impacts by promoting the protection of natural resources, improving air and water quality,



providing more space for social interaction, enhancing quality of life, and retaining residents.

Cities with vibrant neighborhoods and a strong sense of place are typically more socially diverse and stable. These communities tend to evoke more community pride and residents can be seen interacting in public spaces, attending programmed events, and enjoying life in the downtown commercial corridors. Cities with a strong neighborhood vibrancy also tend to be more environmentally conscious, preserving sensitive environmental resources, and encouraging more compact development patterns that promote community interaction. Tree canopy and improved landscape beautification efforts are also linked to increased community identity and sense of place. Developing complete street projects, entry gateways, and beautification initiatives encourages pedestrian-friendly streetscapes, improves safety, and stimulates community and economic development.

## 5.3 Comprehensive Plan Evaluation



a. **Future Land Use.** The City has adopted a number of objectives and supporting policies in the Future Land Use (FLU) Element that promote increasing housing density, affordability, and reducing sprawl. FLU Element Objective A5 – Residential Development encourages compatible land use activities and recommends working with developers to integrate vehicular and pedestrian circulation systems, bike paths, parking, building locations and architectural design into a cohesive development. Policy A5.1 then further promotes compact urban development by including sufficient land suitable for the public utility facilities needed to support the projected level of development. There is opportunity within the existing FLU Element to strengthen the requirements and incentives to support infill development and make it more feasible for interested parties. FLU Element goal A8 proposes an urban core overlay zone to promote a mix of uses, traditional neighborhood development, a pedestrian oriented land use pattern, complements transit oriented development and discourages large expanses of parking. As the city pushes to implement more complete streets and transit oriented design principals, there is opportunity to update this goal to prioritize transit oriented design to support multi-modal transit for the urban core.

b. **Housing**. The current Comprehensive Plan allows for a wide variety of housing types needed to support the demand for infill development and increased density. Existing Housing Element policy A2.5 protects the availability and number of affordable

housing units by allowing for rental accessory dwelling units. This language can be strengthened to provide flexibility in the type of accessory dwelling units permitted. The Comprehensive Plan and Land Development Code currently do not allow for flexibility where multi-family housing is permitted and do not incentivize the revitalization and re-use of existing and historic homes.

c. **Recreation and Open Space.** The Recreation and Open Space Element in the Comprehensive Plan speaks to the need for public access in Objective A2 through the promotion of mass transit routes, encouraging new public transit routes to access city facilities, ensuring Americans with Disabilities Act (ADA) access and parking at all public facilities for the handicapped and elderly population. There is a need to expand upon this objective to ensure that all members of the community can access recreation, open space, and public waterfront sites through more multi-modal forms of transportation. The City has also identified a need for the Comprehensive Plan to encourage more public open space within the community through incentives with new developments.

d. **Historic Preservation & Neighborhood Vibrancy.** The City has identified a need to promote history and create more vibrant neighborhoods in the community through preservation and cultural initiatives. Some of these needs should be addressed through changes to the Conservation Element to allow for a more diverse landscape and to the Land Development Code to allow for more groundcover options. The Comprehensive Plan identifies an inventory of historical and archaeological resources completed in 2002, referenced in the Housing Element Objective B1. This objective is in need of updating and expanding upon so that all cultural and historical assets within the community are inventoried and maintained. FLU Element Policy B3.5 says that the City shall implement the special district land use regulations for historic areas of mixed land use. FLU Objective C2 also supports historic resources with policy to preserve historic sites. Goal B allows for public lands to be set aside for the relocation of historic buildings. However, there is still a need to conduct a greater inventory of historic sites and incentivize preservation efforts. A need has also been identified within the City to ensure strong and vibrant neighborhoods through art and the promotion of cultural resources in the City which should be supported in the Comprehensive Plan update.




## 5.4 Recommendations

### a. General Recommendation

1. Reorganize Elements under Neighborhoods with required and optional Elements of: Future Land Use, Housing, Recreation and Open Space, and Historic Preservation and Neighborhood Vibrancy.

## b. Future Land Use

1. Review and update FLU Policy A5.1 and FLU Objective B1 to address infill development needs including more flexible stormwater requirements, shared or flexible parking requirements, fee-in-lieu-of required landscaping, and reduced open space so that infill development is feasible for interested parties.
2. Develop master stormwater plan for downtown and urban areas to encourage new development, infill development, and increased density. Review and updated FLU Objective B1 to encourage the use of shared public utilities, including stormwater, to promote the compact urban form.
3. Develop Transit Oriented Development district or add policies to CRA to support potential train station and related multi-modal systems/stations.
4. Review opportunities for master parking neighborhoods and consider language for exempt targeted areas to manage neighborhood parking volumes.
5. Update tree mitigation plan to identify areas where tree mitigation is a priority.




## c. Housing

1. Expand upon Housing Element Policy A2.5 to allow for a wider range of accessory dwelling units (i.e. granny flats, in-law units, backyard cottages, and converted garages).
2. Support existing FLU Goal A through incentivizing higher density housing opportunities to meet market demands and affordability needs.
3. Incentivize revitalization of existing homes and prioritizing revitalization of historically significant homes.
4. Create policy to encourage repurposing existing commercial properties to mixed-use with a residential component.



### d. Recreation & Open Space



1. Expand upon Recreation and Open Space Objective A1 to develop a parks and open space master plan that inventories existing recreation and open space and identifies new opportunities, to promote health, fitness, and social interaction.
2. Promote Stuart Health Trail and health and fitness programing.



3. Add policy to Recreation and Open Space Objective A2 to conduct gap analysis of sidewalk and bicycle lanes to close gaps where feasible and promote safe access to recreation and open space sites.
4. Enhance existing public realm with improved pedestrian infrastructure, (i.e., safety features, seating, lighting, wayfinding signage, plant material and hardscape) to promote safe and inviting open space.
5. Review and update Recreation and Open Space Objective B1 to incentivize more accessible large and small pocket park opportunities where possible in new development.

### e. Historic Preservation & Neighborhood Vibrancy

1. Revise Conservation Element Policy A5.4 to include Florida friendly plant species in addition to native plant species in the city list of plant species available to residents and developers.
2. Encourage a variety of groundcovers within landscape requirements, including xeriscaping groundcover options, to reduce the requirements for sod in new development.
3. Initiate a cultural asset mapping project to strengthen community vibrancy initiatives and encourage the development of a cultural heritage district.
4. Support and enhance wayfinding signage programs and feature historic properties.
5. Revise and update existing inventory of historic and archaeological resource, noted in Housing Element Goals B, Policy B1.
6. Revise Housing Element Policy B1.1 to encourage moving historic structures, rather than demolishing them, by providing land for their relocation as well as

other incentives for preservation.

7. Update Housing Element Policy B1.3 to encourage and incentivize participation in the voluntary Historic Preservation Program for historic property owners.
8. Establish urban design, place making, and general design guidelines that reflect the historical architectural styles of Stuart as a reference for new construction.
9. Encourage programs that assist property owners in maintaining and rehabilitating commercial building exteriors.
10. Encourage and support success of community districts.
11. Support and encourage programs that promote public art to foster community vibrancy.






# 6.0 Mobility

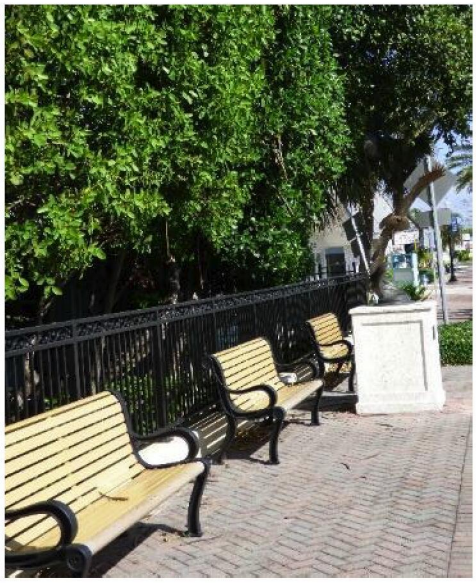
*The City strives to provide safe and walkable developments with access to alternate modes of transportation that will create a more sustainable and mobile Stuart for all residents.*

*"Provide sufficient means of transportation for all patrons who live, work, and visit the community!"*

## 6.1 Description of the Issue

For Stuart to become a city in which residents can live, work, and entertain, it must provide sufficient means of transportation for all members of the community. The following major issues have been identified through community engagement activities and interviews with City staff and should be addressed through updates to the City's Comprehensive Plan's goals, objectives and policies.

### a. Walkability & Pedestrian Infrastructure:



Improving connectivity through sidewalks, trails (greenways), and waterways (blueways) is a priority for the Stuart community. Improving connectivity and walkability is important to a healthy community because it will increase community interaction, access to public spaces and parks, and improve the pedestrian experience and perception of safety on City streets. Stuart's efforts to improve connectivity are evident in many of the current efforts within the City as well as its partnership with the Martin County Metropolitan Planning Organization (MPO). The City of Stuart plans to work with the MPO and build upon proposed connectivity projects to increase connections throughout the city, especially for disadvantaged neighborhoods which would benefit from access to safe, walkable and bikeable streets. The City is working closely with the MPO to close the gaps in identified problem areas and provide trail systems to serve the greater area including: NW Dixie Highway Sidewalk Extension Project (under construction); SE Florida Street Sidewalk Extension project (under construction); Martin MPO Blueway Paddling Trails – St. Lucie Trail (under construction); East Coast Greenway project; among other proposed trail, midblock crosswalks, pedestrian bridges, nature trails, sidewalk expansions proposed per the Martin MPO Bicycle, Pedestrian, and Trails Master Plan.




In portions of the City, Stuart needs to improve existing streetscape to provide a safer, healthier, and more vibrant pedestrian experience. A first step to addressing the streetscape will be to evaluate each street individually and implement the Florida Department of Transportation (*FDOT) Complete Streets Design Manual* principals where appropriate. Stuart can improve

wayfinding signage, street furniture, shade trees and structures, lighting, and landscaping to create more inviting streets. It will also be a priority to make streets safer through sidewalk widening, bump outs to decrease crosswalk lengths, installing median refuge islands within crosswalks, and overall increasing the visibility to make pedestrians a priority where appropriate on Stuart streets. The Community Redevelopment Plan (CRP) completed by the CRA in August 2019 included several streetscape improvement initiatives. As of January 2020, the short term initiatives have been completed. The Comprehensive Plan should be amended to ensure that the following mid- and long-term goals of the CRP can be implemented including: Downtown Wayfinding Signage; Urban Core Improvement Initiative (Increase night-time activity, improve pedestrian access between parking and businesses, improve safety, widen sidewalks, increase street furniture, and consider art and culture in new infrastructure); Frazier Crescent Subdivision Streetscape Improvements; Dixie Highway and SE Florida Street Sidewalk Extensions Project; Riverside Park Neighborhood Macro Action Plan (MAP); MLK Blvd Complete Street Project; and the Seminole Street Alleyway Improvements.

In addition to increasing connectivity and creating safe and inviting streets, Stuart should also consider the built environment and development patterns that complement the streetscape. Transit Oriented Design (TOD) principals promote compact urban mixed-use development that allows people to safely and conveniently walk from their homes to jobs, shops, services, schools, parks, and other community facilities. TOD principals also prioritize the walkability and access to multi-modal transit options, before vehicular use and essentially put the pedestrian first. Establishing minimum design requirements which support TOD projects in strategic locations ultimately lead to more pedestrian-friendly neighborhoods and create a healthier and mobile Stuart community.

**b. Multi-modal Transportation:**

Traditionally, vehicular transportation has been the dominant mode for most residents in the community. However, dependency on vehicular travel can increase traffic, congestion, and degradation of the road network. Although there has not been a significant increase in traffic since the completion of the City's 2009 Evaluation and Appraisal Report, promoting alternate forms of transportation to benefit residents and visitors a goal for the City. Alternative forms of transportation can also alleviate congestion and stress on the existing road network. The Comprehensive Plan should be evaluated on its effectiveness to encourage multi-modal transportation as a means to improve connectivity, reduce vehicular dependency, improve the environment, and the overall health of Stuart residents. Some of the current



initiatives to increase multi-modal transportation per the *MPO Bicycle, Pedestrian, and Trails Master Plan* include a proposed bike lane along SE Monterey Rd and a proposed bike land along SE St. Lucie Blvd. The City has also constructed green painted bike lanes, including along S. Colorado Avenue.

In conjunction with the MPO, Stuart is encouraging bicycle use by increasing bike lane miles within the City, requiring bicycle parking and supporting facilities in new, redeveloped and existing developments, as well as in strategic locations throughout the city. While the bicycle is the most accessible multi-modal transportation option, Stuart has also identified ways in which it may increase the range of transportation options. Stuart has improved the schedule and routes for the Tram system, but would like to continue to expand the service areas to provide access to a wider range of residents. With increased Tram service, there will be a need to improve upon and expand the number of tram stations and shelters.

Virgin Trains USA, is high-speed rail that will be running through the City by 2022. Virgin Trains USA will be improving safety features at pedestrian and vehicular crossings; however, the City will need to evaluate future plans to determine if additional safety features are needed. The City is reviewing opportunities for a potential station, which would improve multi-modal transportation opportunities within the City.



**c. Parking & Vehicular Infrastructure:**

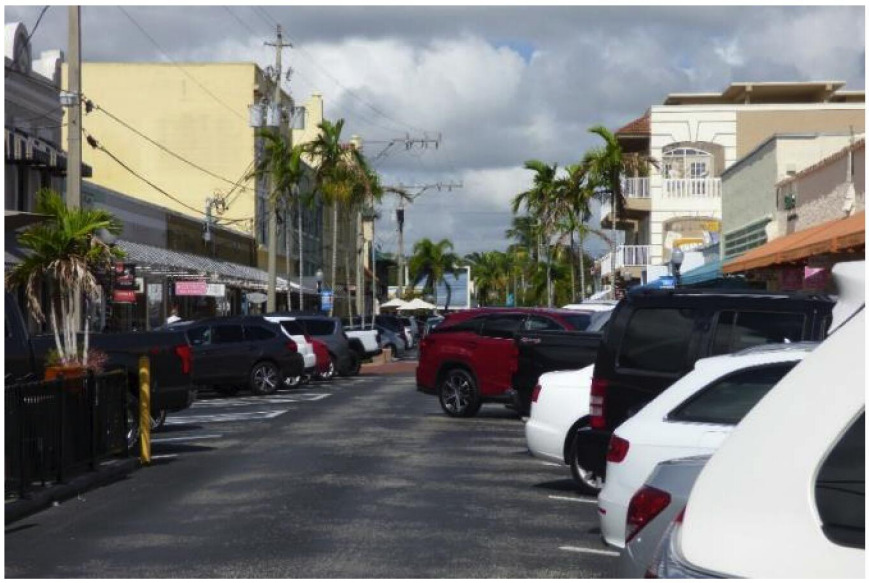
Parking and vehicular infrastructure will remain a priority for the City. Increasing multi-modal transportation options will alleviate stress on the existing road network; however, it will not eliminate the need of maintaining and improving the network. As part of the update to the Comprehensive Plan, it will be important to assess the road network and identify opportunities to improve it to safely and effectively serve current and future residents. While many of Stuart's roads meet assigned Level of Service (LOS) standards, additional infrastructures updates may be required in environmentally sensitive areas. These updates may be needed to provide a more

resilient traffic network in the face of climate change. Stuart has identified several vulnerable areas in which sea level rise, storm surge, and other significant weather events might compromise existing roads. Emergency routes and roadway elevations in these vulnerable areas may need to be increased.

Parking has been a concern for the City since the completion of the 2009 Evaluation and Appraisal Report. In 2009, a downtown parking study was conducted which indicated a deficit for long-term parking spaces within the retail core of downtown. The study also indicated that simply providing more spaces in the downtown as development grows, will not solve the parking deficit. More important issues are where new parking will be located and the management and flow of existing parking areas. This study, along with community feedback drove development of the Downtown Parking Master Plan that included the following goals:

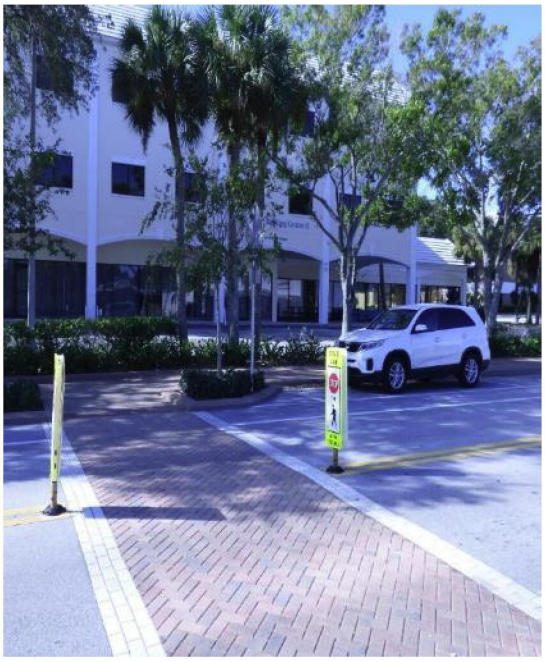
1. Provide a supply of convenient and appropriately designed parking that meets the current and future demand of the downtown.
2. Pursue opportunities for share parking and joint use of facilities with new and existing developments.
3. Develop a parking system that is financially sustainable with all cost/benefits being accounted for.
4. Provide public parking that does not detract from the pedestrian environment and over time, minimizes surface parking.

In 2018, the City of Stuart contracted with a consultant to provide a Future Parking Needs Analysis. The study found that in 2018 there was not a current need for a parking garage downtown and provided strategic recommendations for immediate, mid-term, and long-term parking needs. By 2020, the City has completed the immediate parking recommendations which included: a redesign of the tram system route and schedule; providing adequate space for Uber/Lyft and valet parking services; identifying adequate loading and unloading zones; providing more bicycle racks; extending parking hours; exploring options for a paid parking system; and entering into shared parking agreements with private lots. It is important to update the Comprehensive Plan to align with the identified mid-term and long-term recommendations from the Future Parking Needs Analysis report.



## 6.2 Potential Social, Economic and Environmental Impacts

### a. Walkability & Pedestrian Infrastructure



Providing a safe and inviting streetscape and a more compact development pattern has many benefits for the community. By giving residents more opportunity to walk or bike to their destination, it becomes more likely that residents will choose those options over driving to their daily destinations within Stuart, especially for shorter trips. Encouraging residents to use sidewalks, trails, and bike lanes will promote a more active community lifestyle, reduce vehicular-related air pollution, and contribute to healthier residents. Bringing people to the streets also can promote more social interaction, thereby strengthening connections within the community.

### b. Multi-modal Transportation

The existing transportation infrastructure in Stuart primarily accommodates vehicle travel and supports land use patterns that affect accessibility. Not all residents within the community have direct access to an automobile and depend on alternate forms of transportation to get to employment, entertainment, and to address daily needs such as the grocery store. To be an economically viable and resilient city long term, Stuart will need to provide a transportation system to serve the needs of all residents in the community. Improving access to employment opportunities and other destinations within the city will positively impact the economic health of Stuart by increasing the available workforce, increasing the mobility of the customer base, and serve as an economic incentive to attract new businesses to the area. In addition to serving a greater and more diverse population and attracting new businesses, decreasing dependency on vehicular travel has many environmental benefits. Implementing a more robust multi-modal transportation system can reduce urban sprawl, increase conservation of environmentally sensitive lands, and preserve more open space.

### c. Parking & Vehicular Infrastructure

Vehicular dependency can have negative impacts on the environment including air and water pollution and energy consumption. Increased vehicular use drives the need for more surface parking lots which increases demand on the stormwater management systems, increases stormwater pollutants, and creates more urban heat islands. By allowing for more innovative parking solutions, including permeable paving, and shared parking opportunities, the need for more pavement downtown will be decreased while still providing ample parking to service the needs of businesses and residents. Another opportunity to incentivize a more environmentally friendly community is to provide premium parking opportunities for electric charging stations to encourage the use of electric vehicles.

## 6.3 Comprehensive Plan Evaluation

The current Comprehensive Plan successfully references and aligns with the Metropolitan Planning Organization's Regional Long Range Transportation Plan and should be updated to reflect the most current plan, rather than referencing the 2030 plan which is no longer applicable. The Comprehensive Plan should more effectively prioritize the pedestrian and multi-modal transportation opportunities. In addition to promoting the availability of multi-modal transportation, putting the pedestrian and bicycle safety first within the Comprehensive Plan will ultimately bring more people to the streetscape of Stuart. Through the review of the Comprehensive Plan, it was also noted that the city has the opportunity to market and promote the community as walkable, bikeable, and overall pedestrian friendly as a tool to spur growth for the city. Currently the Comprehensive Plan recommends the completion of a bicycle master plan, however, in addition to the master plan the city could benefit from the completion of an internal sidewalk and bike lane gap analysis to help prioritize the immediate needs to close sidewalk and bike lane gaps to provide a more diverse residential base with access to public amenities, facilities, and the downtown.

Through community engagement, parking was identified as an issue for the city. Parking needs for the city have been studies, specifically as they apply to the CRA. The Comprehensive Plan includes parking objectives and policies for the CRA which should be updated to reflect the mid and long-term goals of the Community Redevelopment Plan. In addition, there is opportunity to expand the parking language within the Comprehensive Plan to apply to the city needs as a whole, not limited to the limits of the CRA. Some additional parking needs, including parking wayfinding, organization, and opportunities for electric vehicle parking are not covered in the Comprehensive Plan. The Comprehensive Plan also addresses the needs for emergency evacuation and disaster planning as it relates to mobility, but a need was identified to address mobility as is relates to climate, change, resiliency, and the needs to update vulnerable infrastructure in the face of sea level rise.



## 6.4 Recommendations

### a. General Recommendations:



1. Rename Transportation Element to Mobility Element and incorporate it within the Infrastructure Pillar.
2. Update Objective 1, Policy 1.9, and Objective 12 to references Metropolitan Planning Organization's most current Regional Long-Range Transportation Plan.
3. Collaborate with the Metropolitan Planning Organization to build upon existing transportation plans to include additional needs and priorities for walkable routes, multi-use trails, sidewalk connections, and multi-modal transportation within Stuart.
4. Review and update Objective 1, Policy 1.8 per the below mentioned EAR Mobility recommendations.

### b. Walkability & Pedestrian Infrastructure

1. Increase pedestrian visibility and safety through streetscape and crosswalk improvement initiatives.
2. Enhance pedestrian safety as a priority to the City through print, social media, and the City website.
3. Enhance existing public realm with improved pedestrian infrastructure, (i.e., safety features, seating, lighting, and wayfinding signage) to promote safe and inviting streetscapes.
4. Reduce vehicular dependency by incorporating, when and where feasible, Transit Oriented Development (TOD) principals in new development to promote walkable neighborhoods.

### c. Multi-modal Transportation



1. Improve bicycle infrastructure and promote safety through increasing bike lane visibility, improving bike lane connectivity, and increasing bike parking opportunities.
2. Enhance bicycle safety and infrastructure as a priority to the City through print, social media, and the City website.
3. Review and update Objective 5 to implement Complete Streets objectives and policies, when and where feasible, to reflect the Florida Department of Transportation (FDOT) Complete Streets Design Manual.
4. Incorporate artistic features into mobility infrastructure to enhance identity and

sense of place (i.e., creative bus shelters, bike racks, wayfinding signage).

5. Conduct gap analysis of sidewalks and bicycle lanes to close gaps where feasible and promote safe access to recreation and open space sites.
6. Plan for bus shelters and pull-offs during the development phase.

**d. Parking & Vehicular Infrastructure**



1. Consider advanced parking guidance system and other wayfinding signs to inform of available parking options.
2. Encourage flexible parking options for infill development.
3. Consider climate change and resiliency in the planning and design of new transportation infrastructure.
4. Evaluate transportation infrastructure vulnerability as it relates to climate change and resiliency.
5. Prioritize improvements for identified vulnerable transportation infrastructure.
6. Encourage the potential for electric vehicle charging facilities at existing and new and existing parking facilities.
7. Encourage the expansion of infrastructure for golf cart use.

# 7.0 Public Services

*In order to provide the best public service delivery and still maintain their sovereign identity, the City has implemented several successful new capital improvement projects while continuing their partnerships with other public agencies for efficient use of resources.*

*Provide adequate public facilities for existing and future land use while maximizing use of and protecting investment of existing facilities.*

## 7.1 Description of the Issue

LOS standards for potable water, wastewater and solid waste are set forth in the Capital Improvement Element of the Comprehensive Plan. The adopted LOS standards are being met, as Public Services' actions and investment in systems have provided adequate capacity to meet projected demands. The delivery systems and facilities are in good condition and current and long-term maintenance programs are in place to meet LOS goals without large capital expenditures on existing systems. Moving forward, this allows the Public Works Department to plan for resiliency with investments in alternative sources for potable water, water reclamation and solid waste management for a sustainable future.

Less dependency on the Surficial Aquifer System, greater connection to the central sewer system, increased residential and commercial recycling, and projects that help meet the City's resiliency and sustainability goals will be priorities for capital improvement projects and policy change. Strategic investments made in these infrastructure areas will promote Stuart as a community where families can comfortably and safely live, work, and play. The following major issues relating to Public Services have been identified through community engagement activities and interviews with City staff and should be addressed through updates to the City's Comprehensive Plan's goals, objectives and policies.

a. **Potable Water:** The City owns and operates its own potable water supply system. In addition, there are areas of Stuart that receive potable water service from the Martin County Consolidated Water System. Raw water for the Stuart water system is provided by 24 production wells drawing from the Surficial Aquifer System. The Surficial Aquifer System is the shallowest of Florida's three primary aquifers. It is primarily recharged by rainfall, but its levels can also be impacted by surface water bodies, such as rivers, creeks, and lakes. This aquifer system provides the majority of public water supply for St. Lucie, Martin, Palm Beach, Broward, and Miami-Dade counties. Florida's growing population, development, and dependence on rain has strained the Surficial Aquifer System, leading to saltwater intrusion concerns. Table 7-1 shows how the population for water service is projected to increase by 2,443 persons between 2020 and 2035. Therefore, the City of Stuart is being proactive in seeking an alternative source for potable water: the Floridan Aquifer, Florida's deepest aquifer. The City plans to construct a reverse osmosis water treatment facility and has a 20-year Interlocal Agreement with Martin County to provide water from the Floridan Aquifer to meet future demand.

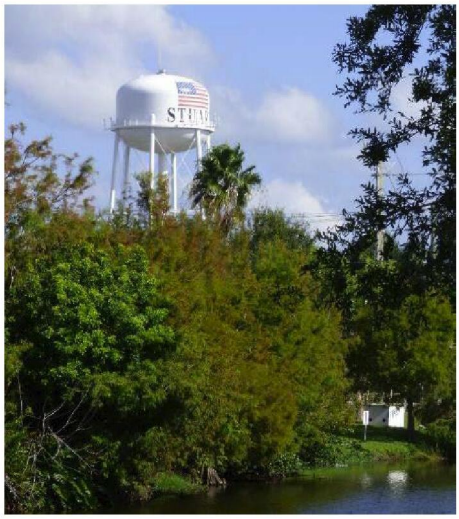


**Table 7-1 Population Projections (Resident Population): Stuart Water Service Area**

| Year | Service Area Component | | Service Area Total |
|---|---|---|---|
| | City of Stuart | Unincorporated Area | |
| 2020 | 16,769 | 1,150 | 17,918 |
| 2025 | 17,490 | 1,199 | 18,689 |
| 2030 | 18,212 | 1,248 | 19,460 |
| 2035 | 19,064 | 1,297 | 20,361 |

**Source:** Stuart Ten-Year Water Supply Facilities Work Plan; January-2019

Projections of finished water demand for the Stuart service area are presented in Table 7-2. It is projected that the Stuart service area finished water demand will attain a level of 3.36 million gallons per day (MGD) by 2029. Based upon this projection, the City's 6.0 MGD water treatment plant has the capacity to provide for the finished water needs of the Stuart service area beyond the 2035 period. The planned reverse osmosis water treatment facility will provide an estimated additional capacity of 1.0 MGD by 2022 and 3.0 MGD by the year 2032, utilizing the Floridan Aquifer System as an alternative water source. Investing in the Floridan Aquifer as an alternate water supply would both diversify the City's water supply while adding system flexibility to ensure that the City meets its mission of supplying the highest quality drinking water to its customers.

**Table 7-2 Projected Finished Water Demand Stuart Service Area**

| Year | Population | Use Rate (gpcd) | Total Use (million gal./year) |
|---|---|---|---|
| 2020 | 17,918 | 174 | 1,137.9 |
| 2025 | 18,689 | 174 | 1,186.9 |
| 2030 | 19,460 | 174 | 1,235.9 |
| 2035 | 20,360 | 174 | 1,293.1 |

**Source:** Stuart Ten-Year Water Supply Facilities Work Plan; January 2019

b. **Water Reclamation:** Although many areas within the City's service area now have central sewer available, 48% of the properties where service is available have not yet connected. As septic systems fail, the Martin County Health Department mandates that those properties connect to the City's central sewer system. The exception to this requirement is property that is subject to annexation. The water reclamation facility has a design capacity of 4.0 million gallons per day (MGD) and is currently permitted by the Florida Department of Environmental Protection (FDEP) at 4.0 MGD. The City's primary effluent disposal option is providing reclaimed water for irrigation purposes with the deep injection well disposal system, rated at 13.4 MGD as an alternative disposal option. Current wastewater use is measured at 1.80 MGD (average daily flow). It is projected that the City's wastewater needs will attain a level

of 3.275 MGD (average daily flow) by 2035. Wastewater projections prepared for the 2020 to 2035 period using the total generation rate are presented in Table 7-3. Based upon the demand projections presented in Table 7-3, the wastewater plant has sufficient capacity to serve projected population within the service area at least through 2035.




**Table 7-3 Wastewater Treatment Demand Projections (MGD) Stuart Service Area**

| | 2020 | 2025 | 2030 | 2035 |
|---|---|---|---|---|
| Resident Population (service area) | 17,918 | 18,889 | 19,460 | 20,361 |
| Annual Average Day Flow (MGD) | 1.54 | 1.77 | 2.04 | 2.13 |
| Maximum Three Month Day Flow (MGD) | 1.80 | 2.07 | 2.38 | 2.74 |

**Source:** Staff projections based on a connection rate of 3% per year

c. **Solid Waste:** Solid waste, including residential and commercial garbage, single stream recycling and yard trash, is collected and transported by the Public Works Department and is the responsibility of the City for properties within Stuart to haul solid waste to Martin County landfill, bio solids to Okeechobee County landfill, and yard waste to the City's closed landfill site. Recent historical solid waste generation data are presented in Table 7-4. The City will continue to monitor the cost for disposal and explore cost effective alternatives on an annual basis. Projections of residential and commercial (non-residential) solid waste generation, assuming growth rates proportionate to projected population growth, are presented in Table 7-5. Combined, Stuart currently generates approximately 18% of the solid waste (garbage + trash and other waste) generated in Martin County. It is anticipated that the City's role will continue to consist of collection and transport services per the City's agreement with the Martin County Landfill until 2032, while monitoring their recycling program.



**Table 7-4 Current Solid Waste Generation**

| Type (measure) | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020* |
|---|---|---|---|---|---|
| Residential Garbage (cubic yards) | 2,762 | 2,855 | 2,834 | 2,746 | 3,200 |
| Residential Recycling (tons) | 1,302 | 1,214 | 1,246 | 1,164 | 1,344 |
| Commercial Garbage (cubic yards) | 17,263 | 16,434 | 16,563 | 17,753 | 18,670 |
| Commercial Recycling (tons) | 635 | 638 | 694 | 645 | 678 |
| Yard Waste (yards)** | 21,633 | 18,745 | 20,633 | 22,658 | 22,000 |
| Debris (tons) | 1,082 | 1,222 | 1,322 | 1,200 | 1,250 |

* Estimated generation
** Waste hauled to Old City Landfill to be mulched and removed
Source: City of Stuart FY 2020 Budget

**Table 7-5 Projected Solid Waste Generation**

| Type (measure) | 2020 | 2025* | 2030** | 2035** |
|---|---|---|---|---|
| Residential Garbage (cubic yards) | 3,200 | 3,360 | 3,528 | 3,704 |
| Residential Recycling (tons) | 1,344 | 1,411 | 1,462 | 1,556 |
| Commercial Garbage (cubic yards) | 18,670 | 17,504 | 18,379 | 19,298 |
| Commercial Recycling (tons) | 679 | 713 | 749 | 787 |
| Yard Waste (yards)*** | 22,000 | 23,100 | 24,255 | 25,468 |

* Estimated generation, City of Stuart FY 2020 Budget
** Staff projections
*** Waste hauled to Old City Landfill to be mulched and removed
Source: Staff projections

## 7.2 Potential Social, Economic and Environmental Impacts




a. **Potable Water:** For a City to be sustainable, having a reliable and economic potable water source is crucial. The City has adopted a finished potable water LOS standard of 250 gallons per day per equivalent residential connection, as part of the Ten-Year Water Supply Facilities Work Plan (2018-2028). While the City is currently reliant on the Surficial Aquifer, the City is being proactive in diversifying its potable water sources to maintain a sustainable water supply. The City plans to have a one million gallon per day reverse osmosis water treatment facility operating in 2022. This planned reduced dependency on the Surficial Aquifer System will reduce risks of salt water intrusion into Surficial Aquifer System, while diversifying the City's water supply which will help meet future supply demands.

b. **Water Reclamation:** The City of Stuart believes the elimination of septic tanks in existing neighborhoods reduces the potential for contamination of the area's groundwater and surface water resources, thereby improving both the public health as well as the environment.

   The City has completed its infrastructure for potential conversions from septic to sewer. While the program is not yet mandatory, the City is offering financial incentives for residential and commercial users to connect to the City sewer infrastructure so the program can be completed in 10 years. Efforts to support conversions for those with socio-economic vulnerability are also planned.

   As the water reclamation facility is meeting projected future demands, no additional plant expansion improvements are required during the 2020-2035 period.

c. **Solid Waste:** To be better environmental stewards, the City is looking to reduce waste and improve and increase recycling for economic and environmental reasons as well as to preserve the life of the landfill. Recycling saves natural resources, lowers energy consumption and reduces greenhouse gases, air and water pollution. To financially incentivize commercial recycling, customers who sign up for service receive a $1 reduction per cubic yard on their commercial garbage fees. Thus, an increased emphasis on residential and commercial recycling are anticipated with no additional facility improvements planned for 2020-2035. In order to avoid overuse and dependency on landfill waste, the City will continue to monitor the cost for disposal to all three landfills and explore cost-effective alternatives on an annual basis.



**Table 7-6 Adopted LOS Standard Updated Comprehensive Plan**

| Facility Standard | Level of Service |
|---|---|
| Finished Potable Water | 250 gallons per day per equivalent residential connection |
| Sanitary Sewer | 80 gallons per capita per day (residential)<br>1,100 gallons per acre per day (non-residential)<br>115 gallons per capita per day (total wastewater flow rate) |
| Solid Waste | 3.5 pounds per capita per day (residential)<br>.0007 pounds per square foot per day (non-residential) |

## 7.3 Comprehensive Plan Evaluation

a. **Potable Water:** The City has adopted several objectives and supporting policy to address the potable water supply and has updated LOS for finished potable water in the Capital Improvements Element of the Comprehensive Plan. Objective A2, Policy A2.14 makes it a priority to incorporate alternative water supply projects and Objective 3, Policy A3.1 sets 250 gallons per day as the standard for finished potable water for residential connection. There is opportunity in the Capital Improvements Element to add policy to prioritize capital improvement projects which directly reduce dependency on the Surficial Aquifer. The Infrastructure Element Objective 9, Policy 9.6 calls for cooperation with Martin County and SFWMD to map potential ground water aquifer recharge areas. This policy could be strengthened to set a timeline for map completion and plan for infrastructure to support these recharge areas.

b. **Water Reclamation:** Both Infrastructure and Capital Improvement Elements support septic to sewer programs the City has initiated as a volunteer program. To further this effort, the City can provide education on benefits of septic to sewer conversion to encourage more participation in the City's septic to sewer program. While maps have been created to show the project infrastructure area, additional identification of vulnerable environmental and financial areas for sewer conversion could help enhance this program. Infrastructure Element Policy A8 encourages reclaimed water for irrigation and provides landscape requirements which prioritize native and drought tolerant species, the City can assess future reclaimed infrastructure needs for oncoming disposal effluent and identify areas for conversion to reclaimed irritation.



**c. Solid Waste:** While the City has committed to ongoing monitoring and reduction of solid waste through its recycling programs, the voluntary efforts of both residential and commercial users could be increased with public outreach programs which highlight the "reduce, reuse and recycle" concept. The City has coordinated its hazardous waste disposal with Martin County, but it does not have its own curbside hazardous waste program or its own hazardous waste management plan referred to in the Infrastructure Element.

## 7.4 Recommendations

### a. General Recommendations

1. Review and update Objective A5, Policy A5.6 to remove reference to the required Evaluation and Appraisal Report and establish an appropriate time of review.
2. Review and evaluate Policy A6.3 of the Infrastructure Element, specifically for drainage facilities Level of Service (LOS) to reflect recent scientific and data driven findings.

### b. Potable Water

1. Review and update Capital Improvement Element, Policy A2.14 to include projects which reduce City's dependence on Surficial Aquifer.
2. Update Infrastructure Element, Policy A9.6 to include a time frame for the completion of the natural water aquifer recharge area map and develop a plan of action to support those recharge areas.
3. Assess progress toward implementing directives of the City's Ten-Year Water Supply Facilities Work Plan and the Upper East Coast Water Supply Plan.

### c. Water Reclamation

1. To support Capital Improvement Element's Policy A1.5, further provide education on benefits of septic to sewer conversion to encourage voluntary participation in the City's septic to sewer program.
2. Update Capital Improvements Element Policy A1.8 to include identification of vulnerable areas for sewer conversion and developing long-term funding assistance once infrastructure is ready in that area.
3. To support the Infrastructure Element Policy A8.1, assess future reclaimed infrastructure needs for oncoming disposal effluent and identify areas for conversion to reclaimed irrigation.

### d. Solid Waste

1. Broaden the public education program to include "reduce, re-use, and recycle" and provide via public outreach, practices that can help reduce waste before it gets to the bin.
2. In support of Infrastructure Element Policy A4.1, establish programs to assist businesses to focus on "reduce, re-use and recycle" programs to reduce waste hauled to landfills, encouraging commercial business to further engage in recycling effort.

3. Review hazardous waste Objective A9 Policy A4 and identify programs and policy that the City can take on themselves in addition to the existing program with the County.

# 8.0 Community & Economic Development

*Developing strong community and economic development strategies are fundamental to the future of Stuart. Developing a healthy economy that includes a diverse range of businesses will position the City as a hub to live, work, and play in Martin County.*

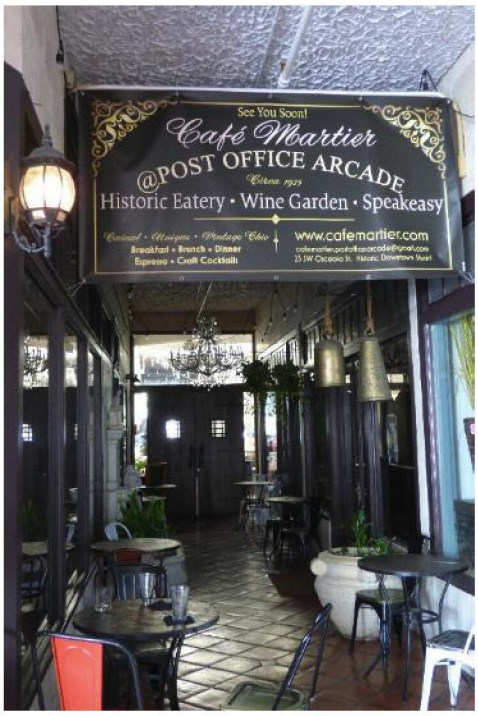
*"The City will develop and maintain an economic environment that encourages the creation, expansion and retention of business within city limits while maintaining a high quality of life for its residents."*

## 8.1 Description of the Issue

Over the last ten years, the City of Stuart has grown in population and size through annexations. However, growth has been slow and the City identified several opportunities to promote the local community and its economic development. Downtown Stuart has become a destination for dining and shopping but, like most downtowns today, it is challenged with retaining small businesses and attracting new investments to draw users from big box retail centers and online retailers. The City has opportunities to revitalize, repurpose, and redevelopment vacant commercial and retail properties to meet current market demands. The City has been successful in spurring revitalization through increasing pedestrian safety, improving community aesthetics through urban form and public art. The resurgence of the Downtown and Colorado Avenue retail hubs can act as catalysts, spurring redevelopment further outside the Downtown core. The City has further community and economic development opportunities to support training and retention of talent for the local workforce.



## 8.2 Potential Social, Economic, and Environmental Impacts




Economic development is a key factor in maintaining and elevating quality of life for all Stuart residents. By creating jobs, growing the local economy, and promoting innovation and entrepreneurship, Stuart will attract new residents to the area, which in turn will spur increased long-term investment in the community. Positive economic development trends can close the gap between middle- and low-income residents, lower rates of unemployment, and provide residents with the income and resources to spend time and money in the city in which they live. Job training, growth, and diversity of jobs can promote prosperity among residents, eliminating some of the social and economic barriers between residents of differing income levels.

Environmentally, healthy economic growth within the City will provide Stuart with the tax revenue necessary to invest in sustainable development measures, update and maintain sustainable infrastructure, and purchase and protect environmentally sensitive properties. Additional tax revenue spurred by positive economic development will enable to city to protect and plan for climate change and sea level rise, while implementing Low Impact Development (LID) practices and investing in green infrastructure.

## 8.3 Comprehensive Plan Evaluation

The Economic Development Element in the existing Comprehensive Plan outlines one goal and three objectives that speak to the need to develop and maintain an economic environment that will encourage the creation, expansion, and retention of business within the City limits while maintaining a high quality of life for its residents. While this language supports the City's vision, it is important to build upon this goal to encourage the use of available economic development and community development tools, to align more closely with the Community Redevelopment Area goals and objectives, and promote a more resilient and sustainable community well into the future.

## 8.4 Recommendations

1. Add a policy to existing Economic Development Objective A1 to encourage entrepreneurs and small business incubator space to attract and foster small business initiatives in the downtown core.
2. Add a policy to existing Economic Development Objective A2 to seek available funding for the assessment, clean-up, and redevelopment of brownfields sites.
3. Add a policy to existing Economic Development Objective A2 to promote properties underutilized to potential developers and business owners to spur redevelopment and revitalization.
4. Add policy to increase pedestrian traffic in retail corridors through sidewalk and safety enhancements.
5. Add a policy to existing Economic Development Objective A3 to promote tourism through historic and cultural arts.

6. Promote the creation of new cultural destinations throughout the City.
7. Create policy to capitalize on the City's character, elevate the historic architecture, and encourage investment in cultural landmarks and art installations to create a vibrant and unique destination.





## 9.0 Conclusions

The City of Stuart has evaluated its Comprehensive Plan based on changes to the community and State Statutes since 2009. Focus was placed on looking at general, environmental, neighborhood, mobility, public service, and economic development issues and/or areas for improvement within the City. Recommendations are provided throughout the document in their respective sections.

To address changes in State Statutes and requirements of the Peril of Flood Act, Exhibit 1 is attached to make Comprehensive Plan text amendments. Other recommendations will be considered during a broader Comprehensive Plan update to be completed at a later date. The City looks forward to a sustainable community moving into the future.



# Exhibit B:
# Ordinance No. 2442-2020

**BEFORE THE CITY COMMISSION**

**CITY OF STUART, FLORIDA**

**ORDINANCE NUMBER 2442-2020**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) FOR THE COMPREHENSIVE PLAN OF THE CITY OF STUART; STATING THE INTENT OF THE CITY COMMISSION TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING THE TRANSMITTAL OF THE EAR TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) AND OTHER INTERESTED GOVERNMENTAL ENTITY; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

**WHEREAS**, the Local Government Comprehensive Planning and Land Development Regulations Act, Section 163.3161 Florida Statutes require that each local government prepare and submit a comprehensive plan of the type set out in that Act, and

**WHEREAS**, the City Commission of the City of Stuart, Florida adopted its last EAR on September 14, 2009; and

**WHEREAS**, Section 163.3191, Florida Statutes, directs local governments to periodically access the success or failure of the adopted plan to adequately address changing conditions and state policies and rules, and

**WHEREAS**, Section 163.3191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for growth and development; and

**WHEREAS**, the City of Stuart completed and adopted its Evaluation and Appraisal (EAR) Report on June 22, 2020; and

**WHEREAS**, the Department of Economic Opportunity issued a sufficiency determination on _____, and found the City of Stuart EAR sufficient; and

**WHEREAS,** all EAR-based amendments must be completed within 18 months of the date the EAR is found sufficient in accordance with Chapter 163.3191(10), Florida Statutes; and

**WHEREAS,** the Local Planning Agency of the City of Stuart reviewed the proposed amendments to the Comprehensive Plan at a public hearing on June 4, 2020; and

**WHEREAS**, the City Commission has considered the coordination and consistency of this amendment with the entirety of elements of the Comprehensive Plan; and

**WHEREAS,** on June 22, 2020, at a duly advertised public hearing, the City Commission considered the proposed EAR Report, attached hereto as Attachment "A", and the Comprehensive Plan amendments, attached hereto as Attachment "B", and approved such amendments for transmittal to the Florida Department of Economic Opportunity; and

WHEREAS, the City Commission has provided for full public participation in the comprehensive planning and amendment process and has considered and responded to public comments.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:**

**SECTION 1:** The City Commission does hereby approve the proposed EAR Report and Comprehensive Plan amendments, hereto attached and incorporated herein as Attachments "A" and "B", consisting of the following:

I. Attachment A – The City's Evaluation and Appraisal Report 2020

II. Attachment B – Revised Elements of the City's Comprehensive Plan

a. **Future Land Use Element**

b. **Transportation Element**

c. **Housing Element**

d. **Infrastructure Element**

e. **Conservation Element**

f. **Recreation and Open Space Element**

g. **Intergovernmental Coordination Element**

h. **Capital Improvements Element**

i. **Coastal Management Element**

j. **Public School Facilities Element**

SECTION 2: The City does hereby approve transmittal of the EAR Report and incorporated text amendments and documents to the Department of Economic Opportunity (DEO) and other interested entities for the purpose of a sufficiency review.

SECTION 4: All ordinances or parts of ordinances herewith are herby repealed to the extent of such conflict.

SECTION 5: If any word, clause, sentence paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void, or inoperative by a

court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 6: The provisions of this ordinance shall be codified.

SECTION 7: This ordinance shall take effect upon adoption.

Passed on first reading the ____ day of _____, 2020.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

| | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| MICHAEL J. MEIER, MAYOR | | | | |
| EULA R. CLARKE, VICE MAYOR | | | | |
| BECKY BRUNER, COMMISSIONER | | | | |
| MERRITT MATHESON, COMMISSIONER | | | | |
| | | | | |

ADOPTED this ___ day of _____, 2020.

ATTEST:

_____ _____

MARY R. KINDEL MICHAEL J. MEIER

CITY CLERK MAYOR

APPROVED AS TO FORM

AND CORRECTNESS:

_____

MICHAEL J. MORTELL

CITY ATTORNEY

# Exhibit C:
# Minutes from City Commission Meeting
# 6.22.2020

# MINUTES
# REGULAR MEETING OF THE STUART CITY COMMISSION
# HELD June 22, 2020
# AT 5:30 PM Commission Chambers & ZOOM
# 121 SW FLAGLER AVE.
# STUART, FLORIDA 34994

## CITY COMMISSION
**Mayor Michael J. Meier**
**Vice Mayor Eula R. Clarke**
**Commissioner Becky Bruner**
**Commissioner Merritt Matheson**
**Commissioner - VACANT**

## ADMINISTRATIVE
**City Manager, David Dyess**
**City Attorney, Michael J. Mortell**
**City Clerk, Mary R. Kindel**

**5:33 PM ROLL CALL – Meeting Called to Order**

**THIS MEETING IS A HYBRID IN PERSON/REMOTE MEETING.**

**Statement by City Manager Dyess:**
**Pursuant to Executive Order 20-69 issued by the Office of Governor Ron DeSantis on March 20, 2020, due to COVID-19, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location and utilize communications media such as telephonic or video conferencing as provided by Florida Statute 120.54. Procedures for public comment by device; if you wish to speak during public comment, click raise hand at the bottom of the participant window. Your microphone will be unmuted when you are called on to speak. The public may choose to activate their camera if they wish. Both will be deactivated once their public comment time is completed. If attending by phone, press *9 to raise your hand, you will be called by the last three digits of your phone number. All are asked to state their name and address clearly for the record.**

**During Roll Call, for the record, Dyess requested the board state whether they are present in person or attending the meeting virtually.**

**5:35 PM Roll Call**
**Present: Mayor Meier, Vice Mayor Clarke, Commissioner Bruner, Commissioner Matheson (all board members in person)**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS**

**1.** JUNETEENTH FREEDOM DAY - JUNE 19, 2020

**Recipient, Alishia N. Harriel came forward giving thanks to the City and announcing her appreciation to the residents of Stuart for their support.**

**2.** PRIDE MONTH - JUNE 2020

**Via Zoom, Barbara and Gary Silver of PFLAG Stuart thanked the City and reported on what their organization is about.**

**3.** PARK AND RECREATION MONTH - JULY 2020

**Via Zoom, Jessica Tharp, Recreation Programs Coordinator, accepted the Proclamation and announced the benefits of Parks and Recreation to a community.**

**PRESENTATIONS**

**4.** SERVICE AWARD - JUNE 2020

**Sergio Pecori, Public Works, 20 Years; Not in attendance to accept award.**

**5.** EMPLOYEE OF THE MONTH - JUNE 2020

**Lisa Scott, Executive Assistant to the Police Chief; Ms. Scott came forward and thanked the Chief, City Manager and Commission for the recognition.**

**5:55 PM 6.** DEPARTMENT OF HEALTH UPDATE

**Carol Ann Vitani, Florida Department of Health provided an update on the Coronavirus stating 1,582 positive current cases and 20 deaths in Martin County. The median age has gone down and is now 38 years old and in the last 10 days, 541 positive cases. Asks that people refrain from gatherings of more than 50 people, encourage proper hygiene and preventative measures. Vitani announced testing locations and provided a hotline (772-221-4000) for questions.**

## COMMENTS BY CITY COMMISSIONERS

**Commissioner Bruner**

- **No comments.**

**Commissioner Matheson**

- **Commented on the rainy season and that Lake Okeechobee increased 1 inch in 24 hours, so far, zero discharges.**
- **Encouraged all to treat everyone with respect and dignity, especially on social media.**

**Vice Mayor Clarke**

- **Commented that she came to Martin County as Transportation Planner and is sad about the Roosevelt Bridge failure but hoping the DOT can work with it to have the bridge back up and running soon.**
- **Thankful for the JUNETEENTH Proclamation; asked all to add June 19th, Juneteenth to their calendars so all can learn about it and expressed her appreciation for the NAACP event and all they and the Police did.**
- **Complimented Police Chief Tumminelli for his efforts at the Civic Center last week and stated that he was very good for our community, has high hopes for moving forward.**
- **Commented on her personal Facebook page posting that included 3 Things You Can Do to Stop Racism, stated it was with no intention to cause harm and she pulled it down. Apologized if people were offended. For those who were hurt, would like us all to talk to each other, move forward, and find legal justice and asks that we work together.**

**Mayor Meier**

- **Reported on the Public Comment, stating he plans to follow the rules more strictly, insist that comments happen under items intended. General comments will be for non-agenda items only.**

## COMMENTS BY CITY MANAGER

**No comments.**

## APPROVAL OF AGENDA

**6:21 PM MOTION: Discuss and move Item #17 directly after the Consent Calendar and the motion would also include adding the addendum to the agenda.**
**Moved by: Commissioner Matheson**
**Seconded by: Vice Mayor Clarke**
**Motion passed unanimously.**

**COMMENTS FROM THE PUBLIC (5 Minutes Max.)**

1) **Helen McBride – Flamingo Ave.; Commented about the Martin County Meeting in which a gentleman during public comment stated all the COVID cases were in the City and Indiantown, tired of the County throwing rocks at the City and is thankful the Health Department clarified the information.**

**CONSENT CALENDAR**

**7.** APPOINTMENT OF COMMUNITY REDEVELOPMENT BOARD (CRB) MEMBER, TOM CAMPENNI TO SERVE ON THE COMMUNITY REDEVELOPMENT AGENCY (CRA)

**8.** UTILITY SERVICE AGREEMENT IOANNA LAS, LLC.:

RESOLUTION No. 59-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A UTILITY SERVICE AGREEMENT BETWEEN THE CITY OF STUART AND IOANNA LAS, LLC, TO PROVIDE WATER AND SEWER SERVICE TO NINETEEN INVIVIDUAL APARTMENTS AT 603 SE FEDERAL HIGHWAY, IN THE CITY OF STUART; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**9.** AWARD OF RFP 2020-102: PROFESSIONAL ARCHITECTURAL, ENGINEERING AND RELATED SERVICES FOR THE PUBLIC WORKS COMPLEX:

RESOLUTION No. 72-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF RFP #2020-102, PROFESSIONAL ARCHITECTURAL, ENGINEERING AND RELATED SERVICES FOR THE PUBLIC WORKS COMPLEX TO THE TOP RANKED FIRM, CAPTEC ENGINEERING, INC., OF STUART, FLORIDA, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**10.** AWARD RFP #2020-104: CDBG-MITIGATION:

RESOLUTION No. 73-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF RFP #2020-104, COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) PROGRAM MANAGEMENT SERVICES TO THE TOP RANKED FIRM, GUARDIAN COMMUNITY RESOURCE MANAGEMENT, INC., OF DADE CITY, FLORIDA, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**11.** GRANT FOR EXPANDED SUMMER CAMPS FROM CSCMC:

RESOLUTION No. 74-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING A BUDGET AMENDMENT NO. 06-2020 TO ACCEPT, APPROPRIATE AND AUTHORIZE EXPENDITURES FOR AN AMOUNT NOT TO EXCEED $57,807.00 FROM THE CHILDREN'S SERVICES COUNCIL OF MARTIN

COUNTY; PROVIDING FOR READING EDUCATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**12.** GRANT FOR SAILFISH BALL FIELD BALL PARK TO HOST CAL RIPKEN WORLD SERIES:

RESOLUTION No. 75-2020; BA #07-2020, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING A BUDGET AMENDMENT NO. 07-2020 TO ACCEPT, APPROPRIATE AND AUTHORIZE EXPENDITURES FOR AN AMOUNT NOT TO EXCEED $17,525.00 FROM THE TREASURE COAST SPORTS COMMISSION; PROVIDING FOR READING EDUCATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**13.** BUDGET AMENDMENT NO. 08 TO FY 2020 BUDGET FOR PROPRTY ACQUISITION:

RESOLUTION No. 80-2020; A RESOLUTION OF THE BOARD OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #8 TO THE FY 2020 BUDGET TO TRANSFER FUNDS FROM THE LEASED PROPERTY FUND OF $1,000,000 TO GENERAL FUND AND TO RECOGNIZE DEBT PROCEEDS OF $5,000,000 FOR THE PURCHASE AND ACQUISITION OF A PROPERTY AT OCEAN BOULEVARD AND OSCEOLA STREET KNOWN AS THE "WELLS BUILDING" IN THE AMOUNT OF $6,000,000 FOR THE REDEVELOPMENT OF THE PROPERTIES; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**END OF CONSENT CALENDAR**

**Public Comment:**

1. **Armond Pasquale – Commented on Item #13, doesn't feel the City needs a new building at a time when taxes should lower, and people are in need; opposes the purchase.**

**6:25 PM MOTION: Motion approval of the Consent Calendar Items # 7, 8, 9 10, 11, 12, and 13.**
**Moved by: Vice Mayor Clarke**
**Seconded by: Commissioner Matheson**
**Motion passed unanimously.**

**DISCUSSION AND DELIBERATION**

**17.** COMMUNITY RELATIONS BOARD

**City Manager Dyess Recommendations:**

**Citizen initiated "Community Relations Board or Committee" made up of a City Commissioner, representatives of NAACP, ACES, Concerned Citizens of East Stuart, a Hispanic Organization, Ministerial Alliance, and two At Large positions. He as City Manager would personally facilitate the meetings and have staff present to address the meeting topic. Feels that the community distrusts the government and it would be best as a community board/ committee to meet and discuss topics.**

**Attorney Mortell explained from a legal perspective, if it were to be a City board it would be subject to Sunshine Law, limited to City residents, and would restrict participation and discussion.**

**Commission discussion included the benefits of an independent board, board members, target community areas, the purpose of the board, City facility meeting space, commissioner participation, and overall review of the City Managers plan.**

**Commissioner Bruner commented on a program done in Atlanta, GA in working with children, feels mentoring the children is important and a teaching portion for children on how to communicate with Police officers should be included.**

**Public Comment:**

1) **Amelia Fry – Hibiscus Ave.; Commented with support on Vice Mayor Clarke's Facebook post and read a letter in favor of a board designed to have open conversation about racism.**
2) **Caitlynne Palmieri – Bonita St.; Member of the community that participated in writing the letter that Ms. Fry read and feels it is a powerful way to work together.**
3) **Marrissa Mensik – Collage St.; Complimented David Dyess on his idea and recommended, as a teacher, bringing youth into the board.**
4) **Zoom – Alain Goindoo – Pine; In support of the board and asks that the board includes member of the school board.**
5) **Zoom - Kate McCormic, Candice Rasa, Nancy Polites – Representatives of National Association of Social Workers (NASW) encourages consideration of representation from NASW, a social worker and/or a mental health worker as it's important to look at individuals and the community.**
6) **Zoom – Tom Campenni – Commented on behalf of Vice Mayor Clarke, stating he feels she didn't do anything with malice.**

**Commission discussion concluded in Commissioner Bruner representing the Stuart Commission on the Community Relations Board, the offer to utilize a City facility to host the meetings, and come back with a Resolution.**

**Public Comment:**

1) **Helen McBride – Comments that she prefers the East 10th Street Community Center is not used for the meetings until the COVID-19 virus is over in order to protect the children and the elderly.**
2) **Caitlynne Palmieri – As a dues paying member of the NAACP and someone who works in East Stuart, commented that she would like to see Eula Clarke**

**serve on the Board initially and thanked Commissioner Bruner for volunteering.**

**7:15 PM MOTION: To spend the City Managers time and City resources to furtherance the Community Relations Board and identify Commissioner Bruner as the point person to begin should the Board choose to have the Commission involved.**
**Moved by: Vice Mayor Clarke**
**Seconded by: Commissioner Matheson**
**Motion passed unanimously. 7:21 PM**

**COMMISSION ACTION**

**14.** ON-STREET PARKING SPACES ON ALBANY AVENUE (QUASI-JUDICIAL):

**(REQUESTING CONTINUANCE TO DATE CERTAIN JULY 13, 2020)**
RESOLUTION No. 64-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ALLOW THE DEVIATION FROM REQUIREMENTS REGARDING THE NUMBER OF PARKING SPACES REQUIRED AND ALLOW THE CONSTRUCTION OF NINE (9) NEW ON-STREET PARKING SPACES WITHIN THE URBAN HIGHWAY ZONING DISTRICT; PROVIDING FOR A REVOCABLE PERMIT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; AND FOR OTHER PURPOSES.

**7:22 PM MOTION: Motion to continue item to July 13th.**
**Moved by: Commissioner Matheson**
**Seconded by: Vice Mayor Clarke**
**Motion passed unanimously.**

**15.** LICENSE AGREEMENT BETWEEN THE CITY AND COUNTY, RE: MAINTENANCE OF 18TH STREET:

RESOLUTION No. 71-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF STUART ("CITY") AND MARTIN COUNTY ("COUNTY") TO INSTALL FENCING AND MAINTAIN THE CUL-DE-SAC ROAD KNOWN AS 18TH STREET THAT INTERSECTS SE PALM BEACH ROAD ON THE EAST SIDE OF THE FORMER SUBDIVISION KNOWN AS LAWLER GARDENS THAT IS NOW VACANT LAND; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**City Attorney Mortell reported briefly on his communications with Martin County on this matter and they have asked to fence the property in order to keep it secure. A chain link fence has been agreed upon around three sides and a decorative rod iron fence in the front.**

**Public Comment:**

1) **Troy McDonald – Commented stating his frustration and should not have been done in the first place.**

**7:28 PM MOTION: Move to approve. AMENDED MOTION: Conditional on 17th Street left to the City and not included.**
**Moved by: Commissioner Bruner**
**Seconded by: Vice Mayor Clarke**
**Motion passed unanimously.**

**ADDENDUM**

**1.** DECLARATION OF STATE OF LOCAL EMERGENCY:

RESOLUTION No. 81-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, DECLARING A STATE OF LOCAL EMERGENCY PERTAINING TO A HAZARDOUS CONDITION RELATED TO THE ROOSEVELT BRIDGE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**City Manager Dyess reported on the FDOT measures taken and planned to open one side of the bridge.**

**Mayor Meier announced that he and the City Manager have been participating in daily communication with FDOT; they are continuing to examine the northbound bridge and have not found evidence of structural damage and by Wednesday, may be able to provide a timetable as to an opening of the northbound bridge. Dixie Hwy. may be able to reopen but waiting for additional information.**

**Vice Mayor Clarke commented on the idea of creating a ferry. City Attorney Mortell reported that there is a river taxi that will be charging $5.00 to transport people between the Tide House to the City Hall Dock.**

**7:43 PM MOTION: Approve Resolution 81-2020.**
**Moved by: Commissioner Matheson**
**Seconded by: Vice Mayor Clarke**
**Motion passed unanimously.**

**ORDINANCE FIRST READING**

**16.** EVALUATION AND APPRAISAL REPORT (EAR):

ORDINANCE No. 2442-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) FOR THE COMPREHENSIVE PLAN OF THE CITY OF STUART; STATING THE INTENT OF THE CITY COMMISSION TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING

TRANSMITAL OF THE EVALUATION AND APPRAISAL REPORT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY AND ANY OTHER INTERESTED GOVERNMENTAL ENTITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Stephen Mayer, Development Department Senior Planner presented on the Evaluation and Appraisal Report, reviewing the process that began with staff review, public workshops, Joint LPA/Commission Meetings, now at the final stage holding a transmittal hearing for First Reading. The approved Ordinance after this reading will be transmitted to the State Department of Economic Opportunity, await their comments, then come before the Commission again for Second Reading and adoption. Mayer reviewed the areas of focus under transportation, housing, and conservation.**

**Mayor requested to strike word "geothermal" from Conservation Element, Gola Statement 5.A.**

**Clarke, noted page 5, Policy 2.A.19; wanted to ensure that the future transportation map series was the most up to date information available. Commented on a future road from Johnson Avenue for future discussions.**

**Mayor Meier commented on outdated names of recreation facilities/parks and requested the language be generalized. Intergovernmental should read "attainable" in place of "affordable". New definitions for workforce housing and requests another review of the definitions in the Intergovernmental section.**

**Commissioner Matheson commented on the Infrastructure Element, remarking on the rain events and would like to push for more water retention.**

**8:26 PM MOTION: Motion that this stays the way it has been, to revert to the stricken language [per Conservation Element (5) Policy 5.A5.5 Wetlands C. Buffers.]**
**Moved by: Commissioner Matheson**
**Seconded by: Vice Mayor Clarke**
**No Vote**

**8:44 PM MOTION: Approve Ordinance No. 2442-2020 on First Reading with all changes as discussed.**
**Moved by: Vice Mayor Clarke**
**Seconded by: Commissioner Matheson**
**Motion passed unanimously.**

**ORDINANCE SECOND READING**

**8:45 PM ADDENDUM**

**2.** MARTIN COUNTY EMERGENCY ORDER 20-11 (FACE COVERINGS)

**City Manager Dyess briefly summarized Martin County's Emergency Order 20-11.**

**Mayor Meier commented that he has heard from many concerned members of the public and is in support of mandating face mask be worn by all (except children according to CDC guidelines) in the City.**

**Commissioner Matheson commented that though he agrees, he feels the Police Dept. has a lot to contend with at this time and adding a law that cannot be logically enforced could be putting our officers unnecessarily at risk.**

**City Manager Dyess explained enforceability, stating when conflict is created in telling citizens they can't do something and yet an officer must act and if resistance occurs, "the fight is on." He explained that every time a law is created, additional law enforcement/citizen contact is created that puts officers in contrary interaction with citizens, causing risk.**

**Discussion of face masks will be brought back for further discussion at the July 13th Commission Meeting and Police Chief Tumminelli will provide some information.**

 **9:02 PM ADJOURNMENT**

**_____** **_____**

**Mary R. Kindel, City Clerk** **Michael J. Meier, Mayor**

**Minutes to be approved at the Regular Commission Meeting this 13th day of July, 2020.**

# Exhibit D:
# Advertising Notice

The advertisement notice, which includes the Ordinance title will be in the July 3rd Paper and will be included upon transmittal

# Exhibit E:
# Proposed Comprehensive Plan Revisions

Proposed revisions to provided in ~~strikethrough~~ and underline format.

## Elements:

1. Future Land Use Element –text revisions; updated Future Land Use Map
2. Transportation Element - text revisions; updated Traffic Concurrency Exemption Area and Roadway Network Map
3. Housing Element – text revisions
4. Infrastructure Element – text revisions
5. Conservation Element – text revisions
6. Recreation and Open Space Element – text revisions
7. Intergovernmental Coordination Element – text revisions
8. Capital Improvement Element – text revisions/ Tables and outdated information to be updated during the City's planned reorganization of the Comprehensive Plan.
9. Coastal Management Element – text revisions; updated Coastal High Hazard Map
10. Public Schools Facilities Element – To be updated during the City's planned reorganization of the Comprehensive Plan. Edits have not been made to this Element at this time.
11. Economic Development Element – text revisions

Element 1~~I~~ - FUTURE LAND USE ELEMENT Goals, Objectives, and Policies City of Stuart, Florida Adopted December 2001 (effective April 2002) and October 14, 2002[1]

Footnotes:

--- (**1**) ---

**Cross reference**— Housing element, Element III; conservation element, Element V; implementation, Element VII, Objective A1; coastal element, Element IX.

GOAL STATEMENT 1.A

Maintain and enhance Stuart's quality of life, natural beauty and small-town waterfront character, its stable residential neighborhoods, and its status as the commercial/institutional hub for greater Martin County.

Objective 1.A1. - [Topographic and soil characteristics.]

Suitable topographic and soil characteristics shall be a basis for the establishment of future land uses.

*Policy 1.A1.1.* The location and distribution of topographic and soil conditions as well as all other land use factors specified in this Plan shall be used to establish appropriate land uses.

Objective 1.A2. - [St. Lucie River access and views.]

Enhance public access to and public views of the St. Lucie River waterfront through implementation of the following policies.

*Policy 1.A2.1.* City development regulations to implement this objective shall continue to contain provisions which allow cluster development, planned unit developments, mixed uses, limitations on impervious surfaces, density allowances and other innovative land development techniques. Such techniques shall be designed to maintain existing open space for recreation, groundwater recharge, and waterfront views.

*Policy 1.A2.2.* The City shall continue to seek funding for the development of river walks and acquisition of land to provide public access to the waterfront for both aesthetic purposes and to increase public fishing opportunities.

*Policy 1.A2.3.* City shall encourage extension and expansion of its river-walk system, along private properties, through public and private partnerships agreements, development incentives or other means deemed appropriate by the City Commission.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 1.A3. - [Environmentally sensitive natural resources.]

Environmentally sensitive natural resources shall be protected and conserved. These resources include wetlands, floodplains, potable groundwater, shorelines, estuarine systems, rivers, bays, lakes, soils, native vegetative communities, listed wildlife species and associated habitat, and air quality. The City shall conserve and protect natural resources through a comprehensive planning process which considers the types, values, functions, sizes, conditions and locations of natural resources. Development shall be compatible with and suitable for the use, conservation and protection of natural resources. Incompatible development shall be directed away from natural resources to minimize any adverse impacts. Future land use designations shall be established to protect environmentally sensitive natural resources in conjunction with other goals, objectives and policies in the Comprehensive Plan. If incompatible land uses are designated in association with natural resources in order to achieve other goals, objectives and policies of this Plan, policies shall be implemented to minimize or compensate for impacts. Policies for the

conservation and protection of natural resources include the following policies plus policies in the Conservation Element of this Plan.

*Policy 1.A3.1.* The City shall continue to implement Martin County's wellfield protection ordinance (Ordinance Number 428) in effect on the date of this Plan amendment to control permitted activities in wellfield protection zones, so as to protect and maximize potable water sources. The wellfield protection zones shall be based upon the best hydrogeologic information available. Land use activities shall be restricted or regulated within the wellfield protection zones pursuant to the County's ordinance. Potable water wellfields will also be protected by Conservation Element Policies 5.A2.2 and 5.A2.3.

*Policy 1.A3.2.* The City's Future Land Use Map and land development regulations shall direct development to areas where adequate utilities, services and schools exist or are planned in order to protect natural resources.

*Policy 1.A3.3.* The City shall designate and protect environmentally sensitive lands including viable and functioning wetlands as determined by the SFWMD and native vegetative communities that provide wildlife habitat for listed species. Protection measures will include performance standards regulating land use, public access, marina siting and activities, wetlands, shoreland alteration and seawalls, treatment of stormwater runoff, mangrove protection and provisions for developers to preserve environmentally sensitive land, including transfer of development rights and density bonuses.

*Policy 1.A3.4.* The City shall protect and conserve natural resources through conservation easements, transfer of development rights, cluster development, and buffer zones.

*Policy 1.A3.5.* The City shall continue to implement impact avoidance and minimization standards contained in its Land Development Code which require the protection of wetlands and other environmentally sensitive lands to the greatest extent practicable.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference—** Conservation element, Element V.

Objective 1.A4. - Flood management.

Development planned in the immediate vicinity of or adjacent to the St. Lucie Estuary, the South Fork of the St. Lucie River, creeks, lakes, ponds, and drainage ditches shall be constructed in a manner that will not interfere with maintenance or increase potential flooding levels.

*Policy 1.A4.1.* The City shall monitor its stormwater management and flood prevention ordinances for effectiveness and review the ordinances at least once every five years.

Such ordinances shall be reviewed for consistency with established Federal Emergency Management Agency (FEMA) flood insurance guidelines, rates, and maps, as well as the latest South Florida Water Management District's stormwater ordinance criteria~~ found in SFWMD Permit Manual IV~~.

*Policy 1.A4.2.* City shall continue to ensure effective stormwater management and flood prevention throughout the City, including the CRA, through application of its Land Development Code, Code of Ordinances and Master Stormwater Management Plan.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 1.A5. - Residential development.

Ensure land use compatibility by grouping complementary land use activities, including mixed-use land use developments in appropriate areas of the City. Work with the developers to integrate vehicular and pedestrian circulation systems, bike paths, parking, building location, and architectural design into a cohesive development.

*Policy 1.A5.1.* The Future Land Use Element of the City's adopted Comprehensive Plan shall provide land for future residential use to promote a more compact development pattern. This shall include sufficient land suitable for the public utility facilities needed to support the projected level and pattern of development.

*Policy 1.A5.2.* Development on all vacant, un-platted areas designated as residential should be compatible with any surrounding existing homes.

*Policy 1.A5.3.* Wherever possible, medium density residential and recreation/open space areas should serve as buffers between higher and lower intensity residential uses to achieve an orderly land use transition.

*Policy 1.A5.4.* City land development regulations and housing programs should support the provision of housing for very-low-income to moderate-income residents. (More detailed policies contained in the Housing Element.)

*Policy 1.A5.5.* The City shall market itself as a community for families.

*Policy 1.A5.6.* The City shall maintain a height limitation of the greater of 45 feet or four stories of occupiable space for all buildings. The City shall require landscaping of all new development and redevelopment to promote an aesthetic streetscape. The City shall require landscape buffers between single family residential and non-residential uses.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference—** Housing element, Element III.

Objective 1.A6. - Neighborhood stability.

Established residential neighborhoods shall be protected from the intrusion of competing intense uses through adherence to the Future Land Use Map, densities and intensities established in the Future Land Use Element, implementation of the City's Land Development Regulations, and control of traffic and access for the protection of the established residential uses.

*Policy 1.A6.1.* To minimize future disruption of neighborhood areas, the City shall protect, retain, and designate adequate rights-of-way to provide those roadways, bikeways, sidewalks, and parking identified as the future traffic circulation system in the adopted Transportation Element. The City also shall monitor Martin County and Florida Department of Transportation plans for expansion of the roadway network through the City for their impacts on neighborhood stability.

*Policy 1.A6.2.* Vehicular traffic shall be reduced through residential neighborhoods by expanding and maintaining the City's comprehensive system of bikeways and sidewalks.

*Policy 1.A6.3.* Future neighborhood commercial development that reduces vehicular trips shall:

a. Be clustered with other neighborhood commercial uses in a single location;

b. Be compatible in size, style, architecture, and materials to surrounding residential buildings;

c. Provide buffering from noise, light, and pollution;

d. Mixed use development will be encouraged.

*Policy 1.A6.4.* All non-residential uses shall provide adequate buffering and screening through the use of landscaping and other materials to minimize any adverse noise, light, and pollution impacts on surrounding residential neighborhoods. However, buffers between residential uses exceeding six (6) dwelling units per acre and

A. Neighborhood and community parks;

B. Golf courses;

C. Open space areas;

D. Public schools; and

E. Day care centers;

shall maximize the opportunities for passages to facilitate pedestrian or vehicular traffic between the adjacent developments in order to reduce off site vehicular impacts.

Additionally, buffers between residential uses exceeding 12 units per acre and,

A. Offices, including private and governmental;

B. Hospitals;

C. Nursing homes; and

D. Retail commercial;

shall maximize the opportunities for passages to facilitate pedestrian or vehicular traffic between the adjacent developments in order to reduce off site vehicular impacts.

*Policy 1.A6.5.* The City shall promote energy efficiency through mixed-use developments that increases multi-modal accessibility and reduces automobile travel. The characteristics of mixed use may include but not limited to the following:

- Provide housing and commercial services near employment centers.
- Contain the mix of uses allowed within the underlying land use designation.
- Accessibility to existing or planned transportation system.
- Provide transit stops in new developments.

(Ord. No. 1867-02, 10-14-2002; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 1.A7. - Future land use categories.

The future land use categories defined below provide general descriptions intended to encompass all present and future land uses in the City of Stuart. The "Table of Land Use Densities and Intensities" provides specific density and intensity measures that shall establish the maximum density and intensity allowed in each land use category. The Future Land Use Map establishes the optimum, overall distribution of land uses as well as can be established on a City-wide basis. Neither these policies nor the Future Land Use Map shall be construed to mean that every parcel in a designated area is suitable for the designated use. Other plan objectives and policies will be applied to ensure that any proposed development will be suitable for the particular site. Similarly, the Future Land Use Map does not assure the landowner the right to the most intense use allowable under the designated future land use category. The City shall have the discretion to decide that the permitted land use shall be more limited than the maximum allowable under the future land use category; provided, that the City shall approve some development that is consistent with the City's plan.

*Policy 1.A7.1.* The City of Stuart has designated the following land use categories and allowed uses for all land within the City of Stuart:

A. *Low Density Residential:* One or two dwelling units per building. Includes single family detached, duplex, townhomes, patio homes, garden homes, foster homes, adult congregate living facilities of four or fewer unrelated residents, and zero-lot-line residences. Also, public facilities, churches, day care centers, schools and electric distribution substations are allowed.

B. *Multi-Family Residential:* One to three or more dwelling units per building. Includes single family detached, duplex, townhomes, patio homes, garden homes, apartments, condominiums, foster homes, group homes of four or fewer unrelated residents, and adult congregate living facilities (ACLF) of five or fewer unrelated residents. A limited amount of Commercial is allowed. Stealth

communication towers are allowed. Also, public facilities, churches, day care centers, schools and electric distribution substations are allowed.

C. —*Commercial:* Land uses and activities predominately connected with the sale, rental, and distribution of products or performance of professional and non-professional services. Includes retail sales, service establishments, business, professional and other offices, shopping centers, financial institutions, restaurants, entertainment, hotels, motels and other temporary lodging. A limited amount of Multi-Family Residential and indoor industrial uses are allowed. Mixed-use projects are allowed. Also, public facilities and electric distribution substations are allowed.

D. *Office/Residential:* This mixed-use category allows offices and living residential quarters in the same building or in adjacent buildings. Zoning controls the compatibility of these buildings with adjacent land uses. Commercial uses are allowed. Also, public facilities and electric distribution substations are allowed.

E. *Industrial:* Land uses and activities predominantly connected with manufacturing, assembly, processing, packaging, research, or storage of products. Additional permitted uses in such areas include warehousing, wholesale activity, machine repair, and limited indoor retail sales and professional and other offices. Also, public facilities and electric distribution substations are allowed.

F. *Public:* Public facilities and uses such as schools, government offices, recreation, cellular telephone towers, utilities, historic structures with public or private uses therein, and City sponsored or approved economic development or redevelopment projects. Additionally, uses which are determined to contribute to the overall community welfare such as vending or entertainment uses directly in support of the primary public use associated with a park, plaza, or community center, or City sponsored or approved community festival, fair, concert, parade, exhibition, farmers or craft market, or similar events are allowed. "Public" uses shall include those uses that are permitted in the "Recreation" and "Conservation" land use categories. Also, electric distribution substations are allowed.

G. *Institutional:* Private facilities that fulfill a public or quasi-public purpose or that are similar in nature or function to public facilities, and including public facilities. These include schools, nursing homes, hospitals, churches, cemeteries, utilities, transmission towers, clubs, day care centers, and adult congregate living facilities. Also, electric distribution substations are allowed.

H. *Recreation:* Lands and public facilities, including public recreational uses that are both "active" and "passive" in nature. These include, but not limited to, neighborhood and community parks, golf courses, and spectator sport facilities, and open space areas. Additionally, vending or entertainment uses directly in support of the primary recreational use are allowed. Cellular telephone towers are allowed. "Recreation" uses shall include those uses that are permitted in the "Conservation" and "Public" land use categories. Also, electric distribution substations are allowed.

I. *Downtown Redevelopment:* Includes the land area within the Stuart Community Redevelopment Agency. General uses permitted include low density residential, multi-family residential, office, commercial, recreation, lodging, public facilities, conservation, and mixed-use projects. Individual projects and sites may consist of single uses. However, a mix of residential uses and non-residential uses shall be required within this designation as a whole. Also, electric distribution substations are allowed.

J. *Neighborhood/Special District:* Mixed-use category allowing residential, commercial, and recreation land uses such that a functional vertical or horizontal mix of uses is achieved. Developments shall include a mix of residential and commercial or office. Uses may be mixed within a single building and on a single site provided that impacts from differing uses are mitigated through urban design techniques. Also, public facilities and electric distribution substations are allowed.

K. *East Stuart District:* General uses permitted include low density residential, multi-family residential, office, commercial, recreation and mixed-use projects. Also, public facilities and electric distribution substations are allowed.

L. *Conservation:* The purpose[s] of the conservation category include: to conserve and protect natural resources including wetlands, floodplains, unique native vegetation, and habitat of listed species; to provide flood control; and to provide a general open space amenity. Uses allowed include passive recreation support facilities and other public facilities and utilities which do not conflict with the purpose of this land use category.

M. *Marine/Industrial:* Waterfront district which permits continuation of industrial/marine uses while encouraging mixed use development including multi-family residential; commercial; office; lodging; marinas; and civic uses. Also, public facilities and electric distribution substations are allowed.

*Policy 1.A7.2.* Gross densities, gross intensities and proportional use amounts for each land use category are established in the "Table of Land Use Densities and Intensities" that is adopted as part of this element. In order to promote the efficient use of land and to provide an attainable housing stock (Policy 3.A2.6. Housing opportunities), the City's Land Development code shall provide adjustment, through the urban planned unit development process, to accommodate smaller residential units and allow smaller housing units to be calculated at 0.5 density per unit.for units less than 900 sq.ft and 0.75 density per units for units less than 1100 sq.ft.

TABLE OF LAND USE DENSITIES AND INTENSITIES

| | | Residential | | | Non-Residential | | | |
|---|---|---|---|---|---|---|---|---|
| | | | UPUD, RPUD or Major UCE [2] | | | | | |
| Land Use Category | In/Out CRA [1] | General | Not ALF [4] | ALF | % Residential | General | >2.0 FAR [3] | % Non-residential |
| Low Density Residential | NA | <8.72 du/ac to 11.62 du/ac [5] | <8.72 du/ac to 11.62 du/ac [5] | none | 95-100% | <0.75 FAR | | 0—5% |
| Multi-Family Residential | In | <15 du/ac | <30 du/ac | <30 du/ac | 70—100% | <3.0 FAR | <20 ac | 0—30% |
| | Out | <10 du/ac to 11.62 du/ac [9] | <30 du/ac | <30 du/ac | 70—100% | <0.5 FAR | | 0—30% |
| Commercial | In | <15 du/ac | <15 | <30 du/ac | 0—15% | <3.0 FAR | <50 ac | 85—100% |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Out | <10 du/ac | <10 | <30 du/ac | 0—15% | <1.5 FAR | | 85—100% |
| Office/Residential | In | <15 du/ac | <30 du/ac | <30 du/ac | 0—25% | <3.0 FAR | <10 ac | 75—100% |
| | Out | <10 du/ac to 11.62 du/ac [9] | <30 du/ac | <30 du/ac | 0—25% | <1.5 FAR | | 75—100% |
| Industrial | In | None | | | 0% | <3.0 FAR | <10 ac | 100% |
| | Out | None | | | 0% | <1.0 FAR | | 100% |
| Public | | None | | | 0% | <1.0 FAR | | 100% |
| Institutional | | <10 du/ac | <30 du/ac | <30 du/ac | 0% | <0.75 FAR | | 100% |
| Recreation | | None | | | | <0.5 FAR | | 100% |
| Downtown Redevelopment | | <15 du/ac [8] | <30 du/ac | <30 du/ac | 0—70% | <4.0 FAR | <50 ac | 0—70% [6] |
| Neighborhood/Special District | In | <15 du/ac | | <30 du/ac | 30—90% | <3.0 FAR | <10 ac | 10—70% |
| | Out | <15 du/ac | | <30 du/ac | 30—90% | <2.0 FAR | | 10—70% |
| East Stuart | NA | <17 du/ac | <30~~17~~ du/ac | <30 du/ac | 70—100% | <1.5 FAR | | 0—30% |
| Conservation | | None | | | 0% | <10% ISR | | 100% |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Marine/Industrial | | <15 du/ac | <15 du/ac | NA | 0—25% | <3.0 FAR | <5 ac | 0—75% |

[1] CRA = Community Redevelopment Agency. A delineated area.

[2] RPUD = Residential Planned Unit Development; Major UCCU = Major Urban Code Conditional Use.

[3] The total number of acres in developments approved and constructed after the policy effective date that exceed 2.0 FAR shall not exceed the specified amount.

[4] ALF = Assisted Living Facility

[5] This designation is intended for parcels that are suited for single family attached and detached and duplex development ranging in density from 8.72 for single family units to 11.62 for duplex units.

[6] Recreation uses shall not exceed 25 percent of the land area.

[7] ISR = Impervious surface ratio. Not to exceed 10,000 square feet for any contiguous parcel.

[8] Shall be interpreted on an Urban Subdistrict basis within the CRA (including Urban Neighborhood, Urban General, Urban Center, Urban Waterfront, and Urban Highway).

[9] This designation is intended for parcels that are suited for single family attached and detached, duplex and multi-family development ranging in density from 10 for single family units to 11.62 for multi-family and duplex units.

Note: Throughout the City, properties located in the Coastal High Hazard Area (CHHA), as identified on the future land use map in the Coastal Element of the Comprehensive Plan, are limited to 15 dwelling units per acre unless the applicant can demonstrate to comply with Florida Statute 163.3178 (9)(a)1,2 and 3. ALFs shall continue to be prohibited within the Coastal High Hazard Area.

*Policy 1.A7.3.* The term "mixed use project" means one which allows for a mix of residential, non-residential and recreational land uses such that a functional vertical or horizontal mix of uses is achieved. These uses may be mixed within a single building or on a single site, providing that any impacts are mitigated through urban design techniques.

*Policy 1.A7.4.* The City will establish and monitor land use tracking and monitoring procedures to ensure that the specified proportions and acreage limitations are not exceeded and that plan amendments will be adopted in a timely manner if development does not occur as expected and desired.

*Policy 1.A7.5.* Properties that are annexed into the City shall be given a City land use designation as soon as possible after the annexation is finalized.

*Policy 1.A7.6.* It is the policy of the City of Stuart that neither the provisions of this Comprehensive Plan nor the Land Development Code shall deprive a property owner of all reasonable economic use of a parcel of real property, unless it is the intent of the City to exercise its eminent domain authority. Accordingly, the City recognizes the effectiveness of F.S. § 70.001 (Bert J. Harris, Jr. Act), in assuring that any potential total "taking" of property rights by the City of Stuart is properly identified and that all total private property rights takings are given an opportunity for adequate compensation, if required by law and requested by the property owner.

The relief to which an owner may be entitled shall be any one or more of the following:

a) Granting of a permit for development;

b) Clustering, or allowing development rights to be transferred to other properties within the City;

c) Government purchase of all or a portion of the lots or parcels upon which all beneficial use is prohibited;

d) Such other relief as the City may deem appropriate and adequate.

e) Any relief granted by a court of competent jurisdiction.

Development approved pursuant to the protections in F.S. § 70.001 shall be the minimum necessary to avoid a "taking" of the property under state and federal law, and shall be consistent with all other objectives and policies of the Comprehensive Plan and the Land Development Code.

*Policy 1.A7.7.* It is the policy of the City of Stuart that no development order issued by the City shall be unreasonable or shall unfairly burden the land of a property owner. Accordingly, the City recognizes the effectiveness of F.S. § 70.051 (Florida Land Use and Environmental Dispute Resolution Act), in resolving disputes and assuring that any potentially unreasonable or unfairly burdensome development order of the City is properly identified and that all private property rights are given an opportunity for adequate dispute resolution, if required by law and requested by the property owner.

Where a development order is disputed as being unreasonable or unfairly burdensome by a property owner, the use of the relief in F.S. § 70.051 is specifically encouraged as a means of identifying and resolving any unreasonable or unfair burden on the use of an owner's property.

The relief to which an owner may be entitled shall be the following:

a) Granting of a permit for development consistent with the relief recommended by a special magistrate, or as otherwise agreed upon by the property owner and the city;

b) Development approved pursuant to the protections in F.S. § 70.051 shall be consistent with all other objectives and policies of the Comprehensive Plan and Land Development Code.

*Policy 1.A7.8.* The development of a public school site shall be permitted in any future land use category in the City of Stuart without need for future land use map amendment. Consistency with the City of Stuart Comprehensive Plan shall be determined pursuant to the terms of the School Siting Interlocal Agreement between the City of Stuart, Martin County Board of County Commissioners, and the Martin County School Board. Per the terms of this agreement, the selection of a potential school site must include a standardized process for identifying potential sites and objectively ranking potential sites which evaluates, at a minimum:

a) The proximity of potential sites to existing population centers;

b) The availability of public facilities for transportation, including bicycle and pedestrian facilities, stormwater drainage, potable water and wastewater facilities;

c) The proximity of complementary uses and facilities;

d) The potential for negative impacts to native upland and wetland habitats;

e) The functional ~~hyrdology~~hydrology of the proposed site, including an evaluation of the predevelopment and post_development runoff, wetland management, flood protection, water quality, design standards for stormwater storage and conveyance facilities, positive legal outfall, and maintenance;

f) The ability to redevelop existing underutilized sites; and

g) The ability to maintain the diversity of the student population at existing schools and the proposed school which reflects the demographic composition of the Martin County student population as a whole.

*Policy 1.A7.9.* The City's Future Land Use Map series shall consist of the following:

a) 2030 Future Land Use Map

b) 2030 Planned Wells

c) 2030 Flood Zones Map

d) 2030 Wetlands Map

e) 2030 Soils Map

f) 2030 Land Cover Map

(Ord. No. 1867-02, 10-14-2002; Ord. No. 1974-04, § 1, 12-13-2004; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010; Ord. No. 2342-2017, § 1(Exh. A), 8-28-2017)

Objective 1.A8. - Land Development Regulations.

Future growth, development, and redevelopment will be managed through the preparation, adoption, implementation and enforcement of Land Development Regulations.

*Policy 1.A8.1.* The City shall continue to include in the land development regulations specific and detailed provisions required to implement the adopted Comprehensive Plan, and which at a minimum: ~~(9J-5)~~.

a. Regulate the subdivision of land;

b. Regulate the use of land and water consistent with this Element and ensure the compatibility of adjacent land uses and provide for open space;

c. Regulate areas subject to periodic flooding and provide for drainage and stormwater management;

d. Protect potable water wellfields and aquifer recharge areas by not allowing more than 75 percent impervious surface coverage. Impervious surface coverage restrictions do not apply in the Downtown Development land use category;

e. Regulate signage;

f. Ensure safe and convenient on-site traffic flow and vehicle parking needs including shared-use parking where appropriate; and

g. Provide that development approvals and permits shall not be issued that result in a reduction of the level of service standards adopted in this Comprehensive Plan;

h. Establish site plan review procedures;

i. Establish official sources for defining "native vegetation";

j. Define "open space" as defined by Policy 1.B3.7 and require not less than 25 percent on a development site outside the CRA; and

k. Establish a permitting process for the clearing of land;

l. Establish an urban code overlay zone to promote appropriate infill development and redevelopment within the TCEA which promotes a mix of uses, traditional neighborhood development, and a pedestrian-oriented land use pattern; complements transit-oriented development; and discourages large expanses of parking area.

*Policy 1.A8.2.* All regulations pertaining to land development shall be integrated into one development code and shall be reviewed within the EAR-based amendment cycle to ensure internal consistency and consistency with the City's adopted Comprehensive Plan.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

GOAL STATEMENT 1.B

Minimize costs to current residents of growth, new development, and redevelopment, and encourage future land uses that maintain or enhance economical and efficient delivery of government utilities and services.

Objective 1.B1. - Compact urban form.

Discourage urban sprawl by facilitating urban redevelopment and infill development of properties and planning for urban infill and redevelopment of lands located within Stuart in order to achieve a compact urban form.

*Policy 1.B1.1.* The City shall continue to market itself as a hub for commercial, social, and institutional governmental activities in Martin County. Provide for commercial opportunities within Stuart beyond the historical conditions in order to provide alternatives to urban sprawl.

*Policy 1.B1.2.* Identify priority areas for future annexation and identify future needs (parks, fire stations, lift stations, etc.).

*Policy 1.B1.3.* Parcels that are annexed or agree to be annexed through sewer and water agreements should have proposed land use designations.

*Policy 1.B1.4.* Annexation and redevelopment strategies for infill development and redevelopment should be formulated to produce a future viable economy for the City.

*Policy 1.B1.5.* As resources permit, the City shall study the application of aesthetic design policies for Colorado Avenue, Monterey Road, East Ocean, the Willoughby corridor, Palm Beach Road, U.S. 1/Federal Highway, SR 707, and other significant arterial corridors.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 1.B2. - Provision of facilities and services.

The Future Land Use Element shall establish land uses which can be served by existing and planned facilities and services. The plan shall achieve and maintain the level-of-service (LOS) standards adopted in the Capital Facilities Element and shall provide sufficient land suitable for public facilities needed to support the projected level and pattern of development.

*Policy 1.B2.1.* Impact fees and other means of offsetting capital costs are required of all new development to offset the capital costs of providing water and sewer service, drainage facilities, roads, recreation and park facilities, police and fire/EMS services and public facilities required by that development. Such fees should be updated to ensure that new development adequately pays for its costs.

*Policy 1.B2.2.* No approval for new development or redevelopment shall cause facilities or services to fall below adopted local level-of-service standards as contained in the Capital Improvements Element of this Comprehensive Plan except for temporary reductions allowed by capital improvements policies. Public facilities and services necessary to serve the proposed development or redevelopment must be available, at the adopted local levels-of-service, concurrent with the impacts of development or must meet the requirements specified in Capital Improvements Element policies.

*Policy 1.B2.3.* Approvals necessary for utility facilities to serve a proposed new development or redevelopment must be issued at the same time as approvals for the development itself.

*Policy 1.B2.4.* The City of Stuart is located entirely within the Martin County urban service area and is itself an urban service area consistent with F.S. § 163.3164(29). This area is mapped on the Future Land Use Map and encompasses the entire City.

*Policy 1.B2.5.* At the time of each required Evaluation and Appraisal Report, the City shall update the Water Supply Facilities Work Plan to assess whether or not adequate water supply is available to meet projected needs of the ensuing ten-year period.

(Ord. No. 2166-08, § 1, 1-12-2009; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference—** Capital improvements element and concurrency management system, Element VIII.

Objective 1.B3. - Desirable pattern of land uses.

Promote and enhance a pattern of land uses that are ~~compatible; that are~~ convenient to City residents, businesses, and visitors; that avoid inappropriate or wasteful use of land; and that encourage efficient use of land, resources and facilities. Future land uses shall be designated to support the existing or planned community character, thereby prohibiting the development or expansion of uses which are inconsistent with the community's character. Reduce blighted areas through redevelopment. Land development and use regulations shall include provisions to ensure consistency with this Comprehensive Plan.

*Policy 1.B3.1.* Existing land uses which are inconsistent with the Future Land Use Plan of the City shall be eliminated upon redevelopment. Exceptions may be made if: A) less than 50 percent of the existing use is destroyed by accident or act of God; B) neighboring landowners support the rebuilding to the prior state; and C) such rebuilding does not pose a serious health or safety threat to the public. All three conditions must be met.

Inconsistent uses shall not be expanded by more than 25 percent. However, maintenance in order to meet health, safety, welfare and any obvious aesthetic upkeep is allowable. Examples include painting, structural and roof repair, and plumbing and electrical repair.

Residential structures in the Coastal High Hazard Area (CHHA) that are damaged less than 50 percent by a wind or water damage may be repaired but they may not be replaced by new structures at a density that is higher than allowed by this Plan.

*Policy 1.B3.2.* All development shall be compatible with and complementary to surrounding land uses and shall not unduly affect existing approved activities.

*Policy 1.B3.3.* (blank)

*Policy 1.B3.4.* For enclaves served by City utilities and services, the City shall continue to charge higher fees and pursue other administrative policies that encourage the elimination or reduction of those enclaves.

*Policy 1.B3.5.* The City shall implement the Special District land use regulations for historic areas of mixed land use, including downtown Stuart, the CRA, and East Stuart.

Special Districts are addressed in Goal C and Goal D of this Future Land Use Plan.

*Policy 1.B3.6.* The City shall protect traditional single-family residential areas by limiting commercial encroachment through zoning, comprehensive planning, traffic calming, and other land use techniques.

*Policy 1.B3.7.* Open spaces are relatively undeveloped areas used to enhance natural resource conservation, recreation or aesthetic functions of an urban environment. Open spaces may include preserved wetlands, landscaped stormwater facilities, landscaped areas, playgrounds, parks and golf courses. Within the CRA, urban plazas may be considered open space, e.g., public fountains, courtyards, gazebos and amphitheaters. Parking areas shall not constitute open space. Open spaces do not include parking areas.

*Policy 1.B3.8.* Continue to reduce blighted areas through application of the CRA Plan.

*Policy 1.B3.9.* The City shall implement architectural and site design requirements for commercial development that utilize "Crime Prevention Through Environmental Design" principles including natural surveillance and defensible space. This shall include site designs that provide for unobstructed supervision of public activity areas and access points by occupants and law enforcement while conducting routine activities and thereby discouraging criminal activity.

*Policy 1.B3.10.* All commercial buildings shall be designed to maintain and enhance the attractiveness of the streetscape and promote the architectural heritage of the City. Buildings shall include architectural features and patterns that provide visual interest from the perspective of the pedestrian, reduce building

massing and recognize local character. Facades shall be designed to reduce the mass or scale and uniform monolithic appearance of large unadorned walls while providing visual interest that will be consistent with the community's identity and character through the use of detail and scale. The building's mass shall be varied in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the scale of the pedestrian. Corner lots at an intersection of two or more arterial or collector roads shall be designed with additional architectural embellishments, such as corner towers or other design features, to emphasize their location as gateways and transition points within the community.

*Policy 1.B3.11.* ~~To ensure compatibility of land uses, t~~The City shall continue to monitor Martin County's Airport Master Plan and where appropriate shall seek to make its positions known with regard to the plans implementation or modification through direct communication or interlocal agreement.

With regard to the vacant property within the City limits located south of Monterey Road on the Martin County Airport site, future development shall be regulated through a Planned Unit Development agreement.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 1.B4. - Hurricane evacuation and planning.

The City shall ensure the safe evacuation of people threatened by a hurricane or other disasters through coordination with Martin County, other municipalities, and the Treasure Coast Regional Planning Council and through application of its own emergency management plan.

*Policy 1.B4.1.* The City Police and Fire departments and City Commission shall cooperate with the Martin County Fire Rescue Emergency Management Agency~~Office~~ and the Treasure Coast Regional Planning Council to design and evaluate evacuation plans that use roadways in and through the City of Stuart.

*Policy 1.B4.2.* In order to direct population concentrations away from the coastal high hazard area; maintain or reduce evacuation times; and limit public expenditures that subsidize development permitted in coastal high hazard areas: residential densities shall not exceed 15 dwelling units per acre unless the applicant can demonstrate compliance with evacuation time and mitigation requirements in accordance to F.S. § 163.3178(9)(a)1, 2, and 3. ACLFs shall continue to be prohibited within the Coastal High Hazard Area.

(Ord. No. 1892-02, § 1, 1-27-2003; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference—** Traffic evacuation capacity, Element II, Objective 3; coastal element, Element IX.

GOAL STATEMENT 1.C

The future land use goal for the Community Redevelopment Area (CRA) [is] to maintain and strengthen the beauty, economic viability, cultural resources and social importance of the area. This shall be accomplished through mixed-use zoning, preservation of historic buildings, innovative zoning and land use regulations, demolition, reconstruction or substantial renovation of existing buildings and infrastructure, enhancement of marine resources, and other measures to promote urban redevelopment.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 1.C1. - [Urban Code Overlay Zone.]

The City shall implement the Stuart Urban Code Overlay Zone in the CRA which provides for adequate parking; encourages the ability of people to live, work, and shop without need of a car; defines urban spaces

with buildings; creates interesting and pleasant itineraries along sidewalks; conceals parking lots; promotes alternative modes of transportation; and provides for harmony of architectural style.

*Policy 1.C1.1.* The City of Stuart shall continue to implement the Architectural Regulations and the Stuart Urban Code in the CRA to regulate building size, height, and orientation.

*Policy 1.C1.2.* The City of Stuart shall continue to implement the Stuart Architectural Regulations which have been adopted based on the Stuart Urban Code for the CRA to regulate materials, colors, and landscaping for buildings. These regulations shall encourage traditional, durable construction with materials that age well and fit with the existing architectural heritage of Stuart.

Objective 1.C2. - Historic resources.

The City shall continue to encourage the protection of identified historic resources through the application of historic preservation standards set forth in the Resource Protection~~,~~ Chapter ~~V~~ of the City's Land Development Code.

To implement this objective the following policies are adopted:

*Policy 1.C2.1.* The City shall maintain and from time to time update its inventory of historic and archaeological resources completed in 2002 and shall establishment of local historic districts and landmarks designation.

*Policy 1.C2.2.* The City shall support and cooperate with efforts to inventory, designate, and preserve buildings, sites, and other resources of historic significance in Stuart.

*Policy 1.C2.3.* The City's Main Street Program allows inventory and analysis of preservation needs of historic properties in the downtown area. The City shall encourage redevelopment efforts in the downtown area which will maintain the historical integrity of historical buildings; reuse of historical buildings shall be promoted.

*Policy 1.C2.4.* The City shall encourage and allow innovative techniques for new development which protect historic and archaeological resources, such as buffering, cluster housing and density bonuses.

*Policy 1.C2.5.* The land development regulations shall continue to eliminate zoning or other conflicts which would hamper preservation efforts.

*Policy 1.C2.6.* The City shall continue to apply its historical preservation standards set forth in the Land Development Code.

*Policy 1.C2.7.* The City supports public and private efforts to identify, evaluate, and protect historic and archeological resources.

*Policy 1.C2.8.* The conservation and rehabilitation of substandard housing of historical significance shall consider the standards of the Division of Historic Resources and the City's adopted local historic ordinance.

*Policy 1.C2.9.* If a potential archaeological or historic site is located during development activity, the developer shall be required to notify the City and the State Division of Historic Resources concerning procedures to be followed prior to completing additional work which would impact the site.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 1.C3. - Urban redevelopment.

Revitalize the designated Urban Redevelopment Area (URA), including the CRA, by:

A. Maintaining or increasing the amount of development and redevelopment.

B. Maintaining or increasing the percentage of County-wide employment located in the URA and CRA and the City of Stuart as a whole.

C. Reducing blight conditions as defined by F.S. § 163.340(8)(a) and (b).

D. Achieving and maintaining a 90 percent occupancy rate of commercial and office spaces.

E. Enhancing the City's marine resources.

F. Promote multi-modal ~~pedestrian~~ mobility throughout the CRA.

*Policy 1.C3.1.* The URA is a specific geographic area established in the Comprehensive Plan for urban redevelopment as shown in Stuart Redevelopment Map. The Community Redevelopment Area (CRA) established pursuant to the Community Redevelopment Act of 1969 is a specific geographic area identified in the Comprehensive Plan as shown in the Stuart Redevelopment Map.

*Policy 1.C3.2.* The Transportation Concurrency Exception Area (TCEA) is established within the URA and is consistent with the boundaries of the CRA. The CRA and URA are shown in the Stuart Redevelopment Map.

*Policy 1.C3.3.* The City shall promote waterfront access through FLUE Objective 1.A2 and its associated policies in order to increase the attractiveness and desirability of the CRA for new development and redevelopment.

*Policy 1.C3.4.* The City shall implement land use categories in the URA that encourage mixed uses and higher intensities and densities consistent with FLUE Objective 1.A7, its associated policies and the Future Land Use Map.

*Policy 1.C3.5.* The City shall promote compact urban form and discourage urban sprawl consistent with FLUE Objective 1.B1 and Policy 1.B1.1.

*Policy 1.C3.6.* The City shall encourage development and redevelopment by ensuring that adequate public facilities and services are available to serve the development in the URA consistent with FLUE Objective 1.B2, its associated policies and the Capital Improvements Element.

*Policy 1.C3.7.* The City shall reduce blighted areas through implementation of the CRA Plan adopted in June 1998.

*Policy 1.C3.8.* The City shall implement the regulations of the Stuart Urban Code Overlay Zone consistent with the direction under Objective 1.C1 and its associated policies in order to promote desirable development and redevelopment in the URA.

*Policy 1.C3.9.* The City shall promote economic development in the URA by implementing FLUE Objective 1.E1 and its associated policies.

*Policy 1.C3.10.* The City shall encourage development and redevelopment in the URA by reducing crime by implementing FLUE Policy 1.B3.9.

*Policy 1.C3.11.* The City shall require commercial development in the URA to utilize urban design features consistent with FLUE Policy 1.B3.10 so as to create a more attractive and distinctive environment, promote pedestrian friendly design and establish a "sense of place" and character unique to Stuart that will attract complementary non-residential uses.

*Policy 1.C3.12.* The City of Stuart shall promote land use patterns which complement multiple modes of transportation, including transit, pedestrian and bicycle amenities, and marine transit such as ferries, water taxis and upland support facilities (e.g., designated anchorages, marinas, dinghy accommodations, canoe/kayak launches and the City's "blueways" program).

*Policy 1.C3.13.* The City shall utilize financial, regulatory and land use incentives to promote residential and mixed-use development within the URA and CRA.

*Policy 1.C3.14.* The City through the CRA redevelopment shall encourage and promote multi-modal ~~pedestrian~~ mobility and linkages throughout the CRA.

GOAL STATEMENT 1.D

The goal of establishing an East Stuart Overlay Zone District is to address the unique and special land use and related development issues of this neighborhood. This item is included as Goal 3.C in the Housing Element.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 1.D1. - [East Stuart Special Studies District.]

To reduce substandard housing conditions, increase attainable~~affordable~~ housing opportunities, improve infrastructure and safety conditions, and provide for land use regulations that reflect and strengthen the neighborhood character of East Stuart.

*Policy 1.D1.1.* The City shall encourage new and in-fill development in the East Stuart neighborhood:

- Replace substandard housing with code compliant housing;
- Create accessible and safe neighborhood;
- Encourage a mix of housing types;
- Encourage neighborhood infrastructure, such as sidewalks and walkway linkages.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference—** Housing element, Element III.

GOAL STATEMENT 1.E

Economic development is a comprehensive goal for the City.

Objective 1.E1. - Economic development.

The City shall research major land use issues which impact economic development and may potentially generate City revenues.

*Policy 1.E1.1.* The airport shall be addressed more specifically as a land use issue that affects economic development.

*Policy 1.E1.2.* The City shall encourage and coordinate with Martin County for the master planning of the airport in a manner consistent with surrounding land uses.

*Policy 1.E1.3.* City owned parcels should be identified with the purpose of leasing or selling properties that could produce revenue or other benefits for the City.

*Policy 1.E1.4.* The City should consider the purchase of land for cultural/recreation/open space or to generate revenue by future lease or sale of the property.

*Policy 1.E1.5.* The City should develop goals for economic development.

*Policy 1.E1.6.* As economic development opportunities present themselves, the City should continue to strive to be straightforward and streamlined in its development review process.

*Policy 1.E1.7.* The City should identify and recruit appropriate uses for the area north of the Roosevelt bridge (i.e., marine, mixed-use, tourism, industrial, etc.).

*Policy 1.E1.8.* The City should develop specific economic development programs for the area north of the Roosevelt bridge.

GOAL STATEMENT 1.F

The future land use goal for the Neighborhood/Special District category is to promote infill and redevelopment efforts; allow for the creation of traditional neighborhood developments (TNDs); lessen the need for vehicular trips; deter urban sprawl; and encourage the development of mixed-use developments.

Objective 1.F1. - [Development standards for Neighborhood/Special District land use category.]

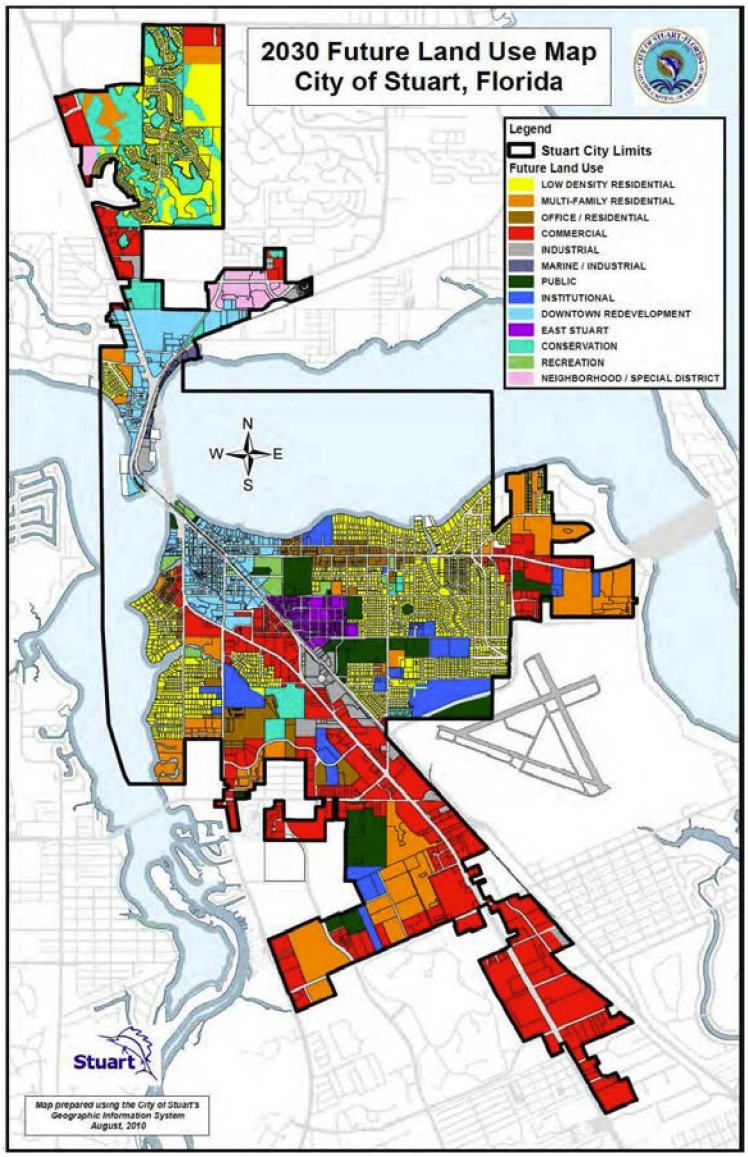
The City shall allow mixed-use and traditional neighborhood development, pedestrian accessibility, and innovative planning and land use techniques that strengthen the small-town character of Stuart through the application of the Neighborhood/Special District land use category.

*Policy 1.F1.1.* Of the developable acreage of the site, not less than 30 percent shall consist of residential use and not less than ten percent shall consist of non-residential and non-recreational land uses.

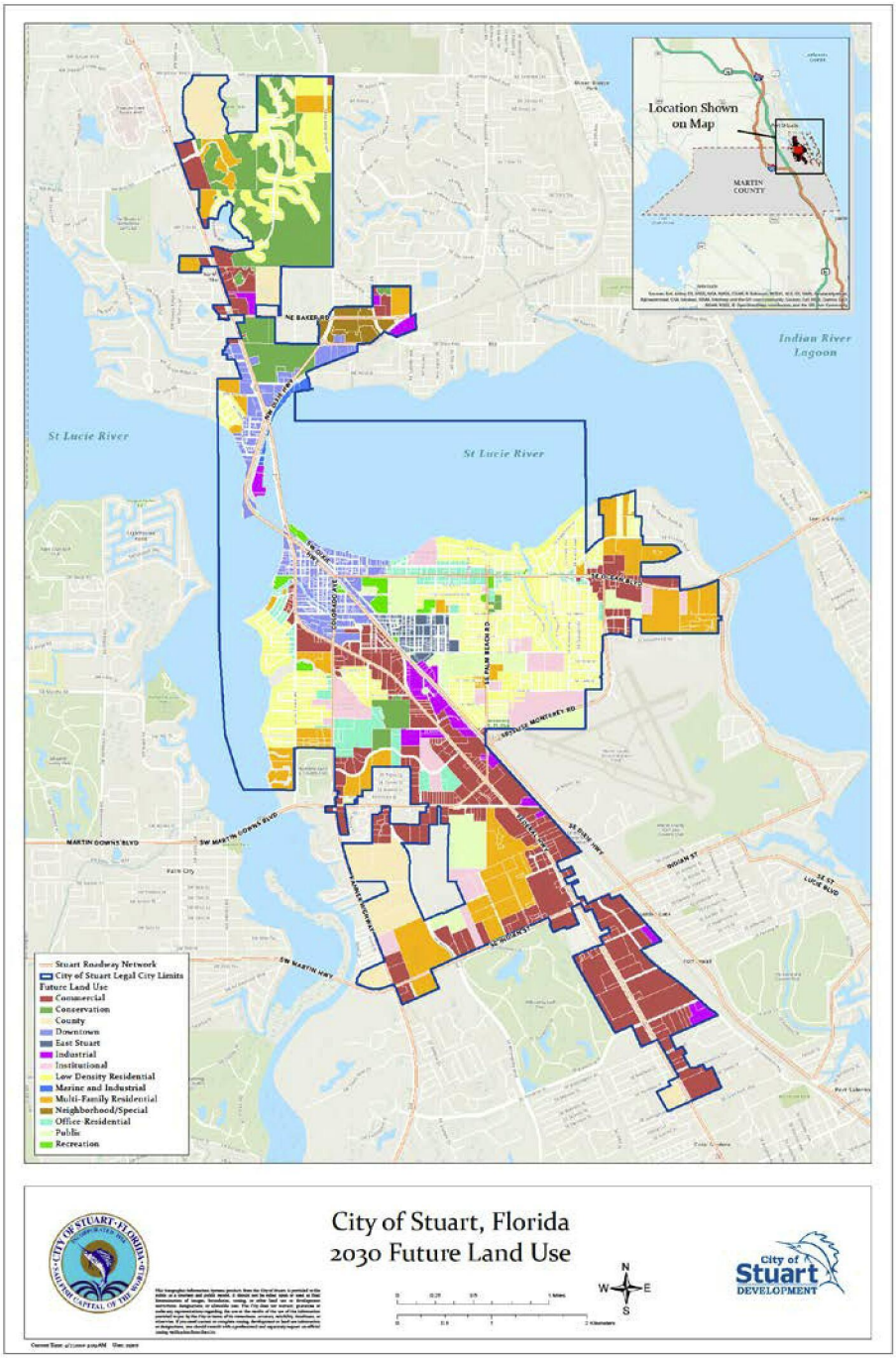
*Policy 1.F1.2.* Mixed-use development within the Neighborhood/Special District category shall integrate distinct uses together in order to create a functioning, multifaceted type of development. Integration is defined as the combination of distinct uses on a single site where impacts from differing uses are mitigated through urban design techniques and where differing uses are expected to benefit from the close immediate proximity of complementary uses. This may include horizontal and vertical integration.

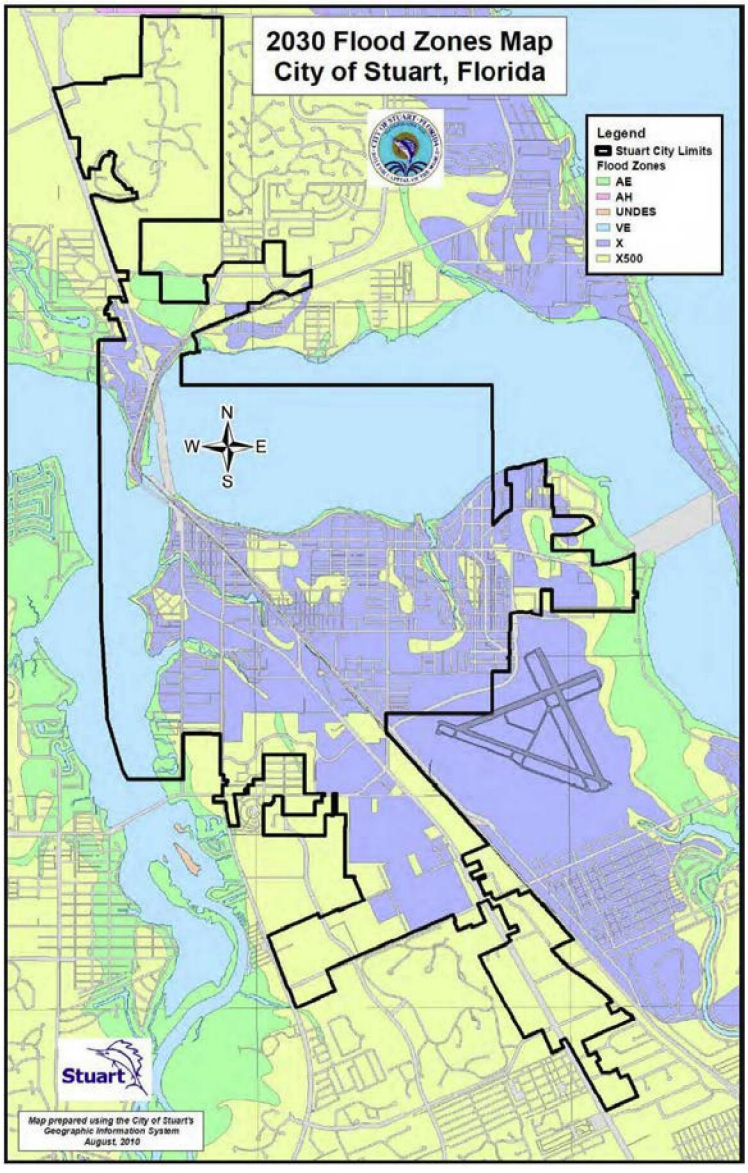
*Policy 1.F1.3.* To promote pedestrian friendly and neighborhood-scale development, blocks within a mixed-use development should not exceed an average block perimeter of more than 1,600 linear feet, or a five-minute walk, unless the block perimeter has pedestrian access points at intervals not exceeding 550 feet. No block frontage along a single street should exceed 550 feet.

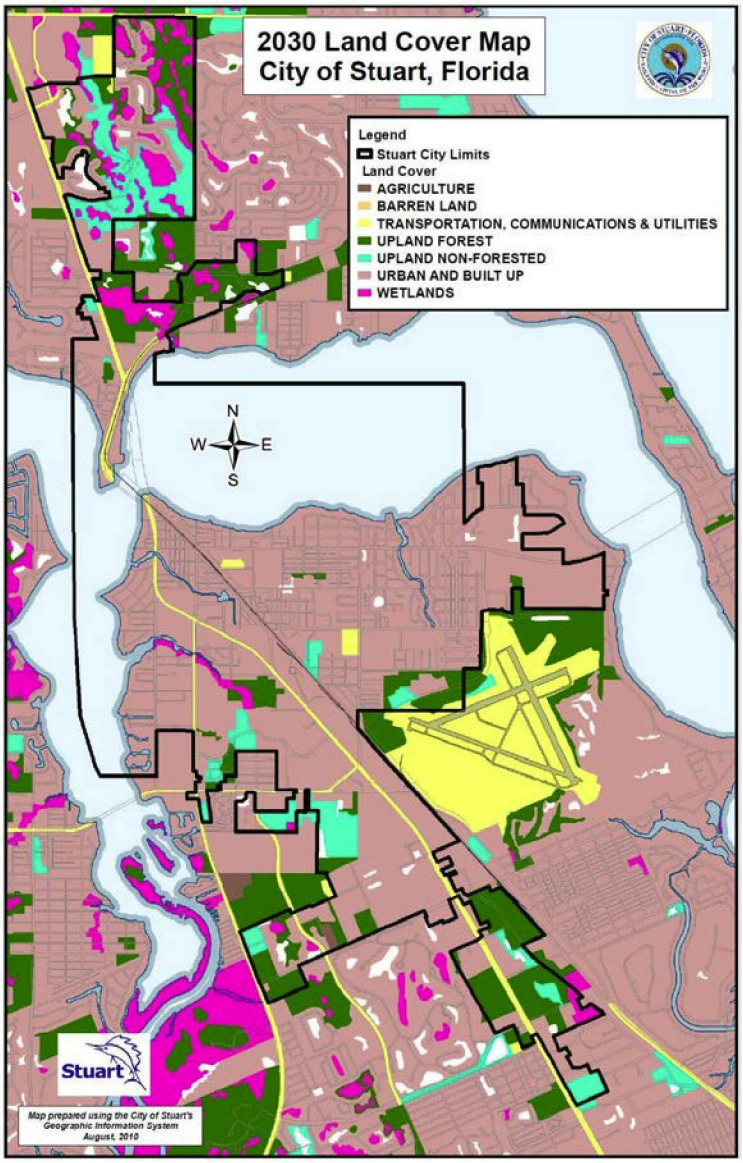
*Policy 1.F1.4.* Large expanses of parking area discourage neighborhood scale and pedestrian friendliness. Therefore, where possible, development shall include smaller scattered parking lots of "nodes" that are approximately located such that the massing or "bunching" of parking into large expanses of parking area is prevented.

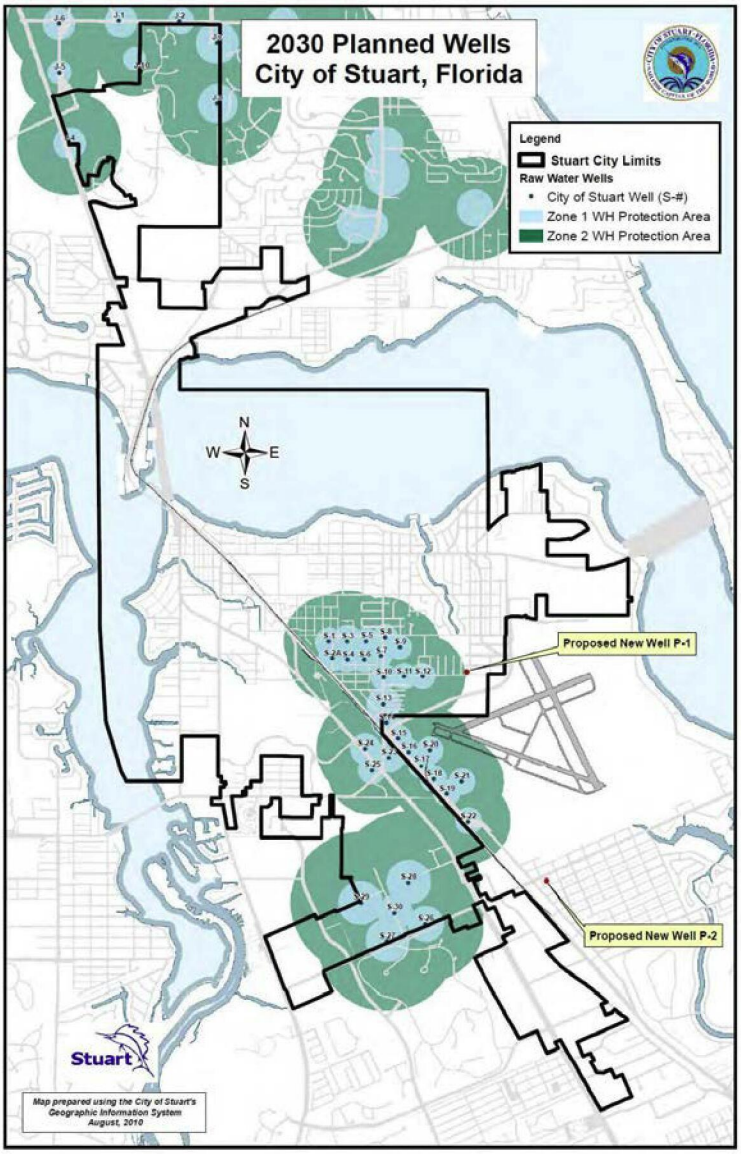

2030 Future Land Use Map
City of Stuart, Florida
Legend
Stuart City Limits
Future Land Use
LOW DENSITY RESIDENTIAL
MULTI-FAMILY RESIDENTIAL
OFFICE / RESIDENTIAL
COMMERCIAL
INDUSTRIAL
MARINE / INDUSTRIAL
PUBLIC
INSTITUTIONAL
DOWNTOWN REDEVELOPMENT
EAST STUART
CONSERVATION
RECREATION
NEIGHBORHOOD / SPECIAL DISTRICT
N
W
E
S
Stuart
Map prepared using the City of Stuart's
Geographic Information System
August, 2010

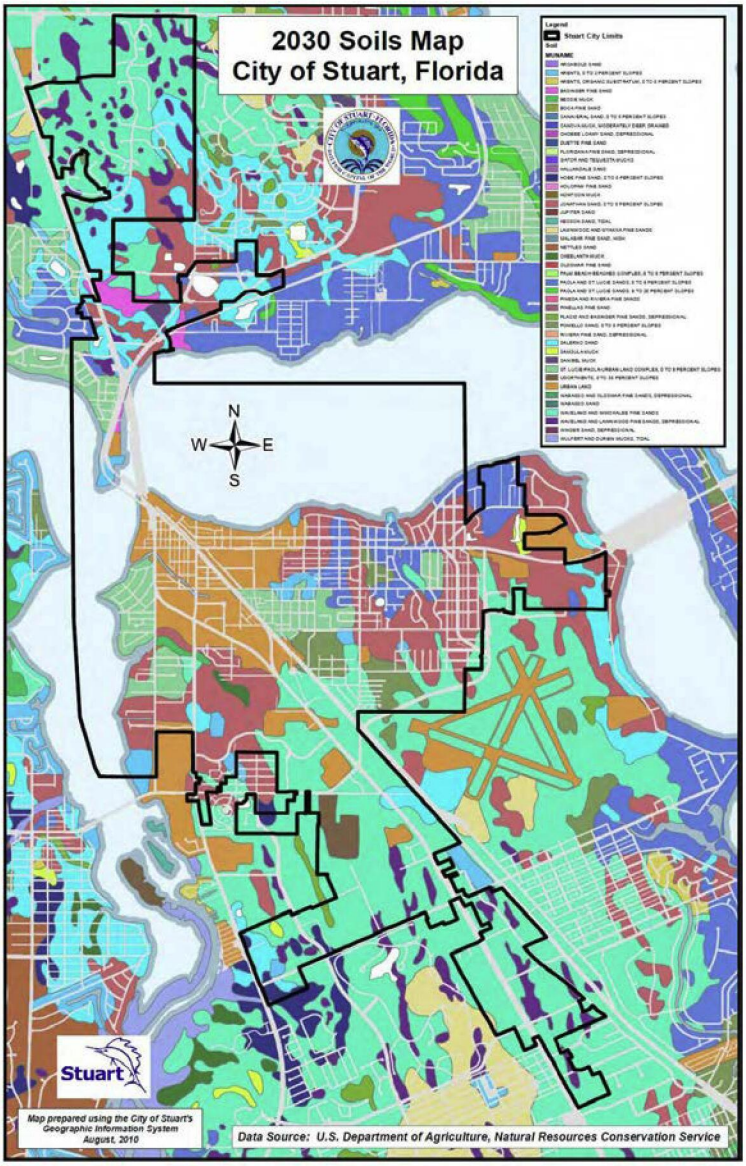
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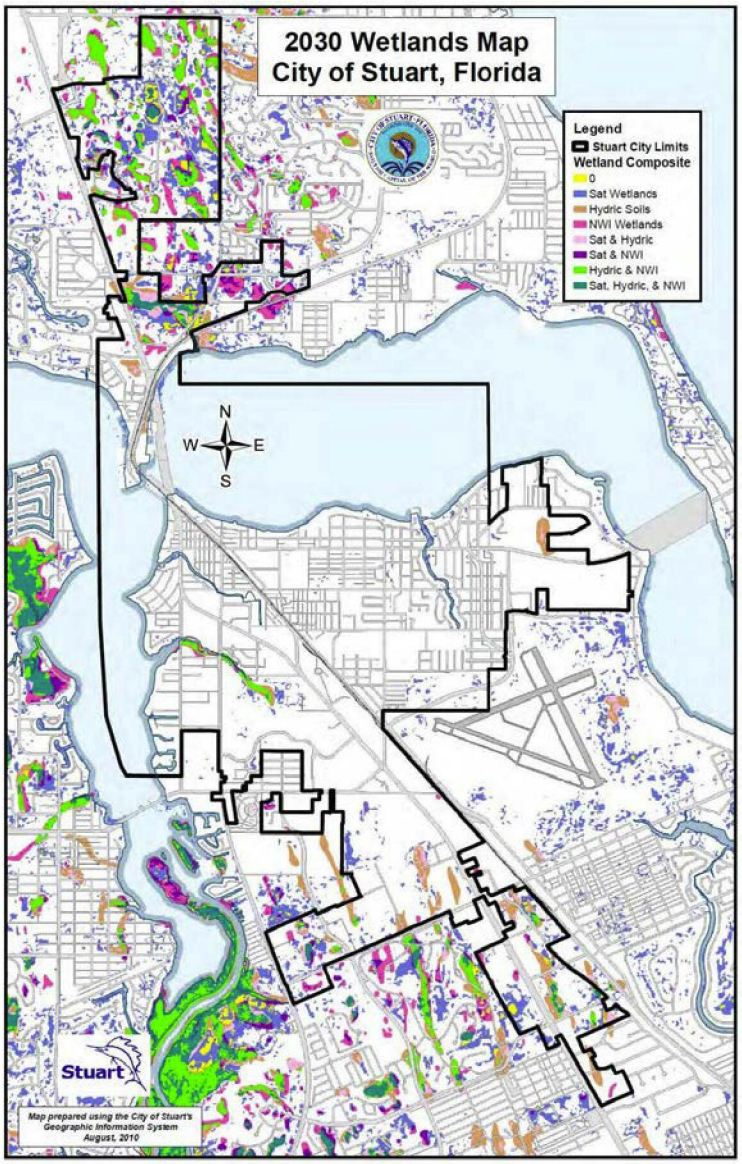



2030 Flood Zones Map
City of Stuart, Florida
Legend
Stuart City Limits
Flood Zones
AE
AH
UNDES
VE
X
X500
N
W
E
S
Stuart
Map prepared using the City of Stuart's Geographic Information System
August, 2010


2030 Land Cover Map
City of Stuart, Florida
Legend
Stuart City Limits
Land Cover
AGRICULTURE
BARREN LAND
TRANSPORTATION, COMMUNICATIONS & UTILITIES
UPLAND FOREST
UPLAND NON-FORESTED
URBAN AND BUILT UP
WETLANDS
N
W
E
S
Stuart
Map prepared using the City of Stuart's Geographic Information System
August, 2010


2030 Planned Wells
City of Stuart, Florida
Legend
Stuart City Limits
Raw Water Wells
City of Stuart Well (S-#)
Zone 1 WH Protection Area
Zone 2 WH Protection Area
N
W
E
S
Proposed New Well P-1
Proposed New Well P-2
Stuart
Map prepared using the City of Stuart's Geographic Information System
August, 2010


2030 Soils Map
City of Stuart, Florida
Legend
Stuart City Limits
Soil
MUNAME
N
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Stuart
Map prepared using the City of Stuart's Geographic Information System August, 2010
Data Source: U.S. Department of Agriculture, Natural Resources Conservation Service


2030 Wetlands Map
City of Stuart, Florida
Legend
Stuart City Limits
Wetland Composite
0
Sat Wetlands
Hydric Soils
NWI Wetlands
Sat & Hydric
Sat & NWI
Hydric & NWI
Sat, Hydric, & NWI
N
W
E
S
Stuart
Map prepared using the City of Stuart's Geographic Information System
August, 2010

Element 2~~II~~ - TRANSPORTATION ELEMENT Goals, Objectives, and Policies City of Stuart, Florida Adopted October 14, 2002[1]

Footnotes:

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**Cross reference**— Infrastructure element, Element IV; implementation, Element VII, Objective A2; capital improvements element and concurrency management system, Element VIII.

GOAL STATEMENT 2.A

Implement a transportation program that provides for a safe and efficient traffic network and provides optimum access to the City's major activity centers. As resources permit, the City shall support mobility citywide through alternate modes of transportation.

The City shall seek to reduce greenhouse gas emissions by discouraging urban sprawl; promoting compact development and maximize internal trips within the development; promote transit oriented development within urban service area; promote affordable and workforce housing in proximity of major employment centers; and promote infrastructure investment in greenhouse gas efficient projects.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 2.A1. - [Roadway system levels of service.]

The City shall provide a safe, convenient and efficient roadway system by maintaining adopted levels of service on all roadways within the City throughout the planning period.

*Policy 2.A1.1.* Establish an annual traffic count program with the use of traffic counting equipment to monitor peak season and off season traffic. This program shall be coordinated wherever possible with the FDOT and Martin County traffic count information.

*Policy 2.A1.2.* Establish an annual traffic count program with the purchase of traffic counting equipment to monitor peak direction/peak hour/peak season and off season traffic. This program shall be coordinated (wherever possible) with the FDOT and Martin County traffic count information through advance scheduling of count station locations between all agencies. The use of peak hour traffic counts shall be used to benchmark conditions.

*Policy 2.A1.3.* The City shall continue to monitor traffic counts on City roadways. With regard to state and county roads within the City, timely traffic data will be obtained by the City through close coordination with FDOT and Martin County.

*Policy 2.A1.4.* Except as specified in policies 2.A1.2, 15.1 and 15.2, the City adopts the following level of service (LOS) for all arterial roadways: LOS E at peak hour.

*Policy 2.A1.5.* The following table includes roadways which have been assigned a tier II interim levels of service. These interim standards are designated to provide a service volume to evaluate traffic generated by proposed developments until the roadway is improved. The table also includes expiration of these interim levels of service.

_____ STAFF NOTE: We will be following up on a separate text amendment updating this policy and the table below now that the improvements have been made and the interim LOS may no longer be required. New policy would focus on how to encourage solutions for critical traffic congestion links through planned development.

| Segment | From | To | Interim LOS Standard | Volume Threshold (peak hour/peak direction) | 20190~~8~~ Generalized LOS |
|---|---|---|---|---|---|
| SR 5/US 1 | Wright Boulevard | Jensen Beach Blvd. | Martin County 20190~~8~~ Roadway Level of Service Inventory Report | 3,600 | Interim |
| SR 714 | Mapp Road | SR 76 | Martin County 20190~~8~~ Roadway Level of Service Inventory Report | 2,810 | Interim |
| SR 714 | SR 76 | CR A1A | Martin County 20190~~8~~ Roadway Level of Service Inventory Report | 2,015 | Interim |
| * The Green River Parkway project is a completed County funded project, which consists of construction of a new 2 mile long of roadway from Jensen Beach Boulevard to SR 707 that is expected to be completed by November 2010. Project is an alternate north/south corridor to relieve Level of Service deficiencies on US1. | | | | | |
| The Indian Street Bridge project is also a completed County funded project, which consist of construction of a new bridge across the South Fork of the St. Lucie River to connect Palm City with the City of Stuart. The project includes new roadway construction from the intersection of SR 76 and Indian Street to the intersection of Martin Highway and Mapp Road. | | | | | |
| ~~The Level of Service shall be updated in the first amendment opportunity as the roadway construction projects are completed.~~ | | | | | |

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*Policy 2.A1.6.* The City shall update analysis of existing level of service standards for all roadways in the City using the FDOT Level of Service Manual and amend the adopted level of service standards for roadways in the Comprehensive Plan as necessary.

*Policy 2.A1.7.* In cooperation with Martin County, the City will utilize the results of the North Stuart Traffic Operations Study to analyze major traffic corridors, such as Roosevelt Bridge, Green River Parkway, and other roadways, in the north Stuart area.

*Policy 2.A1.8.* The following strategies shall be implemented by the City in its efforts to maintain and improve traffic conditions throughout the City.

TRANSPORTATION SYSTEMS AND DEMAND MANAGEMENT STRATEGIES

| Strategy | Action |
|---|---|
| Traffic operation | Intersection and roadway widening.<br>One-way streets.<br>Turn-lane installation. |
| Traffic signalization | Coordinate with Martin County and the State of Florida regarding synchronization of traffic signals, intelligent traffic systems (ITS) and similar programs. |
| Pedestrian, bicycle and other alternative modes | Widen sidewalks.<br>Pedestrian grade separation.<br>Increasing b~~B~~ikeway~~s~~ visibility connectivity and bike parking opportunities.<br>~~Bike storage.~~<br>Interconnected sidewalk system: sidewalks and/or bikeways shall be provided for internal circulation and linkage to other projects when such facilities are possible given the particular physical characteristics of the site, type of project, and adjacent land uses.<br>Traffic calming.<br>Downtown rail station/transportation depot.<br>Increase visibility and safety through streetscape and crosswalk improvement initiatives<br>Enhance pedestrian safety thru print, social media and City website education |
| Route diversion | Auto restricted zones.<br>Residential traffic control.<br>Truck-restricted zones and routes. |
| Parking management | Curb parking restrictions on U.S. 1 within the TCEA.<br>On-street parking.<br>Common parking areas.<br>Off-street parking incentives.<br>"In-lieu of" parking incentives.<br>Public/private shared parking.<br>Public/private shared parking through joint ownership or leasing or issuing licensing agreements.<br>Valet parking for commercial businesses. |

| | |
|---|---|
| | Advanced parking guidance system and other wayfinding signs<br>Encourage electric vehicle charging facilities |
| Inter-modal coordination (Implementation is contingent upon a joint Martin-St. Lucie public transit system that serves Stuart.) | Park-and-ride facilities.<br>Coordinate transfer improvements with Martin and St. Lucie Counties (see Policy 2.A6.3). |
| Commercial vehicles | On-street loading zones.<br>Off-street loading zones.<br>Restrict peak-hour on-street loading.<br>Truck route system. Restrict truck traffic in residential neighborhoods. |
| Work schedule | Encourage flexible work scheduling to maximize infrastructure efficiency, including compressed work weeks, off-peak work hours and telecommuting.<br>Encourage establishment of home offices. |
| Pricing<br>The City of Stuart supports the application of these policies by the service providers. | Peak/off-peak transit fares.<br>Fares for elderly and handicapped.<br>Reduced transit fares. |
| Para-transit | Support the para-transit provided by the Council on Aging of Martin County, including service for the elderly and handicapped.<br>Taxi/group riding program.<br>Dial-a-ride.<br>Jitney service. |
| Carpool and vanpool | Encourage carpool and vanpool matching programs by public and private employers.<br>Preferential parking for carpool and vanpool. |
| Complete Streets | Support and encourage complete streets where possible |
| Transit Oriented Development | Promote walkable neighborhoods by using Transit Oriented Development (TOD) principals in new development |

| | |
|---|---|
| Resiliency | Consider Climate change modals in the planning and design of new transportation infrastructure<br>Evaluate transportation infrastructure vulnerability as it related to climate change and resiliency<br>Prioritize improvement for identified vulnerable transportation infrastructure |

*Policy 2.A1.9.* The City's Future Transportation Map Series shall consist of the following:

a) 2030 Transportation Map Airport Facilities

b) 2030 Transportation Map Roadway Maintenance

c) 2030 Transportation Map Non Motorized Transportation System

d) 2030 Transportation Map Public Transportation

e) 2030 Transportation Map Roadway Lanes

f) 2030 Transportation Map Roadway Functional Class and Evacuation

g) 20~~30~~40 Needs Assessment (2030 RLRTP Martin and St Lucie MPO)

h) Existing Plus Committed/2040~~30~~ Volume to Capacity (2030 RLRTP Martin and St Lucie MPO)

i) 2045 Regional Long-Range Transportation Plan (Martin MPO)

j) 2017 Bicycle, Pedestrian and Trails Master Plan (Martin MPO)

(Ord. No. 1867-02, 10-14-2002; Ord. No. 2021-05, § 1, 6-27-2005; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 2.A2. - Data base.

Promote improved travel safety and efficiency by identifying locations where specific improvements can be installed to create a safer, more efficient transportation network as funds become available.

*Policy 2.A2.1.* Through its Land Development Code, the City shall continue to promote effective pedestrian and vehicular access to development sites. Where appropriate, FDOT and Martin County access standards shall be applied.

*Policy 2.A2.2.* The City shall continue to provide for safe and efficient on-site traffic flow.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 2.A3. - [Traffic evacuation capacity.]

The City transportation network should have adequate roadway capacity to efficiently evacuate traffic during hurricanes and accidents at Florida Power and Light's St. Lucie Nuclear Power Plant in accordance with the regional hurricane evacuation plan update produced by TCRPC.

*Policy 2.A3.1.* The City will continue to coordinate its emergency evacuation efforts for its at-risk population through close coordination with the Martin County Emergency Management Division and through application of its own emergency's management plan.

The Treasure Coast Region Hurricane Evacuation Study Update Report will be implemented by the City along with the Plan's directives, programs and activities.

*Policy 2.A3.2.* Institute intergovernmental coordination mechanisms to allow City input in the review of proposed development in Sewall's Point and on the portion of Hutchinson Island's Martin County portion for consistency with the City's ability to accommodate the roadway, shelter and public safety needs of island residents and visitors during hurricane evacuation.

The City shall set standards for determining which private and public development proposals and changes to local comprehensive plans in Sewall's Point and Martin County shall come under this type of review.

*Policy 2.A3.3.* Evacuation of coastal populations will continue to be evaluated.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference—** Hurricane evacuation and planning, Element I, Objective B4.

Objective 2.A4. - [Access to downtown area.]

Maintain direct and easy access to downtown Stuart via the U.S. 1 and Second Street intersection for traffic entering Stuart from the north.

*Policy 2.A4.1.* The City continues to support enhanced north/south roadway capacity, both within the eastern and western corridors, provided that proposed improvements take into account negative impact on established residential neighborhoods and traditional business districts.

*Policy 2.A4.2.* The City will continue to evaluate the extension of Seventh Street to Colorado Avenue as surrounding neighborhoods continue to transition.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 2.A5. - [Width of roadway corridors.]

Through smart growth principles and to reflect the Florida Department of Transportation (FDOT) Complete Streets Design Manual recommendations, the City shall maintain its small-town character by limiting the width of roadway corridors throughout the City to no more than six through lanes and implement Complete Streets policies where feasible.

*Policy 2.A5.1.* East Ocean Boulevard shall not be more than four through lanes.

*Policy 2.A5.2.* No roadway facility in the City shall be more than six through lanes.

*Policy 2.A5.3.* While seeking to minimize impacts on residential neighborhoods and established business districts, the City and Martin County shall continue to work together to develop and effectively utilize major north-south alternate corridors for U.S. 1, including Green River Parkway ~~(which is currently under construction and scheduled for completion by November 2010)~~ and the Willoughby Boulevard extension project.

*Policy 2.A5.4.* The City shall emphasize intersection improvements and the synchronization of signals prior to the widening of roadways.

*Policy 2.A5.5.* Where space allows, pedestrian accessways (sidewalks) shall be separated from traffic by landscape areas, on-street parking and other design elements.

*Policy 2.A5.6.* Within the CRA and where appropriate, the City shall encourage increased transportation efficiency and pedestrian mobility by advocating creative transportation planning methods such as the reduction of lane widths~~age~~ to promote pedestrian access, on-street parking, and landscaping.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 2.A6. - [Mass transit and para-transit services.]

The City will continue to pursue grant funding and technical assistance through Metropolitan Planning Organization (MPO) and other sources for creation of multi-modal transportation opportunities, with a particular emphasis on developing downtown Stuart as a transportation hub.

*Policy 2.A6.1.* The City will continue to endorse the public transit efforts of the Council on Aging of Martin County, the designated provider of FDOT support to the transportation disadvantaged.

*Policy 2.A6.2.* The City will participate in efforts to establish an expanded public transit system as outlined in the MPO Long Range Transit Plan, as amended and the Martin County Comprehensive Plan, should the County or private enterprise implement the recommendations or policies of the respective plans. The City will continue to provide financial support to the Council on Aging of Martin County, Inc., for the provision of transit and para-transit services to Stuart and the Stuart Transportation Concurrency Exception Area (TCEA).

*Policy 2.A6.3.* The City shall work with transit providers in Martin and St. Lucie Counties to promote transit to and from the TCEA by:

A. Supporting the MPO's Long Range Transit Plan, as amended.

B. Collecting TCEA ridership statistics annually.

C. Requesting both counties, other cities in Martin County, and Port St. Lucie to participate in a joint study to examine the effects of urban sprawl on public transit usage and feasibility so that land use plans throughout the region may be modified to encourage rather than discourage public transit and its associated benefits: energy conservation, reduction in air pollution, less traffic congestion, and infill development and redevelopment.

D. Coordinating planning, design and implementation of infrastructure to support transit and para-transit programs, such as park-and-ride lots, transfer stations, and similar facilities.

*Policy 2.A6.4.* The City shall continue to work with Martin County and the Martin County MPO as well as local and regional transportation providers, to maintain and enhance the use of existing park-and-ride facilities in the downtown area.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 2.A7. - [Bicycle paths, pedestrian pathways and multi-modal transportation.]

A safe, convenient and energy efficient multi-modal transportation system enhanced through mixed use development patterns.

*Policy 2.A7.1.* Prepare a bicycle path master plan that reduces reliance upon automotive travel and, whenever feasible, connects residential areas to recreational areas, schools and shopping areas.

*Policy 2.A7.2.* The City shall encourage private developers to plan for pedestrian circulation including internal walks, bicycle paths and linkages to other projects where possible. The City shall require all new development and redevelopment to install sidewalks along all abutting public rights-of-way.

In the land development codes the City shall encourage private developers to plan for and adopt standards addressing the provision of pedestrian circulation facilities including internal walks, bicycle paths and linkages to other projects where possible.

*Policy 2.A7.3.* The City land development regulations shall address the determination of feasibility for the consideration of bicycle paths with construction of new developments or roadways facilities. This will include review of FDOT district Transportation Improvement Programs, the State Transportation Plan (Bicycle Element) and future community comprehensive bicycle transportation plans.

*Policy 2.A7.4.* All new development and redevelopment shall be required to install and maintain a pedestrian sidewalk network with ramps.

*Policy 2.A7.5.* The City shall investigate the possibility of reduced roadway impact fees for mixed-use development which promotes trip capture.

*Policy 2.A7.6.* The City shall continue to consider the use of roadway and other impact fees to promote multi-modal transportation (e.g., sidewalks and their beautification, park-and-ride lots, bicycle amenities, trolley stops and common parking areas).

*Policy 2.A7.7.* Annually, the City will seek grant funding from FDOT to design and construct multi-modal improvements (e.g., TEA-21, ferry boat and water taxi grant program).

*Policy 2.A7.8.* The City shall require all new large-scale (greater than 20,000 square feet in gross building area) non-residential development to provide pedestrian and bicycle amenities, such as bike racks, benches, shaded seating areas and water fountains.

*Policy 2.A7.9.* Where sufficient right-of-way exists, the City shall require bicycle and pedestrian amenities along all new and reconstructed roadways.

*Policy 2.A7.10.* As resources permit, the City shall consider supporting the developmenting of a design plan to utilize SR 707 and the old Roosevelt Bridge as a ~~bicycle/pedestrian~~ multi-modal pathway linking the northern and southern sections of the TCEA.

*Policy 2.A7.11.* As resources permit, the City will consider completing the Riverwalk from Shepard's Park to the Festival Deck at City Hall Park.

*Policy 2.A7.12.* The City shall maintain a City-wide sidewalk master plan and provide for annual funding through its CIP.

*Policy 2.A7.13.* The City shall promote the development of the Green River Parkway as a ~~bicycle/pedestrian~~ multi modal corridor between the Jensen Beach CRA and the Stuart CRA.

*Policy 2.A7.14.* A commercial development for which more than 200 parking spaces are required shall also make provisions for the inclusion of a transit stop in a location which is proximate to the roadway network. When demand for such transit stops is identified and documented, the developer/landowner shall provide transit stop infrastructure which may include seating facilities, trash receptacles, lighting and a covered structure for the transit stop. If there is no existing transit service on the proximate roadways, the immediate construction of a transit stop may be temporarily postponed provided that a binding agreement is executed which would require such a transit stop at such future date when transit becomes available.

*Policy 2.A7.15.* All commercial development shall be designed to provide safe opportunities for alternative modes of transportation by connecting with existing and future pedestrian and bicycle pathways within the City and the County and to provide safe passage from public right-of-way to the building or project, between projects and between alternative modes of transportation.

*Policy 2.A7.16.* In the event the number of parking spaces that are constructed by the developer exceeds the number of parking spaces required by the Stuart land development regulations, the required landscape area shall be increased to offset additional impervious area for each additional parking space. Development within the CRA which is governed by the Urban Code and is consistent with the Urban Code and adopted CRA Master Plan shall be exempted from this policy.

*Policy 2.A7.17.* Buffer areas separating residential and non-residential uses shall allow for interconnecting passages to facilitate pedestrian or vehicular traffic to reduce off-site vehicular impacts consistent with FLUE Policy 6.4.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 2.A8. - [Upgrading and maintenance of local streets.]

Upgrade and maintain local streets in a condition that promotes the safety of the City's residents.

*Policy 2.A8.1.* As resources permit, the City shall continue to monitor existing conditions of roadways within the City, including pavement and sub-base conditions, pavement marking, signs, drainage, and lighting.

*Policy 2.A8.2.* Annually, the City will continue to maintain and resurface or pave a portion of the streets for which it is responsible. The existing conditions will be prioritized by roadways to prepare the capital improvement program. The base and subgrade of roadways shall be repaired where necessary prior to repaving. Where possible, pavement or surfacing materials will be recycled.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 2.A9. - [Coordination of transportation system needs with land use.]

Throughout the planning period, transportation system needs will be coordinated with needs and impacts associated with the land use designations as indicated on the Future Land Use Map. As new development and redevelopment activities are proposed, the City's Development Department shall forecast and quantify the extent of impacts on transportation system and shall ensure that these impacts are accounted for in the City's capital planning efforts.

*Policy 2.A9.1.* Consistent with its Land Development Code, the City shall continue to review all development proposals in terms of their transportation impacts.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 2.A10. - [Intergovernmental coordination.]

The City shall, throughout the planning period, coordinate with FDOT and Martin County concerning those projects identified in the Five-Year Transportation Plan, as well as other regional plans. The City will continue to actively coordinate with local, regional, state and federal transportation agencies. In coordinating transportation impacts with Martin County, the City shall place particular emphasis on monitoring future development and expansion activities on the Martin County Airport site.

*Policy 2.A10.1.* In order to provide for more efficient and effective transportation system planning, the City planning staff will coordinate its transportation planning efforts with those of FDOT, Martin County, St. Lucie County and TCRPC.

*Policy 2.A10.2.* The City shall continue to encourage expansion of Tri-Rail, passenger rail service, bus service and other multi-modal forms of transportation, with a particular emphasis on developing downtown Stuart as a transportation hub.

*Policy 2.A10.3.* Through (1) direct advocacy aimed at elected officials, as well as federal, state and local transportation agencies, (2) active participation in the Martin County MPO, and (3) acquisition of grants and other appropriate funding sources, the City shall actively support the reestablishment of passenger rail service on the Florida East Coast (FEC) Rail Road right-of-way, including the construction of a downtown rail station/transportation depot, preferably on Flagler Avenue between East Ocean Boulevard and Martin Luther King Jr. Boulevard. Moreover, the City shall actively support the introduction of commuter rail services to the FEC right-of-way.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

[Objective 2.A11. - Reserved.]

Objective 2.A12. - [Coordination with Metropolitan Planning Organization.]

The City shall continue to utilize the MPO and its processes to guide long range transportation decisions and to coordinate transportation plans with the Florida Transportation Plan; Adopted Work Program; and the MPO's Regional Long-Range 2030 Plan, Annual Transportation Improvement Program, Regional Transit Development Plan, and Congestion Management System (including Automated Traffic Management System (ATMS)).

*Policy 2.A12.1.* The City shall provide available data to the MPO concerning highway pavement condition, bridge condition, accident reports, traffic counts and congestion, transit facilities/equipment and capital plans.

*Policy 2.A12.2.* The City shall include findings from the highway pavement, bridge, safety, congestion, public transportation and intermodal management systems to determine capital improvements priorities.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 2.A13. - [Services for transportation disadvantaged persons.]

Through the MPO, the City shall continue to provide a coordinated and comprehensive approach to planning, development and transportation services that meet the needs of transportation disadvantaged persons.

*Policy 2.A13.1.* The City shall support and shall continue to help fund the Transportation Disadvantaged Program with County tax dollars.

*Policy 2.A13.2.* As resources permit, the City shall select projects to be funded under the capital improvement programs based on criteria which ensure that priority needs are met, including needs of the transportation disadvantaged.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 2.A14. - [Right-of-way protection.]

Preserve existing rights-of-way from building encroachment. Discourage and limit the encroachment of development in future rights-of way.

*Policy 2.A14.1.* The City shall adopt minimum Right-of-Way (ROW) standards for roadway corridors based on type.

*Policy 2.A14.2.* The rights-of-way program shall provide protection for regional and local transportation corridors as indicated in the Florida Transportation Plan prepared by the FDOT, Division of Planning and Programming.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 2.A15. - [Transportation Concurrency Exception Area.]

Establish a Transportation Concurrency Exception Area (TCEA) consistent with the boundaries of the Community Redevelopment Area (CRA) and included within the Existing Urban Service Area (EUSA) to promote urban redevelopment and infill development. Establish policies to promote urban redevelopment and infill development and mitigate (reduce) potential traffic congestion increases caused by the concurrency exemption and provide for a level of service transition zone to mitigate the impact of the TCEA on adjacent properties.

*Policy 2.A15.1.* The TCEA is a specific geographic area established in the Comprehensive Plan for urban redevelopment and infill development. The TCEA exists entirely within the designated CRA and EUSA. Transportation level of service standards shall not be applied (for concurrency purposes) to any

development occurring within the TCEA as depicted on the TCEA Map in order to promote urban redevelopment and infill development.

*Policy 2.A15.2.* Transportation level of service standards for arterials within the TCEA Buffer Area as depicted on the TCEA Buffer Area Map shall allow an additional 30 percent increase in peak hour traffic over the adopted level of service standards set in Policies 2.A1.1 and 2.A1.-2 of this element.

*Policy 2.A15.3.* Where appropriate, parking requirements shall be reduced citywide, including within the TCEA. The City shall promote the use of shared parking arrangements throughout its jurisdiction in order to reduce vehicular movement on roadways thereby reducing congestion and increasing the amount of land available for building or attractive landscaping when the following conditions are met:

1. The shared parking spaces are in close proximity and readily accessible to the uses served thereby; and
2. The uses served thereby have different peak parking demands and operating hours; and
3. There will be a reduction in vehicle movements by the users of the shared parking spaces; and
4. The design of the parking area in terms of traffic circulation, vehicular and pedestrian access, stormwater management, landscaping, open space preservation and public safety will be improved.

*Policy 2.A15.4.* The City shall develop incentives for developers who provide preferential parking and other support facilities for high-occupancy vehicles, community bus services, shuttle services and car pools within the TCEA. The policies addressing mobility strategies must be developed by July 1, 2011.

*Policy 2.A15.5.* The City shall require the interconnection of parking lots on adjacent commercial properties at the time of development or redevelopment.

*Policy 2.A1~~1~~5.6.* Where possible, the City shall expand multi-modal transportation facilities within the TCEA as described in Policies 2.A7.7 through 2.A7.12.

*Policy 2.A15.7.* The City shall support public transit within the TCEA as described in Policies 2.A6.3, 2.A6.4, 2.A7.8, 2.A7.14, 2.A7.15, 2.A7.16, and 2.A7.17.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference—** Capital improvements element and concurrency management system, Element 8~~VIII~~.

Objective 2.A16. - [Community Redevelopment Area parking plans and program.]

Within the CRA, parking plans and program should be established to serve and facilitate existing and future mixed-use development.

*Policy 2.A16.1.* The City shall encourage public/private shared parking areas.

*Policy 2.A 1~~1~~6.2.* The City shall prepare a master parking plan.

*Policy 2.A16.3.* The City shall establish "in-lieu of" parking fee.

*Policy 2.A16.4.* Where appropriate, the City shall allow adjacent on-street parking spaces to count towards parking requirements for private development.

*Policy 2.A16.5.* The City shall review the Comprehensive Plan and Land Development Regulations to establish incentives for redevelopment.

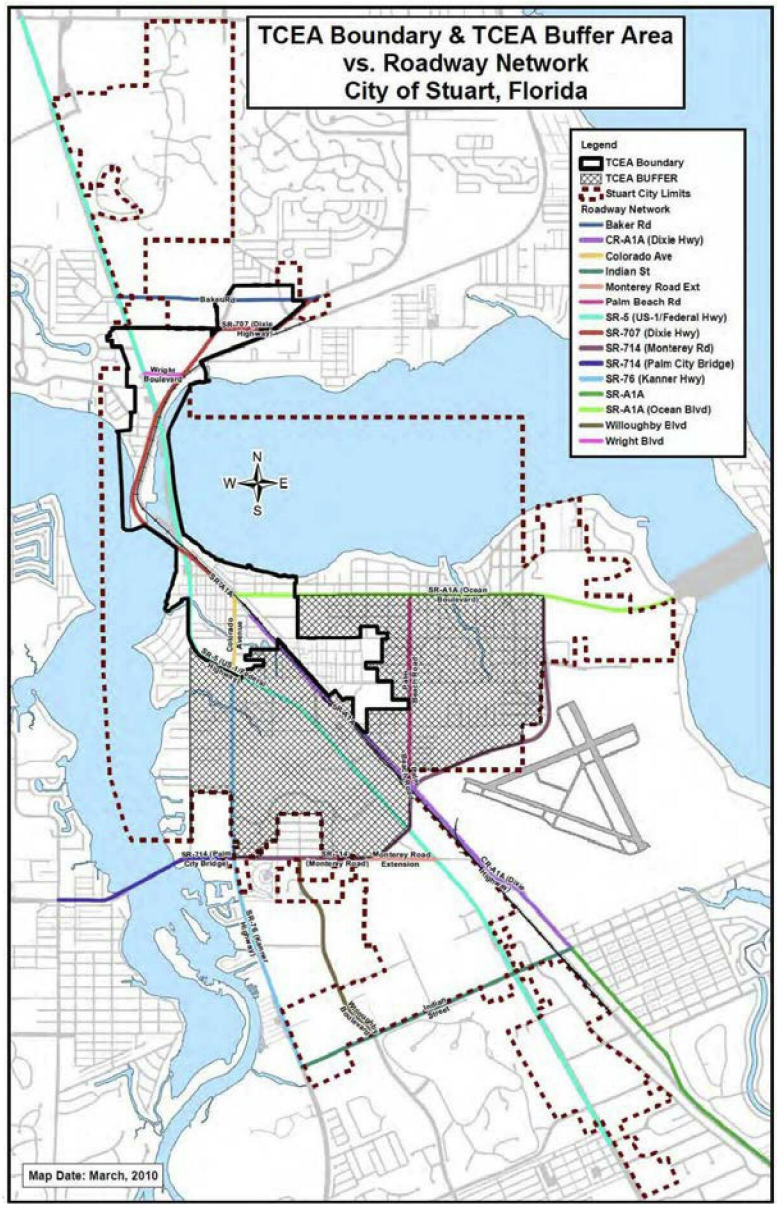
Objective 2.A17. - [Greenhouse gas emission reduction.]

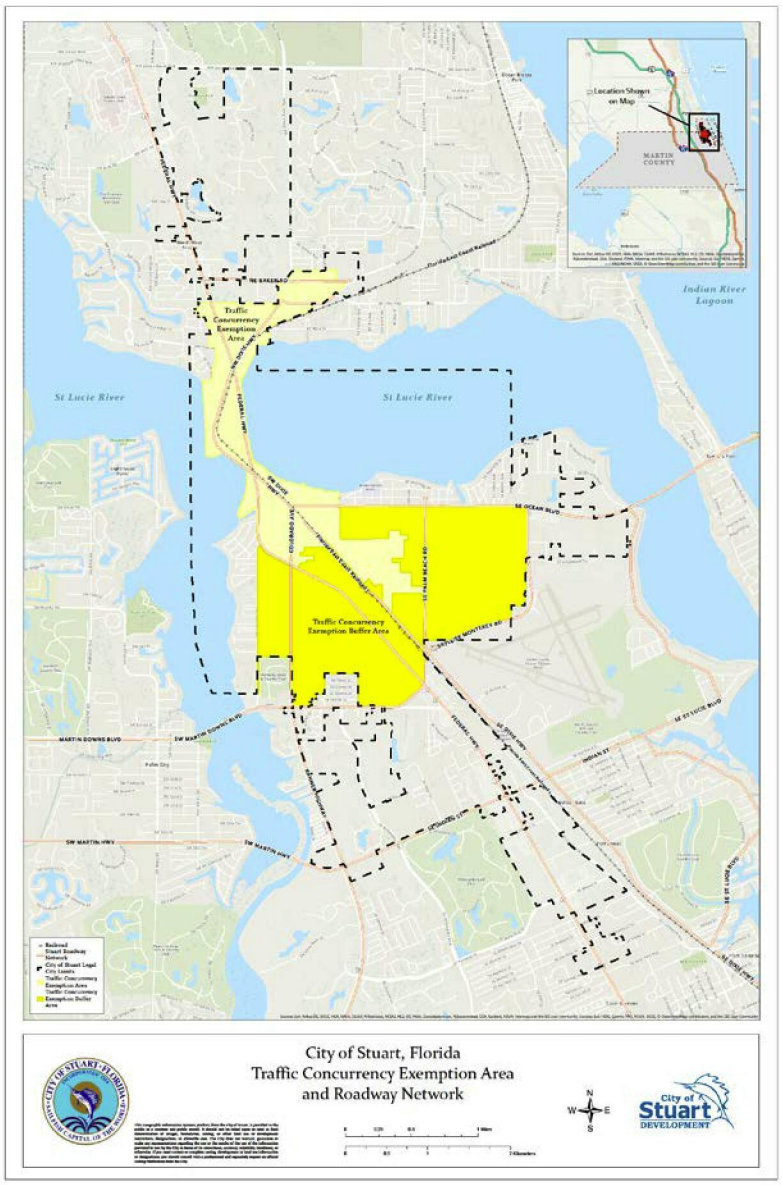
The City shall pursue and support transportation systems (e.g. high-speed rail, express buses, high-occupancy vehicles, bikeways) that reduce air quality degradation and help conserve energy.

*Policy 2.A17.1.* Through incentives, which may include development review fast tracking, permit fee rebates, impact fee deferrals, and reduced parking requirements, the City will encourage private and public sector employers to promote fewer work-based vehicle trips through methods including but not limited to:

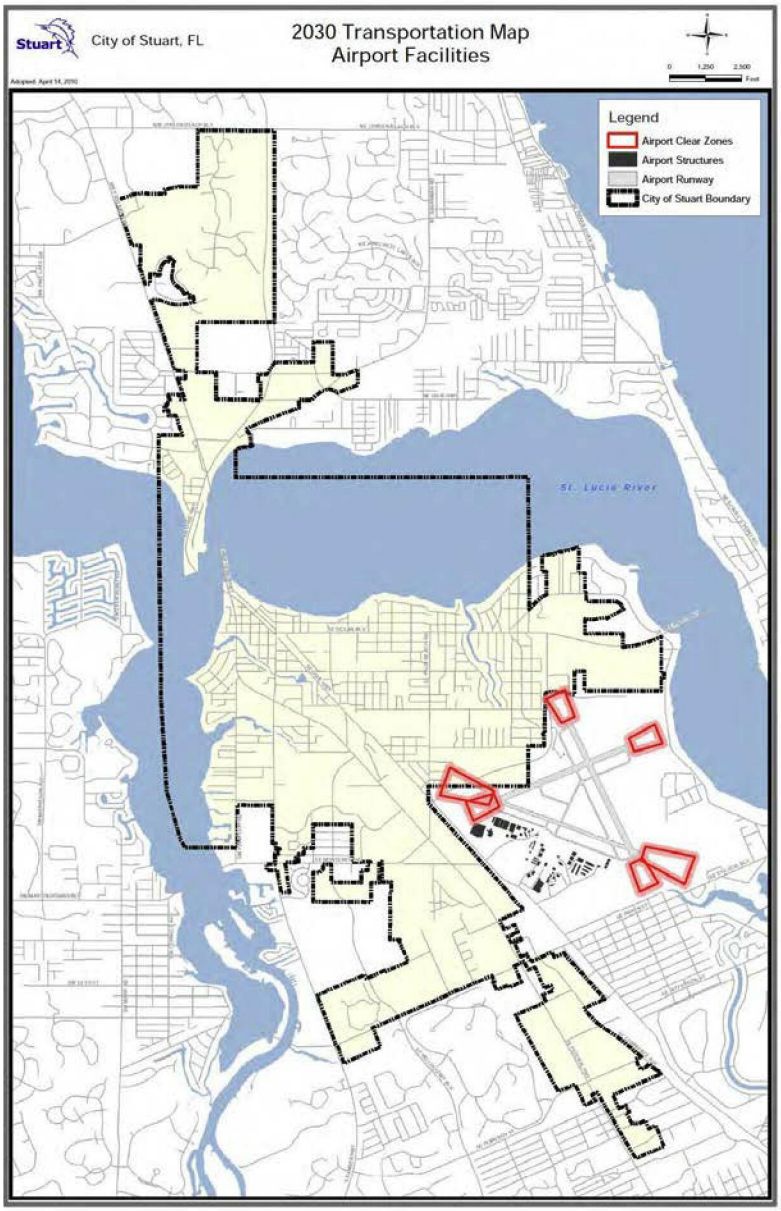
- Carpooling, bicycling and public transit use.
- Video conferencing or conference calls.
- Flex time programs for eligible employees.
- Green building educational materials to the community.
- Energy efficiency and cost saving measures.

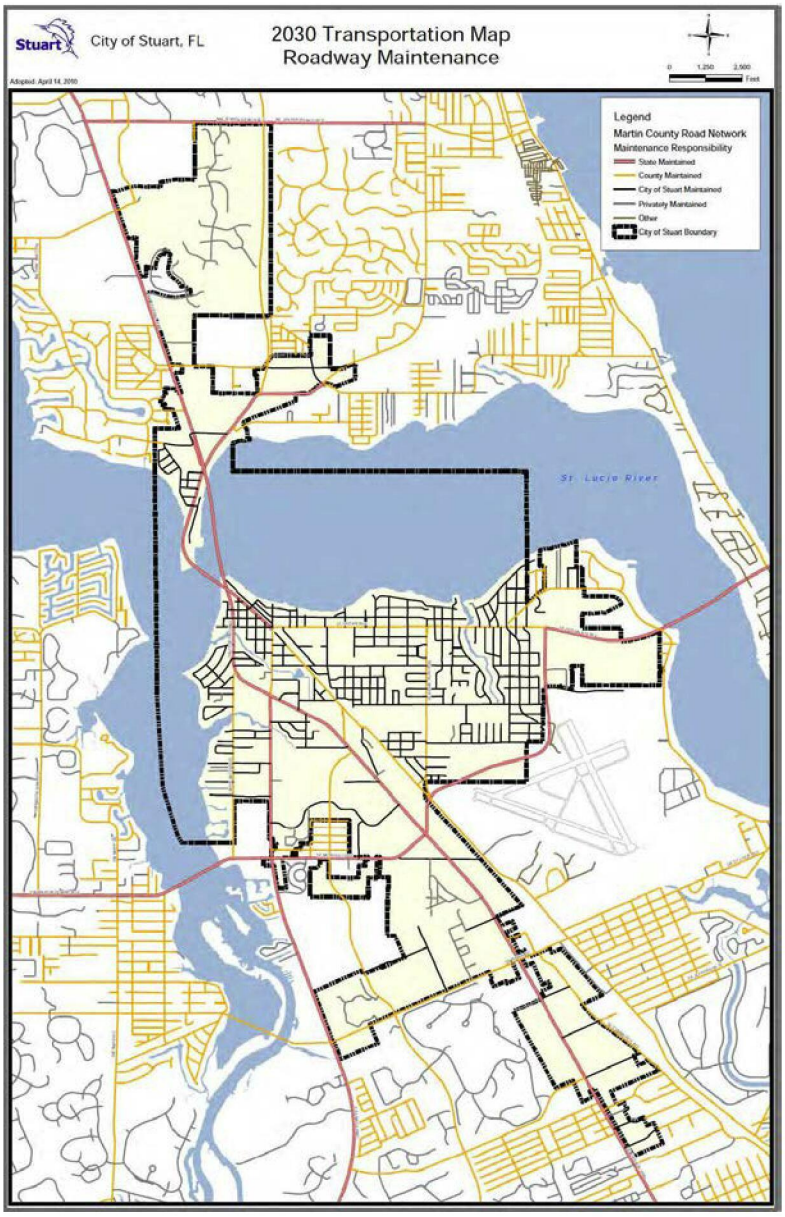
(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

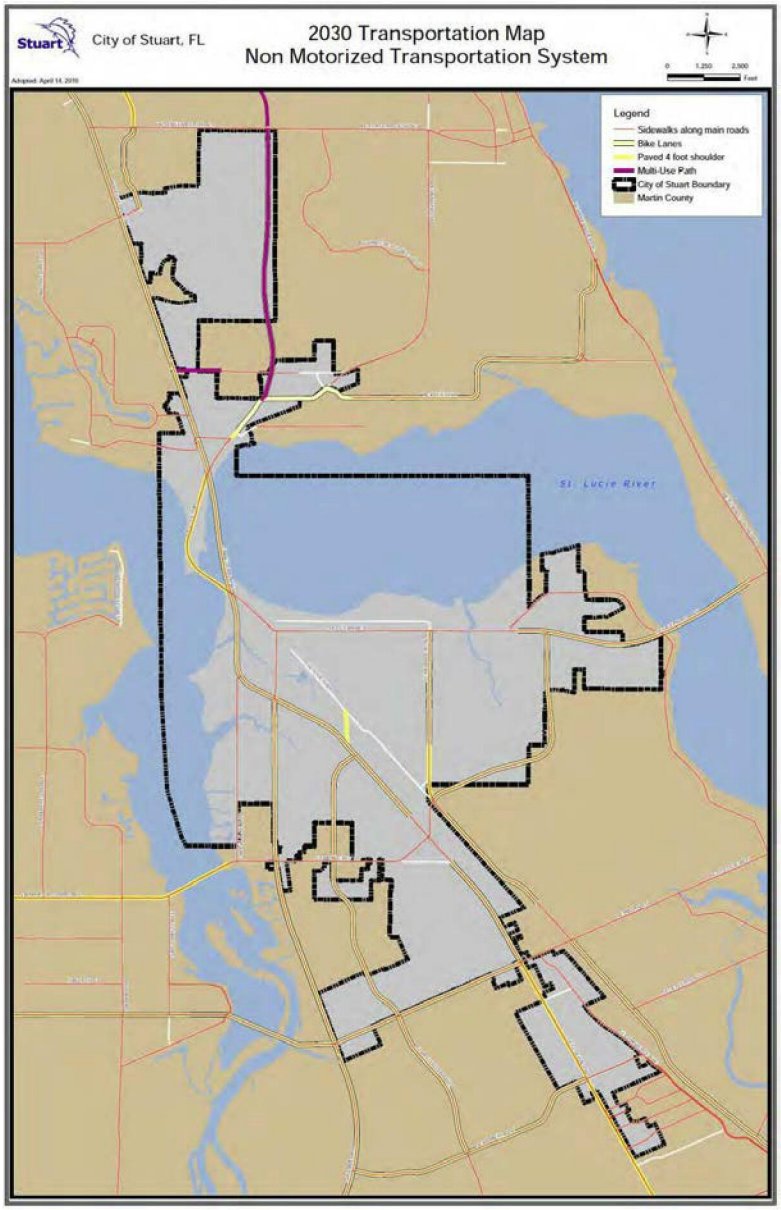

TCEA Boundary & TCEA Buffer Area
vs. Roadway Network
City of Stuart, Florida
Legend
TCEA Boundary
TCEA BUFFER
Stuart City Limits
Roadway Network
Baker Rd
CR-A1A (Dixie Hwy)
Colorado Ave
Indian St
Monterey Road Ext
Palm Beach Rd
SR-5 (US-1/Federal Hwy)
SR-707 (Dixie Hwy)
SR-714 (Monterey Rd)
SR-714 (Palm City Bridge)
SR-76 (Kanner Hwy)
SR-A1A
SR-A1A (Ocean Blvd)
Willoughby Blvd
Wright Blvd
N
W
E
S
Baker Rd
SR-707 (Dixie Highway)
Wright Boulevard
SR-A1A (Ocean Boulevard)
Colorado Avenue
SR-5 (US-1/Federal Highway)
Palm Beach Road
SR-714 (Palm City Bridge)
SR-714 (Monterey Road)
Monterey Road Extension
CR-A1A (Dixie Highway)
SR-76 (Kanner Highway)
Monterey Boulevard
Indian Street
Map Date: March, 2010

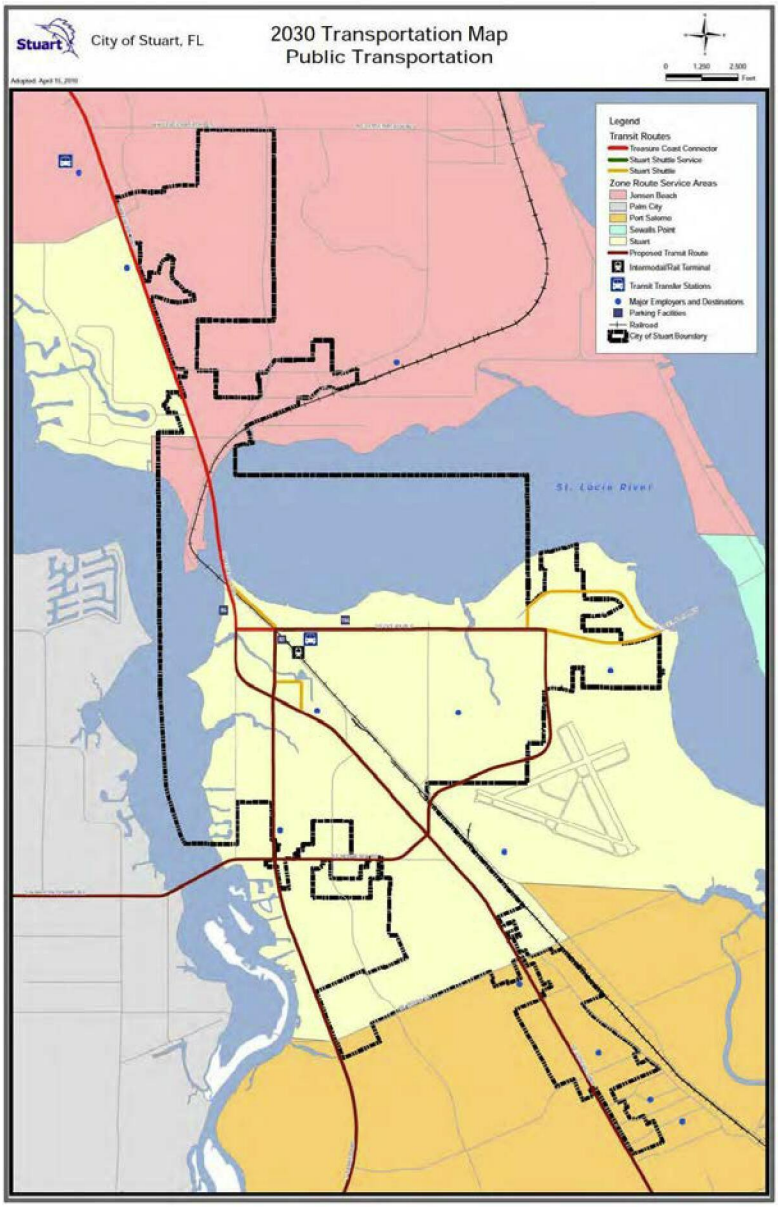


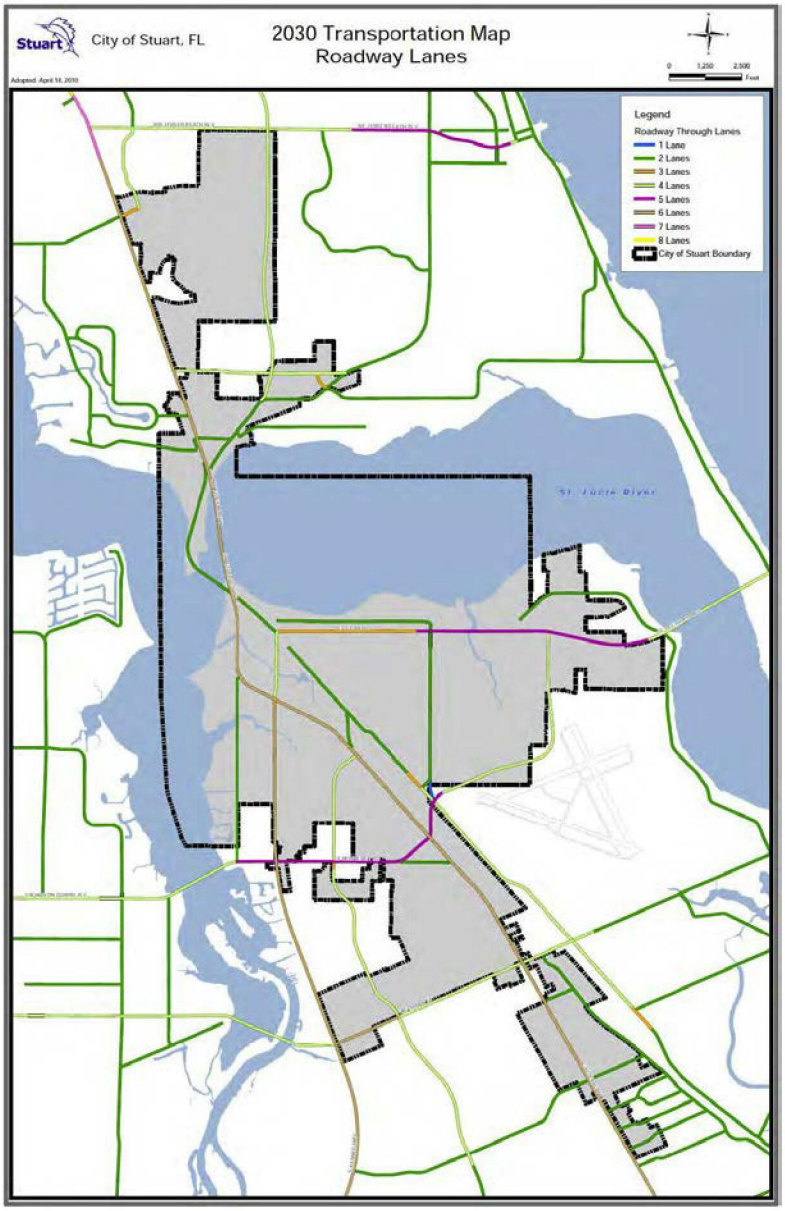

Field Code Changed

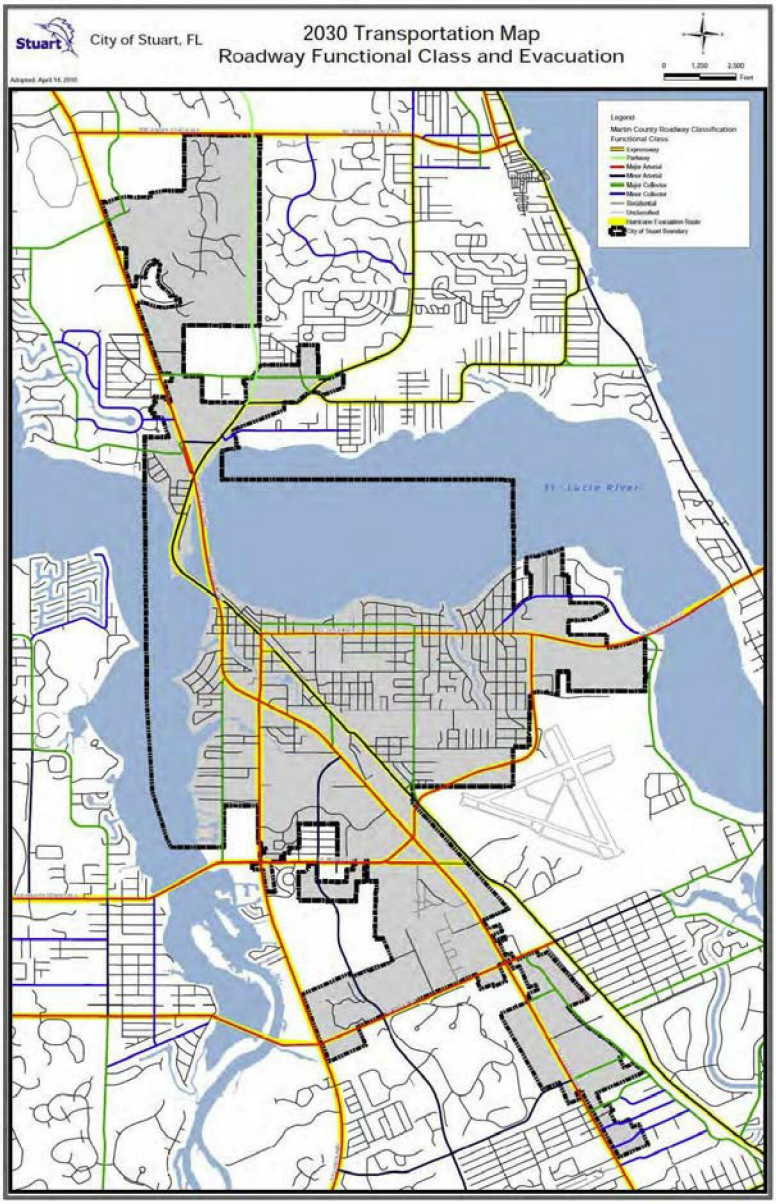

City of Stuart, FL
2030 Transportation Map
Airport Facilities
Adopted: April 14, 2010
0
1,250
2,500
Feet
Legend
Airport Clear Zones
Airport Structures
Airport Runway
City of Stuart Boundary
St. Lucie River

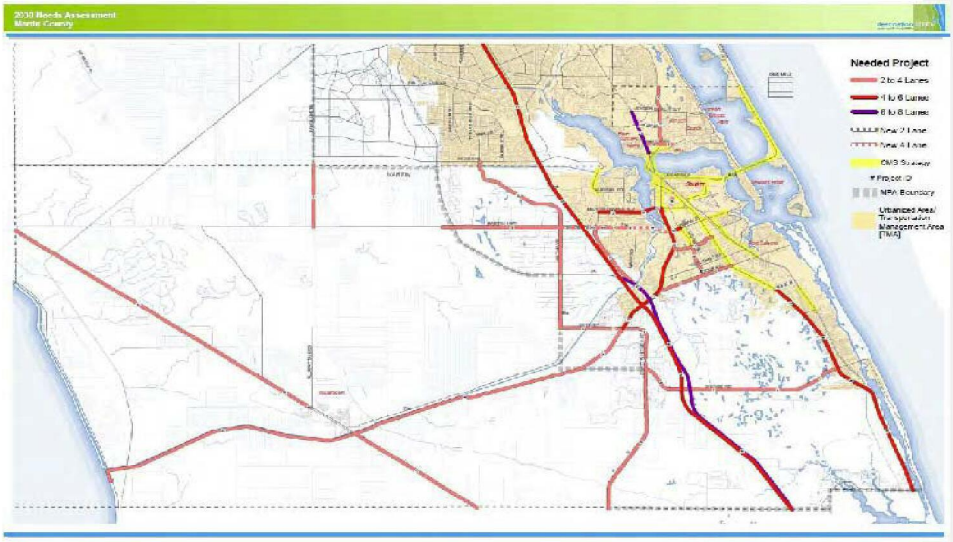

Stuart
City of Stuart, FL
2030 Transportation Map
Roadway Maintenance
Adopted: April 14, 2010
0
1,250
2,500
Feet
Legend
Martin County Road Network
Maintenance Responsibility
State Maintained
County Maintained
City of Stuart Maintained
Privately Maintained
Other
City of Stuart Boundary
St. Lucie River

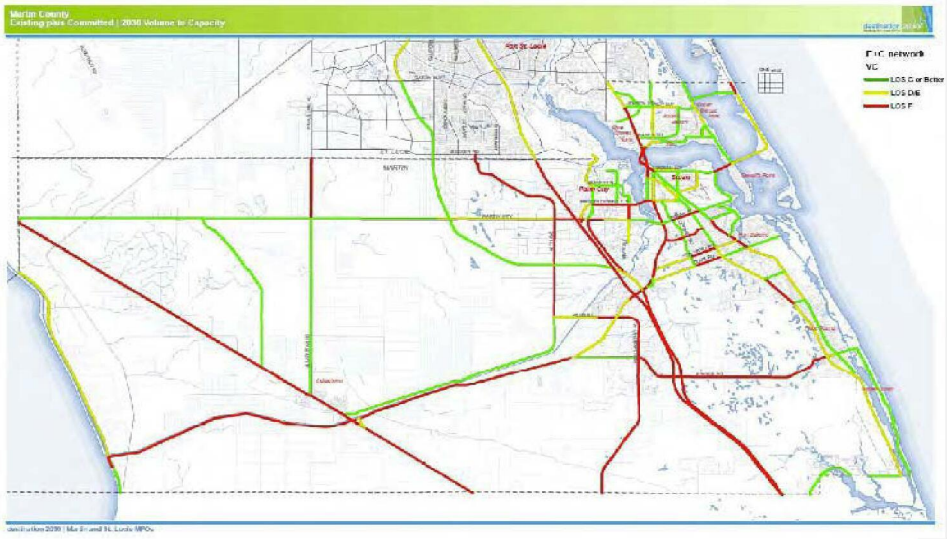

Stuart
City of Stuart, FL
2030 Transportation Map
Non Motorized Transportation System
Adopted: April 14, 2010
0
1,250
2,500
Feet
Legend
Sidewalks along main roads
Bike Lanes
Paved 4 foot shoulder
Multi-Use Path
City of Stuart Boundary
Martin County
St. Lucie River


City of Stuart, FL
2030 Transportation Map
Public Transportation
Adopted: April 15, 2010
0
1,250
2,500
Feet
Legend
Transit Routes
Treasure Coast Connector
Stuart Shuttle Service
Stuart Shuttle
Zone Route Service Areas
Jensen Beach
Palm City
Port Salerno
Sewalls Point
Stuart
Proposed Transit Route
Intermodal/Rail Terminal
Transit Transfer Stations
Major Employers and Destinations
Parking Facilities
Railroad
City of Stuart Boundary
St. Lucie River


Stuart
City of Stuart, FL
2030 Transportation Map
Roadway Lanes
Adopted: April 14, 2010
0
1,250
2,500
Feet
Legend
Roadway Through Lanes
1 Lane
2 Lanes
3 Lanes
4 Lanes
5 Lanes
6 Lanes
7 Lanes
8 Lanes
City of Stuart Boundary
St. Lucie River


Stuart
City of Stuart, FL
2030 Transportation Map
Roadway Functional Class and Evacuation
Adopted: April 14, 2010
0
1,250
2,500
Feet
Legend
Martin County Roadway Classification
Functional Class
Expressway
Parkway
Major Arterial
Minor Arterial
Major Collector
Minor Collector
Residential
Undivided
Hurricane Evacuation Route
City of Stuart Boundary
St. Lucie River


2030 Needs Assessment
Martin County
Needed Project
2 to 4 Lanes
4 to 6 Lanes
6 to 8 Lanes
Area 2 Lane
Area 4 Lane
SIS Subway
Project ID
MPA Boundary
Urbanized Area/
Transportation
Management Area
(TMA)


Martin County
Existing plus Committed | 2030 Volume to Capacity
Port St. Lucie
Stuart
Palm City
MARTIN
LOS C or Better
LOS D/E
LOS F

Element 3~~III~~ - HOUSING ELEMENT Goals, Objectives, and Policies City of Stuart, Florida Effective April 2002[1]

Footnotes:

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**Cross reference—** Future land use element, Element I; residential development, Element I, Objective A5; East Stuart Special Studies District, Element I, Objective D1; implementation, Element VII, Objective A6.

GOAL STATEMENT 3.A

Ensure the provision of adequate residential sites and housing opportunities for ~~affordable~~ attainable, structurally sound housing in a sufficient quantity to accommodate the housing market demands and affordability needs of current and future residents of Stuart.

Objective 3.A1. - Managed growth.

The City will encourage developers to use the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) principles or the Florida Green Building Coalition's Green land development and building standards when accommodating the housing needs of the current and anticipated future residents of the City and providing the necessary infrastructure concurrent with planned growth as specified by the Comprehensive Plan. The City shall promote the use of conservation, solar, and other renewable sources of energy supply. This objective will begin upon formal adoption of the plan and will be met throughout the planning period.

The following policies support this objective:

*Policy 3.A1.1. Greenhouse gas emission.* Through incentives, which may include development review fast tracking, permit fee rebates, impact fee deferrals and administrative variance, the City shall encourage LEED, Florida Green Building Coalition's Green land development and building standards or other "Green" certified buildings through methods including, but not limited to:

- Heat Island reduction.
- Use of local materials, certified sustainable wood products and/or highly recycled content products.
- Energy efficient equipment/fixtures.
- Water saving fixtures.
- Waste management and recycling.
- Pervious paver alternatives.
- Rainwater harvesting.
- Solar and wind energy provisions.

*Policy 3.A1.2. Adequate residential sites.* The Stuart Future Land Use Map shall designate adequate residential land to accommodate anticipated population growth through the year 2020.

*Policy 3.A1.3. Maintaining existing housing stock.* To preserve the existing housing stock, especially attainable~~affordable~~ units, the Future Land Use Map shall set boundaries for non-residential conversion for the following residential areas:

1. Osceola Street near Martin Memorial Hospital.

2. Palm Beach Road corridor.

3. St. Lucie Crescent area.

4. Fern Street.

These boundaries shall be adopted as part of the Stuart Future Land Use Map. The resulting protected residential parcels shall be given a residential-only classification on the Future Land Use Map, and residential-only zoning designations in the revised Land Development Regulations.

*Policy 3.A1.4. Small-lot homes in older neighborhoods.* To accommodate reasonable residential growth while maintaining the character of older neighborhoods, setback requirements for additions to existing houses on 50-foot by 125-foot and smaller lots shall be lessened, as long as sufficient public access for fire protection is provided. (These lots shall be those in existence according to 1988 City maps.)

*Policy 3.A1.5. Alleyways in residential areas.* Public alleyways shall remain open for pedestrian access, fire protection, and other public services, and new public alleyways shall be encouraged.

*Policy 3.A1.6. Public infrastructure.* The City shall annually adopt a Five-Year Capital Improvements Plan that identifies needed improvements to public infrastructure in residential areas and that provides for funding and schedules improvements.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 3.A2. - ~~Affordable~~ Attainable housing.

The City will address the attainable~~affordable~~ housing needs of very-low-income to moderate-income residents by continuing to promote attainable ~~affordable~~ housing in ~~the East Stuart Planning District and other areas~~City neighborhoods through revised minimum lot size requirements and special financing made available through the SHIP program, Farmers Home Administration and other funding mechanisms.

The following policies support this objective:

*Policy 3.A2.1. ~~Adoption of HUD standards and definitions~~.* The following ~~U.S. Housing and Urban Development Department~~ definitions and standards for attainable~~affordable~~ housing and income categories shall be used by the City in its housing programs:

"Attainable~~Affordable~~ housing" means healthy and safe housing that people with low~~moderate~~, ~~to~~ very low and workforce incomes can live in without paying more than 30 percent of their household income (not including utility payments).

"Very low income" means an income falling below 50 percent of the HUD AMI for Martin County, Port Saint Lucie MSA.~~Stuart median income, as measured by the U.S. Bureau of the Census~~.

"Low income" means an income being greater than~~falling between~~ 50 percent and less than 80 percent of the ~~Stuart median income, as measured by the U.S. Bureau of the Census~~ HUD AMI for Martin County, Port Saint Lucie MSA.

~~"Moderate income" means an income falling between 80 percent and 120 percent of the Stuart median income, as measured by the U.S. Bureau of the Census.~~

"Workforce income~~housing~~" means an income no less than 80 percent and no greater than 100 percent of the HUD AMI for Martin County, Port Saint Lucie MSA. ~~housing that is affordable to persons or families whose total household income does not exceed 140 percent of the area median income, adjusted for household size.~~

*Policy 3.A2.2. Streamline regulations.* The City shall continue to encourage private sector provision of attainable~~affordable~~ housing, while maintaining public health, welfare, and safety by reviewing and revising its ordinances, codes, regulations, and permitting process periodically to:

1. Eliminate excessive requirements, and

2. Provide incentives.

*Policy 3.A2.3. Provision of land.* The City shall help locate land suitable as sites for use in public, private or joint public/private projects to benefit residents in the very-low-income to moderate-income ranges.

*Policy 3.A2.4. Seeking funding.* As resources permit, the City shall seek State and other funding targeted for very-low-income to moderate-income housing, to the following ends:

A. To address the housing needs of those Stuart residents on the regional waiting list of the Stuart Housing Authority;

B. To provide replacement housing for those displaced by City code enforcement that leads to demolition of dilapidated housing;

C. To increase attainable~~affordable~~ rental housing opportunities for those ineligible for Stuart Housing Authority units, especially the elderly and young working residents;

D. To increase attainable~~affordable~~ home ownership opportunities; and

E. To provide the necessary infrastructure to serve attainable~~affordable~~ housing units.

*Policy 3.A2.5. Protecting attainable~~affordable~~ housing in the City of Stuart* The number of attainable~~affordable~~ housing units within the City should not be decreased. To this end, the City will:

A. Allow accessory rental apartments ("granny flats") in outbuildings such as converted garages.

B. Allow mixed use of buildings and other appropriate zoning techniques as long as public health, safety and welfare are protected.

*Policy 3.A2.6. Housing opportunities.* In order to expand the number and types of opportunities for ~~affordable~~attainable housing, the City will encourage new construction through density bonuses and other provisions provided through the land development regulations as well as through grants and special programs administered by the City.

*Policy 3.A2.7. Demonstration projects.* The City will encourage the private sector to construct attainable~~affordable~~ and entry-level housing demonstration projects by revising lot area requirements and providing incentives as well as with lenders such as the SHIP program and the Farmers Home Administration to make projects both feasible and attractive.

*Policy 3.A2.8. Housing assistance.* The City will encourage efforts to assist persons in the very-low-income to moderate-income ranges in locating adequate housing by searching for financing mechanisms and making them available to builders and low and moderate income families. The Stuart Housing Authority will continue to implement housing assistance programs throughout the planning period.

*Policy 3.A2.9. Guide for the location of low and moderate income housing.* Low and moderate income housing will be located based on proximity to current units and employment centers. The principles and criteria guiding the location of housing will be consistent with, and further the intentions of, the overall Future Land Use Plan.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 3.A3. - Special needs.

The City will implement land use regulations which assure the availability of adequate sites for residents with special housing needs.

The following policies support this objective:

*Policy 3.A3.1. Group homes.* Group homes licensed by the Florida Department of Health and Rehabilitative Services for six or fewer unrelated people shall be a use by right in any zone that allows residential use. Licensed group homes for seven or more unrelated occupants shall be a use by special exception in all land use zones that allow multifamily residential use.

"Group home" means a facility licensed by the Florida Department of Health and Rehabilitative Services to provide a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult congregate living facilities (ACLFs) shall be included in this definition.

This definition shall not include rooming or boarding houses, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters.

*Policy 3.A3.2. Foster homes.* Foster homes licensed by the Florida Department of Health and Rehabilitative Services shall be a use by right in all residential zones.

"Foster home" or "foster care facility" means a facility licensed by the Florida Department of Health and Rehabilitative Services to house four or fewer children or adult foster residents in a family environment, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents.

*Policy 3.A3.3. Adult congregate living facilities (ACLFs).* ACLFs licensed by the Florida Department of Health and Rehabilitative Services for four or fewer unrelated people shall be a use by right in all residential zones. Licensed ACLFs for five or more unrelated occupants shall be a use by special exception in all land use zones that allow multifamily residential uses.

[ *Policy 3.A3.4.* Reserved.]

*Policy 3.A3.5. Displacement of mobile home residents.* Displaced mobile home residents who are deemed eligible for assistance programs for very-low-income to moderate-income persons shall be included as potential recipients when the City applies for State, Federal, or other housing assistance programs for very-low-income to moderate-income occupants.

Objective 3.A4. - Housing condition.

The City shall continue to support policies which act to minimize the number of substandard or dilapidated units either by restoration or demolition.

The following policies support this objective:

*Policy 3.A4.1. Definitions.* The City adopts the following definitions regarding housing conditions, for use within this Comprehensive Plan.

"Standard housing" means housing that meets City codes.

"Substandard housing" means housing that does not meet City codes, but which could be economically repaired to meet code.

"Dilapidated housing" means housing that does not meet City code; could not be repaired economically to meet codes; should be demolished for health or safety reasons.

*Policy 3.A4.2. Rehabilitation and prevention of substandard housing.* The City shall continue an active, ongoing program of code enforcement and voluntary housing rehabilitation where appropriate.

The purpose of this program is to correct and prevent substandard housing conditions.

This program shall be a joint effort of the City, property owners, neighborhood residents, and the private sector of the community. It shall be a mixture of intensive mandatory code enforcement and voluntary community efforts. It shall include these components:

*City Role*

A. Identification of substandard conditions, fire code violations, and other regulated health and safety problems by specific location, owner, and violation.

B. Increased code enforcement to force owners to bring property up to code.

C. Encouragement of code and home repair education programs to help residents and owners in target neighborhoods understand City code, and to teach simple skills and techniques that allow individuals to make their own home repairs.

D. Encouragement of continuing neighborhood and private sector efforts to correct code violations and avoid further substandard conditions.

E. Encourage formation of neighborhood associations.

*Neighborhood Role*

A. Aid in identifying housing units in need of repair.

B. Encourage owners to participate in home improvement projects.

C. Provision of volunteer labor to make repairs.

D. Ongoing efforts to maintain repaired housing in standard condition.

*Community and Private Sector Role*

A. Aid in organizing home improvement/education programs.

B. Donation of necessary materials and technical supervision of volunteer labor.

C. Teaching home repair skills during education programs.

*Policy 3.A4.3. Elimination of dilapidated housing.* The City shall pursue an active program of code enforcement to identify and require demolition of all dilapidated housing units. The cost of demolition shall be the property owner's responsibility.

*Policy 3.A4.4. Relocation housing.* The City supports the relocation of very-low-income to moderate-income occupants of housing which are displaced due to redevelopment activities by implementing State and Federal requirements for the provision of relocation housing.

*Policy 3.A4.5. Replacement of dilapidated and substandard housing.* The City shall actively pursue State, Federal, or other non-City funding to replace dilapidated or chronically substandard housing units with standard housing units for very-low-income to moderate-income occupants.

Where feasible, the City shall pursue the public use or purchase of land vacated by the demolition of dilapidated housing to serve as sites for replacement housing for very-low-income to moderate-income occupants.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 3.A5. - [Mobile and modular home developments.]

The City will amend its land development regulations to provide design standards for mobile and manufactured home developments. These standards will provide for an adequate number of sites in areas outside flood zones and the hurricane storm surge zone. In order to promote a consistent pattern of residential land uses and protect property values within the City, mobile homes will be allowed in specified residential categories in mobile home developments which may be rent parks, cooperatives, condominiums or subdivisions. Pursuant to F.S. ch. 320, all local requirements will be reasonable and uniformly applied and enforced. Requirements may include appearance standards to ensure compatibility of appearance within a neighborhood.

*Policy 3.A5.1.* Mobile home developments will be located in areas that are not prone to flooding or excessive danger from tropical storms.

*Policy 3.A5.2.* Mobile home developments will be designed in order to provide sufficient open space between units and buffering from arterials as well as from any adjacent land use which may adversely effect [affect] the health, safety, and welfare of residents.

*Policy 3.A5.3.* Mobile homes on individual lots in areas of site-built housing will not be permitted.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 3.A6. - [Relocation housing.]

The City will provide relocation housing for residents which are displaced due to community redevelopment programs in accordance with F.S. § 421.55.

*Policy 3.A6.1.* The City will make every attempt to avoid the displacement of residents during any community redevelopment projects.

*Policy 3.A6.2.* The City will take any actions which are equitable and reasonable to minimize residential displacement due to community redevelopment projects.

*Policy 3.A6.3.* The City will mitigate residential property loss or loss of rental units in accord with F.S. § 421.55, as well as any Federal requirements for the provision of relocating housing.

Objective A7. - [Development incentives.]

In order to provide attainable~~affordable~~ housing to City residents, the City will continue to apply design and other development incentives contained in the Urban Code and East Stuart Overlay Zone Code.

*Policy 3.A7.1.* The City will continue to provide a density bonus system and will work with developers to implement such programs.

*Policy 3.A7.2.* The City will continue to coordinate with lending agencies such as the Farmers Home Administration in order to provide the necessary financing mechanisms to make standard housing attainable~~affordable~~ in Stuart.

*Policy 3.A7.3.* In order to implement housing programs quickly and efficiently, the City shall continue to examine ways to streamline the permitting system.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

GOAL STATEMENT 3.B

To preserve and enhance Stuart's heritage and character through the protection of historically significant housing.

Objective 3.B1. - Preserve historic housing.

The City shall continue to maintain and update its inventory of historic and archeological resources ~~completed in 2002~~ and shall encourage establishment of local historic districts and landmark designation as resources permit.

The following policies support this objective:

*Policy 3.B1.1. Land availability for relocation.* The City shall pursue making land available for relocation of historically significant buildings threatened by redevelopment.

*Policy 3.B1.2. Adaptive reuse.* In revising its Land Development Code to be consistent with this Comprehensive Plan, the City shall adopt a policy or policies to encourage property owners to actively use their historical properties for homes, offices, museums, or other uses appropriate to the preservation of the building. The City shall review its land development regulations to ensure that City policies do not unduly restrict a property owner from active use of an historic property whose historic values have been preserved or restored.

*Policy 3.B1.3. Support to owners.* The City shall encourage property owners of historically significant housing to seek preservation assistance through supportive educational programs, tax abatement, and assistance with State processing.

*Policy 3.B1.4. Historic preservation.* The City shall encourage and cooperate with historic preservation efforts to develop and promote public programs and resources which increase awareness of historic places and cultural and historical activities, including incentives for home owners to participate in the City's voluntary Historic Preservation Program.

*Policy 3.B1.5.* The City shall continue utilizing historic data as identified in its City wide survey, and may be amended from time to time, in order to promote awareness of historic places and sites.

*Policy 3.B1.6.* Through its Land Development Code, the City shall continue to encourage historic preservation through voluntary means and incentives.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

GOAL STATEMENT 3.C

The goal of establishing an East Stuart Special Studies District is to address the unique and special land use and related development issues of this neighborhood. This item is also included in the Future Land Use Element as Goal D.

Objective 3.C1. [East Stuart Overlay District.]

To promote attainable~~affordable~~ housing and economic development in East Stuart, the City shall continue to apply design and development incentives contained in the East Stuart Overlay District Code, as well as through effective and ongoing code enforcement activities to strengthen the neighborhood character of East Stuart.

*Policy 3.C1.1.* The City shall encourage new and in-fill development in the East Stuart neighborhood:

- Replace substandard housing with code compliant housing;
- Create accessible and safe neighborhood;
- Encourage a mix of housing types;
- Encourage neighborhood infrastructure, such as sidewalks and walkway linkages

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

GOAL STATEMENT 3.D~~E~~

To preserve and enhance the City's existing housing stock.

Objective 3.D~~E~~1. - Reinvestment.

The City shall continue to implement its Land Development Code to encourage reinvestment in the existing housing stock while maintaining quality development to ensure housing opportunities are available for its residents.

*Policy 3.D~~E~~1.1.* The City shall continue to apply existing standards within its Land Development Code to encourage reinvestment in the City's existing housing stock. These standards include relaxed lot coverage and setback provisions, cottage lot allowances, and less restrictive variance criteria.

*Policy 3.D~~E~~1.2.* The City shall employ its City's Development Department and Community Redevelopment Agency to assist property owners in redeveloping their property.

*Policy 3.D~~E~~1.3.* The City shall explore the development of community appearance standards in conjunction with neighborhood group or associations.

*Policy 3.D~~E~~1.4.* To benefit neighborhoods, the City shall continue to emphasize minimum housing standards and crime prevention techniques within its Land Development Code.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Element 4~~IV~~ - INFRASTRUCTURE ELEMENT Goals, Objectives, and Policies City of Stuart, Florida Effective April 2002[1]

Footnotes:

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**Cross reference—** Transportation element, Element II; implementation, Element VII, Objective A5; capital improvements element and concurrency management system, Element VIII.

GOAL STATEMENT 4.A

The provision of needed public facilities in a timely manner which protects investments in existing facilities, maximizes the use of existing facilities and promotes compact urban development.

Objective 4.A1. - Facility deficiencies.

Continuation of an active program that provides for the correction of existing public facility deficiencies within established facility service areas of the Capital Improvement Element.

*Policy 4.A1.1.* Priority shall be given to work programs for correction of the deficiencies in and necessary improvements to the following facilities:

a. New raw water wells S-1 and S-2;

b. Water distribution system;

c. Drainage system.

*Policy 4.A1.2.* Work programs and capital facility improvements to correct existing facility deficiencies shall be coordinated with and supportive of each other.

SANITARY SEWER

*Policy 4.A1.3.* Through an aggressive multi-year capital investment program, the City has nearly eliminated storm water infiltration and inflow (I/I) into its waste water treatment system.

The City shall continue to monitor its infiltration and inflow (I/I) program and make improvements as resources permit.

*Policy 4.A1.4.* The City shall continue to monitor the wastewater collection system inspection and condition assessment in order to document and evaluate the condition of each component, including manholes, pipelines and service laterals. Upon completion of the inspection program, rehabilitation alternatives shall be evaluated and priorities established.

HAZARDOUS WASTE

*Policy 4.A1.5.* The City shall continue to support and participate with Martin County in monitoring hazardous waste from both large quantity and small quantity generators. The hazardous waste management program has been developed that included the following components:

a. Continue to monitor and update the number of businesses handling, storing and/or generating hazardous materials and the type and quantity of waste and materials generated within the City;

b. Continue periodic inspections of the facilities of waste generators and handlers to ensure that proper procedures are being followed;

c. Continue implementing procedures for emergency response and cleanup in the event of a hazardous waste spill, including provisions that can be attached as conditions to site plan approvals, when appropriate;

d. The City shall continue to cooperate with County, State and local agencies who are working for the establishment of public education programs on the proper handling and disposal of hazardous waste and materials, and include "reduce, re-use and recycle" practices where appropriate; and

e. The City will continue to coordinate with Martin County to implement the small quantity generator program which will: a) establish a point of origin collection system for small gravity generators and b) construction and operation of a collection/transfer facility.

DRAINAGE

*Policy 4.A1.6.* The City shall continue implementation of Land Development Code to ensure that stormwater treatment is consistent with South Florida Water Management District (SFWMD) permitting requirements.

POTABLE WATER

*Policy 4.A1.7.* The City shall continue to coordinate with Martin County as a participant in the County's wellfield protection program. The City shall continue to regulate land use activities within the wellfield protection areas. This program contains the following:

a. Determination of appropriate and inappropriate land uses within the zones of influence;

b. Structural containment standards for regulated materials (e.g., hazardous and toxic materials);

c. Requirements for installation of monitoring wells;

d. Procedures for emergency reporting, cleanup, personnel training and material inventory; and

e. Establishment of financial responsibility.

*Policy 4.A1.8.* The City shall provide for ongoing implementation of a preventive and corrective maintenance program for the water distribution system. This program shall include the following:

a. Maintain and update inventory of existing facilities;

b. An inspection program; and

c. Maintain and update inventory of field equipment and stock.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010; Ord. No. 2274-2014, § 1, 3-10-2014)

Objective 4.A2. - Capital improvement priorities.

The City will maintain a five-year schedule of capital improvement needs for public facilities to be updated annually in conformance with the review process set forth in the Capital Improvement Element of this Plan.

*Policy 4.A2.1.* Proposed capital improvement projects will be evaluated and ranked in order of the following priority level guidelines:

a. The protection of public health, safety and welfare to fulfill the City's legal commitment to provide facilities and services, or to maximize the use of existing facilities;

b. Serving annexed enclaves and infill areas within the City's identified service area that will allow for efficient provision of necessary urban services.

*Policy 4.A2.2.* The City shall encourage the installment of gravity lines and lift stations to serve neighborhood[s] currently on septic tanks.

*Policy 4.A2.3.* The City shall continue to implements its sewer connection ordinance.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 4.A3. - Future public facility needs objective and policies.

To plan for and provide sufficient public facilities and services at an established level of service necessary to meet future public needs of the Capital Improvement Element.

*Policy 4.A3.1.* The City, through the Public Works Department, shall continue to update and implement the recommendations of the December, 2009 Boyle Engineering Water and Wastewater Needs Assessment Report.

*Policy 4.A3.2.* The Five-Year Public Facility work programs and the Ten-Year Water Supply Facilities Work Plan, consistent with the Capital Improvements Element of this Plan, shall be evaluated on an annual basis in order to ensure that necessary projects are prioritized based upon current conditions and future resident demand. Based upon the annual evaluation, amend the Comprehensive Plan as necessary, including updating level of service standards.

*Policy 4.A3.3.* Expansion of service areas shall be based on ability to serve new customers in a cost effective manner without jeopardizing levels of service for present and future customers within existing service areas.

(Ord. No. 2166-08, § 1, 1-12-2009)

Objective 4.A4. - Solid waste.

The City shall commit to ongoing monitoring and reduction of solid waste collection through its Residential Single Stream Recycling Program and a voluntary Commercial Recycling Program.

*Policy 4.A4.1.* The City shall continue to coordinate and cooperate with Martin County in updating and implementing the County-wide Solid Waste Master Plan. To this end, the City puts special emphasis on the following:

a. Continue implementation of Residential Single Stream Recycling Program and a voluntary Commercial Recycling Program;

b. Continue implementation of a hazardous waste management program;

c. Continue active participation by the City Director of Public Works on the Martin County Board of County Commissioners Solid Waste Advisory Committee; and

d. Continue support of reusable landfill materials for mulching, composting and other environmental uses.

e. Establish city-wide programs to assist business compliance with "reduce, re-use and recycle" efforts in order to reduce waste hauled to landfills and encouraging commercial business to further engage in recycling efforts.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 4.A4D. - Drainage.

The City shall encourage Low Impact Development (LID) practices in all new development projects to reduce impacts, treat, infiltrate, and manage stormwater runoff flows caused by storms, urban runoff, and impervious surfaces and require integration of site specific LID best management practices.~~,~~

*Policy 4.A4D.1.* Post development runoff volumes shall not exceed pre-development runoff volumes for a storm event of three-day duration and 25-year return frequency for parcels greater than one acre. The same criteria shall apply for a storm event of three-day duration and ten-year return frequency for parcels less than one acre.

*Policy 4.A4D.2.* The City shall, through the Public Works Department, coordinate all drainage design, construction and maintenance activities that occur within the City limits or affect the City in any way. This will require active and regular communication with and monitoring of Martin County, the South Florida Water Management District and the Florida Department of Transportation.

*Policy 4.A4D.3.* The City shall continue to adhere to its Master Stormwater Drainage Plan and it will continue to address water quality and quantity and an ongoing funding source.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 4.A5. - Potable water and sanitary sewer.

Land use types, densities and intensities shall be designated within the FLUE to promote development in Stuart to efficiently utilize the available surplus capacity of water and sewer facilities. The City of Stuart Ten-Year Water Supply Facilities Work Plan is hereby incorporated into the Comprehensive Plan and used as the basis to determine future water supply needs for the City and the Stuart water service area. The City shall maximize the use of existing facilities and discourage urban sprawl.

*Policy 4.A5.1.* Improvements and new construction additions to the City potable water distribution system shall consider fire flow and protection requirements within the City limits.

*Policy 4.A5.2.* The City has executed an Interlocal Agreement For The Sale And Purchase Of Supplemental Water and Wastewater Capacity With Martin County which shall be used as the basis to define potable water supply responsibilities in the City and City service area. This policy recognizes that for emergency purposes City water lines are currently interconnected with adjacent County water lines.

*Policy 4.A5.3.* The City shall continue the Wellfield Operating Program with the intent of preventing contamination of the potable water source by saltwater intrusion, chemical contamination from industrial activities, or migration of the leachate of the closed City landfill.

*Policy 4.A5.4.* Projected potable water demands through the year 2028 will be met by implementing the 20-year Interlocal Agreement For The Sale And Purchase Of Supplemental Water And Wastewater Capacity with Martin County, executed on November 14, 2008, which provides the City with potable water from an alternative water supply.

*Policy 4.A5.5.* Coordinate with the South Florida Water Management District and Martin County to update the City's Ten-Year Water Supply Facilities Work Plan within 18 months of each successive update of the Upper East Coast Water Supply Plan.

*Policy 4.A5.6.* At the time of each required Evaluation and Appraisal Report (EAR), the City shall assess progress toward implementing the directives of the City's Ten-Year Water Supply Facilities Work Plan and the Upper East Coast Water Supply Plan.

*Policy 4.A5.7.* The City shall continue implementation and conduct a periodic review of the City's Sewer Master Plan.

(Ord. No. 2166-08, § 1, 1-12-2009; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 4.A6. - Planning for public facilities objective and policies.

Upon adoption of this Plan, to establish criteria for the extension of necessary public facilities which maintain adopted level of service standards and discourage urban sprawl.

*Policy 4.A6.1.* Extension of service to any area is contingent upon approval of the Department of Public Works and the City Commission indicating that:

a. Surplus utilities capacity is available as determined by the Department of Public Works;

b. It would be practical and feasible to provide the service in a long-term expansion program;

c. Extension would be in the best interests of the City.

*Policy 4.A6.2.* A determination by the City of whether adequate potable water supplies are available to serve a new development shall be made prior to issuing a building permit.

*Policy 4.A6.3.* The following level-of-service standard is hereby adopted and shall be used as the basis for determining the availability of facility capacity and the demand generated by new development:

| Facility Standard | Level of Service |
|---|---|
| Sanitary sewer facilities | 80 gallons per capita per day (residential)<br>1,100 gallons per acre per day (nonresidential)<br>115 gallons per capita per day (total wastewater flow rate) |
| Solid waste facilities | 3.5 pounds per capita per day (residential)<br>0.007 pounds per square foot per day (nonresidential) |
| Drainage facilities | Retention of half of the runoff of a 25-year/3-day-duration storm event for parcels greater than 1 acre, and retention of half of the runoff of a 10-year/3-day storm event for parcels less than 1 acre |
| Finished Potable water | 250 gallons per day per equivalent residential connection |
| | The following equivalents shall be used for the purposes of determining the impacts of Proposed Future Land Use Plan amendments, based upon Table of Land Use Densities and Intensities (Future Land Use Element, Policy A7.2) |
| Low Density Residential | 250 gallons per day per unit |
| Multiple-Family Residential | 200 gallons per day per unit |
| Retail Commercial | 100 gallons per day per 1,000 square feet |
| Office Commercial | 150 gallons per day per 1,000 square feet |
| Industrial | 30 gallons per day per 1,000 square feet |
| Institutional | 100 gallons per day per 1,000 square feet |

*Policy 4.A6.4.* The City shall monitor and report raw water and finished water usage on an annual basis to determine the effectiveness of its water conservation programs. Based upon the results of the annual summary, the City shall modify, as necessary, its water supply (ten-year water supply planning) per capita consumption rates used in the Ten-Year Water Supply Facilities Plan.

(Ord. No. 2166-08, § 1, 1-12-2009; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 4.A7. - [Use of existing facilities and prevention of urban sprawl.]

The City shall maximize the use of existing facilities and discourage urban sprawl. The Future Land Use Element will continue to provide for mixed use opportunities through implementation of the Stuart Urban Code.

*Policy 4.A7.1.* Through the City's Future Land Use Map and land use policies, the City will encourage mixed-use development, infill development and redevelopment which will maximize the use of existing facilities and discourage urban sprawl.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 4.A8. - Conservation of potable water resources.

The City shall maximize the use of existing facilities and discourage urban sprawl. The City shall maintain or reduce per capita use of potable water.

*Policy 4.A8.1.* The City shall continue to implement its water conservation program by:

a. Enforce existing landscaping provisions which require the preservation and/or use of desirable species of native and drought-tolerant vegetation as a portion of all new development landscape plans;

b. Using treated wastewater on public and private lands, where feasible, and the use of potable water for irrigation purposes;

c. Sponsoring ongoing education programs to inform the public of various water conservation techniques and devices;

d. Employing its existing leak detection and meter testing and repair program to minimize losses of water in the distribution system;

e. Limit landscape irrigation to two-days per week.

f. Implementing South Florida Water Management District's (SFWMD) emergency water shortage rules during a declared drought or water emergency;

g. Requiring that development must connect to central potable water facilities as it becomes available; and

h. Enforcing its Land Development and Florida Building Code standards requiring low volume plumbing fixtures for new construction.

i. Assess future reclaimed infrastructure needs for oncoming disposal effluent and identify areas for conversion to reclaimed irrigation.

*Policy 4.A8.2.* The Future Land Use Map and land use policies will continue to provide for mixed-use opportunities.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010; Ord. No. 2274-2014, § 1, 3-10-14)

Objective 4.A9. - Protection of natural groundwater recharge areas and drainage features.

The City shall continue to protect, and where possible enhance the functions of natural recharge areas and drainage features to ensure an adequate supply of recharge waters to the surficial aquifer.

*Policy 4.A9.1.* The City shall include in its annual update of the City's Five-Year Capital Improvements Project list the first five years of the 10-year Water Supply Facilities Work Plan to ensure consistency between the Infrastructure Element and the Capital Improvements Element. Annual updates of the Capital Improvement Projects list will continue to include projects listed in the Work Plan beyond the five year time frame.

*Policy 4.A9.2.* City Land Development Regulations shall continue to reflect the increased retention/detention capability of drainage basins in order to reduce stormwater outfall runoff to the St. Lucie River.

*Policy 4.A9.3.* During redevelopment activities the City shall, where feasible, require retrofitting of the existing stormwater outfall system to provide for greater retention/detention capability.

*Policy 4.A9.4.* New potable water wells and wellfields shall be located in areas where no regulated materials (e.g., hazardous and toxic materials) will be used, handled, stored, or produced within the projected cones of depression of such wells or wellfields. At the time future wellfield locations are identified, establishment of incompatible land uses within the cones of depression of such wells shall be prohibited.

*Policy 4.A9.5.* The City shall continue to actively enforce the Planned Unit Development (PUD) open space requirement of 30 percent of gross site area for RPUDs and 25 percent for CPUDs. This open space area will preferably preserve existing native vegetation and will consist of pervious surfaces.

*Policy 4.A9.6.* The City will cooperate with and assist the County and the South Florida Water Management District in developing a program to map prime natural groundwater aquifer recharge areas and develop a plan of action to support those recharge areas.~~.~~

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference**— Conservation element, Element 5~~V~~.

Element 5~~V~~ - CONSERVATION ELEMENT Goals, Objectives, and Policies City of Stuart, Florida Effective April 2002[1]

Footnotes:

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**Cross reference—** Future land use element, Element I; environmentally sensitive natural resources, Element I, Objective A3; protection of natural groundwater recharge areas and drainage features, Element IV, Objective A10; recreation element, Element VI; implementation, Element VII, Objective A3; coastal element, Element IX.

GOAL STATEMENT 5.A

Where appropriate, promote the use of renewable energy resource efficiency by supporting environmentally acceptable, sustainable energy sources, especially renewable resources such as solar, wind, hydroelectric, ~~geothermal~~ , biomass, cogeneration and heating/cooling.

Where appropriate, promote the use and development of low-carbon-emitting electric power plants.

"Electrical power plant" means any electric generating facility that uses any process or fuel and this is owned and operated by an electric utility, and includes any associated facility that directly supports the operation of the electrical power plant.

(Ord. No. 1893-02, § 1, 1-27-2003; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 5.A1. - Surface water quality.

The City shall protect the quality of all surface waters within the City Limits and the City's watershed basins, especially the St. Lucie Estuary.

To meet this objective, the City will continue implementing and maintaining the land development code, specific performance standards for regulating land use, public access, marina siting and activities, shoreline alteration and seawalls, dredging and filling activity, and provide treatment of stormwater runoff and mangrove protection. The City shall continue to adhere to its master drainage plan and continue to participate with other agencies having resource management plans throughout the planning time frame.

The following policies support this objective:

*Policy 5.A1.1.* The City shall ensure effective enforcement and monitoring of its master drainage plan and flood prevention ordinance.

*Policy 5.A1.2.* The City shall arrange for the removal or retrofitting of existing stormwater outfalls to the St. Lucie Estuary and its tributaries during redevelopment activities, where appropriate and consistent with State, Federal, and regional rules and guidelines.

*Policy 5.A1.3.* The City shall coordinate with appropriate agencies that are implementing the Indian River Lagoon Aquatic Preserve Protection Plan, the Hutchinson Island Resource Management Plan, the North Fork of the St. Lucie River Aquatic Preserve Protection Plan, the Surface Water Improvement River Management Plan (SWIM) for the Indian River Lagoon, and other such resource management plans and programs as require the involvement of the City.

*Policy 5.A1.4.* The City shall solicit the South Florida Water Management District (SFWMD) and the Army Corps of Engineers to exercise more careful control of the locks and canals by doing the following:

1. Set performance standards for amounts of water and silt which can be released from the locks and canal control structures.
2. Prior to opening of locks, drain them with surface water and clean debris collection from the locks.

3. Support the development of a "downtown" regional attenuation facility within the CRA.

4. Encourage the implementation of the Indian River Lagoon Restoration Plan and early implementation of water preserve areas and stormwater treatment areas.

*Policy 5.A1.5.* Because the City of Stuart is located at the convergence point of two rivers, the City shall monitor SWIM and other related water quality improvement programs initiated by SFWMD.

*Policy 5.A1.6.* Specific SFWMD programs shall be identified for Stuart and should be fully implemented.

*Policy 5.A1.7.* The City shall analyze and evaluate the City's maintenance program to clean Stuart's rivers, creeks, and other water bodies.

*Policy 5.A1.8.* The City shall coordinate with SFWMD and other agencies to initiate and complete programs to clean-up water bodies in Stuart and explore measures to address/reduce non-point source pollution (i.e., baffle boxes, weir systems).

*Policy 5.A1.9.* The City shall coordinate with governmental bodies to analyze and maintain programs that affect Stuart's rivers, creeks, etc.

*Policy 5.A1.10.* The City shall implement the Watershed Protection Program which includes capital improvements and regulatory mechanisms to protect and improve the environmental features of watershed basins which include any portion of the City limits. These watershed basins are delineated on the City Watersheds Map and include:

- Anchorage Basin.
- Coral Gardens Basin.
- Crescent Basin.
- Crooked Creek Basin.
- Downtown Basin.
- East Airport Basin.
- Fork Road Basin.
- Frazier Creek Basin.
- Haney Creek Basin.
- Hildabrad Basin.
- Krueger Creek.
- Landfill Basin.
- North Airport Basin.
- North Point CRA Basin.
- Poppleton Creek Basin.
- Rio Basin.
- South Fork Basin.
- Warner Creek Basin.
- Willoughby Basin.
- Woods Point Basin.

*Policy 5.A1.11.* The City shall establish a comprehensive program to eradicate invasive exotic trees and vegetation.

*Policy 5.A1.12.* The City shall encourage participation and representation from City residents for the St. Lucie River Initiative and other State/local initiatives.

*Policy 5.A1.13.* The City shall continue to maintain and update its city wide master sewer plan and sewer system connection ordinance and shall continue to prioritize the expansion of City's sewer system into developed areas closest to St. Lucie River and tributaries.

(Ord. No. 1893-02, § 1, 1-27-2003; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 5.A2. - Groundwater quality and quantity.

The quality and quantity of the City of Stuart's groundwater shall not be degraded. Stormwater management requirements and a wellfield protection ordinance shall be enforced. Additional well protection mechanisms, such as water withdrawal schedules and conservation measures, shall be implemented as part of a total groundwater protection program by 1998.

The following policies support this objective:

*Policy 5.A2.1.* The City shall, in cooperation with the Department of Environmental Protection, the South Florida Water Management District, and the U.S Geological Survey, continue to monitor groundwater quality and quantity.

*Policy 5.A2.2.* The City shall continue to protect present and future potable water wellfield locations identified and protected by its SFWMD Upper East Coast Water Supply Plan, and through its continuing application of the Martin County Wellfield Protection Ordinance, to assure that water resources are not negatively impacted by development, excessive drawdown or saltwater intrusion through development, and implementation of a wellfield protection program.

*Policy 5.A2.3.* Through its participation in the Martin County Wellfield Protection Ordinance, the existing and future potable water wells and wellfields shall continue to be protected from contamination by EPA/DEP regulated materials (i.e., hazardous and toxic materials).

*Policy 5.A2.4.* The City shall continue to promote land and water management techniques in conjunction with energy conservation measures which will protect water quality, enhance water supplies and minimize potable water demands through the following:

1. Encourage use of drought-tolerant, native vegetation in landscaping by providing an approved list to home-owners and developers seeking building permits.
2. Participate in water conservation programs of the South Florida Water Management District and enforce mandated no-watering policies within the City.
3. Encourage the removal of exotic and invasive vegetation upon development or redevelopment.
4. The land development regulations shall enforce State law requiring low volume plumbing fixtures for new construction.
5. Employ the City's existing potable water leak detection and maintenance program.
6. As resources permit, continue to install weirs in drainage ditches to increase groundwater table elevations to the extent feasible considering flood protection and septic tank drainfield performance requirements.

*Policy 5.A2.5.* No activity shall be permitted which would adversely affect the quantity or quality of recharge entering the City's aquifers or within the City's watershed basins. Consistent with the intent of this policy:

1. Post-development runoff volumes shall not exceed pre-development runoff volumes for a storm event of three-day duration and 25-year return frequency for parcels greater than one acre. The same criteria shall apply for a storm event of three-day duration and ten-year return frequency for parcels less than one acre.

2. To the maximum extent consistent with the requirements of flood control, stormwater management systems shall be designed to maximize retention capability.

3. Stormwater management systems shall be designed to maximize the quality of water being recharged as well as that being discharged off-site.

4. Wherever suitable soils exist, encourage percolation of stormwater into the groundwater table through dry retention areas, pervious pavement, and other such methods supported by sound engineering practices.

5. Require new development to address off-site watershed issues related to greenways protection, wetlands, and water quality impacts due to on-site stormwater management designs.

6. Where appropriate, encourage Low Impact Development (LID) practices.

(Ord. No. 1893-02, § 1, 1-27-2003; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 5.A3. - Water conservation.

By implementing the City's Twenty-Year Water Conservation Initiative, adopted on January 14, 2008, conserve water resources by reducing raw water average daily per capita consumption from the current rate of 193 GPCD to 191 GPCD by 2030, a 1.0 percent decrease in the overall per capita daily consumption rate.

The following policies support this objective:

*Policy 5.A3.1.* The City shall continue to implement its existing water conservation programs, which include the following components:

1. Minimum water quality standards for non-potable use.

2. Use of wastewater effluent for irrigation purposes wherever economically feasible.

3. Use of water-saving devices, irrigation systems, and plumbing fixtures, such as toilet tank dams, adjustable shower heads and drip irrigation, shall be required for all new construction. Retrofitting of existing systems shall be encouraged.

4. Application of existing leak detection and maintenance program for the City water system.

*Policy 5.A3.2.* During drought emergencies, implementation of South Florida Water Management District water shortage plans shall be enforced.

*Policy 5.A3.3.* The City shall ~~contuinue~~continue to cooperate with the South Florida Water Management District and Martin County in the development and implementation of water conservation programs established as part of its Ten-Year Water Supply Facilities Work Plan and Consumptive Use Permit. [The following programs shall be implemented by the City:]

- Interlocal Agreement For The Sale and Purchase Of Supplemental Water and Wastewater Capacity With Martin County;
- Two-day per week year-round landscape irrigation restrictions;
- Additional limitations on landscape irrigation during a water shortage emergency;
- Requirements for the use of Florida-Friendly Landscaping and "rain switches" on irrigation systems;
- Continued use of the Standard Plumbing Code, including implementation of all plumbing fixture requirements;
- A tiered water use rate structure, including periodic rate studies;
- Retrofit rebate programs for residential toilets, residential indoor plumbing exchanges, and landscape irrigation efficiency;

- Customer education on the subject of water conservation via the monthly utility bill;
- Additional public education efforts, including open houses at the water plant and tours of the water plant for school and seniors groups throughout the year.

*Policy 5.A3.4.* The City shall continue to develop and implement the water reuse program for large users as a means to reduce the City's traditional water source per capita consumption rate.

*Policy 5.A3.5.* The City shall monitor progress toward achieving the 2030 raw water consumption rate target on an annual basis. If progress is not consistent with interim targets projected in Table 4A of the Ten-Year Water Supply Facilities Work Plan, the City shall consider the need for implementing additional conservation measures.

(Ord. No. 2166-08, § 1, 1-12-2009; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010; Ord. No. 2274-2014, § 1, 3-10-14)

Objective 5.A4. - Floodplain protection.

The City shall protect the natural functions of the 100-year floodplain.

The following policies support this objective:

*Policy 5.A4.1.* The City has adopted and will continue to implement a mangrove protection ordinance.

*Policy 5.A4.2.* New development shall preserve a buffer zone of 25 feet from the mean high water line of native vegetation which falls within the existing 25-foot setback area along waterways. This may be reduced to ten feet in the CRA to promote infill, redevelopment, and reduce blight.

*Policy 5.A4.3.* The City shall assure that all development within the delineated 100-year flood zone abides by Federal flood hazard insurance regulations which limit the type and magnitude of alterations to the natural system that can be made.

*Policy 5.A4.4.* The City shall promote programs to minimize flood insurance costs where feasible to its residents.

*Policy 5.A4.5.* Through the effective implementation of the City's master drainage plan and Flood Prevention Ordinance, the magnitude and frequency of damaging flood events shall be reduced.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 5.A5. - Natural systems.

Through enforcement of avoidance and minimization standards contained in the City's Land Development Code, including the use of LID systems, the City shall continue to preserve and protect the functions and values of natural areas of vital concern to the environment of the City. Natural areas of vital concern to the City include the St. Lucie estuary, wetlands, coastal wetlands and shorelines, living marine resources (seagrass beds, fisheries, and mangroves), native upland vegetative communities, and wildlife habitats, especially endangered species habitat.

The following policies support this objective:

*Policy 5.A5.1.* Environmentally sensitive lands are those land areas that warrant the greatest degree of protection from development impacts. Environmentally sensitive lands are designated to be viable and functioning wetlands as determined by the SFWMD and native upland vegetative communities that provide wildlife habitat necessary for the survival of Listed Species as determined by the Florida Fish and Wildlife Conservation Commission (FFWCC) and/or U.S. Fish and Wildlife Service (USFWS).

*Policy 5.A5.2.* Protection and management of wetland and deep-water habitats shall be in a manner consistent with implementation of the Treasure Coast Regional Comprehensive Policy Plan, the North Fork of the St. Lucie River and Indian River Lagoon Aquatic Preserve Management Plans, the St. Lucie Estuary

Management Plan (SLEMP), and any other appropriate resource management plan that applies to resources within the City limits.

*Policy 5.A5.3.* For natural areas that are proposed to be retained on site, all nuisance and invasive exotic vegetation (e.g., Brazilian pepper, Australian pine, and melaleuca) shall be removed and replaced with native plant species adapted to existing soil and climatic conditions. Removal shall be in such a manner that avoids seed dispersal by any such species. Planting of pest exotic vegetation shall be prohibited. On privately owned lands, implementation shall occur at the time of development or redevelopment. On publicly owned lands, implementation shall occur at the time of development or as soon as possible. It should be noted that private environmental groups may voluntarily implement this work as an organizational project. In all cases, implementation shall be consistent with the overall objective of protecting the functions and values of native habitats.

*Policy 5.A5.4.* The City shall compile a list of Florida friendly and native plant species to be available for reference by residents and developers. This list shall be based upon native plant species guidelines commonly applied by the Treasure Coast Regional Planning Council, South Florida Water Management District, and Florida Department of Agriculture and Consumer Services. The city shall encourage native alternatives rather than planting sod.

*Policy 5.A5.5.* Wetlands shall be protected and conserved by restricting direct and indirect development impacts according to Policies 5.A5.5, 5.A5.6, Conservation land use designations, conservation easements, open space requirements and other goals, objectives and policies of this plan.

A. *General.*

i. Through current avoidance and minimization standards set forth in the City's Land Development Code, including the encouragement of Low Impact Development (LID) practices, the City shall continue to enforce policies which avoid and minimize damage to wetlands and direct development to lands that are not environmentally sensitive; to encourage activities not dependent upon a wetland location be located at upland sites; to allow wetland losses only where all practicable measures have been applied; reduce those losses that are unavoidable and in the public interest; allow for limited mitigation; promote compact urban development and discourage urban sprawl by allowing wetland impacts in excess of minimum requirements under certain limited conditions; encourage wetlands mitigation within the watershed basin containing the impacted wetlands; protect and enhance the environmental qualities of watershed basins; and provide for the protection of wetlands under the City's land development regulations to be adopted and implemented consistent with F.S. § 163.3202.

ii. All development shall, at a minimum, comply with wetland protection requirements of all Federal, State and regional agencies having regulatory authority. This plan provides supplemental conservation and protection measures for wetlands pursuant to the direction of F.S. ch. 163, pt. II [F.S. § 163.2511 et seq.]~~, and F.A.C. ch. 9J-5~~.

iii. Land use planning and site design shall support development patterns that avoid or minimize the impact of development on wetlands.

iv. In order to properly identify and delineate wetlands, the City shall rely on the delineation of wetlands by the SFWMD or FDEP.

v. In no instance shall these wetland policies be construed to allow development that is otherwise prohibited by the Comprehensive Plan.

B. *Land use.*

i. Existing uses in wetlands may continue, but shall not be expanded unless they are specifically allowed or exempted. Silviculture in wetlands shall be consistent with "Silviculture Best Management Practices" published by the Florida Department of Agriculture as it existed on July 1, 1998.

ii. Walking trails or elevated wooden "cat walks" designed to minimize disturbance to the wetland system shall be allowed to provide limited access for purposes of passive recreation or access to other portions of the site or adjacent waters which are otherwise inaccessible.

iii. New development shall not be allowed in wetlands, i.e., development shall occur outside of the wetland (including its upland buffer as specified in C below) except as indicated in v and vi below, or in the exceptions listed in Policy 5.A5.6. When one or more contiguous lots or parcels of record under common ownership or control as of the date of adoption of this Comprehensive Plan are evaluated under these exceptions, the lots or parcels shall be aggregated and evaluated as a single lot or parcel.

iv. New development shall be located on upland portions of a development site, which are not otherwise environmentally sensitive lands. Development densities may be transferred out of the wetland area on a one-for-one basis. However, the development density of the developable portion of the site shall not exceed 150 percent of the maximum density otherwise allowed for the non-environmentally sensitive portion of the site. For each transferred residential unit an additional one-tenth of an acre of on site, non-environmentally sensitive land shall be preserved as upland buffer or native preserve.

v. If new development cannot be clustered outside of the wetland protection area, the uses specified under F.A.C. 40E-4.051 in effect as of July 1, 1998, are allowed, except for any new or expanded agriculture, silviculture, floriculture and horticulture.

vi. If new development cannot be clustered outside of the wetland protection area the uses specified under F.A.C. 40E-400.417—40E-400.500 in effect as of July 1, 1998, are allowed except that new or expanded silviculture operations are not allowed. Additionally, single family homes must be constructed on pilings or stemwalls to minimize the area of isolated wetlands filled for the residence and associated improvements and the dwelling unit must be connected to central water and sewer whenever available.

C. *Buffers.*

i. Upland buffers are considered an integral component of a functioning wetland and shall be afforded the same types and levels of protection as the wetland itself. Buffers shall maintain an ~~be a~~ ~~minimum~~ average width of 50 feet beyond the perimeter of the wetland. Buffers shall not be developed, cleared or landscaped in any fashion that would decrease their effectiveness in supporting wetland functions. Upland buffers may not be used for wetlands destruction/mitigation credit in the City of Stuart.

ii. The City shall require that upland buffers be extended beyond 50 feet if necessary to connect isolated wetlands with other protected wetlands existing within 200 feet. Greenways will be created when possible. This policy shall apply to protected wetlands within 200 feet on adjacent parcels regardless of ownership.

D. —*Mitigation.* The purpose of mitigation is to offset environmental impacts. Mitigation activities approved by a Federal, State or regional agency are supported by the City. However, these mitigation activities do not exempt development activities from the requirements of this plan. The issuance of a permit by any other agency, with or without mitigation, does not exempt the development from the requirements of this plan. Development in wetlands must be consistent with this plan to proceed. Upland buffers and preserve areas otherwise required by the City in a development may not also be used for wetlands destruction/mitigation credit in the City of Stuart. Additional upland preserve area beyond the City's requirements may be used for mitigation credit in the City of Stuart so long as it is within the same watershed basin.

E. *Implementation.*

i. The City shall maintain a generalized wetlands map as part of this Plan.

ii. The city shall maintain a generalized watershed basin map and program as part of this plan.

iii. The City shall consider designating known wetland areas as Conservation on the Future Land Use Map to further enhance their recognition and protection.

iv. If the City has any reason to believe that wetlands exist on a proposed development site, the landowner/developer shall be required to provide to the City a site map showing the formal determination of the extent of surface waters and wetlands by the SFWMD. Additionally, this map must show the delineation of the upland buffer. If there is a reason to believe that wetland buffers may crossover from wetlands on adjacent sites or that on-site wetlands or uplands are integral to off-site watershed protection, those wetlands and associated buffers must also be evaluated. The City shall petition the SFWMD for a formal determination of proximate wetlands on adjacent sites if needed to determine what development is allowed on site.

v. Any development site plan must show:

a. A description (including maps) of all water bodies, watercourses, wetlands and associated buffers on-site and immediately adjacent to the site and within the watershed;

b. A description (including maps) of any other environmentally sensitive land on the site; and

c. A detailed plan that shows all proposed development that may directly or indirectly impact the wetlands, including any proposed disturbance of the wetland and wetland buffers as well as any other environmentally sensitive lands on the site.

vi. The City shall require a wetland special use permit for any development that proposes to impact wetlands. The permit shall be implemented in the City's land development regulations. The permit criteria shall require compliance with Conservation Element Policies 5.A5.5 and 5.A5.6.

vii. The developer shall ensure that site development activities do not degrade on-site or adjacent surface waters or wetlands. Wetlands shall not be used as primary sediment traps during development or for stormwater retention beyond historic hydrologic regime after development. No grading, cutting or filling shall be commenced until erosion and sedimentation control devices have been installed between the disturbed area and the wetlands.

viii. The developer shall ensure that site development activities do not degrade or negatively impact the watershed basin in which the site is located.

ix. Wetland buffer areas may be counted toward any open space requirements of this Plan, however, wetlands themselves shall not count toward open space requirements.

x. Wetlands and their associated buffers may be designated conservation easements unless part of a homestead.

xi. The City shall evaluate the status of wetlands in the City to determine the effectiveness of these policies at the time of each Evaluation and Appraisal Report.

xii. Except for protections afforded certain non-invasive, non-native specimen and flowering trees in the City's Land Development Code, upon development of a site, the developer shall be required to remove exotic vegetation and replace it with native vegetation suitable to the soil conditions.

xiii. Where not precluded by existing site improvements, constructed wetlands and stormwater devices shall be located in such a manner to provide additional buffering for existing wetlands or to create and enhance interconnections between wetlands and natural areas.

*Policy 5.A5.6.* Exceptions to Policy 5.A5.5 above:

A. Isolated wetlands:

i. Development may incorporate isolated wetlands into stormwater management systems, provided that the stormwater runoff is treated prior to entering any wetland system, so that the wetland is used for nutrient and volume attenuation. The City shall encourage designs

which maintain the existing natural wetlands community, except where permitting agencies agree that the imposition of conditions which favor a different plant community is more desirable for the purpose of providing habitat, improving water quality or enhancing other wetland values.

ii. The City shall request that the SFWMD, Florida Fish and Wildlife Conservation Commission (FWCC) and/or U.S. Fish and Wildlife Service (USFWS) or a professional biologist to comment and render an opinion as to whether the wetland has significant wildlife values based on the following factors:

a. The extent to which the isolated wetland acts in concert with the broader regional landscape to provide both food web support and habitat for wildlife;

b. The potential cumulative impacts to isolated wetland wildlife functions at a regional level;

c. Individual wetland features that are important to wildlife;

d. Whether the isolated wetland is used by endangered or threatened species or species of special concern; and

e. The degree to which adjacent existing or planned development will affect the use of the wetland by wildlife; and

f. The extent to which the wetland presents unique hydrology and vegetation compared to other isolated wetlands within the City.

If the biological evaluation indicates that the isolated wetland has significant and sustainable wildlife values, or unique hydrology and/or vegetation, the wetland shall be afforded the same level of protection as all other wetlands. However, if the report indicates no significant and sustainable values, then the underlying land use category may be applied. This does not preclude the application of any regulatory requirements of other Federal, State or regional agencies.

B. Reserved.

C. If the SFWMD indicates that a wetland (or a portion thereof) is severely degraded and has minimal restoration potential and that beneficial mitigation of other wetlands would be achieved as a result of mitigation that allows some development in this degraded wetland (or portion thereof) then the underlying land use category shall apply. Mitigation shall be permitted in order of priority:

1) On-site mitigation;

2) Mitigation within the same watershed basin in the City of Stuart;

3) Mitigation within a watershed basin identified by this plan;

4) Mitigation within watershed basins in Martin County;

5) Mitigation within a mitigation bank whose service area covers the development site.

D. Road crossings shall be allowed if absolutely necessary to access developable portions of the site or if shown to be in the overriding public interest, such as necessary collector or arterial road linkage. When allowed, road crossings shall occur at the narrowest point and be elevated on a bridge structure or above a culvert and designed so that water flow and wildlife movement are uninterrupted.

E. Public infrastructure may be located in wetlands if there is no other possible location available.

F. Future Land Use Element Policy 1.A7.6 is applicable to the enforcement of all wetland conservation and protection policies.

*Policy 5.A5.7.* The City shall protect the natural resources associated with recreation facilities, open space and natural reservations identified in the Recreation and Open Space Element through land development regulations providing performance standards for development of natural resources, and

through ensuring through the site plan review process that existing open space and natural reservations are not changed to more intensive uses that would degrade natural resources.

*Policy 5.A5.8.* The City shall protect native vegetative communities by requiring that existing native vegetation constituting up to 25 percent of a development site be preserved. Land clearing activities require a permit that demonstrates the protection of native vegetative communities consistent with Policy 5.A5.8 and 5.A5.9.

*Policy 5.A5.9.* Environmentally sensitive lands containing native vegetative communities that provide wildlife habitat necessary for the survival of listed species as determined by the FGFWFC shall be protected and conserved. The Strategic Habitat Conservation Area Map indicates potential locations of such native vegetative communities. Development proposed in these areas must be surveyed to determine existing conditions. If the site contains native vegetative communities that provide wildlife habitat necessary for the survival of listed species as determined by the FGFWFC, the following shall be required:

a. Cluster development away from the habitats of listed species.

b. Avoid the fragmentation of contiguous ecological community associations which extend over adjacent parcels.

c. Allow the transfer of development rights to other parcels in the City if otherwise consistent with this plan.

(Ord. No. 1893-02, § 1, 1-27-2003; Ord. No. 2164-08, § 2, 11-24-2008; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective A6. - Wildlife protection.

Endangered, threatened and species of special concern shall be identified through the site plan process. Protection and enhancement of these wildlife populations within the City and in surrounding environs shall be through such provisions as adequate buffering, cluster development and density bonuses for developers that set aside land for wildlife habitat.

The following policies support this objective:

*Policy 5.A6.1.* All endangered and threatened plant and animal populations shall be protected. Of special concern, are all species listed as endangered, threatened, of special concern or rare by the Federal government, the State of Florida or the Florida Committee on Rare and Endangered Plants and Animals.

*Policy 5.A6.2.* Sites proposed for development activities within the known range of endangered or threatened species shall be surveyed at the request of local officials by qualified government ecologists prior to approval of or commencement of such activities to determine whether or not endangered or threatened plant and animal populations occur, and the potential impact of the proposed development. This request will originate within the City's site plan review process. If qualified government ecologists are not available for survey, the developer will obtain a City-approved professional consultant at the developer's expense.

*Policy 5.A6.3.* The City shall maintain its status as a bird sanctuary and develop a program to encourage residents to provide additional backyard habitat to enhance non-game wildlife populations within the City.

*Policy 5.A6.4.* As noted in the Martin County Manatee and Boat Siting Protection Plan, the City shall coordinate with Martin County and state and federal agencies regarding the following issues:

a. Implementation of speed zones as appropriate in the St. Lucie River.

b. Monitoring of manatee mortality by collisions with watercraft in county waterways.

c. Seagrass restoration to enhance estuarine natural resources, improve water quality, and provide additional foraging habitat for manatees.

d. Participation on the Martin County Manatee Protection Advisory Committee as appropriate.

(Ord. No. 1954-03, § 1, 12-15-2003; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective A7. - Air quality.

The City shall continue to meet or surpass all national ambient air quality standards, as set by the U.S. Environmental Protection Agency, including policies pertaining to greenhouse gases.

The following policies support this objective:

*Policy 5.A7.1.* Transportation plan development and project reviews shall consider provisions for bicycle lanes, sidewalks, car pooling, mass transit and other transportation methods which reduce air polluting emissions.

*Policy 5.A7.2.* Construction practices such as seeding, wetting and mulching which minimize airborne dust and particulate emission generated by construction activities shall be undertaken within 30 days of completion of clearing work. Clearing of specific building sites shall not commence without the necessary permit as required under the City's revised land development regulations.

*Policy 5.A7.3.* All buildings scheduled for renovation or demolition shall be required to receive a Florida Department of Environmental Protection (FDEP) permit and shall be surveyed for the presence of asbestos. Asbestos shall be removed prior to demolition. Any asbestos removal shall be performed by a contractor licensed under the Florida Department of Professional Regulation. Any buildings scheduled for demolition shall apply for a permit from the Department of Environmental Protection.

*Policy 5.A7.4.* Landscape efforts and ordinances shall consider the use of landscape material, including trees, to mitigate localized air quality problems. Consistent with this policy, the City shall undertake efforts to promote large-scale tree planting programs.

*Policy 5.A7.5.* Compliance of future development and redevelopment with all appropriate federal, state and local air quality standards shall be assured.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 5.A8. - Soil and shoreline erosion prevention.

The City shall conserve soil resources by reducing the rate of soil erosion resulting from land development and other activities.

The following policies support this objective:

*Policy 5.A8.1.* The City shall consider topographic, hydrologic and vegetative cover factors in the site plan review process of proposed developments. Removal of native vegetation within the buffer zone as defined in Policy A4.2 and on stream banks and on slopes of greater than 3:1 shall be prohibited.

*Policy 5.A8.2.* Sloping revetments, interlocking bricks and similar designs to reduce the effects of bottom scouring by more effectively dissipating wave forces shall be used in all shoreline construction.

*Policy 5.A8.3.* Replanting of seagrasses shall be encouraged during redevelopment of coastal areas. Upon determination that existing environmental conditions can support an appropriate species of seagrasses, the City shall seek funding and manpower from public and private organizations, including use of citizen volunteer projects in areas identified as having potential for reestablishment.

*Policy 5.A8.4.* The City shall cooperate with the Martin County Soil and Water Conservation District and the U.S. Soil Conservation Service to monitor soil erosion rates and develop programs to minimize soil erosion.

*Policy 5.A8.5.* The City shall prohibit the use of off-road vehicles in all areas other than those that are explicitly permitted.

Objective 5.A9. - Hazardous waste.

The City shall develop a hazardous waste management program for the inventory, storage, recycling, collection and disposal of hazardous waste.

The following policies support this objective:

*Policy 5.A9.1.* In order to protect the City's natural resources, the City shall manage the generation, handling or storage of hazardous waste as follows: For new development, the City shall consider the impacts of potential hazardous wastes during the site plan review process. For existing development, the City shall require notification of hazardous waste generation, handling or storage as part of the occupational license application procedure. Such development will be permitted by the City only after the applicant provides an emergency response plan addressing accidents involving hazardous waste, and mitigation strategies to protect local natural resources.

*Policy 5.A9.2.* The City shall cooperate with the County in developing and implementing an emergency hazardous waste response program.

*Policy 5.A9.3.* The City shall continue to recycle and dispose of its hazardous waste materials in accordance with Florida Administrative Code and State laws.

*Policy 5.A9.4.* The City shall cooperate with Martin County in sponsoring Amnesty Days to collect household hazardous waste for proper disposal.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 5.A10. - [Landscaping and maintenance of open spaces.]

The City shall assure that open spaces are preserved and maintained in properly landscaped and litter free condition.

The following policies support this objective:

*Policy 5.A10.1.* Public lands shall be landscaped and maintained in keeping with the standards, specifications and intent of the City landscaping requirements of the Land Development Regulations.

*Policy 5.A10.2.* The City Public Works and Code Enforcement Departments shall be instructed to give greater emphasis to the fullest possible enforcement of both City and State ordinances pertaining to the landscaping of private and commercial properties and pertaining to littering.

*Policy 5.A10.3.* Through application of existing landscaping requirements and litter provisions set forth in the City's Land Development Code and Code of Ordinances, the City shall continue to assure these standards are applied and in a timely manner.

*Policy 5.A10.4.* Continue identifying funding sources Open Space landscaping and maintenance. As resources permit, the City may earmark local tax revenues for the landscaping and litter-free maintenance of open spaces and/or continue investigating user fees, impact fees, and volunteer programs as may be needed.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Element 6~~VI~~ - RECREATION AND OPEN SPACE ELEMENT Goals, Objectives, and Policies City of Stuart, Florida Effective April 2002[1]

Footnotes:

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**Cross reference—** Conservation element, Element 5~~V~~; implementation, Element 7~~VII~~, Objective 7.A4; capital improvements element and concurrency management system, Element 8~~VIII~~; public access to waterfront, Element 9~~IX~~, Objective 9.A7.

GOAL STATEMENT 6.A. RECREATION

Provide a system of recreational programs, sites and facilities of appropriate size and design and convenient to the use of participants and that benefit each age group, social and economic group of those who live and work in the City.

Objective 6.A1. - Meeting growing demand—Adequate sites, facilities and programs.

Ensure adequate land, facilities, and programs are available to meet the current and future recreational needs of each age, social and economic group in the City through 2015.

The following policies support this objective:

*Policy 6.A1.1.* The City shall continually monitor its Community Services Department to determine what programs, facilities and sites should be included in the City's recreational offerings. This ongoing monitoring shall include:

a. Maintenance of an inventory of existing sites, facilities, programs, and program users by age and place of residency or business ownership, as well as user preferences by user type.

b. A determination of whether recreational facilities and programs should be expanded or scaled back.

c. An analysis of capital needs required to maintain the City's recreational LOS, as well as annual updates to the City's five-year Capital Improvements Plan.

d. A determination of non-resident impacts on City recreational facilities and programs and the ways in which these impacts will be off-set by user fees, intergovernmental cost sharing, facilities consolidation, program adjustments, or other means.

*Policy 6.A1.2.* Maintain lands adequate to meet the community park needs of current and future residents through as measured by adopted recreation level-of-service standards.

*Policy 6.A1.3.* Continue to implement recreation impact fees as a means to provide adequate recreational capital facilities.

*Policy 6.A1.4.* A developer who donates community recreation land or builds a needed community recreational facility within the subject development, as defined in the data inventory and analysis portion of this plan, may be given up to 50 percent credit, subject to City Commission approval and consistent with Section 62-70 of the City's Code of Ordinances, against required recreation impact fees if the facility can be used by the general public, provided it meets the needs of the public. This land or facility may be added to the City's inventory of community parks for the purpose of maintaining LOS. A developer's on-site recreational facilities may not be used to offset the impact fee.

*Policy 6.A1.5.* Recreation impacts of development shall be measured by adopted City level-of-service standards for recreation and parks.

*Policy 6.A1.6.* Maximize use of State and other governmental funds and private funds to purchase and develop parks and recreational sites and facilities that will maintain or exceed the City's adopted level-of-service standards and/or will increase public access to the waterfront. These shall include:

- Florida Inland Navigational District funds and lands.
- Martin County boating license fees (i.e., for boat ramps).
- Florida Recreation and Development Assistance Program.

*Policy 6.A1.7.* Cooperate with the Martin County School Board to promote the availability of school recreational facilities outside school hours for general public use.

*Policy 6.A1.8.* When feasible, fishing areas should be separated from vehicular traffic to protect the safety of both parties.

*Policy 6.A1.9.* As resources permit, the City shall continue to monitor and pursue opportunities to make more waterfront land available for public recreational use.

*Policy 6.A1.10.* The recreation level of service standard shall be three acres of developed park land per 1,000 residents. Developed park land includes, but [is] not limited to, improvements such as picnic facilities, restrooms, play courts (e.g., basketball, tennis, volleyball), ball fields (e.g., softball, baseball, football), vest pocket parks, neighborhood parks and ecological parks.

*Policy 6.A1.11.* The City should investigate the future location of more recreational facilities north of the Roosevelt Bridge.

*Policy 6.A1.12.* The City should investigate the feasibility of utilizing stormwater utility sites as passive xeriscape parks with limited maintenance.

*Policy 6.A1.13.* The City shall continue to apply recreation impact fees, which shall be periodically updated as required by ordinance.

*Policy 6.A1.14.* The City should help in the implementation of the new library and examine alternatives for the reuse of the old library.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

*Policy 6.A1.15~~20~~*. The City should ~~develop a~~monitor and continue to plan for the City's recreational needs at ~~Flagler Park, Youth Center Park and the redevelopment of the~~ the City's Parks and Recreation Centers.

Objective 6.A2. - Public access.

Recreational opportunities shall be increased for City residents.

The following policies support this:

*Policy 6.A2.1.* Preserve public access to water areas by protecting public ownership of street rights-of-way which dead-end at the St. Lucie River. (Accomplished by the City Charter.) *Policy A2.2.* As resources permit, inventory road rights-of-way that dead-end at the waterfront or other permanent barriers, or otherwise those which are not expected to be developed into streets for the purpose of installing pathways.

*Policy 6.A2.3.* The City will continue to maintain and enhance Riverwalk Project, which provide access to waterfront views and limited fishing opportunities. The following areas shall receive top priority:

1. Along the St. Lucie River from St. Lucie Avenue west to the Florida East Coast Railway property east of the Roosevelt Bridge;
2. From Shepard Park north to the Roosevelt Bridge;

3. A connecting walkway under the proposed Roosevelt Bridge to link the Shepard Park riverwalk to the City Hall riverwalk; and

4. Along creeks, including Poppleton, Frazier, and Kreuger, and drainage areas including the Seventh Street Pond.

*Policy 6.A2.4.* In the event that a mass transportation system is developed in Martin County, the City shall promote inclusion of City recreational sites on the system's routes.

*Policy 6.A2.5.* Encourage mass or public transit alternatives, including the Martin County Council on Aging's transportation-disadvantaged program, that increase the public's access to City recreational facilities.

*Policy 6.A2.6.* All City parks and recreational facilities shall be accessible to the handicapped and the elderly and shall have handicapped parking spaces and barrier-free entrances and pathways.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 6.A3. - Maintaining existing parks.

The City Recreation and Parks Department will initiate a maintenance program for its facilities.

The following policies support this objective:

*Policy 6.A3.1.* The City shall amend its adopted recreation level-of-service standards for park land in accordance with Policy 6.A1.1 of this element.

*Policy 6.A3.2.* Use adequate operating budgets and proper management techniques to preserve and maintain existing parks and recreation facilities.

GOAL STATEMENT 6.B. OPEN SPACE

To maximize the preservation, enjoyment, and accessibility of natural open spaces, especially those along the waterfront.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 6.B1. - [Preservation and increase of open space.]

Maintain or increase the level of publicly owned open space and promote preservation and increase in the level of privately-owned open space.

The following policies support this objective:

*Policy 6.B1.1.* The City's land development regulations will incorporate preservation standards in order to preserve City-owned environmentally sensitive lands. These standards will be based in part on locally determined criteria.

*Policy 6.B1.2.* (Same as Policy 6.A2.3.) Increase public access to waterfront views and fishing opportunities by developing riverwalks on public and private lands as feasible and as funding becomes available. (Priorities listed in Policy 6.A2.3.)

*Policy 6.B1.3.* As part of the City's land development regulations, adopt incentives to encourage the provision of open space areas within future developments to preserve views, vistas, and native vegetation (e.g., allowing part of required parking areas to be unpaved, flexibility in site design).

Element 7~~VII~~ - INTERGOVERNMENTAL COORDINATION ELEMENT ;adv05;Goals, Objectives, and Policies ;adv05;City of Stuart, Florida ;adv05;Adopted and effective June 2001[1]

Footnotes:

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**Cross reference—** Interjurisdictional resource management, Element 9~~IX~~, Objective 9.B4.

GOAL STATEMENT 7.A

To work with appropriate outside agencies in order to manage growth and redevelopment in Stuart so as to preserve the quality of life, promote the City as a community for families, maintain the City's status as a commercial and institutional hub, provide for efficient and cost-effective services and facilities, and protect and enhance natural resources.

Objective 7.A1. - Implementation of Future Land Use Element.

To implement the Future Land Use Element through coordination and cooperation with the appropriate agencies outside the City.

Policies 1.A3.1, 1.A4.1 and 1.A6.1, as contained in the Future Land Use Element, address issues related to intergovernmental coordination and are incorporated by reference into this Plan element. Additionally, this element contains other relevant intergovernmental coordination policies which are described below.

*Policy 7.A1.1.* The City shall require that County, State and Federal agencies adhere to the City's Comprehensive Plan and land development regulations, including, but not limited to, landscape, parking, signage, architectural design and materials, stormwater management and other site design standards when developing within the City.

*Policy 7.A1.2.* The City and the County shall cooperate to promote shared use of parking facilities, especially for special events.

Implementing Future Land Use Policy 1.A3.1: The City shall, with Martin County, continue to implement the wellfield protection ordinance to control permitted activities in the wellfield protection zones of the City's potable water sources.

*Policy 7.A1.3.* The City shall continue to review the Martin County Comprehensive Plan to ensure that existing and planned land uses are appropriate for protection of the City's wellfields. In complementary fashion, the City shall continue to review the City's Comprehensive Plan to ensure that existing and planned land uses are appropriate for protection of the County's wellfields.

*Policy 7.A1.4.* Where incompatibilities arise, the City shall ask the Martin County Local Planning Agency and Board of County Commissioners to phase out the existing land uses and change the planned land uses to be compatible with protection of the City's wellfields. In complementary fashion, the City shall work with the County to ensure that the County wellfields are not threatened by City land use impacts.

*Policy 7.A1.5.* In situations where a proposed land use may adversely impact the City's wellfields and the area is not under City jurisdiction, and no resolution is able to be reached with the local government having land use control in the area of question, the City will request informal mediation aid from the Treasure Coast Regional Planning Council.

*Policy 7.A1.6.* The City shall continue to adhere to the Martin County Wellfield Protection ordinance as means of protection its potable water supply.

Implementation of Future Land Use Policy A4.1: The City shall monitor its stormwater management and flood prevention ordinances for effectiveness and review at least once every five years. Such ordinances shall be reviewed for consistency with established Federal Emergency Management Agency

(FEMA) flood insurance guidelines, rates, and maps, as well as with the latest South Florida Water Management District's (SFWMD) stormwater ordinance criteria found in SFWMD Permit Manual IV.

*Policy 7.A1.7.* The City shall coordinate its stormwater management and flood prevention planning with the plans of Martin County. This may be accomplished through a formal agreement to cooperate, through joint planning efforts, and through mutual review and comment on plans for stormwater management and flood protection.

*Policy 7.A1.8.A.* The City shall actively seek technical assistance from Martin County, FEMA, and SFWMD. The City shall ask these agencies to promptly notify the City of any changes in their criteria or technical information that would affect the City.

*Policy 7.A1.8.B.* Implementation of Future Land Use Policy 1.A6.1: To minimize future disruption of neighborhood areas, the City shall protect, retain, and designate adequate rights-of-way to provide those roadways, bikeways, sidewalks, and parking identified as the future traffic circulation system in the adopted Transportation Element. The City also shall monitor the transportation planning activities of Martin County, Martin County MPO, Martin County School Board and Florida Department of Transportation for expansion of the roadway network through the City and in order to determine the impacts of their activities upon City neighborhoods.

*Policy 7.A1.9.* During the City's review and comment phase on County and State roadways, City officials shall analyze the impact on neighborhoods. Where incompatibilities arise, the City will prepare a report analyzing the impact on City neighborhoods along with the appropriate recommendations and transmit it to the Martin County Board of Commissioners, the Martin County Metropolitan Planning Organization (MPO) and Florida Department of Transportation (FDOT) requesting implementation of the report recommendations.

*Policy 7.A1.10.* If necessary, in order to protect neighborhoods from roadway impacts indicated in Policy 7.A1.9 above, the City shall seek informal mediation by the Treasure Coast Regional Planning Council.

*Policy 7.A1.11.* The City shall coordinate with other entities regarding the implementation of plans and projects (e.g., street beautification, economic development, tourism, roadway improvements, bridges, etc.) that might impact their respective comprehensive and long-term plans.

*Policy 7.A1.12.* The City shall advise the School Board of all plan amendments that may affect schools or school siting through staff memos and other correspondence.

*Policy 7.A1.12 (a):* The City, Martin County and the School Board shall coordinate a biennial review of the School Impact Fee Ordinance in order to ensure that new developments bears its proportionate share of the cost of providing new school facilities.

*Policy 7.A1.12 (b):* The City shall require applicants who request the City to approve site plans, plats, development plans, planned unit developments or other development approvals involving residential units to obtain a Statement of no objection from the School Board or its designee, prior to final approval by the City, provided, however, said Statement shall be specific as to the reason for any objections and shall be issued in a timely manner.

*Policy 7.A1.12 (c):* With the exception of development projects which are exempt from school concurrency, School District staff shall review every final site plan that includes residential units, and shall provide the City with a School Concurrency Review Report that States whether adequate school capacity exists for a proposed development. The City will not approve any site plans that include residential units until after receipt of the School Concurrency Review Report.

*Policy 7.A1.12 (d):* As an ongoing effort, the City and the School Board shall coordinate closely on issues of joint concern. These include educational programs regarding hazardous wastes, joint use of recreational facilities, program planning for special project activities and other similar topics.

*Policy 7.A1.12 (e):* All projects and plans contained in this Schedule of Capital Improvements related to the School District shall not impose design standards, site plan standards or other development conditions that exceed or are inconsistent with [F.S.] Ch. 1013 and State Requirements for Educational Facilities or that are inconsistent with maintaining a balanced, financially feasible district facilities work plan.

*Objective 7.A1.12 (f).* The City, Martin County and the School Board shall coordinate the planning, location and review of proposed educational facilities site plans and off-site impacts.

*Policy 7.A1.12 (g):* In accordance with F.S. § 163.180(13)(g), the City of Stuart, Martin County and the School Board shall adopt and maintain an interlocal agreement detailing joint processes for collaborative planning and decision making, population projections and the siting and development of public schools. Due to the unique locational requirements for public schools imposed by State and Federal requirements and considering the overall benefits to the community of locating public schools within a municipality or within the Primary or Secondary Urban Service District, it may not be possible to achieve consistency with each and every policy of this plan in the same manner as other types of development. Therefore, in order to achieve the full public benefit of locating public schools within a municipality or within the Primary or Secondary Urban Service District, this policy provides a mechanism for balancing the goals, objectives and policies of this plan and shall be the sole means of determining consistency with this plan for purposes of siting and constructing public schools.

*Policy 7.A1.12 (h):* This plan shall not impose design standards, site plan standards or other development conditions that exceed or are inconsistent with {F.S.] Ch. 1013 and State Requirements for Educational Facilities or are inconsistent with maintaining a balanced financially feasible district facilities work plan.

*Policy 7.A1.12 (i):* The interlocal agreement shall provide a standardized process for determining the sites available to meet the educational facility needs identified by the School Board and for objectively scoring and ranking potential sites as to their suitability. The scoring and ranking system of the interlocal agreement shall favor sites which:

1. Are consistent with Federal and State guidelines for school siting;
2. Are in close proximity to existing or planned population centers and student populations;
3. Maximize the use of existing or planned capital facilities for transportation, including bicycle and pedestrian facilities, stormwater management, potable water and wastewater facilities and maintain adopted levels of service for mandatory public facilities to the maximum extent practicable;
4. Are in close proximity to complementary uses, such as but not limited to public parks and libraries; and
5. Avoid negative impacts to wetlands and upland habitats and where negative impacts cannot be avoided, sites for which permits can be obtained to allow minimization and mitigation of such impacts, in accordance with State and Federal permitting requirements.

*Policy 7.A1.12 (j):* The interlocal agreement shall include provisions for an alternatives analysis designed to demonstrate the extent to which each potential school site, relative to other potential sites, is necessary to meet the projected needs of the population and maximizes the public benefit, as measured by the criteria set forth in paragraphs 1. through 5. above.

*Policy 7.A1.12 (k):* A school site located on a site which lies within a municipality or within the Primary or Secondary Urban Service District, and which is selected pursuant to an interlocal agreement adopted in accordance with this policy, shall be deemed to be the most appropriate site available to satisfy the identified public education need while maintaining consistency with the goals, objectives and policies of this plan to the maximum extent practicable and the siting and construction of a public school on any such site shall be deemed consistent with this plan. Provided, however, in the event of an unforeseen emergency whereby existing school facilities are damaged or destroyed and alternative arrangements become necessary, as determined by the School Board, to accommodate students in other facilities, the provisions of this policy relating to school site selection, significant renovations and potential school closures shall be temporarily suspended to enable the School Board to take the immediate action it deems necessary. Examples of an unforeseen emergency include, but are not limited to, a hurricane or other weather condition or natural disaster or an act of terrorism or war. The response of the School Board during the aforesaid suspension shall be temporary for the period needed to address the emergency. Further provided, however, proposed construction on school sites within the Primary Urban Service District conveyed to the School Board as a condition of, or in connection with, final plat approval, PUD approval, DRI approval or similar procedures

under which the City or County has granted development approval with knowledge of the proposed location of a school site shall be exempt from the site selection procedures set forth herein.

*Policy 7.A1.12 (l):* The City will continue its participation on the Boundary Advisory Committee or its successor in order to provide timely input in the planning process for public school development or expansion.

*Policy 7.A1.12 (m):* The City will annually provide the approved Population Technical Bulletin and the Growth and Trends Report to the School Board.

*Policy 7.A1.12 (n):* The City shall provide the School Board with notice and, if requested by the School Board, background materials for all Local Planning Agency and City Commission actions which may affect the School Board, such as, but not limited to, rezonings, development applications and proposed changes to City ordinances.

*Policy 7.A1.12 (o):* Each year, the City and the School Board shall coordinate updates to their respective Capital Improvement Plans in preparation to incorporating both plans into the Capital Improvements Element.

*Policy 7.A1.12 (p):* Each year, the School Board shall submit to the City (City Development Department) an approved financially feasible updated five-year Capital Improvement Plan. The City shall incorporate this School Board Capital Improvement Program into the City's Capital Improvements Element/Capital Improvements Program.

*Policy 7.A1.12 (q):* The City and School Board will work diligently to ensure that there is a free flow of information between the two boards and their respective staffs. This will include coordinated and cooperative efforts to plan for future schools, land use changes, development trends, disaster preparedness and joint use facilities (collocation). The exchange of information will include long-range planning for future schools and land uses; planning alternative and disaster emergency use of School Board transportation and physical plan facilities; and coordination of school boundaries with future land uses and development trends.

*Policy 7.A1.12 (r):* If requested by the City Development Director, the School Board Director of Facilities or his/her designee, may provide comments to the City during the development review process for any development under review by the City. Generally, the comments will be directed to the proposed development's impact on existing school capacity; expansion of existing schools, planned or proposed school construction to service the proposed development area(s); and the estimated student enrollment projections generated by the proposed development.

*Policy 7.A1.12 (s):* As an ongoing effort, the City shall coordinate with the School Board regarding the construction of sidewalks/bikepaths and bus pick-up waiting areas in order to facilitate travel to/from school/recreational facilities.

(1) The City, in cooperation with the School Board, shall address the provision of supporting infrastructure such as water and sewer, roads, drainage, and bus stops, including funding and implementation responsibilities, for existing and projected public school facilities and including measures to ensure compatibility and close integration between public school facilities and surrounding land uses.

(2) The School Board shall prioritize the selection and collocation of sites with other public facilities such as parks, libraries and community centers.

(3) The City shall prioritize its capital plan to coordinate capital improvements with the capital needs identified in the Five Year Capital Improvement Plan.

(4) As an ongoing effort, the City shall coordinate with the School Board regarding the construction of sidewalks/bikepaths in order to facilitate travel to/from school/recreational facilities.

*Policy 7.A1.13.* The City shall work with the School Board to evaluate how school siting and perceived/actual educational quality affects the stability and vitality of residential neighborhoods in the urban area. This study shall be consistent with the directives of F.S. § 1013.33(1) which reads in part, "The

planning must also consider the effects of the location of public education facilities, including the feasibility of keeping central City facilities viable, in order to encourage central City redevelopment and the efficient use of infrastructure and to discourage uncontrolled urban sprawl." The City shall encourage the School Board to adopt policies and programs that promote rather than detract from neighborhood vitality as measured by stable or increasing house values, owner occupied housing, lower crime rates, stable or increasing small scale/neighborhood commercial activity (reduced commercial vacancies) and active neighborhood organizations. The City and School Board shall implement school concurrency in accordance with F.S. § 163.3180(13).

*Policy 7.A1.14.* In order to discourage urban sprawl and promote a compact residential growth pattern, the City shall facilitate and promote the establishment and expansion of quality school facilities serving Stuart residents. Actions shall include the provision of adequate sites through land use designations, expedited permit reviews, enhanced provision of infrastructure such as neighborhood sidewalks, traffic calming programs, improved traffic control/signalization and zoning restrictions on incompatible uses. Additionally, public facilities such as parks, libraries and community centers shall be collocated with public schools to the extent possible.

*Policy 7.A1.15.* The City shall work with Martin County to establish intergovernmental review of development proposals proximate to the jurisdictional boundary. The outcome of this coordination would be to establish a zone of impact next to the boundary line and develop development threshold measures that trigger intergovernmental review. These measures may include type, size, intensity and density thresholds. The intergovernmental review would evaluate cross-jurisdictional impacts on roads and infrastructure and may also consider compatibility of land uses, architectural standards, site design standards, landscaping, signage, interconnected parking areas, interconnection of open spaces to promote greenways, especially for conservation of natural resources and the promotion of harmony with adjacent properties and uses. The City proposes that such reviews be fully integrated into the development review process and be granted equal weight to impacts within each respective jurisdiction.

*Policy 7.A1.16.* Require that all applicants for development approval within the City supplied potable water by Martin County procure written confirmation of availability of potable water service prior to the issuance of a building permit. Provide Martin County with timely notice of service availability for applicants for development approval in unincorporated areas within the City's potable water service area.

*Policy 7.A1.17.* Coordinate with Martin County to insure that population estimates and projections for potable water service areas are current and accurate.

*Policy 7.A1.18.* At the time of each required Evaluation and Appraisal Report confirm the availability of potable water service, consistent with the Upper East Coast Water Supply Plan and Ten-Year Water Supply Work Plans of Stuart and Martin County.

*Policy 7.A1.19.* To ensure compatibility of land uses, the City shall continue to monitor Martin County's Airport Master Plan and where appropriate shall seek to make its positions known with regard to the plans implementation or modification through direct communication or interlocal agreement.

(Ord. No. 1974-04, § 2, 12-13-2004; Ord. No. 2158-08, § 1, 5-12-2008; Ord. No. 2166-08, § 1, 1-12-2009; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference—** Future land use element, Element I.

Objective 7.A2. - [Implementation of Transportation Element.]

To implement the Transportation Element through coordination and cooperation with the appropriate agencies outside the City.

Policies 1.2, 1.4, 1.5, 5.3, 7.1, and 7.2 as contained in the Transportation Element address issues related to intergovernmental coordination and are incorporated by reference into this plan element. Additionally, this element contains other relevant intergovernmental coordination policies which are described below.

Implementing Transportation Policies 1.4 and 1.5: Setting level-of-service standards for arterials.

*Policy 7.A2.1.* The City shall review the Martin County revised Comprehensive Plan, MPO long range plans and FDOT five- and 20-year road plans for compatibility with the City's adopted level-of-service standards and request changes from the County LPA, County Commission and County MPO if necessary.

*Policy 7.A2.2.* If necessary, the City may seek assistance from the Treasure Coast Regional Planning Council to address concurrency and roadway planning issues.

Implementing Transportation Policy 2.2: Continue the semi-annual traffic count program to monitor peak season and off-season traffic. This program shall make use of wherever possible of existing Florida Department of Transportation and Martin County traffic count information.

*Policy 7.A2.3.* The City shall provide existing and new traffic county [count] information to Martin County and the Florida Department of Transportation as requested.

*Policy 7.A2.4.* The City shall continue to encourage the Florida Department of Transportation (FDOT) and the U.S. Department of Transportation in their operation and maintenance of the two lanes of the old Roosevelt Bridge as the means of serving the transportation needs of downtown Stuart. In addition to downtown directional signage maintained by the City, the FDOT shall be encouraged to install and maintain downtown directional signage as well.

Implementing Transportation Policy 5.3: The City and Martin County shall continue to work together to develop acceptable north-south corridors north and south of the Roosevelt Bridge.

*Policy 7.A2.5.* The City shall review FDOT five- and 20-year plans and the MPO long range plans to ensure that new planned north-south corridors are acceptable to the City.

Implementing Transportation Policies 7.1 and 7.2: Encouraging public transit alternatives and other alternatives to single-occupant vehicles.

*Policy 7.A2.6.* The City shall participate in and support efforts of Martin County, St. Lucie County and nearby municipalities to encourage mass transit alternatives.

Implementing Transportation Policy 7.2: Encourage FDOT and Martin County to include provisions for bikepaths (that meet FDOT standards) in roadway projects within City limits.

*Policy 7.A2.7.* The City shall notify Martin County and FDOT of its desire to include bikepaths in roadway projects within the City.

*Policy 7.A2.8.* The City shall review all plans for roadway projects in the City to ensure that bikepaths meeting FDOT standards are included wherever feasible.

*Policy 7.A2.9.* The City shall interface with the FDOT contract approval process and take an active role in order to more effectively impact design changes if necessary.

*Policy 7.A2.10.* The City will coordinate with FECRR to establish policies on the passage of trains moving through Stuart.

*Policy 7.A2.11.* The City and Martin County shall continue to share information and coordinate implementation of each agency's traffic concurrency management system.

The City shall request that Martin County establish a separate transportation benefit district that corresponds to the Stuart City's limits.

*Policy 7.A2.12.* To the extent feasible, the City shall coordinate with Martin County in establishing a synchronized street addressing system.

*Policy 7.A2.13.* The City shall continue to participate in the ongoing planning and plan implementation process of the Metropolitan Planning Organization.

*Policy 7.A2.14.* The City shall coordinate the planning, improvement, and management of its transportation facilities with the State Transportation Plan through participation in the MPO process.

*Policy 7.A2.15.* Through its membership on MPO, the City will encourage the inclusion of policies in the 2030 Regional Long-Range Transportation Plan (RLRTP) that give high priority to mobility standards and the promotion of compact urban form in the development of the MPO plan. In particular, the City will request that roadway and mobility improvements within the urban core and established neighborhoods be accorded the highest planning priority in order to promote continued redevelopment and revitalization of Stuart.

*Policy 7.A2.16.* The City will be proactive in providing input into the development of Martin County's five-year schedule of capital improvements as it is updated on an annual basis. The City will seek to work staff-to-staff when the schedule is being drafted in order to avoid conflicts and ensure that the City's interests are appropriately addressed. As capital improvement projects are prioritized and scheduled, the City will provide continuous input. The City will provide its priorities to Martin County with regards to the expenditure of roadway impact fees generated by development within the City Limits. In order to accomplish this, the City will request continuous status updates regarding the development of the five-year schedule of capital improvements. Additionally, comments from Martin County shall be sought for input into the City's five-year schedule of capital improvements.

The City shall seek to renegotiate its inter-local agreement with Martin County, which provides for the collection of County impact fees for development activities within the City limits, with the intent of securing a stronger voice in the expenditure of these funds as a condition of continued participation in the inter-local agreement.

*Policy 7.A2.17.* The City will continue to work with the MPO to develop and prioritize roadway improvements within the Stuart Urban Area as defined by the MPO.

*Policy 7.A2.18.* The City shall continue to work with the County, Martin County MPO, Regional MPOs, Council on Aging, Medical Transportation Management (MTM), FDOT and other relevant agencies to develop realistic public transit programs (i.e., van pooling, car pooling, inter-county bussing, shuttle) to facilitate the movement of visitors, residents and employees (including the transportation disadvantaged people) to and from the Stuart area.

*Policy 7.A2.19.* The City shall work with Martin County, the MPO and FDOT to coordinate mitigation, stormwater and drainage needs, access permits, and to develop "urban greenways" particularly in conjunction with roadway projects such as the Green River Parkway.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference**— Transportation element, Element II.

Objective A3. - [Implementation of Conservation Element and Coastal Management Element.]

The City shall implement the Conservation and Coastal Management Elements through coordination with all relevant agencies, including a focus on maintaining safe evacuation times.

Policies 9.A1.3, 9.A2.1, 9.A3.2, 9.A3.3, 9.A4.1, 9.A5.5, 9.A5.6, 9.A8.4 and 9.A9.4 as contained in the Conservation Element and Policies 9.B1.1, 9.B1.2, 9.B1.3, 9.B1.4, 9.B1.57, B1.~~10~~7, 9.B2.1, 9.B4.1, 9.B4.2, 9.B4.3 and 9.B4.4 as contained in the Coastal Management Element address issues related to intergovernmental coordination and are incorporated by reference into this plan element. Additionally, this element contains other relevant intergovernmental coordination policies which are described below.

*Policy 7.A3.1.* The City shall seek advice from the Department of Environmental Protection, South Florida Water Management District, Treasure Coast Regional Planning Council, and other appropriate agencies on how best to implement the Conservation and Coastal Management policies.

*Policy 7.A3.2.* The City shall participate with appropriate agencies that are implementing the Indian River Lagoon Aquatic Preserve Protection Plan, the Hutchinson Island Resource Management Plan, the North Fork of the St. Lucie Aquatic Preserve Protection Plan and other resource management plans and programs that require the involvement of the City.

*Policy 7.A3.3.* The City shall, in cooperation with the Department of Environmental Protection, the South Florida Water Management District and the U.S. Geological Survey, continue to monitor groundwater quality and quantity.

*Policy 7.A3.4.* During drought emergencies, implementation of South Florida Water Management District water shortage plans shall be enforced.

*Policy 7.A3.5.* The City shall cooperate with the South Florida Water Management District to conduct water conservation programs.

*Policy 7.A3.6.* The City shall cooperate with the Martin County Soil and Water Conservation District and the U.S. Soil Conservation Service to monitor soil erosion rates and develop programs to minimize soil erosion.

*Policy 7.A3.7.* The City shall cooperate with Martin County in sponsoring Amnesty Days to collect household hazardous waste for proper disposal.

*Policy 7.A3.8.* With regard to new development and redevelopment proposals for properties situated wholly or partially within a floodplain, the City shall continue to enforce flood prevention standards contained in its Land Development Code.

*Policy 7.A3.9.* The City will coordinate its hurricane evacuation efforts with those of the Martin County Emergency Management Division to assure safe evacuation of those people who are at risk.

*Policy 7.A3.10.* The City shall continue to adhere to management emergency's plan which is consistent with County's emergency's plan.

*Policy 7.A3.11.* The City shall seek improved coordination with the SFWMD regarding when the locks will be opened.

*Policy 7.A3.12.* The City and Martin County shall coordinate to submit for FIND funding requests and work together to achieve their objectives in subsequent meetings with FIND.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference**— Conservation element, Element V; coastal element, Element IX.

Objective 7.A4. - [Implementation of Recreation/Open Space Element.]

To implement the Recreation/Open Space Element through coordination and cooperation with the appropriate public agencies outside the City.

Policies A1.6 and A1.7 as contained in the Recreation/Open Space Element address issues related to intergovernmental coordination and are incorporated by reference into this plan element. Additionally, this element contains other relevant intergovernmental coordination policies which are described below.

Implementing Recreation/Open Space Policy A1.6: Maximize use of State and other governmental funds and private funds to purchase and develop parks and recreation sites and facilities that will maintain or exceed the City's adopted level-of-service standards and will increase public access to the waterfront.

*Policy 7.A4.1.* The City shall continue to seek funding from the Florida Inland Navigation District, Florida Department of Environmental Protection, SFWMD and other agencies to meet recreational needs and promote public access to the water.

Implementing Recreation/Open Space Policy A1.7: Cooperate with the Martin County School Board to promote the availability of school recreational facilities outside school hours for public use.

Implementing Recreation/Open Space Policy A1.9: Cooperate with the Martin County School Board to promote the availability of school recreational facilities outside school hours for public use.

*Policy 7.A4.2.* The City shall increase its recreational resources and facilities as identified in the October Recreation in Florida, 1994 - Florida Statewide Comprehensive Outdoor Recreation Plan by

pursuing grants such as Florida Recreation Development Assistance Program, Florida Communities Trust and Land and Water Conservation Funds.

*Policy 7.A4.3.* The City shall seek a written agreement with the Martin County School Board to allow public use of facilities outside of school hours. This agreement should include provisions for meeting insurance/liability concerns and other concerns of both parties.

*Policy 7.A4.4.* The City shall work with the School Board to utilize the Stuart Middle School and J.D. Parker Elementary School campuses for the co-location of recreational programs.

*Policy 7.A4.5.* The City will seek to enter into a written agreement with Martin County that addresses how the City and County will work together to coordinate recreational use of their facilities, primarily as relates to organized athletic league play and the development of greenways and blueways that may provide recreational opportunities. The City will pursue a similar approach with St. Lucie County and other jurisdictions if opportunities arise.

*Policy 7.A4.6.* The City and County shall jointly prepare a procedures manual. It will include information that explains how those desiring to secure use of County or City facilities can obtain permission, and conditions needed to be met. Additionally, it shall describe how City and County parks and recreation departments shall coordinate the scheduling of facilities.

**Cross reference—** Recreation and open space element, Element VI.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective A5. - [Implementation of Infrastructure Element.]

To implement the Infrastructure Element through coordination and cooperation with appropriate agencies outside the City. (Solid waste, sanitary sewer, potable water, drainage, and natural groundwater recharge.)

Policies A1.5, A1.7, A4.1, A4.3, A5.3, and A9.6 contained in the Infrastructure Element address issues related to intergovernmental coordination and are incorporated by reference into this plan element. Additionally, this element contains other relevant intergovernmental coordination policies which are described below.

*Policy 7.A5.1.* The City shall maintain good, ongoing working relationships with the South Florida Water Management District, Florida Department of Environmental Protection, and U.S. Geological Survey.

*Policy 7.A5.2.* The City shall provide copies of the comprehensive plan amendments to the appropriate reviewing agencies for review and comment.

*Policy 7.A5.3.* The City shall designate a contact person, such as the Public Works Director or City Manager, to work with the South Florida Water Management District, Florida Department of Environmental Protection, and U.S. Geological Survey.

[*Policy 7.A5.4.* ] The City shall coordinate with Martin County and other affected local governments regarding implementation of the stormwater master plan. The City shall continue to coordinate with Martin County to develop and implement stormwater management projects within watersheds that span the boundary lines. This should include the sharing of stormwater plans for basin-wide projects as well as joint funding requests from public and private entities. Consideration will be given to joint NPDS permitting and joint funding of projects that will benefit both jurisdictions.

*Policy 7.A5.5.* For all County services which are provided to City residents and property owners (i.e., water, sewer, solid waste, transportation), the City shall coordinate with Martin County to provide the highest quality services at the lowest reasonable rates.

*Policy 7.A5.6.* The City shall provide for ongoing coordination through implementation of development review process and Interlocal Agreement with Martin County to address the impacts of development within the City on County water and sewer facilities, including projected impacts caused by changes in land use.

The City will seek complementary ongoing coordination through interlocal agreement with Martin County regarding any impacts of County development on City facilities.

*Policy 7.A5.7.* The City will actively participate in any revisions to the Martin County impact fee schedule.

*Policy 7.A5.8.* For annexed areas and to the extent that development plans are in progress, the City shall provide for ongoing coordination through implementation of development review process and Interlocal Agreement with the County to provide water, sewer or stormwater services.

*Policy 7.A5.9.* The City shall coordinate with the Florida Department of Environmental Protection requirements concerning waste management by maintaining solid waste and hazardous waste programs and policies that are compatible with those of the Solid Waste Authority.

*Policy 7.A5.10.* The City will provide Martin County any plans or consideration of plans to use landfill facilities other than those provided for by the County. The City will request that Martin County include the City in any long-range planning activities regarding solid waste disposal, including the potential for sending solid wastes out of the County. The City will request that Martin County provide advance notice of any plans or consideration of plans to change landfill tipping fees.

*Policy 7.A5.11.* Coordinate with the South Florida Water Management District and Martin County in the periodic updates of the Upper East Coast Water Supply Plan and the Martin County Ten-Year Water Supply Work Plan.

*Policy 7.A5.12.* The City shall supplement its potable water supply to meet future demands from an alternative water supply as identified in the Interlocal Agreement for the Sale and Purchase of Supplemental Water and Wastewater Capacity between the City of Stuart and Martin County.

*Policy 7.A5.13.* The City shall recognize the water service areas of both the City and Martin County as identified in the Interlocal Agreement for the Sale and Purchase of Supplemental Water and Wastewater Capacity between the City of Stuart and Martin County to insure coordination of water supply planning with Martin County.

(Ord. No. 2176-08, § 1, 12-22-2008; Ord. No. 2166-08, § 1, 1-12-2009; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference**— Infrastructure element, Element 4~~IV~~.

Objective 7.A6. - [Implementation of Housing Element.]

To implement the Housing Element through coordination and cooperation with the appropriate agencies outside the City.

Policies A2.4, A2.5, A2.6, A3.1, A3.2 and A3.3 as contained in the Housing Element address issues related to intergovernmental coordination and are incorporated by reference into this plan element. Additionally, this element contains other relevant intergovernmental coordination policies which are described below.

Implementing Housing Policy A2.4: As resources permit, the City shall seek Federal, State and other funding targeted for very low-, low- and moderate-income housing. (The policy outlines five kinds of related funding issues.)

*Policy 7.A6.1.* The City shall inform the Stuart Housing Authority (HUD), the Council on Aging of Martin County and other appropriate agencies and entities of plans to seek funding for ~~affordable~~attainable housing, and solicit their aid in documenting need.

Implementing Housing Policy A2.5: The number of affordable housing units within the Community Redevelopment Area should not be decreased, and Policy A2.7: The City shall encourage the private sector to construct affordable and entry-level housing demonstration projects, including public/private joint projects. To this end, the City shall:

A) Develop incentives for property owners who demonstrate that the number of ~~affordable~~attainable housing units on a subject property will be maintained or increased during redevelopment.

B) Allow mixed-use zoning and other appropriate zoning techniques as long as public health, safety, and welfare are protected.

*Policy* 7.*A6.2.* The City shall consult with the Treasure Coast Builders Association and Stuart/Martin County Board of Realtors to identify incentives and zoning techniques that would be most effective in maintaining or increasing ~~affordable~~attainable and entry-level housing opportunities.

Implementing Housing Policy 2.6: The City will encourage new construction through density bonuses and other provisions provided through the land development regulations as well as through grants and special programs administered by the City.

*Policy* 7.*A6.3.* The City Development Director shall meet with the Stuart Housing Authority to identify means to increase attainableaffordable housing opportunities in the City.

Implementing Housing Policies A3.1, A3.2, and A3.3: These policies deal with increasing housing opportunities for residents of group homes, foster homes and adult congregate living facilities.

*Policy* 7.*A6.4.* The City shall provide the Florida Department of Health and Rehabilitative Services District XV office and local contract providers, including Helping People Succeed, the Association for Retarded Citizens, and the Council on Aging of Martin County, with copies of the above policies, and request review and additional input in development of appropriate land development regulations.

*Policy* 7.*A6.5.* The City shall notify the County of its plans to apply for CDBG funding and request a similar advance notice from the County for the purpose of coordinating the timing of such applications to avoid direct competition and waste of resources in applying for such funds which are beneficial to the urban area of Martin County.

*Policy* 7.*A6.6.* The City shall coordinate with Martin County to develop SHIP funded programs to promote single-family, owner-occupied attainable~~affordable~~ housing opportunities within the City. The City shall coordinate with Habitat for Humanity and the East Stuart Community Coalition in this regard.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference**— Housing element, Element 3~~III~~.

Objective A7. - [Implementation of Capital Improvements Element.]

Establish intergovernmental procedures and programs to support the implementation of the Capital Improvements Element and to accommodate the provision of public facilities for public projects.

*Policy* 7.*A7.1.* In administering its concurrency management system, as set forth in the City's Land Development Code, the City shall continue to assure that individual service providers are notified of proposed changes in land use and will ask them to review and comment on whether their system will have the capacity to accommodate the additional demand and provide documentation of such.

*Policy* 7.*A7.2.* The City shall consider for annexation only those parcels of land which may be lawfully annexed pursuant to F.S. ch. 171.

*Policy* 7.*A7.3.* The City shall work with all public agencies to establish joint purchase agreements/bid contracts. This may include a new solid waste transfer station, stormwater baffle boxes, and road resurfacing/maintenance.

*Policy* 7.*A7.4.* The City shall request that the School Board submit for review information on renovations, additions, and proposed expansion on property owned by the School Board to assure the availability of public facilities and infrastructure as the proposal relates to future planned improvements.

*Policy* 7.*A7.5.* The City shall continue to investigate and implement measures for collaborative planning and decision-making with other entities that build public facilities subject to concurrency. Also, in

cases where the City may build or otherwise provide public facilities subject to concurrency outside of the City's jurisdiction, the City shall propose measures to Martin County for collaborative planning and decision-making. ~~During the 12 months following the effective date of this policy, the City will meet with these entities and Martin County to establish by interlocal or other formal agreement~~ Tthe following joint processes will be used:

1. Early collaboration between the City and affected entities to identify problems and needs; type and amount of service provision; and service areas.
2. Notification to the City (or County by the City if applicable) of plans and potential plans for the location and extension of public facilities.
3. Early examination of these plans for consistency with the appropriate Comprehensive Plan and concurrency requirements.
4. Resolution of any potential inconsistencies or concurrency problems.
5. Sharing of development schedules.
6. Follow-up review, evaluation and revision of the joint coordination process.

The City shall continue to coordinate the efficient provision of water and sewer services through its existing Interlocal Agreement with Martin County entitled "The Sale and Purchase of Supplemental Water and Wastewater Capacity."

*Policy 7.A7.6.* Coordinate with Martin County to formalize potable water and wastewater service responsibilities within the City and the Stuart water and sewer service areas.

(Ord. No. 2166-08, § 1, 1-12-2009; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference**— Capital improvements element and concurrency management system, Element 8~~VIII~~.

Objective 7.A8. - [General processes and programs.]

The City shall continue to use~~establish numerous~~ intergovernmental processes, agreements, and programs which span the entire comprehensive planning and regulatory effort.

*Policy 7.A8.1.* The City shall continue to engage in effective intergovernmental coordination through the following means:

1. Attend regional Mayor/Manager meetings.
2. Attend ~~monthly~~ regular department head meetings with Martin County department officials.
3. Participation on the MPO and MPO Technical Advisory Committee (TAC).
4. Participation in the Florida League of Cities Treasure Coast Division.
5. Attend quarterly joint meeting with Martin County and Martin County School Board subject to ~~as called by~~ existing interlocal agreement.
6. Continued use of interlocal agreements where appropriate.
7. Continued engagement with Treasure Coast Council of Local Government, the TCRPC, Martin County, St. Lucie County, and State and local agencies and institutions.
8. Continued adherence to state requirements pertaining to transmittal of comprehensive plan amendments to the TCRPC and other prescribed agencies.
9. Continued exchange of planning data with Martin County Growth Management Department, and other agencies such as the SFWMD or utility/telephone companies.

10. Continue to post information on its website including, but not limited to, meeting agendas, agenda item materials, City's Code of Ordinances, City's Land Development Code, Future Land Use and Zoning maps, Utility Services map, and City's Comprehensive Plan.

*Policy 7.A8.2.* The City shall conduct periodic reviews of policies, standards, permits and rules to eliminate or improve inefficient policies and minimize duplication.

*Policy 7.A8.3.* When appropriate, the City shall address multi-jurisdictional issues and conflicts related to the implementation of the Comprehensive Plan through the Treasure Coast Regional Planning Council mediation process.

*Policy 7.A8.4.* The City shall coordinate its Comprehensive Plan and plan implementation where appropriate, with the plans and implementation practices of Martin County, the School Board, the MPO, and other entities.

*Policy 7.A8.5.* The City shall continue to address multi-jurisdictional issues and conflicts related to the implementation of the Comprehensive Plan.

*Policy 7.A8.6.* The City shall continue to coordinate with Martin County with regard to subjects requiring an ongoing and periodic interaction to promote efficient and effective governmental operations. Schedules shall be maintained for regular and periodic meetings and exchange of information at staff level.

*Policy 7.A8.7.* The City shall continue to coordinate with Martin County in identifying those subjects that do not require an ongoing and periodic interaction, but that require close coordination when particular or unexpected conditions arise. The City, in conjunction with Martin County, shall maintain threshold levels or trigger points, which identify specific coordinating actions.

*Policy 7.A8.8.* The City and Martin County have established that a periodic service delivery review is needed (consistent with the intent of Policy 7.A8.1 above.) The City shall provide for periodic joint City-County service delivery reviews.

*Policy 7.A8.9.* The City shall ~~seek to~~ coordinate with Martin County in determining the extent to which City residents and property owners are treated equitably with regard to County fees, taxes, programs, impact fees, and capital expenditures.

*Policy 7.A8.10.* The City and County shall continue to share their respective commission agendas by posting and reviewing on each jurisdiction's website.

*Policy 7.A8.11.* The City shall continue to secure and utilize the most accurate population projection data available through coordination with Martin County, TCRPC, DCA and other sources.

*Policy 7.A8.12.* The City shall share with Martin County any plans or potential plans for the provision/construction of emergency services/facilities. The City will request a reciprocal response from Martin County. When new services or facilities are contemplated or planned, the City shall work with Martin County and other public entities to avoid unnecessary duplication of services.

*Policy 7.A8.13.* The City shall provide for ongoing coordination with Martin County to facilitate future annexations into the City. This procedure will include:

a. Provision of timely notice to the County of the possibility of annexation.

b. Provision of County review of the possible impacts of the potential annexation and intergovernmental assessment of mitigation options.

c. Consideration of mitigation options by the City.

*Policy 7.A8.14.* The City shall continue to maintain a comprehensive website.

*Policy 7.A8.15.* The City shall continue to minimize paper work by utilizing electronic data.

*Policy 7.A8.16.* The City shall continue to share electronic data and mapping technology with Martin County, the School Board and other local, State, and Federal agencies and institutions. The City shall share data in the development and maintenance of its Geographic Information System and shall request a

reciprocal action from Martin County. The City and County should work together to achieve transferability of data, if not compatibility, between their respective Geographic Information Systems.

*Policy* 7.*A8.17.* The City shall continue to promote data sharing and technological consistency across jurisdictions.

*Policy* 7.*A8.18.* The City shall continue to work with Martin County to jointly seek better compatibility and consistency with the County Property Appraiser's database especially with regards to data entry protocol.

Policy 7.A8.19. In accordance with F.S. §§ 163.3177(6)(h)2 and 1013.33, the City, Martin County, and Martin County School Board shall maintain an interlocal agreement detailing joint processes for collaborative planning and decision-making, population projections, and the siting and development of new public schools. The interlocal agreement shall include the following components:

*[Policy]* 7.*A8.20.* The City shall continue to work with Martin County and other governmental entities in Martin County with co-ordinated~~to establish~~ joint processes for collaborative planning and decision-making regarding the siting of facilities with countywide significance, including locally unwanted land uses. ~~During the 12 months following the effective date of this policy, the City will meet with Martin County, the School Board and other affected entities to establish by interlocal or other formal agreement t~~. The following joint processes will be used:

a. Joint agreement on quantitative and qualitative criteria for the definition of facilities having countywide significance, including transit and locally unwanted land uses;

b. Early collaboration between the City and other entities to identify specific facilities and uses that are being considered or planned;

c. Inclusion of all affected entities and parties in a countywide location suitability analysis, including examination of consistency with local government comprehensive plans; and

d. Opportunities for entities other than the entity developing or locating the facility or use to participate in the decision-making process of locating the facility or use.

(Ord. No. 1974-04, § 2, 12-13-2004; Ord. No. 2158, § 1, 5-12-2008; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Element 8~~VIII~~ - CAPITAL IMPROVEMENTS ELEMENT AND CONCURRENCY MANAGEMENT SYSTEM ;adv05;Goals, Objectives, and Policies ;adv05;City of Stuart, Florida ;adv05;Adopted October 14, 2002 GOAL STATEMENT 8.A

Coordinate the provision of adequate public facilities with existing and future land uses in order to:

- Promote a desirable pattern of development.
- Discourage urban sprawl.
- Maximize use of existing facilities.
- Protect investment in existing facilities.
- Provide a degree of certainty to the land development process.
- Support the other elements of the Comprehensive Plan.

Maintain and enhance Stuart's quality of life, natural beauty and small-town waterfront character, its stable residential neighborhoods, and its status as the commercial/institutional hub for greater Martin County.

Objective 8.A1. - [Identification and ranking of capital facility needs.]

The Capital Improvements Element shall constitute the City's general plan to provide or require provision of capital facility needs identified in the other plan elements, including:

- Existing deficiencies.
- Future needs resulting from previously issued development orders and desired future development.
- Replacement of obsolete and worn-out facilities.

The adopted five-year schedule of capital improvements includes the specific capital facility improvements provided by the City.

The following policies support this objective:

*Policy 8.A1.1.* The City shall include all projects identified in the other elements of this Plan and determined to be of large scale and high cost ($25,000.00 or greater), as capital improvement projects for inclusion within the five-year schedule of improvements of this element.

*Policy 8.A1.2.* Proposed capital improvement projects shall be evaluated and ranked in order of priority according to the following guidelines:

a. Whether the project is needed to protect public health, welfare and safety; to fulfill the City's legal commitment to provide facilities and services; or to preserve or achieve full use of existing facilities;
b. Whether the project increases efficiency of use of existing facilities; prevents or reduces future improvement cost; provides service to developed areas lacking full service to eliminate existing deficits; serves public schools; or promotes in-fill development and redevelopment;
c. Whether the project represents a logical extension of facilities and services within a designated

urban service area;

d. Local budget impact; financial feasibility, accommodation of new development; or plans of State agencies and the South Florida Water Management District that may provide public facilities within Stuart; and

e. Locational needs based on projected growth patterns.

f. Increase energy efficiency by shifting to renewable fuel sources in buildings and vehicles.

g. Consider more efficient vehicles, reduce vehicles miles traveled, and switch to low carbon fuels when evaluating vehicles for City purchase.

*Policy 8.A1.3.* The City shall promote traffic-calming measures on local, residential streets.

*Policy 8.A1.4.* To maintain the City's small town character, the City shall limit the width of roadway corridors throughout the City to no more than six through lanes.

*Policy 8.A1.5.* The City shall continue to maintain and update its citywide master sewer plan and shall continue to prioritize the expansion of City's sewer system into developed areas, particular those closest to St. Lucie River and its tributaries. The City shall provide education on the benefits of septic to sewer conversion to encourage voluntary participation in the City's septic to sewer program.

*Policy 8.A1.7.* The City shall continue to monitor the condition of existing sidewalks and bike-paths. The need for extensions of these paths shall be considered as part of the City's annual Capital Improvement Program (CIP).

*Policy 8.A1.8.* The City shall continue implementing its sewer connection ordinance and citywide sewer plan through application of its CIP, which shall include the identification of vulnerable areas for sewer conversion and the development of long-term funding assistance once infrastructure is available in that area.

*Policy 8.A1.9.* The City shall ensure that adequate facility capacity is available to serve development for which final development orders were issued by the City prior to the adoption of the Comprehensive Plan.

*Policy 8.A1.10.* The City shall monitor the general condition and expected life of public facilities and plan for their timely replacement and renewal.

*Policy 8.A1.11.* The estimated date of commencement of actual construction and the estimated date of project completion shall be included in the five-year schedule of capital improvements.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 8.A2. - [Funding of capital improvements.]

The capital facility needs included in the five-year schedule of capital improvements shall be adequately funded and the schedule shall be financially feasible. Facilities required to achieve and maintain the adopted level of service standards that are not provided by the City will be provided by other service providers, including other governmental entities, or shall be required to be provided by the developer. Future development will bear a proportionate cost of facility improvements necessitated by the development in order to maintain the adopted level of service (LOS) standards.

The following policies support this objective:

*Policy 8.A2.1.* The City will continue to utilize impact fees to fund capital improvements to ensure that new development bears its proportionate cost of facility improvements. Within the CRA and where appropriate, the City or CRA may pay for impact fees for projects.

*Policy 8.A2.2.* The City shall continue to implement the interlocal agreement between Martin County and the City for the collection of impact fees.

*Policy 8.A2.3.* Future development shall pay for extension of necessary water and sewer lines to the property to be developed and/or expansion or improvements to the water, wastewater and drainage facilities. The City shall continue to implement its stormwater ordinance and stormwater plan, which encompass the CRA.

*Policy 8.A2.4.* The annual budget shall include in its capital appropriations all projects in the schedule of capital improvements that are planned for expenditure during the next fiscal year.

*Policy 8.A2.5.* As part of its budgeting process the City shall develop, adopt and annually update a five-year schedule of capital improvements, a primary purpose of which is to maintain the City's adopted Level-of-Service (LOS) standards. An amendment to the Comprehensive Plan is required to update the five-year schedule of capital improvements on an annual basis, or to eliminate, defer, or delay the construction of any facility in the schedule of improvements.

(Ord. No. 2176-08, § 1, 12-22-2008)

*Policy 8.A2.6.* Annually, the City will prepare an updated five-year schedule of capital improvements. This process shall include a review and analysis of the City's financial condition. More specifically, it will contain an updated projection of revenues which takes into account any changes in potential revenue sources that had been anticipated to fund scheduled improvements. In addition, it will incorporate any new capital improvements needs that had unexpectedly arisen. The analysis shall also include a discussion of any change in improvement prioritization, and provide a rationale for the change. The schedule of improvements must distinguish between meeting the needs identified as needed to work towards the elimination of existing deficiencies and those improvements that are required to provide facilities for new development.

*Policy 8.A2.7.* In providing capital improvements, the City shall limit the maximum ratio of outstanding indebtedness to no greater than 15 percent of the property tax base.

*Policy 8.A2.8.* The City shall designate those areas within which facilities and services will be provided with public funds in accordance with the five-year capital improvements schedule.

*Policy 8.A2.9.* The City will consider securing grants or private funds to help finance the provision of capital improvements.

*Policy 8.A2.10.* The City shall implement fund-raising mechanisms to pay for future infrastructure needs emphasizing non-ad valorem sources.

*Policy 8.A2.11.* The City shall continue to monitor the fiscal and operational feasibility of providing municipal services to other jurisdictions.

*Policy 8.A2.12.* The City shall conduct assessment of potential annexation areas to determine what capital facilities will be needed versus what revenue will be created.

*Policy 8.A2.13.* The City hereby incorporates by reference the Martin County School District's Five-Year Work Plan for FY 2010/11—2014/15, approved by the School Board on September 21, 2010, in the Public School Facilities Element. This document includes school capacity sufficient to meet anticipated student demands projected by the City and Martin County in consultation with the School Board's projections of student enrollment, based on the adopted level of service standards for public schools. The 5-Year Capital Improvements Plan ensures the level of service standards for public schools are achieved and maintained within the period covered by the 5-year schedule. All projects and plans contained in this Schedule of Capital Improvements related to the School District shall not impose design standards, site plans standards or other development conditions that exceed or are inconsistent with Ch. 1013 and State Requirements for Educational Facilities or that are inconsistent with maintaining a balanced, financially feasible district facilities work plan.

*Policy 8.A2.14.* As a matter of priority, the City shall annually incorporate alternative water supply projects identified in the first five years of the City's Ten-Year Water Supply Facilities Plan into the five-year schedule of capital improvements, with an emphasis on projects which reduce the City's dependence on Surficial Aquifer.

*Policy 8.A2.15.* For capital improvements to be funded by a developer, financial feasibility shall be demonstrated by an enforceable development agreement, and be reflected in the Five-year Schedule of Improvements.

*Policy 8.A2.16.* Financial feasibility means that sufficient revenues are currently available or will be available from committed funding sources for the first threes, or will be available from committed or planned funding sources for years 4 and 5, of the Five-Year Schedule of Improvements. Committed sources of revenue shall include ad valorem taxes, bonds, state and federal funds, tax revenues, impact fees and developer contributions which are adequate to fund the projected costs of the capital improvements identified in the Comprehensive Plan necessary to ensure that adopted level-of-service standards are achieved and maintained within the five-year period.

*Policy 8.A2.17.* If the Five-Year Schedule of Improvements identifies a planned revenue source that requires a referendum or other action(s) to secure the source, the Comprehensive Plan shall identify an alternative existing revenue source(s) in the event that the required actions do not occur.

(Ord. No. 2158, § 1, 5-12-2008; Ord. No. 2166-08, § 1, 1-12-2009; Ord. No. 2176-08, § 1, 12-22-2008; Ord. No. 2205-2010,
§ 1(Exh. I), 9-27-2010; Ord. No. 2218-2011, § 1, 1-10-2011)

Objective 8.[A]3. - [Level of service standards.]

Level of service standards will be achieved and maintained for five years by a capital improvements plan that addresses projected facility needs resulting from the land use plan and projected growth.

The following policies support this objective:

*Policy 8.A3.1.* The City shall adopt realistic and adequate level of service standards as specified below:

| Facility | Level of Service Standard |
|---|---|
| Sanitary sewer facilities | 80 gallons per capita per day for residential |
| | 1,100 gpapd for non-residential |

| | | | |
|---|---|---|---|
| | 115 gpcpd total | | |
| Solid waste facilities | 3.5 pounds per capita per day (residential)<br><br>0.007 pounds per square foot per day (non-residential) | | |
| Drainage facilities | Retention of half of the runoff from a 25-year, 3-day duration storm event on parcels greater than 1 acre or 10-year 3-day duration storm event on parcels less than 1 acre | | |
| Potable water | 250 gallons per day per equivalent residential connection | | |
| Recreation facilities | 3 acres of developed community park per 1,000 permanent and seasonal residents | | |
| Transportation facilities | LOS E at peak hour for arterials except,<br><br>(A) An interim standard of "maintain," is established for the following roadways. "Interim" means that the City intends this standard as a temporary standard that will be reconsidered during future plan amendments based on traffic projections, the 2025 MPO Plan, coordination with Martin County and other concurrency options. "Maintain" means that operating conditions will continue at a level such that significant degradation does not occur. "Significant degradation" means a peak-hour-directional traffic volume increase of ten percent above the current (year 2000) peak-hour- directional volume as established below:<br><br>Peak-Hour-Directional Traffic | | |
| | Roadway Link | Existing | Adopted |
| | SR 707 from Green River Parkway to south of Wright Boulevard | 808 | 890 |
| | SR 714 from Palm City Bridge to SR 76 | 2,594 | 2,853 |

| | |
|---|---|
| | (B) Transportation level of service standards shall not be applied to any development occurring within the TCEA as depicted on the TCEA Boundary Map in order to promote redevelopment and revitalization of the area.<br><br>(C) Transportation level of service standards for arterials within the TCEA Buffer Area as depicted on the TCEA Buffer Area Map shall allow an additional 30 percent increase in peak hour traffic over the adopted level of service standards otherwise set in this policy. |
| Public Educationa l Facilities | *Public Educational Facilities.* The City, through its capital improvements element, shall ensure that the capacity of schools is sufficient to support residential subdivisions and site plans at the adopted level of service (LOS) standards. These standards shall be consistent with the Interlocal Agreement for School Facilities Planning and Siting agreed upon by the County, the School Board, and the City of Stuart. The City hereby adopts level of service standards as follows:<br><br>I. Elementary School LOS<br><br>100% of permanent FISH capacity, not to exceed a student capacity cap of 750 plus (450 a/b)<br><br>WHERE<br><br>a = Number of existing Elementary Schools in the CSA<br><br>b = Number of existing Elementary Schools in the District<br><br>Step 1. Aggregating the permanent capacity of all elementary schools within the CSA. For purposes of this analysis, "permanent capacity" for each elementary school (except for schools designated for receiving Title I assistance) shall mean 100 percent of the permanent existing satisfactory student stations planned to house students by the end of the third year of the Five Year Capital Improvement Plan (after applying the DOE utilization rate), capped at total capacity of 750 student stations per school. For purposes of this analysis, "permanent capacity" for each elementary school designated for receiving Title I assistance shall mean 85 percent of the permanent existing satisfactory student stations planned to house students by the end of the third year of the Five Year Capital Improvement Plan (after applying the DOE utilization rate),capped at total capacity of 750 student stations per school. |

| | |
|---|---|
| Step 2. | Adding to the aggregate number of student stations determined above, the CSA's aggregate temporary capacity for elementary schools within the CSA. For purposes of this analysis, each CSA's elementary school "temporary capacity" shall mean the CSA's proportionate share of the number of student stations required on district-wide basis to accommodate elementary school students until the School Board experiences district-wide elementary school student enrollment which is 450 students more than the School Board's district-wide elementary school permanent capacity. Each CSA's proportionate share of such temporary capacity shall be determined by dividing 450 by the total number of elementary schools operating in the district, and then multiplying by the number of elementary schools operating in the CSA.<br><br>II. Middle School LOS.<br><br>~~100% of permanent FISH capacity, not to exceed a student capacity cap of 1,200~~ plus (720 a/b) |
| | WHERE<br><br>a = Number of existing Middle Schools in the CSA<br><br>~~b = Number of existing Middle Schools in the District~~<br><br>Step 1. Aggregating the permanent capacity of all middle schools within the CSA. |
| | For purposes of this analysis, "permanent capacity" for each middle school (except for schools designated for receiving Title I assistance) shall mean 100 percent of ~~the permanent existing satisfactory student stations planned to house students by~~ the end of the third year of the Five Year Capital Improvement Plan (after applying the DOE utilization rate), capped at total capacity of 1,200 student stations per school. For purposes of this analysis, "permanent capacity" for each middle school designated for receiving Title I assistance shall mean 85 percent of the permanent existing satisfactory student stations planned to house students by the end of the third year of the Five Year Capital Improvement Plan (after applying the DOE utilization rate),capped at total capacity of 1200 student stations per school. |

| | |
|---|---|
| | Step 2. Adding to the aggregate number of student stations determined above, the CSA's aggregate temporary capacity for middle schools within the CSA. For purposes of this analysis, each CSA's middle school "temporary capacity" shall mean the CSA's proportionate share of the number of student stations required on district-wide basis to accommodate middle school students until the School Board experiences district- wide middle school student enrollment which is 720 students more than the School Board's district-wide middle school permanent capacity. Each CSA's proportionate share of such temporary capacity shall be determined by dividing 720 by the total number of middle schools operating in the district, and then multiplying by the number of middle schools operating in the CSA.<br><br>III. High School LOS.<br><br>100% of permanent FISH capacity, not to exceed a student capacity cap of 1,800 plus (1080 a/b) |
| | WHERE |
| | a = Number of existing High Schools in the CSA<br><br>b = Number of existing High Schools in the District |
| | Step 1. Aggregating the permanent capacity of all High Schools within the CSA. For purposes of this analysis, "permanent capacity" for each high school shall mean 100 percent of the permanent existing satisfactory student stations planned to house students by the end of the third year of the Five Year Capital Improvement Plan (after applying the DOE utilization rate),capped at total capacity of 1800 student stations per school. |
| | Step 2. Adding to the aggregate number of student stations determined above, the CSA's aggregate temporary capacity for high schools within the CSA. For purposes of this analysis, each CSA's high school "temporary capacity" shall mean the CSA's proportionate share of the number of student stations required on district-wide basis to accommodate high school students until the School Board experiences district-wide high school student enrollment which is 1,080 students more than the School Board's district-wide high school permanent capacity. Each CSA's proportionate share of such temporary capacity shall be determined by dividing 1,080 by the total number of high schools operating in the district, and then multiplying by the number of high schools operating in the CSA. |
| | |

| | |
|---|---|
| | IV. Title I Elementary School LOS |
| | 85 percent of permanent FISH capacity, not to exceed a student capacity cap of 750, plus (450 a/b) |
| | WHERE |
| | a = Number of existing Elementary Schools in the CSA |
| | b = Number of existing Elementary Schools in the District |
| | V. Title I Middle School LOS |
| | 85 percent of permanent FISH capacity, not to exceed a student capacity cap of 1,200 plus (720 a/b) |
| | WHERE |
| | a = Number of existing Middle Schools in the CSA |
| | b = Number of existing Middle Schools in the District |

*Policy 8.A3.2.* The interim roadway level of service standards shall be reevaluated as new data and analysis becomes available. The City shall raise standards through a plan amendment when road improvements by the City, Martin County or the Florida Department of Transportation enable the achievement and maintenance of a better standard. The City will coordinate with Martin County and FDOT in this effort.

*Policy 8.A3.3.* The City shall set forth a financially feasible plan in the Capital Improvements Element that demonstrates that the City can achieve and maintain the adopted level of service.

*Policy 8.A3.4.* The City shall coordinate addressing and adopting levels of service for any of the above facilities that are maintained or the responsibility of any other State, regional, or local entity.

(Ord. No. 2158-08, § 1, 5-12-2008; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 8.[A]4. - [Concurrency management system.]

A concurrency management system to ensure that the issuance of a development order or development permit is conditioned upon the availability of public facilities and services necessary to serve new development consistent with the provisions of F.S. ch. 163, pt. II [F.S. § 163.2511 et seq.]~~, and F.A.C. ch. 9J-5, in effect on July 1, 1998~~. This system will also ensure that public facility demands created by previously issued development orders and otherwise committed development will not lower the level of service below the standard except as allowed by this plan.

The following policies support this objective:

*Policy 8.A4.1.* The level of service standards established in Policy 3.1 shall be used to determine the adequacy of public facilities.

*Policy 8.A4.2.* To ensure the availability of adequate sanitary sewer, solid waste, drainage and potable water facilities, the City will not issue a final development order or permit unless:

A. It is conditioned on the requirement that the necessary facilities and services will be in place and
available to serve the new development when the certificate of occupancy is issued; or

B. The necessary facilities and services are guaranteed to be in place at the time of the issuance of a certificate of occupancy by an enforceable development agreement, pursuant to F.S. § 163.3220, or an agreement or development order issued pursuant to F.S. ch. 380.

*Policy 8.A4.3.* To ensure the availability of adequate recreation facilities, the City will not issue a final development order or permit unless:

A. It is conditioned on the requirement that the necessary facilities and services will be in place and
available to serve the new development when the certificate of occupancy is issued; or

B. It is conditioned on the requirement that the necessary facilities and services are scheduled in the five-year schedule of capital improvements to be in place or under actual construction not more than one year after issuance of a certificate of occupancy; or

C. The necessary facilities and services are guaranteed to be in place or under actual construction not more than one year after the issuance of a certificate of occupancy by an enforceable development agreement, pursuant to F.S. § 163.3220, or an agreement or development order issued pursuant to
F.S. ch. 380; or

D. The necessary facilities and services are guaranteed to be in place or under actual construction not more than one year after the issuance of a certificate of occupancy through a binding executed agreement.

*Policy 8.A4.4.* To ensure the availability of adequate transportation facilities, the City will not issue a final development order or permit unless:

A. The necessary facilities are in place or under construction; or

B. It is conditioned on the requirement that the necessary facilities and services are scheduled in the five-year schedule of capital improvements to be in place or under actual construction not more than three years after issuance of a certificate of occupancy; or

C. The necessary facilities and services are guaranteed to be in place or under actual construction not more than three years after the issuance of a certificate of occupancy through a binding executed agreement; or

D. The necessary facilities and services are guaranteed to be in place or under actual construction not more than three years after the issuance of a certificate of occupancy by an enforceable development agreement, pursuant to F.S. § 163.3220, or an agreement or development order issued pursuant to F.S. ch. 380.

*Policy 8.A4.5.* A plan amendment is required to eliminate, defer, or delay construction of any road facility or service which is needed to maintain the adopted level of service standard and which is listed in the five-year schedule of capital improvements.

*Policy 8.A4.6.* A proposed development shall be deemed to have a de minimus impact and shall not be subject to the concurrency requirements of this plan if it meets the conditions for de minimus in F.S. ch. 163, pt. II [F.S. § 163.2511 et seq.], in effect on July 1, 1998.

*Policy 8.A4.7.* The City may allow a landowner to proceed with a specific development notwithstanding a failure to satisfy the transportation concurrency requirements of Policy 4.4 when all of the following factors are shown to exist:

A. The Comprehensive Plan is in compliance;

B. The development is otherwise consistent with all relevant aspects of the Comprehensive Plan and land development regulations;

C. Adequate transportation facilities have been planned in the local plan's five-year schedule of capital improvements and the schedule is financially feasible, but the local government has not implemented the scheduled improvements.

D. Stuart or the appropriate agency has collected a transportation impact fee from the landowner that has been determined to equal the fair share of the cost of providing the transportation facilities necessary to serve the proposed development.

*Policy 8.A4.8.* The staging or phasing of development may occur as long as the necessary facilities and services are available to accommodate the growth impacts of such stage or phase.

*Policy 8.A4.9.* Notwithstanding the provisions of Policy 4.4, urban redevelopment within Stuart (which is designated as an Existing Urban Service Area by Future Land Use Element Policy B2.4 and mapped consistent with F.S. § 163.3164 (29)) shall not be subject to a concurrency evaluation for up to 110 percent of the transportation impact generated by the previously existing development. The urban redevelopment must replace or renovate an actual previous built use that was occupied and active since 1980.

*Policy 8.A4.10.* An implementation and monitoring system shall consist of the following components:

A. *Preparation of an annual report.* An annual report shall be prepared at the beginning of each fiscal year to document the status of the facility capacity relative to facility demands based on the City's adopted level of service. The annual report shall constitute evidence of the capacity and levels of service of public facilities for the purpose of issuing development orders during the 12-month fiscal year following completion of the annual report.

B. *Public facility review.* A separate record shall be maintained during each fiscal year to indicate the cumulative impacts of all development orders approved during the fiscal year-to-date on the capacity of public facilities set forth in the most recent annual report on capacity and levels of service of public facilities. Capacity expected to be utilized by approved development (committed capacity) shall be reserved. The use of continued reservation of this committed capacity shall be evaluated at the end of each fiscal year. The land development regulations of the City shall provide

that applications for development orders that are denied because of insufficient capacity of public facilities may be resubmitted after a time period to be specified in the land development regulations.

C. *Review of changes in planned capacity of public facilities.* The City shall review each amendment to this Capital Improvement Element, in particular any changes in standards for levels of service and changes in the schedule of capital improvements committed to by the City or those facility improvements committed to by either another local governmental entity or private developer.

*Policy 8.A4.11.* The City shall monitor the impact of development on the facilities through continuous evaluation upon the receipt of each permit application and prior to its approval.

*Policy 8.A4.12.* The City shall continue ongoing maintenance and implementation of the concurrency management system that ensures that development orders and development permits are issued in a manner that will not result in a reduction in the levels of service below the adopted level of service standards for the affected facility except as specified in this element.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 8.[A]5. - [Coordination with other plan elements.]

The Capital Improvements Element shall be coordinated with the other plan elements. Public funds for capital improvements shall not be expended in ways contrary to the policy direction of this Plan. Public funds that subsidize development in the Coastal High Hazard Area shall be limited.

The following policy supports this objective:

*Policy 8.A5.1.* The City shall direct expenditures for capital improvements that recognize the policies of the other Comprehensive Plan elements.

Objective [A]6. - [Periodic assessments of goals, objectives and policies.]

The City shall conduct periodic assessments of the Capital Improvements Element goals,

objectives and policies. The following policy supports this objective:

*Policy 8.A6.1.* The required Evaluation and Appraisal Report (EAR) will address the implementation of the goals, objectives and policies of the Capital Improvements Element. The monitoring procedures necessary to enable the completion of the EAR include:

A. Review of annual reports of the concurrency implementation and monitoring system.

B. Review of annual updates of the Capital Improvements Element, including updated supporting documents.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 8.[A]7. - [Five-Year Schedule of Capital Improvements.]

Tables 8.A.7.1 and 8.A.7.2 constitute the Five-Year Schedule of Capital Improvements for Fiscal Years 2011 through 2015. A review of other Comprehensive Plan elements leads to the conclusion that the Capital Improvements Element goal, objectives and policies and the Five-Year Schedule of Improvements are internally consistent.

8.A.7.1—Schedule and Cost of Capital Improvements Projects

| Project Number * | Project Description | Fiscal Year Cost | | | | | Total Cost (Dollars) |
|---|---|---|---|---|---|---|---|
| | | 2011 | 2012 | 2013 | 2014 | 2015 | |
| WS 8 | Phase 3 of reclaimed water system | 1,500,000 | 0 | 0 | 0 | 0 | 1,500,000 ** |
| WS 9 | Odor control & appearance improvements/Wastewater plant site | 1,400,000 | 0 | 0 | 0 | 0 | 1,400,000 |
| T16 | Citywide resurfacing projects/Citywide | 0 | 0 | 0 | 0 | 0 | 0 |
| T19 | Citywide sidewalk construction/Citywide | 0 | 0 | 0 | 0 | 0 | 0 |
| T21 | Land acquisition, design and construction/Willoughby Rd. U.S. 1 to Monterey Rd. | 0 | 0 | 0 | 1,000,000 | 0 | 1,000,000 |
| T23 | Installation of speed tables/Traffic calming projects | 0 | 0 | 0 | 0 | 0 | 0 |
| R4 | Festival Park improvements/Memorial Park | 1,920,000 | 0 | 0 | 0 | 0 | 1,920,000 |
| Totals | | 4,820,000 | 0 | 0 | 1,000,000 | 0 | 5,820,000 |
| | | | | | | | |

8.a.1.1—Schedule and Cost of Capital Improvements Project>

* - Total cost may exceed 5-year sums if a project is multi-year, and extend beyond the 5-year planning horizon.

A.7.1—Revenue Sources for Capital Improvements Projects

| Project Number | Project Description | Revenue Source | Fiscal Year Budget ($) | | | | | Total Cost (Dollars) |
|---|---|---|---|---|---|---|---|---|
| | | | 2011 | 2012 | 2013 | 2014 | 2015 | |
| WS 8 | Phase 3 of reclaimed water system | SRF Loan | 1,500,000 | 0 | 0 | 0 | 0 | 1,500,000 |
| WS 9 | Odor control & appearance improvements/Wastewater plant site | WS(1) | 1,400,000 | 0 | 0 | 0 | 0 | 1,400,000 |
| T16 | Citywide resurfacing projects/Citywide | GT(1) | 0 | 0 | 0 | 0 | 0 | 0 |
| T19 | Citywide sidewalk construction/Citywide | GF(1) | 0 | 0 | 0 | 0 | 0 | 0 |
| T21 | Land acquisition, design and construction/Willoughby Rd. U.S. 1 to Monterey Rd. | IF(1) | 0 | 0 | 0 | 1,000,000 | 0 | 1,000,000 |
| T23 | Installation of speed tables/Traffic calming projects | GF(1) | 0 | 0 | 0 | 0 | 0 | 0 |
| R4 | Festival Park improvements/Memorial Park | ST/G(1) | 1,920,000 | 0 | 0 | 0 | 0 | 1,920,000 |
| Totals | | | 4,820,000 | 0 | 0 | 1,000,000 | 0 | 5,820,000 |
| | | | | | | | | |

8.A.1.2—Revenue Sources for Capital Improvements Project>

Revenue Sources: GF—General Fund; GT—Gas Tax; Impact Fees—IF; G—Grant; ST—½-Cent Sales Tax;
WS—Water and Sewer Fund; SF—Stormwater Fund; SA—Special Assessment; LN—Loan

(1) - Committed Revenue Source

(2) - Planned Revenue Source

(3) - To be determined

(Ord. No. 2197-10, § 1, 1-25-2010; Ord. No. 2218-2011, § 1, 1-10-2011)

Element 9~~IX~~ - COASTAL ELEMENT Goals, Objectives, and Policies City of Stuart, Florida Effective April 2002[1]

Footnotes:

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**Cross reference**— Future land use element, Element I; hurricane evacuation and planning, Element I, Objective B4; conservation element, Element V; implementation, Element VII, Objective A3.

GOAL STATEMENT 9.A

The protection of coastal natural resources through the development and implementation of programs and procedures that balance coastal development activities with the preservation of natural resources and provide for mitigation of development impacts.

Objective 9.A1. - Coastal natural resources.

The effects of the proposed public marina on the West Indian Manatee have been studied. Increases in boat traffic are known to have a negative effect on this species. The City intends to mitigate this effect with its continued participation in public education and fair-share support of enforcement. To aid in this enforcement, the City will consult with other public agencies as needed.

To implement this objective the following policies are adopted:

*Policy 9.A1.1.* The City shall continue the program and set of standards to protect vegetative communities from adverse impacts of urban development. This program will be implemented through this plan, and in particular, objectives and policies in this element, the Conservation Element and the Future Land Use Element as well as the Future Land Use Map.

*Policy 9.A1.2.* Protection and management of wetland and deep-water habitats shall be in a manner consistent with the adopted policies of the Treasure Coast Regional Planning Council and the South Florida Water Management District, the North Fork of the St. Lucie River and Indian River Lagoon Aquatic Management Plan, and the St. Lucie Estuary Management Plan.

Objective 9.A2. - [St. Lucie River performance standards.]

Through implementation of its Land Development Regulations and stormwater plan, the City will continue to preserve and protect estuarine water quality, coastal wetlands and shorelines, living marine resources and wildlife habitats of that portion of the St. Lucie River which lies within the jurisdiction of the City of Stuart. *Policy A2.1.* Recreational uses allowed within the defined Coastal High Hazard Area shall be those which will be compatible with and preserve the natural character of the area, such as passive recreation, observation areas, boating, fishing, etc. Active recreation uses, such as playing fields, tennis courts, etc., shall be discouraged.

*Policy 9.A2.2.* Public access to the river shall be available but managed so that the environmental values of the system can be enjoyed but not overburdened by users. This shall include anchorage of live aboard boats defined as: transient or residential sail or power boats with marine sanitary facilities which discharge into the estuary.

(Ord. No. 2196-10, § 1, 12-14-2009; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 9.A3. - Wildlife and fisheries.

To protect riverine wildlife and fisheries populations and habitat through the minimization of negative impacts associated with development and through the preservation of necessary habitat, allow clustering,

density bonuses for preservation of vegetative communities and require a minimum of 25-foot upland vegetative buffering along the river outside the Community Redevelopment Area adequate to minimize erosion and sedimentation and minimize stormwater runoff. Fisheries population will be protected through land development regulations for stormwater and floodplain management which protect water quality. The City shall continue supporting marine vegetation planting program where feasible.

To implement this objective the following policies are adopted:

*Policy 9.A3.1.* Site plan review and evaluation shall consider development impacts on wildlife, fish and habitat. The City shall require safeguards to prevent or significantly reduce the potential adverse impacts of development activities.

*Policy 9.A3.2.* Sites proposed for development activities within the known range of endangered or threatened species or where such species are expected to occur based upon habitat suitability and species ranges shall be surveyed at the request of local officials by qualified government ecologists prior to approval or commencement of such activities to determine whether or not endangered or threatened plant or animal populations occur.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 9.A4. - Estuarine environmental quality.

To support the efforts of the South Florida Water Management District and the Department of Environmental Regulation to ensure that the quality of estuarine water within the City is maintained at current levels as determined by the South Florida Water Management District and the Department of Environmental Regulation using measurable chemical constituents.

To implement this objective the following policies are adopted:

*Policy 9.A4.1.* The City shall implement a comprehensive drainage master plan and ordinance. This ordinance is intended to minimize degradation of surface waters through treatment of stormwater runoff. At a minimum, specified treatments shall include maximum feasible on-site retention, establishment of littoral zones in lake management systems and wetland areas and use of grassy swales for filtration. This policy shall apply to new systems. Further details of this plan are contained in the Infrastructure Element.

*Policy 9.A4.2.* Retrofitting of substandard public drainage systems shall occur during repair, expansion, or redevelopment activities. This policy is intended to address water quality problems resulting from inadequately maintained systems, or those systems constructed previous to a complete understanding of the effects of stormwater runoff on water quality.

*Policy 9.A4.3.* The City seeks the cooperation and participation of all surrounding local governments in minimizing and eventually eliminating pollutant sources entering estuarine waters. Consistent with this effort the City will maintain active membership on the St. Lucie Estuary Management Committee and the Treasure Coast Regional Planning Council, and will coordinate with the South Florida Water Management District through informal liaison and the permitting process.

*Policy 9.A4.4.* In all development activity approvals the City shall seek to prevent significant alteration of tidal flushing and circulation patterns which may have a significant negative impact on the natural environment.

*Policy 9.A4.5.* The City shall prohibit canals as defined in this section. For purposes of this policy a canal is defined as any artificial waterway providing access to waters of the State or to any of the rivers, streams, creeks, canals, or other waters of the State or their tributary systems for the purposes of navigation, aesthetics, recreation, and/or enhancement of property. This definition excludes appropriately designed swales and ditches approved by the Public Works Director as necessary for controlled outflow of surface water.

*Policy 9.A4.6.* With the exception of single slip residential docks, effective turbidity control mechanisms and procedures shall be used to protect water quality in areas adjacent to construction activities.

Objective 9.A5. - Preservation of marine natural systems.

To protect and preserve the functions and values of marine natural systems, through specific performance standards regulating land use, public access, marina siting and activities, shoreline alteration and seawalls, dredging and filling activity; and providing treatment of stormwater runoff, adequate upland buffering and mangrove protection. These systems serve a multitude of functions, including, but not limited to wildlife habitat, erosion control and flood control. Further, the City shall continue maintaining and expanding intergovernmental coordination mechanisms with appropriate Federal, State, regional and local agencies for the protection of natural resources, and continue supportive educational programs to increase public awareness of environmental protection throughout the planning timeframe.

To implement this objective the following policies are adopted:

*Policy 9.A5.1.* The City adopts the objectives and policies and supports the implementation of the St. Lucie Estuary Management Plan.

*Policy 9.A5.2.* The City adopts the objectives and policies and supports the implementation of the North Fork of the St. Lucie River Lagoon Aquatic Preserve Management Plan.

*Policy 9.A5.3.* Sloping revetments and interlocking blocks shall be used in high energy areas to more effectively dissipate wave forces, boat wakes and reduce the effects of bottom scouring. Bulkheads and seawalls shall only be used to protect existing development and shall be located landward of riverine wetlands and their ecotones. Permits for replacement of deteriorating seawalls shall be granted only when alternative revetments and interlocking blocks are not feasible.

*Policy 9.A5.4.* Land development activities that are feasible only through dredging and filling of submerged land and wetland areas shall be prohibited, unless irrefutably in the public interest. If such activity is allowed, mitigation to replace lost wetland acre for acre, by type, form and function, shall be required.

*Policy 9.A5.5.* Buffer zones of vegetation which are within the existing 25-foot setback from the mean high water line shall be established where possible between any area of urban development and adjacent waterways. This vegetation shall consist of native vegetation adapted to natural conditions.

*Policy 9.A5.6.* Reserved.

*Policy 9.A5.7.* All dredging spoil material shall be placed on suitable upland rather than in water or wetland areas. This will help minimize degradation of water quality and adverse impact on sensitive estuarine life and upland habitats.

*Policy 9.A5.8.* Docks and piers shall not obstruct navigation or public use of waters, and they shall be constructed in a manner that does not restrict water flow nor, where possible and reasonable, block views to the water.

*Policy 9.A5.9.* The City shall coordinate review of estuarine shoreline development with appropriate Federal, State, regional and local agencies to prevent irreparable or irretrievable loss of natural resources in the coastal zone.

Intergovernmental coordination shall also provide cost effective utilization of experts in marine biology, coastal engineering, and soil conservation. To this end, as appropriate, the City shall coordinate with public agencies, including the U.S. Department of Interior, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, National Oceanic and Atmospheric Administration, U.S. Soil Conservation Service, the Florida Department of Environmental Regulation, Natural Resources, the Florida Game and Freshwater Fish Commission, the South Florida Water Management District, the Treasure Coast Regional Planning Agency, and potentially impacted local governments.

*Policy 9.A5.10.* The City shall make environmental education and management an integral part of park and recreation policies and programs. In addition, the Planning Department shall provide general information assistance and referral services to citizenry interested in the impacts of Stuart's physical development on natural resources and resource conservation.

*Policy 9.A5.11.* The City shall implement its adopted mangrove protection ordinance.

*Policy 9.A5.12.* The City shall prevent the construction of flood barriers which will unnaturally divert flood hazards to other lands through land development regulations and site plan review.

*Policy 9.A5.13.* The City shall direct development away from areas most vulnerable to the effects of natural and manmade disasters.

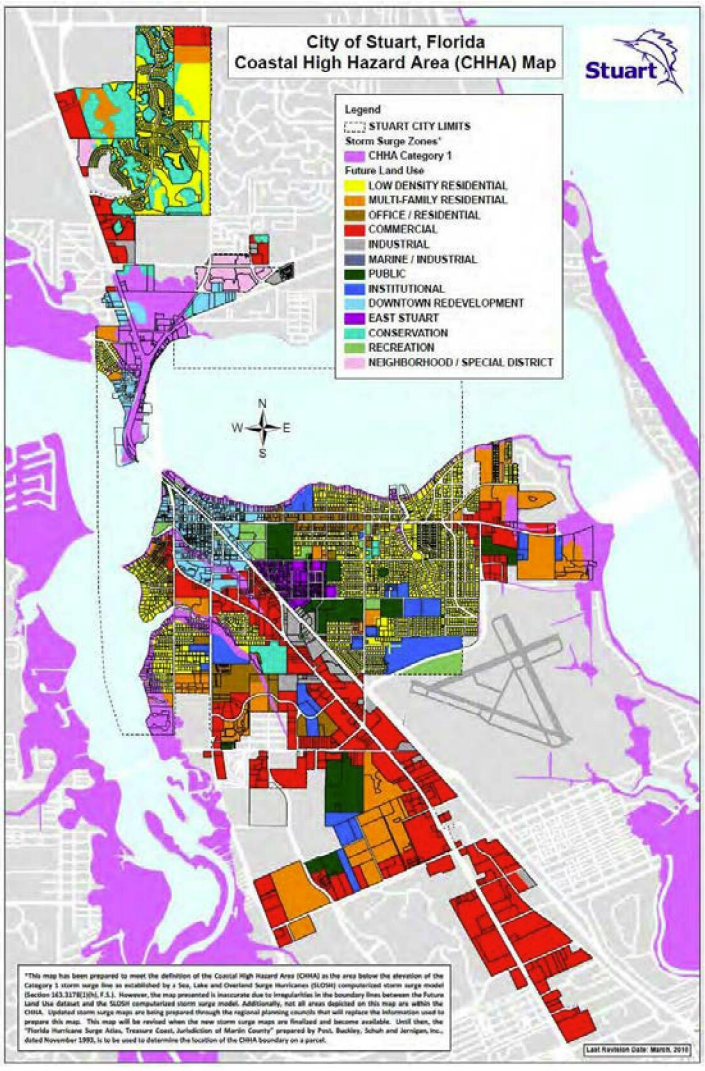
*Policy 9.A5.14.* The City shall develop strategies which will reduce existing population densities in coastal high hazard and floodplain areas. The City shall encourage the incorporation and enhancement of existing natural systems and open areas within such developed areas to serve as natural storm buffers and post-disaster staging areas.

*Policy 9.A5.15.* Coastal High Hazard Areas (CHHA) shall be defined as the areas below the elevation of the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

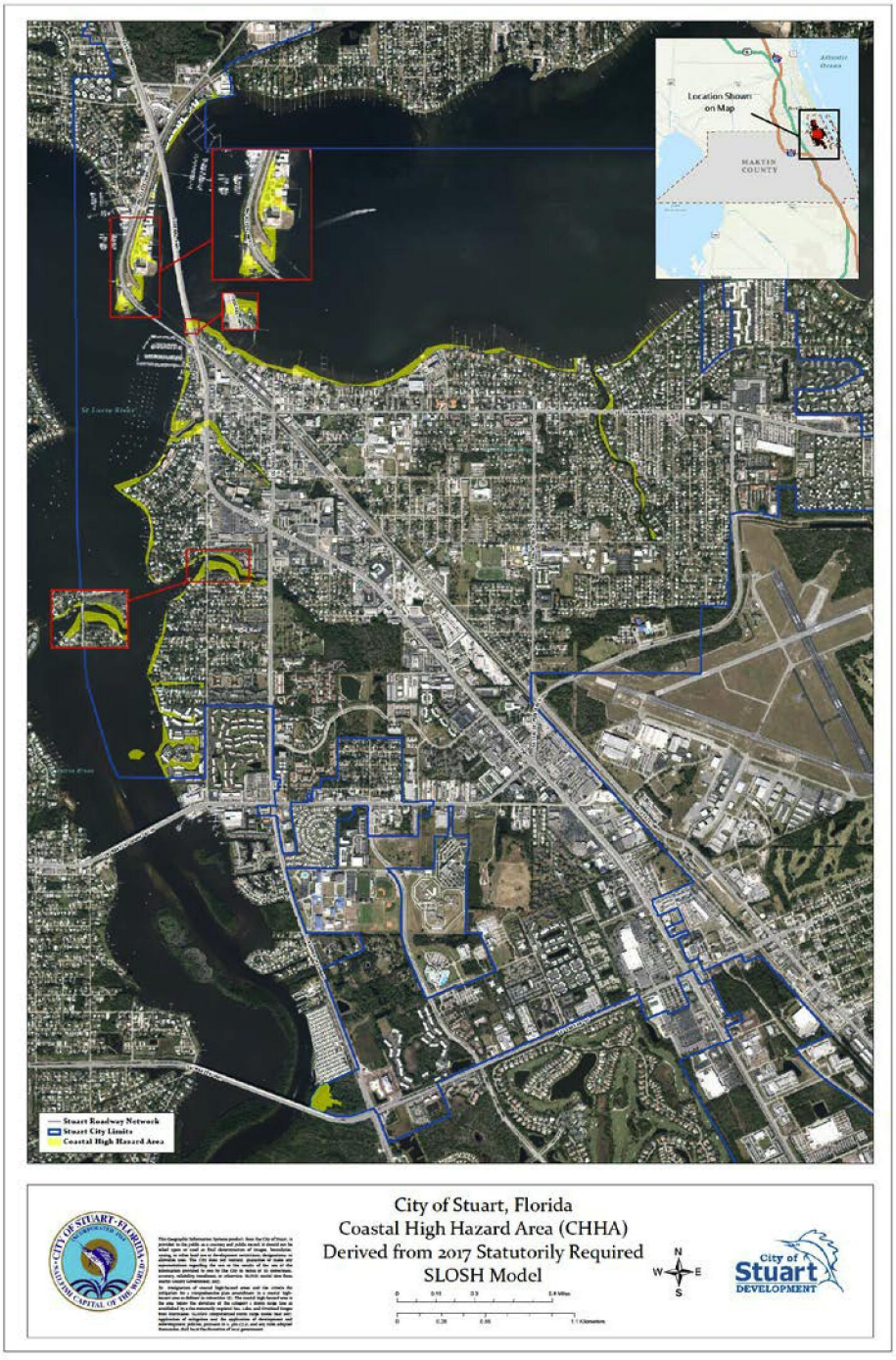
*Policy 9.A5.16.* The City shall depict ~~and adopt~~ the CHHA on a Coastal High Hazard Area Map in the City's adopted Future Land Use Map series. The City shall amend and readopt the CHHA Map when ~~the~~ new storm surge maps, ~~currently being prepared through the regional planning councils, are finalized~~ and become available.

(Ord. No. 2196-10, § 1, 12-14-2009; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

See CHHA Map Figure A5.17 below:


City of Stuart, Florida
Coastal High Hazard Area (CHHA) Map
Stuart
Legend
STUART CITY LIMITS
Storm Surge Zones*
CHHA Category 1
Future Land Use
LOW DENSITY RESIDENTIAL
MULTI-FAMILY RESIDENTIAL
OFFICE / RESIDENTIAL
COMMERCIAL
INDUSTRIAL
MARINE / INDUSTRIAL
PUBLIC
INSTITUTIONAL
DOWNTOWN REDEVELOPMENT
EAST STUART
CONSERVATION
RECREATION
NEIGHBORHOOD / SPECIAL DISTRICT
N
W
E
S
*This map has been prepared to meet the definition of the Coastal High Hazard Area (CHHA) as the area below the elevation of the Category 1 storm surge line as established by a Sea, Lake and Overland Surge Hurricanes (SLOSH) computerized storm surge model (Section 163.3178(2)(h), F.S.). However, the map presented is inaccurate due to irregularities in the boundary lines between the Future Land Use dataset and the SLOSH computerized storm surge model. Additionally, not all areas depicted on this map are within the CHHA. Updated storm surge maps are being prepared through the regional planning councils that will replace the information used to prepare this map. This map will be revised when the new storm surge maps are finalized and become available. Until then, the "Florida Hurricane Surge Atlas, Treasure Coast, Jurisdiction of Martin County" prepared by Post, Buckley, Schuh and Jernigan, Inc., dated November 1992, is to be used to determine the location of the CHHA boundary on a parcel.
Last Revision Date: March, 2010

Field Code Changed



Objective 9.A6. - Water dependent and water related objective and policies.

In light of Martin County's Manatee Protection and Boat Facility Siting Plan, the City shall provide for ongoing maintenance and implementation of marina siting criteria to give priority to water-dependent and water-related land use activities which promote public access within the coastal area defined in this plan.

To implement this objective the following policies are adopted:

*Policy 9.A6.1.* Through the implementation of the Land Development Regulations, the City shall encourage water-dependent uses over other uses in marine development.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 9.A7. - Public access.

The City shall continue to provide public access to the river through prioritization of water-dependent and water-related uses along the river, through criteria for marina siting and through provision of incentives to developers to provide public access, including river-walks.

To implement this objective the following policies are adopted:

*Policy 9.A7.1.* Necessary access, parking and support facilities shall be developed and maintained for all City owned shoreline recreation areas. Maintenance shall include regular trash collection and shoreline cleanup.

*Policy 9.A7.2.* Publicly funded projects that improve, change, or in some way support shorefront development shall provide for public access to the shoreline, as well as the necessary support facilities and services, such as boardwalks, parking lots, restrooms and trash collection. Publicly owned access parks which are associated with neighborhood streets that end at the river are intended primarily for neighborhood use and will not require the provision of additional parking facilities.

*Policy 9.A7.3.* Increase public access to waterfront views and fishing opportunities by developing riverwalks and piers as land and funding become available, and encourage private provision of riverwalks.

*Policy 9.A7.4.* Locate boat ramps in areas designated as no wake zones, adjacent or in close proximity to existing or planned water dependent or water related land uses, such as marinas, fishing piers, or bridge right-of-ways. Ensure that adequate uplands exist to provide sufficient acreage for vehicle and boat trailer parking.

*Policy 9.A7.5.* The City shall actively pursue Florida Inland Navigational District funds and other funding to acquire and develop waterfront access points.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

**Cross reference—** Recreation and open space element, Element 6~~VI~~.

Objective A8. - Boat siting.

To ensure the location of boat facilities in a manner consistent with the Boat Facility Siting Plan for Martin County (BFSP).

*Policy 9.A8.1:* The siting of all boat facilities shall be consistent with the guidelines, methodologies, procedures, and policies established in the Boat Facility Siting Plan for Martin County. This applies to the expansion of existing facilities or the development of new facilities.

*Policy 9.A8.2:* A specific site plan proposal shall be reviewed to determine if the site is located in an area designated as preferred, conditional, or non-preferred, as defined in the following policies. Limitations on development described in the BFSP shall apply to sites in these locations.

*Policy 9.A8.3:* Preferred locations for new boat facilities in Martin County are sites that are located in the Manatee Pocket and downtown area of the City of Stuart on the north and south sides of the Roosevelt Bridge and encompassing sites east and west of US, and identified and depicted in the BFSP. The BFSP supports the expansion and redevelopment of marine industries in these defined areas.

*Policy 9.A8.4:* The City of Stuart will encourage land uses and site plans at preferred locations that enhance access to the coastal waterway and maximize the number of wet slips and dry storage racks at a given facility.

*Policy 9.A8.5:* The City of Stuart will encourage the FDEP and SFWMD to develop ecosystem-planning initiatives for all preferred locations. A prime focus of these initiatives is to develop a coordinated and comprehensive approach to increasing the number of boat facilities, enhancing natural resources, and protecting manatees. Special attention should be given to enhancing stormwater management plans, determining adequate levels of enforcement for speed zones, and considering paring alternatives for boat ramps.

*Policy 9.A8.6:* Conditional locations for boat facilities in the City of Stuart are defined as sites located outside of the preferred locations where existing boat facilities are currently located, or where potential sites have been identified. A waterfront property not identified in Table 6 of the BFSP will be considered as a conditional site on a case-by-case basis if its present or potential land use and zoning designations are in compliance with the City of Stuart Comprehensive Plan. Expansion or development at these sites will be conditional based on two evaluations: the rate of boat-related manatee mortality* in the county or in a specific geographic area under consideration, and impacts to natural resources. Expansion or development of boat facilities at conditional locations will be based on the review and approval by the local government and state and federal permitting agencies. The number of boats at each facility may be limited by site plan constraints. Additional wet slips or dry storage for powerboats at conditional locations will be considered only if the average annual rate of manatee deaths attributed to watercraft for the preceding three years for which manatee mortality data are available is less than or equal to 1.33 or if the average annual rate of manatee deaths attributed to watercraft for the preceding three years for which manatee mortality data is available is less than 1.0 within five miles by water of the location. Also, the development plans must be designed to avoid and minimize the impacts to natural resources to the extent practical. Any impacts to seagrasses, tidal marshes, or mangrove communities must be avoided or minimized. Expansion of boat facilities at conditional locations will be based on the review and approval by the local government and state and federal permitting agencies.

*Policy 9.A8.7:* Non-preferred locations are defined as sites located in areas that have not been identified as a preferred location or a conditional location in the BFSP. New boating facilities will not be permitted at these locations unless it is determined that the facility will not generate daily powerboat trips. Approval of a development plan at non-preferred locations shall be based on a review by the local government, FDEP, US Army Corps of Engineers, USFWS, and SFWMD. To be approved, the review should indicate that the site is designed to avoid and minimize impacts to natural resources to the extent practical. The only impacts to seagrass bets [beds], tidal marsh, mangrove, and other wetland communities allowed at non-preferred locations are those necessary for access to the site.

*Policy 9.A8.8:* Single-family residential lots with water frontage are allowed one ~~dock~~pier per lot or easement or right-of-way to the water. This applies to the entire coastline of the City of Stuart, regardless of the location of the site. The permitting requirements apply from the local government, FDEP, U.S. Army Corps of Engineers, USFWS, and SFWMD.

*Policy 9.A8.9:* Private multi-family residential docks designed to accommodate the boats of more than one residence shall be allowed only at preferred and conditional locations. The total number of slips shall be determined by the site plan design, physical space limitations, environmental permitting criteria, and approval by the local government and permitting agencies.

*Policy 9.A8.10:* As the need arises to increase public access to boat ramps, the City of Stuart shall strive to meet an acceptable level of service by increasing the number of ramp lanes and increasing the number of parking spaces at existing ramps. In order to increase parking at a particular ramp, the City of Stuart will evaluate if additional parking at the site is possible. When this approach is not feasible, the concept of providing an auxiliary parking location will be examined.

*Policy 9.A8.11:* To accommodate population growth when existing ramp sites have reached their maximum development and traffic capacity, the City of Stuart shall work with Martin County to identify appropriate waterfront properties for developing new county owned/operated boat ramps.

*Policy 9.A8.12:* The City of Stuart shall work with Martin County and FWC to review speed zones in the areas identified in the BFSP.

*Policy 9.A8.13:* The City of Stuart shall work with Martin County and FWC to monitor manatee mortality caused by collision with watercraft in the county waterways.

(Ord. No. 1953-03, § 1, 12-15-2003)

GOAL STATEMENT 9.B

The protection of human life and capital facilities from the destructive effects of hurricanes and natural disasters by limiting public expenditures and development activities in identified hurricane vulnerability zones, providing for safe and effective emergency evacuation and establishing procedures for post-disaster redevelopment.

Objective 9.B1. - ~~Hazard mitigation and~~ eEvacuation and shelter space objective and policy.

To minimize the threat to human life and capital facilities from hurricane damage, flooding events and sea level rise, through ~~limiting population within the Coastal High Hazard Area~~; intergovernmental coordination mechanisms; maintaining or reducing hurricane evacuation times ~~upon adoption of this plan; and ensuring that hurricane damage is a primary consideration during siting of new capital facilities~~ throughout the planning time frame.

*Policy 9.B1.1.* The City police and fire departments and City Commission shall cooperate with the Martin County Fire Rescue Emergency Management Agency ~~Office~~ and the Treasure Coast Regional Planning Council to design and evaluate evacuation plans that use roadways and all emergency facilities and shelters in the City of Stuart.

*Policy 9.B1.2.* The City shall cooperate with the Martin County Fire Rescue Emergency Management ~~Office~~ Agency and the Treasure Coast Regional Planning Council by providing technical data reports which may be needed for emergency management for hurricanes, floods, nuclear power plant emergencies and other emergencies. The City shall update such information annually as needed to reflect changes in population size and distribution, location of high-risk populations, adequacy of transportation systems and shelters, and changes in sea level rise predictions, and the latest scientific findings affecting emergency management.

*Policy 9.B1.3.* The City shall assist the Martin County Fire Rescue Emergency Management ~~Office~~ Agency in assuring that public information may continue to be developed and disseminated by this ~~office~~ agency on who should evacuate, how to evacuate and what services are available for the population in a hurricane.

*Policy 9.B1.4.* The City shall encourage Martin County to maintain adequate shelter spaces to serve the Stuart area and work closely with the Martin County Fire Rescue Emergency Management ~~Office~~ Agency to locate and secure additional shelter spaces.

~~*Policy B1.5.* The land development regulations shall enforce local, Federal and State building and sanitation (central and on-site sewage treatment systems) codes for floodplain and velocity zones, and stormwater and flood prevention ordinances, in accordance with Federal Emergency [Management] Agency guidelines.~~

~~*Policy B1.6.* Potential for hurricane damage shall be a primary consideration for locational decisions and facility design for new capital facilities.~~

*Policy 9.B1.5~~7~~.* The recommendations of any interagency hazard report which addresses future flood losses and is prepared in response to a Presidential Disaster Declaration, as well as existing local

peacetime emergency plans of the Treasure Coast Planning Council and Martin County Fire Rescue Emergency Management ~~Office~~ Agency shall be incorporated into the City's adopted Disaster Plan.

*Policy 9.B1.~~6~~8.* The City shall develop new and enhance existing outreach programs to increase the awareness and knowledge of citizens regarding evacuation zones, shelter locations, safe home sheltering and disaster preparedness practices, and evacuation routes.

~~*Policy B1.9.* The City shall limit development, redevelopment, and expansion of existing development, or altering land elevations in floodplain areas or flood-prone areas adjacent to emergency evacuation routes. When possible, preserve such lands in their natural state as water retention areas or floodwater pathways.~~

*Policy 9.B1.~~7~~10.* The City shall in conjunction with Martin County maintain or reduce hurricane evacuation clearance times.

~~*Policy B1.11.* In order to direct population concentrations away from the coastal high hazard area; maintain or reduce evacuation times; and limit public expenditures that subsidize development permitted in coastal high hazard areas: residential densities shall not exceed 15 dwelling units per acre unless the applicant can demonstrate that:~~

~~1. The adopted level of service for out-of-county hurricane evacuation, 16 hours for a category 5 storm event as measured on the Saffir-Simpson scale, is maintained; or~~

~~2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or~~

~~3. Appropriate mitigation is provided that will satisfy the provisions of subparagraph 1. or subparagraph 2 above. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation shall not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan (language extracted from F.S. § 163.3178 (9)(a)1, 2 and 3.~~

~~ACLFs shall continue to be prohibited within the Coastal High Hazard Area.~~

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 9.B2. - Post-disaster redevelopment.

~~By 2000, the City shall establish and adopt post-disaster procedures for immediate and long-term response to a hurricane or natural disaster including cleanup and redevelopment.~~

~~To implement this objective the following policies are adopted:~~

The City shall continue implementation of, and update as needed, the post-disaster procedures for immediate and long-term response to flooding events, ~~a~~ hurricanes, or natural disasters, including cleanup and redevelopment.

To implement this objective the following policies are adopted:

*Policy 9.B2.1.* On a continuing basis, the City shall review its comprehensive plan and other relevant plans as needed, for post-disaster redevelopment which will include at minimum:

a. Review and approve or deny emergency building permits;

b. Coordinate with Federal and State officials to prepare disaster assistance applications;

c. Analyze and recommend to the City Commission hazard mitigation options including abandonment, reconstruction, or relocation of damaged public facilities;

d. Prepare a redevelopment plan; and

e. Recommend amendments to the Comprehensive Plan, Local Peacetime Emergency Plan and other appropriate plans.

*Policy 9.B2.2.* Immediate cleanup and repair actions needed to protect the public health and safety shall receive first priority in emergency permitting decisions. These actions include the following:

a. Repairs to potable water, wastewater and power facilities;

b. Removal of debris;

c. Stabilization or removal of any structure which is about to collapse.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 9.B3. - Coastal infrastructure.

To establish levels of service, service areas and phasing of infrastructure to ensure that adequate public facilities and services are available to existing residents and visitors to the City.

To implement this objective the following policies are adopted:

*Policy 9.B3.1.* The level of service (LOS) standards adopted elsewhere in this Comprehensive Plan for public facilities and the additional standards under this objective shall be applied by the City Planning Department whenever development orders or permits are requested. The City shall consult and coordinate with Martin County to maintain safe evacuation times for all development permitting activity which falls within the limits of Stuart's CHHA.

*Policy 9.B3.2.* The City shall ensure that necessary infrastructure funding and infrastructure is phased concurrent with demand generated by development or redevelopment in the coastal zone at the densities proposed by the Future Land Use Plan, consistent with coastal resource protection and emergency evacuation.

*Policy 9.B3.3.* The City Planning Department shall review developments that occur in areas of potential natural and man-made disasters for such safety factors as adequacy of shelter for residents, ability of surrounding roads to accommodate emergency traffic and ability of internal roads to accommodate emergency traffic. The City shall cooperate with the TCRPC in determining the adequacy of shelters and manpower to accommodate City's residents.

*Policy 9.B3.4.* The City shall give priority to infrastructure improvements that contribute to the reduction of evacuation clearance times, regional shelter capacities, and critical and health care capacities.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 9.B4. - Interjurisdictional resource management.

To ensure that resources occurring in or affecting more than one governmental jurisdiction are effectively managed to preserve, protect and enhance coastal natural systems, wildlife, fisheries and habitat through implementation of specific intergovernmental coordination mechanisms commencing upon adoption of this plan, and executed throughout the planning time frame.

To implement this objective the following policies are adopted:

*Policy 9.B4.1.* The City shall continue to coordinate with the appropriate agencies to further and implement the Treasure Coast Regional Comprehensive Policy Plan, the North Fork of the St. Lucie River Lagoon Aquatic Preserve Management Plan and the St. Lucie Estuary Management Plan and other such plans and programs as require the involvement of the City. Appropriate agencies include, but are not limited to, the Treasure Coast Regional Planning Council, U.S. Army Corps of Engineers, South Florida Water

Management District, Department of Natural Resources, Department of Environmental ~~Regulation~~ Protection and Department of Economic Opportunity ~~Community Affairs~~.

*Policy 9.B4.2.* The City shall coordinate with the Martin County Soil and Water Conservation Districts and other related agencies in promoting awareness of new information concerning the St. Lucie River estuary system and the impacts of development and redevelopment on the functions and values of the estuary system.

*Policy 9.B4.3.* The City will continue to coordinate with, and assist where appropriate, those agencies responsible for protection and management of waterways that occur within or adjacent to the City.

*Policy 9.B4.4.* The City shall cooperate and coordinate with surrounding local governments as well as State agencies in an effort to protect and preserve existing natural systems.

**Cross reference—** Intergovernmental coordination element, Element 7~~VII~~.

Objective 9.B5. – Natural disaster and sea-level rise mitigation objective and policy.

To reduce losses and minimize the threat to human life and capital facilities from hurricane damage, flooding events, and sea-level rise, through limiting construction within the Coastal High Hazard Area and ensuring that hurricane, sea-level rise, and flooding damage is a primary consideration during development and redevelopment activities, including siting of new capital facilities.

*Policy 9.B~~5~~1.~~1~~5.* The land development regulations shall enforce local, Federal and State building and sanitation (central and on-site sewage treatment systems) codes for floodplain and velocity zones, and stormwater and flood prevention ordinances, in accordance with Federal Emergency [Management] Agency guidelines.

*Policy 9.B~~5~~1.~~2~~6.* Potential for hurricane damage shall be a primary consideration for locational decisions and facility design for new capital facilities.

*Policy 9.B~~5~~1.~~3~~9.* The City shall limit development, redevelopment, and expansion of existing development, or altering land elevations in floodplain areas or flood-prone areas adjacent to emergency evacuation routes. When possible, preserve such lands in their natural state as water retention areas or floodwater pathways.

*Policy 9.B5.4.* When building, expanding or planning for new facilities, the City shall consider redevelopment principles, strategies, and engineering solutions that reduce flood risk in coastal areas, which result from high-tide events, storm surges, flash floods, stormwater runoff and the related impacts of sea-level rise.

*Policy 9.B5.5.* When approving development plans, the City shall encourage redevelopment principles, strategies, and engineering solutions that reduce flood risk in coastal areas, which result from high-tide events, storm surges, flash floods, stormwater runoff and the related impacts of sea-level rise.

*Policy B5.6.* The floodplain administrator/building official shall review all permit applications to determine whether proposed development sites will be reasonably safe from flooding.

*Policy B5.7.* The City shall prohibit the location of new hospitals, nursing homes and assisted living facilities within the Coastal High Hazard Area.

*Policy B5.8.* By December 2025, the City of Stuart shall investigate the feasibility of the use and creation of an Adaptation Action Area for the purpose of prioritizing funding for infrastructure needs and adaptation planning.

*Policy 9.B5.6.* As opportunities arise, the City shall consider acquiring land, through donation or purchase, that is located within FEMA-designated flood zones for the purpose of mitigating sea-level rise and flood-related impacts within low-lying coastal areas. The acquired land shall be used for conservation, open space, stormwater treatment, or recreational purposes.

*Policy 9.B5.7.* The City will identify and seek, when and where appropriate, potential financial resources for land acquisition and flood-resiliency strategies in coastal areas, including seeking grant funding and/or joint venture partnerships with land owners, in order to limit public expenditures.

*Policy 9.B5.8.* The City shall encourage use of site development techniques and practices that will reduce losses due to flooding and claims made under flood insurance policies issued in Florida.

*Policy B5.9.* As opportunities arise, the City shall consider acquiring land, through donation or purchase, that is located within FEMA-designated flood zones for the purpose of mitigating sea-level rise and flood-related impacts within low-lying coastal areas. The acquired land shall be used for conservation, open space, stormwater treatment, or recreational purposes.

*Policy B5.10.* The City will identify and seek, when and where appropriate, potential financial resources for land acquisition and flood-resiliency strategies in coastal areas, including seeking grant funding and/or joint venture partnerships with land owners, in order to limit public expenditures.

*Policy B5.11.* The City shall encourage use of site development techniques and practices that will reduce losses due to flooding and claims made under flood insurance policies issued in Florida.

*Policy B5.12.* The City shall minimize disturbance of natural shorelines on City-owned land and only consider shore hardening when other options are not feasible.

*Policy B5.13.* When funding is available and opportunities arise, the City shall encourage installation of native shorelines.

*Policy B5.14.* By December 2025, the City shall evaluate resiliency measures to incorporate into the Land Development Code.

*Policy B5.15.* Development within the coastal-high hazard area shall be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.

*Policy B5.16.* Any construction activities seaward of the coastal construction control lines established pursuant to section 161.053, F.S., must be consistent with chapter 161.

*Policy B5.17.* The City shall encourage the community's participation in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency.

*Policy B5~~1~~.18~~1~~.* In order to direct population concentrations away from the coastal high hazard area; maintain or reduce evacuation times; and limit public expenditures that subsidize development permitted in coastal high hazard areas: residential densities shall not exceed 15 dwelling units per acre unless the applicant can demonstrate that:

1. The adopted level of service for out-of-county hurricane evacuation, 16 hours for a category 5 storm event as measured on the Saffir-Simpson scale, is maintained; or
2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or

3. Appropriate mitigation is provided that will satisfy the provisions of subparagraph 1. or subparagraph 2 above. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation shall not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan (language extracted from F.S. § 163.3178 (9)(a)1, 2 and 3).

Adult congregate living facilities (ACLFs) shall continue to be prohibited within the Coastal High Hazard Area.

Element X - PUBLIC SCHOOLS FACILITIES ELEMENT Goals, Objectives and Policies City of Stuart, Florida
Effective August 25, 2008

**STAFF NOTE: PLEASE BE ADVISED THAT STAFF WILL BE UPDATING THIS ELEMENT DURING THE RE-ORGANIZATION OF THE COMPREHENSIVE PLAN. RELEVANT GOAL, OBJECTIVES, AND POLICIES WILL BE RELOCATED TO APPROPRIATE ELEMENTS, WHILE GOPs THAT ARE OUTDATED AND NO LONGER NECESSARY TO MAINTAIN IN THE CITY'S COMPREHENSIVE PLAN WILL BE REMOVED IN A FOLLOW-UP COMP PLAN TEXT ORDINANCE.**

## Sec. 10.1. - Background and definitions.

Education is fundamental to achieving a better life. No organization has as much basic impact on the future of the nation as the public school system. The City of Stuart recognizes that such impact starts at the local level. The City's future citizens will be faced with many challenges. Coordination between the City, Martin County and the School District is paramount in ensuring that our future citizens have the educational background necessary to make the difficult choices that lie ahead.

Public School physical facilities capacity is directly affected by residential development. The Public School Facilities Element (PSFE) focuses on coordinated planning among the School District, Martin County and the City to accommodate future student growth needs in the public school system. This element establishes public school system concurrency requirements, including a level of service standard for public schools and procedures for establishing a concurrency management system.

The aim of school concurrency is to ensure that the public school facilities necessary to maintain the adopted level of service for schools are in place before or concurrent with the school impacts of new residential development.

10.1. A. *Definitions.*

1. *Interlocal Agreement for School Facilities Planning and Siting.* The interlocal agreement between Martin County, the City of Stuart, and the School Board of Martin County, signed by the School Board on February 19, 2008, and made effective by Martin County on March 11, 2008, which details the responsibilities and coordination processes necessary to implement joint planning, school siting procedures, and school concurrency.
2. *School Concurrency Review Report.* This report provides the City with the schools' determination on whether there is enough school capacity to accommodate a new development. It is produced by the School District Staff and submitted to the City.
3. *Technical Advisory Committee (TAC).* The TAC is a five-member committee appointed by the City, Martin County and the School Board whose main purpose is to evaluate school siting needs. The Interlocal Agreement for School Facilities Planning and Siting provides details on the TAC.

(Ord. No. 2158-08, § 1, 5-12-2008)

## Sec. 10.2. - The planning environment.

10.2. A. *Population.* According to the U.S. Census, between 1990 and 2000 Martin County grew by over 25 percent from 100,900 to 126,731, including residents within the City of Stuart. BEBR estimates an average of 2,896 new residents annually have been moving into Martin County in recent years. Population estimates for 2007 place the county's population at 143,737.

The Bureau of Economic and Business Research (BEBR) estimates the population will grow to 154,050 residents by 2010 and 178,974 residents by 2020. By 2030 Martin County's population is projected to be 199,714.

Approximately 87% of the estimated population resides east of the Florida Turnpike. For the years 2004 to 2006 more than 84% of the county's Certificates of Occupancy went to residential units east of the Turnpike. This indicates that the area east of the Turnpike continues to attract the majority of the population. However, with vacant residential land available and its relatively lower land costs, Indiantown is becoming attractive to residential developers. Based on approved and planned projects, it is estimated that the Indiantown/West County area could experience a 96% increase in population going from 9,270 residents in 2005 to 18,210 in 2025. Table 10-1 shows permanent population by the county's Comprehensive Plan planning areas for 2005 and 2006, and projected permanent population through 2025.

Table 10-1 POPULATION FORECAST BY PLANNING AREA

| Planning Areas | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2015 | 2020 | 2025 | % Increase 2005-2025 |
|---|---|---|---|---|---|---|---|---|---|---|
| N. River Shores | 4,237 | 4,245 | 4,260 | 4,273 | 4,285 | 4,295 | 4,342 | 4,390 | 4,432 | 4.6% |
| North County | 16,703 | 16,788 | 16,833 | 16,884 | 16,932 | 16,970 | 17,153 | 17,338 | 17,500 | 4.8% |
| Hutchinson Island | 2,643 | 2,649 | 2,658 | 2,665 | 2,672 | 2,678 | 2,705 | 2,732 | 2,756 | 4.3% |
| Stuart Urban | 18,661 | 18,875 | 19,189 | 19,692 | 20,334 | 21,104 | 23,218 | 24,332 | 25,495 | 36.6% |
| Palm City | 23,093 | 23,293 | 23,532 | 23,753 | 23,959 | 24,125 | 24,918 | 25,720 | 26,423 | 14.4% |
| Pt. Salerno/76 | 29,641 | 30,155 | 31,187 | 32,138 | 33,030 | 33,746 | 37,167 | 40,631 | 43,663 | 47.3% |
| Mid County | 8,440 | 8,637 | 8,999 | 9,333 | 9,645 | 9,896 | 11,095 | 12,309 | 13,372 | 58.4% |
| South County | 28,371 | 28,701 | 29,400 | 30,044 | 30,647 | 31,133 | 33,450 | 35,795 | 37,849 | 33.4% |
| Indiantown/West County | 9,270 | 9,312 | 9,452 | 9,592 | 9,732 | 10,152 | 12,952 | 15,752 | 18,210 | 96.4% |
| Total County | 141,059 | 142,645 | 145,509 | 148,373 | 151,236 | 154,100 | 167,000 | 179,000 | 189,700 | 34.5% |

Source: Population Technical Bulletin, May 2007 Growth Management Department, Martin County Board of County Commissioners

On average, Martin County (incorporated and unincorporated areas) approves between 1,100 to 1,700 certificates of occupancy a year.

Table 10-2 CERTIFICATES OF OCCUPANCY

| Type | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|---|---|---|---|---|---|---|
| Single-Family | 753 | 1165 | 1000 | 956 | 914 | 880 |
| Duplex | 18 | 162 | 128 | 198 | 106 | 8 |
| Multifamily | 298 | 384 | 36 | 256 | 131 | 339 |
| Mobile Home | 34 | 15 | 17 | 23 | 29 | 6 |
| Totals | 1103 | 1726 | 1181 | 1433 | 1180 | 1233 |

Source: 2006 Growth Development Trends Report

Martin County Schools planning staff are tracking more than 60 active housing developments that contain more than 7,700 unbuilt housing units. Although many of these units will be marketed to retirees and seasonal residents, single family homes in Martin County are still expected to generate 2.5 school-age children for every ten homes based on the most recent Impact Fee Study. The outstanding units represent nearly 2,000 new students for the schools.

Like most of South Florida, Martin's population growth has been a mainstay of the economy for decades. However, in 2007 many counties began seeing a slowing in the housing industry that will impact enrollment growth. The district will need to monitor permit activity through the year and reassess long term needs.

10.2. B. *School Enrollment.* Between 1997 and 2007, the Martin County enrollment grew from 14,626 to 17,804 students or 22 percent. Table 10-3 shows the trends in the last five years by school type. Note that in 2004, two hurricanes hit the county and caused a displacement of some of the county's residents and a decrease in in-migration that impacted two years of growth.

Table 10-3 School Enrollment History

| Year | Elementary | Middle | High | Total * | Annual Growth |
|---|---|---|---|---|---|
| 2002 | 7,859 | 4,158 | 5,060 | 17,077 | |
| 2003 | 8,041 | 4,295 | 5,261 | 17,597 | 520 |
| 2004 | 7,956 | 4,250 | 5,326 | 17,532 | -65 |

| | | | | | |
|---|---|---|---|---|---|
| 2005 | 8,113 | 4,115 | 5,435 | 17,663 | 131 |
| 2006 | 8,234 | 4,092 | 5,633 | 17,959 | 296 |
| 2007 | 8,176 | 4,052 | 5,576 | 17,804 | -155 |

* Enrollment numbers represent only PK—12 students housed in District-owned facilities. Enrollment does not include adult-education students, homebound students, home-schooled students, and students in other special or alternative programs.

10.2. C. *Demographic Trends.* Martin County, including the City of Stuart, is demographically older (median age of the population is older than the State's population as a whole) and less diverse than the State as a whole. The moderate year-round climate, casual lifestyle, and affordability compared to neighboring counties make Stuart and Martin County desired locations for retirees.

Racially, Martin County's demographic composition shows small increases in the Hispanic population and other minority groups since 2000. Although the public-school population tends to follow similar patterns, it is more diverse than the County as a whole. Following a trend throughout Florida and the nation, Martin County's Hispanic population has been the fastest growing of all racial groups. Table 10-4 shows a comparison of the County and School District changes starting in 2000.

Table 10-4
Population
by Race
and Ethnicity

| Race/Ethnicity | General Population | | Student Population | |
|---|---|---|---|---|
| | 2000 | 2006 | 2000 | 2006 |
| White | 89.9% | 83.9% | 74.1% | 68.3% |
| African-American | 5.3% | 5.5% | 10.9% | 8.5% |
| Hispanic | 7.5% | 9.1% | 12.6% | 18.3% |
| Asian | 0.7% | 0.8% | 0.9% | 1.2% |
| Other | 1.4% | 1.4% | 1.5% | 3.7% |

10.2. D. *Legislative Changes.* In November 2002, Florida voters passed Constitutional Amendment 9 requiring the State legislature to provide funding to reduce the maximum class size in Florida's public schools. The goals set by the amendment to be reached by 2010 are 18 students per Prekindergarten through Grade 3, 22 students per class in Grades 4 through 8, and 25 students per class in Grades 9 through 12. The amendment specified a two-student-per-year reduction from district averages to school averages, and finally to individual classes. Implementation began with the 2003-2004 school year and continues until class size goals are reached.

Class size reduction has impacted a school's capacity calculation in that class size factors and utilization levels are lower. See Table 10-5 for current guidelines.

Table 10-5
Classroom Size

| Program | Class Size Amendment | Utilization % |
|---|---|---|
| Pre-Kindergarten | 18 | 100% |
| Kindergarten | 18 | 100% |
| Primary Grades (1st—3rd) | 18 | 100% |
| Intermediate Grades (4th, 5th) | 22 | 100% |
| 6th—8th Grades | 22 | 90% |
| 9th—12th Grades | 25 | 85 - 95% |

In 2005 the State Legislature passed Senate Bill 360, a Growth Management Reform Act, which mandated a comprehensive focus on school planning by requiring the school district, county, and municipalities to adopt a school concurrency system. Key features included in this Act are:

· School concurrency is now mandatory Statewide.

· School boards and local governments within each county must create school concurrency management systems by December 1, 2008 or else face substantial penalties.

· Developers must be given the option to pay for school improvements in order to avoid a school concurrency requirement. The amount of payment must be proportional to the number of students who will come from the new development. This option is called proportionate share mitigation.

The objective of school concurrency is to provide sufficient capacity in the public-school system timed to keep pace with student growth from new residential development and to balance enrollment.

10.2. E. *Fiscal Considerations.* The key component to a successful Concurrency Program is the ability of the School District to implement a financially feasible plan to provide sufficient capacity at the Level of Service adopted in the Interlocal Agreement.

Martin County School District's Five-Year Work Plan for FY 2010/11—2014/15, approved by the School Board on September 21, 2010, describes the plans to expand existing facilities and construct new facilities to meet enrollment demand. Capital improvements are considered after evaluating student enrollment to school capacity and population growth trends. This evaluation of school facility needs allows the School District to be proactive in addressing changes in enrollment and the other factors that drive capital improvements.

The Revenue Summary for FY 2010/11—2014/15 describes the incoming revenue used to finance the corresponding Capital Improvement Program. The two primary revenue streams for the Martin County School District are from the property tax levy and school impact fees.

Current local sources of capital revenue for the Martin County School District are the 2 Mill Ad Valorem Property Tax collected from residential and nonresidential development, and impact fees that are collected from new non-age-restricted residential development. The School District is currently levying two mills. In addition, school districts may sell Certificates of Participation (COP) or bonds based on lease payments for new construction up to $600,000,000.00.

Primary State funds include Public Education Capital Outlay (PECO) funds from the State's gross receipt tax on utilities, and Capital Outlay and Debt Service (CO&DS) from motor vehicle license fees.

Although funding available through local and State sources may need to be increased in the future, the current sources for funding are adequate to address the needs.

Table 10-6 compares the balanced projected five-year revenue to proposed expenditures by year. Known capital revenue from State and local sources is expected to total over $300,000,000.00 over this period.

Table 10-6 Comparison of Five-Year Projected Revenue and Expenditures

| Category | FY 2007-08 | FY 2008-09 | FY 2009-10 | FY 2010-11 | FY 2011-12 | Total |
|---|---|---|---|---|---|---|
| Projected State and Local Revenue | $60,255,243 | $58,366,208 | $61,264,199 | $64,294,772 | $67,518,469 | $311,698,891 |
| Proposed Yearly Expenditures | $60,255,243 | $58,366,208 | $61,264,199 | $64,294,772 | $67,518,469 | $311,698,891 |

The FY 2010/11—2014/15 Capital Improvement Program for the Martin County School District includes funds for two new elementary schools and classroom additions at two existing elementary schools. Table 10-7 summarizes these projects.

Table 10-7 Capital Improvement Program: New Schools and Classroom Additions

| Addition of Capacity | Approx. Opening | Additional/ New Capacity | Enrollment Relief To |
|---|---|---|---|

| | | | |
|---|---|---|---|
| New Elementary "A" (Tuscawilla) | 2008 | 750 | Bessey Creek ES<br>Crystal Lake ES<br>Palm City ES |
| Pinewood ES Classroom Addition | 2008 | 128 | Pinewood ES |
| Seawind ES lassroom Addition | 2008 | 161 | Seawind ES |
| New Elementary "B" (Indiantown) | 2012 | 750 | Warfield ES<br>Indiantown MS |

In addition to capacity-adding projects, the School District also budgets for the comprehensive needs of existing schools to ensure the facilities are safe and up to date to meet diverse educational program needs. These major repair and renovation projects include additions of noninstructional support spaces, ADA compliance and modernization of all or portions of a facility. To ensure that facility needs are addressed in an equitable manner, staff of the school district prioritizes comprehensive needs projects based on the District's approved facilities list for elementary, middle and high schools, age of the facility, and capacity needs.

In 2004 the School Board developed master plans for each school in the district. These master plans provide a basis for project prioritization and a foundation for a project scope. Martin County School District has budgeted over $16 million to address comprehensive needs projects in FY 2007/08.

In 2007 the estimated value of all school facilities was $922,000,000.00. There is existing outstanding debt of $21,000,000.00 and a new Certificates of Participation (COPs) issue of $40,000,000.00.

The local educational facility costs will be paid by a combination of appropriations from the State of Florida, the annual CIT, and impact fees. State funding reflects the anticipation of State funds for Classroom Size reduction. Classroom size allocations are not a recurring revenue.

(Ord. No. 2158-08, § 1, 5-12-2008; Ord. No. 2218-2011, § 1, 1-10-2011)

Sec. 10.3. - Enrollment forecast.

Enrollment forecasting requires analysis of multiple data sources including, but not limited to, birth rates, historical enrollment trends, makeup of neighborhoods, local and regional economic and housing trends, program and boundary changes, and an empirical understanding of individual communities.

School population projections are most reliable when enrollment is projected for large geographic areas for one or two years in the future. For example, the district-wide projections for next year are expected to have a higher degree of certainty than the fifth-year estimates. Conversely, accuracy diminishes as the geographic area becomes smaller and the forecast is for more distant points in the future.

In accordance with Florida Department of Education guidelines, the Martin County School District annually prepares or updates enrollment forecasts following a study of local government area and school level trends. A history of each school's grade-by-grade enrollment is compiled and analyzed. This history reveals patterns in the "aging" or progression (less out-migration factors) of students from one grade to the

next. These patterns are extrapolated to develop a school's basic forecast. This approach, termed the Cohort-Survivorship Model, is the most widely applied forecasting method for schools.

10.3. A. *Department of Education forecast.* Around June of each year, the Florida DOE publishes grade-by-grade COFTE enrollment projections for every school district for the next ten years. The State uses a standard "cohort survival" method using five-year enrollment trends. The State's projections are an average of two "head counts" - one in October and one in February. This poses three issues for facilities planning:

The first is timing. The school district does not know the actual COFTE enrollment until after the end of the school year and therefore does not know whether there will be changes to the forecast until two months before starting the new school year. The school district is then required to develop school by school projections that are consistent with the State's forecast.

The second concern is the implication for the high school forecast. By using the average of two counts, the COFTE tends to under-project the number of high school students that show up in the fall by including winter dropouts from the spring count.

Finally, the State forecast is based on historic trends and not on local knowledge. If there is a change in the trend (Indiantown for example), the State forecast will lag behind.

10.3. B. *Local forecast.* This year, the enrollment projections were prepared in the fall using the actual first-quarter information. The same Cohort-Survivorship method "ages" students ahead through the grade levels and calculates a ratio based on a five-year history. This ratio is then applied to future years.

However, the data yielded by the basic survivorship model was only the foundation for the enrollment projections. The model data was compared to projected county population growth associated with new housing starts and County in-migration rates. Population projection data is proportionately matched to school attendance zone data to provide an indication of future growth patterns.

The most difficult segment of the K-12 population to predict is each year's kindergarten class. In order to project the kindergarten population for each year, statistical profiles of residential birth data was matched to growth patterns and applied to individual schools.

Finally, the District-wide forecast was compared to the Department of Education (DOE) forecast for the Martin County School District. Differences may be explainable in light of specific Martin County data on new housing.

*Survivorship trends.* Because of the "aging" pattern in population forecasting, schools may have changes from both in-migration (new housing) and from aging out. Table 10-9 shows the history of elementary growth and the impact of both patterns.

Growth between grades typically is the result of in-migration from new housing or housing turnover. This is shown in columns identified with Δ. However, enrollment increases can also occur as a smaller fifth grade is replaced by a larger kindergarten class as was the case in 2006 for the elementary schools. Table 10-9 History of Elementary School Enrollment by Grade

| Year | Total | Gth | PK | K | Δ | 1 | Δ | 2 | Δ | 3 | Δ | 4 | Δ | 5 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2002 | 7684 | -91 | 229 | 1158 | 71 | 1210 | 45 | 1208 | 31 | 1275 | 10 | 1282 | 47 | 1322 |
| 2003 | 8032 | 348 | 415 | 1292 | 71 | 1229 | 10 | 1220 | 81 | 1289 | 12 | 1287 | 18 | 1300 |

| | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2004 | 7995 | -37 | 431 | 1245 | -18 | 1274 | -5 | 1224 | 35 | 1255 | -22 | 1267 | 12 | 1299 |
| 2005 | 8080 | 85 | 386 | 1278 | 55 | 1300 | -11 | 1263 | 83 | 1307 | -7 | 1248 | 31 | 1298 |
| 2006 | 8234 | 154 | 436 | 1325 | 22 | 1300 | 2 | 1302 | 38 | 1301 | 2 | 1309 | 13 | 1261 |
| 2007 | 8186 | -145 | 437 | 1273 | -53 | 1272 | -11 | 1289 | 6 | 1308 | -33 | 1268 | 30 | 1339 |

Source: Public Pathways, Inc., Presentation to Long-Range Planning Committee, November 27, 2007.

A couple of small grades are moving through the system causing a slight decline in the middle schools in 2005 and 2006. As these grades age through the system, middle school enrollment will increase and high school enrollment will moderate and may decrease. It is important not to base long term planning on temporary fluctuations in the enrollment. After 2011, high school enrollments will once again begin the increase as heralded by the elementary forecast.

*Births.* Table 10-9 shows the history of annual births in Martin County and the kindergarten class six years later. For the past several years the number of births has steadily increased. The growth, combined with in-migration has created a positive survivorship trend.

The local forecast assumes that the growth trends for the preschool years will continue at the current rate.

Table 10-9 Births

| Birth Year | Number Births | Kindergarten (+6 Years) | Survivorship % |
|---|---|---|---|
| 2003 | 1,127 | 1,292 * | 1.15 |
| 2004 | 1,110 | 1,245 * | 1.13 |
| 2005 | 1,255 | 1,278 * | 1.02 |
| 2006 | 1,241 | 1,325 * | 1.07 |
| 2007 | 1,205 | 1,273 | 1.06 |
| 2008 | 1,172 | 1,274 | 1.09 |
| 2009 | 1,256 | 1,288 | 1.03 |

| | | | |
|---|---|---|---|
| 2010 | 1,307 | 1,327 | 1.02 |
| 2011 | 1,316 | 1,343 | 1.02 |
| 2012 | 1,345 | 1,363 | 1.01 |
| * Years used to project kindergarten enrollment for school years 2008—2012 | | | |
| Sources for birth data: Florida DOE FTE Forecast; Source: Public Pathways, Inc., Presentation to Long-Range Planning Committee, November 27, 2007. | | | |

*In-migration.* The impact of several years of bad weather and the recent uncertainty in the housing market suggest that the District may see fewer students from new housing—at least in the urban cores—for the next several years. The local forecast assumes a conservative 1,000 new units a year.

*Local enrollment projections.* Based on the above analysis, enrollment in Martin County schools is projected to grow from approximately 17,804 students in 2007 to 18,155 students in 2012—an increase of approximately 350 students.

Tables 10-10 through 10-14 show actual enrollment from 2002 through 2007, and projected enrollment from 2008 through 2017 for elementary, middle and high schools.

Table 10-10 Elementary School Enrollment by Grade

| Year | Total | Growth | PK | K | | 1 | | 2 | | 3 | | 4 | | 5 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2002 | 7684 | -91 | 229 | 1,158 | 71 | 1,210 | 45 | 1,208 | 31 | 1,275 | 10 | 1,282 | 47 | 1,322 |
| 2003 | 8,032 | 348 | 415 | 1,292 | 71 | 1,229 | 10 | 1,220 | 81 | 1,289 | 12 | 1,287 | 18 | 1,300 |
| 2004 | 7,995 | -37 | 431 | 1,245 | -18 | 1,274 | -5 | 1,224 | 35 | 1,255 | -22 | 1,267 | 12 | 1,299 |
| 2005 | 8,080 | 85 | 386 | 1,278 | 55 | 1,300 | -11 | 1,263 | 83 | 1,307 | -7 | 1,248 | 31 | 1,298 |
| 2006 | 8,234 | 154 | 436 | 1,325 | 22 | 1,300 | 2 | 1,302 | 38 | 1,301 | 2 | 1,309 | 13 | 1,261 |
| 2007 | 8,186 | -145 | 437 | 1,273 | -53 | 1,272 | -11 | 1,289 | 6 | 1,308 | -33 | 1,268 | 30 | 1,339 |

Source: Public Pathways, Inc., Presentation to Long-Range Planning Committee, November 27, 2007.

Table 10-11 Middle School Enrollment by Grade

| Year | Total | Growth | 5th to 6th | 6 | | 7 | | 8 |
|---|---|---|---|---|---|---|---|---|
| 2002 | 4,158 | 130 | 37 | 1,376 | 23 | 1,385 | 22 | 1,397 |
| 2003 | 4,295 | 137 | 65 | 1,387 | 67 | 1,443 | 80 | 1,465 |
| 2004 | 4,250 | -45 | 45 | 1,345 | 48 | 1,435 | 27 | 1,470 |
| 2005 | 4,115 | -135 | 50 | 1,349 | -11 | 1,334 | -3 | 1,432 |
| 2006 | 4,092 | -23 | 20 | 1,318 | 27 | 1,376 | 43 | 1,398 |
| 2007 | 4,052 | -40 | 48 | 1,309 | 6 | 1,324 | 38 | 1,419 |

Source: Public Pathways, Inc., Presentation to Long-Range Planning Committee, November 27, 2007.

Table 10-12 High School Enrollment by Grade

| | Total | Growth | 8th to 9th | 9 | | 10 | | 11 | | 12 |
|---|---|---|---|---|---|---|---|---|---|---|
| 2002 | 5,060 | 228 | 263 | 1,554 | -166 | 1,324 | -158 | 1,185 | -90 | 997 |
| 2003 | 5,261 | 201 | 239 | 1,636 | -207 | 1,347 | -121 | 1,203 | -110 | 1,075 |
| 2004 | 5,326 | 65 | 290 | 1755 | -271 | 1,365 | -206 | 1,141 | -138 | 1,065 |
| 2005 | 5,435 | 109 | 262 | 1,732 | -279 | 1,476 | -172 | 1,193 | -107 | 1,034 |
| 2006 | 5,633 | 198 | 269 | 1,701 | -214 | 1,518 | -199 | 1,277 | -56 | 1,137 |
| 2007 | 5,576 | -57 | 171 | 1,569 | -225 | 1,476 | -218 | 1300 | -46 | 1,231 |

* 9 th Grade stabilizes at around 1,560 for the next three to four years and will cause some decline as the larger grades graduate.

Source: Public Pathways, Inc., Presentation to Long-Range Planning Committee, November 27, 2007.

Table 10-13 2008-2012 Forecast

| | 2008 | 2009 | 2010 | 2011 | 2012 |
|---|---|---|---|---|---|
| Elementary | 8,163 | 8,183 | 8,246 | 8,338 | 8,483 |
| Middle | 4,037 | 4,069 | 4,103 | 4,121 | 4,161 |
| High | 5,562 | 5,501 | 5,425 | 5,498 | 5,511 |
| Total | 17,224 | 17,219 | 17,240 | 17,428 | 17,634 |
| | | | | | |

Source: Public Pathways, Inc., Presentation to Long-Range Planning Committee, November 27, 2007.

Table 10-14 Forecast 2013-2017

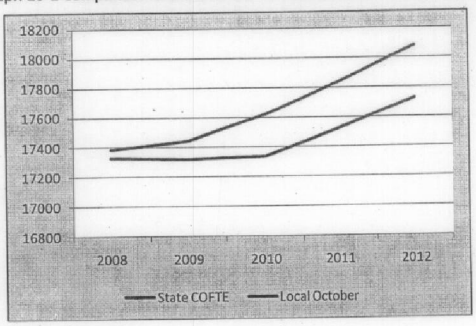
| | 2013 | 2014 | 2015 | 2016 | 2017 |
|---|---|---|---|---|---|
| Elementary | 8,658 | 8,796 | 8,935 | 9,073 | 9,211 |
| Middle | 4,208 | 4,275 | 4,342 | 4,409 | 4,476 |
| High | 5,583 | 5,672 | 5,762 | 5,851 | 5,940 |
| Total | 18,450 | 18,744 | 19,038 | 19,332 | 19,626 |

Ten-year forecast is based on County population projections and assumes approximately 0.114 percent of the population in public schools.

Source: Public Pathways, Inc., Presentation to Long-Range Planning Committee, November 27, 2007.

*Comparison to the State DOE COFTE forecast.* In 2006, the State forecast little or no enrollment increases for Martin County based on trends established in 2004-2005. Graph 10-1and Graph 10-2 shows a comparison of COFTE to the Local Forecast.

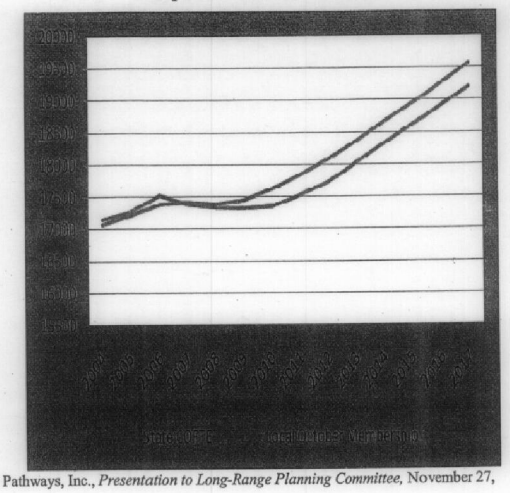
Graph 10-1 Comparison of the DOE COFTE Forecast to the Local Forecast




*July 2007 COFTE (non-charter)

Source: Public Pathways, Inc., *Presentation to Long-Range Planning Committee*, November 27, 2007.

Graph 10-2 2004-2017 Forecast



Source: Public Pathways, Inc., *Presentation to Long-Range Planning Committee*, November 27, 2007.

*Conclusion.* The local forecast indicates little or no growth in enrollment for the next five years and slow to moderate growth over the ten-year period from in-migration and increasing births. Small grades moving through the system will slow enrollment increases in the high schools for a couple of years but [will] pick up again beyond 2011.

Every year the forecasts are updated to reflect the most recent information—on births, housing, and grade level changes. The determination of patterns and trends, such as this year's enrollment decline are incorporated into this process.

(Ord. No. 2158-08, § 1, 5-12-2008)

Sec. 10.4. - Capacity and level of service.

An essential component of a school concurrency system is the level of service (LOS) standard or utilization at which a school is expected to operate. The LOS standard for public schools is based upon the capacity of the facility divided by enrollment. Levels of service standards for public school facilities serve several purposes:

- To guide long range projections of school facility needs.
- To assist with the determination of school facility needs over the five-year capital improvement time frame.

· To provide a basis for the review of petitions for final subdivisions and site plans for residential development.

## Florida Inventory of School Houses (FISH) Capacity

"The number of students that may be housed in a facility (school) at any given time based on a utilization percentage of the number of existing satisfactory student stations", based on FDOE formulas.

It is a product of the number of classrooms at a school and gthe student stations assigned to each room type.

The capacity of some spaces is modified for actual square footage of the teaching space.

Teaching stations are defined as being 600 square feet or more with a teacher and students regularly assigned to the space.

No capacity is assigned to small instructional spaces and specialized labs including art, music, resource, etc.

10.4. A. *Capacity and campus master plans.* One of the most effective ways to improve student achievement and curb school violence is to reduce the size of the nation's schools. Hundreds of studies have found that students who attend small schools outperform those in large schools on every academic measure from grades to test scores. They are less likely to dropout and more likely to attend college.

Small schools also build strong communities. Parents and neighbors are more likely to be actively involved in the school. The students benefit from community support and the school in turn fosters connections among neighbors and encourages civic participation.

Often State and local policy makers prefer large schools because they are less expensive to operate on an annual per-pupil basis. In many States, such as Florida, education funding formulas provide a flat rate per pupil and make no adjustment for the higher costs of running a small school. This favors larger schools and pressures smaller ones to close. Such policies are short-sighted. Small schools may require higher levels of annual per-pupil funding, but they are far more cost effective. Small schools have higher graduation rates and, on a per graduate basis, they cost about the same or less than large schools.

The Martin County School District is evidence of the wisdom of smaller, more parent/community based schools in that the District is only one of two Florida school districts with all "A" performing schools and the lowest dropout rate and highest graduation rate of any Florida school district.

Recognizing the benefits of smaller schools, the School Board of Martin County adopted a maximum school size of 750 for elementary schools, 1,200 for middle schools and 1,800 for high schools. Master plans have been developed for each school campus for phased renovation and reconstruction that will comply with the caps where feasible.

Following this direction of the School Board and Superintendent, Martin County school capacities are based on the following:

1) Permanent FISH capacity (without portables);

2) Permanent FISH capacity adjusted for Title I schools' special programmatic needs;

3) Permanent FISH capacity adjusted to reflect the Board's long-term plans to cap school size, permanent capacity, at 750 for elementary schools, 1,200 for middle schools and 1,800 for high schools

To be efficiently run, a school's core capacity should match the number of students that is expected to be served. As a result of the Class Size Reduction (CSR) legislation, many of the District's schools appear to have available core capacity (defined as media centers, dining areas,

administration and support spaces, and assembly spaces) that would support a classroom addition project. However, due to various constraints on-site expansions are not always feasible.

*Level of Service Standard.* The LOS standard for the Martin County School District is as follows:

(1) *Reserved.*

(2) *Elementary.*

*Step 1.* Aggregating the permanent capacity of all elementary schools within the CSA. For purposes of this analysis, "permanent capacity" for each elementary school (except for schools designated for receiving Title I assistance) shall mean 100 percent of the permanent existing satisfactory student stations planned to house students by the end of the third year of the Five-Year Capital Improvement Plan (after applying the DOE utilization rate), capped at a total capacity of 750 student stations per school. For purposes of this analysis, "permanent capacity" for receiving Title I assistance shall mean 85 percent of the permanent existing satisfactory student stations planned to house students by the end of the third year of the Five-Year Capital Improvement Plan (after applying the DOE utilization rate), capped at a total capacity of 750 student stations per school.

*Step 2.* Adding to the aggregate number of student stations determined above, the CSA's aggregate temporary capacity for elementary schools within the CSA. For purposes of this analysis, each CSA's elementary school "temporary capacity" shall mean the CSA's proportionate share of the number of student stations required on a district-wide basis to accommodate elementary school student enrollment which is 450 students more than the School Board's district-wide elementary school permanent capacity. Each CSA's proportionate share of such temporary capacity shall be determined by dividing 450 by the total number of elementary schools operating in the district, and then multiplying by the number of elementary schools operating in the CSA.

(3) *Middle.*

*Step 1.* Aggregating the permanent capacity of all middle schools within the CSA. For purposes of this analysis, "permanent capacity" for each elementary school (except for schools designated for receiving Title I assistance) shall mean 100 percent of the permanent existing satisfactory student stations planned to house students by the end of the third year of the Five-Year Capital Improvement Plan (after applying the DOE utilization rate), capped at a total capacity of 1,200 student stations per school. For purposes of this analysis, "permanent capacity" for receiving Title I assistance shall mean 85 percent of the permanent existing satisfactory student stations planned to house students by the end of the third year of the Five-Year Capital Improvement Plan (after applying the DOE utilization rate), capped at a total capacity of 1,200 student stations per school.

*Step 2.* Adding to the aggregate number of student stations determined above, the CSA's aggregate temporary capacity for middle schools within the CSA. For purposes of this analysis, each CSA's middle school "temporary capacity" shall mean the CSA's proportionate share of the number of student stations required on a district-wide basis to accommodate middle school student enrollment which is 720 students more than the School Board's district-wide middle school permanent capacity. Each CSA's proportionate share of such temporary capacity shall be determined by dividing 720 by the total number of middle schools operating in the district, and then multiplying by the number of middle schools operating in the CSA

(4) *High.*

*Step 1.* Aggregating the permanent capacity of all high schools within the CSA. For purposes of this analysis, "permanent capacity" for each high school shall mean 100 percent of the permanent existing satisfactory student stations planned to house students by the end of the

third year of the Five-Year Capital Improvement Plan (after applying the DOE utilization rate), capped at a total capacity of 1,800 student stations per school.

*Step 2.* Adding to the aggregate number of student stations determined above, the CSA's aggregate temporary capacity for high schools within the CSA. For purposes of this analysis, each CSA's high school "temporary capacity" shall mean the CSA's proportionate share of the number of student stations required on a district-wide basis to accommodate high school students until the School Board experiences district-wide high school student enrollment, which is 1,080 students more than the School Board's district-wide high school permanent capacity. Each CSA's proportionate share of such temporary capacity shall be determined by dividing 1080 by the total number of high schools operating in the district, and then multiplying by the number of high schools operating in the CSA.

(Ord. No. 2158-08, § 1, 5-12-2008)

Sec. 10.5. - Co-location and infrastructure needs.

Co-location and shared use of facilities are important to both the School District and the Local Governments. The School District will look for opportunities to co-locate and share use of school facilities and civic facilities when preparing the Educational Plant Survey. Likewise, co-location and shared use opportunities will be considered by the local governments when preparing the updates to their Comprehensive Plan, Schedule of Capital Improvements, and when planning and designing new or renovating existing, community facilities which may be compatible with schools. For example, opportunities for co-location and shared use may be considered for libraries, parks, recreation facilities, community centers, auditoriums, learning centers, museums, performing arts centers, and stadiums. Coordinated planning for co-location and joint use will result in capital savings for the School District and Local Governments and create community focal points. Co-location and shared use of facilities are important tools in budgeting and community building for the School District and Local Governments.

Through the State's coordinated planning requirements for school concurrency, Local Governments and the School District are directed to recognize the benefits and opportunities realized through the sharing of facilities and costs to the greatest extent possible. The School District would benefit from joint use of parks in the vicinity of public schools, due largely to the Local Governments' parks and recreation departments dedication to promoting health and wellness, alternative leisure activities, community involvement through sports and special events for County residents.

Co-location is intended to provide efficient use of existing infrastructure and discourage sprawl. Identification early in a budget cycle and coordination among agencies will promote successful and effectively utilized public facilities. Cost effective co-location or joint use of School District or Local Government-owned property could provide substantial savings for existing and future public facilities.

Opportunities for co-location and joint use should be explored with the Local Governments' parks and recreation departments and the School District. As residential development proceeds in different areas of the County, opportunities for co-location and joint use should be incorporated into the planning of public facilities to serve the local communities.

10.5. A. Co-location. In the School District's adopted Five-Year Work Program for the 2007-08 school year four new schools were identified to maintain the District's level of service. These are shown in Table 10-15 below:

Table 10-15
Planned Schools

| School | Approx. Opening | Capacity | Planned Location |
|---|---|---|---|

| | | | |
|---|---|---|---|
| Elementary "A" | 2008 | 750 | Palm City |
| Elementary "B" | 2009 | 750 | Indiantown |
| Elementary "C" [1] | 2011 | 750 | East Coast |
| High School "BBB" [1] | 2013 | 1,800 | West County |
| [1] The 2007-08 Five-Year school CIP was prepared and adopted before the 2007 October count. The October count showed an unexpected enrollment drop. These projects are expected to be delayed due to drop in enrollment. | | | |

Only the location of Elementary A is known. The current matrices for co-location opportunities are listed in Table 10-16.

Table 10-16 Co-location Consideration Matrix

| Geographic-Complementary Uses | | |
|---|---|---|
| Raw Score (1-5) Weight Factor (2) | | |
| Matrix 6 | Proximity of existing/planned public park/rec. uses/sites (w/in 2-3 miles; after-school activities) | 0 = Distant<br>5 = Close<br>(existing + within first 5 years of adopted CIP) |
| Matrix 7 | Proximity of existing/planned complementary public uses (library, community center, etc.) (within 2 miles) | 0 = Distant<br>5 = Close<br>(existing + within first 5 years of adopted CIP) |
| Matrix 8 | Potential to co-locate with proposed school facility, public partnership/recreation use, or complementary public use. | 0 = Not Able<br>5 = Able |
| | Max Points for this category = 40 | |

The matrix criteria 10-16 highlights sustainable community design. Sustainable community design promotes the location of schools that will enhance their role as community focus points. Table 10-17 lists the matrices for this category.

Table 10-17 Sustainability Considerations Matrix

| Sustainable Community Design | | |
|---|---|---|
| Raw Score (1-5) | | |
| Matrix 10 | Inclusion of site within adopted public sector plan (e.g., CRA or neighborhood plan) | 0 = No Plan<br>5 = Within Plan<br>Weight Factor = 4 |
| Matrix 11 | Inclusion of site within adopted private master plan | 0 = No Plan<br>5 = Within Plan<br>Weight Factor = 2 |
| Matrix 12 | Proximity to population centers | 0 = Close<br>5 = Distant<br>(MC TAZ)<br>Weight Factor = 5 |
| Matrix 13 | Degree of triangulation | 0 = Poor Triangulation<br>5 = Ideal Triangulation<br>(Use SB Standard)<br>Weight Factor = 4 |
| Matrix 14 | Opportunity to redevelop existing underutilized site/adaptive reuse | 0 = No Redevelopment<br>5 = Full Redevelopment<br>Weight Factor = 4 |
| Matrix 15 | Ability to maintain diversity of student population (reflect MC student demographics) | 0 = Less Diverse; As Diverse<br>(Existing condition - SB FL Schools Indicator Report)<br>Weight Factor = 5 |
| Matrix 16 | Size of site as compared to technical standard | 0 = Too Big or Small<br>5 = Optimal<br>(NOTE: Technical standards; Elementary = 20; Middle = 40; High = 60)<br>(Prerequisite minimums: Elementary = 10; |

| | | |
|---|---|---|
| | | Middle = 20; High = 35; SB to scale optimization) |
| | Max Points for this category = 140 | |

10.5. B. *Infrastructure needs.* The School Siting Matrix criteria also include evaluation of infrastructure needs. Table 10-18 lists the criteria and scoring factors.

Table 10-18 Infrastructure Considerations Matrix

| Raw Score (1-5) | | |
|---|---|---|
| Matrix 3 | Existing/proposed condition of sidewalk network | 0 = Need to build whole network<br>5 = Network ready<br>(Existing within first 5 years of adopted CIP + within adopted private master plan)<br>Weight Factor = 1 |
| Matrix 20 | Availability of water-line proximity | 0 = Lines beyond 10 years in CIP<br>3 = Lines within 5 years in CIP<br>5 = Lines close/abutting property<br>Weight Factor = 1 |
| Matrix 21 | Water plant capacity | 0 = No plant capacity available<br>3 = Minimal capacity improvement needed<br>5 = Surplus capacity available<br>Weight Factor = 2 |
| Matrix 23 | Sewer plant capacity | 0 = No plant capacity available<br>3 = Minimal capacity improvements needed<br>5 = Surplus capacity available<br>Weight Factor = 1 |
| Matrix 24 | Availability of storm water | 0 = Lines beyond 10 years in CIP; no plant capacity available<br>3 = Lines within 5 years in CIP; minimal capacity improvements needed<br>5 = Lines close/abutting property; surplus |

| | | |
|---|---|---|
| | | capacity available<br>Weight Factor = 2 |
| Matrix 25 | Transportation costs for School Board (amount of busing required) | 0 = All busing<br>5 = Minimal busing<br>Weight Factor = 5 |
| Matrix 26 | Acquisition complications (need for eminient domain, multiple ownership) | 0 = Many<br>5 = Single-owner and no problems<br>Weight Factor = 5 |
| Matrix 27 | Inclusion of site within Urban Service Boundary | 0 = Outside<br>3 = Within secondary<br>5 = Within Urban Service Boundary<br>Weight Factor = 5 |
| | Max points for this category = 405 | |

Infrastructure needs are planned and coordinated as identified in the Interlocal Agreement for School Facilities Planning and Siting. Further discussion of infrastructure needs associated with proposed educational facilities are set out under Section 3.2.2. "Review of Work Program"

(Ord. No. 2158-08, § 1, 5-12-2008)

Sec. 10.6. - Concurrency service areas.

The Martin County School District has defined six geographic zones as Concurrency Service Areas (CSAs) for elementary and middle schools, and five for high schools. These service areas are established for the purpose of managing level of service standards for the county's public schools. Table 10-19 lists the CSAs and existing elementary and middle schools. Table 10-20 lists the CSAs and existing high schools.

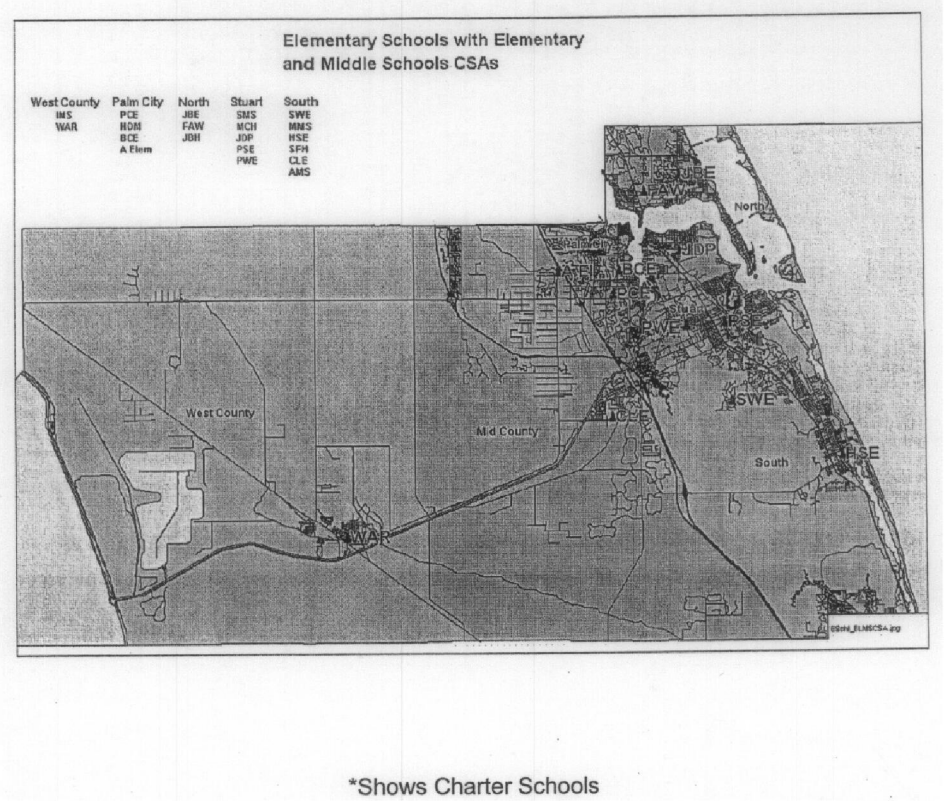
The CSAs have been established to maximize available school capacity, taking into account transportation costs and district policies affecting student assignment.

Schools that do not have a specific geographic boundary have not been included in the Concurrency Analysis.

Table 10-19 Concurrency Service Areas Elementary and Middle School Membership

| CSA # and Name | Elementary and Middle Schools |
|---|---|
| 1: West County Zone | Warfield Elementary<br>Indiantown Middle |

| | |
|---|---|
| 2: Mid-County Zone | No schools at this time |
| 3: North Zone | Felix A. Williams Elementary<br>Jensen Beach Elementary |
| 4: Palm City Zone | Bessey Creek Elementary<br>Palm City Elementary<br>Elementary "A"<br>Hidden Oaks Middle |
| 5: Stuart Zone | J.D. Parker Elementary<br>Pinewood Elementary<br>Port Salerno Elementary<br>Stuart Middle |
| | |
| 6: South Zone | Crystal Lake Elementary<br>Hobe Sound Elementary<br>Seawind Elementary<br>Dr. David L. Anderson Middle<br>Murray Middle |




*Shows Charter Schools

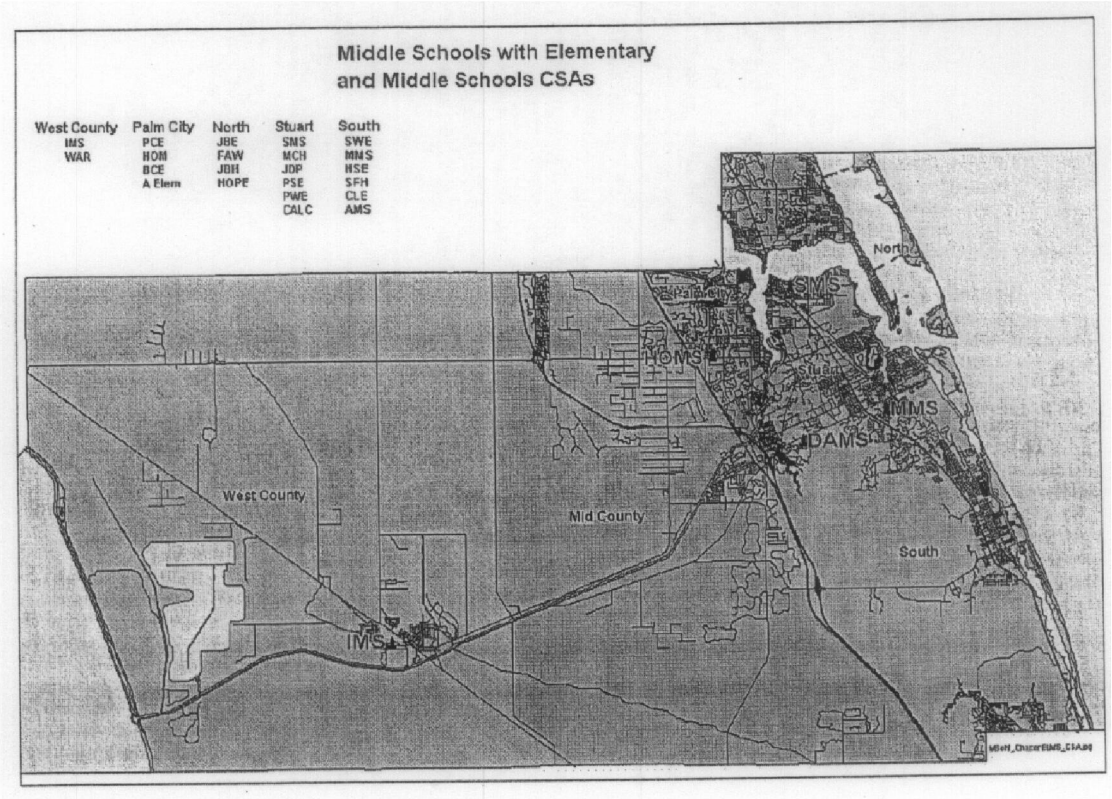
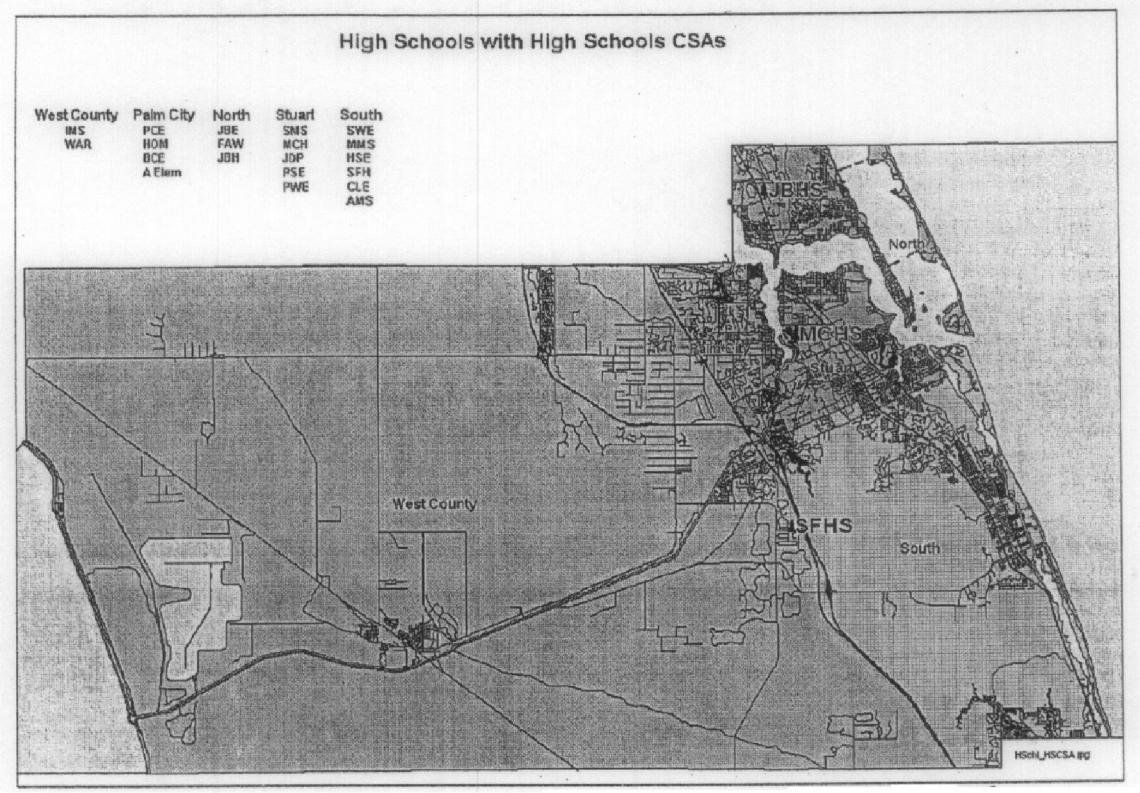



Table 10-20 Concurrency Service Areas and High Schools

| CSA # and Name | High Schools |
|---|---|
| 1: West County Zone | No school at this time |
| 2: North County Zone | Jensen Beach High |
| 3: Palm City Zone | No school at this time |
| 4: Stuart Zone | Martin County High |
| 5: South Zone | South Fork High |




*Concurrency Service Area tables.* These tables present current and projected enrollment through 2012/13. The District's elementary and middle schools have been organized into six geographic planning zones, and the high schools into five geographic planning zones based on their location in the District's Concurrency Service Areas (CSA).

The tables in the CSA zones show the 2007-08 level of service capacity, current enrollment for the 2007/08 school year, and the projected enrollment for school years 2008/09 through 2012/13 along with the projected utilization level. Schools that do not have a geographic boundary (Spectrum, Challenger) are not included in this analysis.

The information contained in this section is a tool used by the District to effectively manage enrollment and capacity, and to plan for future facilities to match the projected need.

**Concurrency Analysis** — *West County Zone*

| School | Concurrency Capacity | Actual 2007 / 2008 Enroll | Cap | LOS | 2008 / 2009 Enroll | Cap | LOS | Projected 2009 / 2010 Enroll | Cap | LOS | 2010 / 2011 Enroll | Cap | LOS | 2011 / 2012 Enroll | Cap | LOS | 2012 / 2013 Enroll | Cap | LOS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| MS Reserve Capacity Indiantown | | 0 | | | 0 | 144 | | 0 | 144 | | 0 | 144 | | 0 | 144 | | 0 | 144 | |
| Indiantown MS* | 589 | 408 | 589 | 69% | 411 | 589 | 70% | 403 | 589 | 68% | 404 | 589 | 69% | 403 | 589 | 68% | 417 | 589 | 71% |
| Middle Total | 589 | 408 | 589 | 69% | 411 | 733 | 56% | 403 | 733 | 55% | 404 | 733 | 55% | 403 | 733 | 55% | 417 | 733 | 57% |
| ES Reserve Capacity Indiantown | | 0 | | | 0 | 38 | | 0 | 38 | | 0 | 38 | | 0 | 38 | | 0 | 38 | |
| Elementary B (Indiantown) | | | | | | | | | | | | | | | | | 0 | 750 | |
| Warfield Elem.* | 638 | 618 | 638 | 97% | 629 | 638 | 99% | 643 | 638 | 101% | 680 | 638 | 107% | 693 | 638 | 109% | 762 | 638 | 119% |
| Elementary Total | 638 | 618 | 638 | 97% | 629 | 676 | 93% | 643 | 676 | 95% | 680 | 676 | 101% | 693 | 676 | 103% | 762 | 1426 | 53% |

* Title One School Capacity at 85% **Concurrency Capacity is FISH Permanent Capacity capped by School Board policy LOS=Level of Service

**Concurrency Analysis** — *Palm City Zone*

| School | Concurrency Capacity | Actual 2007 / 2008 Enroll | Cap | LOS | 2008 / 2009 Enroll | Cap | LOS | Projected 2009 / 2010 Enroll | Cap | LOS | 2010 / 2011 Enroll | Cap | LOS | 2011 / 2012 Enroll | Cap | LOS | 2012 / 2013 Enroll | Cap | LOS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| HS Reserve Capacity Palm City | | 0 | | | 0 | 360 | | 0 | 360 | | 0 | 360 | | 0 | 360 | | 0 | 360 | |
| South Fork High | 1800 | 1964 | 1800 | 109% | 1973 | 1800 | 110% | 1943 | 1800 | 108% | 1886 | 1800 | 105% | 1915 | 1800 | 106% | 1898 | 1800 | 105% |
| High Total | 1800 | 1964 | 1800 | 109% | 1973 | 2160 | 91% | 1943 | 2160 | 90% | 1886 | 2160 | 87% | 1915 | 2160 | 89% | 1898 | 2160 | 88% |
| MS Reserve Capacity Palm City | | 0 | | | 0 | 144 | | 0 | 144 | | 0 | 144 | | 0 | 144 | | 0 | 144 | |
| Hidden Oaks Middle | 1200 | 1119 | 1200 | 93% | 1106 | 1200 | 92% | 1179 | 1200 | 98% | 1185 | 1200 | 99% | 1205 | 1200 | 100% | 1199 | 1200 | 100% |
| Middle Total | 1200 | 1119 | 1200 | 93% | 1106 | 1344 | 82% | 1179 | 1344 | 88% | 1185 | 1344 | 88% | 1205 | 1344 | 90% | 1199 | 1344 | 89% |
| ES Reserve Capacity Palm City | | 0 | | | 0 | 150 | | 0 | 150 | | 0 | 150 | | 0 | 150 | | 0 | 150 | |
| Bessey Creek Elem. | 589 | 752 | 589 | 128% | 514 | 589 | 87% | 507 | 589 | 86% | 498 | 589 | 85% | 492 | 589 | 84% | 501 | 589 | 85% |
| Crystal Lake Elem. | 620 | 733 | 620 | 118% | 504 | 620 | 81% | 503 | 620 | 81% | 510 | 620 | 82% | 526 | 620 | 85% | 534 | 620 | 86% |
| Elementary A (Tuscawilla) | | | | | 437 | 750 | 58% | 437 | 750 | 58% | 441 | 750 | 59% | 441 | 750 | 59% | 419 | 750 | 56% |
| Palm City Elem. | 713 | 881 | 713 | 124% | 856 | 713 | 120% | 829 | 713 | 116% | 809 | 713 | 113% | 801 | 713 | 112% | 814 | 713 | 114% |
| Elementary Total | 1922 | 2366 | 1922 | 123% | 2311 | 2822 | 82% | 2276 | 2822 | 81% | 2258 | 2822 | 80% | 2260 | 2822 | 80% | 2268 | 2822 | 80% |

* Title One School Capacity at 85% **Concurrency Capacity is FISH Permanent Capacity capped by School Board policy LOS=Level of Service

**Concurrency Analysis** — *Hobe Sound Zone*

| School | Concurrency Capacity | Actual 2007 / 2008 Enroll | Cap | LOS | 2008 / 2009 Enroll | Cap | LOS | Projected 2009 / 2010 Enroll | Cap | LOS | 2010 / 2011 Enroll | Cap | LOS | 2011 / 2012 Enroll | Cap | LOS | 2012 / 2013 Enroll | Cap | LOS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| MS Reserve Capacity Hobe Sound | | 0 | | | 0 | 288 | | 0 | 288 | | 0 | 288 | | 0 | 288 | | 0 | 288 | |
| Dr. David L. Anderson Middle | 1200 | 901 | 1200 | 75% | 931 | 1200 | 78% | 946 | 1200 | 79% | 961 | 1200 | 80% | 979 | 1200 | 82% | 994 | 1200 | 83% |
| Murray Middle | 1033 | 750 | 1033 | 73% | 776 | 1033 | 75% | 761 | 1033 | 74% | 761 | 1033 | 74% | 750 | 1033 | 73% | 750 | 1033 | 73% |
| Middle Total | 2233 | 1651 | 2233 | 74% | 1707 | 2521 | 68% | 1707 | 2521 | 68% | 1722 | 2521 | 68% | 1729 | 2521 | 69% | 1744 | 2521 | 69% |
| ES Reserve Capacity Hobe Sound | | 0 | | | 0 | 114 | | 0 | 114 | | 0 | 114 | | 0 | 114 | | 0 | 114 | |
| Hobe Sound Elem. | 750 | 711 | 750 | 95% | 729 | 750 | 97% | 745 | 750 | 99% | 761 | 750 | 101% | 760 | 750 | 101% | 779 | 750 | 104% |
| Port Salerno Elem.* | 638 | 660 | 638 | 103% | 676 | 638 | 106% | 685 | 638 | 107% | 688 | 638 | 108% | 687 | 638 | 108% | 681 | 638 | 107% |
| Seawind Elem. | 589 | 673 | 589 | 114% | 690 | 750 | 92% | 689 | 750 | 92% | 698 | 750 | 93% | 731 | 750 | 97% | 741 | 750 | 99% |
| Elementary Total | 1977 | 2044 | 1977 | 103% | 2095 | 2252 | 93% | 2119 | 2252 | 94% | 2147 | 2252 | 95% | 2178 | 2252 | 97% | 2201 | 2252 | 98% |

* Title One School Capacity at 85% **Concurrency Capacity is FISH Permanent Capacity capped by School Board policy LOS=Level of Service

**Concurrency Analysis** — *Stuart Zone*

| School | Concurrency Capacity | Actual 2007 / 2008 Enroll | Cap | LOS | 2008 / 2009 Enroll | Cap | LOS | Projected 2009 / 2010 Enroll | Cap | LOS | 2010 / 2011 Enroll | Cap | LOS | 2011 / 2012 Enroll | Cap | LOS | 2012 / 2013 Enroll | Cap | LOS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| HS Reserve Capacity Stuart | | 0 | | | 0 | 360 | | 0 | 360 | | 0 | 360 | | 0 | 360 | | 0 | 360 | |
| Martin County High | 1800 | 1951 | 1800 | 108% | 1946 | 1800 | 108% | 1953 | 1800 | 108% | 1945 | 1800 | 108% | 1985 | 1800 | 110% | 1999 | 1800 | 111% |
| High Total | 1800 | 1951 | 1800 | 108% | 1946 | 2160 | 90% | 1953 | 2160 | 90% | 1945 | 2160 | 90% | 1985 | 2160 | 92% | 1999 | 2160 | 93% |
| MS Reserve Capacity Stuart | | 0 | | | 0 | 144 | | 0 | 144 | | 0 | 144 | | 0 | 144 | | 0 | 144 | |
| Stuart Middle | 1200 | 919 | 1200 | 77% | 874 | 1200 | 73% | 852 | 1200 | 71% | 865 | 1200 | 72% | 864 | 1200 | 72% | 879 | 1200 | 73% |
| Middle Total | 1200 | 919 | 1200 | 77% | 874 | 1344 | 65% | 852 | 1344 | 63% | 865 | 1344 | 64% | 864 | 1344 | 64% | 879 | 1344 | 65% |
| ES Reserve Capacity Stuart | | 0 | | | 0 | 75 | | 0 | 75 | | 0 | 75 | | 0 | 75 | | 0 | 75 | |
| Parker School of Science* | 638 | 607 | 638 | 95% | 621 | 638 | 97% | 628 | 638 | 98% | 634 | 638 | 99% | 639 | 638 | 100% | 643 | 638 | 101% |
| Pinewood Elem. | 622 | 761 | 622 | 122% | 747 | 750 | 100% | 753 | 750 | 100% | 747 | 750 | 100% | 763 | 750 | 102% | 772 | 750 | 103% |
| Elementary Total | 1260 | 1368 | 1260 | 109% | 1368 | 1463 | 94% | 1381 | 1463 | 94% | 1381 | 1463 | 94% | 1402 | 1463 | 96% | 1415 | 1463 | 97% |

* Title One School Capacity at 85% **Concurrency Capacity is FISH Permanent Capacity capped by School Board policy LOS=Level of Service

(Ord. No. 2158-08, § 1, 5-12-2008)

Sec. 10.7. - Goals, objectives, and policies.

10.7. A. *Goal.* The City of Stuart shall coordinate with the School Board of Martin County to ensure public school facilities are of the highest quality and meet the needs of the County's existing and future population.

1. *Objective. To ensure public school facilities are maintained at the highest quality.*

   a. Policy: The City hereby adopts the LOS standards for public schools established in the Interlocal Agreement for School Facilities Planning and Siting and reflected in policy A.3.1 of the Capital Improvements Element.

   b. *Policy:* The City hereby adopts by reference the School Board's Concurrency Service Areas as established in the Interlocal Agreement for School Facilities Planning and Siting. Concurrency Service Areas may be altered from time to time via amendment of the Interlocal Agreement, but shall not necessitate an amendment to this plan.

   c. *Policy:* The School Board staff shall monitor each of the applicable levels of service within each concurrency service area to determine whether any deficiencies exist. In the event that one or more deficiencies are identified, the School Board shall initiate action to cure the deficiency by no later than the time of the next annual update of the Public School Facilities Element.

      (1) In the event that a Concurrency Service Area lacks a school, (Elementary, Middle School, High School) students residing within that CSA shall attend a school in an adjacent CSA.

   d. *Policy:* Level of service standards will be applied by Concurrency Service Area. Concurrency Service Areas shall be documented in the data and analysis documentation. The boundaries of the Concurrency Service Areas and any modifications shall be based on the consideration of the following criteria:

      (1) Maximum utilization of school facilities;

      (2) Future growth and demographic changes;

      (3) Demographic/socioeconomic balance;

      (4) Transportation costs;

      (5) Minimizing the disruption to students and families related to attendance zone changes;

      (6) Capacity commitments;

      (7) The County's Urban Service Districts.

   Modifications to the Concurrency Service Area boundaries may be made by the School Board, only after review and a reasonable opportunity for comment by the City and County.

2. *Objective. To ensure adequate capacity is available to accommodate projected development at the adopted level of service.*

   a. *Policy:* The City shall not approve any final site plans which include residential units until the receipt of a School Concurrency Review Report from the School District determining that adequate school capacity exists for the proposed development pursuant to the requirements of the Comprehensive plan and the Land Development Regulations.

   b. *Policy:* The City shall consider the following residential uses exempt from the requirements of school concurrency:

      (1) Single-family lots of record existing at the time the school concurrency ordinance becomes effective.

      (2) Any new residential development that has final site plan approval or the functional equivalent for a site specific development order prior to the commencement date of the School Concurrency Program.

      (3) Any amendment to any previously approved residential development that does not increase the number of dwelling units or changes the type of dwelling units (single-family to multifamily, etc.).

(4) Age-restricted communities with no permanent residents under the age of 18. Exemption of an age-restricted community will be subject to a restrictive covenant limiting the age of permanent residents to 55 years and older.

c. *Policy:* The City, through its Land Development Code, shall establish a school concurrency review process for all residential projects that are not exempt under Policy 10.4.A.2. The school concurrency review process shall conform to the process established in the Interlocal Agreement for School Facilities Planning and Siting.

d. *Policy:* In the event that development would cause the applicable levels of service to be exceeded, then the City and the School Board shall review mitigation options in order to offset the impacts of a proposed development. Acceptable forms of mitigation may include:

(1) The donation of funding for the construction and/or acquisition of school facilities sufficient to offset the demand for public school facilities to be created by the proposed development.

(2) The creation of mitigation banking based on the funding of the construction of a public school facility in exchange for the right to sell excess capacity credits.

(3) Charter schools may also be accepted by the School Board as mitigation under the provisions of this Agreement provided they meet the following operational and design standards:

(a) The school has a charter approved by the School Board.

(b) The charter school's facilities to be accepted as mitigation shall be built according to the SREF standards set forth in Florida Administrative Code.

(c) The charter school's facilities to be accepted as mitigation adhere to the building policies and practices of the School Board, including but not limited to architecture, building materials, and structural hardening.

(d) The core facilities for all charter schools, including, but not limited to, cafeteria, media center, administrative offices, and land area available for recreational uses, parking areas, and storm water retention, shall be sized to accommodate the standard educational facility sizes established by policy of the School Board as follows:

*Elementary school:* 750 student stations;

*Middle school:* 1,200 student stations;

*High school:* 1,800 student stations.

(e) All charter schools shall be located along publicly-owned roadways and accessible to any member of the general public.

(f) Other mitigation as permitted by State law, including the donation of land and payment for land acquisition.

e. *Policy:* Within 30 days after the School District Staff receives a completed public school impact form for amendments to the Comprehensive Plan future land use map, rezonings, developments of regional impact, and master site plans which include residential units, the School District Staff shall provide the local government with a general capacity analysis which indicates the generalized capacity for all applicable school facilities. This analysis shall be used in the evaluation of the development proposals but shall not provide a guarantee of availability of services or facilities.

f. *Policy:* Upon receipt of a completed public school impact form for final site plans which include residential units, the School District Staff shall provide the local governments with a School Concurrency Review Report that States whether adequate school capacity exists for a

proposed development, based on the LOS standards, CSAs, and other standards set forth in this Agreement, as follows:

(1) Calculate the aggregate Permanent Capacity and Temporary Capacity for each type of school facility within the CSA within which the project is proposed to be located, and the CSAs which are adjacent thereto. For purposes of this calculation, permanent and temporary capacities shall include the capacities of both existing school facilities, as well as those which are planned to be operational by no later than the conclusion of the third year of the School Board's Five Year Capital Improvement Plan. For purposes of this calculation, CSA's which are separated by rivers or other bodies of water shall only be deemed "adjacent" if connected by a publicly owned bridge accommodating vehicular traffic.

(2) Calculate available school capacity, by type of school and relevant CSA, by subtracting from the sums determined above:

(a) Current student enrollment (determined by the District's October count) for each type of school facility within the CSA within which the project is proposed to be located, and the CSAs which are adjacent thereto;

(b) Reserved capacity for student enrollment projected to be developed within three years from projects previously determined to have met school concurrency, and having met the requirements for a reservation of capacity for each type of school facility within the CSA within which the project is proposed to be located, and the CSAs which are adjacent thereto;

(c) The demand on school facilities created by the proposed development shall be projected at the county-wide student generation rates specified in the School District's latest Educational Impact Fee report, as the same may be amended from time to time upon request of the School Board; provided that projects granted educational impact fee waivers pursuant to County ordinance shall be deemed to generate no students.

The City shall approve final site plans, which include residential units, only after the receipt of a School Concurrency Review Report from the School District Staff determining that adequate school capacity exists for the proposed development pursuant to the requirements of the Comprehensive Plan and Land Development Regulations.

In the event that development would cause the applicable levels of service to be exceeded in the concurrency service area where the development is located, a positive concurrency evaluation may be granted if capacity exists in one or more contiguous school concurrency service areas.

g. *Policy:* In the event that a Concurrency Service Area lacks a school, (Elementary, Middle School, High School) students residing within that CSA shall attend a school in an adjacent CSA.

h. *Policy:* Any mitigation funds provided as a result of the school concurrency system shall be directed by the School Board toward a school capacity improvement identified in a financially feasible five-year district work plan and which satisfies the demands created by that development in accordance with a binding developer's agreement.

i. *Policy:* The City, in conjunction with the School District and the municipalities within the County, shall identify issues relating to public school emergency preparedness, such as:

(1) The determination of evacuation zones, evacuation routes, and shelter locations.

(2) The coordination of efforts to design and use schools as emergency shelters.

(3) The consideration of all facilities owned by a local governmental body and all charter schools for enhancement as public shelters.

(4) The designation of sites other than public schools as long-term shelters, to allow schools to resume normal operations following emergency events.

3. *Objective. To ensure all new public schools will be consistent with the FLU map designation, will have needed supporting infrastructure; and to encourage that new public schools will be co-located with other appropriate service facilities where possible.*

   a. *Policy:* The City, in conjunction with the School District, shall jointly determine the need for and timing of on-site and off-site improvements necessary to support a new school.

   b. *Policy:* No imposition of design standards, site plan standards or other development conditions that exceed or are inconsistent with [F.S.] ch. 1013 and State Requirements for Educational Facilities or that are inconsistent with maintaining a balanced, financially feasible district facilities work plan will be established unless mutually agreed.

   c. *Policy:* The City, in conjunction with the School District and the County, shall identify issues relating to public school emergency preparedness, and target all facilities owned by a local governmental body and all charter schools for enhancement as public shelters.

   d. *Policy:* The City and the School District will coordinate review of the School District's Long Range Public School Facilities Map to ensure it is consistent with the City's Comprehensive Plan and Future Land Use Map. The City and School Board will consider any necessary changes during its annual review specified in Policy 10.7A.5. Any changes to the School District's Long Range Public School Facilities Map that are required to ensure consistency with the Comprehensive Plan will be processed as a Comprehensive Plan Amendment.

4. *Objective. To ensure the Five-Year Capital Improvements Plan will include all necessary projects to address current and future needs.*

   a. *Policy:* The City shall, no later than December 1 of each year, update the Public Schools Facilities Element to include an update to the financially feasible public schools capital facilities program and to coordinate the capital improvements program with the fiver district facilities work plan, the plans for other local governments, and, as necessary, to update the concurrency service area map. The annual plan amendments shall ensure that the capital improvements program continues to be financially feasible and that the level of service standards will continue to be achieved and maintained.

   b. *Policy:* The City, in conjunction with the School District, shall annually review the Public School Facilities Element and maintain a long-range public school facilities map series, including the planned general location of schools and ancillary facilities for the five-year planning period and the long-range planning period.

5. *Objective. The City in cooperation with the School Board shall annually review the Public Schools Facilities Element to ensure that it remains financially feasible.*

   a. *Policy:* Staff of the City, County and the School Board shall meet at least quarterly to discuss issues regarding coordination of land use and school facilities planning, including such issues as population and student projections, development trends, school needs, co-location and joint use opportunities, and ancillary infrastructure improvements needed to support schools and ensure safe student access.

   b. *Policy:* The elected boards of the City, County and the School District will hold semiannual joint meetings in the first and third quarters of each calendar year or as otherwise mutually agreed. A representative of the Treasure Coast Regional Planning Council will also be invited to attend. The joint meetings will provide an opportunity for the representatives to hear reports, discuss policy, set direction, and reach understandings concerning issues of mutual concern regarding school budgets, coordination of land use and school facilities planning, including population and student growth, development trends, school needs, off-site improvements, joint use opportunities, school concurrency, and other school planning

issues. The Superintendent, County Administrator and City Manager or their designees shall be responsible, on a rotating basis amongst the three entities, for making meeting arrangements and providing notification, including notice to the general public.

(1) The first semiannual meeting shall occur after January 1 but within the first quarter of each year and generally include presentations as follows: (1) the City and County staff shall address population projections, summary of development activity, and large-scale development projects currently under review, and (2) the School District Staff shall address the most current Florida Department of Education ("DOE") Capital Outlay Full Time Equivalent ("CO-FTE") counts for each school grade, the fall student enrollment count by grade, any updates to the Five-Year Educational Plant Survey; Five-Year Work Program; and the School Board's Five Year Capital Improvement Plan.

(2) The second semiannual meeting shall occur prior to September 1 but within the third quarter of each year and generally include presentations as follows: (1) the City and County staff shall address the draft capital improvements programs of each local government and large-scale development projects currently under review, and (2) the School District Staff shall address the Five Year Capital Improvement Plan for the pending year and the spring enrollment count by grade. Additionally, all staffs shall work collaboratively to present legislative updates as they relate to the topics addressed in this Agreement.

6. *Objective. The City and School Board will explore opportunities to co-locate and share use of school facilities and civic facilities, such as libraries, parks, recreation facilities, community centers.*

   a. *Policy:* Co-location and shared use opportunities will be considered by the City and School Board when preparing annual updates to their schedules of capital improvements and when planning and designing new, or renovating existing, community facilities.

   b. *Policy:* Where possible, commensurate with the School Board's acquisition of property for a school site, the City will be given an opportunity to consider simultaneously acquiring property for an adjoining park, library, recreation facility, or community center.

   c. *Policy:* Where possible, commensurate with the City's acquisition of property for a park, library, recreation facility, community center, auditorium, learning center, museum, performing arts center or stadium, the School Board will be given an opportunity to consider simultaneously acquiring property for an adjoining school site.

(Ord. No. 2158-08, § 1, 5-12-2008)

Element 11~~XI~~ - ECONOMIC DEVELOPMENT ELEMENT

## Goals, Objectives, and Policies
## City of Stuart, Florida

GOAL STATEMENT~~.~~ 11.A

The City will develop and maintain an economic environment that will encourage the creation, expansion and retention of business within city limits while maintaining a high quality of life for its residents.

(Ord. No. 2329-2016, 1(Att. A), 10-10-2016)

Objective 11.A1. - Retain existing businesses and attracting new businesses.

Provide supporting services for the retention of existing businesses and attracting new businesses.

*Policy 11.A1.1.* The City will seek to ensure the allocation of an appropriate quantity of lands that are desirable for commercial and industrial purposes to serve future growth needs of the City.

*Policy 11.A1.2.* The City will seek to prioritize the development of sites with high visibility and direct access to major transportation corridors for targeted and other industries and uses that encourage job creation.

*Policy 11.A1.3.* The City will seek to consider the high priority of retaining employment-generating land uses in appropriate locations during the review of comprehensive plan amendments and rezoning requests.

*Policy 11.A1.4.* The City will encourage the designation and preservation of industrial land for industrial uses.

*Policy 11.A1.5.* The City will encourage new commercial and industrial development.

*Policy 11.A1.6.* The City will seek to obtain grant monies and other funds designed to assist local economic development initiatives to increase employment opportunities, and will consider support of other agencies engaged in similar efforts.

*Policy 11.A1.7.* The City will seek to coordinate, where appropriate, City investment in utilities, transportation, and other public facilities with business, employment, and other economic development opportunities.

*Policy 11.A1.8.* The City will coordinate with Martin County government, Martin County School Board, the Economic Council of Martin County, the Business Development Board of Martin County, the Treasure Coast Regional Planning Council, the Martin County Chamber of Commerce, other chambers of commerce and other organizations to develop strategies designed to meet the economic diversification needs of the community with emphasis of job creation.

Policy 11.A.1.9. The City shall encourage entrepreneurs and small business incubator space to attract and foster small business initiatives in the downtown district.

(Ord. No. 2329-2016, 1(Att. A), 10-10-2016)

Objective 11.A2. - Economic development opportunities.

The City will seek to maintain a balance between man-made and natural environments as a means of attracting and maintaining target industries and retaining a healthy foundation for its economy.

*Policy 11.A2.1.* The City will encourage the expansion of existing business and industry and/or development of new business and industry in appropriate locations, as feasible and applicable, in order to maximize the use of existing public services and infrastructure.

*Policy 11.A2.2.* The City shall consider potential changes to its Land Development Regulations to provide for a wide range of uses in commercial areas that contribute to the City's total employment base, provide the goods and services needed by the City's residents and promote the retention and expansion of businesses and attractions in the City's commercial areas.

*Policy 11.A2.3.* In order to enhance current investments in the City and to maintain and improve existing structures, the City shall consider allowing modifications to standards for required off-street parking, based on the anticipated use of the facility, size of meeting or assembly areas, hours of use, anticipated effects of parking on adjacent businesses and surrounding community, access to public transportation and carpools, and other considerations of need and impact, as appropriate.

*Policy 11.A2.4.* The City will continue to coordinate with educational partners to ensure there are appropriate educational opportunities, job skills programs, and facilities to meet business and industry needs.

*Policy 11.A2.5.* The City acknowledges its strategic location and where appropriate will encourage multi-modal transportation as a means of emphasizing its position as a regional destination.

*Policy 11.A2.6.* The City shall continue to provide for attractive open spaces and sustainable natural environments that enhance the quality of life in the City and protect the functions of important environmental resources.

*Policy 11.A2.7.* The City shall attract healthcare services and healthcare-related industries, including medical facilities and auxiliary industries that support healthcare.

Policy 11.A2.8 The City shall promote underutilized properties in the downtown district to potential developers and business owners to spur redevelopment and revitalization.

Policy 11.A.2.9. The City shall seek available funding for the assessment, clean-up and redevelopment of identified brownfield sites.

(Ord. No. 2329-2016, 1(Att. A), 10-10-2016)

Objective 11.A3. - Promote tourism.

The City shall continue to enhance local attractions and recreational facilities to promote tourism and quality of life.

*Policy 11.A3.1.* The City shall continue to promote tourism and recreation based upon the City's natural resources.

*Policy 11.A3.2.* The City shall continue to promote passive recreational activities by continuing to protect natural preserves and the St. Lucie River.

*Policy 11.A3.3.* The City shall encourage cooperative efforts between local realtors, hotel/motel owners and restaurants, Department of Economic Development and Tourism, and Chambers of Commerce to market Stuart as a Waterfronts Florida tourism destination.

*Policy 11.A3.4.* The City shall continue to support arts and culture as a core component to the economic health of the City.

Policy 11.A3.5 The City shall continue to promote tourism through the support of historic and cultural arts.

Policy 11.A.3.6 The City shall promote the creation of new cultural destinations throughout the City by capitalizing on the City's character, elevating its historic architecture, and investing in cultural landmarks and art installations to create a vibrant and unique destination.

(Ord. No. 2329-2016, 1(Att. A), 10-10-2016)

# CITY OF STUART, FLORIDA
# AGENDA ITEM REQUEST
# CITY COMMISSION

**Meeting Date:** 7/13/2020 **Prepared by:** Pinal Gandhi-Savdas

**Title of Item:**

PROPOSED ART/VINYL WRAPPING ON TRAFFIC CONTROL BOXES WITHIN THE CITY LIMITS

**Summary Explanation/Background Information on Agenda Request:**

Commissioner Eula Clarke requested staff to undertake research regarding the potential of using vinyl wrapping (artwork) to enhance traffic signal boxes within the City limits.

Many cities and counties are brightening their community by enhancing the dull, metal plated traffic signal boxes with colorfully themed photographs using a vinyl wrapping method.

Recently, a similar project was completed in Palm City, Martin County. The project was initiated by the County Commissioner of that district. The "bird theme" photographs were donated to the County by a local business owner in Palm City to implement the project.

Other neighboring cities such as the City of Port St Lucie and City of Fort Pierce also implemented similar projects (see attached proposal).

The City of Stuart has 37 traffic boxes within the city limits. Of the total, there are 25 traffic boxes within the Community Redevelopment Area. The goal is to brighten the commute for our residents and help instill pride in our community. The photographs will highlight Stuart's historic and iconic landmarks. Staff will prepare a proposal identifying street view and photograph options for each traffic box location for board review and approval.

Artwork will be printed on vinyl wraps and placed onto the traffic boxes. The costs can vary from $500 - $700 per box. The sign company can do site assessment, measurements, creates large graphic, and application.

The County owns and maintains the traffic boxes. The City will be responsible for maintaining the vinyl wrapping. The life expectancy is about 3-5 years.

**Funding Source:**

To be identified.

**Recommended Action:**

Staff is looking for direction on the following:

1. Artwork theme - Use photographs of historic and iconic landmarks

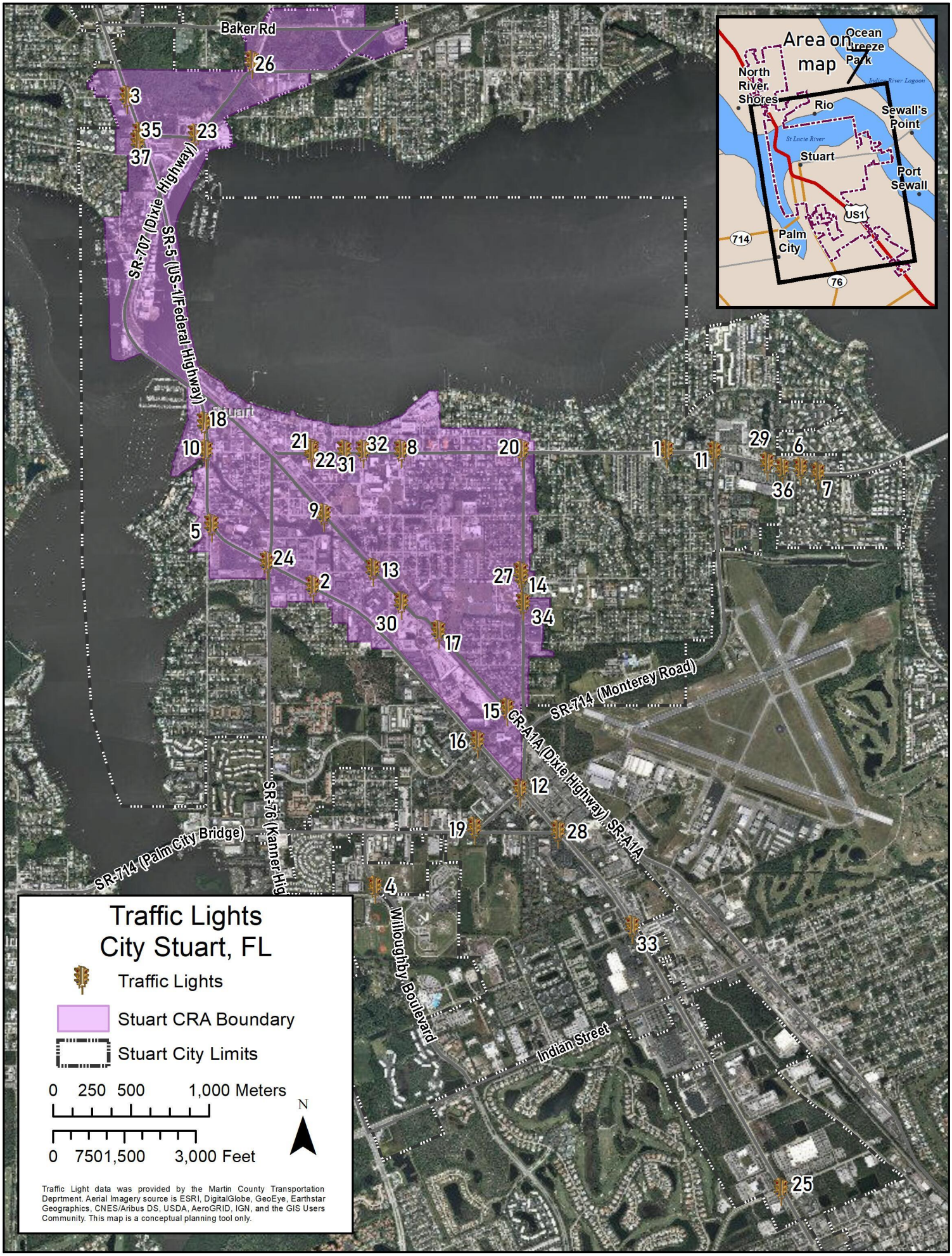
2. Identify phasing and funding source for the project
   Phase I - CRA; CRA FY 2021
   Phase II - Outside of CRA; Identify funding source

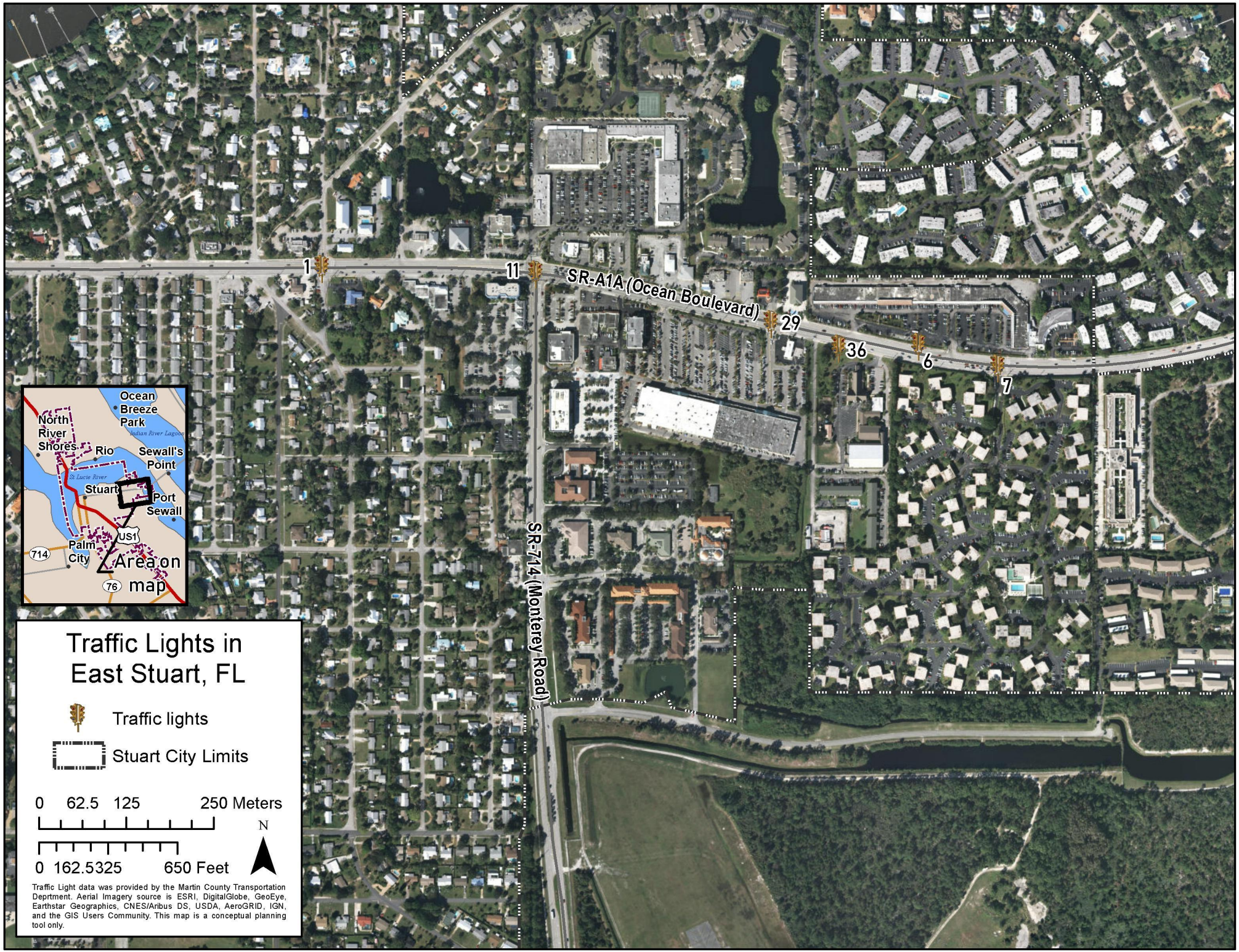
**ATTACHMENTS:**

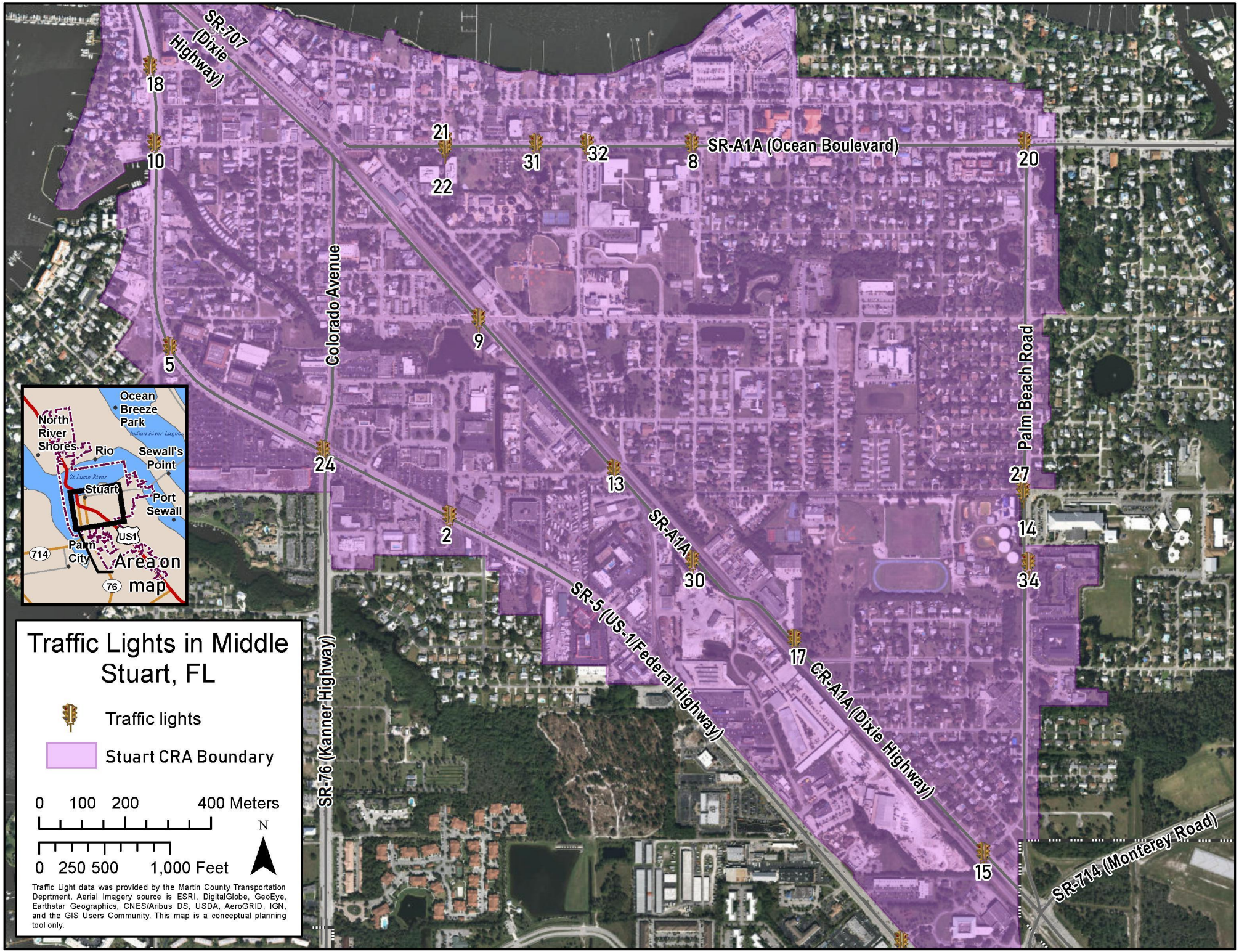
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|---|---|---|---|
| 🗋 | Traffic lights within city limits | 2/11/2020 | Backup Material |
| 🗋 | Traffic lights intersections | 2/11/2020 | Backup Material |
| 🗋 | Traffic lighs within CRA | 2/11/2020 | Backup Material |
| 🗋 | Traffic lights East Stuart | 2/11/2020 | Backup Material |
| 🗋 | Traffic lights Mid Stuart | 2/11/2020 | Backup Material |
| 🗋 | Traffic lights North Stuart | 2/11/2020 | Backup Material |
| 🗋 | Traffic lights South Stuart | 2/11/2020 | Backup Material |
| 🗋 | Fort Pierce Traffic Box Proposal | 2/19/2020 | Backup Material |

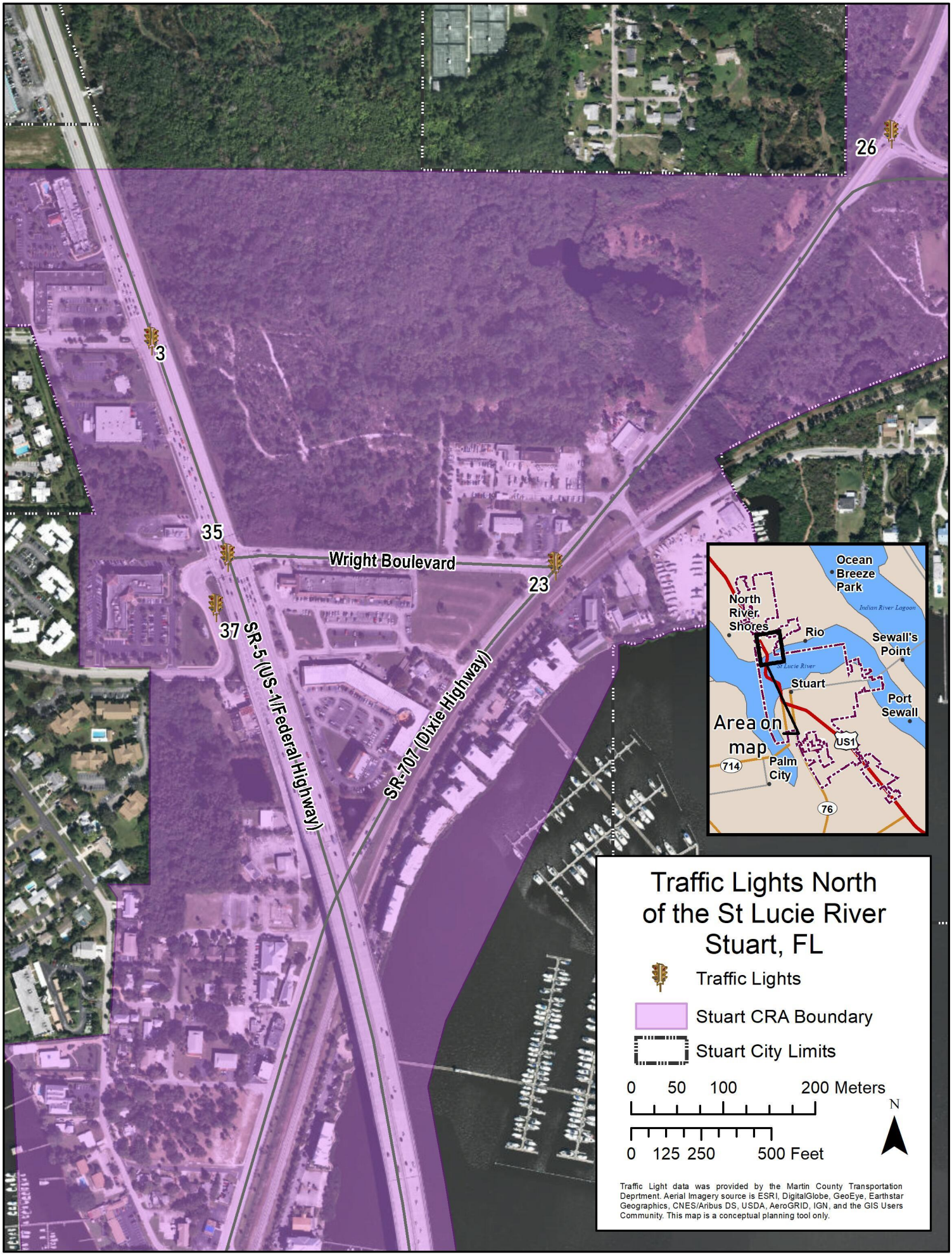

Traffic Light Locations Stuart, FL
Stuart
Palm City
St Lucie River
Martin County Airport-Witham Field
Willoughby Golf Club
Guy Davis Field
NW Baker Rd
NE Dixie Hwy
NE Alice St
NW Fork Rd
N Dixie Hwy
Roosevelt Brg
SE Osceola St
SE 7th St
SE 10th St
SE 14th St
SE Alamanda Way
SE Dolphin Dr
SE Madison Ave
SE Monterey Rd
SE St Lucie Blvd
SE Ocean Blvd
A1A
SW Palm City Rd
S Kanner Hwy
SE Central Pkwy
SE Monterey Rd
SE Willoughby Blvd
SE Doubleton Dr
SE Dixie Hwy
SE Normand St
SE Amherst St
SE Bonita St
SE Clayton St
SE Garden St
SE Miami St
SE Market Pl
SW Mapp Rd
SW 28th St
SW 35th St
SW Martin Hwy
South Fork St Lucie River
SR 5 N
707
76
714
1
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13
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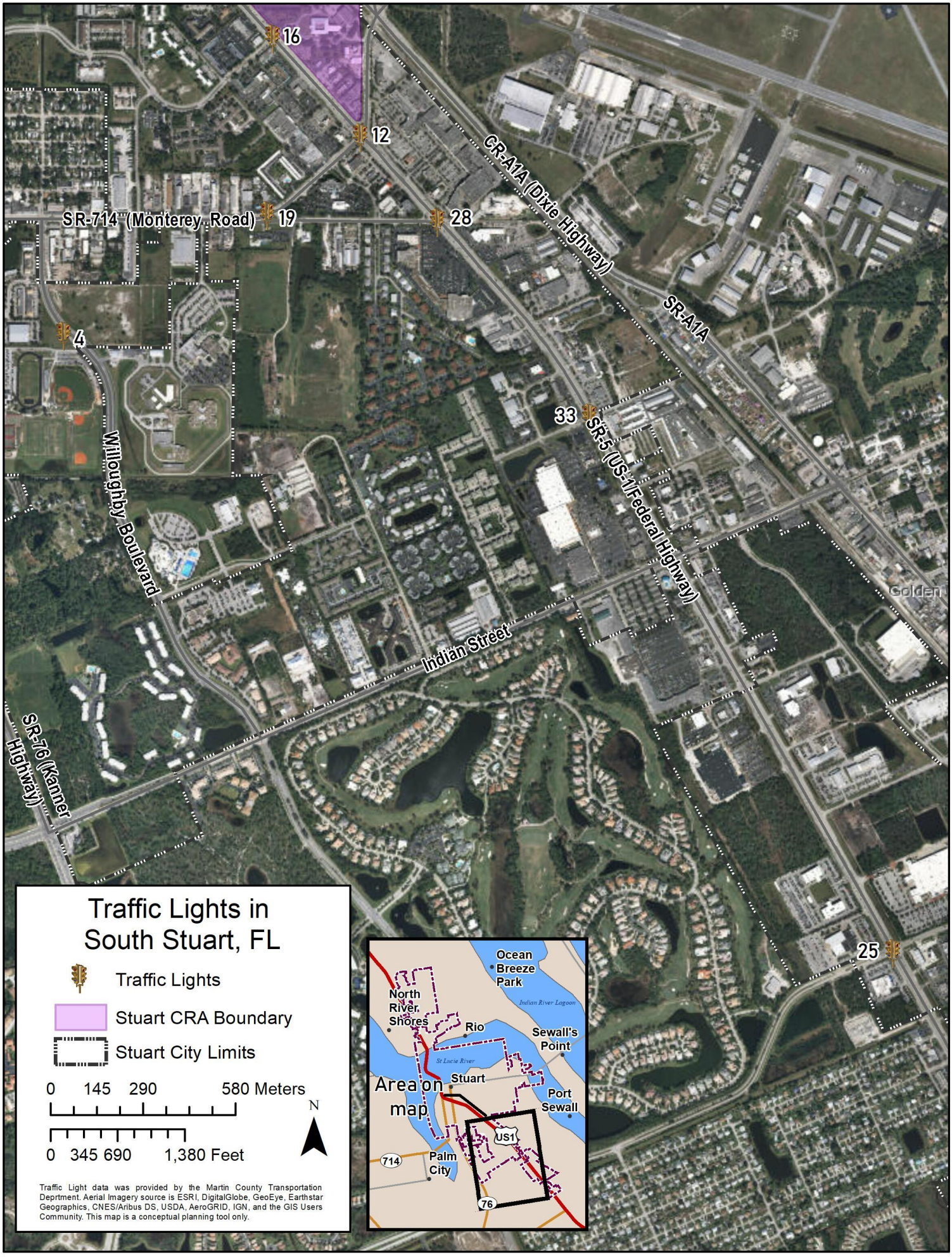
| Label ID | Shape * | Name | X_Coord | Y_Coord | Intersection |
|---|---|---|---|---|---|
| 1 | Point Z | SGNL | -80.227176 | 27.197419 | SE Ocean Blvd & SE Martin Ave |
| 2 | Point Z | SGNL | -80.250096 | 27.189721 | US 1 & SE Johnson Ave |
| 3 | Point Z | SGNL | -80.261929 | 27.218049 | US 1 & NW River Shores Blvd |
| 4 | Point Z | SGNL | -80.246212 | 27.172352 | SE Willoughby Blvd |
| 5 | Point Z | SGNL | -80.256636 | 27.193294 | US 1 & SW Pine Ave |
| 6 | Point Z | SGNL | -80.21856 | 27.196369 | SE Ocean Blvd |
| 7 | Point Z | SGNL | -80.217418 | 27.196082 | SE Ocean Blvd |
| 8 | Point Z | SGNL | -80.244345 | 27.197503 | SE Ocena Blvd |
| 9 | Point Z | SGNL | -80.249378 | 27.193855 | SE Dixie Hwy & SE Martin Luther King Jr Blvd |
| 10 | Point Z | SGNL | -80.256969 | 27.197574 | US 1 & SW Ocean Blvd |
| 11 | Point Z | SGNL | -80.22409 | 27.197332 | SE Ocean Blvd & Monterey Rd |
| 12 | Point Z | SGNL | -80.236787 | 27.17791 | US 1 & SE Monterey Rd |
| 13 | Point Z | SGNL | -80.24622 | 27.190673 | SE Dixie Hwy & SE Florida St |
| 14 | Point Z | SGNL | -80.236613 | 27.190165 | SE Palm BEach Rd & SE 10th St |
| 15 | Point Z | SGNL | -80.237596 | 27.182585 | SE DIxie Hwy & SE Christie Way |
| 16 | Point Z | SGNL | -80.23954 | 27.180724 | US 1 & SE Central Pkwy |
| 17 | Point Z | SGNL | -80.242003 | 27.187083 | SE DIxie Hwy |
| 18 | Point Z | SGNL | -80.257055 | 27.199193 | US 1 & SW Joan Jefferson Way |
| 19 | Point Z | SGNL | -80.239749 | 27.175722 | SE Monterey Rd |
| 20 | Point Z | SGNL | -80.236524 | 27.197498 | SE Ocean Blvd & SE Palm Beach Rd |
| 21 | Point Z | SGNL | -80.250139 | 27.197603 | SE Ocean Blvd & SE Detroit Ave |
| 22 | Point Z | SGNL | -80.250141 | 27.197474 | SE Ocean Blvd |
| 23 | Point Z | SGNL | -80.257521 | 27.215822 | NW DIxie Hwy & NW Wright Blvd |
| 24 | Point Z | SGNL | -80.253047 | 27.191112 | US 1 & Kanner Hwy |
| 25 | Point Z | SGNL | -80.220091 | 27.15474 | US 1 & SE Market Pl |
| 26 | Point Z | SGNL | -80.253815 | 27.220033 | NE Dixie Hwy & NW Green River Pkwy |
| 27 | Point Z | SGNL | -80.236662 | 27.190446 | SE Palm Beach Rd |
| 28 | Point Z | SGNL | -80.234364 | 27.175494 | US 1 & SE Monterey Rd Ext |
| 29 | Point Z | SGNL | -80.220691 | 27.19667 | SE Ocean Blvd |
| 30 | Point Z | SGNL | -80.244396 | 27.188757 | SE DIxie Hwy |
| 31 | Point Z | SGNL | -80.247999 | 27.197516 | SE Ocean Blvd |
| 32 | Point Z | SGNL | -80.246811 | 27.197513 | SE Ocean Blvd |
| 33 | Point Z | SGNL | -80.229592 | 27.169945 | US 1 & SE Luckhardt St |
| 34 | Point Z | SGNL | -80.236508 | 27.188662 | SE Palm Beach Rd |
| 35 | Point Z | SGNL | -80.261108 | 27.215926 | US 1 & NW Wright Blvd |
| 36 | Point Z | SGNL | -80.219715 | 27.196348 | SE OCean Blvd |
| 37 | Point Z | SGNL | -80.26124 | 27.215436 | NW Fork Rd |

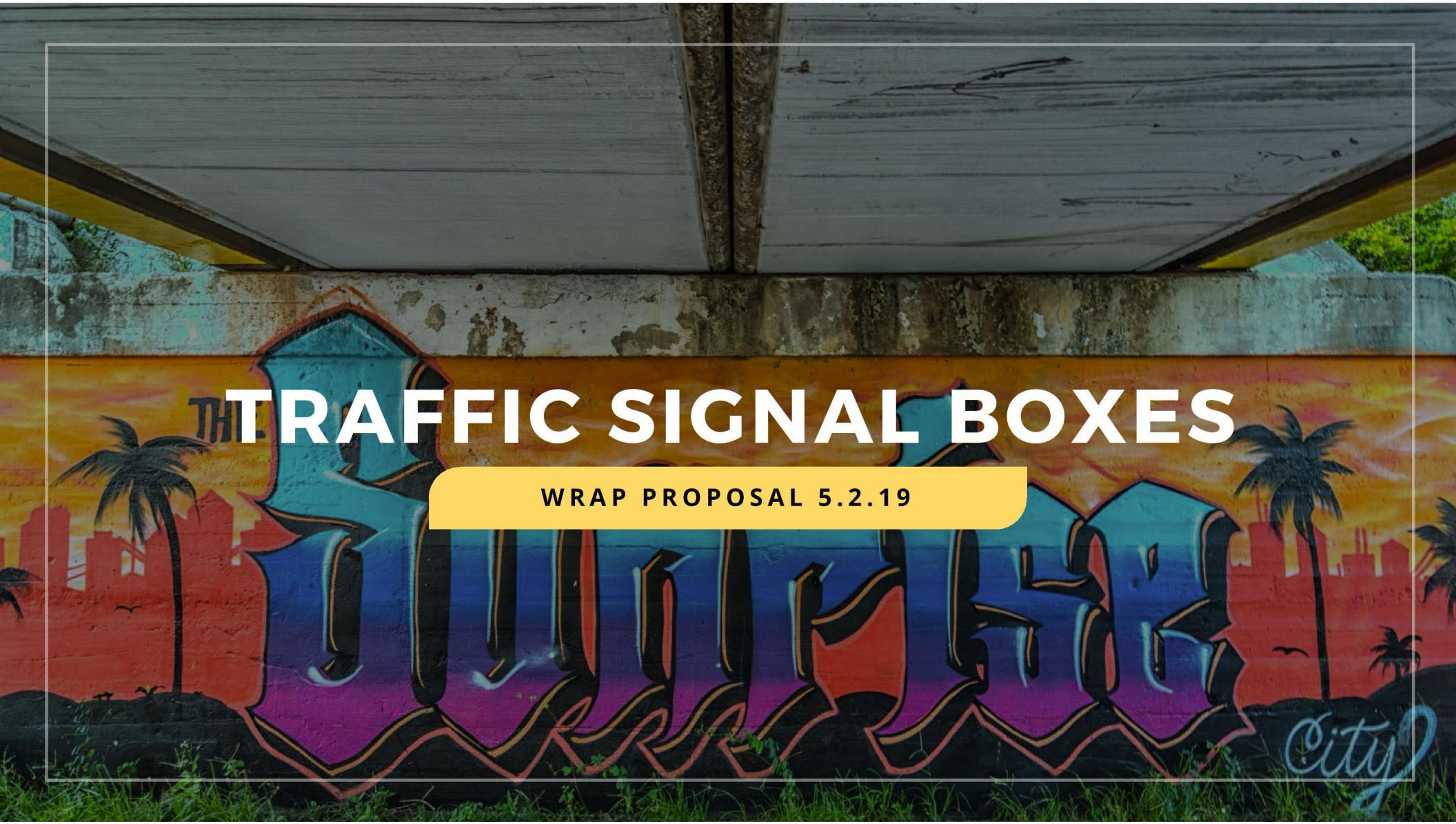

Area on map
Ocean Breeze Park
North River Shores
Rio
Sewall's Point
St Lucie River
Stuart
Port Sewall
US1
714
Palm City
76
Baker Rd
SR-707 (Dixie Highway)
SR-5 (US-1/Federal Highway)
SR-714 (Monterey Road)
SR-A1A (Dixie Highway) SR-A1A
SR-714 (Palm City Bridge)
SR-76 (Kanner Hig
Willoughby Boulevard
Indian Street
Traffic Lights
City Stuart, FL
Traffic Lights
Stuart CRA Boundary
Stuart City Limits
0 250 500 1,000 Meters
0 7501,500 3,000 Feet
N
Traffic Light data was provided by the Martin County Transportation Deprtment. Aerial Imagery source is ESRI, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Aribus DS, USDA, AeroGRID, IGN, and the GIS Users Community. This map is a conceptual planning tool only.


1
11
SR-A1A (Ocean Boulevard)
29
36
6
7
SR-714 (Monterey Road)
Ocean Breeze Park
Indian River Lagoon
North River Shores
Rio
Sewall's Point
St Lucie River
Stuart
Port Sewall
US1
Palm City
714
Area on map
76
Traffic Lights in East Stuart, FL
Traffic lights
Stuart City Limits
0 62.5 125 250 Meters
0 162.5325 650 Feet
N
Traffic Light data was provided by the Martin County Transportation Deprtment. Aerial Imagery source is ESRI, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Aribus DS, USDA, AeroGRID, IGN, and the GIS Users Community. This map is a conceptual planning tool only.


SR-707 (Dixie Highway)
SR-A1A (Ocean Boulevard)
Colorado Avenue
Palm Beach Road
SR-A1A
SR-5 (US-1/Federal Highway)
SR-76 (Kanner Highway)
CR-A1A (Dixie Highway)
SR-714 (Monterey Road)
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Ocean Breeze Park
North River Shores
Rio
Sewall's Point
Stuart
Port Sewall
Palm City
US1
714
76
Area on map
Traffic Lights in Middle Stuart, FL
Traffic lights
Stuart CRA Boundary
0 100 200 400 Meters
0 250 500 1,000 Feet
N
Traffic Light data was provided by the Martin County Transportation Deprtment. Aerial Imagery source is ESRI, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Aribus DS, USDA, AeroGRID, IGN, and the GIS Users Community. This map is a conceptual planning tool only.


26
3
35
Wright Boulevard
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37
SR-5 (US-1/Federal Highway)
SR-707 (Dixie Highway)
Ocean Breeze Park
North River Shores
Rio
Sewall's Point
Stuart
Port Sewall
Area on map
US1
714
Palm City
76
Traffic Lights North of the St Lucie River Stuart, FL
Traffic Lights
Stuart CRA Boundary
Stuart City Limits
0 50 100 200 Meters
0 125 250 500 Feet
N
Traffic Light data was provided by the Martin County Transportation Deprtment. Aerial Imagery source is ESRI, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Aribus DS, USDA, AeroGRID, IGN, and the GIS Users Community. This map is a conceptual planning tool only.

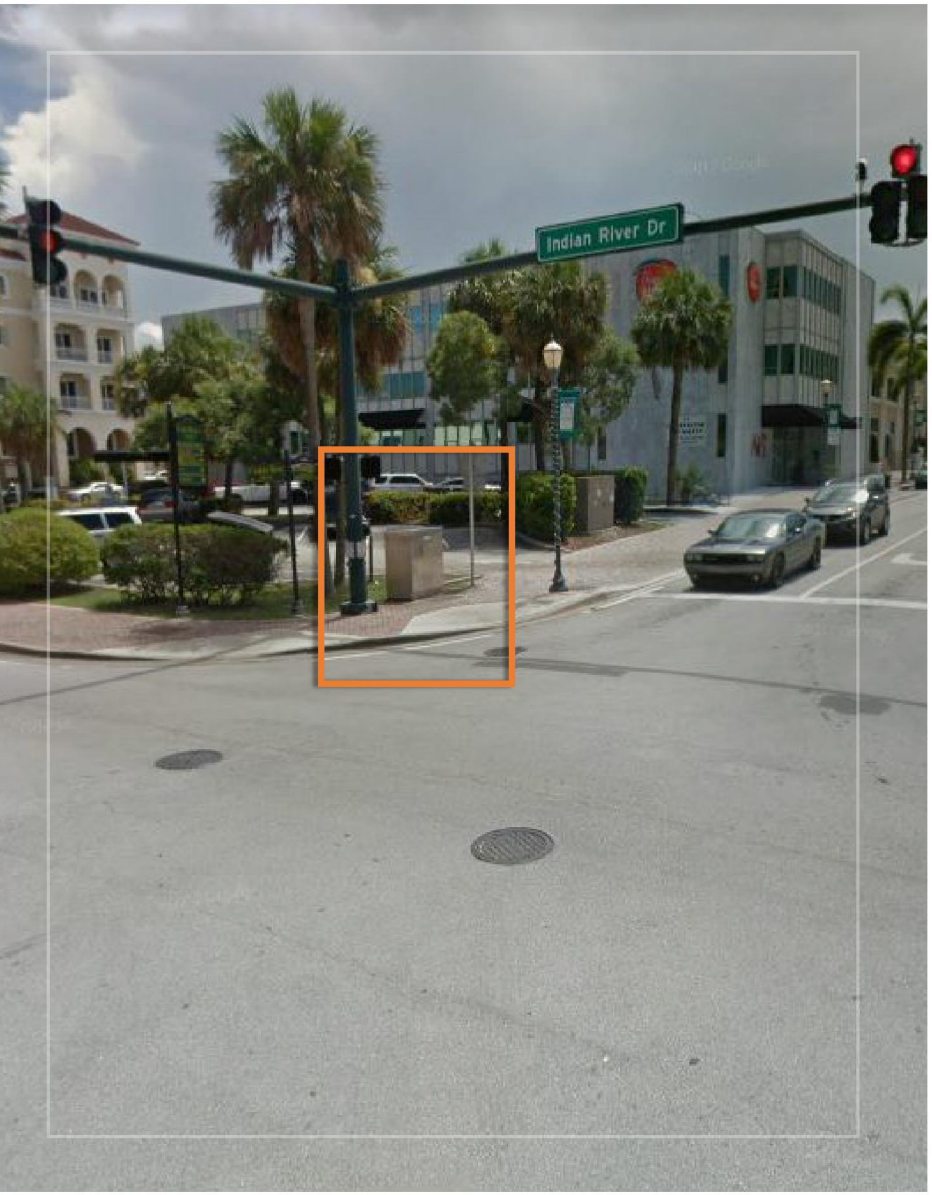

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SR-714 (Monterey Road)
CR-A1A (Dixie Highway)
SR-A1A
SR-5 (US-1/Federal Highway)
Willoughby Boulevard
Indian Street
SR-76 (Kanner Highway)
Golden
Traffic Lights in South Stuart, FL
Traffic Lights
Stuart CRA Boundary
Stuart City Limits
0 145 290 580 Meters
0 345 690 1,380 Feet
N
Traffic Light data was provided by the Martin County Transportation Deprtment. Aerial Imagery source is ESRI, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Aribus DS, USDA, AeroGRID, IGN, and the GIS Users Community. This map is a conceptual planning tool only.
Area on map
Ocean Breeze Park
Indian River Lagoon
North River Shores
Rio
Sewall's Point
St Lucie River
Stuart
Port Sewall
US1
714
Palm City
76




# TRAFFIC SIGNAL BOXES

**WRAP PROPOSAL 5.2.19**

# PROPOSED LOCATIONS




# Orange Ave. + Indian River Dr.

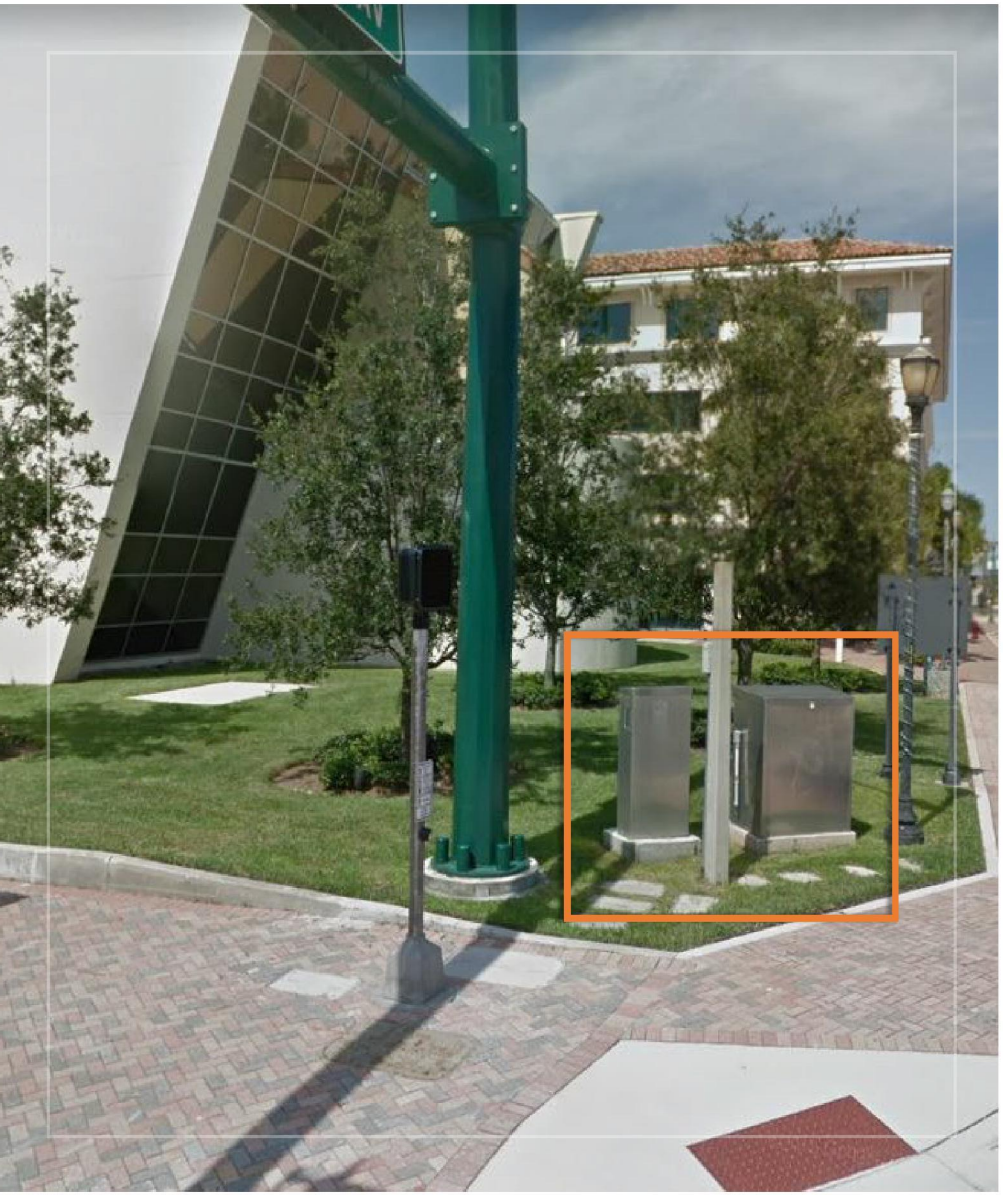


## DESCRIPTION

- Night shot of Orange Avenue to capture lights and nightlife, even during the day.
- Alternative: Orange blossom pattern to accentuate the “orange” in Orange Avenue.







# Orange Ave. + US 1







## DESCRIPTION

- Wrap design featuring: "Welcome to Downtown Fort Pierce" creates gateway entrance into downtown and provides visitors with a sense of place.
- Wayfinding can be incorporated into the sign if dimensions are suitable.
- Smaller box can feature "call to action" and include hashtag.




## DESCRIPTION

- Since this box is located next to the historic Arcade Building and the Historic Post Office, featuring historic photos of this corridor will accentuate our history.
- Being that the photos/postcards are old, the resolution might not be suitable for one entire image, in that case the alternative will be to collage several images/postcards of this corridor.
- Note – all wrapped boxes in the PAD will feature the PAD logo for brand awareness.

# Orange Ave. + 5th St.













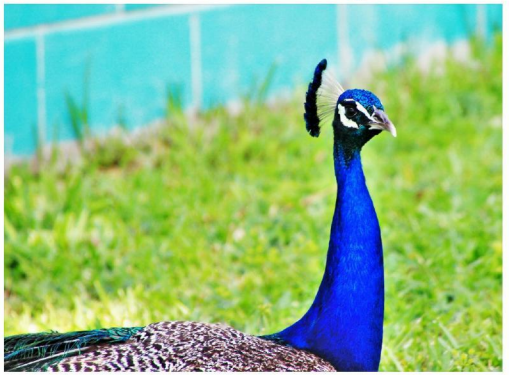






# Orange Ave. + 7th St.









## DESCRIPTION

- This box is located in the heart of Peacock Arts District and where the majority of peacocks reside; therefore this box will highlight our local feathered friends.
- Note – all wrapped boxes in the PAD will feature the PAD logo for brand awareness.



# Orange Ave. + 10th St.





## DESCRIPTION

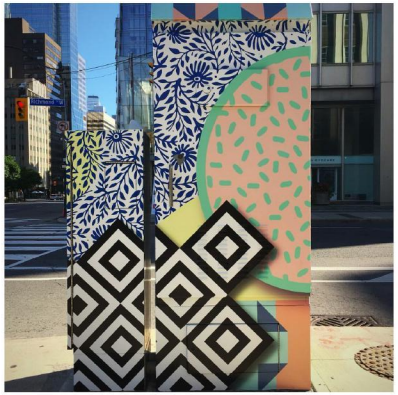
- This box is located on 10th Street next to St. Mark Missionary Baptist Church. Royal Poinciana trees were recently planted all along 10th Street and they will soon grow and bloom. The concept of this box is to accentuate the natural surrounding of 10th Street by featuring artwork of royal Poinciana blooms while also including peacock feathers.
- Alternative: Incorporate photo to highlight Old St. Anastasia School.
- Note – all wrapped boxes in the PAD will feature the PAD logo for brand awareness.

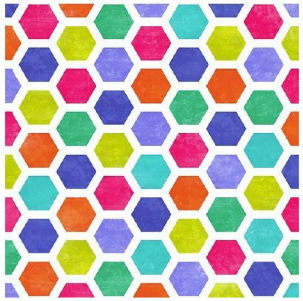




# Orange Ave. + 13th St.





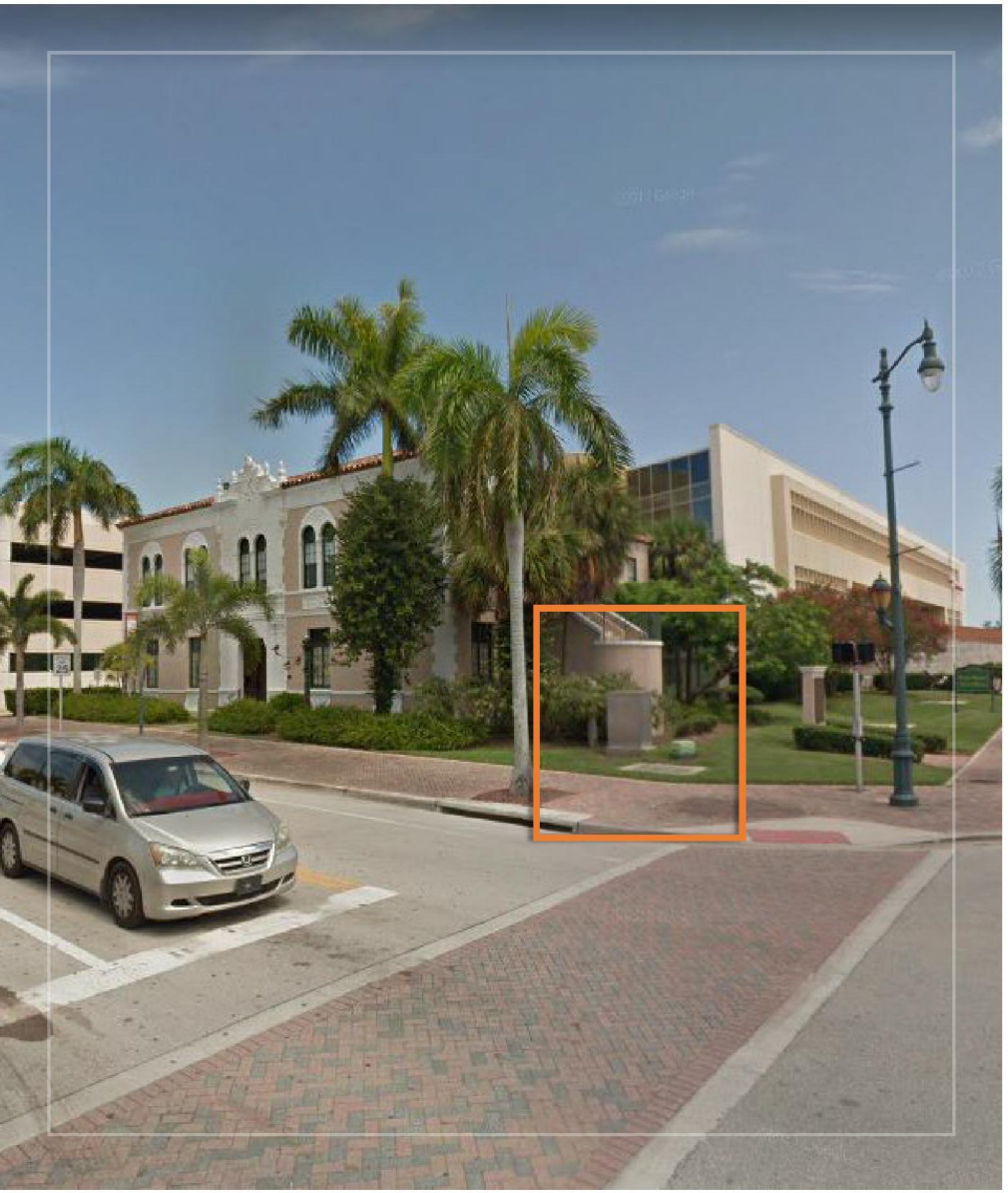




## DESCRIPTION

- This box is located at the gateway to the Peacock Arts District (once the boundaries are expanded). It is near a vacant gas station and a vacant lot across the street. The vibe of this box will be bright, colorful and inspiring to help infuse vitality into this area.

- Alternative: Pay tribute to Edwin Binney with a background of crayons with the PAD logo overtop.



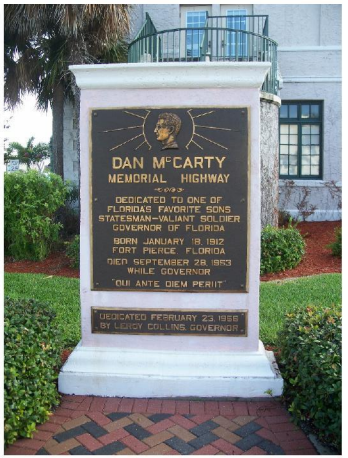
# US 1 + Avenue A

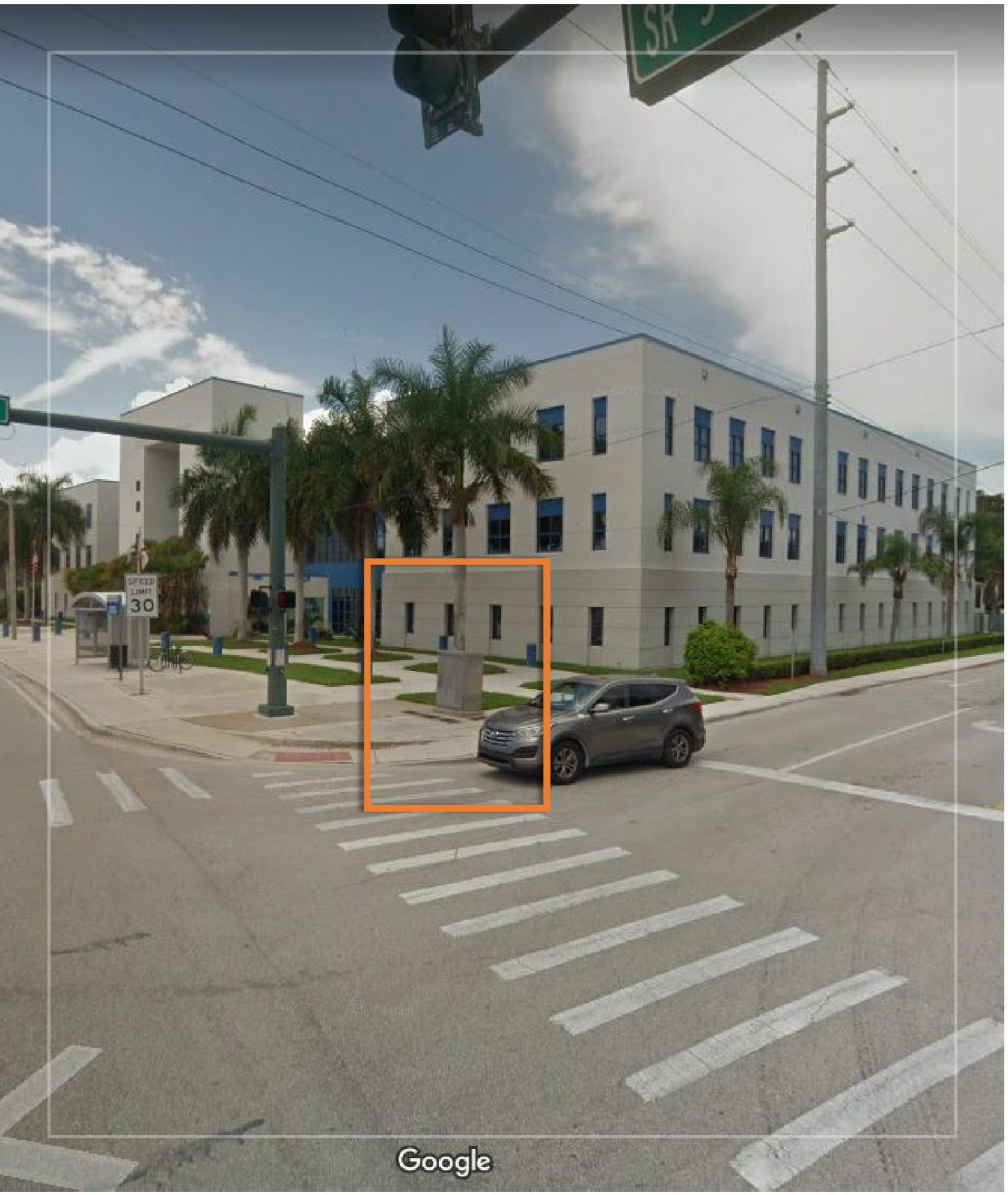


## DESCRIPTION

- This box is located in front of Old City Hall. Located on the renamed Marina Way, this box can feature an image of the marina at the end of the road, directing US1 travelers to the marina.

- Alternative: The City has discussed accentuating Dan McCarty Memorial Highway. This box could emphasize the history of Governor McCarty and his memorial highway.






# US 1 + Avenue C

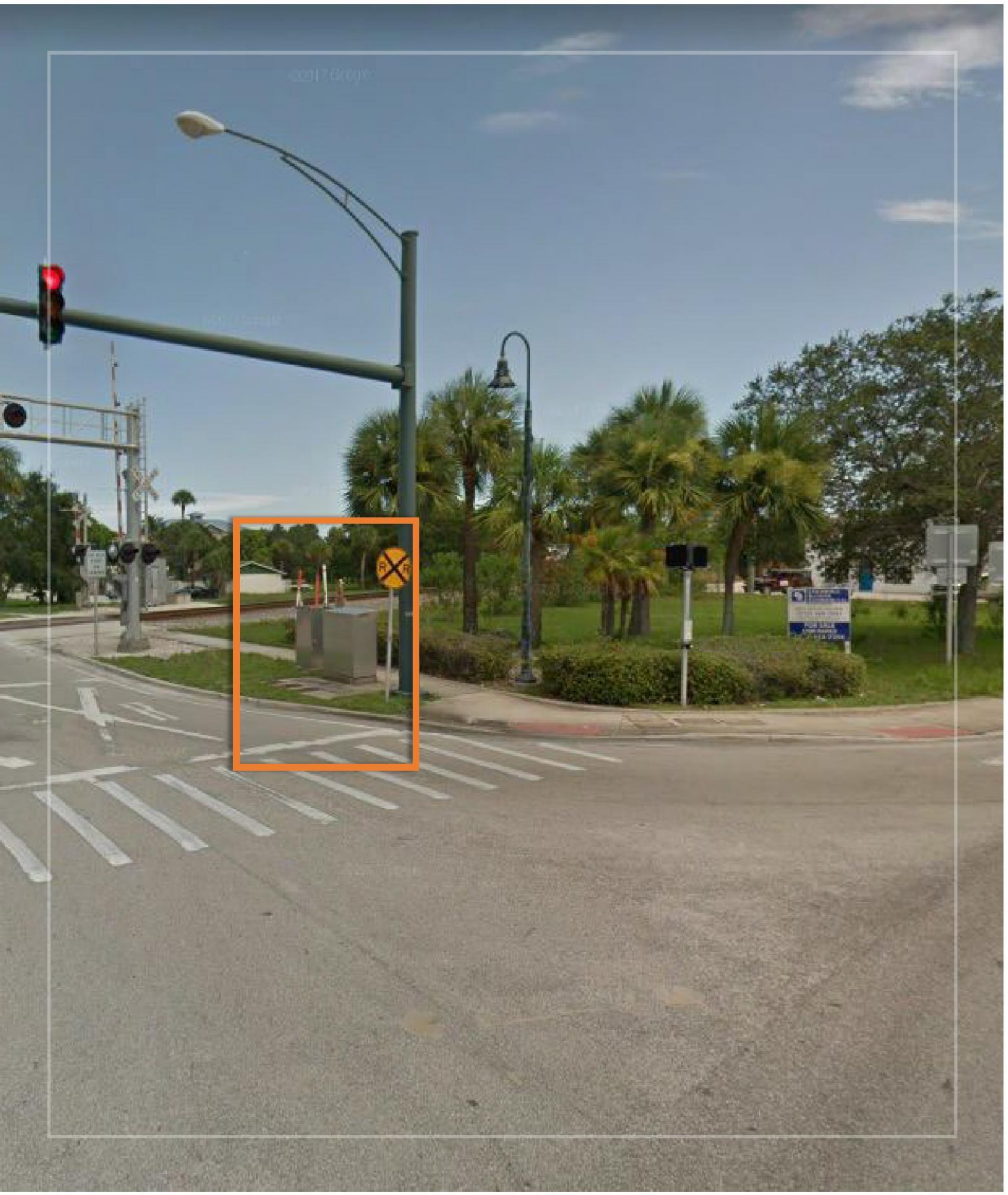




## DESCRIPTION

- This box is located at the corner of US 1 and Backus Ave. I've already spoken to Marshall at the Backus Gallery and they will be selected a piece or pieces of Backus' work to wrap this box.





# US 1 + Seaway Dr.



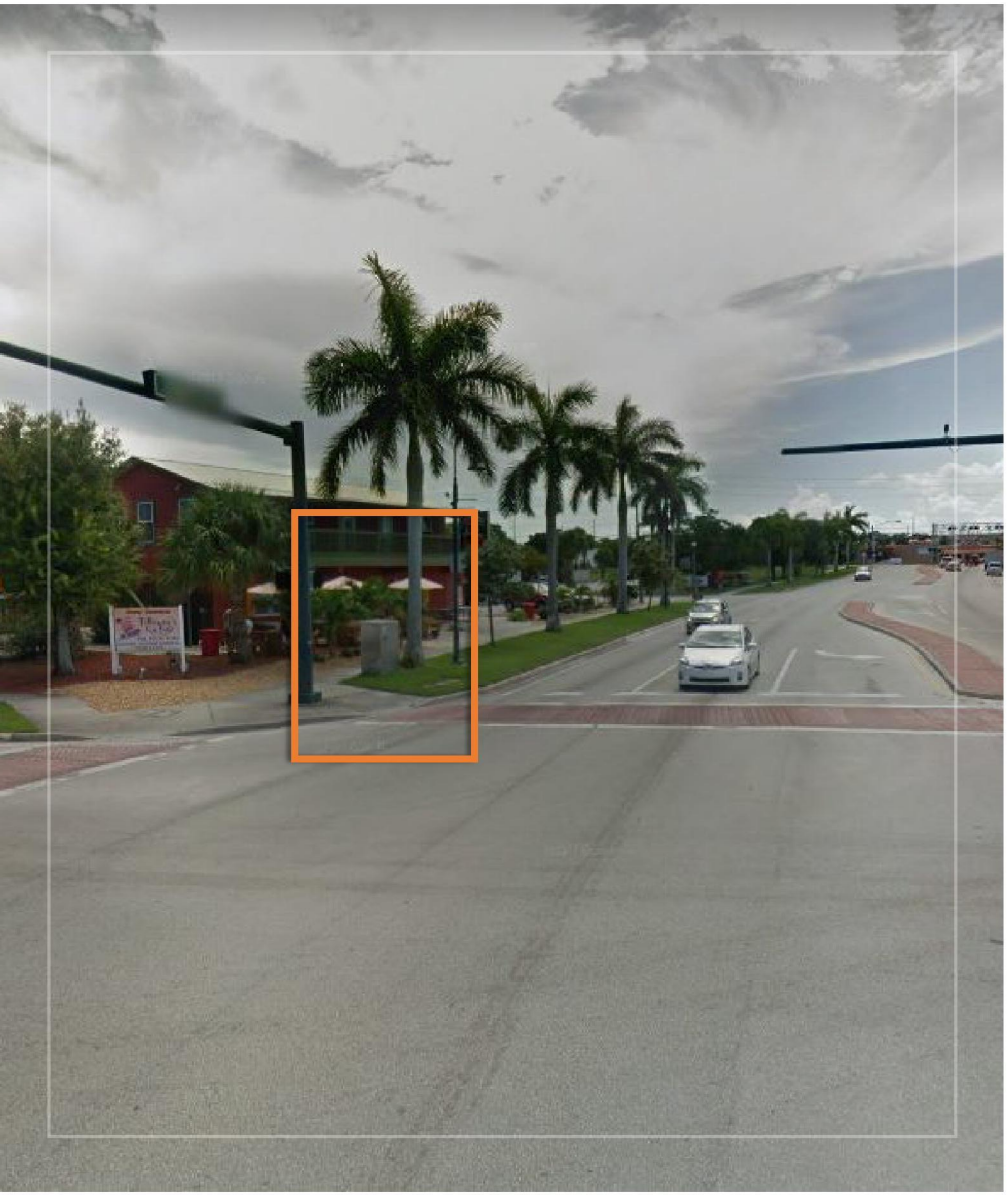


## DESCRIPTION

- This box is located at the gateway to the South Beach and should capture the beachy, vibrant vibe as well as draw attention to South Hutchinson Island to US 1 travelers that may not know what it has to offer.







# Seaway Dr. + Indian River Dr.





## DESCRIPTION

- This box is located at the gateway to the South Beach and should capture the beachy, vibrant vibe as well as draw attention to South Hutchinson Island to US 1 travelers that may not know what it has to offer.




# US 1 + Avenue D



## DESCRIPTION

- This box is located at the gateway of Lincoln Park.
- I'm awaiting feedback from staff regarding their vision for these boxes.






# US 1 + Avenue H



## DESCRIPTION

- This box is located at the entrance of the Port and should draw visibility to this new activity generator.
- Alternative: Use shot of Indian River Lagoon





# Avenue D + 7th St.



## DESCRIPTION

- This box is located across the street from the "Welcome to Lincoln Park" sign and adjacent to the wrapped transformer box at the Community Services Building.
- I am awaiting feedback from staff for their vision for wraps on Avenue D.



# Avenue D + 13th St.




## DESCRIPTION

- This box is located directly next to a building so I'm not sure it is a great location for a wrap.

- Potential alternatives are:
- Avenue D and 25th Street
- US1 and Delaware Avenue







# <ALTERNATIVES>