City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION
TO BE HELD December 14, 2020
AT 4:00 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 Troy McDonald

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.*

THIS MEETING WILL BE AVAILABLE LIVE VIA ZOOM:
Zoom links and ID information can be found at www.cityofstuart.us/meetings

ROLL CALL

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - ACOUSTIC INSTRUMENTAL MUSIC PERFORMANCE BY FLYNN.

2. SELECTION OF MAYOR AND VICE MAYOR

PROCLAMATIONS

PRESENTATIONS

3. SERVICE AWARDS - DECEMBER 2020

4. EMPLOYEE OF THE MONTH - DECEMBER 2020

5. 2021 CALENDAR PHOTO CONTEST WINNERS

6. COVID UPDATE PRESENTED BY THE MARTIN COUNTY HEALTH DEPARTMENT

7. U.S. ARMY CORPS OF ENGINEERS PRESENTATION ON LAKE OKEECHOBEE RELEASE SCHEDULE (Time Certain 5:30)

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (3 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.*

8. APPROVAL OF 11/23/2020 SCM ATTORNEY-CLIENT and 11/23/2020 CCM MINUTES (RC)

9. APPROVAL OF 2021 MEETING CALENDAR (RC)

10. AUTHORIZATION OF THE ASSIGNMENT OF THE AMENDED LEASE FROM NEW URBAN TRIANGLE, LLC TO 201 SW JOAN JEFFERSON WAY, LLC (RC):

RESOLUTION No. 125-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE ASSIGNMENT OF THE LEASE AGREEMENT PREVIOUSLY ENTERED BETWEEN CITY OF STUART AND NEW URBAN TRIANGLE, LLC FOR LEASE OF THE PROPERTY KNOWN AS THE TRIANGLE PROPERTY TO 201 SW JOAN JEFFERSON WAY, LLC FOR THE BALANCE OF THE LEASE TERM WHICH IS SET TO EXPIRE ON NOVEMBER 2, 2115; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

11. EXTENSION #9 OF THE DECLARATION OF THE STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19 (RC):

RESOLUTION No. 138-2020; 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.

12. ACCEPT A DONATION FROM FLORIDA POWER & LIGHT TO THE COMMUNITY SERVICES DEPARTMENT (RC):

RESOLUTION No. 141-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT No. #2 TO THE 2021 OPERATING BUDGET; AUTHORIZING RECEIPT AND APPROPRIATION OF A DONATION FROM FLORIDA POWER & LIGHT; AUTHORIZING THE EXPENDITURE OF FUNDS FOR MUSICAL ENTERTAINMENT AT 'SANTA'S CITY LIGHTS' HOLIDAY EVENT AT MEMORIAL PARK; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

13. PBA COLLECTIVE BARGAINING AGREEMENT (RC):

RESOLUTION No. 142-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RATIFYING THE THIRD-YEAR REOPENER OF THE THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION, INC. (PBA), EFFECTIVE OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

14. BUDGET AMENDMENT #3 FOR FISCAL YEAR 2021 FOR A/C REPLACEMENT AND INSTALLATION AT COURTHOUSE COMMONS (RC):

RESOLUTION No. 143-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF

STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #3 TO THE 2021 OPERATING BUDGET FOR THE PURCHASE AND INSTALLATION OF AIR CONDITIONING SYSTEMS FOR THE "COURTHOUSE COMMONS" PROPERTY AT 301 SE OCEAN; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

15. COMMISSION LIAISON AND AT LARGE APPOINTMENTS / RE-APPOINTMENTS TO ADVISORY BOARDS OF THE CITY

16. APPOINTMENTS OF CITY COMMISSIONERS TO COMMUNITY BOARDS

17. LUCIDO COTTAGE HOME - MUCCA (RC):

RESOLUTION No. 127-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO LUCIDO INVESTMENT PROPERTIES LLC, OWNER OF THE PROPERTY LOCATED AT THE SOUTH WEST CORNER OF SE OSCEOLA STREET AND SE GEORGIA AVENUE AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL FOR A SINGLE FAMILY HOME IN THE URBAN GENERAL ZONING DISTRICT; TO ALLOW THE REAR SETBACK TO BE LESS THAN FIFTEEN (15) FEET AND FOR PARKING TO BE LOCATED AT THE FRONT OF THE BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

18. SAVANNA PLACE APARTMENTS RPUD - MINOR AMENDMENT (QUASI-JUDICIAL) (RC):

RESOLUTION No. 128-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A MINOR AMENDMENT TO THE SAVANNAH PLACE APARTMENTS RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) ON PROPERTY LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF N.E. SAVANNAH ROAD AND N.E. BAKER ROAD., WEST OF THE HOPE CENTER FOR AUTISM AND SOUTH OF JENSEN PARK ESTATES BOTH IN UNINCORPORATED MARTIN COUNTY, THEREBY AMENDING THE DEVELOPMENT CONDITIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

19. UPDATE COMMUNITY INVESTMENT PROGRAM (CIP) (RC):

ORDINANCE No. 2458-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO UPDATE THE FIVE YEAR COMMUNITY INVESTMENT PROGRAM INCLUDED WITHIN THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

20. 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.

21. WRECKERS AND VEHICLE / VESSEL TOWING AMENDMENT (RC):

ORDINANCE No. 2456-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING THE STUART CODE OF ORDINANCES, CHAPTER 12 – BUSINESS, ARTICLE VI. WRECKERS AND VEHICLE TOWING, TO BE IN ACCORDINACE WITH FLORIDA STATE STATUTE; FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

ORDINANCE FIRST READING

22. (***REQUEST TO CONTINUE TO DATE CERTAIN OF JANUARY 11, 2021 CCM***) HIDDEN KEY RPUD REZONING (QUASI-JUSICIAL) (RC):

ORDINANCE No. 2457-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING THE 1.36 ACRE PARCEL FROM RESIDENTIAL MULTI-FAMILY/OFFICE (R-3) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD), LOCATED NORTH OF THE ARC OF MARTIN COUNTY AND SOUTH OF THE ESTATES OF STUART, EAST OF KANNER HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE HIDDEN KEY RPUD CONSISTING OF TWENTY-EIGHT (28) MULTI-FAMILY UNITS WITHIN TWO TWO-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.

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

ADJOURNMENT

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Mary Kindel, City Clerk

Title of Item:

ARTS MOMENT - ACOUSTIC INSTRUMENTAL MUSIC PERFORMANCE BY FLYNN.

Summary Explanation/Background Information on Agenda Request:

N/A

Funding Source:

N/A

Recommended Action:

Enjoy the music!

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Mary Kindel, City Clerk

Title of Item:

SELECTION OF MAYOR AND VICE MAYOR

Summary Explanation/Background Information on Agenda Request:

This is the annual reorganization of the City Commission. Each year, the City Commission has the opportunity to elect and name a Mayor and Vice Mayor, as the presiding officers of the City Commission. The City Charter (Sec 7.09 (a)) does not prescribe a method for this reorganization, except that at the "second Monday in December of each year the City Commission shall select from its membership a mayor and vice mayor." Historically, the City Commission has rotated the mayor's position among its members, and most typically chooses the vice-mayor as the new mayor. This has been a tradition in the City for the past several years. Also typically, the outgoing Mayor makes a few remarks, and then turns the "gavel" over to the incoming Mayor, who also makes a few remarks, and then presides at the meeting.

Funding Source:

N/A

Recommended Action:

Selection of Mayor and Vice Mayor

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** R. Johnson

Title of Item:

SERVICE AWARDS - DECEMBER 2020

Summary Explanation/Background Information on Agenda Request:

Michael DeFrank	Technology Services	20 years
Jordan Grose	Police	5 years

Funding Source:

General Fund

Recommended Action:

Present Awards

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** David D. Peters

Title of Item:

EMPLOYEE OF THE MONTH - DECEMBER 2020

Summary Explanation/Background Information on Agenda Request:

Always willing to accept new challenges, Marvin exemplifies the City's value's by treating others with honesty, dignity, consideration, and respect.

Funding Source:

N/A

Recommended Action:

Ask Marvin Dyall and his family to come forward and be recognized as the City's Employee of the Month for December 2020.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	Memorandum Dated November 25, 2020	12/1/2020	Attachment

City of Stuart

David D. Peters | Utilities & Engineering Director
121 SW Flagler Ave. Stuart Fl. 34994
Phone: 772.288.1292 Ext. 1

Date: November 25, 2020

To: Roz Johnson, Human Resources Director

From: Dave Peters, Utilities and Engineering Director

Subject: Employee of the Month

As you are aware, this will be my last opportunity to recognize a member of the Utilities and Engineering Department for their dedication and commitment to the overall success of the department.

This selection was important to me in that we have had the opportunity to nominate a number of deserving candidates over the years and I thought it would be appropriate to nominate another member of the department that represents the core values of what we in the Utilities and Engineering Department firmly believe in.

This nominee was born and raised in Stuart, attended JD Parker Elementary, Stuart Middle School, and Martin County High School.

At a very young age the nominee was a Junior Recreation Aide at the Flagler Recreation Center and after graduating from High School, began his career with the City in the Turf and Grounds Team of the Public Works Department.

His brother Mike Marshall works at the Water Reclamation Facility as a Wastewater Treatment Team Specialist and his mother Mattie worked at the East Stuart Community Center for years.

From the Turf and Grounds Team as a Laborer I in 1999 to his current position as a Class C Water Treatment Operator, the nominee has consistently received outstanding annual evaluations from his supervisors.

In 2012 our nominee was one of the original grinder system installers and his work efforts set forth the high standards that continue today.

In 2015 our nominee became the City's first Water Treatment Plant Operator Trainee.

Since then he received his "C" License in Water Treatment from the Florida Department Environmental Protection and is working towards his "B" License.

I'm extremely proud of his professional development here in the City and I believe he represents the best of who we are.

Not once have I heard him complain about anything, and there are plenty of times in the early stages of the septic to sewer conversion program that he had a right to do so.

Always willing to accept new challenges, the nominee exemplifies the City's value's by treating others with honesty, dignity, consideration, and respect.

I'm proud to represent the Utilities and Engineering Department and ask that one of our own, Mr. Marvin Dyall come forward and once again be recognized at the City's Employee of the Month for December 2020.

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** AEllig

Title of Item:

2021 CALENDAR PHOTO CONTEST WINNERS

Summary Explanation/Background Information on Agenda Request:

The Stormwater Division of the Public Works Department in association with the Utilities & Engineering Department provides for the production of the "Creating A Healthier River...Day by Day" biennial calendar. A key component of this production is a calendar photo contest.

Funding Source:

N/A

Recommended Action:

Recognize 2021 Photo Contest Winners

ATTACHMENTS:

	Description	Upload Date	Type
🗋	Press Release - Photo Contest Winners	11/2/2020	Backup Material

CITY OF STUART
PRESS RELEASE

Contact: Ben Hogarth
Community Services
Phone: (772) 288-5333
bhogarth@ci.stuart.fl.us

CITY OF STUART, 121 SW FLAGLER AVENUE, STUART, FLORIDA 34994
WWW.CITYOFSTUART.US

August 24, 2020

Stuart Announces Winners of 2021 Calendar Photo Contest

Stuart, FL – The City of Stuart is pleased to announce the winners of the 2021 "Creating a Healthier River…Day-By-Day" Calendar Photo Contest. All of the entries were wonderful examples of the strong connection we have in the City between our river environs and ourselves. The winners of the contest are as follows:

- **COVER:** **Robert Piper – "Sunset at Poppleton Creek"**
- **January:** **Fred Peterson - "Picnic"**
- **February:** **Jill Butterworth - "Watercolors"**
- **March:** **Bill Rostock - "Bridge from Flagler Park"**
- **April:** **Paul Baublitz - "Bird of Paradise in bloom on the river"**
- **May:** **Wayne King - "Patriotic St. Lucie Sunrise"**
- **June:** **In Memory of William Stockl, photographer- "Respite by the River"**
- **July:** **Andrew Vanhooser - "Stuart Riverwalk 4th of July Fireworks"**
- **August:** **Sal DeFini - "Dolphin Dancing"**
- **September:** **Andrew Vanhooser - "Yellow-Crowned Night Heron on Stuart River Walk"**
- **October:** **Robert Piper - "Beauty Below"**
- **November:** **Sal DeFini - "Great Blue Heron Backlit"**
- **December:** **Wayne King - "Christmastime on Osceola Street"**"

The 2021 Calendars will be available to the public by the end of the year and photo contest winners will also be recognized on the City of Stuart website at www.cityofstuart.us.

The City of Stuart thanks all contestants for their entries and appreciates their commitment to promoting a healthier river, day-by-day.

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CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Michelle Vicat

Title of Item:

COVID UPDATE PRESENTED BY THE MARTIN COUNTY HEALTH DEPARTMENT

Summary Explanation/Background Information on Agenda Request:

COVID Update from the Martin County Health Department.

Funding Source:

N/A

Recommended Action:

N/A

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Ben Hogarth

Title of Item:

U.S. ARMY CORPS OF ENGINEERS PRESENTATION ON LAKE OKEECHOBEE RELEASE SCHEDULE (Time Certain 5:30)

Summary Explanation/Background Information on Agenda Request:

The City Commission has invited the Army Corps of Engineers to present an update on the status of the St. Lucie estuary and Lake Okeechobee discharges.

Funding Source:

N/a

Recommended Action:

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Mary Kindel, City Clerk

Title of Item:

APPROVAL OF 11/23/2020 SCM ATTORNEY-CLIENT and 11/23/2020 CCM MINUTES (RC)

Summary Explanation/Background Information on Agenda Request:

N/A

Funding Source:

N/A

Recommended Action:

Approve Minutes.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	11/23/2020 SCM Minutes	12/7/2020	Attachment
🗋	11/23/2020 CCM Minutes	12/4/2020	Attachment

MINUTES
SPECIAL MEETING OF THE STUART CITY COMMISSION
HELD November 23, 2020
AT 5:00 PM ATTORNEY-CLIENT MEETING
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 Troy McDonald

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

5:00 PM ROLL CALL
Present: Mayor Meier, Vice Mayor Clarke, Commissioner Bruner, Commissioner Matheson, Commissioner McDonald

COMMISSION ACTION

1. STATUTORY ADVISORY

All Litigation and Settlement Offers involving:
All Litigation involving:
North Point Ventures, LLC v City of Stuart, Case No.; 2017 CA 0073
Union Negotiation:

City Attorney Mike Mortell announced a statutory advisory and the Commissioners, City Manager, City Attorney, and Court Reporter are the only persons permitted in the meeting. The meeting will be confidential until the cases discussed are resolved then will become public record.

Clerk Note: Esquire Reporting, 422 SW Camden Ave., Stuart, Florida, 34994, did the court reporting for this meeting.

5:01 PM Meeting went into recess.

5:37 PM Meeting reconvened.

5:37 PM ADJOURNMENT

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

Minutes to be approved at the Regular Commission Meeting this 14th day of December, 2020.

KJL

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD November 23, 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 Troy McDonald

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

THIS MEETING WAS AVAILABLE LIVE VIA ZOOM:
Zoom links and ID information can be found at www.cityofstuart.us/meetings

5:40 PM ROLL CALL
Present: Mayor Meier, Vice Mayor Clarke, Commissioner Bruner, Commissioner Matheson, Commissioner McDonald

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Bruner
- **Commented on the river being so dirty.**

Commissioner Matheson
- **Agreed with Commissioner Bruner and reported on the status of Lake Okeechobee and his engagement with a PDT Meeting last week stating they are working with models to add in the effects of the discharges. Reported on the Army Corps position and will keep the commission updated. Announced a possible round-table discussion at the Flagler Center on December 17th to include some non-profits, Congressman Mast, Representatives Overdorf and**

Harrell, and some state representatives. Commissioners can attend but due to Sunshine Law, will not be speaking.

- Thanked all for serving at the Thanksgiving Feed at Gertrude Walden, especially the many Police Officers that participated.
- Announced he partook in a ride-along with Officer Jacobson last week and thanked Officer Ruediger and Officer Jacobson for setting it up, appreciated the perspective.
- Per COVID-19, in a day or two, Florida will hit a million cases milestone, stressed the importance of wearing masks.

Commissioner McDonald

- Wished all a Happy Thanksgiving and commented that is will be different than ones in the past but hopes it will be different from ones in our future. Noted on the Gertrude Walden Thanksgiving event and thanked especially the members of the Police Department.
- Martin County Realtors Association is hosting a Christmas Tree Event in Memorial Park beginning on December 12th and the City's Police Department is hosting an event in Flagler Park on December 22nd, excited to see the nice things the Police Department is doing for our community.
- Noted that he received a call from a business owner about commercial stormwater rates and the amount of increases over the past year, stated that they need to take these businesses into consideration when setting these rates in the future.

Vice Mayor Clarke

- Echoes fellow Commissioner's comments about the river and masks and commented on the ribbon cutting ceremony of the Harbor Grove affordable housing project, glad to see the project moving forward.
- Commented with a suggestion that a City campaign to "mask up" as a reminder for our residents.
- Wishes all a Happy Thanksgiving, thankful for Thelma Washington, Sergeant Brian Bossio and all who helped in the Community.
- Likes the idea of the tree event in Memorial Park but wants to be careful to not encourage too large of crowds to gather.

Jim Chrulski, Community Services Director came forward to explain the event, that it will start on December 12th and end on the 26th so that people can come at their leisure and walk through the open area, not all on one night, allowing for thinner crowds. Asked if the Commissioners were interested in participating with a Commissioners Tree, they agreed.

- Requested information on vaccine availability in Stuart.

David Dyess, City Manager replied that he has a Vaccination Implementation Plan conference call scheduled for the next morning.

Mayor Meier

- Wished all a Happy Thanksgiving.
- Encouraged by news out of the legislature by closing the online sales tax loophole which would benefit our local retailers, as Florida and Missouri are

the only states that have not updated to online sales tax collection and will be pushing for legislature to fight for that.

- **Commented on the County's vote to increase the age for purchasing tobacco product from 18 to 21 and would like the City to address that.**

City Attorney will bring back language in January. City Manager Dyess noted he is opposed to the licensing requirement of that and will speak with the Commissioners about that.

- **Commented that he spoke with Candace Callahan and Rachel Snyder of Stuart Main Street and the Downtown Bucks was a success and he would like to further discuss the encouragement of this program, either with a D&D item or working with Stuart Main Street or using public sign boards.**
- **Masks encouragement, as numbers are increasing and commented on orders being given without enforcement.**
- **Announced that the Florida League of Cities ratified its Legislative Action Agenda and they are working on a draft Resolution that affirms the City's commitment to the FLC policy priorities.**

Commissioner McDonald announced that he just received a message from Sue Hershey that her husband and former Mayor and Judge Hershey passed away and asked that they keep Ms. Hershey in their prayers.

Commissioner Bruner
Announced that she would like to add a comment and requested that Tyler Headway no longer works with the Stuart News but would like to send a thank you letter for his work on the St. Lucie River. Commissioners agreed.

6:11 PM COMMENTS BY CITY MANAGER

City Manager Dyes

- **Commented on a question received during the last CRA Meeting pertaining to drainage on the Seminole Street Project. The response from the consultant explained that the drainage grates will be in place and flow to baffle boxes and there will be additional storage capacity under the pavers to store water.**
- **Commented on upcoming events for Commissioners to note; Advisory Board Appreciation Luncheon and Treasure Coast Regional League of Cities Annual Luncheon.**

APPROVAL OF AGENDA

6:12 PM MOTION: Move approval.
MOVED BY: Commissioner McDonald
SECONDED BY: Vice Mayor Clarke
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

1) **Tom Campenni – St. Lucie Crescent; Thanked the Commission and City staff for volunteering at the Thanksgiving Feed event at Gertrude Walden and**

provided the following details; 106 turkeys, 26 pans of stuffing, 23 pans of green beans, 65 sweet potato pies, 10 pound cakes, 4 banana puddings, 28 pans of mashed potatoes and a total of 3,800 plates provided to the community.

CONSENT CALENDAR

1. APPROVAL OF 11/09/2020 CCM MINUTES

2. MULLIGAN'S LEASE APPROVAL:

RESOLUTION No. 139-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF AN AMENDED LEASE AGREEMENT BETWEEN CITY OF STUART AND MULLIGAN'S STUART ACQUISITION, LLC; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

6:14 PM MOTION: Move approval of the Consent agenda as published.
MOVED BY: Vice Mayor Clarke
SECONDED BY: Commissioner Matheson
Motion passed unanimously.

COMMISSION ACTION

6:16 PM 3. LEGISLATIVE PRIORITIES FOR THE 2021 LEGISLATIVE SESSION:

RESOLUTION No. 140-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE ADOPTION OF LEGISLATIVE PRIORITIES FOR THE 2021 LEGISLATIVE SESSION.

Ben Hogarth, Community Affairs Liaison, came forward to answer any questions from the Commission. The Commission thanked Ben for having the legislative priorities available in November.

6:20 PM MOTION: Move for approval.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Matheson
Motion passed unanimously.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

4. (***REQUEST TO CONTINUE TO DATE CERTAIN OF JANUARY 11, 2021 CCM***)
ANNEXATION OF CITY OWNED PROPERTY AT HANEY CREEK (QUASI-JUDICIAL):

ORDINANCE No. 2452-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA,

ANNEXING, ALLOCATING A FUTURE LAND USE OF CONSERVATION AND ALLOCATING A ZONING CATEGORY OF PUBLIC FOR FOUR (4) CITY OWNED PROPERTIES ADJACENT TO HANEY CREEK AND NW BAKER ROAD AND WHICH ARE SUBJECT TO A FLORIDA COMMUNITIES TRUST GRANT AWARD AGREEMENT AND BEING MORE FULLY DESCRIBED IN EXHIBITS A1, A2, A3 and A4 ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

6:21 PM MOTION: Move to continue to January 11th according to the agenda request.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Matheson
Motion passed unanimously.

5. WRECKERS AND VEHICLE / VESSEL TOWING AMENDMENT:

ORDINANCE No. 2456-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING THE STUART CODE OF ORDINANCES, CHAPTER 12 – BUSINESS, ARTICLE VI. WRECKERS AND VEHICLE TOWING, TO BE IN ACCORDINACE WITH FLORIDA STATE STATUTE; FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

6:22 PM MOTION: Move for approval.
MOVED BY: Commissioner McDonald
SECONDED BY: Vice Mayor Clarke
Motion passed unanimously.

6:22 PM 6. (***REQUEST TO CONTINUE TO DATE CERTAIN OF DECEMBER 14, 2020 CCM***) HIDDEN KEY RPUD REZONING (QUASI-JUSICIAL):

ORDINANCE No. 2457-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING THE 1.36 ACRE PARCEL FROM RESIDENTIAL MULTIFAMILY/OFFICE (R-3) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD), LOCATED NORTH OF THE ARC OF MARTIN COUNTY AND SOUTH OF THE ESTATES OF STUART, EAST OF KANNER HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE HIDDEN KEY RPUD CONSISTING OF TWENTY-EIGHT (28) MULTI-FAMILY UNITS WITHIN TWO TWO-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.

6:23 PM MOTION: Move to continue December 14th pursuant to request on the agenda.
MOVED BY: Commissioner McDonald
SECONDED BY: Vice Mayor Clarke
Motion passed unanimously.

7. UPDATE COMMUNITY INVESTMENT PROGRAM (CIP):

ORDINANCE No. 2458-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO UPDATE THE FIVE YEAR COMMUNITY INVESTMENT PROGRAM INCLUDED WITHIN THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Stephen Mayer, Senior Planner of the City Development Department presented on the reason for the CIE update, reviewing the financial feasibility, and level of service standards.

Mayor Meier inquired if what we are expecting to spend over the course of 5 years could be included in the CIP to show under years 2 through 5.

Finance Director, Joly Boglioli came forward and reviewed the project categories, pulled up the budget and noted that some users are still not used to the new system. Some users included future years and others did not, so the data needs to be collected from the various departments. Some issues may be technological, but some may be because they are waiting on grants and those expenditures cannot be planned for.

By Second Reading, Mayor Meier requested conformation that the departments clarify the CIP Plan through the 5 years.

Commission and Mr. Boglioli briefly discussed plan projects such as the Water Plant RO Facility, Seminole Street, and grants. Additional topics reviewed included the Fiscal Policy Document and the Level of Service Table.

Mayor Meier expressed concerns over the traffic and asked what "E" means in LOS E. Stephen Mayer explained that there is a certain capacity of a roadway and the E means the roadway is not past the point that it is failing. Portions of US1 are exempt from LOS E. Martin County does trip counts every year and provides updates to let the City know the numbers.

Commissioner McDonald explained that this level of service is done by the MPO and this support is needed when looking to have changed made with the state as these changes can be challenging.

City Manager Dyess commented from a law enforcement perspective on the level of service and increase in density, in season, backups past Colorado happen regularly.

6:29 PM MOTION: Move for approval.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Bruner
Motion passed unanimously. 6:52 PM

DISCUSSION AND DELIBERATION

6:52 PM ADJOURNMENT

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

Minutes to be approved at the Regular Commission Meeting this 14th day of December, 2020.

mk

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Mary Kindel, City Clerk

Title of Item:

APPROVAL OF 2021 MEETING CALENDAR (RC)

Summary Explanation/Background Information on Agenda Request:

Two meetings per month or as adopted by City Commission annually, the Meeting Calendar schedules the Commission and Advisory Board Meetings for the year.

Funding Source:

N/A

Recommended Action:

Motion to approve 2021 Meeting Calendar.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	2021 Meeting Calendar	12/7/2020	Attachment

City of Stuart
2021 Meeting Calendar

January

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

1 New Year's Day Holiday
5 CRB Meeting 4:00pm
11 City Commission Meeting 4:00pm
14 LPA Meeting 5:30pm
18 Martin Luther King Jr Holiday
25 CRA/CRB/CCM Meeting 4:30pm
25 City Commission Meeting 5:30pm
28 BOA Meeting 5:30pm

February

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

2 CRB Meeting 4:00pm
4 Jt City/County/School Bd 9:00am
8 City Commission Meeting 4:00pm
11 LPA Meeting 5:30pm
22 CRA Meeting 5:00pm
22 City Commission Meeting 5:30pm
25 BOA Meeting 5:30pm

March

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

2 CRB Meeting 4:00pm
8 City Commission Meeting 4:00pm
11 LPA Meeting 5:30pm
22 CRA Meeting 5:00pm
22 City Commission Meeting 5:30pm
25 BOA Meeting 5:30pm

April

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

6 CRB Meeting 4:00pm
8 LPA Meeting 5:30pm
12 City Commission Meeting 4:00pm
22 BOA Meeting 5:30pm
26 CRA/CRB/CCM Meeting 4:30pm
26 City Commission Meeting 5:30pm

May

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

4 CRB Meeting 4:00pm
10 City Commission Meeting 4:00pm
13 LPA Meeting 5:30pm
24 CRA Meeting 5:00pm
24 City Commission Meeting 5:30pm
27 BOA Meeting 5:30pm
31 Memorial Day Holiday

June

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

1 CRB Meeting 4:00pm
10 LPA Meeting 4:00pm
14 City Commission Meeting 4:00pm
28 CRA Meeting 5:00pm
28 City Commission Meeting 5:30pm
24 Jt City/County/School Bd 9:00am
24 BOA Meeting 5:30pm

July

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

5 4th of July Holiday
6 CRB Meeting 4:00pm
8 LPA Meeting 5:30pm
12 City Commission Meeting 4:00pm
22 BOA Meeting 5:30pm
26 CRA/CRB/CCM Meeting 4:30pm
26 City Commission Meeting 5:30pm

August

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

3 CRB Meeting 4:00pm
9 City Commission Meeting 4:00pm
12 LPA Meeting 5:30pm
23 CRA Meeting 5:00pm
23 City Commission Meeting 5:30pm
26 BOA Meeting 5:30pm

September

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

6 Labor Day Holiday
7 CRB Meeting 4:00pm
9 LPA Meeting 5:30pm
13 City Commission Meeting 4:00pm
23 BOA Meeting 5:30pm
27 CRA Meeting 5:00pm
27 City Commission Meeting 5:30pm

October

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

5 CRB Meeting 4:00pm
11 City Commission Meeting 4:00pm
14 Jt City/County/School Bd 9:00am
14 LPA Meeting 5:30pm
25 CRA/CRB/CCM Meeting 4:30pm
25 City Commission Meeting 5:30pm
28 BOA Meeting 5:30pm

November

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

3 CRB Meeting 4:00pm
8 City Commission Meeting 4:00pm
4 LPA Meeting 5:30pm
11 Veterans Day Holiday
18 BOA Meeting 5:30pm
22 CRA Meeting 5:00pm
22 City Commission Meeting 5:30pm
25 Thanksgiving Holiday
26 Day after Thanksgiving Holiday

December

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

7 CRB Meeting 4:00pm
9 LPA Meeting 5:30pm
13 City Commission Meeting 4:00pm
16 BOA Meeting 5:30pm
23 Christmas Eve Holiday
24 Christmas Day Holiday

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Michael Mortell, City Attorney

Title of Item:

AUTHORIZATION OF THE ASSIGNMENT OF THE AMENDED LEASE FROM NEW URBAN TRIANGLE, LLC TO 201 SW JOAN JEFFERSON WAY, LLC (RC):

RESOLUTION No. 125-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE ASSIGNMENT OF THE LEASE AGREEMENT PREVIOUSLY ENTERED BETWEEN CITY OF STUART AND NEW URBAN TRIANGLE, LLC FOR LEASE OF THE PROPERTY KNOWN AS THE TRIANGLE PROPERTY TO 201 SW JOAN JEFFERSON WAY, LLC FOR THE BALANCE OF THE LEASE TERM WHICH IS SET TO EXPIRE ON NOVEMBER 2, 2115; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

New Urban Triangle, LLC desires to enter into an Assignment and Assumption of Land Lease with 201 SW Joan Jefferson Way, LLC, which plans to continue operating as a residential apartment building at this location for the remainder of the Lease.

Pursuant to paragraph 23 of the lease, the City can not unreasonably withhold consent to the assignment. The criteria is that the assignee intends to use the property in a manner consistent with the uses allowed; possess the financial capacity, a good reputation and sound managerial ability to operate the project.

The proposed assignee is Diversy Fund. Diversy Fund is publicly traded company with its SEC filings posted on its web site. It is clear that is has the financial capacity and experience to manage the project. On its website are several residential projects that it currently owns and operates.

Funding Source:

N/A

Recommended Action:

Approve Resolution 125-2020.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	R125-2020 Authorization to assign Azul Lease	12/8/2020	Resolution add to Y drive
🗋	Assignment and Assumption of Amended Lease	12/7/2020	Attachment
🗋	Estoppel by Ground Lease Landlord (Azul)	12/7/2020	Attachment

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NO. 125-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE ASSIGNMENT OF THE LEASE AGREEMENT PREVIOUSLY ENTERED BETWEEN CITY OF STUART AND NEW URBAN TRIANGLE, LLC FOR LEASE OF THE PROPERTY KNOWN AS THE TRIANGLE PROPERTY TO 201 SW JOAN JEFFERSON WAY, LLC FOR THE BALANCE OF THE LEASE TERM WHICH IS SET TO EXPIRE ON NOVEMBER 2, 2115; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City Commission of the City of Stuart, Florida entered a lease agreement with New Urban Triangle, LLC and the City of Stuart property located at 201 SW Joan Jefferson Way for a period of ninety-nine (99) years with an expiration date of November 2, 2115.

WHEREAS, the Initial Land Lease was modified, amended and restated in its entirety by that certain First Amendment to Absolute Net Non-Subordinated Land Lease dated May 14, 2018, and recorded July 2, 2018, under O.R. Book 3002, Page 145, of the

Public Records of Martin County, Florida (the "Amended Land Lease"), between the City of Stuart, Florida as Lessor, and New Urban Triangle (as Lessee), for the Premises.

Specifically, Section 23 of the Amended Lease provides that the, "Lessee may assign this Lease to a third party subject to consent by Lessor, which consent shall not be unreasonable withheld, conditioned or delayed."

WHEREAS, New Urban Triangle, LLC desires to enter into an Assignment and Assumption of Land Lease with 201 SW Joan Jefferson Way, LLC, which plans to continue operating as a residential apartment building at this location for the remainder of the Lease effective upon closing in December, 2020 (specific date to be determined upon approval of assignment).

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

SECTION 1: The City Commission authorizes the Mayor to execute an authorization of the Assignment and Assumption of Land Lease pursuant to Section 23 of the Amended Lease.

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				
REBECCA S. BRUNER, COMMISSIONER				

MERRITT MATHESON, COMMISSIONER				
TROY MCDONALD, COMMISSIONER				

ADOPTED this ___ day of December, 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

This instrument was prepared by:

John C. Primeau, Esq.
Law Firm of John C. Primeau, P.A.
2625 Weston Road
Weston, FL 33331
File No. 9172-33

Record and return to:

Johnson Pope Bokor Ruppel & Burns, LLP
Attn: Christopher White, Esq.
490 1st Avenue South, Suite 700
St. Petersburg, FL 33701

Property Appraiser Tax ID Number:
05-38-41-014-004-00060-6 - Account #22454

ASSIGNMENT AND ASSUMPTION OF LAND LEASE

[ASSIGNMENT OF LESSEE'S INTEREST]

THIS **ASSIGNMENT AND ASSUMPTION OF LAND LEASE** (this "Assignment") is made and entered into on this _____ day of _____, 2020 (the "Effective Date"), by and between **NEW URBAN TRIANGLE, LLC,** a Florida limited liability company ("Assignor"), whose address is 200 Congress Park Drive, Suite 201, Delray Beach, FL 33445, and **201 SW JOAN JEFFERSON WAY, LLC, a Delaware limited liability company** ("Assignee"), whose address is c/o Van Vogel, Executive V.P., Symphony Towers, 750 B Street, Suite 1930, San Diego, CA 92101, and is joined in execution by the **CITY OF STUART**, a Florida municipal corporation ("Lessor"), whose address is City of Stuart, c/o City Manager, 121 SW Flagler Avenue, Stuart, FL 34994.

RECITALS:

A. Assignor is the Lessee under that Absolute Net Non-Subordinated Land Lease from City of Stuart, Florida to New Urban Triangle, LLC, recorded July 7, 2016, under O.R. Book 2864, Page 2532; Memorandum of Lease recorded in O.R. Book 2864, Page 2585; and Memorandum of Right of First Refusal recorded in O.R. Book 2864, Page 2591; as amended and superseded by that First Amendment to Absolute Net Non-Subordinated Land Lease dated May 14, 2018 and recorded in O.R. Book 3002, Page 147, Public Records of Martin County, Florida (collectively, the "Land Lease"), which effect certain real property and the improvements thereon, situated in Martin County, Florida (the "Property") and being more particularly described on Exhibit A, which is attached hereto and made a part hereof for all purposes.

B. Assignor desires to sell, transfer, set over, deliver and assign to Assignee, Assignor's leasehold interest in the Property as described in the Land Lease, together with all improvements on the Property.

C. Assignee desires to accept the assignment and assume the duties of Assignor under the Land Lease.

D. Lessor is joining in the execution of this Assignment to confirm that the Land Lease remains in full force and effect and to evidence its consent to assignment and assumption of the Land Lease under the terms and conditions set forth in this Assignment.

AGREEMENTS:

NOW, THEREFORE, for and in consideration of the premises and the agreements and covenants herein set forth, together with the sum of TEN DOLLARS ($10.00) and other good and valuable consideration on this day paid and delivered by Assignee to Assignor, the receipt and sufficiency of which are hereby acknowledged by Assignor, the parties do hereby covenant and agree as follows and take the following actions:

1. The above recitals are true and correct and are hereby incorporated herein by this reference.

2. Assignor hereby assigns, transfers, sets over, delivers and conveys unto Assignee, its successors and assigns, all of Assignor's right, title and interest in and to the Land Lease and the Property, together with all of Assignor's right, title and interest in and to: all buildings, fixtures, and other improvements located on the Property; any easements, tenements, hereditaments and appurtenances belonging or in anywise appertaining to the Property; and all of Assignor's rights, duties, and obligations, whether express or implied, arising under the Land Lease. This assignment is made and accepted: (i) subject to taxes and assessments for the year 2021 and subsequent years; (ii) subject to all laws, ordinances, regulations, restrictions, prohibitions, and other requirements imposed by governmental authorities, including, but not limited to, applicable zoning, building, bulkhead, land use and environmental ordinances, rules and regulations, and rights or interests vested in the United States of America and/or the State of Florida; and (iii) subject and subordinate to those encumbrances and exceptions (the "Permitted Encumbrances") set forth on Exhibit B, which is attached hereto and made a part hereof for all purposes. Assignor hereby agrees that such assignment is and shall be irrevocable and unconditional. Assignor covenants with said Assignee that Assignor has a leasehold interest under the Land Lease in and to the Property; that Assignor has good right and lawful authority to assign its interest under the Land Lease subject to the approval of the lessor under the Land Lease; and that Assignor hereby warrants its leasehold interest under the Land Lease (subject to the items in i – iii above) and will defend the same against the lawful claims of all persons claiming by, through or under Assignor.

3. Assignee hereby accepts the foregoing assignment of the Land Lease and Assignor's right, title and interest in the Land Lease and Property described therein, and in consideration thereof, Assignee hereby assumes all the rights, duties and obligations of Assignor with respect to the Land Lease, to the extent such duties and obligations arise or accrue from and after the date of this Assignment, and agrees to be bound by and perform all terms and conditions of the Land Lease.

4. Assignee's address for notice under the Land Lease is:

To Lessee:

201 SW JOAN JEFFERSON WAY, LLC
Attn: Van Vogel, Executive V.P.
Symphony Towers

750 B Street, Suite 1930
San Diego, CA 92101

Copy to:

Johnson Pope Bokor Ruppel & Burns, LLP
Attn: Christopher White, Esq.
490 1st Avenue South, Suite 700
St. Petersburg, FL 33701

5. Assignor and Assignee, for themselves and their successors and assigns, hereby agree to do all things, take all actions, and to execute, acknowledge, deliver and record all documents, instruments, agreements, powers of attorney and assurances as are necessary or convenient to more fully effect the assignment contemplated hereby upon the request of Assignee or Assignor, their successors or assigns, as the case may be.

6. This Assignment shall be (a) binding upon, and inure to the benefit of, the parties to this Assignment and their respective successors and assigns, and (b) construed in accordance with the laws of the State of Florida, without regard to the application of choice of law principles.

7. This Assignment may be executed in several counterparts, each of which shall constitute an original and all of which together shall constitute one and the same instrument.

REMAINDER OF PAGE INTENTIONALLY BLANK
SIGNATURE PAGES FOLLOW

EXECUTED by the undersigned to be effective as of the Effective Date.

ASSIGNOR:

NEW URBAN TRIANGLE, LLC, a Florida limited liability company

Witnesses:

By: NEW URBAN TRIANGLE, LLC, a Florida limited liability company, as Manager

By:_____
Kevin E. Rickard, as Manager

_____
Witness #1 – Sign name

_____
Witness #1 – Print name

_____
Witness #2 – Sign name

_____
Witness #2 – Print name

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2020, by Kevin E. Rickard, as Manager of NEW URBAN TRIANGLE MANAGER, LLC, a Florida limited liability company, as Manager of NEW URBAN TRIANGLE, LLC, a Florida limited liability company, on behalf of the limited liability companies under authority vested in him by the limited liability companies. He ☐ is personally known to me or ☐ produced _____ as identification.

[Notary Stamp Below]

_____
Notary Public - State of Florida

_____
Name typed, printed or stamped

My Commission Expires:_____

ASSUMPTION BY LAND LEASE BY TRANSFERREE

Witnesses:

ASSIGNEE:

201 SW JOAN JEFFERSON WAY, LLC, a Delaware limited liability company

_____
Witness #1 – Sign name

_____
Witness #1 – Print name

_____
Witness #2 – Sign name

_____
Witness #2 – Print name

By: _____

_____

as _____

{Seal}

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this _____ day of December, 2020, by _____, as _____ of 201 SW JOAN JEFFERSON WAY, LLC, a Delaware limited liability company, on behalf of the company under authority vested in him/her by the company. He/she ☐ is personally known to me or ☐ produced _____ _____ as identification.

[Notary Stamp Below]

_____
Notary Public

_____
Name typed, printed or stamped

My Commission Expires:_____

LESSOR'S JOINDER AND CONSENT
TO ASSIGNMENT AND ASSUMPTION OF LAND LEASE

The undersigned Lessor under the Land Lease hereby joins and consents to the Assignment and Assumption of Land Lease ("Assignment") to evidence Lessor's consent to the Assignment and Assumption of the Land Lease, as provided in the Assignment.

Witnesses:

_____
Witness #1 – Sign name

_____
Witness #1 – Print name

_____
Witness #2 – Sign name

_____
Witness #2 – Print name

LESSOR:

CITY OF STUART, FLORIDA, a Florida municipal corporation

By: _____
_____, Mayor
[Impress seal below]

ATTEST:
By: _____
Mary Kindel, City Clerk

APPROVED AS TO FORM
AND CORRECTNESS

By: _____
Michael J. Mortell, Esq., City Attorney

EXHIBIT A

TO ASSIGNMENT AND ASSUMPTION OF LAND LEASE

LEGAL DESCRIPTION

A Leasehold interest in and to the following described property:

Being known as a portion of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and Lot 10, Block 4, Portion of Block 1, Portion of Lot 1, Block 3, and Abandoned alley in Block 4 and Portion of Abandoned West 1st Street. Also a portion of West 1st Street Right-of-Way and a portion of Albany Avenue Right-of-Way. All lying within the Plat of POTSDAM as recorded in Plat Book 1, Page 28, Public Records of Palm Beach (now Martin) County, Florida, and being more particularly described as follows:

Beginning at the Southwest corner of Lot 9, Block 4, thence South 89°36'51" East along the North line of West 2nd Street, a distance of 52.80 feet to a point of curve; said curve being concaved to the North, having a radius of 265.32 feet, a central angle of 15°47'50" thence in a counter clockwise direction along the arc of said curve and the North line of West 2nd Street a distance of 73.15 feet to the intersection with Akron Avenue; thence North 00°33'11" East along the West line of Akron Avenue a distance of 103.56 feet to the intersection with the West line of Dixie Highway; thence North 47°02'45" West along the West line of Akron Avenue a distance of 325.51 feet to a point of curve; said curve being concaved to South, having a radius of 15.00 feet, a central angle of 132°24'05", thence in a counter clockwise direction along the arc of said curve and Dixie Highway a distance of 34.66 feet to the intersection with the East line of Albany Avenue; thence South 00°33'11" West along said East line of Albany Avenue a distance of 33.34 feet to a point of intersection with the extended North line of West 1st Street; thence North 89°35'17" West along the North line of West 1st Street a distance of 140.97 feet to a point of intersection with the East line of U.S. Highway No. 1; thence South 05°04'18" East along the East line of U.S. Highway No. 1 a distance of 40.18 feet to a point on the South line of West 1st Street and a point of curve; said curve being concaved to the Southeast, having a radius of 15.00 feet, a central angle of 89°51'32", thence in a counter clockwise direction along the arc of said curve and the East line of U.S. Highway No. 1 a distance of 23.53 feet to a point; thence South 00°33'11" West along said East line a distance of 14.35 feet to a point; thence South 89°35'17" East a distance of 152.00 feet to a point on the East line of Albany Avenue; thence South 00°33'11" West along the East line of Albany Avenue a distance of 190.18 feet to a point; thence South 41°18'07" East along said East line a distance of 23.56 feet to a point on the North line of West 2nd Street; thence South 83°10'32" East along said North line a distance of 100.33 feet to a point; thence South 89°36'51" East continuing along the North line of West 2nd Street a distance of 24.55 feet to the point and place of beginning.

EXHIBIT B

TO ASSIGNMENT AND ASSUMPTION OF LAND LEASE

PERMITTED ENCUMBRANCES

1. All matters contained on the Plat of Potsdam, as recorded in Plat Book B, Page 2, Miami-Dade County, Florida; also recorded in Plat Book 1, Page 28, Public Records of Palm Beach (now Martin) County, Florida.

2. Quit Claim Deed for Public Purpose/Roadway Jurisdiction Transfer recorded in O.R. Book 2746, Page 617 and O.R. Book 2779, Page 1437, Public Records of Martin County, Florida.

3. Reservations contained in Quit Claim Deed (Public Purpose) recorded in O.R. Book 2747, Page 440, Public Records of Martin County, Florida.

4. Resolution No. 81-2014 recorded in O.R. Book 2747, Page 435, Public Records of Martin County, Florida.

5. Resolution No. 44-2014 as attached to Quit Claim Deed recorded in O.R. Book 2779, Page 1437, Public Records of Martin County, Florida.

6. Ordinance No. 2279-2014 recorded in O.R. Book 2862, Page 2537, Public Records of Martin County, Florida.

7. Ordinance No. 2333-2016 recorded in O.R. Book 2916, Page 2437, Public Records of Martin County, Florida.

8. Resolution No. 77-2017 recorded in O.R. Book 2937, Page 735, Public Records of Martin County, Florida.

9. Terms, covenants and conditions of Absolute Net Non-Subordinated Land Lease from City of Stuart, Florida to New Urban Triangle, LLC, recorded July 7, 2016, under O.R. Book 2864, Page 2532; Memorandum of Lease recorded in O.R. Book 2864, Page 2585; and Memorandum of Right of First Refusal recorded in O.R. Book 2864, Page 2591, as affected by Resolution Number 52-2018 recorded in O.R. Book 3002, Page 145, Public Records of Martin County, Florida.

10. Subject to the Fee Simple interest of The City of Stuart, a municipal corporation of the State of Florida, by virtue of Special Warranty Deed recorded in O.R. Book 2661, Page 1348, Public Records of Martin County, Florida.

11. Easement (Business) to Florida Power and Light Company recorded in O.R. Book 3035, Page 2960, Public Records of Martin County, Florida.

LAND LEASE ESTOPPEL

This Land Lease Estoppel (this "Estoppel") is made as of the date set forth below by the City of Stuart, Florida (together with its successors and assigns, the "Lessor").

BACKGROUND

The Lessor has entered into that certain Absolute Net Non-Subordinated Land Lease dated February 23, 2016, and recorded July 7, 2016, under O.R. Book 2864, Page 2532, of the public records of Martin County, Florida (the "Initial Land Lease"), between the City of Stuart, Florida as Lessor, and New Urban Triangle, LLC, a Florida limited liability company ("New Urban Triangle") (as Lessee), for the premises described therein and on Exhibit "A" attached to this Estoppel (the "Premises"); as evidenced by that Memorandum of Lease recorded in O.R. Book 2864, Page 2585, of the public records of Martin County, Florida; and that Memorandum of Right of First Refusal recorded in O.R. Book 2864, Page 2591, of the public records of Martin County, Florida;

The Initial Land Lease was modified, amended and restated in its entirety by that certain First Amendment to Absolute Net Non-Subordinated Land Lease dated May 14, 2018, and recorded July 2, 2018, under O.R. Book 3002, Page 145, of the public records of Martin County, Florida (the "Amended Land Lease"), between the City of Stuart, Florida as Lessor, and New Urban Triangle (as Lessee), for the Premises.

The Lessee has entered into a Purchase and Sale Agreement with 201 SW JOAN JEFFERSON WAY, LLC, a Florida limited liability company ("Purchaser") for the sale and purchase of, *inter alia*, Lessee's interest in the Amended Land Lease. The Purchaser has requested the execution and delivery of this Estoppel as a condition to closing of the sale and purchase.

ESTOPPELS

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Lessor agrees and certifies as follows:

1. Lessor is the legal and equitable owner of the entire Lessor's interest under the Amended Land Lease and is the present fee owner of the Premises, except those portions noted on the survey attached as Exhibit A to the Amended Land Lease which are either subject to restriction placed upon them by the Florida Department of Transportation or are city public rights-of-way, as provided in Section 13.2.3 of the Amended Land Lease.

2. The Amended Land Lease recorded in O.R. Book 3002, Page 145, of the public records of Martin County, Florida, is a true, complete and accurate copy of the Amended Land Lease, and has not been amended. The Amended Land Lease is in full force and effect and supersedes the Initial Land Lease in its entirety.

3. The Term of the Amended Land Lease commenced on November 3, 2016 (the "Commencement Date") and expires at 11:59 p.m. on November 2, 2115 (the "Termination Date") and the Lessee has no right to extend the Amended Land Lease. Lessee is in full and complete possession of the Premises demised under the Amended Land Lease and has commenced full possession and use of the Premises, such possession having been delivered by the Lessor and having been accepted by Lessee.

4. Through the end of the Seventh Lease Year, Rent is payable in the amount of $16,000.00 annually. All Rent due under the Amended Land Lease is paid through _____ 2020. The annual Base Rent and Additional Rent due after the Seventh Lease Year is due in the amounts set forth in Article 6 of the Amended Land Lease. The last payment of rent in the amount of $_____ was received by Lessor on _____, 2020.

5. Lessor is not holding any Security Deposit under the Amended Land Lease. No advance rental or other payments have been made in connection with the Amended Land Lease.

6. There are no other agreements, written or oral, between the Lessor and Lessee relating to the occupancy of the Premises, including without limitation, any agreement to provide any discounts, concessions, rebates, abatements or allowances with respect to the rent and other charges payable under the Amended Land Lease.

7. Lessor hereby warrants and represents as follows: (i) all Rent, additional rent, taxes, and other charges payable under the Amended Land Lease have been paid to the extent they are payable to the date hereof; (ii) the Lessee enjoys the quiet and peaceful possession of the Premises, as set forth more particularly in the Amended Land Lease and subject to any sub-leases; (iii) neither the Lessor (to the Lessor's actual knowledge) nor the Lessee is in default under any of the terms of the Amended Land Lease and, to the best of the Lessor's actual knowledge, there are no circumstances which, with the passage of time or the giving of notice or both, would constitute an event of default thereunder, (iv) the Lessor has delivered, and the Lessee has accepted, the Premises in accordance with the terms of the Amended Land Lease, (v) the Lessor has not approved, and to the best of the Lessor's actual knowledge the Lessee has not entered into, any assignment of the Amended Land Lease or sublease of any portion of the Premises, and (vi) there are no known setoffs, defenses, or counterclaims against enforcement of the obligations to be performed by either party under the Amended Land Lease.

8. The Amended Land Lease and this Lessor's Estoppel have been duly authorized by all requisite actions of the Lessor, which actions remain in full force and effect without modification as of the date hereof.

9. As used in this Estoppel Certificate and Agreement, the phrase "to the best of Lessor's actual knowledge," "to the Lessor's knowledge" or any similar phrase shall mean Lessor's actual knowledge, and not constructive or imputed knowledge and without any obligation on the Lessor's part to make any independent investigation of the matter being represented and warranted.

IN WITNESS WHEREOF, the Lessor has caused this Estoppel to be executed under seal by its duly authorized officers as of the date first above written.

Witnesses:

LESSOR:

CITY OF STUART, FLORIDA, a Florida municipal corporation

By: _____
_____, Mayor
[Impress seal below]

_____
Witness #1 – Sign name

_____
Witness #1 – Print name

_____
Witness #2 – Sign name

_____
Witness #2 – Print name

ATTEST:
By: _____
Mary Kindel, City Clerk

APPROVED AS TO FORM
AND CORRECTNESS

By: _____
Michael J. Mortell, Esq., City Attorney

EXHIBIT A: LEGAL DESCRIPTION

A Leasehold interest in and to the following described property:

Being known as a portion of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and Lot 10, Block 4, Portion of Block 1, Portion of Lot 1, Block 3, and Abandoned alley in Block 4 and Portion of Abandoned West 1st Street. Also a portion of West 1st Street Right-of-Way and a portion of Albany Avenue Right-of-Way. All lying within the Plat of POTSDAM as recorded in Plat Book 1, Page 28, Public Records of Palm Beach (now Martin) County, Florida, and being more particularly described as follows:

Beginning at the Southwest corner of Lot 9, Block 4, thence South 89°36'51" East along the North line of West 2nd Street, a distance of 52.80 feet to a point of curve; said curve being concaved to the North, having a radius of 265.32 feet, a central angle of 15°47'50" thence in a counter clockwise direction along the arc of said curve and the North line of West 2nd Street a distance of 73.15 feet to the intersection with Akron Avenue; thence North 00°33'11" East along the West line of Akron Avenue a distance of 103.56 feet to the intersection with the West line of Dixie Highway; thence North 47°02'45" West along the West line of Akron Avenue a distance of 325.51 feet to a point of curve; said curve being concaved to South, having a radius of 15.00 feet, a central angle of 132°24'05", thence in a counter clockwise direction along the arc of said curve and Dixie Highway a distance of 34.66 feet to the intersection with the East line of Albany Avenue; thence South 00°33'11" West along said East line of Albany Avenue a distance of 33.34 feet to a point of intersection with the extended North line of West 1st Street; thence North 89°35'17" West along the North line of West 1st Street a distance of 140.97 feet to a point of intersection with the East line of U.S. Highway No. 1; thence South 05°04'18" East along the East line of U.S. Highway No. 1 a distance of 40.18 feet to a point on the South line of West 1st Street and a point of curve; said curve being concaved to the Southeast, having a radius of 15.00 feet, a central angle of 89°51'32", thence in a counter clockwise direction along the arc of said curve and the East line of U.S. Highway No. 1 a distance of 23.53 feet to a point; thence South 00°33'11" West along said East line a distance of 14.35 feet to a point; thence South 89°35'17" East a distance of 152.00 feet to a point on the East line of Albany Avenue; thence South 00°33'11" West along the East line of Albany Avenue a distance of 190.18 feet to a point; thence South 41°18'07" East along said East line a distance of 23.56 feet to a point on the North line of West 2nd Street; thence South 83°10'32" East along said North line a distance of 100.33 feet to a point; thence South 89°36'51" East continuing along the North line of West 2nd Street a distance of 24.55 feet to the point and place of beginning.

Tax Parcel ID 05-38-41-014-004-00060-6 – Account #22454

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Michael Mortell, City Attorney

Title of Item:

EXTENSION #9 OF THE DECLARATION OF THE STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19 (RC):

RESOLUTION No. 138-2020; 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:

On March 16, 2020, the Mayor of the City of Stuart issued a Local Emergency Declaration pursuant to §252.38(2), Florida Statutes. The Emergency Declaration has been extended eight (8) times since March 16, 2020 and will expire on December 14, 2020, if not extended by the City Commission.

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 confirm and extend the Declaration of Emergency.

Funding Source:

N/A

Recommended Action:

Motion to approve Resolution 138-2020 extending the State of Local Emergency pertaining to COVID-19 until January 14, 2021.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	R138-2020 - Extension #9 of the Declaration of the State of Local Emergency Pertaining to COVID-19	10/28/2020	Resolution add to Y drive
🗋	Mayor Declaration	10/28/2020	Exhibit

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NO. 138-2020

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.

WHEREAS, on March 16, 2020, the Mayor of the City of Stuart issued a Local Emergency Declaration pursuant to §252.38(2), Florida Statutes. The Emergency Declaration was extended multiple times and expired on August 10, 2020. On August 11, 2020, the Mayor issued another Emergency Declaration of Local Emergency which has also been extended multiple times and will expire on December 14, 2020, if not extended by the City Commission; and

WHEREAS, the City Commission hereby finds that the City remains in a state of emergency due to the potential exposure to COVID-19; 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 essential operations as contemplated by the State of Emergency entered by the Mayor; 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 confirm 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, On October 23, 2020, The Department of Health Offices of Tallahassee, Leon County, Florida, renewed its Declaration of Public Health Emergency as COVID-19 continues to pose a threat to public health in the State of Florida and requires ongoing measures be taken to protect public health.

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

SECTION 1. The City Commission hereby confirms and extends until January 14, 2021, the Declaration of Local Emergency signed by the Mayor on March 16, 2020. An executed copy of the Declaration of Local Emergency is attached to this Resolution and fully approved by the City Commission and incorporated herein by this reference.

SECTION 2. Effective Date. This Resolution shall take effect immediately upon adoption.

SECTION 3. 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 4. All directives entered by the City Manager under the original State of Local Emergency related to COVID-19 shall remain in full force and effect until the expiration of the emergency or modified by the City Manager or Commission Action.

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				
TROY A. MCDONALD, COMMISSIONER				

ADOPTED this _____ day of December, 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
DECLARATION OF STATE OF LOCAL EMERGENCY
(COVID-19 State of Emergency)

WHEREAS, Section 16-4 of the City of Stuart, Code of Ordinances authorizes the Mayor to declare a State of Local Emergency; and

WHEREAS, the Mayor has determined that a State of Local Emergency exists within the City of Stuart, Florida; and

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and other potential methods, and presents with symptoms similar to those of influenza; and

WHEREAS, in December of 2019, a new and substantial outbreak of COVID-19 emerged in Wuhan, China, and has since spread rapidly to more than 117 Countries and territories throughout the World including the United States, and more specifically several locations within the State of Florida;

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order 20-51, declaring that appropriate measures to control the spread of COVID-19 in the State of Florida are necessary, and therefore directed that a Public Health Emergency be declared in the State of Florida. Further the Governor issued a statement recommending that local municipalities and private entities strongly consider limiting or postponing mass gatherings in the State of Florida; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida regarding the COVID-19 pandemic. The Governor's Declaration of Emergency has been extended several times and remains in full force and effect; and

WHEREAS, on August 10, 2020, there were over five (5) million cases of the Coronavirus identified in the United States in excess of One Hundred and Sixty-Three Thousand (163,000) deaths. On March 16, 2020, when the City of Stuart declared the initial state of emergency related to Covid 19, there existed 142,539 confirmed cases of COVID-19 globally, and in excess of 5,393

deaths. There now exists more deaths in the United States than there were global cases of Covid 19 when this emergency began; and

WHEREAS, the Center for Disease Control and Prevention (CDC) prediction that it is was likely that widespread transmission of COVID-19 will occur throughout the United States was accurate. The public health threat posed by COVID-19 continues to be "high", both in the United States and throughout the world; the CDC has advised that older adults and persons with serious chronic medical conditions are at a higher risk of severe illness caused from exposure to COVID-19, and should take extra precautions to avoid exposure and further transmission; and

WHEREAS, no vaccine or drug is currently available to cure or combat COVID-19; and

WHEREAS, the City of Stuart, Florida is threatened by COVID-19 because of the apparent ability of the virus to spread rapidly among humans, and COVID-19 thereby constitutes a clear and present threat to the health, safety, and welfare of the citizens and visitors of the City of Stuart, Florida; and

WHEREAS, the City of Stuart should take protective measures – including activation of the emergency operations center at such time as deemed necessary by the City Manager; procurement of personal protective equipment; consequence management, and similar activities to support the public health and safety of the community; and

WHEREAS, the City of Stuart Code of Ordinances authorizes the Mayor to declare a State of Local Emergency which in turn empowers the City Commission, City Manager and other Staff to waive the procedures and formalities otherwise required by law pertaining to:

1. Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency' provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Commission;

2. Obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and bind the City for the fair value thereof and, if required immediately, commandeer the same for public use;

3. Require emergency service of any City officer or employee and command the aid of as many citizens of this community as is deemed necessary in the execution of its duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;

4. Performance of public works and those actions necessary to ensure the health, safety and welfare of the community, including but not limited to denying or

revoking permits for public gatherings and/or cancelling mass gatherings taking place during the Local State of Emergency.

5. Entering into contracts; Incurring obligations; Rental of equipment; Acquisition and distribution, with or without compensation, of supplies, materials and facilities; Appropriation and expenditure of public funds.

NOW, THEREFORE,

I, Michael J. Meier of the City of Stuart, Florida, pursuant to the authority vested in me by Section 16-4, Code of Ordinances of the City of Stuart, Florida, do hereby declare and establish a Local State of Emergency for the next seven (7) days, and unless sooner rescinded, and waive the procedures and formalities as provided herein.

Dated, in the City of Stuart, Florida this 11th day of August, 2020.

ATTEST:

MARY KINDEL
CITY CLERK

MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

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: 12/14/2020 **Prepared by:** jchrulski

Title of Item:

ACCEPT A DONATION FROM FLORIDA POWER & LIGHT TO THE COMMUNITY SERVICES DEPARTMENT (RC):

RESOLUTION No. 141-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT No. #2 TO THE 2021 OPERATING BUDGET; AUTHORIZING RECEIPT AND APPROPRIATION OF A DONATION FROM FLORIDA POWER & LIGHT; AUTHORIZING THE EXPENDITURE OF FUNDS FOR MUSICAL ENTERTAINMENT AT 'SANTA'S CITY LIGHTS' HOLIDAY EVENT AT MEMORIAL PARK; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The Community Services Department is co-producing a new event with the Martin County Realtor's called 'Santa's City Lights.' Florida Power & Light agreed to sponsor the music for $1,000 for the two week activity.

Funding Source:

FROM: GENERAL FUND REVENUES DONATIONS: $ 1,000.00

TO: COMMUNITY SERVICES (1240) OPERATING: $ 1,000.00

Recommended Action:

Approve - R141-2020, BA No. 02.
Accept - $1,000 donation from Florida Power & Light.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	R141-2020, BA1 - FPL Donation to Community Services Dept.	12/4/2020	Resolution add to Y drive

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER R141-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT No. #2 TO THE 2021 OPERATING BUDGET; AUTHORIZING RECEIPT AND APPROPRIATION OF A DONATION FROM FLORIDA POWER & LIGHT; AUTHORIZING THE EXPENDITURE OF FUNDS FOR MUSICAL ENTERTAINMENT AT 'SANTA'S CITY LIGHTS' HOLIDAY EVENT AT MEMORIAL PARK; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City of Stuart, Florida is to accept a donation from Florida Power & Light in the amount of $1,000.00. The donation will be used for holiday music at 'Santa's City Lights' Holiday Event at Memorial Park from December 12th through 28th 2020.

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

SECTION 1: The foregoing precatory language is incorporated herein, as if set forth below.

SECTION 2: The City of Stuart, Florida has derived funds from Florida Power & Light donation.

SECTION 3: The 2021 Fiscal Year Budget of the Community Services Department is hereby further amended as follows:

FROM:	GENERAL FUND DONATION REVENUES:	$ 1,000.00
TO:	COMMUNITY SERVICES (1240) PROMOTIONS Acct. 549	$ 1,000.00

This authorization is to accept, appropriate, and expend funds in the amount of $1,000.00 from Florida Power & Light for a donation for musical entertainment for 'Santa's City Lights' at Memorial Park.

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

SECTION 5: 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 6: Effective Date. This Resolution shall become effective immediately upon its passage and 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,				
EULA R. CLARKE,				
BECKY BRUNER, COMMISSIONER				
MERRITT MATHESON, COMMISSIONER				
TROY MCDONALD, COMMISSIONER				

ADOPTED this 14th day of December 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Roz Johnson, Human Resources Director

Title of Item:

PBA COLLECTIVE BARGAINING AGREEMENT (RC):

RESOLUTION No. 142-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RATIFYING THE THIRD-YEAR REOPENER OF THE THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION, INC. (PBA), EFFECTIVE OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

Pursuant to Florida Statute, Chapter 447, the City of Stuart, Florida and the Palm Beach County Police Benevolent Association, Inc. (PBA), commenced contract negotiations of their collective bargaining agreement (CBA) on July 8, 2020. Negotiations concluded on October 16, 2020 and members of the PBA ratified on November 20, 2020. Details are provided in attached Exhibit A.

Funding Source:

General Fund

Recommended Action:

Motion to approve Resolution 142-2020 to ratify Agreement.
Authorize City Manager to execute Agreement.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	Res 142-2020	12/2/2020	Resolution add to Y drive
🗋	Exhibit A, PBA Negotiations Summary	12/3/2020	Exhibit

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 142-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RATIFYING THE THIRD-YEAR REOPENER OF THE THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION, INC. (PBA), EFFECTIVE OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021; 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 City Commission hereby ratifies the reopeners for the third and final fiscal year of the current three-year Collective Bargaining Agreement (CBA) between the City and the Palm Beach County Police Benevolent Association, Inc. (PBA) effective October 1, 2020 through September 30, 2021 by authorizing the City Manager and City Clerk to execute the Agreement. A summary of the amended Article is attached hereto as Exhibit A.

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 MEIER, MAYOR				
EULA CLARKE, VICE MAYOR				
REBECCA BRUNER, COMMISSIONER				
MERRITT MATHESON, COMMISSIONER				
TROY MCDONALD, COMMISSIONER				

ADOPTED this ___ day of _____, 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL MORTELL
CITY ATTORNEY

CITY OF STUART
SUMMARY OF AMENDED ARTICLES - PBA
EXHIBIT 'A'

TITLE: Collective Bargaining Agreement (PBA), third-year reopeners effective October 1, 2020 through September 30, 2021

Purpose: Pursuant to Florida Statute, Chapter 447, the City of Stuart, Florida and the Palm Beach County Police Benevolent Association, Inc. (PBA), commenced contract negotiations of their collective bargaining agreement (CBA) on July 8, 2020. Negotiations concluded on October 16, 2020 and members of the PBA ratified on November 20, 2020.

Summary:

One Article was renegotiated during this third-year reopener, with the fiscal impact accounted for in the City's budget:

Article 25 (Overtime and Compensatory Time)

If pre-approved PTO occurs in the same 14-day work period as a shift mandate, such PTO will be considered sweat hours and the employee will receive overtime pay or compensatory time as applicable.

One Article remained status quo and provides a 2% General Wage Increase (GWI) and 3% merit, with the fiscal impact accounted for in the City's budget:

Article 28 (Rate of Pay – Career Progression)

This Article provides a 2% GWI in response to "me too" language regarding the issuance of GWIs to other employees. Pay ranges will be adjusted (minimums and maximums) by the same 2%.

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** L BOGLIOLI

Title of Item:

BUDGET AMENDMENT #3 FOR FISCAL YEAR 2021 FOR A/C REPLACEMENT AND INSTALLATION AT COURTHOUSE COMMONS (RC):

RESOLUTION No. 143-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #3 TO THE 2021 OPERATING BUDGET FOR THE PURCHASE AND INSTALLATION OF AIR CONDITIONING SYSTEMS FOR THE "COURTHOUSE COMMONS" PROPERTY AT 301 SE OCEAN; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

A Budget Amendment to the City's "Leased Property Management" Fund to appropriate funds for the purchase and installation of a new A/C unit at the City's property referred to as "Courthouse Commons".

Funding Source:

Leased Property Management Fund Balance

Recommended Action:

Adopt Resolution 143-2020

ATTACHMENTS:

	Description	Upload Date	Type
🗋	R143-2020 Budget Amendment #03 for Fiscal Year 2021	12/8/2020	Resolution add to Y drive

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER R143-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #3 TO THE 2021 OPERATING BUDGET FOR THE PURCHASE AND INSTALLATION OF AIR CONDITIONING SYSTEMS FOR THE "COURTHOUSE COMMONS" PROPERTY AT 301 SE OCEAN; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City of Stuart, Florida is to purchase and install a new A/C system at the property.

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

SECTION 1: The foregoing precatory language is incorporated herein, as if set forth below.

SECTION 2: The City of Stuart, Florida has derived funds from available fund balance.

SECTION 3: The 2021 Fiscal Year Budget of the Leased Property Management Fund is hereby further amended as follows:

FROM:	LEASED PROPERTY MANAGEMENT FUND:	$ 165,000
TO:	LEASED PROPERTY MANAGEMENT CAPITAL:	$ 165,000

This authorization is to appropriate and expend funds in the amount of $165,000 from available fund balance of the Leased Property Management Fund.

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

SECTION 5: 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 6: Effective Date. This Resolution shall become effective immediately upon its passage and 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:

ADOPTED this 14th day of December, 2020.

	YES	NO	ABSENT	ABSTAIN
MICHAEL J. MEIER, MAYOR				
EULA R. CLARKE, VICE MAYOR				
BECKY BRUNER, COMMISSIONER				
MERRITT MATHESON, COMMISSIONER				
TROY MCDONALD, COMMISSIONER				

ADOPTED this ___ day of _____, 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: 12/14/2020 **Prepared by:** Mary Kindel, City Clerk

Title of Item:

COMMISSION LIAISON AND AT LARGE APPOINTMENTS / RE-APPOINTMENTS TO ADVISORY BOARDS OF THE CITY

Summary Explanation/Background Information on Agenda Request:

Clerk's Note: Per Chapter 2 Amendments, all Advisory Board member terms shall be 1-year terms, with the exception of At Large board members, which will be staggered terms with 8-consecutive year term limits.

Funding Source:

N/A

Recommended Action:

Move to re-appoint members to the various Advisory Boards to the City.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	2021 Advisory Board Listing for Approval	12/9/2020	Attachment

Advisory Boards

Board of Adjustment		Quorum - Min. 3			
Member	**Term Expires**	**Commission Liaison**	**Notes**	**Phone**	**Email**
Kristin Stanley	12/30/2021	Becky Bruner	also SIRB member	630-774-6525	kristinbusinessbroker@gmail.com
Antone Freitas	12/30/2021	Troy McDonald		772-413-8081	tfreitas@teamparksinc.com
Christina Vogl	12/30/2021	Mike Meier		772-529-2588	christina@voglarchitects.com
Alex Gillen	12/30/2021	Merritt Matheson		202-747-4856	aegillen@gmail.com
Claire Y. Nash	12/30/2021	Eula Clarke		901-229-3563	claireynash@gmail.com
Community Redevelopment Agency		Quorum - Min. 4			
Member	**Term Expires**	**Commission Liason**	**Notes**	**Phone**	**Email**
Pete Walson	12/30/2022	Confirmed Nomination	also CRB member	772-283-1399	prwalson@gmail.com
Tom Campenni	12/30/2021	Confirmed Nomination	also CRB member	772-341-7455	thomasfcampenni@gmail.com
Planning Advisory Board / Local Planning Agency		Quorum - Min. 4			
Member	**Term Expires**	**Commission Liason**	**Notes**	**Phone**	**Email**
Ryan Strom	12/30/2022	At Large	Term Limit - 8 Years Remaining	772-781-1616	rstrom@parkscompanyinc.com
Larry Massing	12/30/2021	At Large	Term Limit - 8 Years Remaining	772-260-7210	lmassing@martin.fl.us
William Mathers	12/30/2021	Becky Bruner		772-287-0525	mathersengineers@bellsouth.net
Christina de la Vega	12/30/2021	Merritt Matheson		772-530-2362	cmdelavega@gmail.com
Campbell Rich	12/30/2021	Mike Meier		772-631-9547	campbellrich@me.com
Kelly Laurine	12/30/2021	Troy McDonald		571-334-7723	kmtiedge@hotmail.com
Mararet A. Bromfield	12/30/2021	Eula Clarke		772-307-2303	bromfield60@gmail.com
Community Redevelopment Board		Quorum - Min. 4			
Member	**Term Expires**	**Commission Liason**	**Notes**	**Phone**	**Email**
Frank Wacha	12/30/2022	At Large	Term Limit - 8 Years Remaining	772-475-5080	frankwacha@gmail.com
Pete Walson	12/30/2021	At Large	also CRA member/Term Limit 8 Yrs	772-283-1399	prwalson@gmail.com
Chris Lewis	12/30/2021	Eula Clarke		772-215-4174	clewis@lewislawgrouppa.com
Tom Campenni	12/30/2021	Mike Meier	also CRA member	772-341-7455	thomasfcampenni@gmail.com
Katherine Makemson	12/30/2021	Merritt Matheson		772-631-4511	katiemakemson@gmail.com
Nina Dooley	12/30/2021	Troy McDonald		772-201-2056	yawandadooley@yahoo.com
Nikolaus Schroth	12/30/2021	Becky Bruner		772-403-3752	nikschroth@naisouthcoast.com
Stuart Independent Review Board		Quorum - Min. 3			
Member	**Term Expires**	**Commission Liason**	**Notes**	**Phone**	**Email**
Helen McBride	12/30/2021	Mike Meier		305-331-8299	helenbmcb@icloud.com
Kristen Stanley	12/30/2021	Becky Bruner	also BOA member	630-774-6525	kristinbusinessbroker@gmail.com
Pearlie B. Clark	12/30/2021	Eula Clarke		772-214-6604	pearlclark2917@comcast.net
"Dee" Diane C. Gusch	12/30/2021	Merritt Matheson		203-895-5116	ctintampa@gmail.com
Anita Concoves	12/30/2021	Troy McDonald		772-215-9377	acocoves1329@gmail.com

Updated 12/04/2020

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Mary Kindel, City Clerk

Title of Item:

APPOINTMENTS OF CITY COMMISSIONERS TO COMMUNITY BOARDS

Summary Explanation/Background Information on Agenda Request:

Each year, it is decided among the Commissioners which community boards each Commissioner is best suited to represent and attend meetings on behalf of the City.

There are currently eight (8) boards for which the City Commission has previously agreed to serve. These boards do not include other personal commitments of the Commissioners. The seats on these boards are specifically reserved for a Stuart City Commissioner by the agency itself.

There are five (5) Commissioners and eight (8) boards with some being more labor intensive than others. It is recommended that all Commissioners serve on at least one board and then the City Commission decide which Commissioners are best suited to represent the City for the remaining positions.

Funding Source:

N/A

Recommended Action:

One Motion to approve various appointments of City Commissioner to various boards.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	2021 Commissioner Community Board Appointments	12/9/2020	Attachment

2020 COMMISSION BOARD MEMBERSHIP		
BOARD	**MEMBER**	**MEETINGS**
Airport Noise Advisory Committee	Troy McDonald	Quarterly (January, April, July, October) - Aiport Maint. Bildg Conference Room
Arts Council	Becky Bruner	4th Wed. every month at 5 PM
Business Development Board (BDB)	Becky Bruner	2nd Wed. every month at 9 AM - Airport Maint. Building
Metropolitan Planning Organization (MPO)	Merritt Matheson / Eula Clarke	3rd Mon. every month at 9 AM - MC Commission Chambers
Tourist Development Council (TDC)	Merritt Matheson	3rd Wed. every month at 3 PM - MC Commission Chambers
Treasure Coast Council of Local Governments (TCCLG)	Mike Meier	1st Wed. every month at 10 AM - St. Lucie County Admin Annex
Treasure Coast Regional League of Cities (TCRLC)	Mike Meier / Alt: Becky Bruner	3rd Wed. every month at 10 AM - Chamber of Commerce in St. Lucie County
Treasure Coast Regional Planning	*Alternate: City of Stuart Troy McDonald	3rd Fri. every month at 9:30 AM - Wolf High Tech. Center IRSC

2021 COMMISSION BOARD MEMBERSHIP		
BOARD	**MEMBER**	**MEETINGS**
Airport Noise Advisory Committee		Quarterly (January, April, July, October) - Aiport Maint. Bildg Conference Room
Arts Council		4th Wed. every month at 5 PM
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Metropolitan Planning Organization (MPO)		3rd Mon. every month at 9 AM - MC Commission Chambers
Tourist Development Council (TDC)		3rd Wed. every month at 3 PM - MC Commission Chambers
Treasure Coast Council of Local Governments (TCCLG)		1st Wed. every month at 10 AM - St. Lucie County Admin Annex
Treasure Coast Regional League of Cities (TCRLC)		3rd Wed. every month at 10 AM - Chamber of Commerce in St. Lucie County
Treasure Coast Regional Planning	(Voting Member 2021-2023)	3rd Fri. every month at 9:30 AM - Wolf High Tech. Center IRSC

Revised: 9/30/2020
Commission Board Appointments 2020

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Tom Reetz

Title of Item:

LUCIDO COTTAGE HOME - MUCCA (RC):

RESOLUTION No. 127-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO LUCIDO INVESTMENT PROPERTIES LLC, OWNER OF THE PROPERTY LOCATED AT THE SOUTH WEST CORNER OF SE OSCEOLA STREET AND SE GEORGIA AVENUE AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL FOR A SINGLE FAMILY HOME IN THE URBAN GENERAL ZONING DISTRICT; TO ALLOW THE REAR SETBACK TO BE LESS THAN FIFTEEN (15) FEET AND FOR PARKING TO BE LOCATED AT THE FRONT OF THE BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

Item History

On Dec. 1, 2020 the Community Redevelopment Board approved the agenda item for the Cottage Home on Georgia Avenue. The applicant, Tom Lucido, is requesting a Major Urban Code Conditional Use approval as per Section 3.01.06 of the City of Stuart Land Development Code. If granted, the conditional use would allow for the development of a 2,204 (under air) square foot single family residence on a .081 acre site in the City's Urban General zoning district.

Summary

The applicant has requested the following variances from code:

1. The rear setback to be less than fifteen (15) feet,
2. For parking to be located at the front of the building for property located in the Urban General zoning district within the City's Community Redevelopment Area (CRA) ***See Plans and Elevations attached as exhibits to Resolution No. 127-2020.***

The property is located between SE Ocean Blvd. and SE Osceola street and is only 70 feet wide. There is a 5 foot FP&L easement in the rear and a 5 foot easement on Georgia Avenue which Mr. Lucido granted to the City many years ago. The two easements reduce the usable depth of the property to 60 feet. The proposed lot width is 47 feet. When designing the home and considering the remaining portion of the lot, the architect realized the need for both rear and side setback consideration for relief. It is Mr. Lucido's aim to develop additional residences on the remaining property in the future. The request is for relief to the urban code for the two (2) variances listed above.

Funding Source:

N/A.

Recommended Action:

Motion to approve the Major Urban Code Conditional Use for the Cottage Home on SE Georgia Avenue.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	A1. Resolution No. 127-2020 Cottage Home	12/2/2020	Resolution add to Y drive
🗋	B1. Staff Report	12/2/2020	Resolution add to Y drive
🗋	D1. Preliminary Drainage Statement	11/22/2020	Backup Material

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 127- 2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO LUCIDO INVESTMENT PROPERTIES LLC, OWNER OF THE PROPERTY LOCATED AT THE SOUTH WEST CORNER OF SE OSCEOLA STREET AND SE GEORGIA AVENUE AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL FOR A SINGLE FAMILY HOME IN THE URBAN GENERAL ZONING DISTRICT; TO ALLOW THE REAR SETBACK TO BE LESS THAN FIFTEEN (15) FEET AND FOR PARKING TO BE LOCATED AT THE FRONT OF THE BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; 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, Thomas Lucido, is requesting a Major Urban Code Conditional Use approval to allow for development of a 2,204 square foot (under air) single family house on .081 acres of land, and

WHEREAS, the applicant has requested a variance allowing the rear setback to be less than fifteen (15) feet and a variance for parking to be located at the front of the building on a portion of property located in the Urban General (UG) zoning district within the City's Community Redevelopment Area; and

WHEREAS, at the hearing the applicant showed by substantial competent evidence that the application does not create any detrimental effects on adjacent land uses within three hundred (300) feet of the proposed location; and

WHEREAS, the Community Redevelopment Board held a properly noticed hearing at a regularly scheduled meeting to consider the application of the Petitioner and recommended approval of the Major Urban Code Conditional Use on December 1, 2020; and

WHEREAS, City Commission held a properly noticed hearing at a regularly scheduled City Commission meeting to consider the application of the Petitioner to approve the Major Urban Code Conditional Use Approval on December 14, 2020.

WHEREAS, the conditional use approval shall run with the land; 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 approves a Major Urban Code Conditional Use Approval to Tom Lucido, owner of certain real property located at the south west corner of SE Osceola Street and SE Georgia Avenue, Stuart Florida, as detailed within the attached legal description.

SECTION 2: A legal description of the property is set forth in **"Exhibit A"** attached hereto and made a part hereof by reference.

SECTION 3: A Survey depicting the property is attached hereto as "**Exhibit B"** and made a part hereof by reference.

SECTION 4: The applicant's single-family residence shall be constructed and operate in accordance with conditions set forth in **"Exhibit C"**, as attached.

SECTION 5: The purpose of this Urban Code Conditional Use approval is to allow for the development of a single-family residence, varying from code requirements by allowing the rear setback to be less than fifteen (15) feet and a variance for parking to be located at the front of the building as per the details included on the Site Plan by Lucido and Associates, dated 10.13.2020; the Architectural Floor Plans & Elevations by Kelly & Kelly Architects, dated 08.06.2020 and a Preliminary Drainage Statement by C. Calvert Montgomery & Associates, Inc. engineers, signed and sealed on 11.19.20; and shall be deemed the Development Documents included as **"Exhibit D"**.

SECTION 6: This resolution shall take effect immediately upon its 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				
MERRITT MATHESON, COMMISSIONER				
TROY MCDONALD, COMMISSIONER				

ADOPTED this 14TH day of December, 2020.
ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL. ESQ.
CITY ATTORNEY

CITY'S ACKNOWLEDGMENT

STATE OF FLORIDA,
COUNTY OF _____

The above Resolution, 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 RESOLUITON. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS BUSINESS ACCORDING TO THIS RESOLUTION, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS RESOLUITION 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 RESOLUITION, CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING SUSPENSIONS OR REVOCATIONS, AND ANY OR ALL OTHER APPLICABLE CIVIL AND CRIMINAL ACTIONS.

WITNESSES:

Lucido Investment Properties LLC

Witness #1:

Registered Agent/Owner: Thomas Lucido

Print Name:_____

Print Name: _____

Signature:_____

Signature: _____

Witness #2:

Print Name: _____

Signature: _____

Exhibit 'A' Legal Description:

SEC 4-38-41, N 1/2 OF FOLLOWING: BEG 1798' E OF SW COR GOVT LOT 3 & N 40' TO POB, N 250.97', W 70.42', S 253.50' & E 70' TO POB PI# 4-38-41-000-000-00061-20000
(Applicant is to provide new legal description for a portion of the north 1/2 parcel prior to being heard by the City Commission)

Exhibit 'B' Boundary Survey

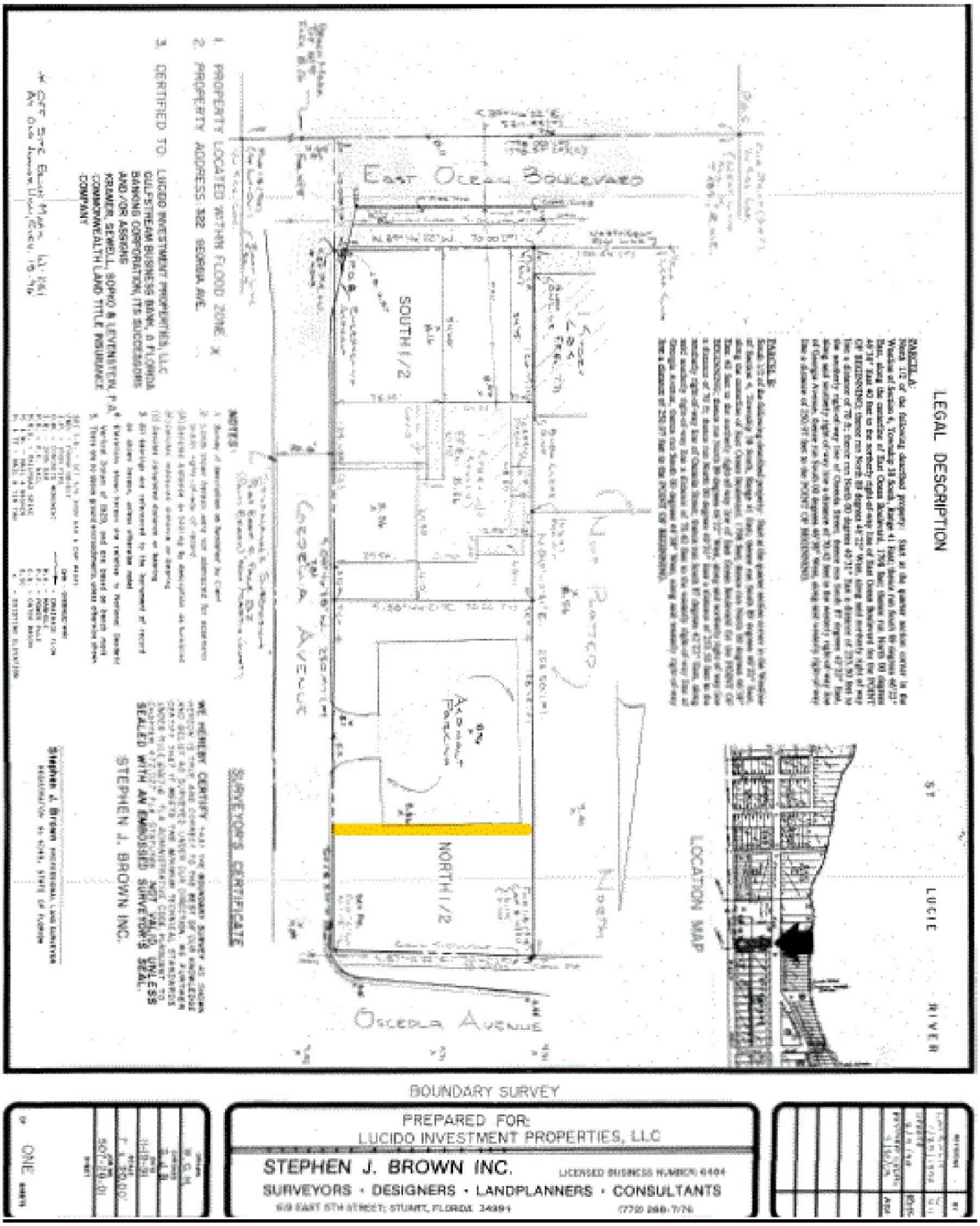


Exhibit 'C' Conditions of Approval

1. The project shall adhere to the Site Plan, by Lucido and Associates, dated 10.13.2020

2. The project shall adhere to the Architectural Floor Plans & Elevations by Kelly & Kelly Architects, dated 08.06.2020, The single-family residence shall be constructed of concrete masonry units.

3. The project shall comply with Preliminary Drainage Statement by C. Calvert Montgomery & Associates, Inc. engineers, signed and sealed on 11.19.20.

4. The applicant shall submit a legal description to be included for the newly formed property prior to the approving Resolution being recorded.

5. The applicant shall obtain a unity of title for the remainder of the North 1/2 lot with existing improved parking area and the south 1/2 lot with existing building prior to building permits being issued for the cottage home.

6. Except as provided herein, all development of the single-family home shall comply with City Code.

7. Any sidewalks damaged along SE Osceola Street or SE Georgia Avenue during construction shall be repaired and/or replaced by the applicant as per the City's specification.

8. Final Construction Drawings shall be reviewed and approved by all necessary City departments prior to the issuance of any building permits.

9. The applicant shall obtain a Certificate of Occuapncy for the single family home as shown on the architectural, and site plans prior to December 31, 2023.

Exhibit 'D' Site Plan

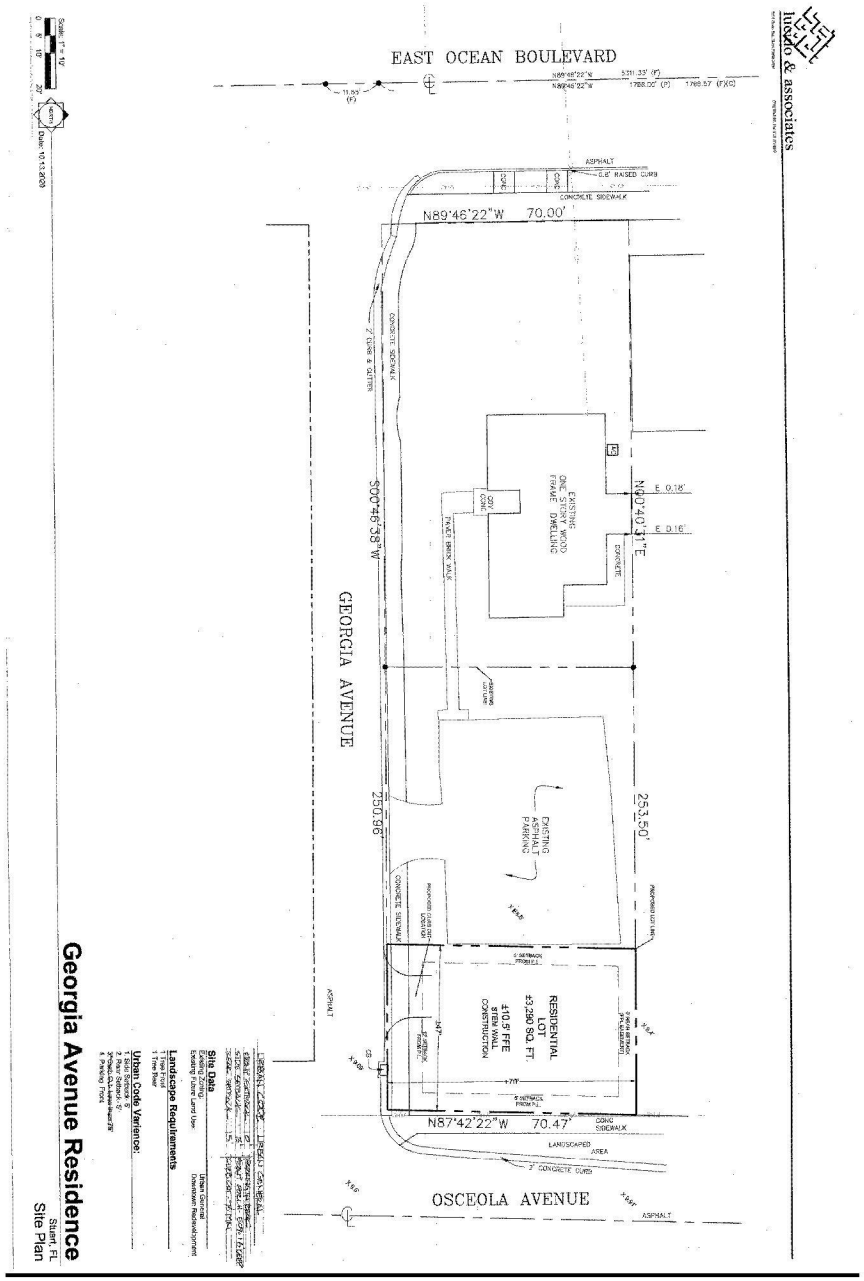


Exhibit 'D' Floor Plan 1

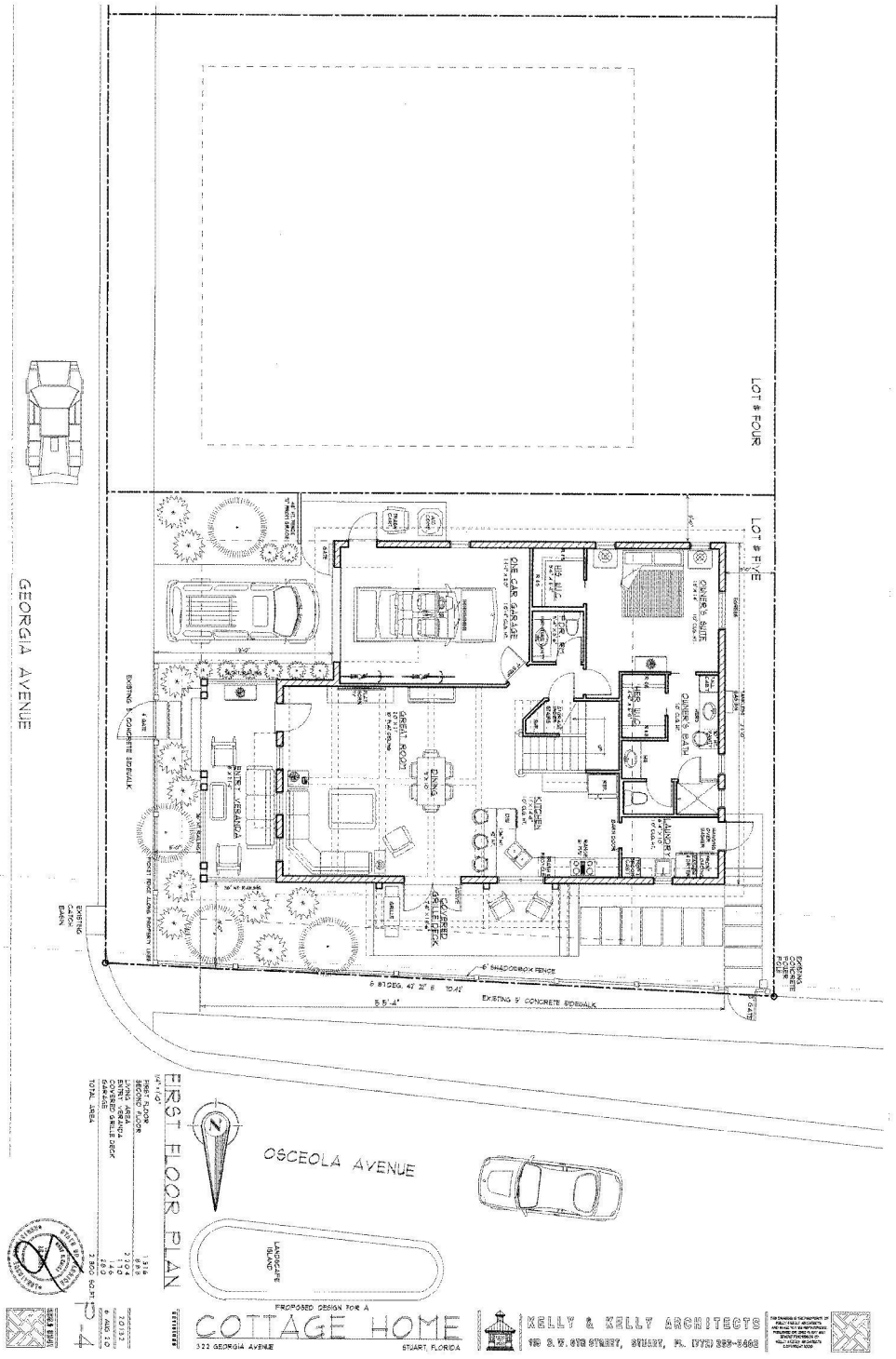


Exhibit 'D' Floor Plan 2

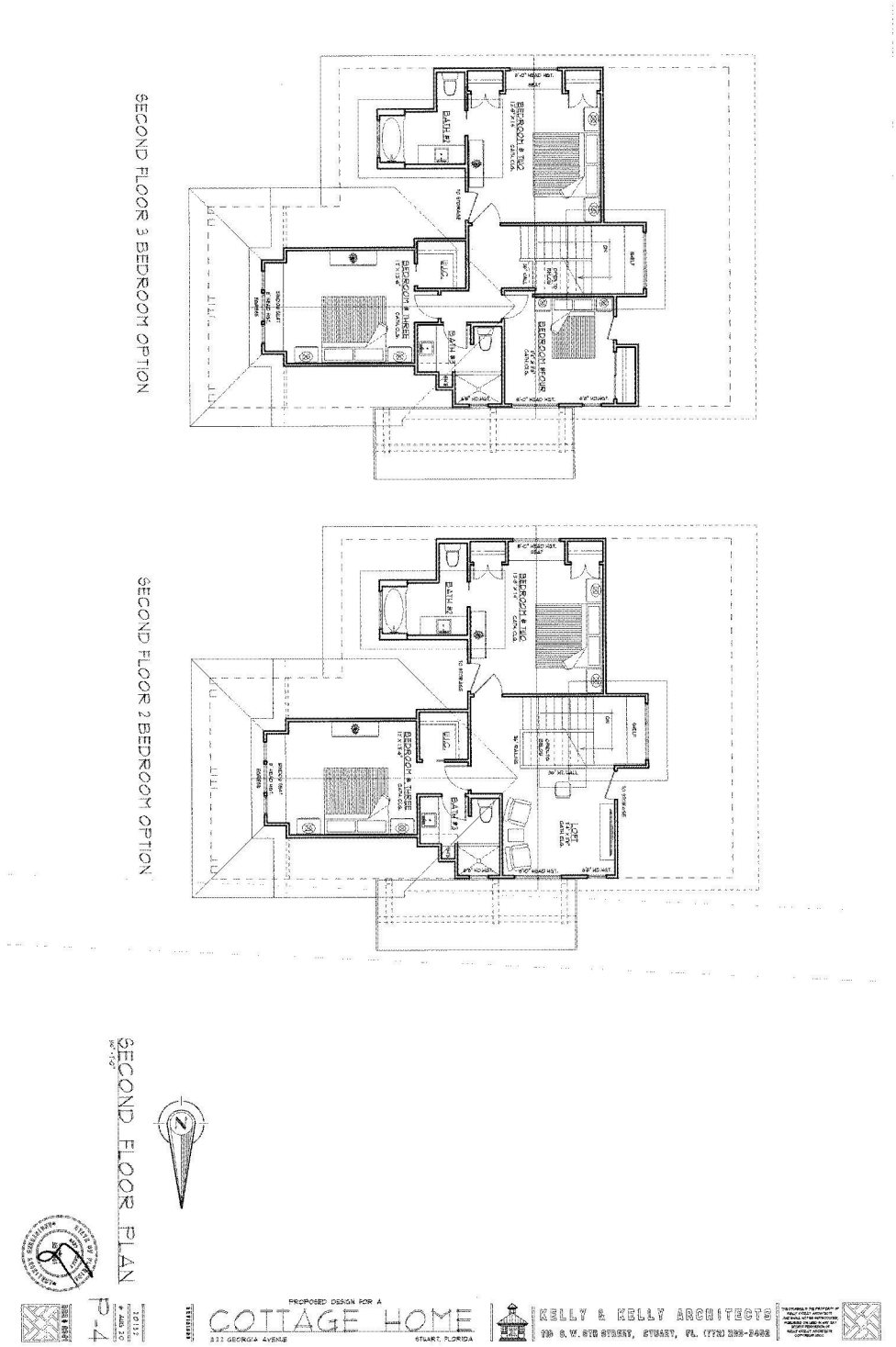
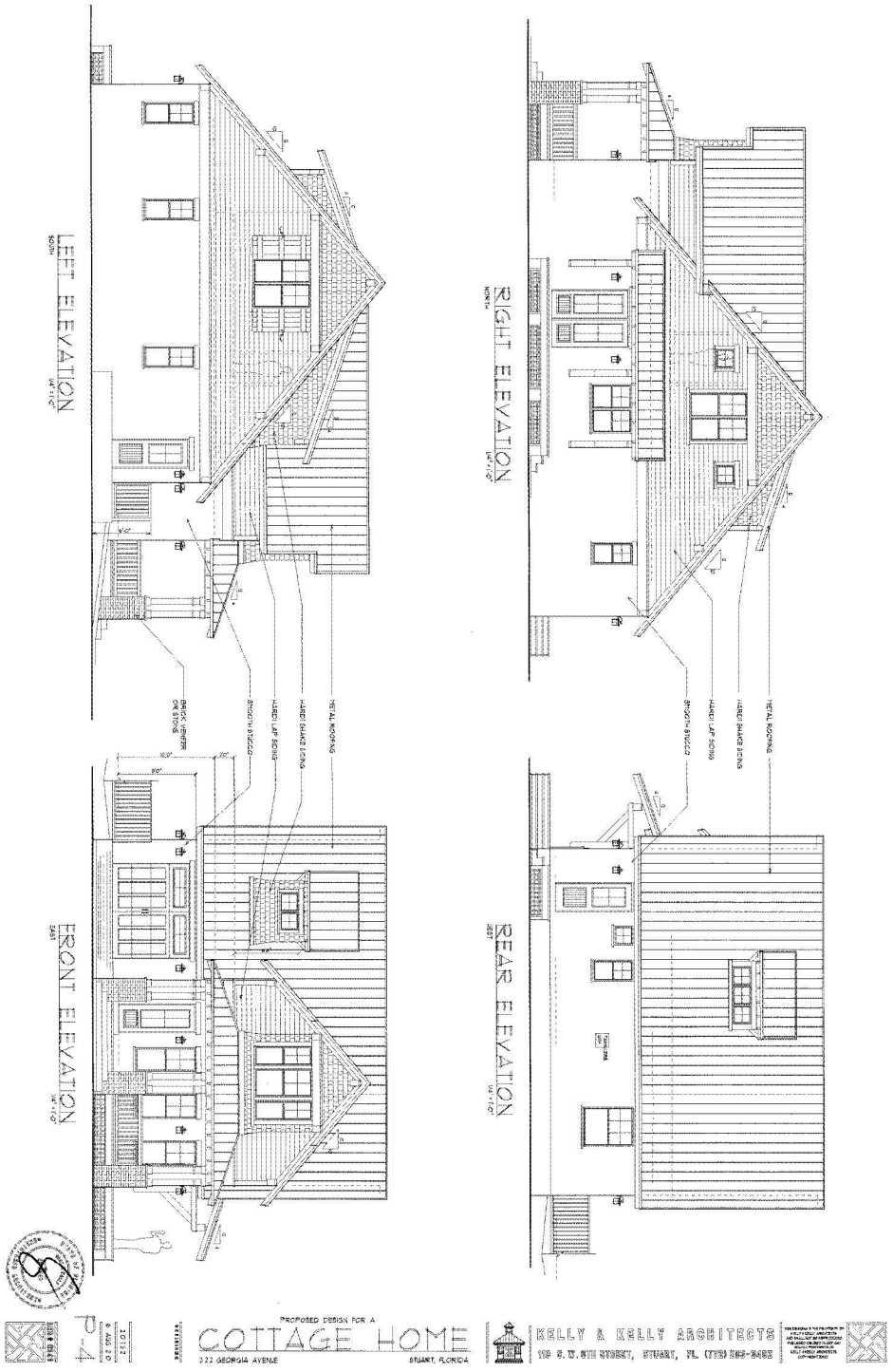


Exhibit 'D' Elevations

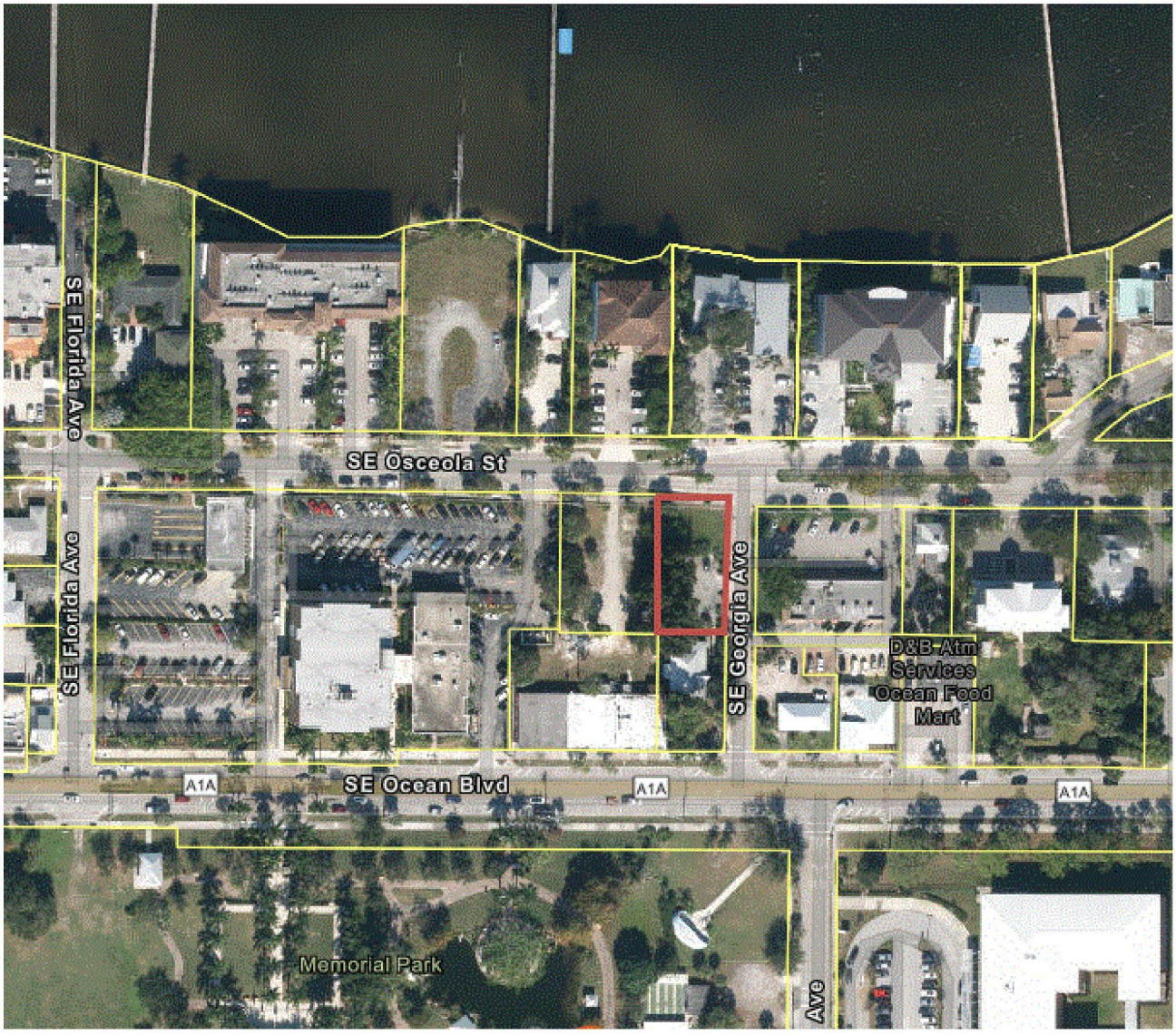


CITY OF STUART, FLORIDA
CITY COMMISSION
STAFF REPORT

MEETING DATE: December 14, 2020 **PREPARED BY:** Tom Reetz
Senior Planner

PROJECT NAME: Cottage Home – Tom Lucido – Georgia Avenue

TITLE OF ITEM: Request to consider a Major Urban Code Conditional Use approval to allow a single-family residence on a corner lot for property located in the Urban General (UG) zoning district within the City's Community Redevelopment Area.



I. APPLICATION SUMMARY

The applicant, Tom Lucido, is requesting a major urban code conditional use approval as per Section 3.01.06 of the City of Stuart Land Development Code. The applicant has owned the property for many years and if approved with requested variances, will allow If granted, the conditional use would allow for the development of a single family residence in the City's Urban General zoning district and for Mr. Lucido to develop additional residences in the future for the remaining portion of the property, providing adequate square footage for each home.

The applicant is required to request a Major Urban Code Conditional Use allowing the The rear setback to be less than fifteen (15) feet and for parking to be located at the front of the building for property located in the Urban General zoning district within the City's Community Redevelopment Area (CRA).

The design meets all other Urban General (UG) design requirements.

II. HISTORY

The property is currently vacant and will be developed on a portion of the north 1/2 of the described property on a survey by Stephen Brown dated 11.19.91. Mr. Lucido will provide a sketch and legal description for a 47-foot-wide portion for the new cottage home prior to being heard by the City Commission.

III. ZONING AND LAND USE

Site Location	South West corner of SE Osceola Street and SE Georgia Avenue.	
Parcel Size (area)	.08 acres	
Subject Property Land Use	Downtown Redevelopment	
Adjacent FLU (Future Land Use)	*North*	Downtown Redevelopment
	South	Downtown Redevelopment
	East	Office Residential
	West	Downtown Redevelopment
Subject Property Overlay Zoning	Urban Neighborhood	
	North	Urban Waterfront
	South	Urban Genaeral
	East	Urban General
	West	R-3 Residential /Office
Proposed Use	Single Family Residence	
Present Use	Undeveloped	
Land Use Plan	Downtown Redevelopment	
ROADWAY AND UTILITIES		
Street Functional Classifications	The property is in the Urban General zoning district in the City's CRA.	
Utilities	Sewer and Water are provided by the City of Stuart.	

IV. CITY DEPARTMENTAL REVIEWS	
Public Works (Marc Rogolino)	No objection
Fire/Building (Matt Cawley)	Reviewed at permitting
Police (Brian Bossio)	Reviewed at permitting

V. EXISITING CONDITIONS:



VI. PUBLIC NOTIFICATION:

The legal notification requirements have been met for this request of a **Major Urban Code Conditional Use** approval. In accordance with the requirements set forth in Section 11 of the City of Stuart's Land Development Code. Documentation of the public notice is part of the record as well as on file within the City Development Department.

VII. STANDARDS FOR URBAN CODE CONDITIONAL USE REVIEW: LAND DEVELOPMENT CODE – SECTION 3.01.06

1. **The proposed use is not contrary to the established land uses in the immediate area.**

   The Future Land Use of properties within proximity to the site is Downtown Redevelopment and R-3 zoning. The property is situated within the City of Stuart Community Redevelopment Area (CRA). The list of permitted uses include residential. The proposed single family residence complies with the list of uses in the Urban Code and is therefore consistent with the established land uses.

2. **The proposed use would not significanly depart from the densities or intensities of use in the surrounding area and thereby increase or overtax the load on public facilities such as schools, utilities, and streets and other public infrastructure.**

   Approval of the urban code conditional use would allow for a single family home which will have a diminimus if any increase demand on the local school district.

3. **The proposed use will not be contrary to the proposed land use plan and will not have an adverse effect on the goals, policies and objectives of the comprehensive plan.**

   Approval of the urban code conditional use would not be contrary to the adopted land use plan or other relevant goals, objectives, and policies concerning single family use. The Downtown Future Land Use references individual projects and sites consisting of single uses. A single family home is consistent with this language and would not detract from the mixture of residential and professional office uses that exist in the neighborhood.

4. **The existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

   There are no proposed changes to the existing district boundary.

5. **The proposed use will not create or excessively increase traffic congestion or otherwise affect public safety.**

   The proposed single family use will rely on on existing infrastructure to accommodate the vehicular traffic flow utilizing the site.

6. **The proposed use will not create drainage or a storm water quality problem.**

   The development of the site will be performed in accordance with approved building permits, and the drainage statement provided by Scott Montgomery which will ensure that the required drainage and stormwater quality is obtained.

7. **The proposed use will not significantly reduce light or air to adjacent areas.**

   The proposed single story home will not reduce light of air to adjacent areas.

8. **The proposed use is less burdensome on neighboring properties and on public infrastructure than uses permitted by right in the district.**

   A single family home is the least burdensome of uses permitted throughout the CRA district.

9. **The proposed use is not out of scale with the uses permitted by right in the district and with the existing uses in the neighborhood.**

   The proposed single family home is in scale with the uses permitted by right in the Community Redevelopment Area district. The proposal is a single family home with an Old Florida bungalow design (looks historic), as demonstrated by the illustrative elevations, and is consistent with the intent and quality of construction the City desires of the Community Redevelopment Area.

10. **There are no other adequate sites for the proposed use in districts in which the proposed use is permitted by right within the city.**

    A major urban code conditinal use is required for the single family home in the Urban General Community Redevelopment Area and is a permitted use within Section 3 of the Urban Code.

IX. CONDITIONAL USE REVIEW FACTORS TO BE CONSIDERED BY THE DECISION MAKER: SEC. 11.01.10(G)(6)

In applying the above standards, the decision-maker will consider each of the following factors:

1. **Ingress and egress to the property and the proposed structures to be located thereon, if any, including considerations of automotive and pedestrian safety and convenience, of traffic flow and control, and of access in case of fire or catastrophe.**

   The proposal will be reviewed by the Fire and Public Works Departments at permitting and who have no objections to the proposed use at this time.

2. **Off-street parking and loading areas including consideration of the economic impact thereof on adjacent properties and of any noise and glare cerated by the location of offstreet parking and loading areas on adjacent and nearby properties.**

   The proposal does not have any off-street parking. One of the two parking spaces required is in the garage. The second parking space stacks in front of the garage. (Variance requested)

3. **Refuse and service areas including consideration of the economic impact**

thereof on adjacent properties and of any noise and odor created by the location of refuse and service areas on adjacent and nearby properties.

The applicant will use the refuse and service areas provided by the City and acceptable to the City's Public Works Department.

4. **Utlitites including condideration of hook-up locations and availability and compatbility of utilites for the proposed uses.**

   Public Works has initially reviewed the proposal and have no objections in regard proposed connections to utilities.

5. **Screening and buffering including consideration of the type, dimensions, and character thereof to preserve and improve compatibility and harmony amoung the proposed uses and structures specially permitted and the uses and structures of adjacent and nearby properties.**

   The applicant will propose more than adequeate landscaping within the site.

6. **Signage and exterior lighting including consideration of glare, traffic safety, and economic effects thereof on adjacent and nearby properties.**
   NA

7. **Required yards and open spaces.**
   NA

8. **Height of proposed structures including consideration of the effects thereof on adjacent and nearby properties.**
   The applicant is permitted to construct a single family home on the property at a maximum height of three stories or 35 feet in height. The total height of the proposed single family home is two stories and 28' 0"+- in height.

VIII. STAFF RECOMMENDATION

Based upon compliance with the City of Stuart's Comprehensive Plan and the pertinent standards found within Section 3.01.06 of the City of Stuart's Urban Code, staff recommends ***APPROVAL*** of the applicant's request to consider a ***MAJOR URBAN CODE CONDITIONAL USE*** to allow the single family home in accordance with the conditions attached to Resolution No. 127-2020.

Staff is requesting the Community Redevelopment Board consider the merits of the proposal and recommend the application be forwarded to the City Commission for final action of approval.

P.O. Box 92

Phone (772) 287-3636

C. CALVERT MONTGOMERY & ASSOCIATES, INC.

ENGINEERS

STUART, FLORIDA 34995

GEORGIA AVENUE COTTAGE

URBAN CODE CONDITIONAL USE PERMIT APPLICATION
THE CITY OF STUART

PRELIMINARY DRAINAGE STATEMENT

The parcel is located on the southwest corner of the intersection of S.E. Osceola Street and S.E. Georgia Avenue in Urban General Sub-District of the City of Stuart. The site is bounded on the North by Osceola Street, on the East by Georgia Avenue, on the South by a paved parking lot and commercial building beyond, and on the West by an open, un-developed parcel.

The parcel area is 3,290 sq. ft., more or less.

Existing Conditions

The existing site is an open grassed area bounded on the North and East by public roadways and sidewalk. The site is presently nearly level or pitching slightly in elevation from West to East towards Georgia Avenue where there is an existing roadside drainage inlet located immediately in front of the parcel in the Georgia Avenue right-of-way. The westerly third of the site falls off to the West towards the adjacent parcel.

According to the Soil Survey of Martin County, Florida, prepared by the Soil Conservation Service, the site soils are classified as "urban land" due to the disturbed characteristics of the soils by development improvements. The underlying natural soils typically consist of moderately to excessively well drained sands (St. Lucie, Paola, and Jonathan sands) and are expected to be suitable for exfiltration type drainage systems. There are no wetlands on this site, nor does there appear to be any offsite inflows.

Stormwater Management System

The project is an infill development within the Urban General sub-district overlay, therefore the design criteria will be to provide onsite storage of the required water quality treatment volume per Section 3.01.03.F.2.11:

> *Stormwater management. With the proper legal documentation and consent of the property owner, stormwater runoff from properties within the Urban Code District may be conveyed onto adjacent private properties. Otherwise,* ***stormwater runoff must be conveyed to the public right-of-way, and the quality of the runoff must be considered.*** *Proposed development may not obstruct existing drainage patterns. If a site is designed such that stormwater is captured by an internal stormwater management system, the*

applicant must illustrate how the stormwater reaches the public stormwater management system. If a site is designed such that there is no internal stormwater management system, the applicant must illustrate how the stormwater runoff will be conveyed to the public stormwater management system and demonstrate that said system could accommodate the additional runoff. Pervious surfaces such as perforated pavers, mulched areas, and other similar examples may be considered in the calculation for stormwater detention. ***For all development, stormwater quality treatment prior to discharge shall be provided in compliance with section 6.03.00 of this Code.***

The proposed site (lot) improvements will incorporate exfiltration trenches along either side of the residence, receiving roof runoff thru directly connected roof downspouts, and open area runoff through yard drains placed at each end of the exfiltration system piping. The design will comply with the City of Stuart's stormwater management and water quality treatment criteria as provided in Section 6.03.00 of the City's Land Development Regulations.

The Owner is proposing a residence design incorporating stemwall construction in order to minimize placement of import fill such that stormwater runoff is neither displaced nor caused to sheetflow onto adjacent properties.

Conclusions

There does not appear to be any drainage limitations that would preclude the development of this site from complying with all applicable City of Stuart stormwater requirements, and without any stormwater impacts to adjacent properties.

WATER AND SEWER UTILITIES STATEMENT

The project will connect to City of Stuart Utilities Potable Water and Sewer systems located in the Palm City Road right-of-way.

Projected Consumption

1 Single-Family residence (unit) at 250 gpd per unit: 250 GPD

Potable Water

The site would be served by the City of Stuart's Water Treatment Plant. The City of Stuart Utilities has an existing water main in the Osceola Street R/W adjacent to the Site. Development of the site will require connection to the existing main for potable water supply.

An existing fire hydrant is located at the southeast corner of the intersection of Osceola Street and Georgia Avenue, directly across from the subject site.

Wastewater

The site would be served by the City of Stuart's Wastewater Facility. The City of Stuart Utilities has an existing gravity sewer in the Osceola Street R/W adjacent to the subject site.

Conclusions

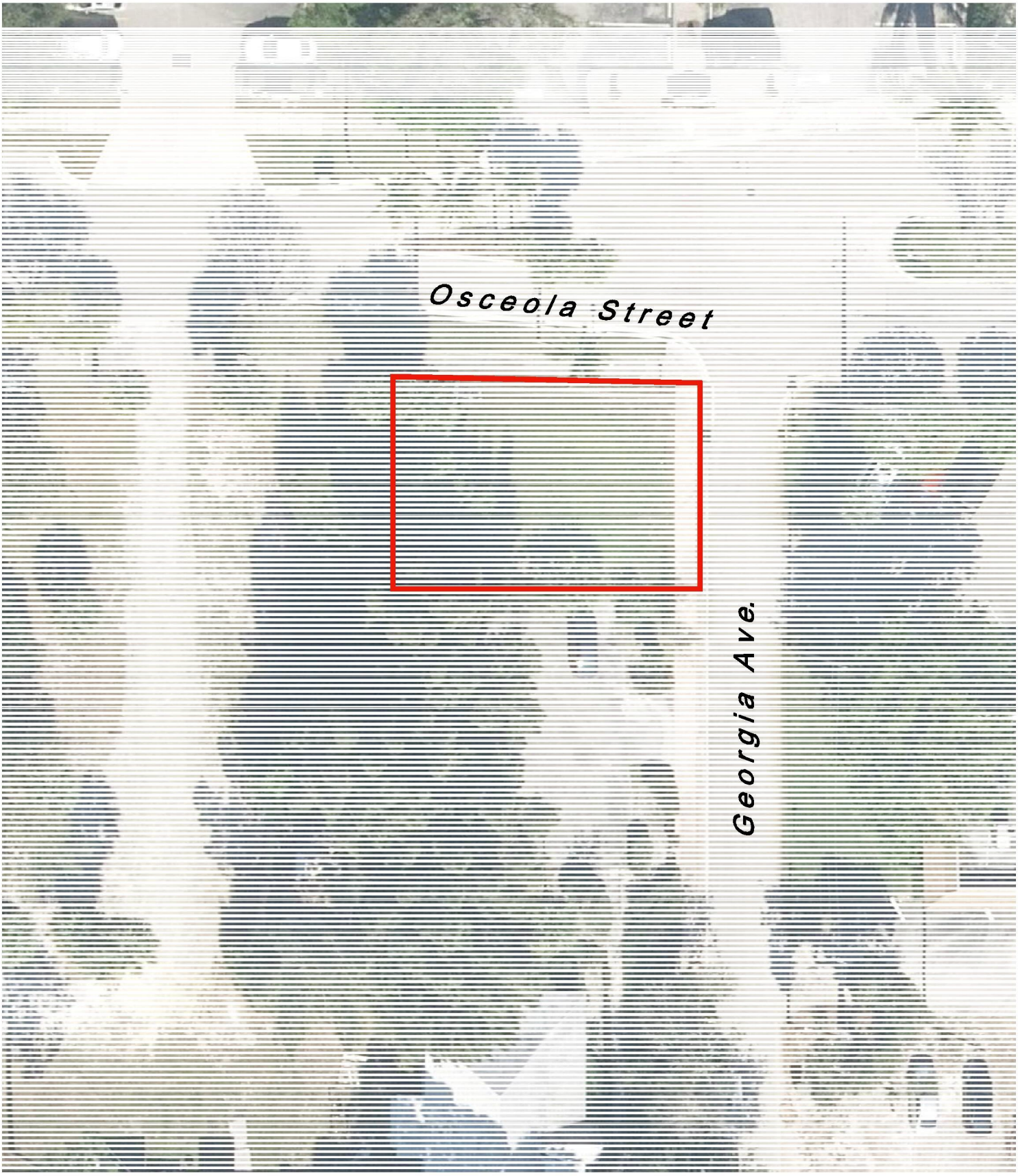
The City of Stuart currently has existing water and wastewater facilities adjacent to the site, and available capacities to provide the projected consumption generated by the proposed Single-Family residence.

Prepared By:

C. CALVERT MONTGOMERY & ASSOCIATES, INC.

Scott T. Montgomery 11/19/20

Scott T. Montgomery, P.E.
FL Reg. No. 45954



SITE DEVELOPMENT PLANS FOR

Georgia Avenue Residence

SE OSCEOLA STREET, STUART, FLORIDA

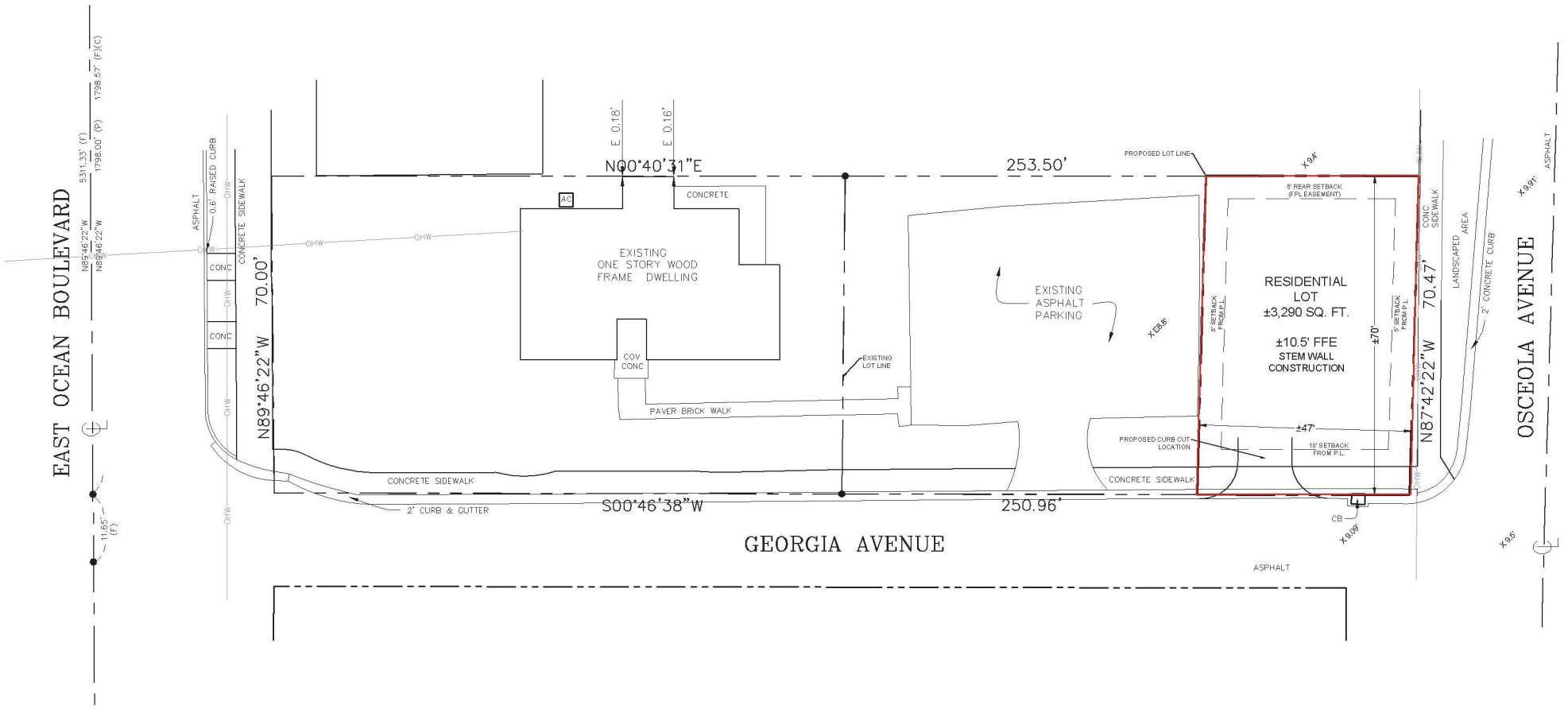
AERIAL EXHIBIT

DATE: 11.20.20
SCALE: 1"=30'
PAGE 1 OF 11 12142020 CCM

NO.	REVISION	DATE

C. CALVERT MONTGOMERY & ASSOCIATES, INC.
Engineers
P.O. BOX 92...959 S. FEDERAL HWY.....STUART, FLORIDA 34995
(Tel.) 772-287-3636 (Fax) 772-220-0580

lucido & associates
701 E Ocean Blvd., Stuart, Florida 34994 (772) 220-2100, Fax (772) 220-2020



Site Data

Existing Zoning:	Urban General
Existing Future Land Use:	Downtown Redevelopment

Landscape Requirements

1 Tree Front
1 Tree Rear

Urban Code Varience:

1. Side Setback- 5'
2. Rear Setback- 5'
3. Curb Cut- Less than 75'
4. Parking- Front

Scale: 1" = 10'
0 5' 10' 12142020 CCM Date: 10.13.2020

Georgia Avenue Residence

Stuart, FL
Site Plan

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Tom Reetz

Title of Item:

SAVANNA PLACE APARTMENTS RPUD - MINOR AMENDMENT (QUASI-JUDICIAL) (RC):

RESOLUTION No. 128-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A MINOR AMENDMENT TO THE SAVANNAH PLACE APARTMENTS RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) ON PROPERTY LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF N.E. SAVANNAH ROAD AND N.E. BAKER ROAD., WEST OF THE HOPE CENTER FOR AUTISM AND SOUTH OF JENSEN PARK ESTATES BOTH IN UNINCORPORATED MARTIN COUNTY, THEREBY AMENDING THE DEVELOPMENT CONDITIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

On May 13, 2019, the Stuart City Commission adopted Ordinance 2398-2020, approving the Savannah Place Apartments RPUD, which included conditions relating to affordable housing. The applicant is seeking to amend the RPUD to remove conditions 35 through 39, set forth in Exhibit "C" with respect to the commitment to accommodate ten (10) affordable housing units.

In lieu of the of the aforementioned language regarding the removal of conditions 35 through 39 to Ordinance 2398-2019, the applicant is proposing that it be replaced by the following language:

40. Prior to the issuance of the first Certificate of Occupancy (CO) for this development, and in lieu of providing ten (10) "Workforce housing units, the developer shall contribute a sum of Two Hundred Fifty-Two Thousand Six Dollars ($252,006) into the City's Attainable Housing fund'.

The City's Attainable Housing fund will be created based on the City's Attainable Housing net present value methodology (NPV). This fund will be a restricted fund used to promote, plan and fund attainable housing throughout the City based on future Commission action, should this amendment be approved at tonight's meeting. **See attachment - City Calculation of NPV - Savannah Place**

Funding Source:

N/A

Recommended Action:

Motion to approve Resolution No.128-2020

ATTACHMENTS:

Description	Upload Date	Type

A.1 Resolution No. 128-2020	12/4/2020	Resolution add to Y drive
D.1 Ordinance No.2398-2018 recorded version	12/3/2020	Ordinance add to Y drive
D.2 City Calculation of Net present value	12/4/2020	Backup Material

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 128-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A MINOR AMENDMENT TO THE SAVANNAH PLACE APARTMENTS RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) ON PROPERTY LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF N.E. SAVANNAH ROAD AND N.E. BAKER ROAD., WEST OF THE HOPE CENTER FOR AUTISM AND SOUTH OF JENSEN PARK ESTATES BOTH IN UNINCORPORATED MARTIN COUNTY, THEREBY AMENDING THE DEVELOPMENT CONDITIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City Commission approved the Residential Planned Unit Development (RPUD) for Savannah Place Apartments (per Ordinance No. 2398-2020), and

WHEREAS, the applicant is now requesting a minor amendment to the RPUD to remove conditions 35 thru 39 and replace with a single condition requiring a one-time contribution into the City's Attainable Housing fund; and

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission meeting held on December 14, 2020 to consider the application of the Owners for the property to approve the minor amendment to the RPUD to remove conditions 35 thru 39 and replace with a single condition requiring a one-time contribution into the City's Attainable Housing fund; and

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

SECTION 1: A legal description of the property is set forth in **Exhibit "A"** attached hereto and made a part hereof by reference. Conditions 35 through 39 of development previously depicted as part of **Exhibit "C"** are removed and replaced with the with a single condition requiring a one-time contribution into the City's Attainable Housing fund (described with strike-thru and underline) and are attached hereto as **Exhibit "C"** and made a part hereof by reference.

SECTION 2: In all other respects and except as amended hereby, Ordinance No. 2398-2019 shall remain in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict with this resolution or any part thereof are hereby repealed to the extent of such conflict. If any provision of this resolution conflicts with any prior contractual provision between the City and the developer of the site, this ordinance shall prevail.

SECTION 4: Following the adoption and acceptance of this resolution 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) and Resolutions adopting the same, the City Commission may impose or do any or all the following:

a. Initiate the process to amend or repeal this or any other resolution pertaining to the development.

b. Direct the City Development Director to initiate the process to rezone the RPUD property or any portion of the RPUD 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 RPUD resolution 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 5: If any provision of this resolution 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 6: This resolution shall be effective upon the adoption by the City Commission, and proper execution by the Owner.

SECTION 7: The complete execution and recording of this resolution by the City Clerk shall occur no later than 60 days from the date of this approval, failing which this resolution shall be void.

SECTION 8: 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				
MERRITT MATHESON, COMMISSIONER				
TROY MCDONALD, COMMISSIONER				

ADOPTED on this 14TH day of December, 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL, ESQ.
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 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 RESOLUTION. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS COMMERCIAL PLANNED UNIT DEVELOPMENT ACCORDING TO THIS RESOLUTION, ITS CONDITIONS, AND THE DEVELOPMENT PLANS AND DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS RESOLUTION 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:

GPAI, LLC, a Delaware LLC (Owner)

_____

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:

EXHIBIT "A" Legal Description

A PARCEL OF LAND LYING IN A PORTION OF SECTION 28, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, AND BEING FURTHER DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 LYING NORTHERLY OF THE NORTH RIGHT-OF-WAY OF NE SAVANNAH ROAD AND NORTHERLY OF THE RIGHT-OF-WAY EXTENSION OF BAKER ROAD.

AND

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA.

EXHIBIT "B"

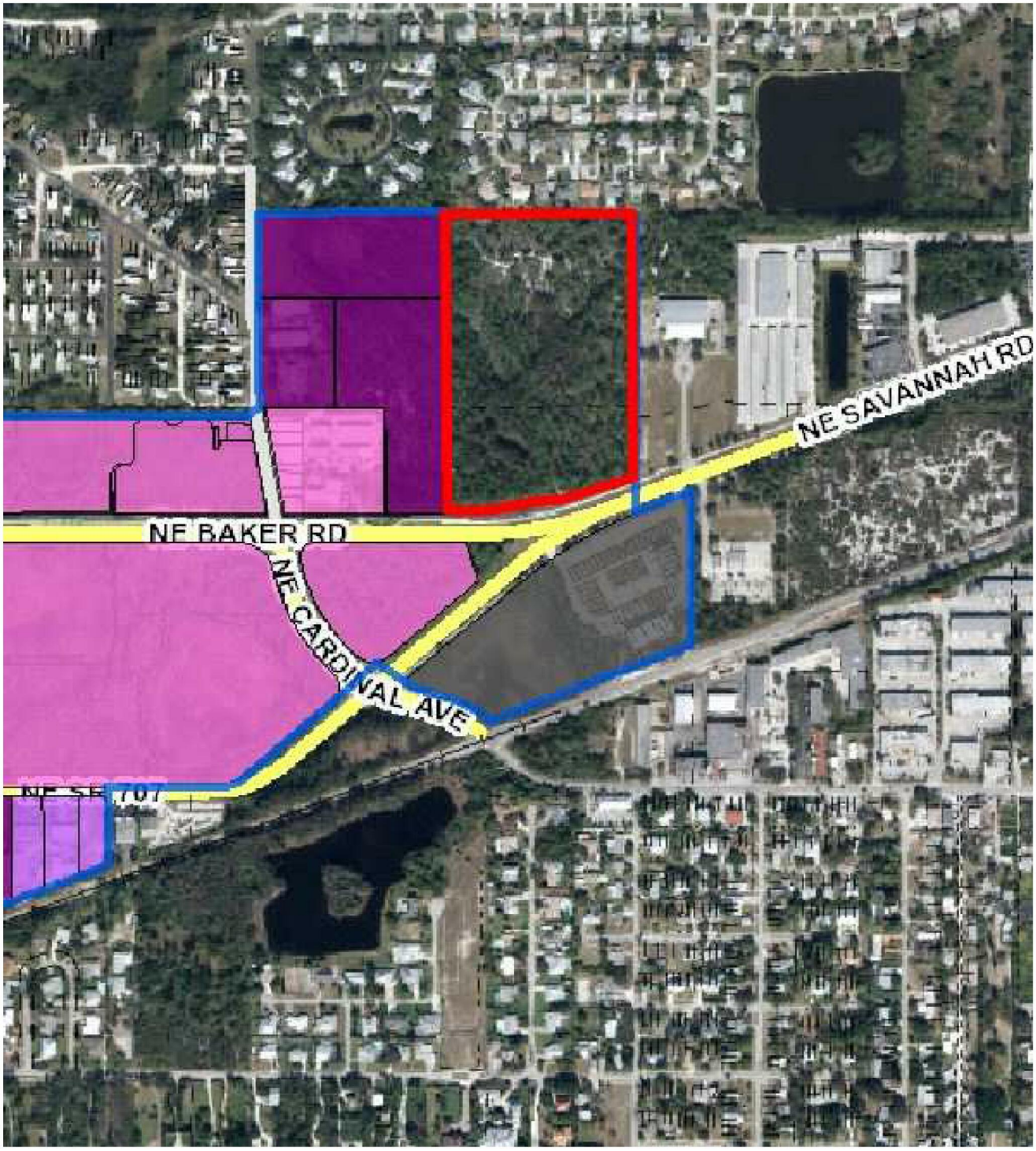


EXHIBIT "C" – DEVELOPMENT CONDITIONS

Amended with strike-through and underline

Approved Plans and Documents

2. The Savannah Place Apartments RPUD project and use thereof shall comply with the following drawings:
    a. **The Master Site Plan, Sheet 1 of 1, prepared by Lucido and Associates, dated 05.02.2019.**
    b. **The Boundary Survey, Sheets 1 thru 7, by Betsy Lindsay, Inc., dated 02.20.2018.**
    c. **The Landscape Plans, Cover Sheet & Sheets LA-1 thru LA-5, prepared by Lucido & Associates, dated 05.02.19.**
    d. **The Tree Mitigation Plan, Sheets MT-1, M-T-2, & MT-3, prepared by Lucido & Associates, dated 05.02.19**
    e. **The Offsite Landscape Buffer PLANS, Sheets 1 &2, prepared by Lucido and Associates, dated 05.02.19.**
    f. **Savannah Road Turn Lanes, Sheet 1 of 1, by Captec Engineering Inc., dated 04.30.19.**
    g. **Architectural Floor Plans and Elevations, by Marc Wiener A.I.A., Sheets A1.04 Compactor, A2.01R Leasing Rec Center, A2.02R Roof Plan, AC3.02R Typical Garage Building, AC3.011 Typical Building Type 1, AC3.01 11 Typical Building Type 2, AC3.01 111 Typical Building Type 3, AC3.02 R Pool Pavilion, and AC3.01 R Leasing/Rec Center, all dated 18.03.29.**
    h. **Lighting Plan, by Power and lighting systems, dated 2.27.19..**
    i. **Kennedy Homes-Savannah Place Apartments Natural System Restoration and Enhancement, by J.J. Goldasich and Associates, Inc. FLUUCS Map dated 12/29/2017, FLUUCS Map with site plan dated 05/02/2019 Env 1, dated 12/29/2017, Env 2, dated 12/29/2017.**
    j. **Ecological Assessment and Preserve Area Management Plan by Jim Goldasich, PWS, dated 2/11/19.**

k. Ecological Assessment and Preserve Area Management Plan by Jim Goldasich, PWS, dated 2/11/19.

3. Any modifications to the Master RPUD Site Plan that is less than 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 (52%) impervious coverage for the RPUD. The maximum building height within the RPUD shall be 4 stories or 45'-0". 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 consisting of garages, 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. Garages shall not be used for storage to the exclusion of a vehicle.

7. 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.

8. 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.

Landscaping

9. The common areas including the projects clubhouse and pool area shall be provided with landscaping with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition.

10. At the time of permitting, relocated landscaping to the public right-of-way shall be located clear of utility lines and approved by the City of Stuart.

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 certificate of occupancy.

Required Open Space and Native Preserve Area

13. Open Space. Not less than 22.6% of the RPUD shall be open space as depicted on the Site Plan by Lucido and Associates as described in Exhibit C. Required open space may include native vegetation areas, however, other required landscaping shall not count towards the open space requirement.

14. Excluding wetlands defined by the South Florida Water Management District, not less than 28% of the total pre-development site shall remain as undeveloped and recreated native vegetation area. The required native vegetation area may include open space areas; 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 Lucido and Associates. The project shall adhere to the Preserve area mitigation and monitoring plan (to be prepared prior to first reading). The owner and developer shall adhere to the provisions of the Wetland Maintenance and Monitoring Plan (included in PAMP) and permanent maintenance will be the responsibility of the owner.

Tree Mitigation

15. The project shall comply with Section 5.05.02 of the "Tree replacement and protection requirements" of the City's Land Development Code. All required tree mitigation will be met on site.

Prior to Issuance of Site Permits

16. Applicant shall provide a digital boundary survey and civil plan prior to the issuance of a site permit.

17. Civil Plans shall be reviewed and approved by all applicable City departments prior to the issuance of a site permit.

18. 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.

19. All development activities shall comply with the City's Concurrency Management System prior to the issuance of building permits.

Development and Construction

20. The Developer shall construct the project's infrastructure in one phase and complete all site and infrastructure prior to the first certificate of occupancy.

21. The Developer shall install landscaping and gate at the development's entry as shown on the landscaping plan prior to the first certificate of occupancy for a residential unit. The entry gate shall be made operational prior to issuance of a certificate of occupancy.

22. The property owner shall provide easements for licensed television services. A Conservation easement shall be dedicated to state agencies with the City of Stuart having the option to have those same easements.

23. In the event of any conflict in the provisions of Exhibit 'C' Development Conditions and attached exhibits, Exhibit 'C' shall prevail.

24. 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.

25. 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.

26. The projects new intersection at N.E. Baker Road and N.E.Savannah Road as well as turning lanes into the project as described on the project's Master Site plan and Turning Lane Exhibit shall be completed before the first Certificate of Occupancy is issued for any building.

27. The project's storm water facilities, specifically the Native Planting schemes at the lake 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".

28. As part of the stormwater system, the owner shall install a floating mat littoral system. The size of the mat shall be 5% of the surface area of the lake, or approximately 1,437 sf. The littoral mat system shall be manufactured and installed by Beesmats or City of Stuart approved equal. The littoral mat system shall be "harvested" at least once per year and new planting installed for new nutrient uptake. The mat system shall be maintained in working order in perpetuity.

29. Littoral plantings and upland planting shall be provided per Landscape plan by Lucido and Associates at the lakes bank and entire perimeter.

30. Temporary or freestanding storage units are prohibited on the property once construction is complete.

31. Owner shall restore 4.3 acres within the heart of the Haney Creek watershed as per Exhibit C letter f. Kennedy Homes-Savannah Place Apartments Natural

System Restoration and Enhancement, by J.J. Goldasich and Associates, Inc. Env 1 & 2 and shall be maintained and monitored as specified in the PAMP attached as Exhibit C letter g.

32. Site work including but not limited to land preparation, lake excavation, clearing and grading, drainage and water, sewer and irrigation lines shall be reviewed and approved by the city's public works department and the city's engineering consultant prior to permitting.

33. Savannah Place Apartments will provide two on-site trash compactors. The trash compactor dedicated to trash collection will have an associated 30-yard rollout dumpster and shall be a Marathon RJ-275 or equal. The trash compactor dedicated to recycling collection shall have an associated 10-yard dumpster and shall be a Marathon RJ-225 or equal. The resident shall separate their refuse into general trash and recycling and place the trash into a general trash receptacle and a recyclable trash receptacle located on their floor. The apartment management is responsible for transferring the trash from the on-floor receptacle to the compactor by way of a rolling cart. The resident will not be responsible for transferring the trash to the compactor or be responsible for operation of the compactor. The trash within the compactor shall be picked up by the City of Stuart Sanitation Department.

Signage

34. All signs throughout the PUD 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 Mark Wiener A.I.A. Architecture and Planning.

Work Force Housing

35. ~~The Owner shall set aside ten (10) units in the Development, five (5) two-bedroom units and five (5) one-bedroom units, as Work Force Housing~~

~~("WFH"). No more than three (3) units shall be allocated to any one building in the Development.~~

36. ~~Prospective tenants for WFH shall be required to demonstrate to the Owner that all those parties who will occupy the WFH unit will, collectively, (a) make no more than the 80% category of income limits defined in the State Housing Initiatives Partnership Program (SHIP) for Martin County, (b) have a credit score of no less than 650, and (c) have the ability to pay the rent for the WFH unit.~~

37. ~~The rent for a WFH unit shall be no greater than the 80% category of rental limits per bedroom as defined in the State Housing Initiatives Partnership Program (SHIP) for Martin County.~~

38. ~~In the event the number of units occupied as WFH Units falls below ten (10), and in the event the Owner, after using reasonable efforts is unable to find a prospective tenant for WFH for a period of two (2) months after the number of WFG tenants has fallen below ten (1), may lease out vacant units to other than WFH tenants. Provided, however, the Owner shall not allow the number of WFH units to stay below ten (1) for longer than two (2) months.~~

39. ~~On an annual basis starting one (1) year after all certificates of occupancy are obtained, the Owner shall provide to the Development Department of the City, a report setting forth the following: (a) the number of units in the Development actually occupied as WFH during the preceding year, (b) the length of stay in each WFH unit, (c) the rent actually paid for each WFH unit for the preceding year, and (d) the efforts of the Developer to find prospective tenants eligible for WFH~~.

40. Prior to the issuance of the first Certificate of Occupancy (CO) for this development, and in lieu of providing ten (10) "Workforce housing units, the developer shall contribute a sum of Two Hundred Fifty-Two Thousand Six Dollars ($252,006) into the City's Attainable Housing fund.

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.

42. 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 owner. Further, the City may at its discretion, take over maintenance of the preserve area(s) without objection by the owner.

Timetable for Development

43. Timetable for development shall be as follows:

Site and building permit application deemed sufficient for permit review under city codes and standards.	**March 1, 2020**
Final Certificate of Occupancy for all site and building improvements.	**March 1, 2023**

Allowable Uses

44. The following uses shall be permitted:

a. Multi-Family Residential

b. Home Occupations in accordance with the City's Land Development Code.

d. This residential facility shall not operate as an age restricted community in accordance with Florida Law.

Additional Conditions of Approval included at second reading.

Helping People Succeed

45. The perimeter berm along the eastern property line shall be increased to the maximum height allowed by the South Florida Water Management District while maintaining a maximum slope of 4:1.

46. The developer shall plant a landscape buffer on the property leased by Helping People Succeed. The landscape buffer shall include native trees and native shrubs and grasses. The trees shall be a minimum of 20' height and shall be planted at a maximum spacing of 20' on-center. The buffer shall be planted on the eastern side of the existing swale and shall be a minimum width of 15'. The landscape buffer shall have an irrigation system installed by the developer, the irrigation water shall be provided by Helping People Succeed. The landscape buffer shall be planted prior to the City of Stuart releasing the first building permit for vertical construction.

47. The developer shall change the lighting fixture in the north east corner of the proposed parking lot to a double fixture, with the second fixture illuminating the adjacent property leased by Helping People Succeed. The additional fixture shall be a Type 3 distribution, or similar distribution.

Jensen Park Estates

48. The developer shall meet with each property owner of Lots 9-15 of Jensen Park Estates Phase 2 to determine which landscape buffer each property owner selects for their property from the choices within the approved offsite landscape plan. The landscape buffer shall be planted by the developer prior to the issuance of a building permit for the second building within the project. The developer shall provide temporary irrigation for one-year to establish the landscape buffer.

Inst. # 2756723
Bk: 3061 Pg: 1100 Pages: 1 of 54
Recorded on:5/28/2019 3:05 PM Doc: GOV
Carolyn Timmann
Clerk of the Circuit Court & Comptroller
Martin County, FL
Rec Fees: $460.50

BEFORE THE CITY COMMISSION

CITY OF STUART, FLORIDA

ORDINANCE NUMBER 2398-2019

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 ASSIGNING A FUTURE LAND USE DESIGNATION OF "MULTI-FAMILY RESIDENTIAL" FOR A 15.4 ACRE PARCEL ANNEXED BY ORDINANCE NO. 2348-2017, OWNED BY WERNER BOLS, LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF N.E. SAVANNAH ROAD AND N.E. BAKER ROAD., WEST OF THE HOPE CENTER FOR AUTISM AND SOUTH OF JENSEN PARK ESTATES BOTH IN UNINCORPORATED MARTIN COUNTY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY ESTABLISH THE SAVANNAH PLACE APARTMENTS RESIDENTIAL PLANNED UNIT DEVELOPMENT RPUD CONSISTING OF TWO HUNDRED EIGHTY (280) MULTI-FAMILY UNITS WITHIN SIX (6) INDIVIDUAL THREE AND 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 Werner-Bols Revocable Trust, for a 15.14 acre parcel of land located on the north side of the intersection of N.E. Savannah Road and N.E. Baker Road, west of the Hope Center for Autism building, and south of Jensen Park Estates, both in unincorporated Martin County; and

WHEREAS, the City of Stuart has determined the need to assign the Future Land Use and a Land Development zoning district for said lands; and

WHEREAS, the City Commission, has considered the Petitioner's voluntary request for land use and zoning designations, and has also considered the recommendation of the City staff.

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 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 development 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 Site Plan, Sheet 1 of 1, prepared by Lucido and Associates, dated 05.02.2019.**
b. **The Boundary Survey, Sheets 1 thru 7, by Betsy Lindsay, Inc., dated 02.20.2018.**
c. **The Landscape Plans, Cover Sheet & Sheets LA-1 thru LA-5, prepared by Lucido & Associates, dated 05.02.19.**
d. **The Tree Mitigation Plan, Sheets MT-1, M-T-2, & MT-3, prepared by Lucido & Associates, dated 05.02.19**
e. **The Offsite Landscape Buffer PLANS, Sheets 1 &2, prepared by Lucido and Associates, dated 05.02.19.**
f. **Savannah Road Turn Lanes, Sheet 1 of 1, by Captec Engineering Inc., dated 04.30.19.**
g. **Architectural Floor Plans and Elevations, by Marc Wiener A.I.A., Sheets A1.04 Compactor, A2.01R Leasing Rec Center, A2.02R Roof Plan, AC3.02R Typical Garage Building, AC3.011 Typical Building Type 1, AC3.01 11 Typical Building Type 2, AC3.01 111 Typical Building Type 3, AC3.02 R Pool Pavilion, and AC3.01 R Leasing/Rec Center, all dated 18.03.29.**
h. **Lighting Plan, by Power and Lighting systems, dated 2.27.19.**
i. **Kennedy Homes-Savannah Place Apartments Natural System Restoration and Enhancement, by J.J. Goldasich and Associates, Inc. FLUUCS Map dated 12/29/2017, FLUUCS Map with site plan dated 05/02/2019 Env 1, dated 12/29/2017, Env 2, dated 12/29/2017.**

j. Ecological Assessment and Preserve Area Management Plan by Jim Goldasich, PWS, dated 2/11/19.

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 11th day of March, 2019.

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

	YES	NO	ABSENT	ABSTAIN
REBECCA S. BRUNER, MAYOR	Y			
EULA R. CLARKE, VICE MAYOR	Y			
KELLI GLASS LEIGHTON, COMMISSIONER	Y			
MERRITT MATHESON, COMMISSIONER	Y			
MIKE MEIER, COMMISSIONER	Y			

ADOPTED on second and final reading this 13th day of May, 2019.

ATTEST:

MARY R. KINDEL
CITY CLERK

REBECCA S. BRUNER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL MORTELL
CITY ATTORNEY

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

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:

Rebecca Ward

Print Name: Rebecca Ward

Print Name: BOHO BRADFIELD

Werner-Bols Revocable Trust

Werner Bols owner

By: Werner Bols

OWNERS ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this 21 day of MAY, 2019, by Wernor Bols owner.

BOYD G. BRADFIELD, JR.
Commission # FF 954061
Expires May 14, 2020
Bonded Thru Troy Fain Insurance 800-385-7019

Notary Public, State of Florida

My Commission Expires:

Notary Seal

Personally Known X OR Produced Identification _____

Type of Identification Produced _____

CITY'S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this 22 day of May, 2019, by Rebecca Bruner, Mayor, and Mary Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation.

MELISSA J. WARREN
Commission # GG 087218
Expires May 27, 2021
Bonded Thru Troy Fain Insurance 800-385-7019

Notary Public, State of Florida

My Commission Expires:

Notary Seal

Personally Known X OR Produced Identification _____

Type of Identification Produced _____

EXHIBIT A – LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN A PORTION OF SECTION 28, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, AND BEING FURTHER DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 LYING NORTHERLY OF THE NORTH RIGHT-OF-WAY OF NE SAVANNAH ROAD AND NORTHERLY OF THE RIGHT-OF-WAY EXTENSION OF BAKER ROAD.

AND

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA.

EXHIBIT B – LOCATION MAP

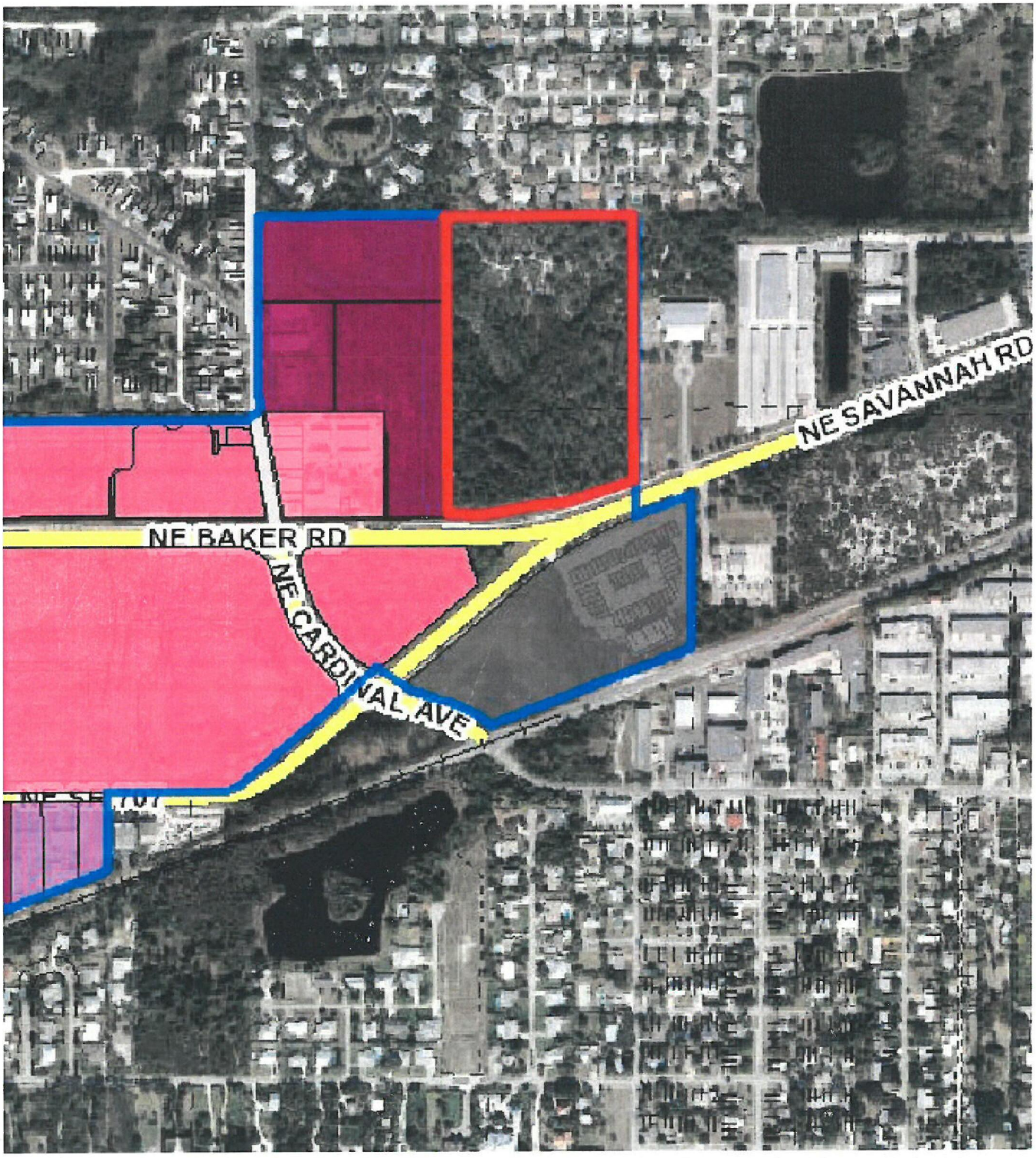


EXHIBIT C – DEVELOPMENT CONDITIONS

Approved Plans and Documents

2. The Savannah Place Apartments RPUD project and use thereof shall comply with the following drawings:

   a. **The Master Site Plan, Sheet 1 of 1, prepared by Lucido and Associates, dated 05.02.2019.**
   b. **The Boundary Survey, Sheets 1 thru 7, by Betsy Lindsay, Inc., dated 02.20.2018.**
   c. **The Landscape Plans, Cover Sheet & Sheets LA-1 thru LA-5, prepared by Lucido & Associates, dated 05.02.19.**
   d. **The Tree Mitigation Plan, Sheets MT-1, M-T-2, & MT-3, prepared by Lucido & Associates, dated 05.02.19**
   e. **The Offsite Landscape Buffer PLANS, Sheets 1 &2, prepared by Lucido and Associates, dated 05.02.19.**
   f. **Savannah Road Turn Lanes, Sheet 1 of 1, by Captec Engineering Inc., dated 04.30.19.**
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j. Ecological Assessment and Preserve Area Management Plan by Jim Goldasich, PWS, dated 2/11/19.

k. Ecological Assessment and Preserve Area Management Plan by Jim Goldasich, PWS, dated 2/11/19.

3. Any modifications to the Master RPUD Site Plan that is less than 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 (52%) impervious coverage for the RPUD. The maximum building height within the RPUD shall be 4 stories or 45'-0". 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 consisting of garages, 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. Garages shall not be used for storage to the exclusion of a vehicle.

7. 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.

8. 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.

Landscaping

9. The common areas including the projects clubhouse and pool area shall be provided with landscaping with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition.

10. At the time of permitting, relocated landscaping to the public right-of-way shall be located clear of utility lines and approved by the City of Stuart.

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 certificate of occupancy.

Required Open Space and Native Preserve Area

13. Open Space. Not less than 22.6% of the RPUD shall be open space as depicted on the Site Plan by Lucido and Associates as described in Exhibit C. Required open space may include native vegetation areas, however, other required landscaping shall not count towards the open space requirement.

14. Excluding wetlands defined by the South Florida Water Management District, not less than 28% of the total pre-development site shall remain as undeveloped and recreated native vegetation area. The required native vegetation area may include open space areas; 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 Lucido and Associates. The project shall adhere to the Preserve area mitigation and monitoring plan (to be prepared prior to first reading). The owner and developer shall adhere to the provisions of the Wetland Maintenance and Monitoring

Plan (included in PAMP) and permanent maintenance will be the responsibility of the owner.

Tree Mitigation

15. The project shall comply with Section 5.05.02 of the "Tree replacement and protection requirements" of the City's Land Development Code. All required tree mitigation will be met on site.

Prior to Issuance of Site Permits

16. Applicant shall provide a digital boundary survey and civil plan prior to the issuance of a site permit.

17. Civil Plans shall be reviewed and approved by all applicable City departments prior to the issuance of a site permit.

18. 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.

19. All development activities shall comply with the City's Concurrency Management System prior to the issuance of building permits.

Development and Construction

20. The Developer shall construct the project's infrastructure in one phase and complete all site and infrastructure prior to the first certificate of occupancy.

21. The Developer shall install landscaping and gate at the development's entry as shown on the landscaping plan prior to the first certificate of occupancy for a residential unit. The entry gate shall be made operational prior to issuance of a certificate of occupancy.

22. The property owner shall provide easements for licensed television services. A Conservation easement shall be dedicated to state agencies with the City of Stuart having the option to have those same easements.

23. In the event of any conflict in the provisions of Exhibit 'C' Development Conditions and attached exhibits, Exhibit 'C' shall prevail.

24. 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.

25. 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.

26. The projects new intersection at N.E. Baker Road and N.E.Savannah Road as well as turning lanes into the project as described on the project's Master Site plan and Turning Lane Exhibit shall be completed before the first Certificate of Occupancy is issued for any building.

27. The project's storm water facilities, specifically the Native Planting schemes at the lake 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".

28. As part of the stormwater system, the owner shall install a floating mat littoral system. The size of the mat shall be 5% of the surface area of the lake, or approximately 1,437 sf. The littoral mat system shall be manufactured and installed by Beesmats or City of Stuart approved equal. The littoral mat system shall be "harvested" at least once per

year and new planting installed for new nutrient uptake. The mat system shall be maintained in working order in perpetuity.

29. Littoral plantings and upland planting shall be provided per Landscape plan by Lucido and Associates at the lakes bank and entire perimeter.

30. Temporary or freestanding storage units are prohibited on the property once construction is complete.

31. Owner shall restore 4.3 acres within the heart of the Haney Creek watershed as per Exhibit C letter f. Kennedy Homes-Savannah Place Apartments Natural System Restoration and Enhancement, by J.J. Goldasich and Associates, Inc. Env 1 & 2 and shall be maintained and monitored as specified in the PAMP attached as Exhibit C letter g.

32. Site work including but not limited to land preparation, lake excavation, clearing and grading, drainage and water, sewer and irrigation lines shall be reviewed and approved by the city's public works department and the city's engineering consultant prior to permitting.

33. Savannah Place Apartments will provide two on-site trash compactors. The trash compactor dedicated to trash collection will have an associated 30-yard rollout dumpster and shall be a Marathon RJ-275 or equal. The trash compactor dedicated to recycling collection shall have an associated 10-yard dumpster and shall be a Marathon RJ-225 or equal. The resident shall separate their refuse into general trash and recycling and place the trash into a general trash receptacle and a recyclable trash receptacle located on their floor. The apartment management is responsible for transferring the trash from the on-floor receptacle to the compactor by way of a rolling cart. The resident will not be responsible for transferring the trash to the compactor, or be responsible for operation of the compactor. The trash within the compactor shall be picked up by the City of Stuart Sanitation Department.

Signage

34. All signs throughout the PUD 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 Mark Wiener A.I.A. Architecture and Planning.

Work Force Housing

35. The Owner shall set aside ten (10) units in the Development, five (5) two-bedroom units and five (5) one-bedroom units, as Work Force Housing ("WFH"). No more than three (3) units shall be allocated to any one building in the Development.

36. Prospective tenants for WFH shall be required to demonstrate to the Owner that all those parties who will occupy the WFH unit will, collectively, (a) make no more than the 80% category of income limits defined in the State Housing Initiatives Partnership Program (SHIP) for Martin County, (b) have a credit score of no less than 650, and (c) have the ability to pay the rent for the WFH unit.

37. The rent for a WFH unit shall be no greater than the 80% category of rental limits per bedroom as defined in the State Housing Initiatives Partnership Program (SHIP) for Martin County.

38. In the event the number of units occupied as WFH Units falls below ten (10), and in the event the Owner, after using reasonable efforts is unable to find a prospective tenant for WFH for a period of two (2) months after the number of WFG tenants has fallen below ten (1), may lease out vacant units to other than WFH tenants. Provided, however, the Owner shall not allow the number of WFH units to stay below ten (1) for longer than two (2) months.

39. On an annual basis starting one (1) year after all certificates of occupancy are obtained, the Owner shall provide to the Development Department of the City, a report setting forth the following: (a) the number of units in the Development actually occupied as WFH during the preceding year, (b) the length of stay in each WFH unit, (c) the rent actually paid for each WFH unit for the preceding year, and (d) the efforts of the Developer to find prospective tenants eligible for WFH.

Future Amendments

40. 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.

41. 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 owner. Further, the City may at its discretion, take over maintenance of the preserve area(s) without objection by the owner.

Timetable for Development

42. Timetable for development shall be as follows:

Site and building permit application deemed sufficient for permit review under city codes and standards.	**March 1, 2020**
Final Certificate of Occupancy for all site and building improvements.	**March 1, 2023**

Allowable Uses

43. The following uses shall be permitted:

    a. Multi-Family Residential

    b. Home Occupations in accordance with the City's Land Development Code.

    d. This residential facility shall not operate as an age restricted community in accordance with Florida Law.

Additional Conditions of Approval included at second reading.

Helping People Succeed

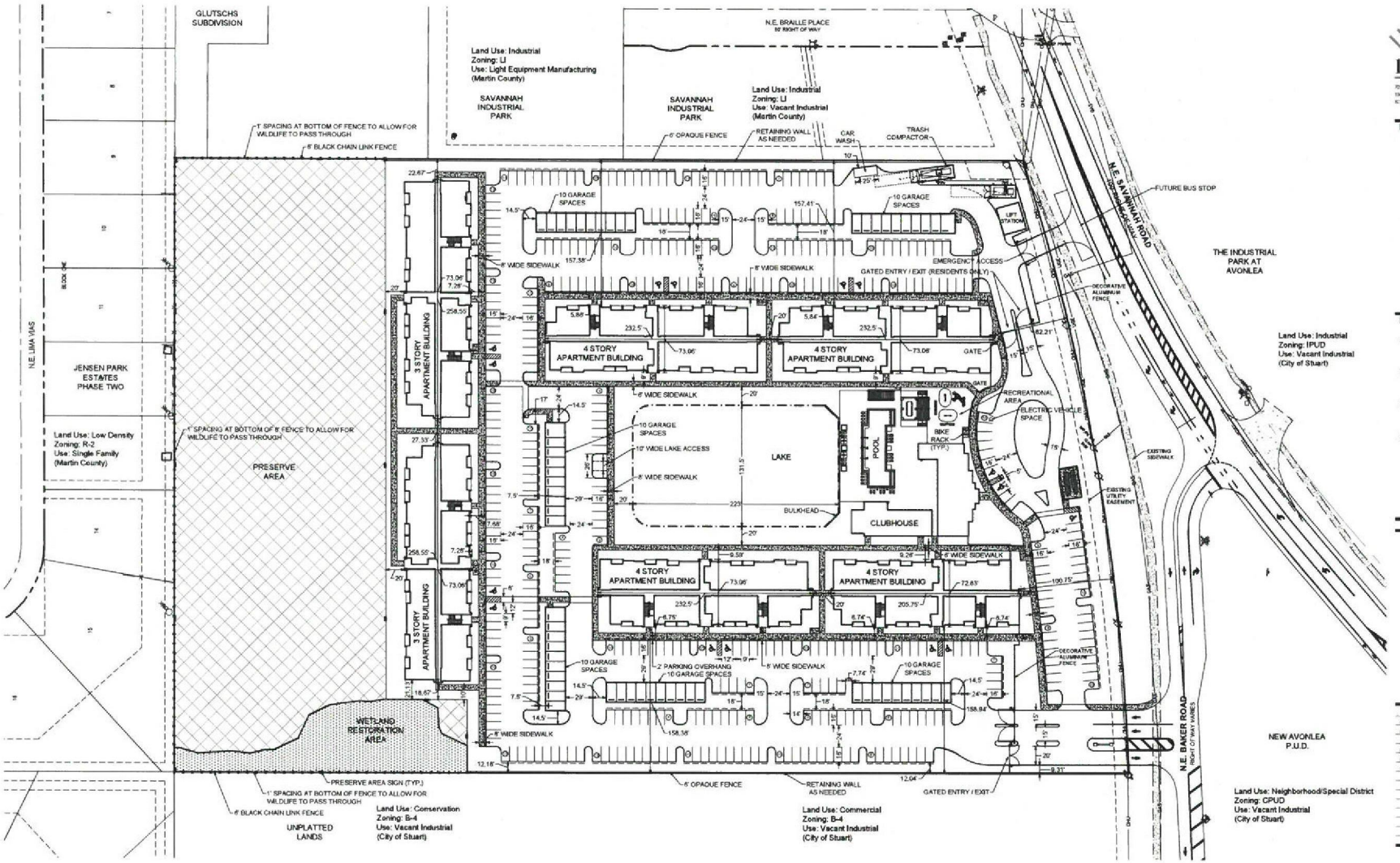
44. The perimeter berm along the eastern property line shall be increased to the maximum height allowed by the South Florida Water Management District while maintaining a maximum slope of 4:1.

45. The developer shall plant a landscape buffer on the property leased by Helping People Succeed. The landscape buffer shall include native trees and native shrubs and grasses. The trees shall be a minimum of 20' height and shall be planted at a maximum spacing of 20' on-center. The buffer shall be planted on the eastern side of the existing swale and shall be a minimum width of 15'. The landscape buffer shall have an irrigation system installed by the developer, the irrigation water shall be provided by Helping People Succeed. The landscape buffer shall be planted prior to the City of Stuart releasing the first building permit for vertical construction.

46. The developer shall change the lighting fixture in the north east corner of the proposed parking lot to a double fixture, with the second fixture illuminating the adjacent property leased by Helping People Succeed. The additional fixture shall be a Type 3 distribution, or similar distribution.

Jensen Park Estates

47. The developer shall meet with each property owner of Lots 9-15 of Jensen Park Estates Phase 2 to determine which landscape buffer each property owner selects for their property from the choices within the approved offsite landscape plan. The landscape buffer shall be planted by the developer prior to the issuance of a building permit for the second building within the project. The developer shall provide temporary irrigation for one-year to establish the landscape buffer.



General Notes:

- Refer to Landscape Plan for landscape details and specifications.
- This project shall be completed in one phase.
- Refer to Construction Drawings for location of traffic control devices.
- The applicant will request in writing, prior to any land clearing, that a field inspection be performed to determine if barricades have been properly installed on the site.
- All signs will be reviewed for compliance with the applicable regulations at the time the sign permit is issued.
- The property owner shall be required to provide adequate easements to ensure non-exclusive access to duly licensed cable television services to persons residing in this development. The easement shall specifically provide for the use by the franchised cable television system.
- The parking areas shown hereon are private and will be owned and maintained by the homeowners association.
- Water and sewer service shall be provided by Martin County Utilities.
- Photometric site lighting plans shall be provided to the City of Stuart for review and approval prior to site development permit approval.

Preserve Area Calculations:

Total Site Area:	15.14 acres
Less Predevelopment Wetlands:	2.65 acres
Predevelopment Upland Area:	12.49 acres
Required Upland Preserve Area (25.0%):	3.12 acres
Provided Upland Preserve Area (26.3%):	3.29 acres

Building Data:

Product Type:	Multifamily
Maximum Height:	4 Stories - 45'
Building Coverage:	18%
Maximum Allowed Per RPUD: 30%	

Parking Calculations:

Total Parking Spaces Required	**504 Spaces**
112 1 - Bedroom units @ 1.5 Spaces per unit: 168 spaces	
168 2 & 3 - Bedroom units @ 2 Spaces per unit: 336 spaces	
Total Parking Spaces Provided	**505 Spaces**
445 Standard Spaces	
60 Garage Spaces	

Site Data:

Proposed Future Land Use:	**Multifamily**	
Proposed Zoning:	**RPUD**	
Total Units:	**280 Units**	
Gross Density:	**18.49 DU/Ac.**	
Area (Total Site):	**659,293 sf**	**15.14 ac.**
Impervious Area:	369,170 sf	8.47 ac. (55.9%)
Buildings:	118,766 sf	2.73 ac.
Pavement:	172,793 sf	3.97 ac.
Sidewalks, Patios, Decks:	43,236 sf	0.99 ac.
Curb:	4,440 sf	0.10 ac.
Trash Compactors:	1,935 sf	0.03 ac.
Lake:	28,828 sf	0.66 ac.
Pervious Area:	290,123 sf	6.67 ac. (44.1%)
Landscape Area:	131,243 sf	3.02 ac.
Preserve Area:	143,265 sf	3.29 ac.
Wetland Restoration Area:	15,614 sf	0.34 ac.

lucido & associates

Key / Location:



Project Team:

Property Owner
Werner Bob Revocable Trust
PO Box 184
Palm City, Florida 34991

Applicant
Kennedy Homes
6450 Congress Avenue
Boca Raton, Florida 33487

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Savannah Place Apartments RPUD

City of Stuart, Martin County, Florida

Master Site Plan

Date	By	Description
04.04.2018		Master Site Plan Application
06.12.2018		First Submittal
10.23.2018		Second Submittal
02.20.2019		LPA Set
03.01.2019		SCC Set
05.02.2019		SCC Set - Second Reading

NORTH

SCALE: 1" = 50'

0 25' 50' 100

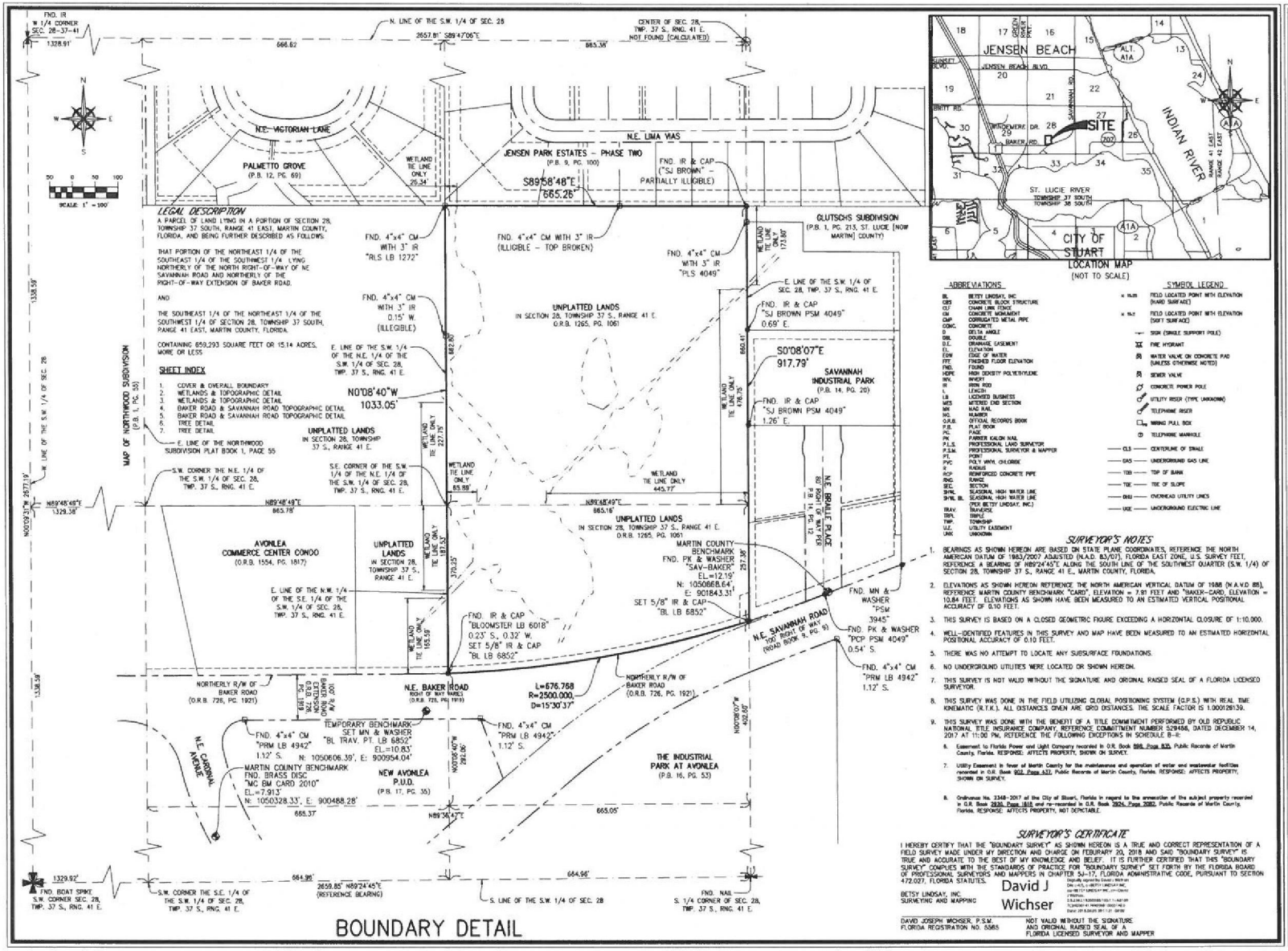
REG. # 16
Thomas P. L

Designer	J.L.	Sheet
Manager	D.F.	1 of 1
Project Number	17-1120	
Municipal Number	—	

Computer File: 1711 Savannah Place - Master Plan.dwg

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Page 136 of 575
2019020 CCM



ABBREVIATIONS

BL	BETSY LINDSAY, INC.
CBS	CONCRETE BLOCK STRUCTURE
CLF	CHAIN LINK FENCE
CM	CONCRETE MONUMENT
CMP	CORRUGATED METAL PIPE
CONC.	CONCRETE
D	DELTA ANGLE
DBL	DOUBLE
D.E.	DRAINAGE EASEMENT
EL.	ELEVATION
EOW	EDGE OF WATER
FFE	FINISHED FLOOR ELEVATION
FND.	FOUND
HDPE	HIGH DENSITY POLYETHYLENE
INV.	INVERT
IR	IRON ROD
L	LENGTH
LB	LICENSED BUSINESS
MES	MITERED END SECTION
MN	MAG NAIL
NO.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
P.B.	PLAT BOOK
PG.	PAGE
PK	PARKER KALON NAIL
P.L.S.	PROFESSIONAL LAND SURVEYOR
P.S.M.	PROFESSIONAL SURVEYOR & MAPPER
PT.	POINT
PVC	POLY VINYL CHLORIDE
R	RADIUS
RCP	REINFORCED CONCRETE PIPE
RNG.	RANGE
SEC.	SECTION
SHWL	SEASONAL HIGH WATER LINE
SHWL BL	SEASONAL HIGH WATER LINE (PER BETSY LINDSAY, INC.)
TRAV.	TRAVERSE
TRIP.	TRIPLE
TWP.	TOWNSHIP
U.E.	UTILITY EASEMENT
UNK	UNKNOWN

SYMBOL LEGEND

x 15.05	FIELD LOCATED POINT WITH ELEVATION (HARD SURFACE)
x 15.12	FIELD LOCATED POINT WITH ELEVATION (SOFT SURFACE)
	SIGN (SINGLE SUPPORT POLE)
	FIRE HYDRANT
	WATER VALVE ON CONCRETE PAD (UNLESS OTHERWISE NOTED)
	SEWER VALVE
	CONCRETE POWER POLE
	UTILITY RISER (TYPE UNKNOWN)
	TELEPHONE RISER
	WIRING PULL BOX
	TELEPHONE MANHOLE
CLS	CENTERLINE OF SWALE
GAS	UNDERGROUND GAS LINE
TOB	TOP OF BANK
TOE	TOE OF SLOPE
OHU	OVERHEAD UTILITY LINES
UGE	UNDERGROUND ELECTRIC LINE

SURVEYOR'S NOTES

1. BEARINGS AS SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES, REFERENCE THE NORTH AMERICAN DATUM OF 1983/2007 ADJUSTED (N.A.D. 83/07), FLORIDA EAST ZONE, U.S. SURVEY FEET, REFERENCE A BEARING OF N89°24'45"E ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (S.W. 1/4) OF SECTION 28, TOWNSHIP 37 S., RANGE 41 E., MARTIN COUNTY, FLORIDA.
2. ELEVATIONS AS SHOWN HEREON REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 88), REFERENCE MARTIN COUNTY BENCHMARK "CARD", ELEVATION = 7.91 FEET AND "BAKER-CARD, ELEVATION = 10.84 FEET. ELEVATIONS AS SHOWN HAVE BEEN MEASURED TO AN ESTIMATED VERTICAL POSITIONAL ACCURACY OF 0.10 FEET.
3. THIS SURVEY IS BASED ON A CLOSED GEOMETRIC FIGURE EXCEEDING A HORIZONTAL CLOSURE OF 1:10,000.
4. WELL-IDENTIFIED FEATURES IN THIS SURVEY AND MAP HAVE BEEN MEASURED TO AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 0.10 FEET.
5. THERE WAS NO ATTEMPT TO LOCATE ANY SUBSURFACE FOUNDATIONS.
6. NO UNDERGROUND UTILITIES WERE LOCATED OR SHOWN HEREON.
7. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR.
8. THIS SURVEY WAS DONE IN THE FIELD UTILIZING GLOBAL POSITIONING SYSTEM (G.P.S.) WITH REAL TIME KINEMATIC (R.T.K.). ALL DISTANCES GIVEN ARE GRD DISTANCES. THE SCALE FACTOR IS 1.000129139.
9. THIS SURVEY WAS DONE WITH THE BENEFIT OF A TITLE COMMITMENT PERFORMED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, REFERENCE COMMITMENT NUMBER 5294568, DATED DECEMBER 14, 2017 AT 11:00 PM, REFERENCE THE FOLLOWING EXCEPTIONS IN SCHEDULE B-II:
   6. Easement to Florida Power and Light Company recorded in O.R. Book 596, Page 835, Public Records of Martin County, Florida. RESPONSE: AFFECTS PROPERTY, SHOWN ON SURVEY.
   7. Utility Easement in favor of Martin County for the maintenance and operation of water and wastewater facilities recorded in O.R. Book 902, Page 437, Public Records of Martin County, Florida. RESPONSE: AFFECTS PROPERTY, SHOWN ON SURVEY.
   8. Ordinance No. 2348-2017 of the City of Stuart, Florida in regard to the annexation of the subject property recorded in O.R. Book 2830, Page 1815 and re-recorded in O.R. Book 2924, Page 2082, Public Records of Martin County, Florida. RESPONSE: AFFECTS PROPERTY, NOT DEPICTABLE.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE "BOUNDARY SURVEY" AS SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A FIELD SURVEY MADE UNDER MY DIRECTION AND CHARGE ON FEBURARY 20, 2018 AND SAID "BOUNDARY SURVEY" IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT IS FURTHER CERTIFIED THAT THIS "BOUNDARY SURVEY" COMPLIES WITH THE STANDARDS OF PRACTICE FOR "BOUNDARY SURVEY" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BETSY LINDSAY, INC.
SURVEYING AND MAPPING

David J Wichser

DAVID JOSEPH WICHSER, P.S.M.
FLORIDA REGISTRATION NO. 5585

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7967 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5783 (772)286-5923 FAX
LICENSED BUSINESS NO. 6852

DATE	REVISIONS

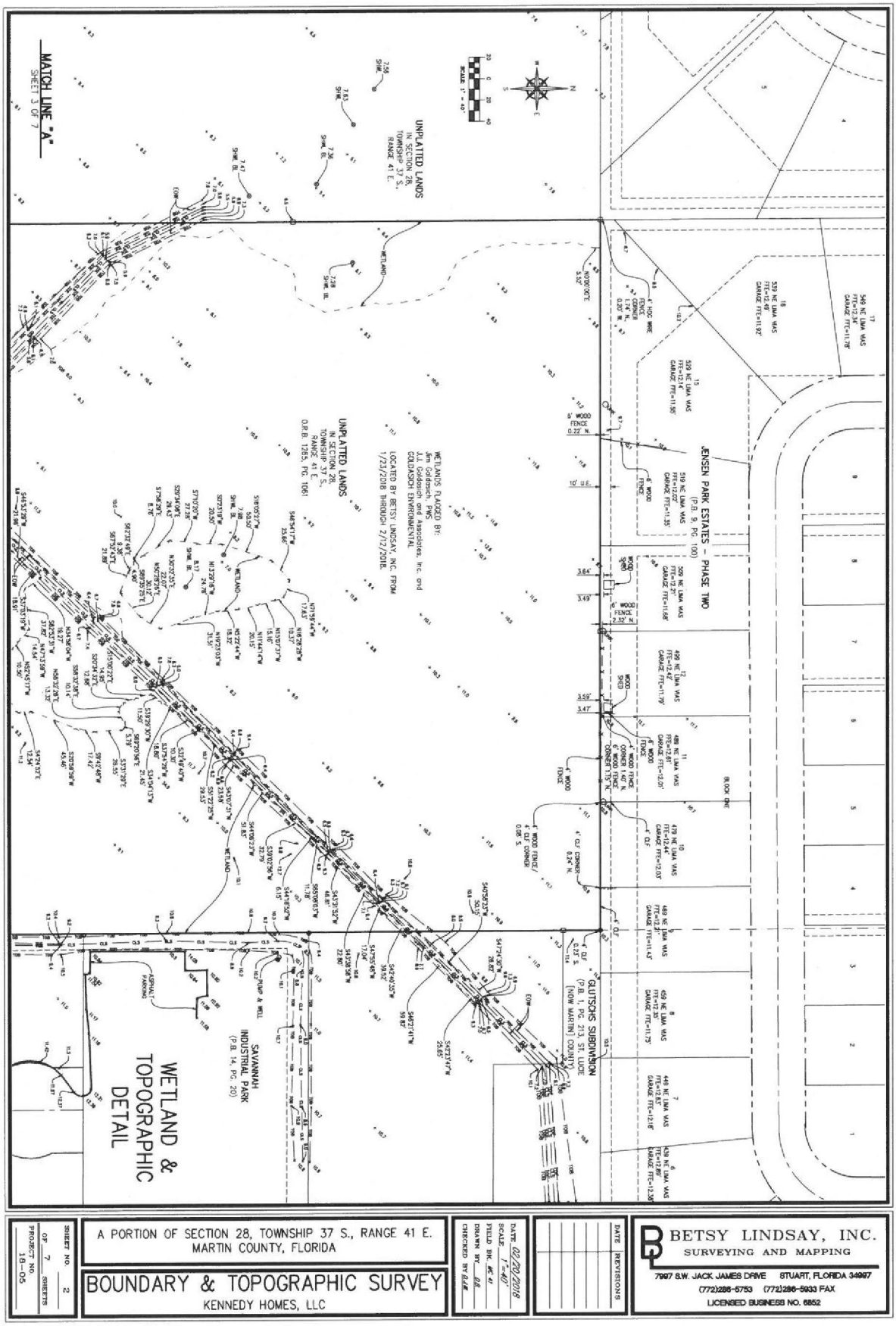
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FIELD BK. MC 41
DRAWN BY D.R.
CHECKED BY D.J.W.

A PORTION OF SECTION 28, TOWNSHIP 37 S., RANGE 41 E.
MARTIN COUNTY, FLORIDA

BOUNDARY & TOPOGRAPHIC SURVEY

KENNEDY HOMES, LLC

SHEET NO. 1
OF 7 SHEETS
PROJECT NO. 18-05


MATCH LINE "A"
SHEET 3 OF 7
UNPLATTED LANDS
IN SECTION 28,
TOWNSHIP 37 S.,
RANGE 41 E.
WETLANDS FLAGGED BY:
Jim Goldesich, PWS
J.J. Goldesich and Associates, Inc. and
GOLDASICH ENVIRONMENTAL
LOCATED BY BETSY LINDSAY, INC. FROM
1/23/2018 THROUGH 2/12/2018.
UNPLATTED LANDS
IN SECTION 28,
TOWNSHIP 37 S.,
RANGE 41 E
O.R.B. 1285, PG. 1061
JENSEN PARK ESTATES - PHASE TWO
(P.B. 9, PG. 100)
BLOCK ONE
GLUTSCHS SUBDIVISION
(P.B. 1, PG. 21) ST. LUCIE
(NOW MARTIN) COUNTY
SAVANNAH
INDUSTRIAL PARK
(P.B. 14, PG. 20)
WETLAND &
TOPOGRAPHIC
DETAIL
A PORTION OF SECTION 28, TOWNSHIP 37 S., RANGE 41 E.
MARTIN COUNTY, FLORIDA
BOUNDARY & TOPOGRAPHIC SURVEY
KENNEDY HOMES, LLC
SHEET NO. 2
OF 7 SHEETS
PROJECT NO. 18-05
DATE 02/20/2018
SCALE 1"=40'
FIELD BK. #C 41
DRAWN BY BJL
CHECKED BY BJL
DATE REVISIONS
BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7997 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5933 FAX
LICENSED BUSINESS NO. 6852

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7997 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5903 FAX
LICENSED BUSINESS NO. 6852

DATE	REVISIONS

DATE 02/20/2018
SCALE 1"=40'
FIELD BK. MC 41
DRAWN BY BB
CHECKED BY BJL

A PORTION OF SECTION 28, TOWNSHIP 37 S., RANGE 41 E.
MARTIN COUNTY, FLORIDA

BOUNDARY & TOPOGRAPHIC SURVEY

KENNEDY HOMES, LLC

SHEET NO. 3
OF 7 SHEETS
PROJECT NO. 18-05

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7967 S.W. JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5933 FAX
LICENSED BUSINESS NO. 6852

DATE	REVISIONS

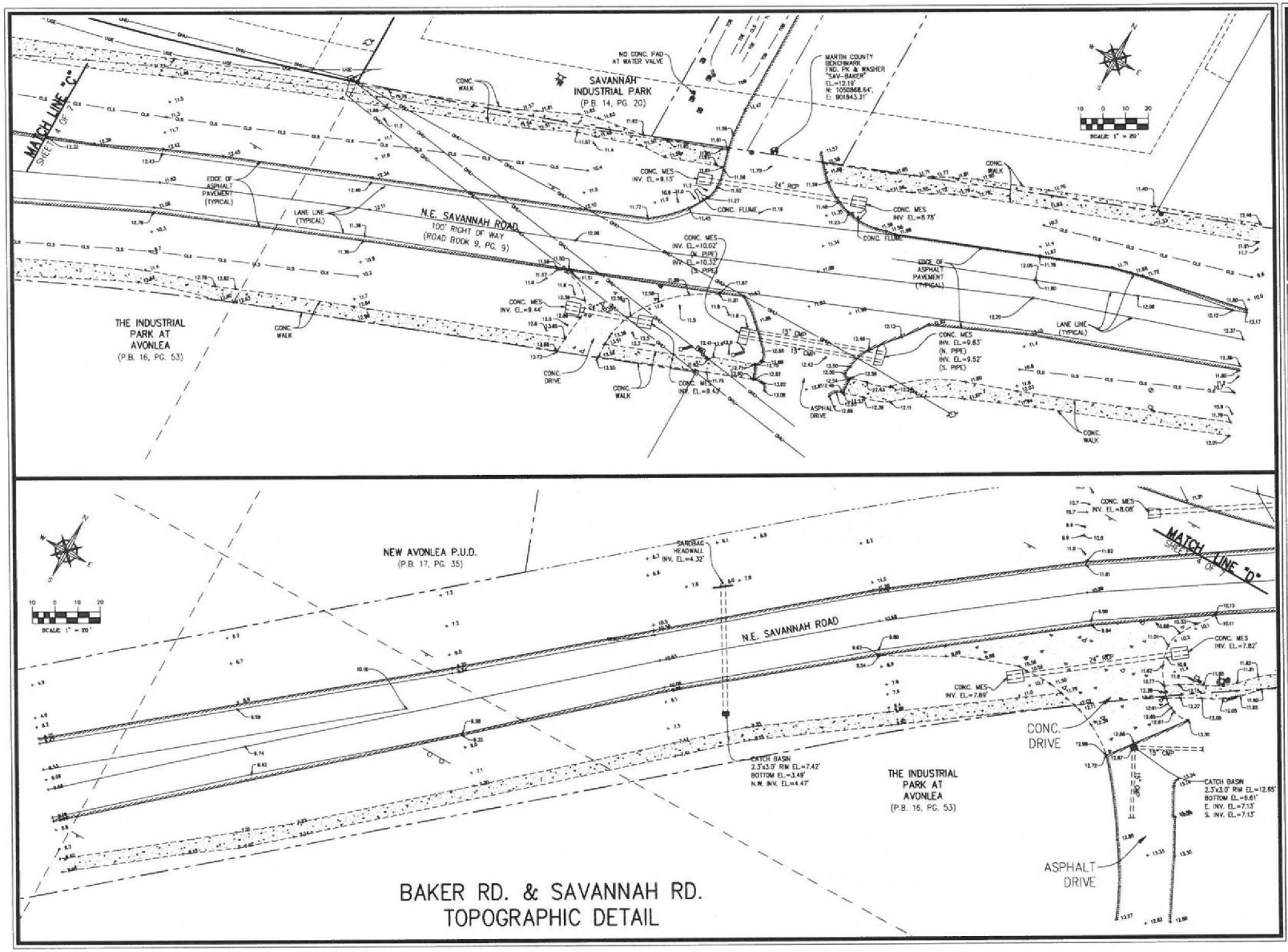
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MARTIN COUNTY, FLORIDA

BOUNDARY & TOPOGRAPHIC SURVEY

KENNEDY HOMES, LLC

SHEET NO. 4
OF 7 SHEETS
PROJECT NO. 18-05



BETSY LINDSAY, INC.
SURVEYING AND MAPPING
7907 S.W. JACK JAMES DRIVE STUART, FLORIDA 34997
(772)286-5753 (772)286-5933 FAX
LICENSED BUSINESS NO. 6852

DATE	REVISIONS

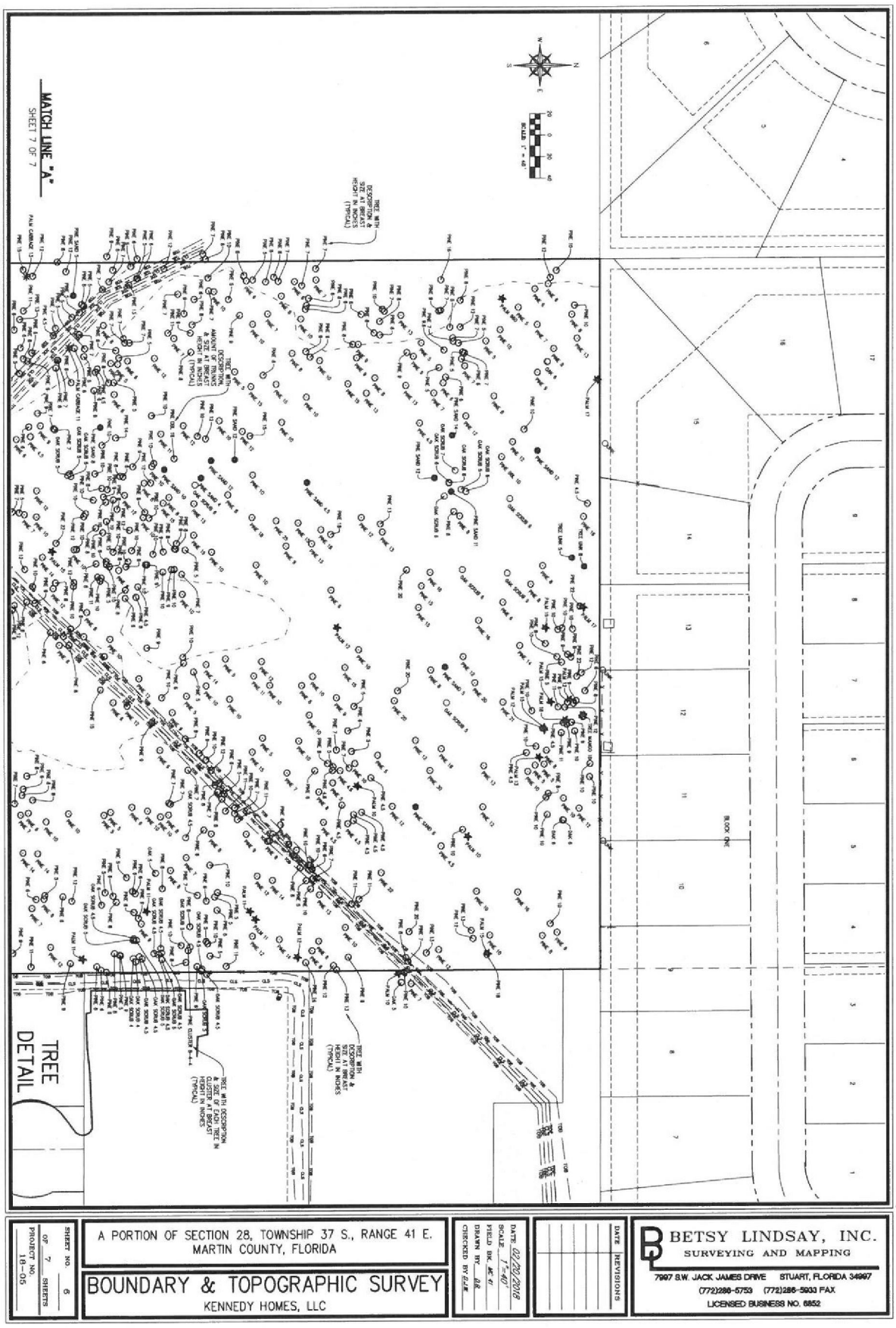
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CHECKED BY DJB

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MARTIN COUNTY, FLORIDA

BOUNDARY & TOPOGRAPHIC SURVEY

KENNEDY HOMES, LLC

SHEET NO. 5
OF 7 SHEETS
PROJECT NO. 18-05



A PORTION OF SECTION 28, TOWNSHIP 37 S., RANGE 41 E.
MARTIN COUNTY, FLORIDA

BOUNDARY & TOPOGRAPHIC SURVEY

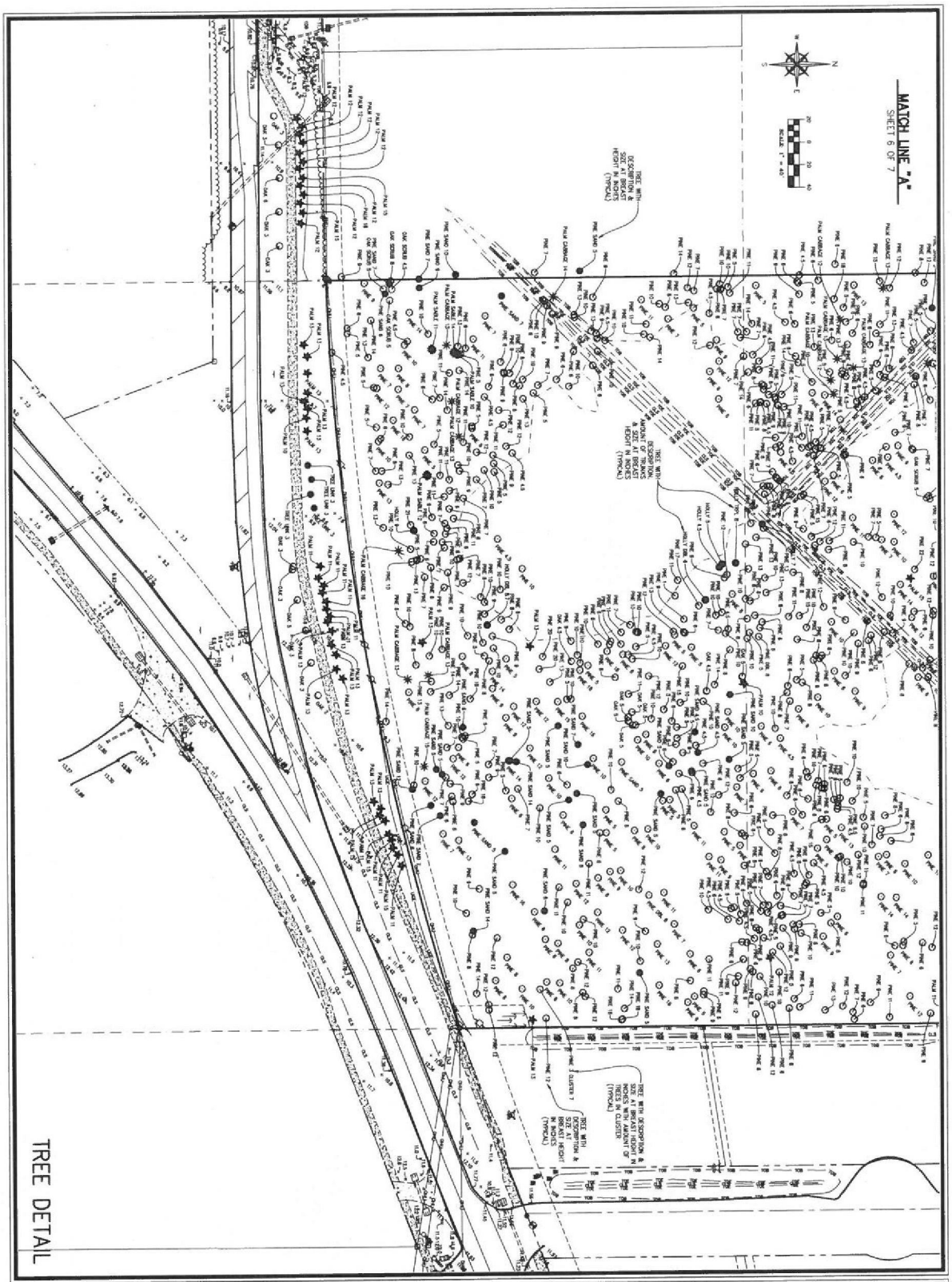
KENNEDY HOMES, LLC

SHEET NO. 6 OF 7 SHEETS
PROJECT NO. 18-05

DATE 02/29/2016
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FIELD BK. MC 47
DRAWN BY BJB
CHECKED BY BJB

DATE REVISIONS

BETSY LINDSAY, INC.
SURVEYING AND MAPPING
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(772)286-5753 (772)286-5933 FAX
LICENSED BUSINESS NO. 6852



A PORTION OF SECTION 28, TOWNSHIP 37 S., RANGE 41 E.
MARTIN COUNTY, FLORIDA

BOUNDARY & TOPOGRAPHIC SURVEY

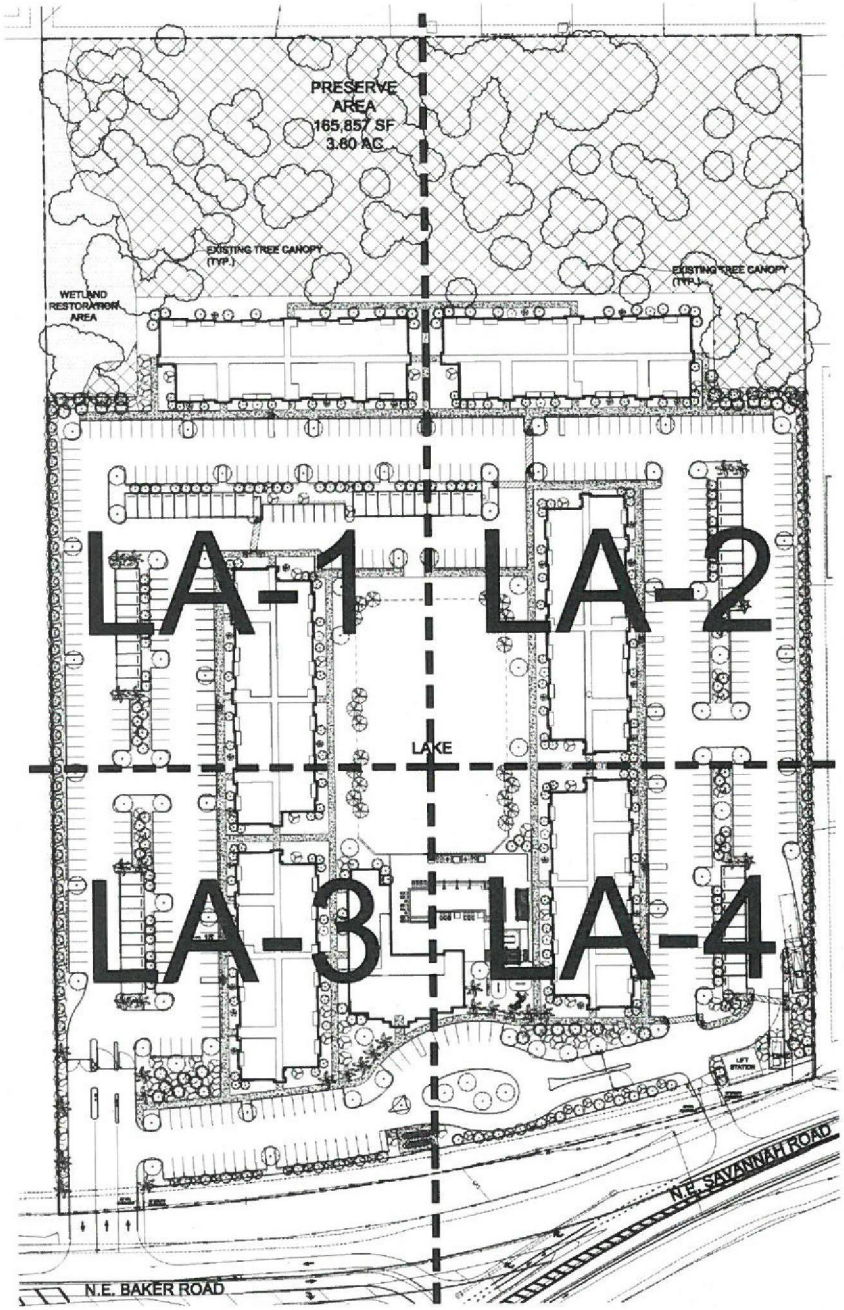
KENNEDY HOMES, LLC

SHEET NO. 7 OF 7 SHEETS
PROJECT NO. 18-05

DATE 02/20/2018
SCALE 1"=40'
FIELD BK. JK/JH
DRAWN BY BB
CHECKED BY BLH

DATE REVISIONS

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(772)286-5753 (772)286-5933 FAX
LICENSED BUSINESS NO. 6852



PLANT SCHEDULE MASTER LP

UPLAND & LITTORAL PLANT SCHEDULE

Landscape Data:

Total Landscape Area Required:
659,293 sf (20%)= 131,859 SF, 3.03 AC

Total Landscape Area Provided:
150,164 SF (3.45 AC)

Landscape Requirements

Total Site Area: 659,293 SF

Required Tree Credits: 440
Parking Perimeter @ Building: (1,583' /20) = 78 Tree Credits
Parking Perimeter @ ROW: (531' /25) = 21 Tree Credits
Parking Perimeter @ Private Property: (1,232' /30) = 41 Tree Credits
Parking Terminal Islands: (73) = 73 Trees

Provided Tree Credits: 440
Parking Perimeter @ Building: 78 Tree Credits
Parking Perimeter @ ROW: 21 Tree Credits
Parking Perimeter @ Private Property: 41 Tree Credits
Parking Terminal Islands: 73 Tree Credits

Required Shrub Credits: 1,330
Parking Perimeter @ Building: (1,583' /2.5) = 625 Shrub Credits
Parking Perimeter @ ROW: (531' /2.5) = 212 Shrub Credits
Parking Perimeter @ Private Property: (1,232' /2.5) = 493 Shrub Credits

Provided Shrub Credits: 1,330
Parking Perimeter @ Building: 625 Shrub Credits (3' HT)
Parking Perimeter @ ROW: 212 Shrub Credits (3' HT)
Parking Perimeter @ Private Property: 493 Shrub Credits (3' HT)

LANDSCAPE NOTES:

IRRIGATION NOTES:

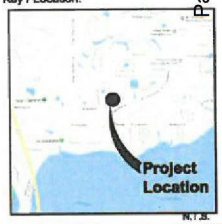
REQUIRED XERISCAPE POINTS:

SHEET INDEX:

OVERALL KEY SHEET	CV
PLANT SCHEDULE	CV
LANDSCAPE PLANS	LA-1 – LA-4
LANDSCAPE DETAILS	LA-5
LANDSCAPE SPECIFICATIONS	LA-6

lucido & associates

Key / Location:



Project Team:

Property Owner
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5400 Congress Avenue
Boca Raton, Florida 33487

Applicant
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Boca Raton, Florida 33487

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Architecture / Planning
591 S Federal Highway, Suite 305
Boca Raton, Florida 33432
561.702.4111

Savannah Place at Baker Road

City of Stuart, Martin County, Florida

Landscape Plan

Date	By	Description
06.12.19	D.C.	First Submittal
01.31.19	D.C.	LPA Set

NORTH

SCALE: 1" = 50'

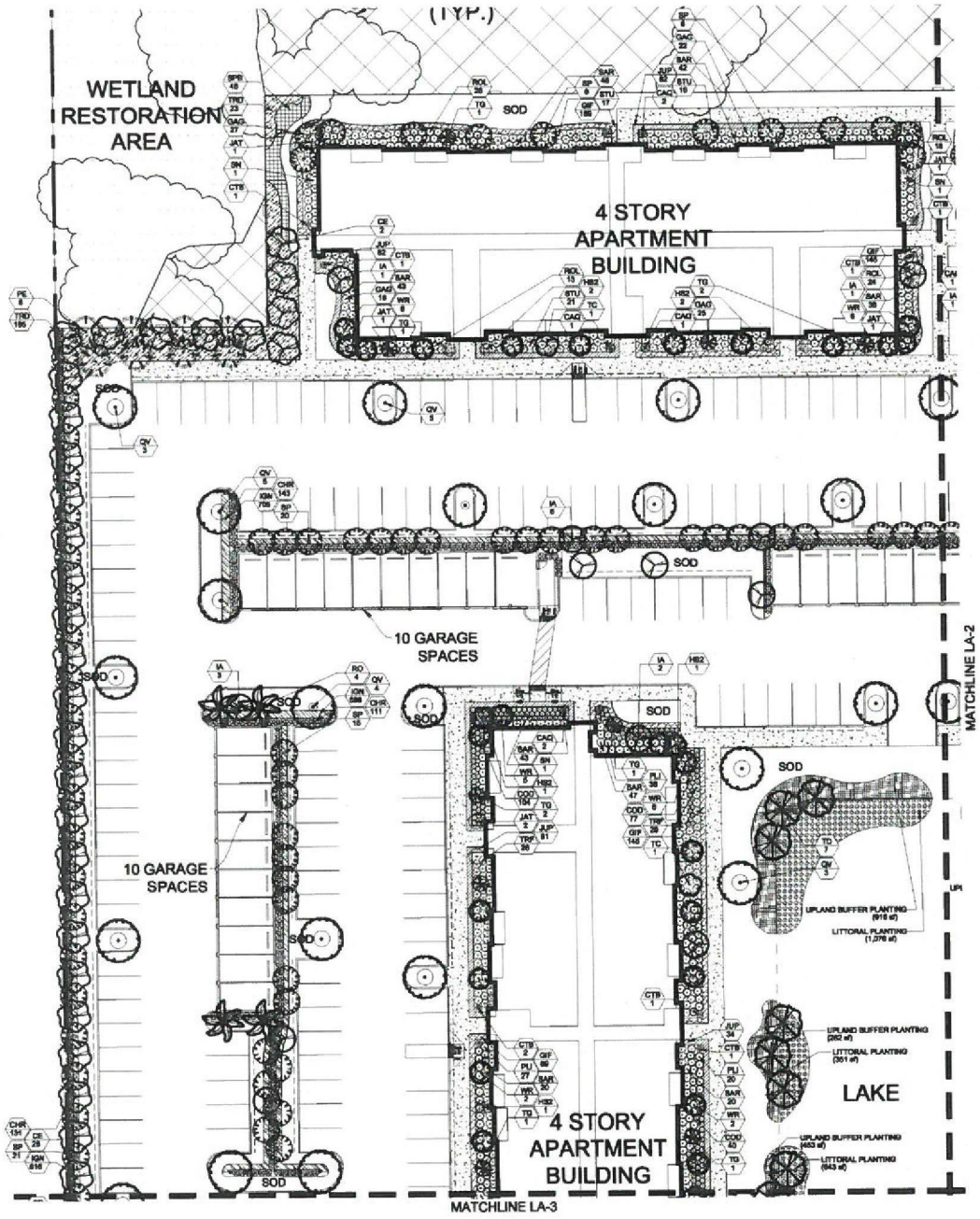
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REG. # 16
Thomas P. Lu

Designer	D.C.	Sheet
Manager	D.F.	CV
Project Number	17-1130	
Municipal Number	—	
Computer File	17-1130 Baker Road Kennedy Homes - Land	

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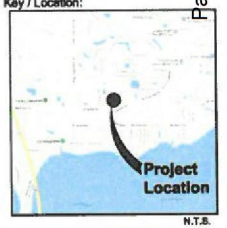


PLANT SCHEDULE LA-1

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	CALIPER
	CE	10	Conocarpus erectus	Buttonwood	FG	16' HT	STW	STD, F, SP	Native	4.5" Caliper
	IA	12	Ilex x attenuata 'East Palatka'	East Palatka Holly	FG	16' HT	STW	STD, F, SP	Native	4.5" Caliper
	PE	9	Ficus elastic 'Decora'	Rubber Tree	FG	12'-14' HT		F, SP	Native	3.5" Caliper
	QV	15	Quercus virginiana	Southern Live Oak	FG	16' HT	STW	F, SP	Native	4.5" Caliper
	RO	4	Roystonea regia	Florida/Cuban Royal Palm	FG	16'CT		F, SP	Native	
	SP	55	Sabal palmetto	Sabal Palm	FG	16'CT		HVY CHL, SP	Native	
	TD	5	Tabebuia caraiba	Yellow Tabebuia	45G	14' HT	7' W	F, SP	Non-native	
	TG	7	Taxodium distichum	Bald Cypress	FG	16' HT	STW	F, SP	Native	4.5" Caliper
	TS	8	Tibouchina granulosa	Purple Glory Tree	30G	6'HT	3'W	F, SP	Non-native	
	WR	37	Washingtonia robusta	Mexican Fan Palm	FG	16'CT		F, SP	Non-native	
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	
	CHR	284	Chrysobalanus icaco 'Red Tip'	Red Tip Cocoplum	3G	24" HT	18"W	FTB	Native	
	COD	331	Cordyline terminalis 'Kiwi'	Kiwi Cordyline	3G	24" HT	18"W	FTB, SP	Non-native	
	CTB	8	Cordyline terminalis 'Black Magic'	Black Magic Ti Plant	7G	4' HT	3'W	F, SP	Non-native	
	CAC	8	Crinum augustum 'Queen Emma'	'Queen Emma' Crinum	7G	30" HT	30" W	F, SP	Non-native	
	DAG	60	Dianella grass	Thryallis	3G	24" HT	18"W	F	Non-native	
	HIB	7	Hibiscus rosa-sinensis 'Seminole Pink'	Seminole Pink Hibiscus	30G	5'HT	3'W	STD, SP	Non-native	
	JAT	6	Jatropha integerrima	Jatropha	15G	4' HT	3'W	STD, SP	Non-native	
	PLI	16	Plumbago auriculata 'Imperial Blue'	Plumbago	3G	24" HT	24"W	F, SP	Non-native	
	ROL	81	Rondeletia leucophylla	Panama Rose 'Pink'	3G	24" HT	24"W	FTB, SP	Non-native	
	SAR	356	Schefflera arboricola	Green Schefflera	3G	24" HT	24"W	F	Non-native	
	STU	64	Stachytarpheta jamaicensis	Blue Porterweed	3G	24" HT	18"W	F	Native	
	SR	9	Strelitzia nicolai	Giant Bird of Paradise	7G	36" OA		F, SP	Non-native	
	TRE	69	Tripsacum floridanum	Florida Gamma Grass	3G	24" OA	18"W	F	Native	
SHRUB AREAS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	SPACING
	SPR	45	Spartina bakeri	Sand Cordgrass	3G	18" OA		F	Native	30" o.c.
	TRD	304	Tripsacum floridanum	Florida Gamma Grass	3G	24" OA	18"W	F	Native	36" o.c.
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	SPACING
	GIF	918	Ficus obliqua var. 'Green Island'	Green Island Ficus	1G	12"HT	12"W	Full	Non-native	18" o.c.
	ION	2,008	Ilex vomitoria 'Nana Dwarf'	Dwarf Yaupon	1G	18" OA	12"W	Full	Native	12" o.c.
	JLP	359	Juniperus chinensis 'Parsonii'	Parsonii Juniper	1G	18" HT	18" SPR	Full	Non-native	24" o.c.

lucido & associates

Key / Location:



N.T.S.

Project Team:

Property Owner
Manor Bela Revocable Trust
PO Box 190
Palm City, Florida 34991

Applicant
Kennedy Homes
5400 Congress Avenue
Boca Raton, Florida 33487

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Savannah Place Apartments

City of Stuart, Martin County, Florida

Landscape Plan

Date	By	Description
05.12.19	D.C.	First Submittal
01.31.19	D.C.	LPA Set

NORTH

SCALE: 1" = 20'

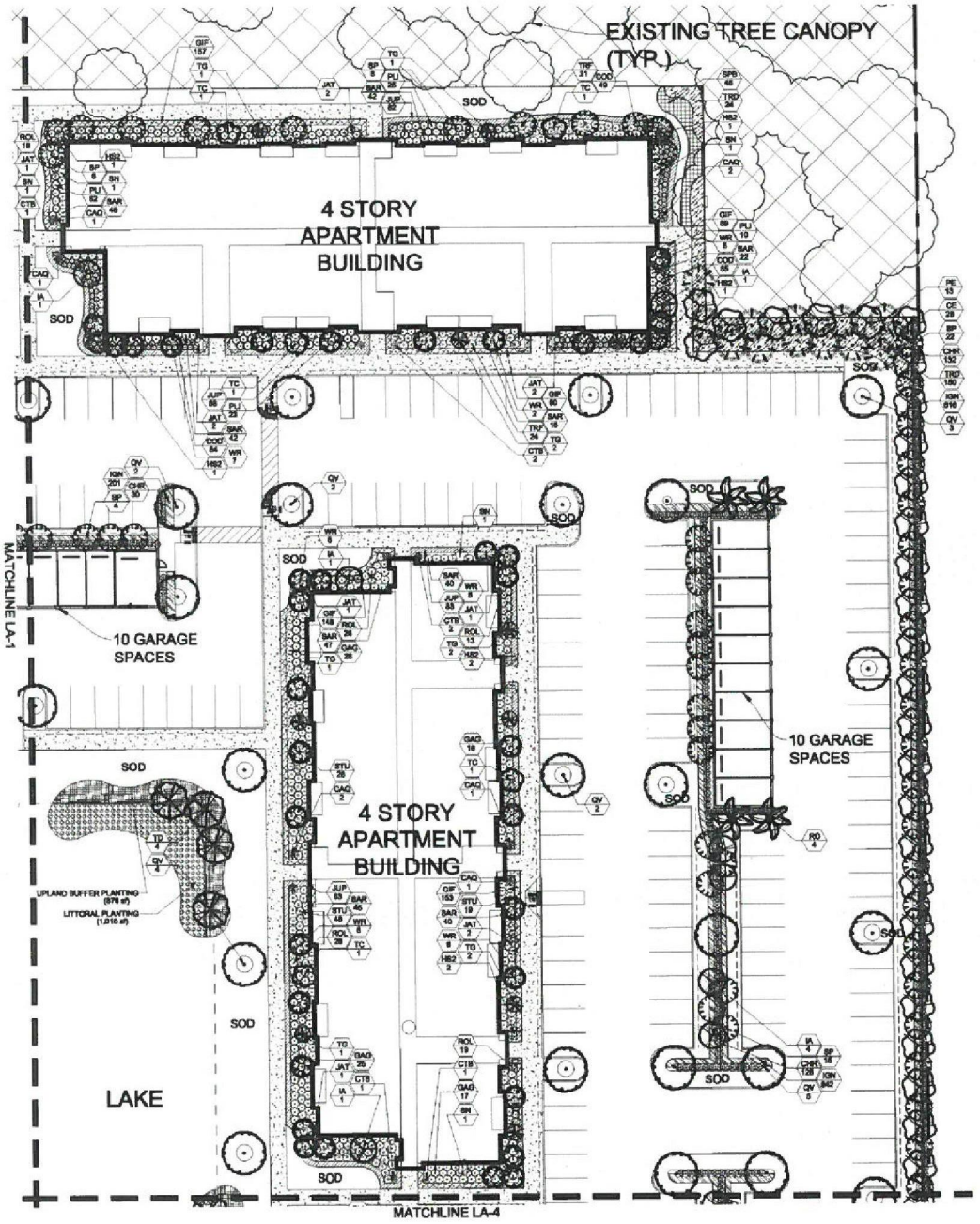
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REG. # 12
Thomas P. L

Designer	D.C.	Sheet
Manager	D.F.	LA-1
Project Number	17-1120	
Municipal Number	---	
Computer File	17-1120 Baker Road Kennedy Homes - Lan	

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PLANT SCHEDULE LA-2

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	CALIPER
	CE	39	Conocarpus erectus	Buttonwood	FG	16' HT	8'W	STD, F, SP	Native	4.5" Caliper
	IA	6	Ilex x attenuata 'East Palatka'	East Palatka Holly	FG	16' HT	8'W	STD, F, SP	Native	4.5" Caliper
	PE	15	Pinus elliottii 'Densa'	Slash Pine	FG	12'-14' HT		F, SP	Native	3.5" Caliper
	QV	35	Quercus virginiana	Southern Live Oak	FG	16' HT	8'W	F, SP	Native	4.5" Caliper
	RO	4	Roystonea regia	Florida/Cuban Royal Palm	FG	18'CT		F, SP	Native	
	SP	69	Sabal palmetto	Sabal Palm	FG	18'CT		HUV CAL, SP	Native	
	TC	8	Tabebuia caraiba	Yellow Tabebuia	440	14' HT	7' W	F, SP	Non-native	
	TD	4	Taxodium distichum	Bald Cypress	FG	16' HT	8'W	F, SP	Native	4.5" Caliper
	TG	19	Tibouchina granulosa	Purple Glory Tree	3RS	8'HT	3'W	F, SP	Non-native	
	WR	37	Washingtonia robusta	Mexican Fan Palm	FG	18'CT		F, SP	Non-native	

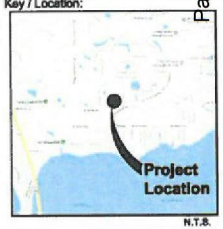
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE
	CHR	324	Chrysobalanus Icaco 'Red Tip'	Red Tip Cocoplum	3G	24" HT	18"W	FTB	Native
	COD	168	Codiaeum variegatum 'Mammey'	Mammey Croton	3G	24" HT	12"W	FTB, SP	Non-native
	CTB	8	Cordyline terminalis 'Black Magic'	Black Magic Ti Plant	FG	4' HT	3'W	F, SP	Non-native
	CAQ	8	Cotinus coggygria 'Queen Emma'	'Queen Emma' Crinum	FG	36" HT	36" W	F, SP	Non-native
	EAG	58	Eucalyptus gloeca	Yarrahh	3G	24" HT	18"W	F	Non-native
	HIB	8	Hibiscus rosa-sinensis 'Bandinda Pink'	Bandinda Pink Hibiscus	3RS	6'HT	3'W	STD, SP	Non-native
	JAT	11	Jatropha integerrima	Jatropha	15G	4' HT	3'W	STD, SP	Non-native
	PLI	130	Plumbago auriculata 'Imperial Blue'	Plumbago	3G	24" HT	24"W	F, SP	Non-native
	RCL	54	Rondeletia leucophylla	Panama Rose 'Pink'	3G	24" HT	24"W	FTB, SP	Non-native
	SAR	309	Schefflera arboricola	Green Schefflera	3G	24" HT	24"W	F	Non-native
	STU	69	Stachytarpheta jamaicensis	Blue Porterweed	3G	24" HT	18"W	F	Native
	SN	4	Strelitzia nicolai	Giant Bird of Paradise	FG	36" OA		F, SP	Non-native
	TRF	42	Tripsacum floridanum	Florida Gamma Grass	3G	24" OA	18"W	F	Native

SHRUB AREAS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	SPACING
	SPB	43	Spartina bakeri	Sand Cordgrass	3G	18" OA		F	Native	30" o.c.
	TRD	174	Tripsacum floridanum	Florida Gamma Grass	3G	24" OA	18"W	F	Native	30" o.c.

GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	SPACING
	EMF	697	Ficus hillii monosper 'Green Island'	Green Island Ficus	1G	12"HT	12"W	FUS	Non-native	18" o.c.
	IGN	1,269	Ilex vomitoria 'Nana Dwarf'	Dwarf Yaupon	1G	15" OA	12"W	FUS	Native	12" o.c.
	JUP	359	Juniperus chinensis 'Parsonii'	Parsoni Juniper	1G	15" HT	12" SPR	FUS	Non-native	24" o.c.

lucido & associates

Key / Location:



Project Team:

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Savannah Place Apartments

City of Stuart, Martin County, Florida

Landscape Plan

Date	By	Description
06.12.18	D.C.	First Submittal
01.31.19	D.C.	LPA Set

NORTH

SCALE: 1" = 20'

0 10' 20' 40'

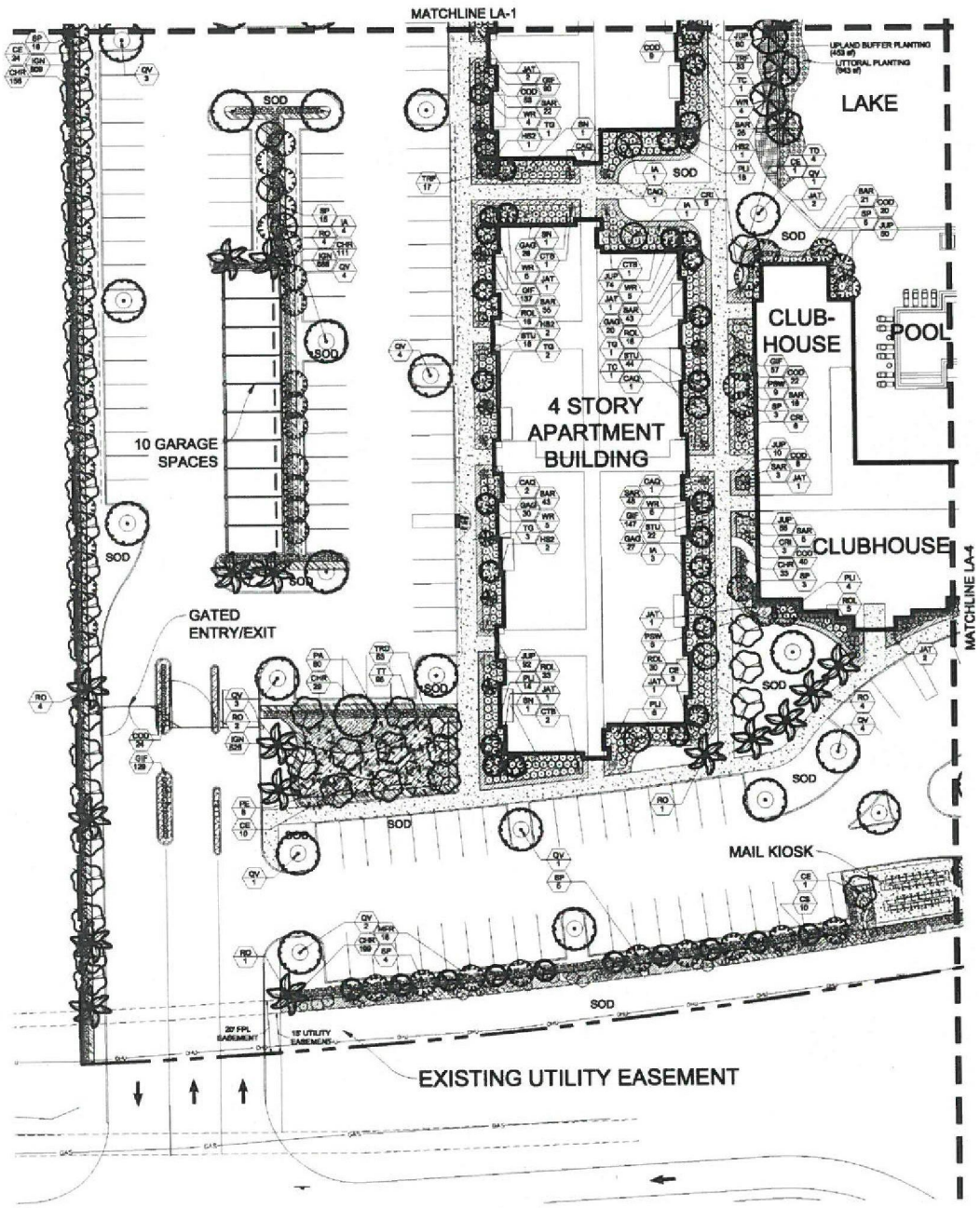
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Thomas P. Lu[illegible]

Designer	D.C.
Manager	D.F.
Project Number	17-1130
Municipal Number	---
Computer File	17-1130 Baker Road Kennedy Homes - Land

Sheet
LA-2

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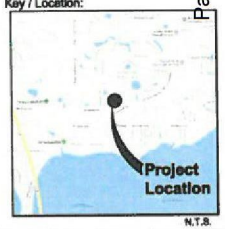


PLANT SCHEDULE LA-3

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	CALIPER
	CE	39	*Conocarpus erectus*	Buttonwood	FG	16' HT	8'W	STD, F, BP	Native	4.5" Caliper
	CS	16	*Conocarpus erectus 'Sericeus'*	Silver Buttonwood	CS	8'HT	4' SPR	STD, F, BP	Native	
	IA	8	*Ilex x attenuata 'East Palatka'*	East Palatka Holly	FG	10' HT	6'W	STD, F, BP	Native	4.5" Caliper
	PE	6	*Pinus elliottii 'Densa'*	Slash Pine	FG	12'-16' HT		F, BP	Native	3.5" Caliper
	QV	21	*Quercus virginiana*	Southern Live Oak	FG	16" HT	8'W	F, BP	Native	4.5" Caliper
	RO	16	*Roystonea regia*	Florida/Cuban Royal Palm	FG	18'CT		F, BP	Native	
	SP	91	*Sabal palmetto*	Sabal Palm	FG	18'CT		HVY CAL, BP	Native	
	TC	3	*Tabebuia caraiba*	Yellow Tabebuia	400	14' HT	7' W	F, BP	Non-native	
	TD	4	*Taxodium distichum*	Bald Cypress	FG	16' HT	8'W	F, BP	Native	4.5" Caliper
	TS	7	*Tibouchina granulosa*	Purple Glory Tree	300	8'HT	3'W	F, BP	Non-native	
	WR	39	*Washingtonia robusta*	Mexican Fan Palm	FG	18'CT		F, BP	Non-native	
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	
	CHR	486	*Chrysobalanus icaco 'Red Tip'*	Red Tip Cocoplum	3G	24" HT	18"W	FTB	Native	
	COD	185	*Codiaeum variegatum 'Mammey'*	Mammey Croton	3G	24" HT	18"W	FTB, BP	Non-native	
	CTB	4	*Caladium bicolor 'Moon Magic'*	Moon Magic Ti Plant	7G	4' HT	3'W	F, BP	Non-native	
	CAG	8	*Calocoa angustata 'Queen Emma'*	'Queen Emma' Croton	7G	36" HT	36" W	F, BP	Non-native	
	CR	14	*Crinum sp.*	Giant Crinum	7G	36" HT	24"W	F, BP	Non-native	
	DAC	165	*Dalphinia glauca*	Thryallis	3G	24" HT	18"W	F	Non-native	
	HIS	4	*Hibiscus rosa-sinensis 'Surinam Red'*	Surinam Red Hibiscus	3G	6'HT	3'W	STD, BP	Non-native	
	JAT	12	*Jasmine tortuosum*	Jatropha	15G	4' HT	3'W	STD, BP	Non-native	
	MFR	15	*Murraya exotica*	Mexican's Sleeper	7G	4' HT	3'W	FTB, BP	Native	
	MC	11	*Myrica cerifera*	Wax Myrtle	7G	36" DA		FTB, BP	Native	
	PLI	42	*Plumbago auriculata 'Imperial Blue'*	Plumbago	3G	24" HT	24"W	F, BP	Non-native	
	RCL	165	*Ravenala madagascariensis*	Panama Rose 'Pink'	3G	24" HT	24"W	FTB, BP	Non-native	
	SAR	266	*Scaevola sericea*	Green Scaevola	3G	24" HT	24"W	F	Non-native	
	SRC	17	*Serenoa repens 'Cinerea'*	Silver Saw Palmetto	3G	18" DA		F, BP	Native	
	STU	54	*Stachytarpheta jamaicensis*	Blue Porterweed	3G	24" HT	18"W	F	Native	
	SN	3	*Strelitzia nicolai*	Giant Bird of Paradise	7G	36" DA		F, BP	Non-native	
	TRF	85	*Tripsacum floridanum*	Florida Gamma Grass	3G	24" DA	18"W	F	Native	
SHRUB AREAS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	SPACING
	HP	82	*Hamelia patens 'Citrina'*	Dwarf Firebush	3G	36" HT	36" W	FTB	Native	36" o.c.
	PWF	16	*Pennisetum setaceum 'Alba'*	White Fountain Grass	3G	24" DA		F	Non-native	36" o.c.
	PA	164	*Plumbago auriculata "Imperial Blue"*	Plumbago	3G	24"HT	24"W	F, BP	Non-native	36" o.c.
	TT	180	*Thryallis gliricia*	Thryallis	3G	24"HT	18"W	F	Non-native	36" o.c.
	TRD	85	*Tripsacum floridana*	Florida Gamma Grass	3G	24" DA	18"W	F	Native	36" o.c.
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	SPACING
	DF	539	*Ficus microcarpa 'Green Island'*	Green Island Ficus	1G	12"HT	12"W	Full	Non-native	18" o.c.
	SS	2,202	*Sod zoysia 'Zeon'*	Zoysia Sod	1G	12" DA	12"W	Full	Native	12" o.c.
	JUP	945	*Juniperus chinensis 'Parsonii'*	Parsonii Juniper	1G	10" HT	18" SPR	Full	Non-native	36" o.c.

lucido & associates

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Savannah Place Apartments

City of Stuart, Martin County, Florida

Landscape Plan

Date	By	Description
08.12.16	D.C.	First Submittal
01.31.19	D.C.	LPA Set

NORTH

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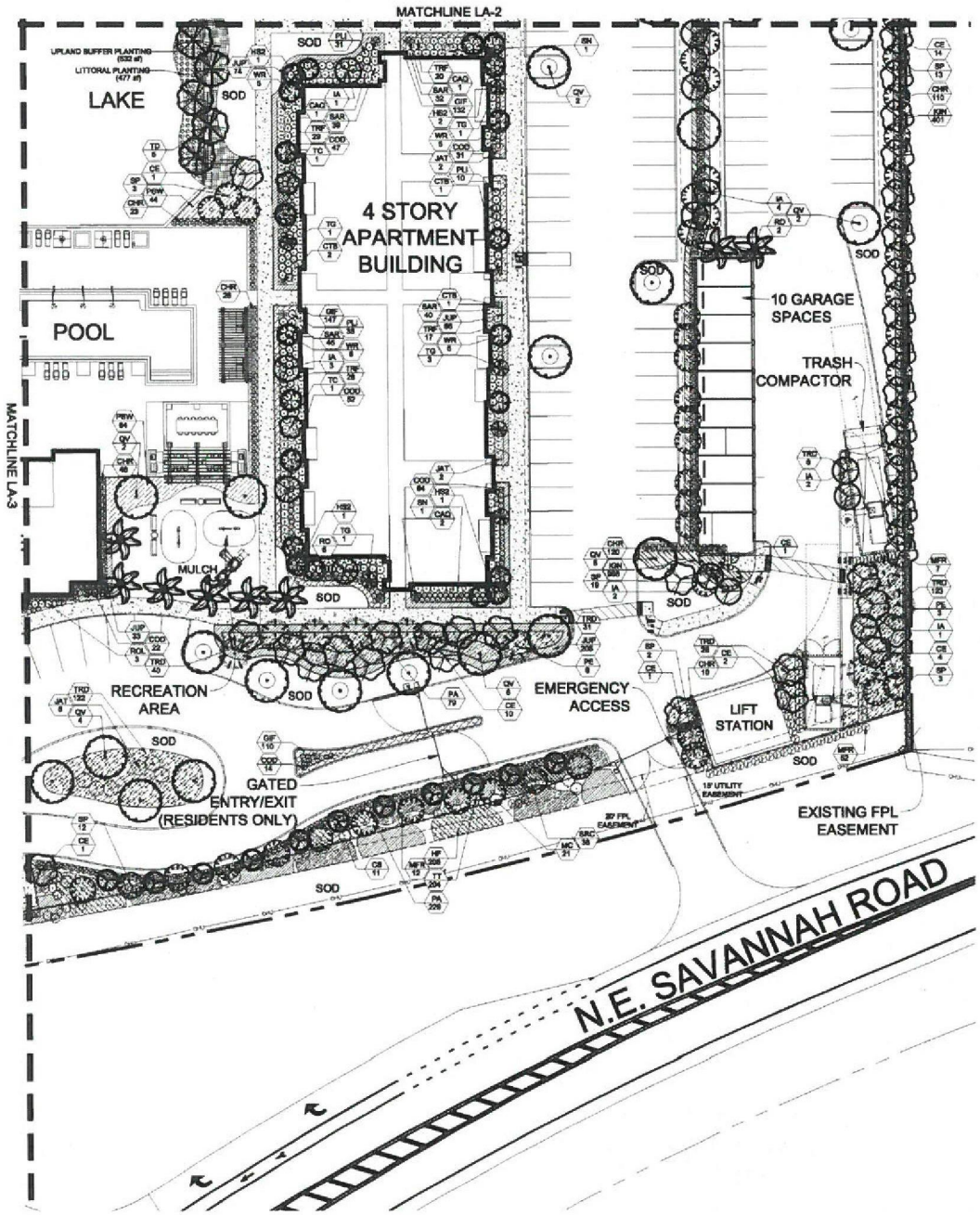
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REG. # 1[illegible]
Thomas P. [illegible]

Designer	D.C.	Sheet
Manager	D.F.	LA-3
Project Number	17-1120	
Municipal Number	---	
Computer File	17-1120 Baker Road Kennedy Homes - Lanc	

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PLANT SCHEDULE LA-4

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	CALIPER
	CE	34	Conocarpus erectus	Buttonwood	FG	16' HT	6'W	STD, F, SP	Native	4.5" Caliper
	CS	11	Conocarpus erectus 'Sericeus'	Silver Buttonwood	CG	8' HT	4' SPR	STD, F, SP	Native	
	IA	13	Ilex x attenuata 'East Palatka'	East Palatka Holly	FG	16' HT	6'W	STD, F, SP	Native	4.5" Caliper
	PE	9	Pinus elliottii 'Densa'	Slash Pine	FG	12'-14' HT		F, SP	Native	2.5" Caliper
	QV	19	Quercus virginiana	Southern Live Oak	FG	16' HT	6'W	F, SP	Native	4.5" Caliper
	RO	8	Roystonea regia	Florida/Cuban Royal Palm	FG	30' CT		F, SP	Native	
	SP	32	Sabal palmetto	Sabal Palm	FG	30' CT		HVY OAL, SP	Native	
	TC	2	Tabebuia caraiba	Yellow Tabebuia	400	14' HT	7' W	F, SP	Non-native	
	TD	6	Taxodium distichum	Bald Cypress	FG	16' HT	6'W	F, SP	Native	4.5" Caliper
	TG	4	Tibouchina granulosa	Purple Glory Tree	300	8' HT	3' W	F, SP	Non-native	
	WR	31	Washingtonia robusta	Mexican Fan Palm	FG	30' CT		F, SP	Non-native	

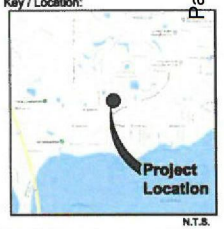
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE
	CHR	555	Chrysobalanus icaco 'Red Tip'	Red Tip Cocoplum	3G	24" HT	18"W	FTS	Native
	CCD	221	Cordiaea rothschuldiana 'Manzanillo'	Manzanillo Cordia	3G	24" HT	18"W	FTS, SP	Non-native
	CTS	4	Conocarpus erectus 'Green Button'	Green Buttonwood	7G	4' HT	3'W	F, SP	Native
	CAG	4	Cirrus augustum 'Queen Emma'	'Queen Emma' Cirrus	7G	30" HT	30" W	F, SP	Non-native
	HBS	6	Hibiscus rosa-sinensis 'Seminole Pink'	Seminole Pink Hibiscus	3GB	6'HT	5'W	STD, SP	Non-native
	JAZ	16	Jatropha integerrima	Jatropha	15G	4' HT	5'W	STD, SP	Non-native
	MPR	71	Myrsine/Rapanea neriifolia	Simpson's Stopper	7G	4' HT	3'W	FTS, SP	Native
	MO	19	Myrtus communis	Myrtle	7G	30" OA		FTS, SP	Native
	PLI	75	Plumbago auriculata 'Imperial Blue'	Plumbago	3G	24" HT	24"W	F, SP	Non-native
	RCL	3	Randia/Rothmannia aculeata	Panama Rose 'Pink'	3G	24" HT	24"W	FTS, SP	Non-native
	SAS	100	Schefflera arboricola	Green Schefflera	3G	24" HT	24"W	F	Non-native
	SRC	11	Serenoa repens 'Cinerea'	Silver Saw Palmetto	3G	30" OA		F, SP	Native
	SN	2	Strelitzia nicolai	Giant Bird of Paradise	7G	36" OA		F, SP	Non-native
	TRF	54	Tripsacum floridana	Florida Gamma Grass	3G	24" OA	18"W	F	Native

SHRUB AREAS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	SPACING
	HF	548	Hamelia patens 'Citrina'	Dwarf Firebush	3G	36" HT	30" W	FTS	Native	30" o.c.
	PMW	555	Pennisetum setaceum 'White'	White Fountain Grass	3G	24" OA		F	Non-native	30" o.c.
	PA	204	Plumbago auriculata 'Imperial Blue'	Plumbago	3G	24"HT	24"W	F, SP	Non-native	30" o.c.
	TT	109	Thryallis gliricia	Thryallis	3G	24"HT	18"W	F	Non-native	30" o.c.
	TRD	309	Tripsacum floridana	Florida Gamma Grass	3G	24" OA	18"W	F	Native	30" o.c.

GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	SPACING
	MF	888	Ficus microcarpa 'Green Island'	Green Island Ficus	1G	12"HT	12"W	Full	Non-native	12" o.c.
	ION	1,140	Ilex vomitoria 'Nana Dwarf'	Dwarf Yaupon	1G	12" OA	12"W	Full	Native	12" o.c.
	JCP	555	Juniperus chinensis 'Parsonii'	Parsonii Juniper	1G	18" HT	18" SPR	Full	Non-native	36" o.c.

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Key / Location:



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Savannah Place Apartments

City of Stuart, Martin County, Florida

Landscape Plan

Date	By	Description
06.12.19	D.C.	First Submittal
01.31.19	D.C.	LPA Set

NORTH

SCALE: 1" = 20'

0 10' 20' 40'

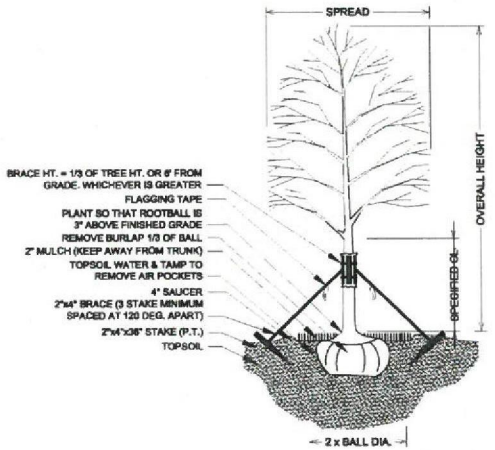
REG. # 18[illegible]
Thomas P. Lu[illegible]

Designer	D.C.
Manager	D.F.
Project Number	17-1120
Municipal Number	---
Computer File	17-1120 Baker Road Kennedy Homes - Land

Sheet
LA-4

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TREE PLANTING & STAKING

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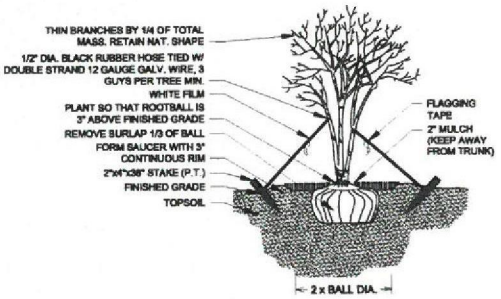


BRACING DETAIL

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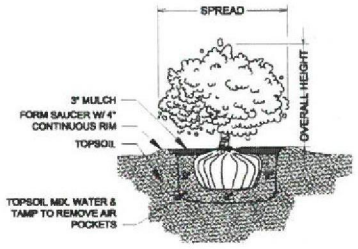
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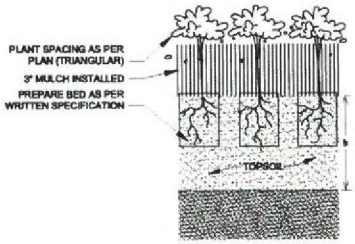
MULTI-TRUNK PLANTING & GUYING

NOT TO SCALE



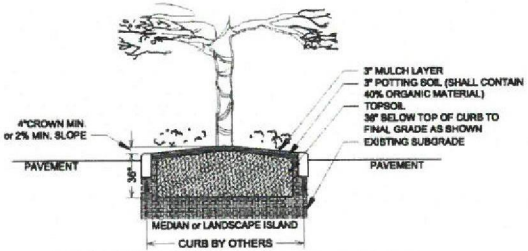
SHRUB PLANTING

NOT TO SCALE



GROUNDCOVER PLANTING DETAIL

NOT TO SCALE

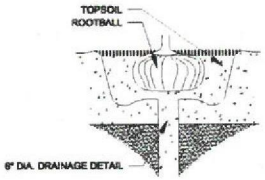


THIS DETAIL SHOWN DEPICTS A MEDIAN AND/OR LANDSCAPE ISLAND AND IS FOR GRAPHIC PURPOSES ONLY; SOIL PREPARATION SHALL APPLY TO ALL TREE, SHRUB, & GROUND COVER AREAS. THIS DOES NOT INCLUDE SOD AREAS

LANDSCAPE AREA PREPARATION DETAIL

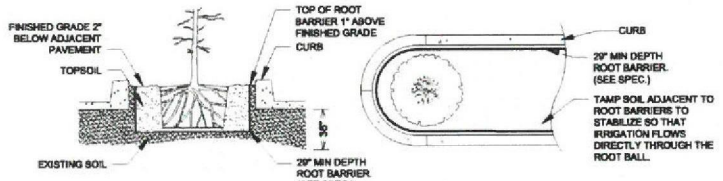
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- TOPSOIL SHALL BE NATURAL, FRIABLE, FINE LOAMY SOIL POSSESSING CHARACTERISTICS OF REPRESENTATIVE TOPSOIL IN THE VICINITY OF THE PROJECT SITE THAT PRODUCES HEAVY GROWTH.
- TOPSOIL SHALL HAVE A PH RANGE OF 5.5-7.5, FREE FROM SUBSOIL, WEEDS, LITTER, 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 5% 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

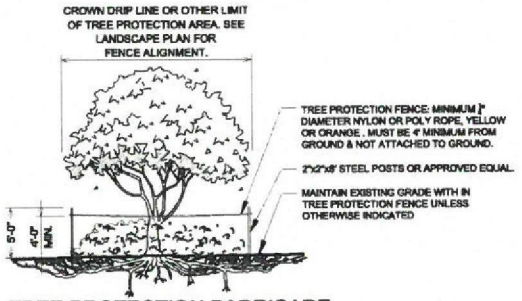
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SPECIAL APPLICATIONS ROOT BARRIER DETAIL

NOT TO SCALE

NOTES:
1- ROOT BARRIER SHALL BE INSTALLED WHEN ROOT BALL IS LOCATED WITHIN 8' OF PAVEMENT AND OR CURB.
2- ROOT BARRIER SHALL BE "BIO-BARRIER 29" DEPTH OR APPROVED EQUAL.
3- ROOT BARRIER SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.



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.

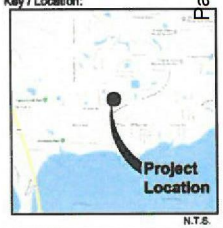
C. WHERE REQUIRED, THE DRAINAGE CHANNEL MUST EXTEND DOWN THROUGH THE NON POROUS SOIL AND INTO POROUS SOIL. (SEE DETAIL)

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.

lucido & associates

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Savannah Place Apartments

City of Stuart, Martin County, Florida

Details

Date	By	Description
05.12.18	D.C.	First Submittal
01.31.19	D.C.	LPA Set



REG. # 19[illegible]
Thomas P. Lucido

Designer	D.C.	Sheet
Manager	D.F.	LA-5
Project Number	17-1120	
Municipal Number	---	
Computer File	17-1120 Baker Road Kennedy Homes - Lands	

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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/herself 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 stating 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: MARTERIALS

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 6.5-7.4, 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 6 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 2" 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 16" min.
Lario 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 cleared 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 tagging 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' oa. 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 600 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 600 pound roller, then apply straw mulch at the rate of 2,600 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.

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Savannah Place Apartments

City of Stuart, Martin County, Florida

Specifications

Date	By	Description
08.12.19	D.C.	First Submittal
01.31.19	D.C.	LPA Set

NORTH

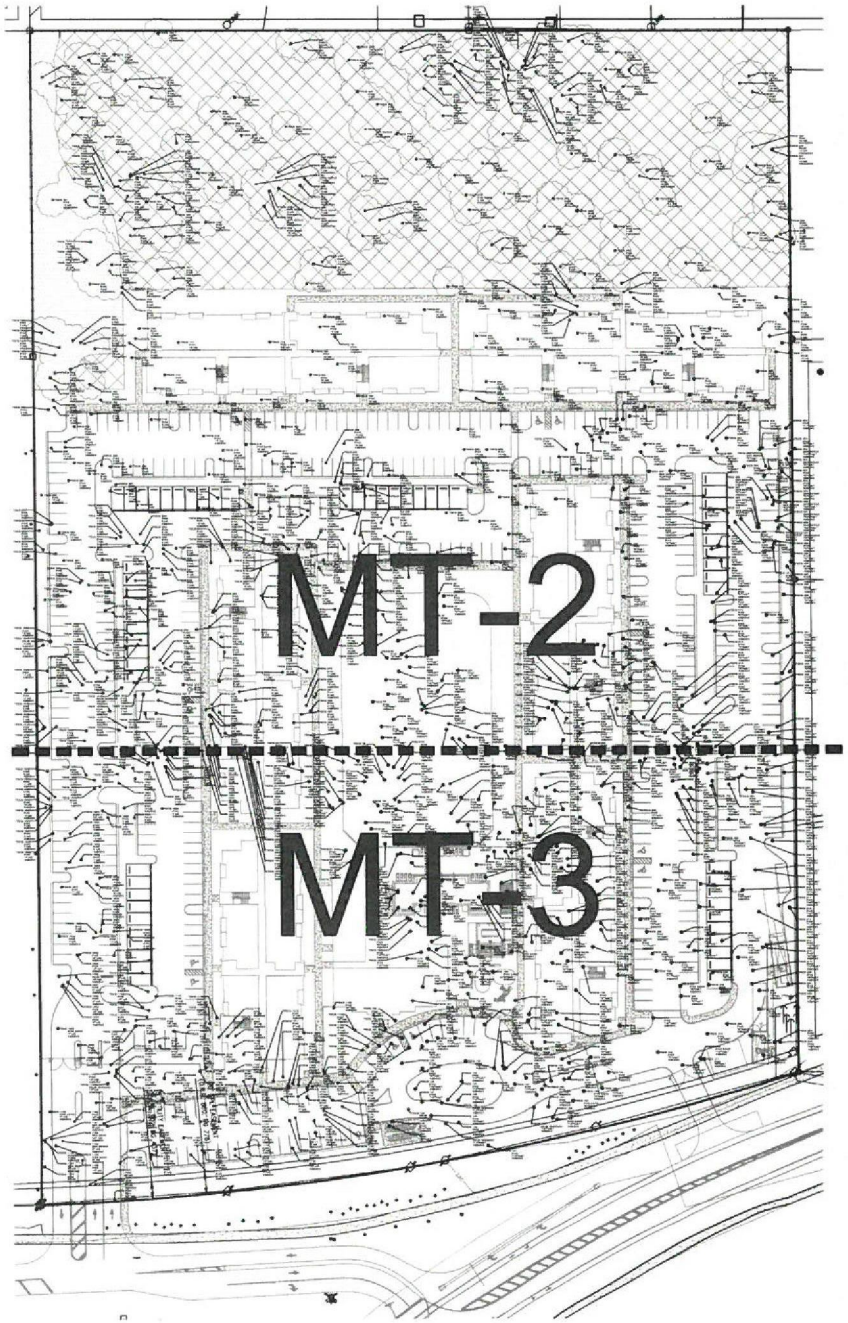
SCALE: 1" = n.t.s.

0 0' 0' 0' REG. # 10[illegible]
Thomas P. Lu[illegible]

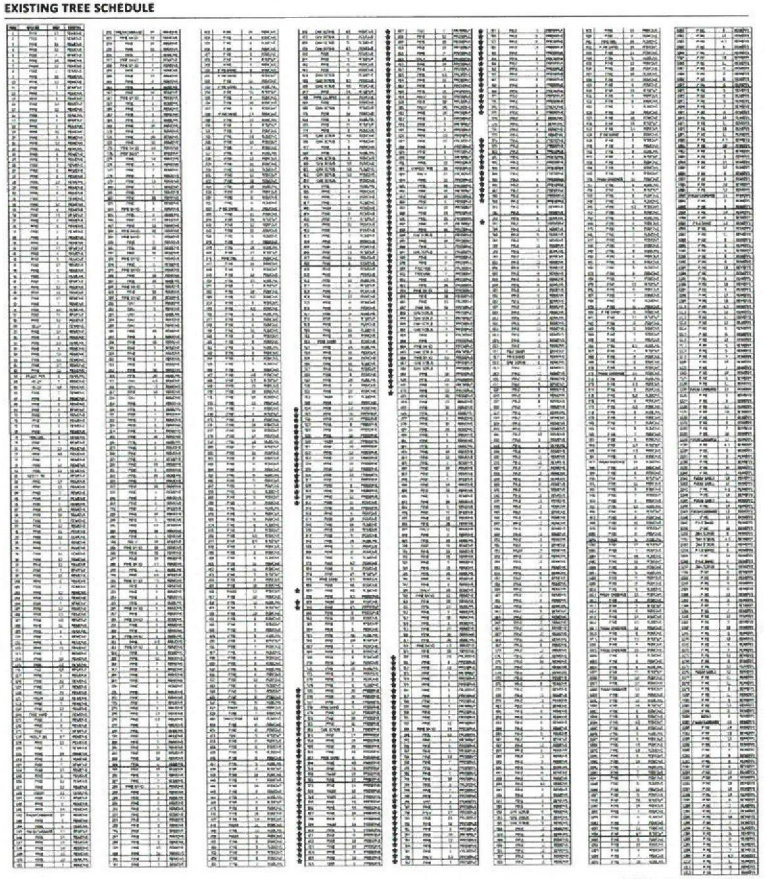
Designer	D.C.	Sheet
Manager	D.F.	LA-6
Project Number	17-1120	
Municipal Number	—	
Computer File	17-1126 Baker Road Kennedy Homes - Lands	

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12/4/2020 CCM



EXISTING TREE SCHEDULE



Trees not requiring mitigation per City of Stuart Code (chapter 5 Specimen Tree)

★ Denotes Trees within Preserve Area

TREE MITIGATION SCHEDULE --- SAVANNAH PLACE

I. SLASH PINES	QUANTITY	INCHES
Trees Removed	906	4,107
Mitigation Required (x1.5")		**6,161**
Mitigation Provided		
Sabal Palms (1:1), Avg Clear Trunk 18' (1)	733	2,772
Washingtonia Palms (3:1), Avg Clear Trunk 18' (1)	114	1,368
Royal Palms (1:1), Avg Clear Trunk 18' (1)	85	620
* Extra Credit for Height of Palms (4' Height=4" per Palm)	380	1,520
Slash Pine (2.5")	33	83
PINE MITIGATION PROVIDED		**6,165**

II. HARDWOODS	QUANTITY	INCHES
Trees Removed	115	493.7
Mitigation Required (x2.5")		**1234.25**
Mitigation Provided		
Live Oak Trees (4.5")	37	168
Bald Cypress Trees (4.5")	20	90
East Palatka Holly Trees (4.5")	42	189
Green Buttonwood Trees (4.5")	131	589.5
HARDWOOD MITIGATION PROVIDED		**1257.5**

* NOTE: Per Code Sec. 5.05.02: For every one foot of clear truck of Palm Tree exceeding minimum Palm Tree size per section 6.04.02.A.2 of the landscape code, credit will be given for one inch of replacement.

lucido & associates

701 Ocean Blvd. Stuart, Florida 34994 (772) 220-2100 Fax (772) 220-2105

Key / Location:



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Savannah Place at Baker Road

City of Stuart, Martin County, Florida

Tree Mitigation Plan

Date	By	Description
06.12.18	D.C.	First Submittal
05.02.19	D.C.	City Commission 2nd Reading



SCALE: 1" = 50'

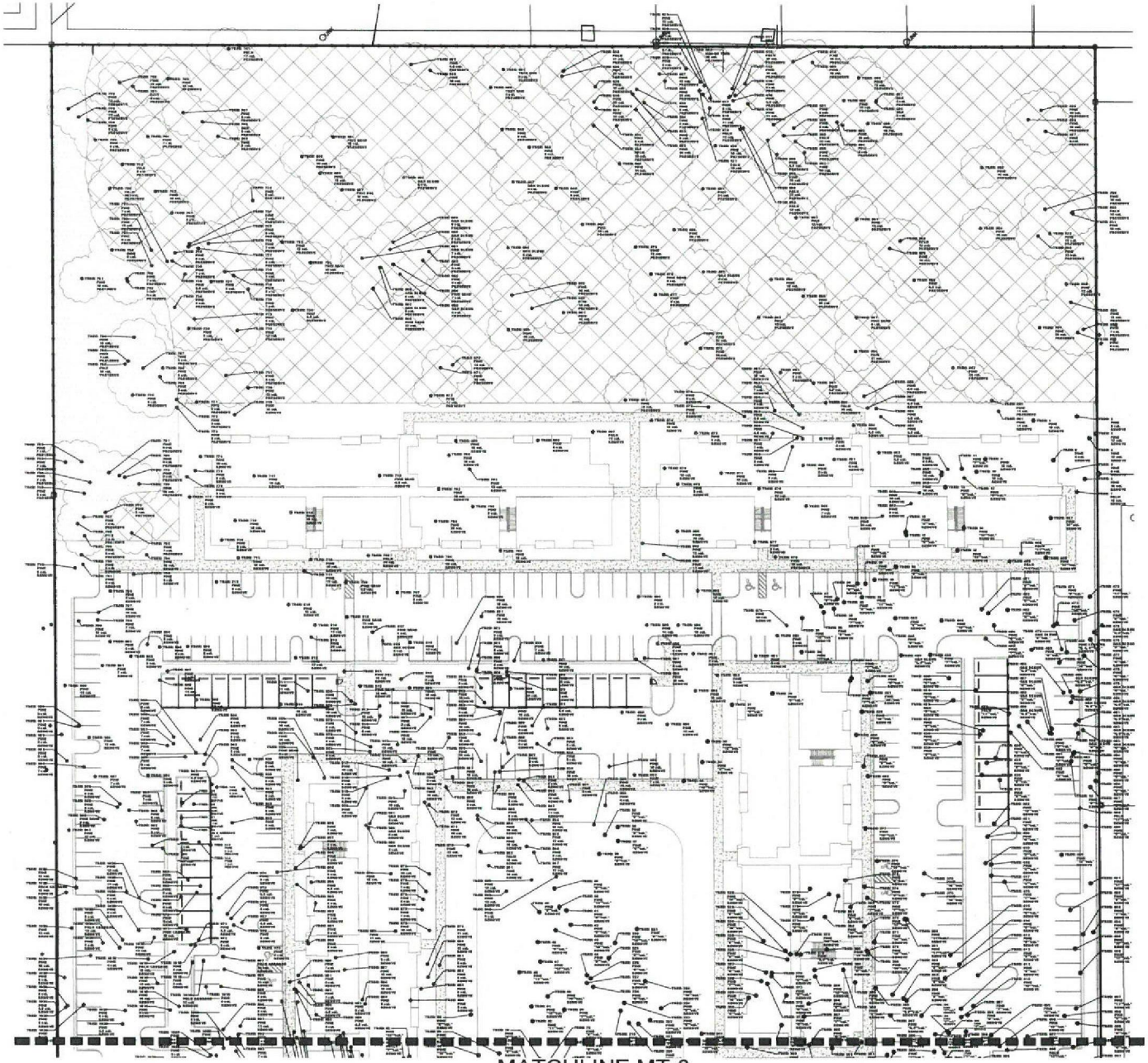
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REG. # 16
Thomas P. Lu

Designer	D.C.	Sheet
Manager	D.F.	MT-1
Project Number	17.1120	
Municipal Number	---	
Computer File	Unsaved Drawing1.dwg	

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12/14/2020 CCM



MATCHLINE MT-3

lucido & associates

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Savannah Place at Baker Road

City of Stuart, Martin County, Florida

Tree Mitigation Plan

Date	By	Description
06.12.18	D.C	First Submittal
05.02.19	D.C	City Commission 2nd Reading

NORTH

SCALE: 1" = 30'

0 15' 30' 60'

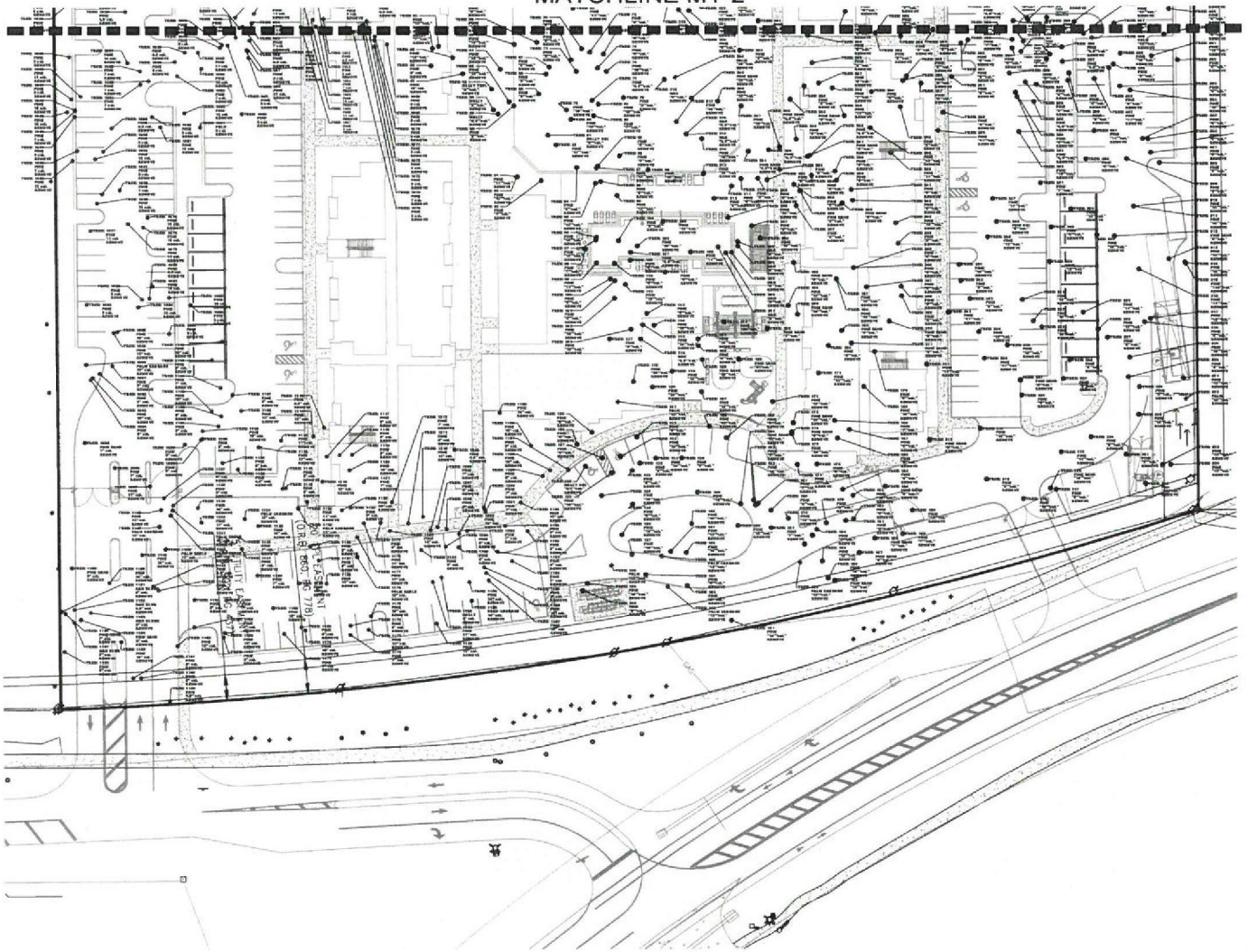
REG. # 10111
Thomas P. Lucido

Designer	D.C	Sheet
Manager	D.F	MT-2
Project Number	17-1120	
Municipal Number	---	
Computer File	Unsaved Drawing1.dwg	

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12.11.2020 CCM

MATCHLINE MT-2



lucido & associates

Key / Location:



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Savannah Place at Baker Road

City of Stuart, Martin County, Florida

Tree Mitigation Plan

Date	By	Description
06.12.18	D.C.	Final Submittal
05.02.19	D.C.	City Commission 2nd Reading

NORTH

SCALE: 1" = 30'

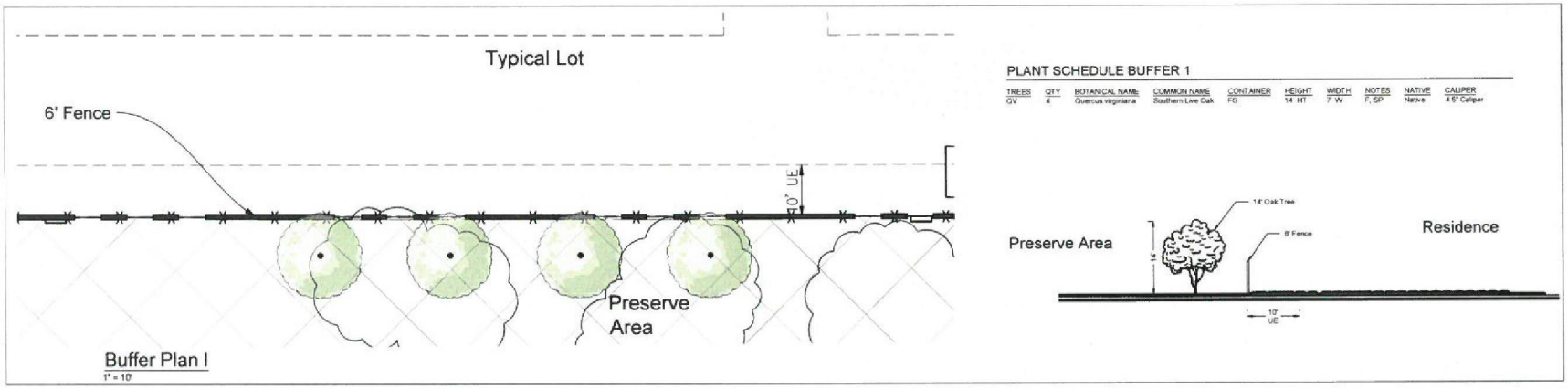
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REG. # 1[illegible]
Thomas P. [illegible]

Designer	D.C.	Sheet
Manager	D.F.	MT-3
Project Number	17-1120	
Municipal Number	---	
Computer File	Unsaved Drawing1.dwg	

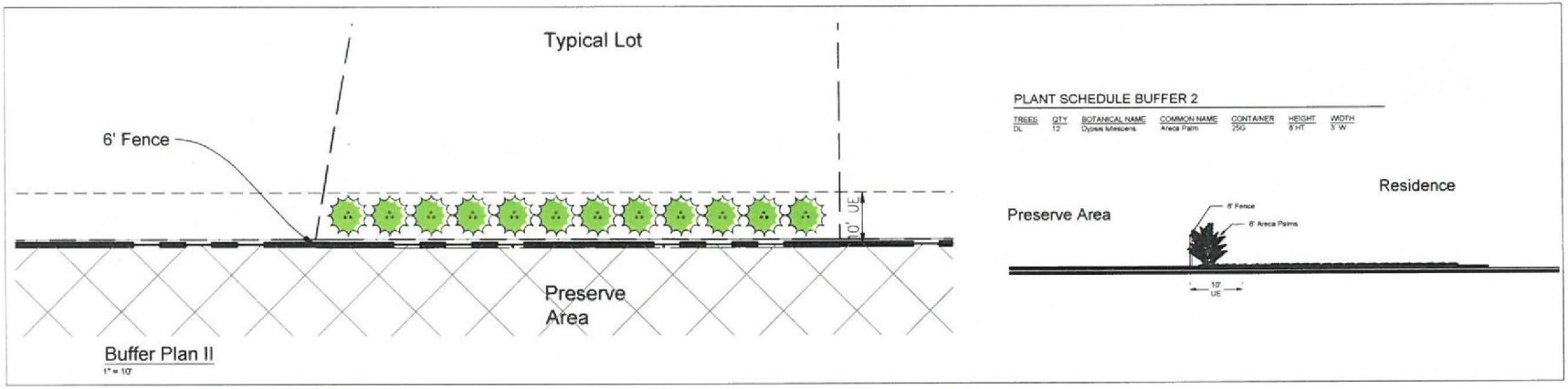
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12.11.2020 CCM



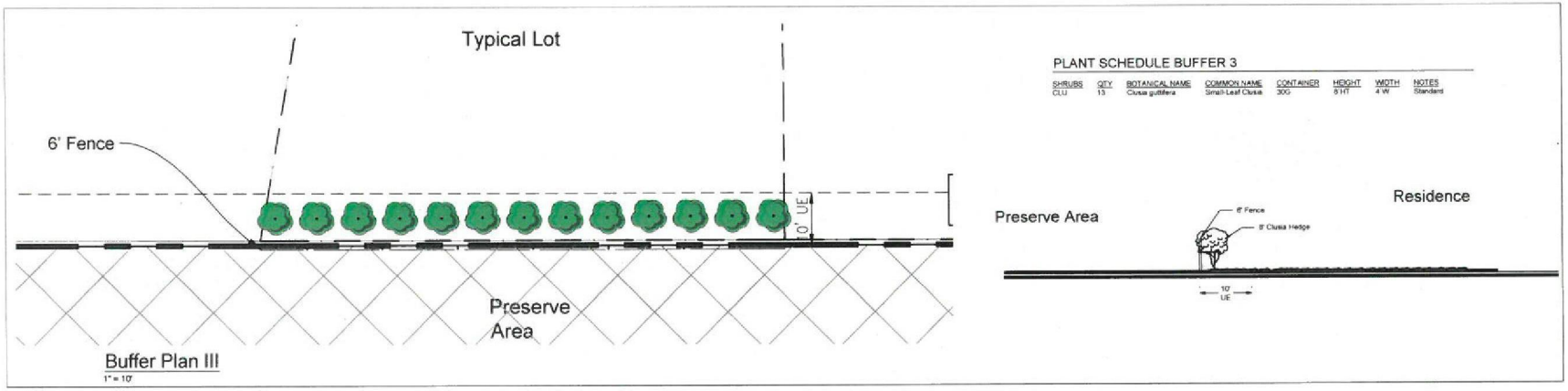
PLANT SCHEDULE BUFFER 1

TREES	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	CALIPER
QV	4	Quercus virginiana	Southern Live Oak	FG	14' HT	7' W	F, SP	Native	4.5" Caliper



PLANT SCHEDULE BUFFER 2

TREES	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH
DL	12	Dypsis lutescens	Areca Palm	25G	8' HT	3' W

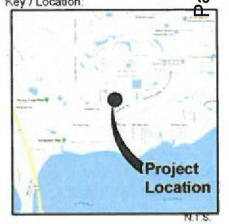


PLANT SCHEDULE BUFFER 3

SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES
CLU	13	Clusia guttifera	Small-Leaf Clusia	30G	8' HT	4' W	Standard

lucido & associates

Key / Location:



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Savannah Place Apartments

City of Stuart, Martin County, Florida

Offsite Landscape Buffer Plans

Date	By	Description
03.01.19	D.C.	Review
05.02.19	D.C.	City Commission 2nd Reading



SCALE: 1" =

REG. # 10
Thomas P. L

Designer	D.C.	Sheet
Manager	D.F.	1 of 2
Project Number	17-1120	
Municipal Number	---	
Computer File	17-1120 Baker Road Kennedy Homes - Offsi	

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12/2/2020 CCM



Offsite Buffer Plan - Northeast Boundary
1" = 10'

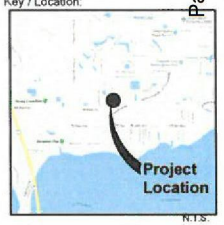
PLANT SCHEDULE NORTHEAST BUFFER

TREES	QTY	BOTANICAL NAME	COMMON NAME	CONTAINER	HEIGHT	WIDTH	NOTES	NATIVE	CALIPER
	5	Quercus virginiana	Southern Live Oak	FG	20' HT	10' SPR	SP	Native	5" Caliper
SHRUBS	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**CONTAINER**	**HEIGHT**	**WIDTH**	**NOTES**	**NATIVE**	
	21	Chrysobalanus icaco 'Red Tip'	Red Tip Cocoplum	3G	24" HT	18"W	FTB	Native	
	21	Conocarpus erectus	Buttonwood	7G	4' HT	3'W	FTB, SP	Native	
	4	Myrcianthes fragrans	Simpson's Stopper	7G	4' HT	3'W	FTB, SP	Native	
	4	Myrica cerifera	Wax Myrtle	7G	36" OA		FTB, SP	Native	
SHRUB AREAS	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**CONTAINER**	**HEIGHT**	**WIDTH**	**NOTES**	**NATIVE**	**SPACING**
	29	Spartina bakeri	Sand Cordgrass	3G	18" OA		F	Native	30" o.c
	36	Tripsacum floridana	Florida Gamma Grass	3G	24" OA	18"W	F	Native	36" o.c

lucido & associates

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Savannah Place Apartments

City of Stuart, Martin County, Florida

Offsite Landscape Buffer Plans

Date	By	Description
03.01.19	D.C.	Review
05.02.19	D.C.	City Commission 2nd Reading

NORTH

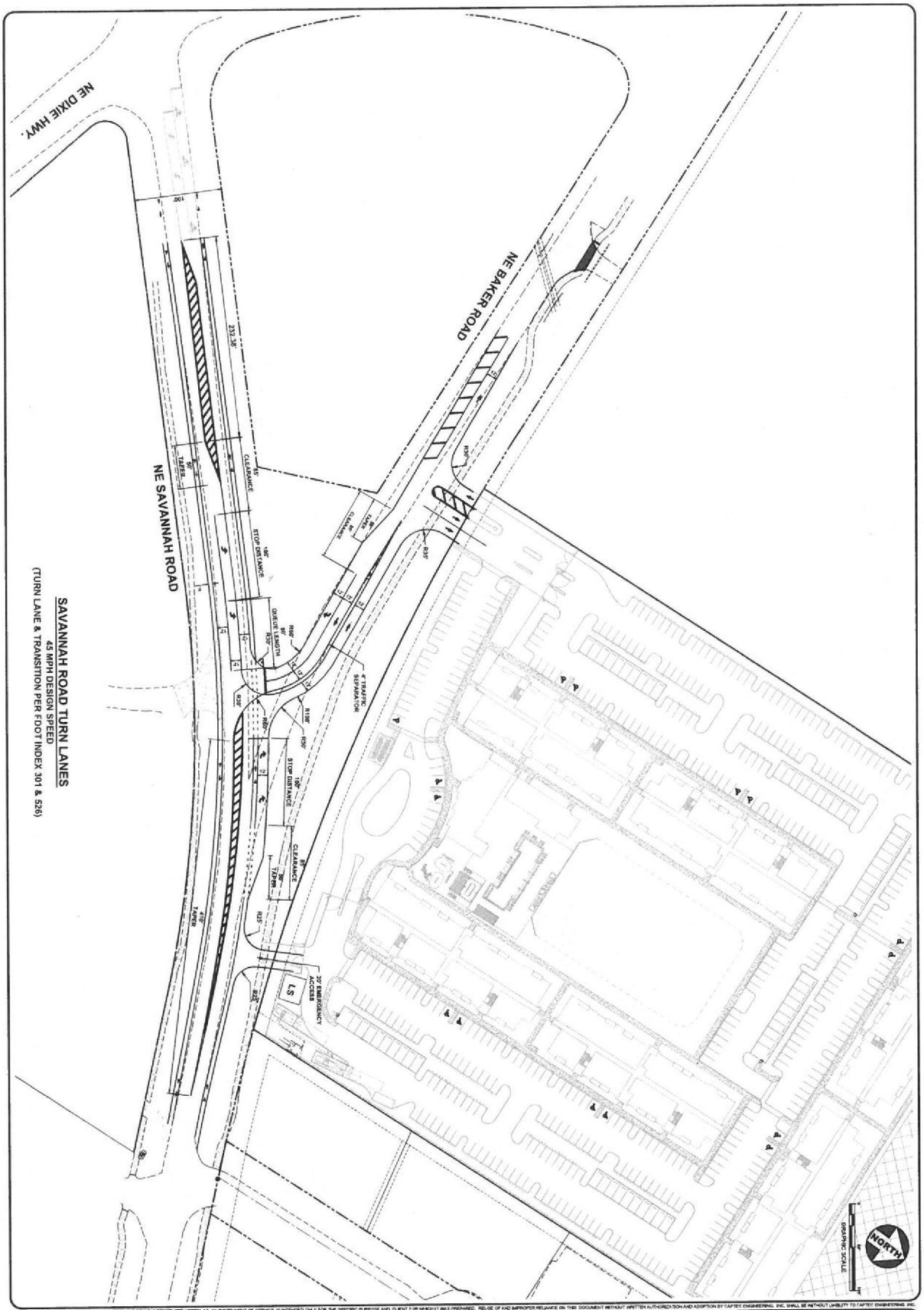
SCALE 1" = 10'

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REG. # 19[illegible]
Thomas P. Lu[illegible]

Designer	D.C.	Sheet
Manager	D.F.	2 of 2
Project Number	17-1120	
Municipal Number	---	
Computer File	17-1120 Baker Road Kennedy Homes - Offsi	

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JOB No.:	1798
SHEET	1
OF	1

Prepared By: Stephen R. Cook, 301 N.W. Flagler Ave., Ste. 201, Stuart, Florida 34994, P.E. No. 51838

Prepared Date: _____

SAVANNAH PLACE APARTMENTS
MARTIN COUNTY, FLORIDA

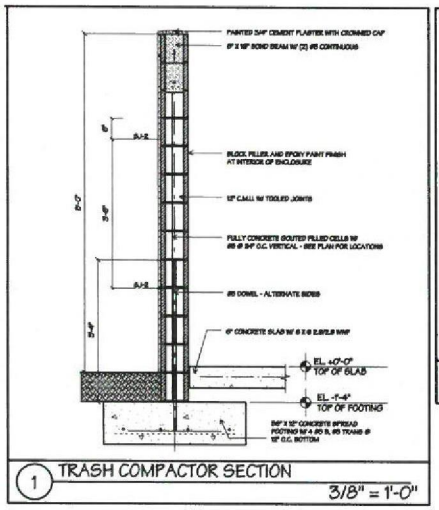
SANVANNAH ROAD TURN LANES

SCALE VERIFICATION
1" = 1"
SOLID BAR IS EQUAL TO ONE INCH ON ORIGINAL DRAWING. ADJUST ALL SCALED DIMENSIONS ACCORDINGLY

NO.	DATE	BY	REVISIONS

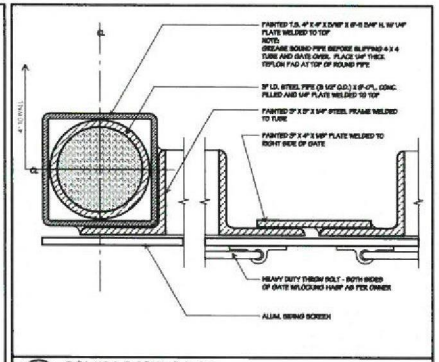
DATE:	4/26/13
DRAWN BY:	MDS
DESIGNED BY:	SRC
CHECKED BY:	SRC
PROJECT No.:	1798
HORZ. SCALE:	1" = 50'
VERT. SCALE:	N/A
CADD FILE:	SITE PLAN_2

CAPTEC Engineering, Inc.
Civil Engineering Professionals
301 NW Flagler Ave, Ste. 201
Stuart, Florida 34994
Phone: (772) 692-4344
Fax: (772) 692-4341
Engineering Business No. EB-0007857



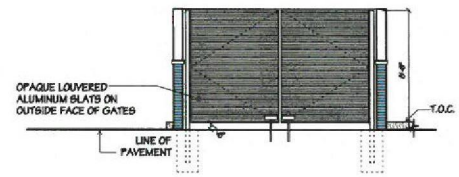
1 TRASH COMPACTOR SECTION

3/8" = 1'-0"



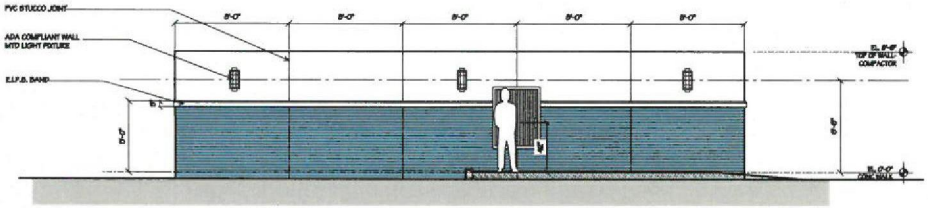
2 COMPACTOR GATE

HALF SCALE



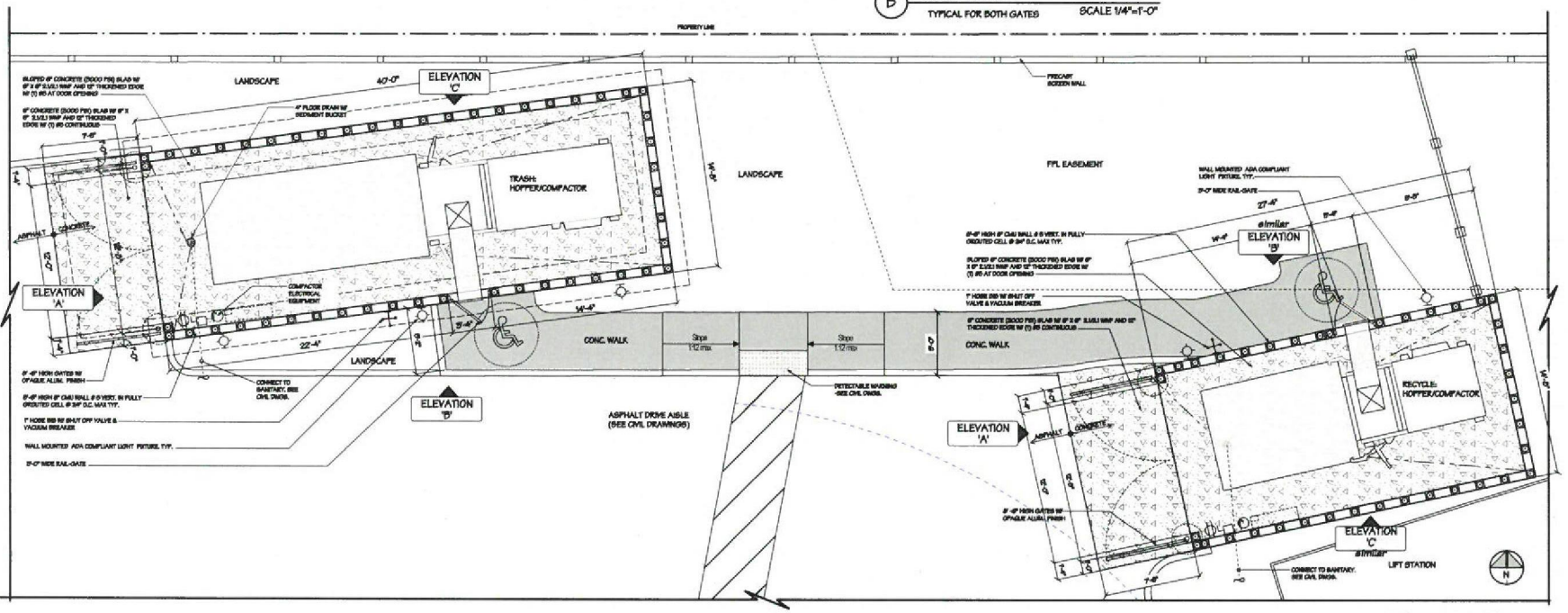
A ELEVATION 'A'

TYPICAL FOR BOTH GATES SCALE 1/4"=1'-0"



B ELEVATION 'B'

TYPICAL FOR BOTH GATES SCALE 1/4"=1'-0"



3 COMPACTOR PLAN

COMPACTOR

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F: 561.750.5294
ARCHITECT

CONSULTANT

CIVIL ENGINEER

MARK	DESCRIPTION	DATE

REVISION BLOCK

SAVANNAH PLACE APARTMENTS
SAVANNAH ROAD
STUART, FLORIDA
BUILDING

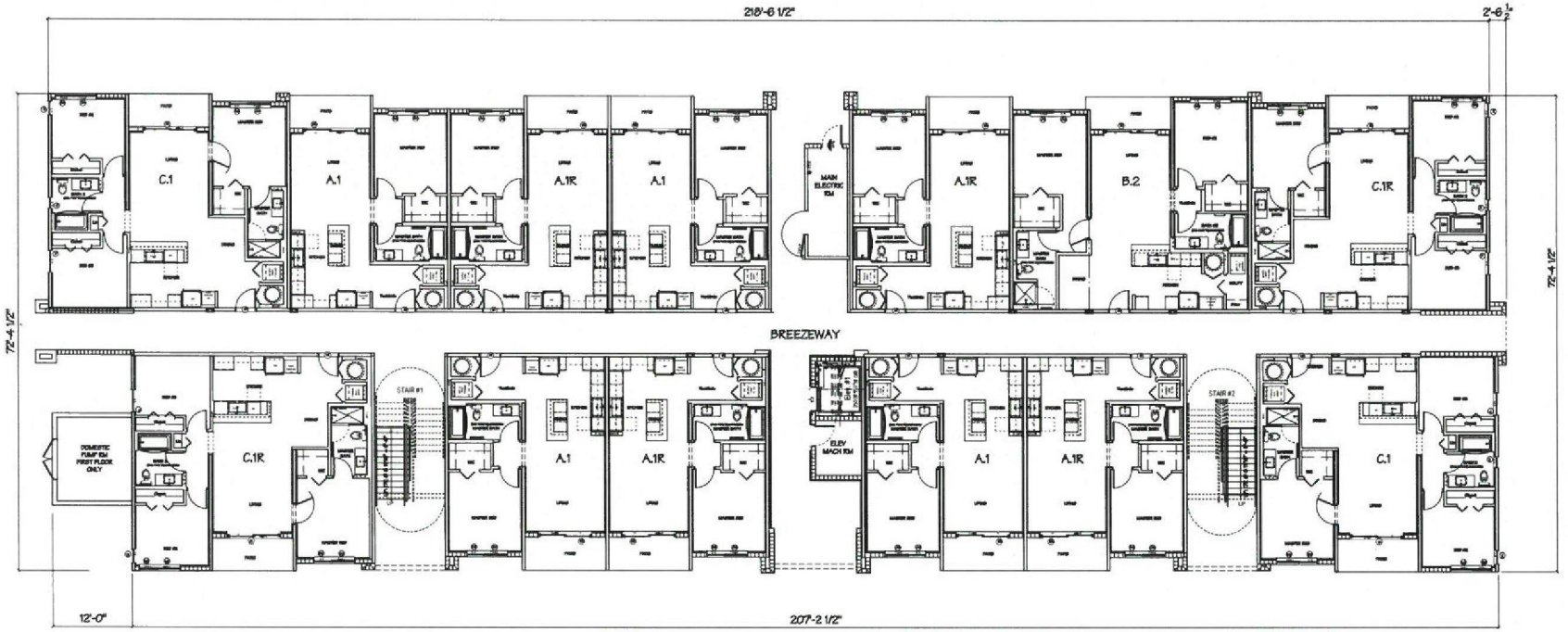
JOB NUMBER	17105
SCALE	AS NOTED
ISSUE DATE	02.15.19
PERMIT DATE	
BID DATE	
DRAWN BY	
CHECKED BY	MW
PROFILE	ARCHITECTURE
PLAN TYPE	
SHEET NUMBER	A1.04

SHEET

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17105-ALL04 - 19.02.25 PLOT DATE: 19.02.25

21-02020.COM



BUILDING 'I' : TYPICAL FLOOR PLAN

FIN. FLOOR ELEV = 00.00' NGVD

SCALE 1/8"=1'-0"

MARK	DESCRIPTION	DATE

REVISION BLOCK

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O: 561-750-4111
F: 561-750-5298
ARCHITECT

CONSULTANT

KENNEDY HOMES LLC
8400 Congress Ave. #2175
Boca Raton, Florida 33487
OWNER IDENTIFICATION

SAVANNAH PLACE APARTMENTS
SAVANNAH ROAD
STUART, FLORIDA
BUILDING

JOB NUMBER	17105
SCALE	AS NOTED
ISSUE DATE	02.15.19
PERMIT DATE	
BID DATE	

PROJECT

DRAWN BY	
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	BUILDING PLAN
SHEET NUMBER	A2.011

SHEET

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221402020.COM



N

BUILDING 'II' : TYPICAL FLOOR PLAN

FIN. FLOOR ELEV = 00.00' NGVD

SCALE 1/8"=1'-0"

MARK	DESCRIPTION	DATE

KENNEDY HOMES LLC
6400 Congress Ave. #2175
Boca Raton, Florida 33487

SAVANNAH PLACE APARTMENTS
SAVANNAH ROAD
STUART, FLORIDA

JOB NUMBER	17105
SCALE	AS NOTED
ISSUE DATE	02.15.19
PERMIT DATE	
BID DATE	
DRAWN BY	
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	BUILDING PLAN
SHEET NUMBER	A2.01 II

17105 - A2.01 II 01 - 19.02.15 PLOT: 19.02.15

21-0202.COM



BUILDING 'III' : TYPICAL FLOOR PLAN

FIN. FLOOR ELEV = 00.00' NGVD

SCALE 1/8"=1'-0"

MARK	DESCRIPTION	DATE

ARCHITECTURE / PLANNING

KENNEDY HOMES LLC

5400 Congress Ave. #2175
Boca Raton, Florida 33487

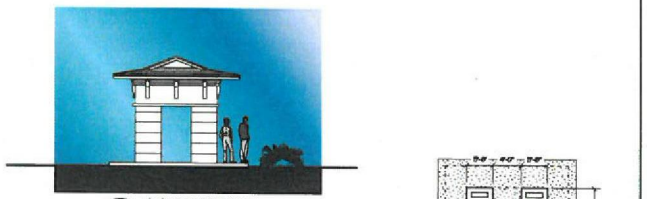
SAVANNAH PLACE APARTMENTS

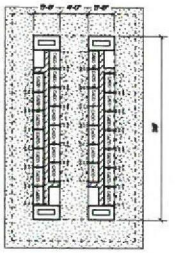
SAVANNAH ROAD
STUART, FLORIDA

JOB NUMBER	17105
SCALE	AS NOTED
ISSUE DATE	02.15.19
PERMIT DATE	
BID DATE	
DRAWN BY	
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	BUILDING PLAN
SHEET NUMBER	A2.01 III

12142020.COM

17105- A2.01 III 01 - 19.02.15 PLOT: 19.02.15





NW MAIL KIOSK

FLOOR PLAN
6,505 SF A/C AREA
3/16" = 1'-0"

LEASING /REC CENTER



MARK	DESCRIPTION	DATE

KENNEDY HOMES LLC
6400 Congress Ave. #2175
Boca Raton, Florida 33487

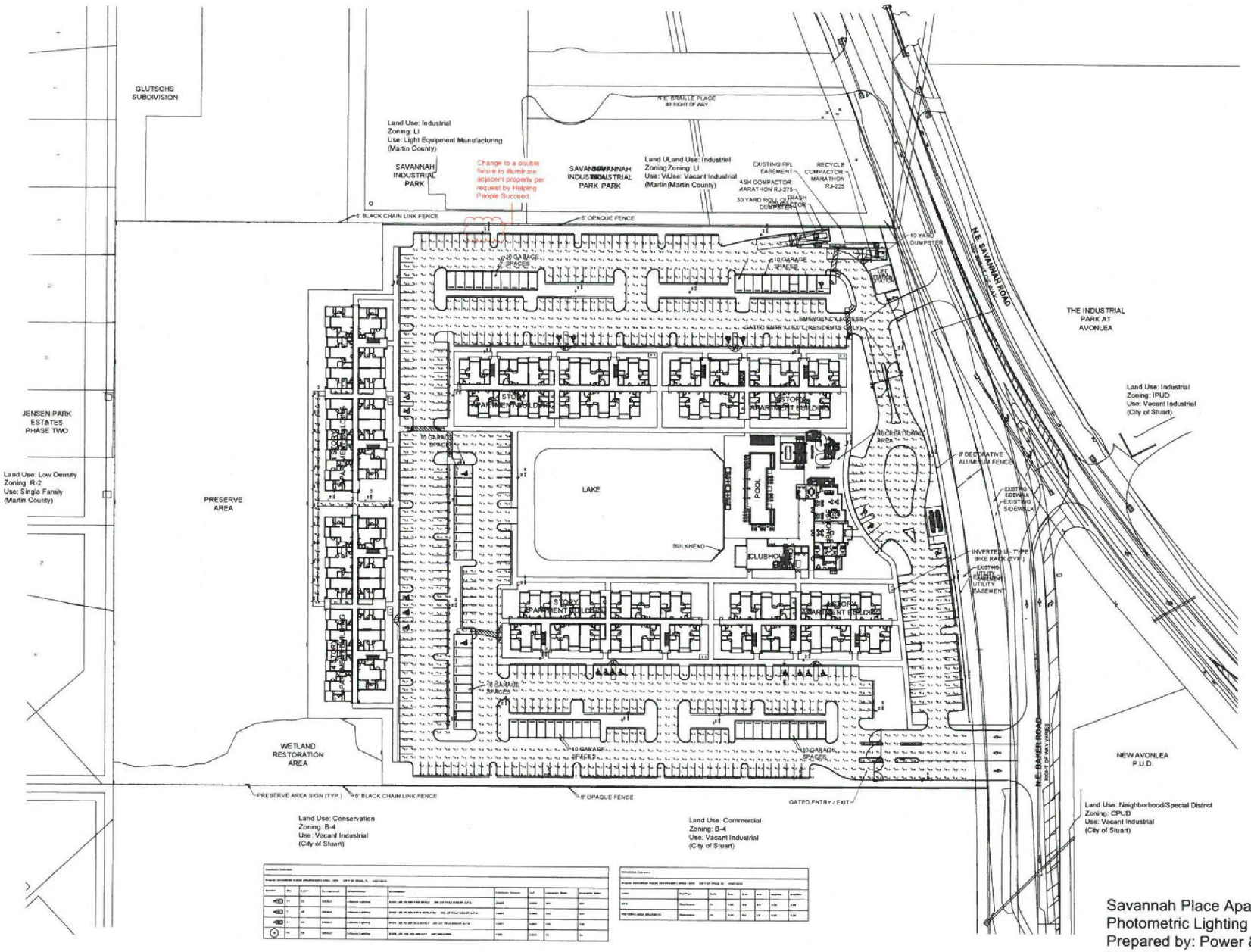
SAVANNAH PLACE APARTMENTS
SAVANNAH ROAD
STUART, FLORIDA

JOB NUMBER	17105
SCALE	AS NOTED
ISSUE DATE	02.15.18
PERMIT DATE	
BID DATE	
DRAWN BY	
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	
SHEET NUMBER	A2.01 R

17105 - REC PLPL 02 - 18.02.15
PLOT : 18.02.15

THIS SET OF PLANS SHALL BE DISTRIBUTED AS COMPLETE SETS OF PRINTS/CDs. DO NOT SEPARATE DRAWINGS BY DISCIPLINE. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE. DO NOT SCALE DRAWINGS.

12/1/2020 COM



Savannah Place Apartments
Photometric Lighting Plan
Prepared by: Power & Lighting Systems
2-27-19



FRONT ELEVATION

SCALE 3/32"=1'-0"



REAR ELEVATION

SCALE 3/32"=1'-0"



LEFT SIDE ELEVATION

SCALE 3/32"=1'-0"



RIGHT SIDE ELEVATION

SCALE 3/32"=1'-0"

TYPICAL BUILDING TYPE I

MARK	DESCRIPTION	DATE
1	DRC REVIEW COMMENTS	12.15.2019

KAREN WIENER, A.I.A.
ARCHITECTURE + PLANNING
AR # 0011313
451 E Palmetto Park Road, Suite 201
Boca Raton, Florida 33432
O: 561.750.4111
F: 561.750.5381

ARCHITECT

CONSULTANT

KENNEDY HOMES LLC
6400 Congress Ave. #2175
Boca Raton, Florida 33487

OWNER IDENTIFICATION

SAVANNAH PLACE APARTMENTS
SAVANNAH ROAD
STUART, FLORIDA

BUILDING

JOB NUMBER	17105
SCALE	AS NOTED
ISSUE DATE	02.15.19
PERMIT DATE	
BID DATE	
DRAWN BY	
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	ELEVATIONS
SHEET NUMBER	AC3.011

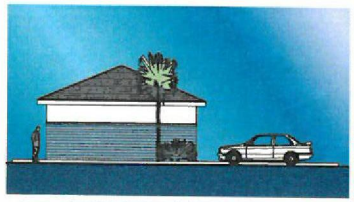
SHEET

THE USE OF ANY SHALL BE FOR THE PROJECT AS SHOWN HEREIN AND NOT FOR ANY OTHER PROJECT OR PURPOSE. DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE. DO NOT SCALE DRAWINGS.

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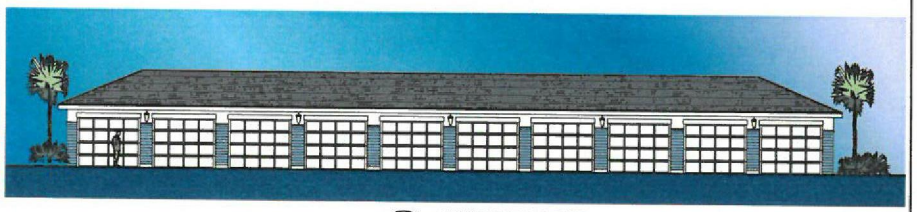
17105 - AC3.011 02 - 18.02.15
PLOT : 18.02.15

2/14/2020 2:08:24 PM



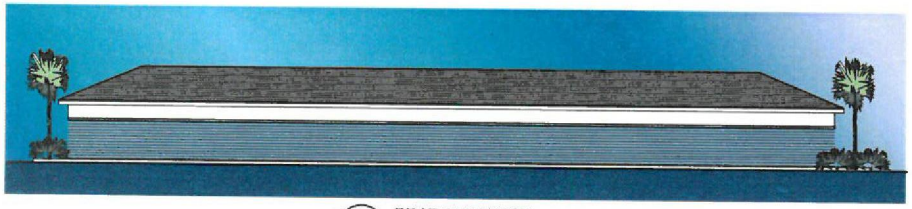
TYPICAL END ELEVATION

SCALE 1/8"=1'-0"



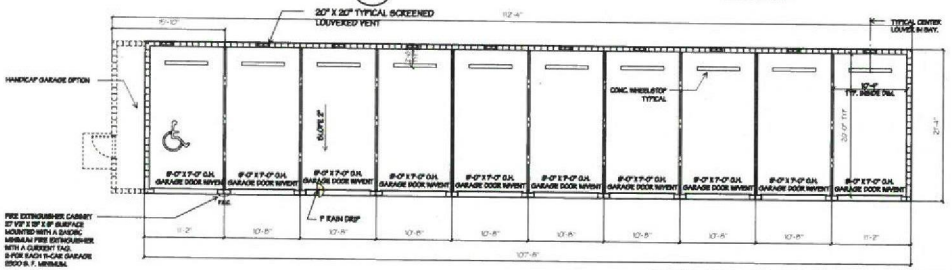
FRONT ELEVATION

SCALE 1/8"=1'-0"

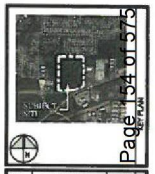


REAR ELEVATION

SCALE 1/8"=1'-0"



TYPICAL 10 SPACE GARAGE BUILDING



MARK	DESCRIPTION	DATE

REVISION BLOCK

ARCHITECT

Robert Weller

08.12.2015

CONSULTANT

KENNEDY HOMES LLC

6400 Congress Ave., #2175
Boca Raton, Florida 33487

OWNER IDENTIFICATION

SAVANNAH PLACE APARTMENTS

SAVANNAH ROAD
STUART, FLORIDA

BUILDING

JOB NUMBER	17105
SCALE	AS NOTED
ISSUE DATE	02.15.16
PERMIT DATE	
BID DATE	
DRAWN BY	
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	ELEVATIONS
SHEET NUMBER	AC3.02 R

SHEET

17105 - AC3.02 R.DS - 19.02.15
PLOT : 19.02.15

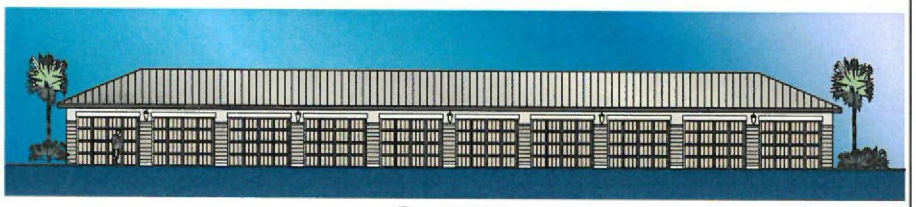
THESE SETS OF PLANS SHALL BE CONSIDERED INSTRUMENTS OF SERVICE AND SHALL REMAIN THE PROPERTY OF KENNEDY HOMES LLC WHETHER THE PROJECT FOR WHICH THEY ARE MADE IS EXECUTED OR NOT. THE REUSE OF THESE PLANS ON ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN CONSENT OF KENNEDY HOMES LLC IS PROHIBITED AND WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO KENNEDY HOMES LLC. ALL RIGHTS RESERVED. DO NOT SCALE DRAWINGS.

12/4/2020 COPY



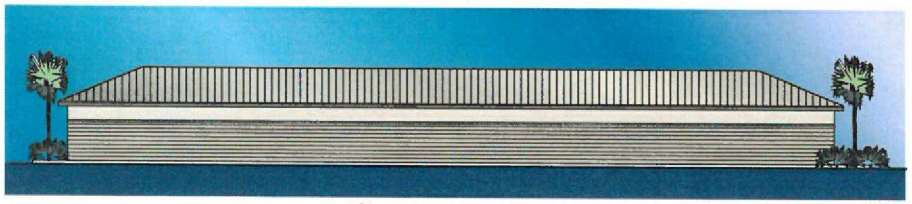
TYPICAL END ELEVATION

SCALE 1/8"=1'-0"



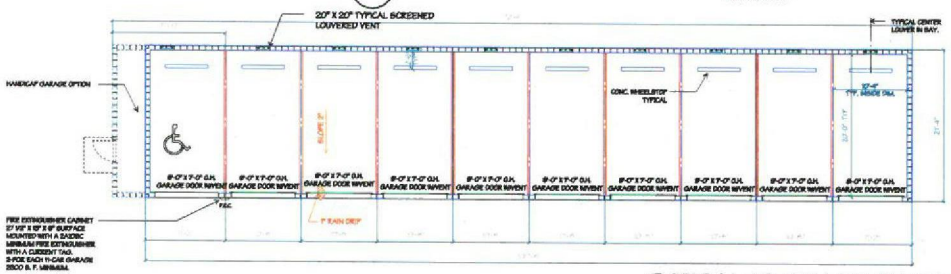
FRONT ELEVATION

SCALE 1/8"=1'-0"

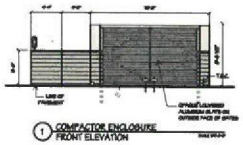


REAR ELEVATION

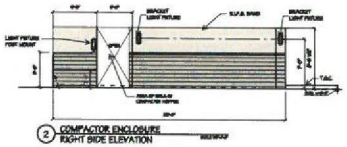
SCALE 1/8"=1'-0"



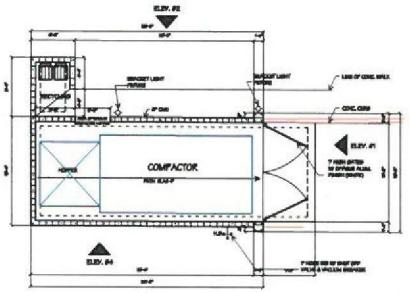
TYPICAL 10 SPACE GARAGE BUILDING



1 COMPACTOR ENCLOSURE FRONT ELEVATION



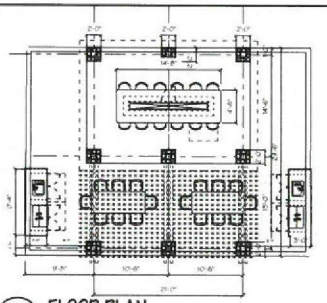
2 COMPACTOR ENCLOSURE RIGHT SIDE ELEVATION



PLAN

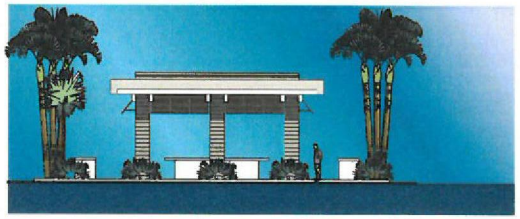
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COMPACTOR



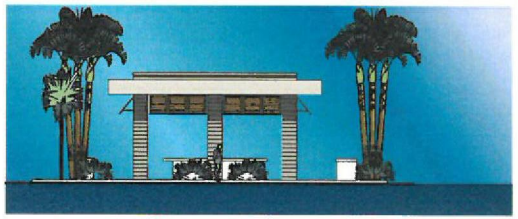
FLOOR PLAN

SCALE 1/8"=1'-0"



SOUTH ELEVATION

SCALE 1/8"=1'-0"



NORTH ELEVATION

SCALE 1/8"=1'-0"



EAST / WEST ELEVATION

SCALE 1/8"=1'-0"

POOL PAVILION



MARK	DESCRIPTION	DATE

KENNEDY HOMES LLC

5400 Congress Ave. #2175
Boca Raton, Florida 33487

SAVANNAH PLACE APARTMENTS

SAVANNAH ROAD
STUART, FLORIDA

JOB NUMBER	17105
SCALE	AS NOTED
ISSUE DATE	18.05.29
REVISED DATE	
BID DATE	
DRAWN BY	
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	ELEVATIONS
SHEET NUMBER	AC3.02 R

17105 - AC3.02-R 01 - 18.05.21
PLOT : 18.05.21

THIS SET OF PLANS SHALL BE CONSIDERED COMPLETE ONLY WHEN ALL SHEETS LISTED IN THE INDEX ARE INCLUDED. DO NOT SCALE DRAWINGS. DO NOT SEPARATE DRAWINGS OR DISPLAY ANY ARCHITECTURAL INDICATIONS SHOWN ON ANY SHEET. THESE PRELIMINARY PLANS ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES. DO NOT SCALE DRAWINGS.

12/2/2020 COM



FRONT ELEVATION

SCALE: 3/32"=1'-0"

LEASING /REC CENTER

17105 - AC3.01-R 02.19.02.19
PLOT : 19.02.15

MARK	DESCRIPTION	DATE

ARCHITECT

CONSULTANT

KENNEDY HOMES LLC
6400 Congress Ave, #2175
Boca Raton, Florida 33487

OWNER IDENTIFICATION

SAVANNAH PLACE APARTMENTS

SAVANNAH ROAD
STUART, FLORIDA

BUILDING

JOB NUMBER	17105
SCALE	AS NOTED
ISSUE DATE	02.15.19
PERMIT DATE	
BID DATE	

PROJECT

DRAWN BY	
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	ELEVATIONS
SHEET NUMBER	AC3.01 R

SHEET

12142020.COM

KENNEDY HOMES-SAVANNAH PLACE APARTMENTS NATURAL SYSTEM RESTORATION AND ENHANCEMENT:

The proposed natural system mitigation for the Savannah Place Apartments project will be a multi-component restoration and enhancement project that will include onsite wetland and upland preservation and enhancement, offsite upland and wetland enhancement and payment into a wetland mitigation bank with a service area that includes this area of Martin County.

ONSITE ENHANCEMENT AND RESTORATION:

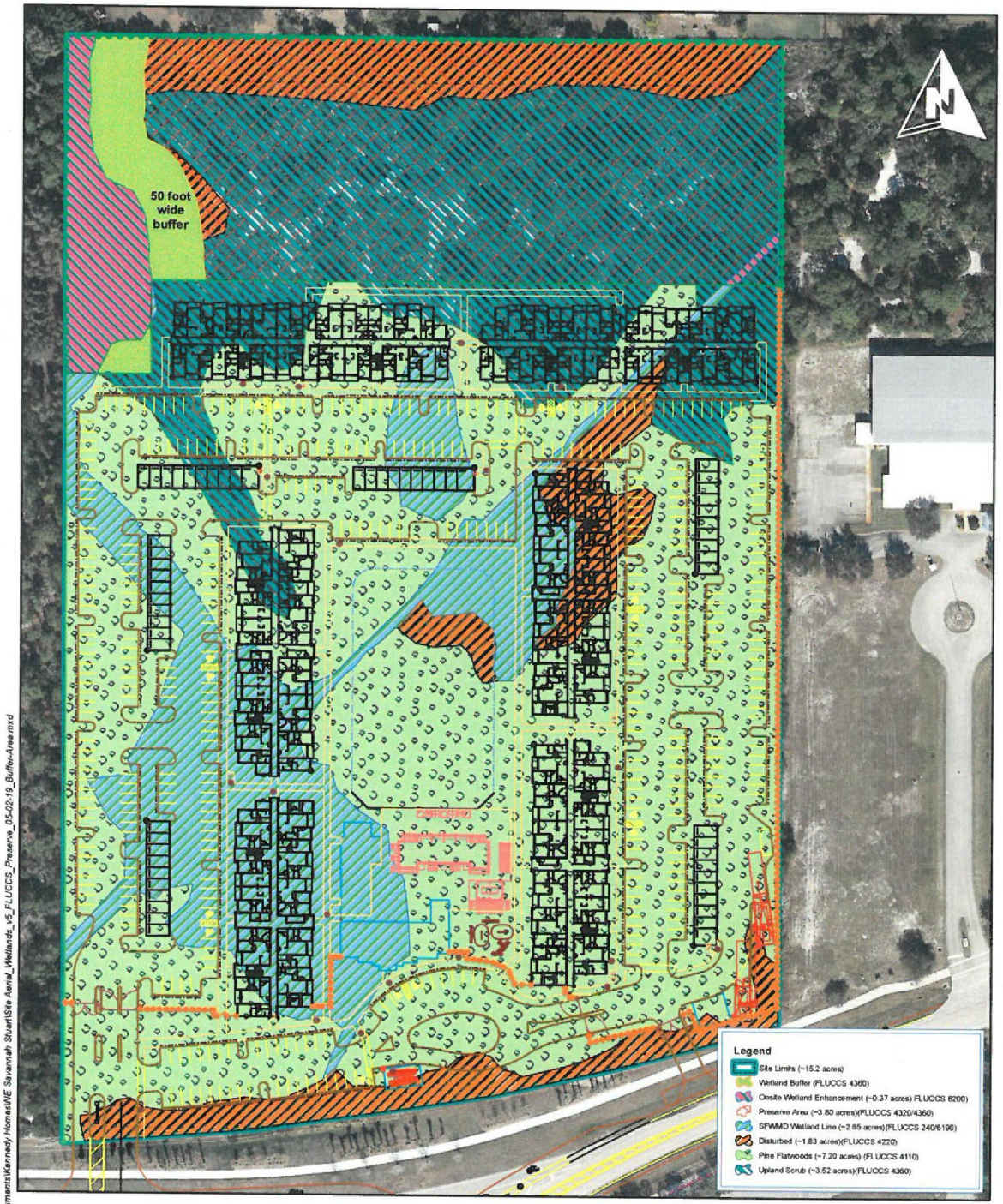
The onsite mitigation plan includes the protection of the existing natural flow of water through the project site and the preservation and enhancement of a forested wetland area in the northwest corner of the site. This wetland area is located within the upland scrub habitat preservation area so that the natural synergism between the two communities will be maintained. The overall improvement plan for the natural system includes the removal of exotic vegetation and otherwise undesirable plants along with replanting with a diverse association of native and desirable plants. To ensure the long term efficacy of the remaining natural system, vegetative maintenance will be conducted as well as maintenance of the natural hydrologic regime. An overlay drawing of the onsite natural system restoration and enhancement plan is attached to this discussion.

OFFSITE ENHANCEMENT AND RESTORATION (HEART OF HANEY CREEK):

The offsite mitigation plan has been developed and coordinated with the City of Stuart and more specifically, the "Heart of Haney Creek Management Plan". The final plan will continue to be developed along with review and input from the City of Stuart so that the natural system enhancement and restoration plan will facilitate needed improvements at the Heart of Haney Creek. Specific details include the removal of non-native and otherwise undesirable vegetation from the southern end of the site at the corner of US-1 and Wright Boulevard. Once the vegetation is removed, the area will be replanted with a diverse association of native wetland and upland vegetation. The plants selected for installation in this area will be developed in coordination with the City of Stuart and meet to goals of the "Heart of Haney Creek Management Plan". The natural system enhancement will also include the installation of native trees in the central area of the East Haney Creek site that has been generally denuded as a result of recent exotic tree and shrub removal efforts. An overlay drawing of the enhancement and restoration plan for the Heart of Haney Creek is attached to this discussion. Both the onsite and offsite natural system enhancement and restoration areas will be the subject of an ongoing adaptive management analysis that will be able to respond to unexpected results of the restoration project. This will allow for implementation of timely revisions to the project plan that may be needed to remedy any unwanted results in the project.

WETLAND MITIGATION BANK CREDIT PURCHASE (BLUEFIELD WMB):

In addition to the onsite and offsite enhancement and restoration projects in the City of Stuart, the project will also purchase the appropriate number of wetland mitigation credits from the Bluefield Wetland Mitigation Bank. The final number of credits will be determined during the wetland permitting process.

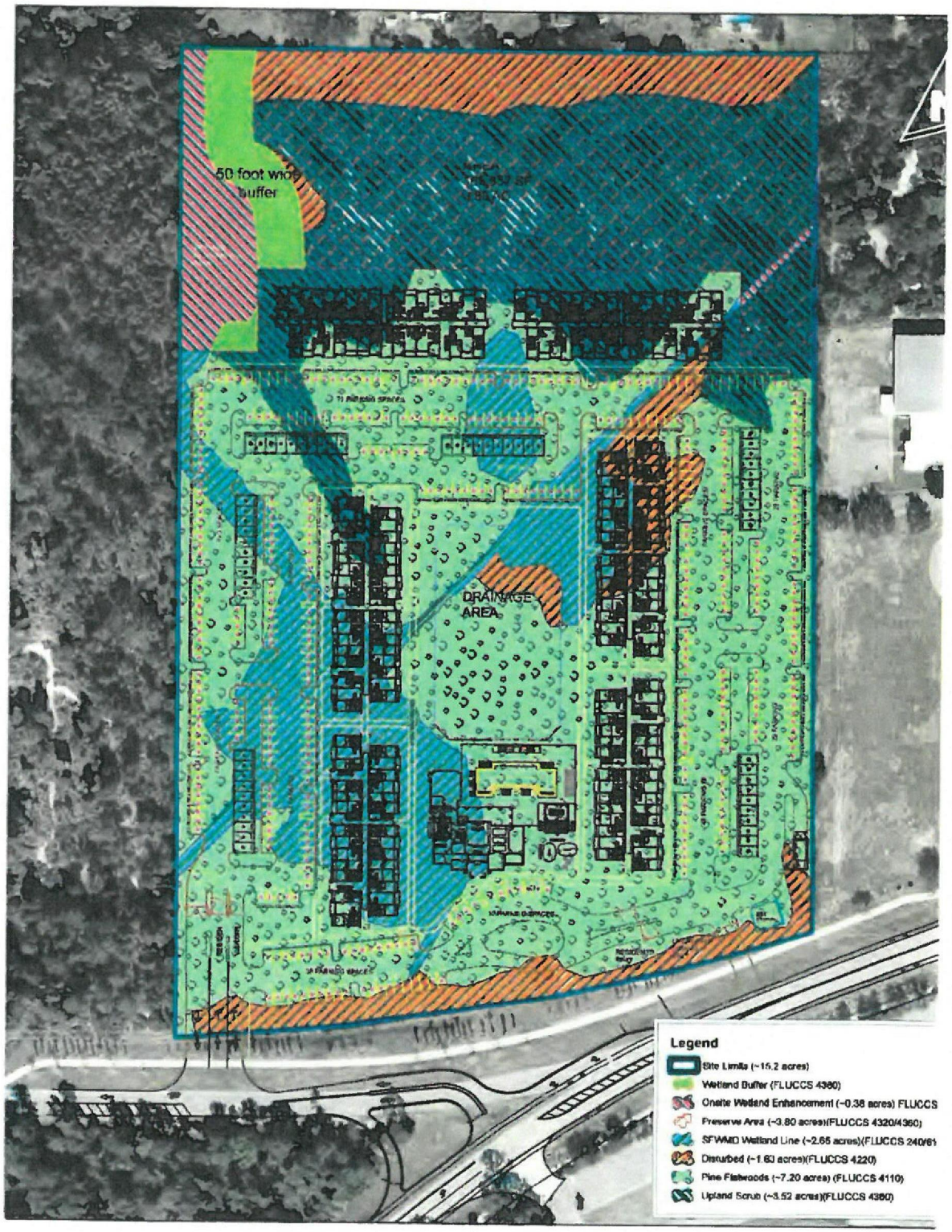


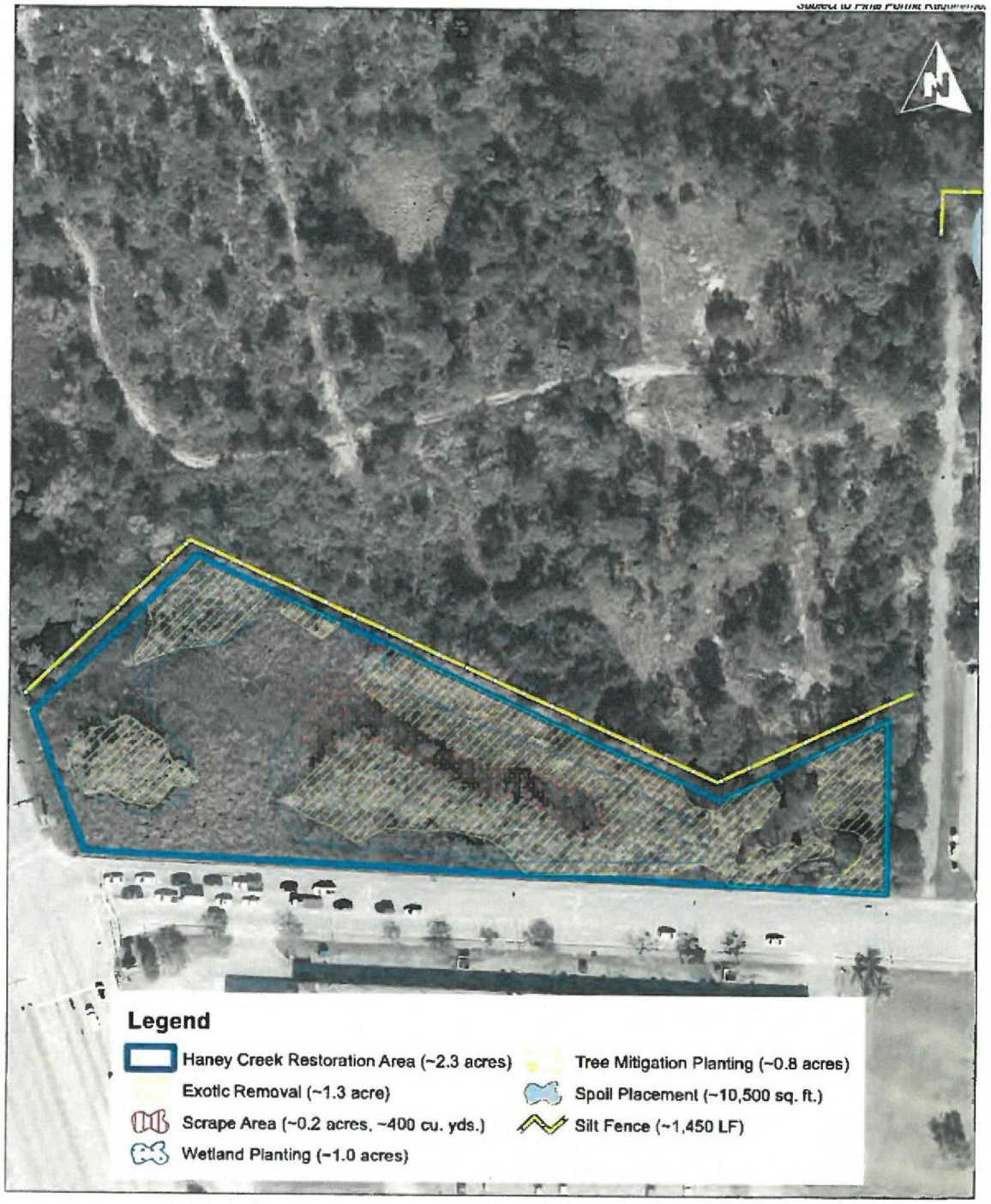
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Document Path: F:\My Documents\Kennedy Homes\KE Savannah Stuart\Site Aerial_Wetlands_v5_FLUCCS_Preserve_05-02-19_Buffer-Area.mxd

12/29/2017	Revised: 05/02/2019	J. J. Goldasich and Associates, Incorporated	Kennedy Homes	FLUCCS Map
0 35 70 140 210 280 Feet		Ecological Services Natural System Analysis (561) 883-9555 jjg@jjgoldasich.com	Savannah Place Apartments FLUCCS Map with Site Plan Stuart, Martin County, Florida	


50 foot wide buffer
DRAINAGE AREA
Legend
Site Limits (~15.2 acres)
Wetland Buffer (FLUCCS 4360)
Onsite Wetland Enhancement (~0.38 acres) FLUCCS
Preserve Area (~3.80 acres)(FLUCCS 4320/4360)
SFWMD Wetland Line (~2.65 acres)(FLUCCS 240/61
Disturbed (~1.60 acres)(FLUCCS 4220)
Pine Flatwoods (~7.20 acres) (FLUCCS 4110)
Upland Scrub (~3.52 acres)(FLUCCS 4360)



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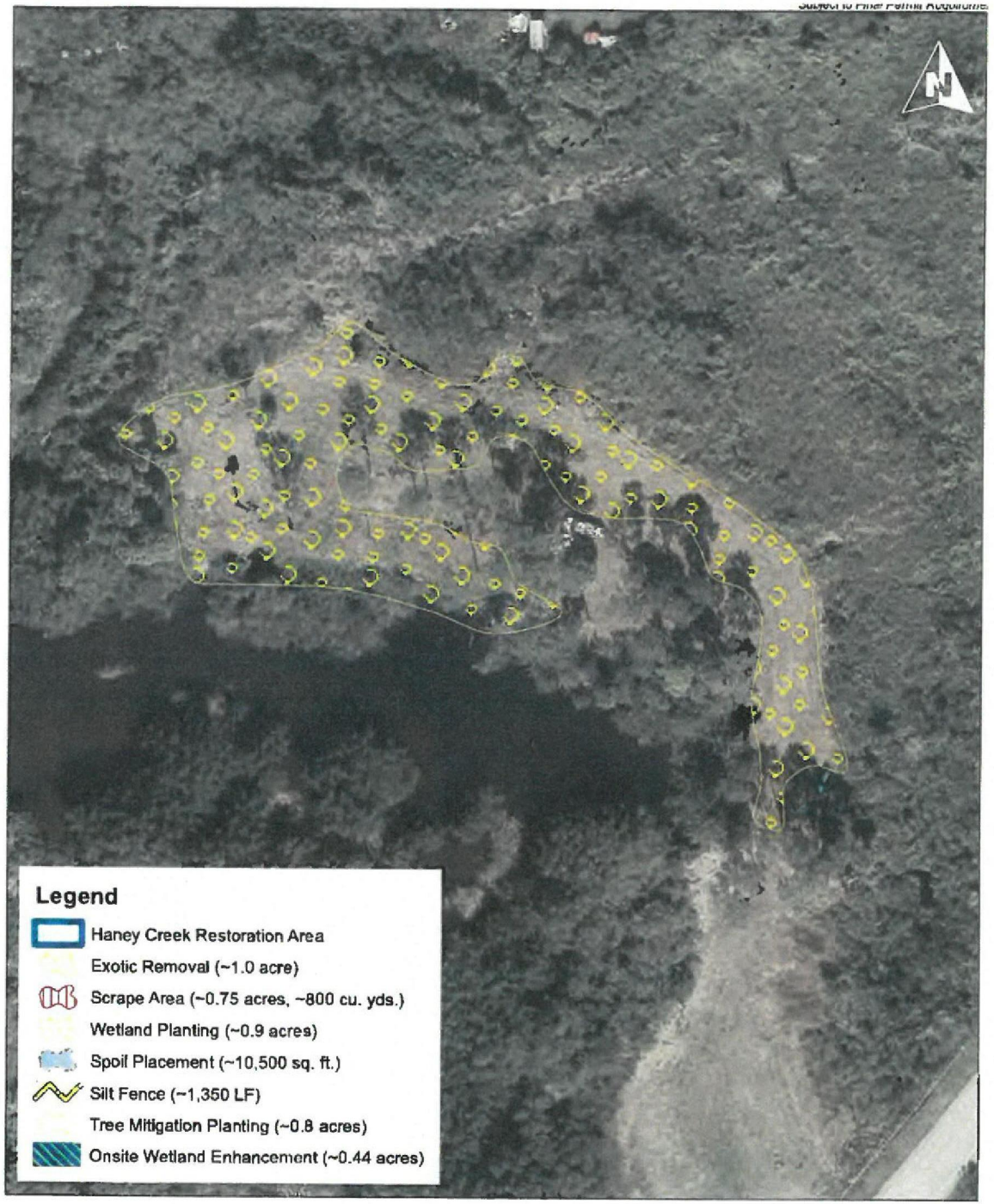
12/29/2017	Revised: 05/25/2018

0 30 60 120 180 240

J. J. Goldasich and Associates, Incorporated
Ecological Services
Natural System Analysis
(561) 883-9555
jjg@jjgoldasich.com

Kennedy Homes
City of Stuart East Hayney Creek
Natural System Restoration Areas
Stuart, Martin County, Florida

ENV 1



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12/29/2017	Revised: 05/25/2018

0 20 40 80 120 160

J. J. Goldasich and Associates, Incorporated
Ecological Services
Natural System Analysis
(561) 883-9555
jjg@jjgoldasich.com

Kennedy Homes
City of Stuart East Hayney Creek
Natural System Restoration Areas
Stuart, Martin County, Florida

ENV 2

ATTAINABLE HOUSING NET PRESENT VALUE (NPV)

Rent Differential	$ 325		
		Build Cost	
Units	10	$ 1,250,000	
		Additional Rent	
Annual	$ 39,000	Annual	$ 54,000
Vacancy etc	8%	Vacancy etc	8%
	$ 35,880		$ 49,680

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11-30
$ 35,880	$ 35,880	$ 35,880	$ 35,880	$ 35,880	$ 35,880	$ 35,880	$ 35,880	$ 35,880	$ 35,880	$ 717,600

Discount Rate	**7.00%**
NPV	**$ 252,006**
Inflation	**2.75%**

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Stephen Mayer

Title of Item:

UPDATE COMMUNITY INVESTMENT PROGRAM (CIP) (RC):

ORDINANCE No. 2458-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO UPDATE THE FIVE YEAR COMMUNITY INVESTMENT PROGRAM INCLUDED WITHIN THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Summary Explanation/Background Information on Agenda Request:

History

On November 12th, 2020, the Local Planning Agency recommended approval of the Ordinance.

At the November 23rd, 2020 City Commission Hearing, the City Commission directed staff to update the CIP to include revenue and expenditure projections for the entire 5 year schedule. Staff has updated the document and is attached herein. This updated CIP document will be adopted as part of the CIE update.

Background

The Capital Improvements Element (CIE) annual update for Fiscal Years (FY) 2021 to 2025 represents the City's modification to the Capital Improvements Schedule of the currently adopted CIE including addition of the new fifth year (FY 2025). The modified schedule includes projects that are needed to meet future demands of development in accordance with Section 163.3202(2)(g), Florida Statutes. While there have been amendments to the Growth Management Act over the years, Florida law continues to require that the CIE and the schedule of capital improvements, also referred to as the Capital Improvement Program (CIP), be reviewed on an annual basis and modified as necessary. The City has also received a comment from the Department of Economic Opportunity requesting the City provide the Five-Year Schedule of Capital Improvements, as required by F.S.

While the purpose of the CIE is to consider the need, location and the efficient use of public facilities, the Capital Improvements Schedule demonstrates the fiscal feasibility of the element's goals. This is accomplished by estimating costs of improvements, analysis of the City's fiscal capability to finance and construct improvements, and adoption of financial policies to guide funding. The already adopted Capital Improvement Project (CIP) Schedule includes a schedule of projects, funding dates, all costs reasonably associated with the completion of the project, and a demonstration that the City has the necessary funding to provide public facility needs concurrent with or prior to previously issued Development Orders or future development. The process of developing the CIE update demonstrates that a reasonable, measurable and affordable plan is in place to reduce, eliminate or prevent facility deficiencies within the established specified time frame. The costs of projects may be paid or contracted for in phases, as necessary to meet or maintain the facility's adopted Level of Service (LOS) standard as provided for within the Comprehensive Plan.

These facilities include: potable water; sanitary sewer; solid waste; drainage/storm-water; and recreation.

Please refer to the data and analysis document for the analysis of the level of service requirements.

Funding Source:

N/A.

Recommended Action:

Recommend approval of Ordinance 2458-2020 on Second Reading

ATTACHMENTS:

	Description	Upload Date	Type
🗋	A1. Ordinance 2458-2020 CIE Update	11/5/2020	DRAFT ORDINANCE
🗋	A2. Exhibit A - Adopted CIP	12/3/2020	Exhibit
🗋	A3. Exhibit B - City's Fiscal Policy	11/13/2020	Exhibit
🗋	B1. Data and Analysis	11/13/2020	Attachment

BEFORE THE CITY COMMISSION

CITY OF STUART, FLORIDA

ORDINANCE NUMBER 2458-2020

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO UPDATE THE FIVE YEAR COMMUNITY INVESTMENT PROGRAM INCLUDED WITHIN THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Stuart, Florida, has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, formerly known as the Local Government Comprehensive Planning and Development Act, and now known as the Growth Policy Act; and

WHEREAS, the Florida Department of Economic Opportunity, previously determined the City's Comprehensive Plan was in compliance with the Growth Policy Act; and

WHEREAS, the Department of Economic Opportunity provided the City a comment in the City's Evaluation and Appraisal Report (EAR) Objections, Recommendations and Comments (ORC) letter stating that the Five -Year Schedule of Capital Improvements is a required component of the Capital Improvement Element pursuant to Section 163.3177(3)(a)4, F.S. and (b), F.S.; and

WHEREAS, the City Commission has considered this ordinance for adoption to update the Capital Improvement Element of the City's Comprehensive Plan as set forth in attached Exhibit "A"; and

WHEREAS, the City Commission has conducted the required public hearings in accordance with Florida Statutes to adopt this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:

SECTION 1: The Whereas clauses are incorporated herein as the legislative findings of the City Commission.

SECTION 2: The City established this Ordinance, hereby amending the Comprehensive Plan as set forth in the attached **Exhibit "A",** which in incorporated herein.

SECTION 3: Severability. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

SECTION 4: Repeal of Laws in Conflict. All ordinances or parts of ordinances herewith are herby repealed to the extent of such conflict.

SECTION 5: The provisions of this ordinance shall be codified.

SECTION 6: This ordinance shall take effect upon adoption.

Attachment: Exhibit "A" – Plan Amendments Amending the Updated 5-Year Community Investment Program for Fiscal Years 2021 – 2025.

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:

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MICHAEL J. MORTELL
CITY ATTORNEY

City of Stuart
2021 Fiscal Budget
Project Budget Summary

Funding Sources/Projects		2021	Year 2	Year 3	Year 4	Year 5	Project Total
3CRA	CRA TIF FUNDS	827,500	250,000	250,000	562,717	500,000	2,390,217
3DEBT	DEBT FINANCING	4,500,000	7,462,000	3,750,000	0	0	15,712,000
3FUNDBAL	FUND BALANCE	3,455,000	1,000,000	500,000	250,000	250,000	5,455,000
3GRANT	GRANTS	1,250,000	0	0	0	0	1,250,000
3IMPACT	IMPACT FEE FUNDING	2,322,500	515,000	0	0	0	2,837,500
3TREE	TREE FUND	80,000	0	0	0	0	80,000
Subtotal		12,435,000	9,227,000	4,500,000	812,717	750,000	27,724,717
20038901	DOWNTOWN UNDERGRND UTI	250,000	250,000	250,000	250,000	500,000	1,500,000
20042701	SEMINOLE STREETSCAPE	250,000	250,000	0	0	0	500,000
21011201	GRINDER SYSTEM	875,000	750,000	500,000	250,000	250,000	2,625,000
21032101	DIXIE/SE FLORIDA SIDEWALK	405,000	0	0	0	0	405,000
21032601	RO FACILITY	7,500,000	4,212,000	500,000	0	0	12,212,000
21035201	DEVELOPER OVERSIZE	50,000	0	0	0	0	50,000
21040501	MONTEREY RD FORCE MAIN	500,000	0	0	0	0	500,000
21040701	SHEPARD PARK BOAT TRAILER	550,000	0	0	0	0	550,000
21040901	GATEWAY SIGNAGES/FEATUR	125,000	0	0	0	0	125,000
21041801	RIVERSIDE PRK NEIGH DEMO	250,000	0	0	312,717	0	562,717
21042501	PUBLIC WORKS COMPLEX	1,000,000	3,250,000	3,250,000	0	0	7,500,000
21044701	KANNER HWY WATER MAIN	205,000	0	0	0	0	205,000
21044801	COMPACTOR ENCLOSURE	100,000	0	0	0	0	100,000
21045001	MLK STREETSCAPE DESIGN	125,000	0	0	0	0	125,000
21045101	LAKE ST JACK&BORE FEC ROW	250,000	0	0	0	0	250,000
22038201	NW DIXIE HWY SIDEWALK E	0	515,000	0	0	0	515,000
Subtotal		12,435,000	9,227,000	4,500,000	812,717	750,000	27,724,717
Grand Total		0	0	0	0	0	0

City of Stuart, Florida

2013 FISCAL POLICY

April 6, 2012

The Stuart City Commission has historically asked the City Manager to submit a recommended fiscal policy to be reviewed and approved by the City Commission on or around April 1st of each year.

The City Fiscal Policy is the guide for developing the recommended Annual Operating Budget for the fiscal year, along with the five-year Capital Improvement Program, and the long range Five Year Operating Budget Projection.

The Five Year Operating Budget Projection and the Five Year Capital Improvement Program, are adopted annually, as the principal policy, planning, and programming guide for controlling the operational size and cost of city government, and together constitute the implementing documents for compliance with Sec. 163.3177(3) (b) that requires annual adoption and compliance with the Capital Improvement Element of the City's Comprehensive Plan.

Respectfully submitted,

PAUL J. NICOLETTI
City Manager

DEFINITIONS

The following definitions shall be used herein:

ANNUAL OPERATING BUDGET or OPERATING BUDGET means that printed or electronic document which displays anticipated fiscal revenues and appropriations for a given fiscal year, and is prepared in accordance with governmental accounting regulations, providing for compliance with Truth in Millage reporting, and all other applicable laws.

BUDGET AMENDMENT means a resolution of the City Commission which alters the total budget of a fund, either increasing or decreasing the amount of revenues, appropriations, or both, and typically authorizing the expenditure of the funds.

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BUDGET TRANSFER means those actions taken by the City Manager, or designee, to change the allotments, distributions, or allocations of funds within the adopted budget; however, not changing the total of a fund's legally adopted total, and typically authorizing the expenditure of the funds transferred.

BUDGETARY CONTROL LEVEL means the lowest level at which City Commission approval is required to reallocate resources. Budgetary reporting and presentation may present lower levels, or more detailed information. All levels of budgetary reporting below the BUDGETARY CONTROL LEVEL may be adjusted by the City Manager, or designee, through the use of BUDGET TRANSFERS. This is also known as the "legal level of budgetary control".

FIVE YEAR OPERATING BUDGET PROJECTION means those forecasts of the anticipated revenues, and necessary appropriations for the general operations costs of the City, based on current and historical financial information, into the future at least 5 consecutive FISCAL YEAR periods.

FIVE YEAR CAPITAL IMPROVEMENT PROGRAM means those forecasts of the anticipated revenues, and necessary appropriations for the capital or major expenditures of the City, based on current and historical financial information, projected into the future for at least 5 consecutive fiscal years.

GOVERNMENT FUNDS means those funds typically used to account for tax-supported governmental activities of the City, such as providing for public safety and transportation.

SPECIAL REVENUE FUNDS means those funds used to account for specific revenues sources, designated for specific purposes and uses, or restricted to some use by legal requirements, or local mandate.

BUDGETARY POLICIES AND PRACTICES

1. Preparation and Adoption:

    a. Budget Document: Each year, prior to October 1st, the City Commission shall adopt an Annual Operating Budget. The Annual Operating Budget will be developed by the City Manager and staff based upon guidelines established by the City Commission during the annual review and update of the City Fiscal Policy, and as modified by the City Commission from time to time. As a general rule, recurring expenditures will be funded with recurring revenues and nonrecurring revenues will be used only for nonrecurring expenditures. If surplus funds are available after funding of all required reserves, these surplus funds may be used in balancing the annual budget. Reserve funds are the last source to be used to balance the Annual Operating Budget.

    b. Basis of Budgeting: The city shall use the modified accrual basis of accounting for all governmental type funds and the full accrual basis of accounting for all business type funds, and shall be in strict compliance with applicable federal and Florida standards and laws, as well as any applicable standards set forth by the Government Finance Officers Association, commonly termed Generally Accepted Accounting Principles (GAAP).

    c. The annual budgets for all Government Funds, including Special Revenue Funds, will be prepared using the current financial resources measurement focus and the modified accrual basis method of accounting. This method of accounting recognizes revenues as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period, i.e. within 60 days of the end of the current fiscal period. Expenditures are recognized when the liability is incurred, though debt service expenditures as well as expenditures related to compensated absences, claims and judgments are recognized only when payment is due.

    d. The annual budgets for all Enterprise Funds, reflecting business type activities, will be prepared using the economic resources measurement focus and the accrual basis method of accounting. This method is in accordance with Generally Accepted Accounting Principles (GAAP), with the exception of Fixed Assets that are budgeted instead as Capital Outlay rather than depreciated over their estimated useful lives. The accrual basis method of accounting recognizes revenues as soon as they are

earned and become measurable, and expenses are recognized as soon as the liability is incurred, regardless of the timing of related cash flows.

e. Budgetary Level of Control: The Budgetary Level of Control will be the "fund level". Though budgets are legally adopted at the fund level, all budgets will be prepared by department, and category, including line item account detail using Florida Department of Revenue account classifications and the Uniform Chart of Accounts.

f. Budget Adjustments:

    a. Budget Amendments and Transfers:

        i. Departments may not exceed the total departmental appropriation, as adopted in the Annual Operating Budget, without a Budget Amendment approved by the City Manager and Resolution of the City Commission.

        ii. Department Heads may transfer funds within their departmental account(s), and between categories, with the written approval of the City Manager but will generally avoid using funds for capital items that were budgeted but not purchased, as well as using unexpended funds from personal services. The City Manager will administratively re-align the budget at year-end to properly classify charges to the proper account codes.

        iii. All budget amendments and transfers throughout the year will be funded as follows:

1st from within the spending Department;
2nd from within the Fund;
3rd from the Capital Replacement Reserve; and
4th from Unassigned Fund Balance

2. Budgeted Revenues:

a. Revenue Estimates: Projections of revenues will be made "conservatively" and with the intent of avoiding any significant shortfalls. Revenue estimates will be the responsibility of the Financial Services Director, although estimates made by the departments administering the account will be given the highest consideration. The Financial Services Director shall also monitor legislative actions to keep informed of changes that may impact available revenues.

b. Revenue Shortfalls: In the event of anticipated revenue shortfalls, the City Manager shall develop and implement a plan to reduce expenditures, or take other appropriate actions to offset the projected impact. Any significant adjustment to levels of service or the completion of scheduled capital projects will be reported to the City Commission.

c. Revenue Diversification: It is the City's policy to maximize use of all available revenue sources, while maintaining source diversification to the extent possible to avoid over-dependence on one source. This will require an equitable mix of taxes, fees, charges, fines, investment income, sale or lease of City-owned property, intergovernmental revenues and grants. The City's policy is to monitor increases in revenue from existing sources and to research new funding sources to maintain diversity.

d. Non-Recurring Revenues: Non-recurring revenues will first be applied to reserves or one-time expenditures. Recurring revenues will normally fund recurring expenditures, but surpluses of recurring revenues may be used to fund reserves or non-recurring expenditures.

e. Property Tax Revenues: The more the City relies on ad valorem property taxes to cover the majority of General Fund operations, the more susceptible the city is to reductions in property values and changes in legislation, therefore the goal for property tax revenue is no more than 30% of the City's Annual General Fund Revenue. However, today the amount generated is actually 32.5% of the General Fund Revenue.

   The City recognizes the "Roll Back Rate" as a concept that fails to take into consideration how services can be provided at the same level without upward adjustment for change in the cost of doing business. It is not the tax rate alone, but the combination of tax rate and property value assessments that together determine a citizen's property tax bill. The City's policy is to consider the overall effect on individual property tax liability in both expenditure decisions and tax rate setting. Assuming the City is permitted by law, the millage will be levied with the goal of avoiding extreme fluctuations and adjustments in the future and will be targeted to provide services needed, and desired by citizens, along with the overall ability to pay for such services, rather than merely reflect tax rates of adjacent local jurisdictions.

f. User Fees: Reasonable user fees for non-essential services will be adopted to offset the corresponding costs of providing the particular services, to the extent they are competitive and comparable to similar charges by other entities in the area, and truly reflect the cost of providing the service(s). Whenever it is legal and practical, residents and businesses located within the City limits will be charged a lower fee versus

non-residents. The self-supporting Enterprise funds will maintain rates sufficient to comply with bond covenants, cover operating and maintenance costs, capital outlay, and retirement of debt.

g. Lease of Public Property: All funds acquired by the City from the sale, lease, operation and maintenance of City owned real property, including privilege fees paid to the City for the abandonment of public rights-of-way, shall be paid into the Property Management Fund. Expenditures from said fund shall be used exclusively for the acquisition, operation and maintenance of public property of the City, as well as any amounts committed to the General Fund.

h. Rate Studies: Water and Wastewater funds will conduct a professional rate study periodically, but in no event less frequently than every three years, so as to keep rates in-line with the actual cost of providing the services.

i. Investment Income from Bond Proceeds: When the City issues bonds, funds received are invested until the actual bond-funded expenditure has occurred. As a result, the City earns interest income from bond proceeds subject to arbitrage limitations set by Federal regulations. This income shall be budgeted in advance and allocated to the purpose for which the bonds were issued, subject to bond covenants.

3. Budgeted Expenditures:

a. Personal Service Costs: It is the City's policy to constrain the costs of Personal Services as the cost of staffing City government is the largest single factor in the overall cost of government. This is generally accomplished by studying the need for various positions, comparing market rates for salaries and wages, and restricting overtime expense, when possible.

b. Self-Insurance: The City is currently a member of a self-insurance pool, called Treasure Coast Risk Management Program (TRICO) with commercial excess coverage, for all risks under worker's compensation, loss of property, and automobile and general liability. The City has established a policy of accident and loss prevention control, with training, as important components of policy implementation. The City currently also self-insures the city employee Health Benefit Plan with stop-loss insurance covering excess claims.

c. Cost-Center Accounting: It is the City fiscal policy to control government costs through identification of the true costs of government activities and through establishing cost centers with accurate allocation of costs,

including indirect costs, to those centers. The City will identify all direct costs as part of the budgeting process and indirect costs will be allocated based on formulas provided from the independent indirect cost allocation study, which should be updated every three years. The cost –center accounting concept identifies true total costs of programs and services which can be used in validating benefits derived and provides the base for analysis of internal cost reduction and productivity improvements.

d. Non-departmental Accounts: It is fiscal policy that all expenses by properly charged to the related department. The only non-departmental accounts (cost centers) will be the accounts related to Reserve and Surplus, and accounts for annual debt service reflecting principal and interest payments due on all debt for the fund. These accounts, along with any fund transfers from these accounts, will be shown in the City's budget in a clear and concise manner.

e. Alternative Service Delivery Concepts: Fiscal policy is that all programs and services of government, including internal support functions, be reviewed during the budget process for applicability of alternative service delivery concepts, out-sourcing, as options. A basic principle for controlling government costs is to control the scope of its activities. Where private markets perform satisfactorily in providing desired services or programs, there is no need for government replication. Further, when private or institutional entrepreneurs want to provide services hitherto provided by government there is reason to support such efforts so long as both the general and specific public objectives are met. The concept of "alternative service delivery" is to identify potentials for specific program activities or functions to be performed by other than government employees. Best known of such alternatives is the contracting-out of specific government services or functions such as building or utility engineering design, consultant planning, and support functions. Other government service delivery options to be considered are: the use of franchise operations, volunteer services, de-regulatory and tax incentives for private provision; institutional arrangements including use of government grants and subsidies to non-profit organizations; and government programs to specifically encourage and support self-help and self-sufficiency among client populations.

f. Emergency Purchases: The City Manager may make emergency purchases that temporarily exceed a department's budget appropriations when it is absolutely necessary and in the best interest of the City. Such actions shall follow the requirements for emergency purchases in the Purchasing Policy adopted by ordinance.

4. <u>Reserves:</u>

a. General Fund Reserves: It is the policy of the City that a part of the Nonspendable and Assigned Fund Balance of the General Fund be identified as Emergency Reserves, to be maintained at a minimum level adequate to fund Personal Service Costs and Operating Expenditures for not less than three months. In the event the Emergency Reserve is used to cover unanticipated costs, the reserve will be replenished as part of the annual budgeting process in an amount to restore the reserve up to the three month level. The replenishment should be amortized over a period not to exceed five years. Available funds in excess of the minimum required to fund the Emergency Reserve may be committed first to fund the Capital Replacement Reserve, followed by any other Committed Fund Balances as established by enabling acts of the City Commission. The remainder shall be considered available to establish any Assigned Fund Balances as deemed necessary by the City Manager, or designee, for the intent of funding other initiatives or reserves of the City. Any funds not Assigned, may be deemed as Unassigned Fund Balance and available to carry forward year to year and may be used to fund future appropriations or abate future tax levies.

b. Utilities Funds Reserves: It is the policy of the City that a part of the Retained Earnings, or Net Assets, of the Utilities Funds be designated as Emergency Reserves, to be maintained the same as required of the General Fund. Available funds in excess of the minimum required to fund the Emergency Reserve will be used to fund the Renewal and Replacement reserves, capital expenses, and for providing required debt service reserves. The remainder shall be considered surplus and may be carried forward year to year, and/or used to fund supplemental or emergency appropriations.

c. Special Revenue Funds Reserves: Reserves of Special Revenue Funds will be maintained to reflect the actual balance of the funds, including any obligations to other funds, and may only be designated for the allowable uses of the applicable source of funding.

d. Capital Replacement Reserve: It is City policy to include in the General Fund annual operating budget a provision for a Capital Replacement Reserve to be used for the replacement of assets not normally included in the CIP such as vehicles, machinery and other equipment. As it takes several years to accumulate adequate funding levels to maximize the use of this reserve, the General Fund reserve will be funded by some portion annually and evaluated as to adequacy of funding level.

e. Contingency Reserve: In order to minimize the impact on the General Fund Reserves, it is City policy to fund, annually, a Contingency Reserve in the amount of approximately 1 % of the annual budget, to be used by the City Manager to fund minor unanticipated costs that were not included in the Adopted Budget. The unused portion of this reserve will expire at the end of each fiscal year and will be re-budgeted as line item expenditure in each succeeding annual budget. Use of the Contingency Reserve will be in accordance with "Division 4. Procurement" of the City of Stuart Code of Ordinances and all expenditures charged to this reserve will be reported to and approved by the City Commission periodically, but in no event less frequently than the quarterly financial review.

f. Health Self-Insurance Fund Reserves: In order to manage the impact of potential employee health insurance claims in excess of normal funding, it is City policy to fund an additional amount of up to 15% of the normal funding, to be held in reserve for funding of future claims.

5. Interfund Transfers:
   a. Community Redevelopment Fund (CRA): If during any fiscal year the estimated budgeted Tax Increment Funding (TIF) revenues are insufficient to provide adequate funding for the CRA proposed budgeted appropriations, consideration will be given to other funding sources, including discretionary transfers from other governmental and proprietary funds in order to implement the CRA programs.

   b. Enterprise Funds: For any fiscal year in which funding is available, the Enterprise Funds will budget for Transfers to the General Fund in the amount of 6% of gross operating revenues to be used for additional funding for General Fund operating expenses.

6. Grants:

   a. Revenues: It is the City's policy to seek all appropriate intergovernmental financial support to maintain its governmental responsibilities and accomplish program objectives.

   b. Expenses: Prudent fiscal policy requires that grant assistance be reviewed for its long-term impacts on City programs and future operating costs. Long-term program commitments should not be made with assurances of only short-term funding support. The internal costs of grant application preparation, administration and auditing should be considered prior to approving the preparation of any grant application. The City

should review all continuing operating costs for programs funded by grants that may require continued funding after the expiration of the grant. If continued funding is not available then the program function should be discontinued when the grant funding is discontinued.

7. Financial Forecasting:

   a. Five-Year Budget Projection: The annual operating budget will include a Five Year Budget Projection that forecasts available sources and anticipated uses of funds. Anticipating future revenues and their relationship to projected expenses of government is critical to ensure fiscal stability in future years. Economic assumptions will be forecasted and documented as a basis for preparing the budgets and making financial projections. They will be defined by the Financial Services Director and the same assumptions will be applied consistently for all City Funds. The assumptions used to forecast revenues and expenditures shall be reviewed annually in conjunction with the annual budget, in an effort to improve their accuracy. Recurring expenditures will be funded with recurring revenues and nonrecurring revenues will be used only for nonrecurring expenditures.

   b. Long Range Strategy: Specific recommendations to remedy long-term fiscal imbalances will be included in the annual budget adopted by the City. It is the City's policy to require analysis of any imbalances, and to recommend specific remedies to correct the imbalance, which may include:

      - Limiting expenses,
      - Privatizing or otherwise contracting for similar services,
      - Implementing alternative sources of revenue,
      - Increasing/decreasing user fees,
      - Increasing/decreasing taxes.

OTHER FINANCIAL POLICIES AND PRACTICES

8. Accounting and Reporting

   a. External Auditors: Pursuant to Florida Statutes, and the City Code of Ordinances, it is the policy of the City to provide for an annual review and opinion of the City's financial records by a Florida licensed Certified Public Accountant who may be used for a period of no more than five (5) consecutive years, or the terms of contract as awarded by the City Commission. The external auditors may be re-appointed following a Request for Proposals or Request for Quotes and review by the City's Audit Committee, as provided by law in order to "test the market". The

engaged firm will "rotate" the personnel involved in the audit to ensure objectivity and to comply with GASB recommended practices. Comments presented by the external auditors will be acted on and corrected as soon as practicable to be included in the report of the following year. A Comprehensive Annual Financial Report (CAFR) will be prepared following Government Finance Officer's Association (GFOA) guidelines that will include the annual audit prepared in accordance with Generally Accepted Accounting Principles (GAAP), and timely submitted to the GFOA for submission in the national award program.

b. Funds and Accounts: The City will minimize the number of accounts and funds. The goal is to maintain simplicity and avoid making the records unnecessarily complex. Funds and accounts will be established by the Financial Services Department in accordance with the State mandated chart of accounts.

c. Cash Receipts: All receipts will be controlled by the Financial Services Director. Procedures will be established to insure proper security and internal control over collections and the custody of cash. Deposits will be made the next business day.

d. Delinquent Accounts: The City may use any legally available cost effective means to collect on delinquent accounts. Enforcement of City Ordinances will insure collection of accounts, but unless determined to be in error, all delinquent accounts must be paid. Questionable issues may be resolved by decision of the City Manager, so long as this does not conflict with any ordinance provisions.

e. Investments: Investments shall be made only in accordance with the investment policy adopted separately by the City Commission, which is in compliance with applicable state and federal law, and based on guidelines promulgated by the Government Finance Officers Association.

f. Interim Financial Reporting: The City will take the necessary measures to provide for accurate and timely reporting of financial information. The accounting records shall be closed and a summary of revenues and expenditures compared to the Annual Operating Budget will be available to all departments by the end of each month. Quarterly reports summarizing a detailed quarterly financial analysis performed by Financial Services will be submitted to the City Commission for review by the end of the subsequent month.

g. Fiscal Policy Review: The City Manager shall submit a proposed Fiscal Policy to the City Commission, each year, prior to consideration of the proposed Annual Operating Budget.

9. Protective Measures:

    a. Internal Controls: The Financial Services Director is granted the authority to establish appropriate internal controls to insure that assets are protected and procedures are followed. Accounting procedures and processes will be regularly reviewed. Changes will always consider the additional costs and the impact suggested controls may have on operational efficiency.

    b. Financial Services Department Review: Any agenda item involving expenditures, or any proposed commission action that will create or modify financial policies shall be reviewed by the Financial Services Director prior to adoption. The Director should have the opportunity to provide input in advance of actions that could possibly impact the City's financial position.

    c. Fiscal Impact Reviews: City policy is to require that all proposed City resolutions and ordinances shall be reviewed for fiscal impacts on the premise that law, once made, will have long-term effects. Good practice requires that the direct and indirect costs of legislation be understood and dealt with during the formative stages of such legislation prior to adoption by the City Commission.

10. Capital Expenditures: Capital Improvement Program: It is the policy of the City to annually review the long range CIP and to set an amount of General Fund and other revenues for funding. The annual operating budget will include the additional costs associated with the operation and maintenance of the new capital improvements.

11. Depreciation: Expenditures from the various funds categorized as Capital Outlay representing items that cost at least $1,000 each, and have a useful life in excess of one year, will be capitalized, and inventoried.

12. Fixed Asset Inventory: All fixed assets and all city-owned or controlled items worth over $1,000.00 are inventoried, at least annually. Certain sensitive items, such as guns, computers, and some computer peripherals are inventoried, regardless of value.

13. Personnel:

a. Personnel Policies: Policies are specifically addressed in the personnel handbooks and are incorporated by reference herein.

b. Budgetary Position Control: The number of permanent full-time positions approved in the annual budget may not be exceeded without approval by the City Manager. The City Manager may choose to leave vacancies unfilled or adjust job responsibilities and classifications as he determines necessary to accomplish a department's purposes.

c. Employee Compensation: Wages and benefits shall be established at levels that are reasonably expected to attract competent and qualified employees that will remain with the City for an extended time. It is the City policy to offer a total compensation package, which is competitive and fair with respect to comparisons with both nearby governments and the private sector. Fringe benefits constitute an increasingly large proportion of overall City staff costs and shall be administered in a cost-effective manner with consideration toward providing the best possible value to the employee.

d. Overtime: Overtime hours should be avoided except in instances specifically authorized by the department head, and generally in concert with the annual appropriation for the same. The City Manager may authorize extraordinary overtime to provide necessary labor in emergencies, consistent with the overall declaration of emergency approved for a given emergency event.

14. Purchasing:

a. Centralized/Decentralized Purchasing: City purchases shall be made in compliance with purchasing procedures outlined and adopted by the City Commission in the Stuart Code of Ordinances, Chapter 2-Administration, Division 4. Procurement and reflected in the City Purchasing Manual. It is fiscal policy to maximize the value received in City procurement by providing desired standards of goods and services at best and lowest cost. This process is affected through purchasing and inventory procedures developed and implemented through the City's Purchasing Manager. City policy also requires intergovernmental review of procurements to identify savings available through joint government purchasing.

b. Purchasing Cards: Purchasing cards will be tightly controlled and will follow policies included in the City Purchasing Manual.

15. Debt Management:

a. Debt Management: The City's general government has a long history of very little or no long-term borrowing, which is and remains the adopted policy of the City. Increasing the City's long-term debt shall only occur along with a full report of future debt service and revenue sources available for repayment, and adoption of same.

   Enterprise funds are the principal exception to this policy. When debt and investment of proceeds thereof can be shown to be a necessary component of maintaining sound long-term services for water and wastewater, solid waste, or other enterprise funds, then issuance of debt will be considered.

b. General Obligation Debt: General obligation debt shall only be considered within the long-range budget and the Capital Improvement Program (CIP). Issuance of general obligation debt shall be preceded by the adoption of a long-range budget and voter approved referendum. Repayment of all General Fund debt of the City will be clearly shown as expenditures for principal and interest in the annual General Fund operating budget.

c. Level of Debt Service to Operating Budgets: It is the City's policy that total General Fund non-ad valorem tax revenue annual debt service costs shall not exceed 10% of the total annual General Fund operating revenues.

d. Long-term Debt: The City will prevent any default on debt and strive to maintain an underlying issuer's credit rating of at least AA. General Obligation bonds, by definition, need approval of the citizens, via referendum. Revenue Bonds or Notes may be used for major purchases or projects but will normally be financed for 20 years or less. Long-term debt shall not be used to finance current operations. The City prefers to "pay-as-you-go" and issue new debt only if there is no other means to achieve the objective or if there is an economic advantage, such as expected increases in a project's future cost or potential revenue returns from the asset anticipated in the future. Refinancing is considered if it is possible to get present value savings in excess of three percent.

e. Short-Term Debt and Leases: Debt for less than the five-year planning period shall be avoided. Leases or lease-purchases will only be used when the total costs of the lease and maintenance is less than the total costs of the purchase and maintenance, or there are other special considerations. Net present value calculations should always be used in the comparison. Loans between funds should be at market value interest rates. Short-term debt may be issued in response to a natural disaster or unexpected delays in receiving revenues.

POLICIES TO PROMOTE JOINT PUBLIC AND PRIVATE INVESTMENT

16. Private Sector Participation: Where public service programs overlap with specific resources, wants or needs of the private sector, it is the City policy to share city expenditures, resources, and assets to gain greater scope and effectiveness in such programs. City policy is that development of program budgets take into consideration and promote opportunities for private sector participation when there is mutual benefit.

17. Public Investment to Support Private Investment Initiatives: Where appropriate, and when favorable cost-benefits can be established, (including return of tax revenues), the City will participate in construction of physical infrastructure required for new development or redevelopment of residential areas or business districts. The City's policy is to require rigorous analysis of costs and benefits both direct and indirect, affecting the public and private sectors involved, and obtain equitable participation by those interests specifically benefiting from public expenditures.

18. Public-Private Partnerships: Current policy is to elicit and support public-private partnerships when joint action provides favorable cost-benefit ratios, economies of scale, or accomplishment of well-defined mutual public-private objectives in a particular activity or service area. The City may expend public funds to participate with private organizations for accomplishment of mutually beneficial programs.

19. Revenue Bonds: Revenue bonds issued to support a policy objective shall be repaid by users of the relevant facility based on their actual usage.

20. Relationship between Residential and Commercial/Business Development: It is the policy of the City to monitor and assess the aggregate effects of annexation and development on the City's fiscal future. This is to ensure a balanced, orderly mix of development, both residential and commercial, and to minimize private demands for additional government services or other governmental support. Good public practice will assess short and long term impacts of development in the City, particularly in the effects of business area development on surrounding neighborhoods, infrastructure maintenance requirements and indirect demands on other functions and services of government. Appropriate fiscal policy would include analysis of public costs against offsetting development contributions, additions to the assessable tax base and assessments for extraordinary public costs or special services provided

This is a City-initiated application recommending the City Council **APPROVE** of the annual update to the Comprehensive Plan's Capital Improvements Element (CIE) for Fiscal Years (FY) 2021 to 2025.

PURPOSE

The Capital Improvements Element (CIE) annual update for Fiscal Years (FY) 2021 to 2025 represents the City's modification to the Capital Improvements Schedule of the currently adopted CIE including addition of the new fifth year (FY 2025). The modified schedule includes projects that are needed to meet future demands of development in accordance with Section 163.3202(2)(g), Florida Statutes. While there have been amendments to the Growth Management Act over the years, Florida law continues to require that the CIE and the schedule of capital improvements, also referred to as the Capital Improvement Program (CIP), be reviewed on an annual basis and modified as necessary. The City has also received a comment from the Department of Economic Opportunity requesting the City provide the Five-Year Schedule of Capital Improvements, as required by F.S

While the purpose of the CIE is to consider the need, location and the efficient use of public facilities, the Capital Improvements Schedule demonstrates the fiscal feasibility of the element's goals. This is accomplished by estimating costs of improvements, analysis of the City's fiscal capability to finance and construct improvements, and adoption of financial policies to guide funding. To demonstrate the ability to provide for needed improvements, the City has adopted the Capital Improvement Schedule as part of the Comprehensive Plan. The Capital Improvement Schedule includes a schedule of projects, funding dates, all costs reasonably associated with the completion of the project, and a demonstration that the City has the necessary funding to provide public facility needs concurrent with or prior to previously issued Development Orders or future development.

BACKGROUND

The process of developing the CIE demonstrates that a reasonable, measurable and affordable plan is in place to reduce, eliminate or prevent facility deficiencies within the established specified time frame. The costs of projects may be paid or contracted for in phases, as necessary to meet or maintain the facility's adopted Level of Service (LOS) standard as provided for within the Comprehensive Plan. These facilities include:

1. potable water;
2. sanitary sewer;
3. solid waste;
4. drainage/stormwater; and
5. recreation.

Capital Improvement Plan -Financial Feasibility

Each year City Council adopts an operating budget and a capital improvement budget. The capital improvement budget is the first year of the five-year Capital Improvement Program (CIP). The annual CIE update reflects a subset of the City's recently adopted CIP in that it only includes project schedules that contribute to the above listed facility's LOS. Florida Statutes requires a statement of project financial feasibility, which is demonstrated through the identification of both committed revenue and planned revenue anticipated to undertake project expenditures as shown within the five-year schedule. All projects listed in the City's CIP are considered priority projects and deemed financially feasible.

While legislative changes no longer require the CIP to be financially feasible, the City continues to demonstrate a balanced program. Financial feasibility means that sufficient funding sources (revenues) are available for financing capital improvement projects (expenses) intended to achieve and maintain the adopted LOS standards. The City accomplishes this by adhering to the following fiscal policies, codified in the City's 2013 Fiscal Policy (Exhibit "B")

Population Estimate

Functional population for 2019 is used as the basis for the update. An estimate of functional population is needed to determine if a facility is meeting or exceeding the adopted level of service on a per capita basis. Functional population is defined as the number of people occupying space in the community on a 24 hour per day, seven day-per-week basis. By estimating the functional population of a community, estimations of current and future demand for certain facilities can be improved. The functional population for 2019 was calculated using a combination of the best available data from different sources to arrive at the most accurate population estimate. The base population number came from the University of Florida's Bureau of Economic and Business Research's (BEBR) 2019 population estimate of 15,504 for the City.

Concurrency monitoring allows for the determination of facility needs through the consideration of level of service (LOS), required repairs or renovations that reflect new system capacity and new growth demands for projects. A needs analysis for each facility is summarized below. A relative priority of need among facility type is indicated through the extent of improvements scheduled within the adopted CIP (see attached corresponding facility project schedule Exhibit "A").

LEVEL OF SERVICE ANALYSIS

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)
	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 for certain roadways

Sanitary Sewer

The City is required to maintain a level of service of 1.24 million gallons per day for residential, and 1.1 million gallons per day for non-residential. The approved budget summary demonstrates the service demands are being met and the budget summary is included in the CIE update.

Solid Waste

The City is required to maintain a level of service of residential garbage collection at least 54,425 lbs per day or .64 tons per household per year. For fiscal year 2020, the City collected 91 tons per household per year of residential garbage. Our residential recycle collection for fiscal year 2020 was .38 tons per household per year.

Drainage/Stormwater

Our Public Works Department attests that construction of new surface water management systems and improvements to existing systems will be required to meet design standards outlined in the Land Development Regulations, using a minimum design 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. The City currently has a Stormwater Management Master Plan, which is currently being revised/updated. The City's Stormwater rate was recently increased from

$4.35 to $7.00. The City does not have a major drainage project within the first 3 years of the CIP schedule. And we do not have any South Florida Water Management District grants at this time.

Potable Water

The City is required to maintain a level of service of 3.875 million gallons per day. The City currently provides water service connections for 4,331 households. The City's maximum capacity is 6 million gallons per day. There are no plans or need to increase our capacity, during this five year planning frame.

Recreation and Open Space

The City is required to maintain a level of service is 45 acres. The City has 10 park areas, totaling 127 acres. The City parks include: Memorial Park and Sailfish (16.6 acres), Flagler Park (4.3 acres), Shepard Park (4.3 acres), Poppleton Creek Dog Park (10.5 acres), Haney Creek Park (78 acres), Guy Davis Sports Complex/10th Street (6.4 acres), Kiwanis Park (2.4 acres), Martin Luther King Park (0.6 acres), and Smith-Turner Park (4.3 acres). The City provides services that include a variety of sports, athletics, youth-based programs and community engagement events.

COMPREHENSIVE PLAN COMPLIANCE

The attached proposed ordinance contains a subset of the City's recently adopted CIP schedules that have been prepared to update the Capital Improvements Element of the Comprehensive Plan. The proposed CIP schedules do not commit the City to any financial expenditure beyond those itemized in the annual Capital Improvement Program (CIP) Budget. The following objective and policies from the Capital Improvements Element of the Comprehensive Plan are applicable to this annual update.

PUBLIC HEARING PROCESS

The ordinance associated with the Comprehensive Plan annual CIE update is a modification to the 5-year schedule of capital improvements and is not a Comprehensive Plan text amendment. Pursuant to Section 163.3177(3)(b), Florida Statues, only one (1) public hearing before City Council is required.

RECOMMENDATION

Staff and the Local Planning Agency, making a finding of consistency with the Comprehensive Plan, recommends to City Council **APPROVAL** of the annual update to the Comprehensive Plan's Capital Improvements Element (CIE) for Fiscal Years (FY) 2021-2025 described herein.

ATTACHMENTS

Attachment: Proposed Ordinance and Exhibit A (CIP Schedule), B (City of Stuart's Fiscal Policy) and C (Budget Summary Report)

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **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:

Item History

In February and March 2020, public input was requested and encouraged through three (3) public workshops and one (1) focus group discussion with Stuart Main Street. On June 4th, the Local Planning Agency (LPA) reviewed the draft Evaluation and Appraisal Report (EAR) and associated text amendments at a public hearing. Following that hearing the EAR was further amended and presented to City Commission on June 22nd, 2020 and July 13th 2020. The final approved Evaluation and Appraisal report was transmitted to the Department of Economic Opportunity on July 14th, 2020. Since that time staff have received feedback and are presenting that with this item. The feedback is in the form of an Objections, Recommendations, and Comments (ORC) report, which is attached to the agenda item. The DEO has one objection regarding affordable housing provisions and one comment, requesting the five-year schedule of capital improvements be included in the adoption transmittal. Staff has provided the recommendations for the affordable housing provisions, revising the definition of attainable and affordable housing within the Housing, Future Land Use and Intergovernmental Elements.

Staff has coordinated with DEO and using their feedback has included updated draft Elements with the revised language regarding affordable housing definitions and terms. These changes are limited to the Future Land Use, Housing and Intergovernmental Coordination Elements, and will be seen as either blue underline or rejections to previously modified text. Notably, any removal of the term "affordable housing", was not recommended by DEO, and therefore the use of the term remains. The revised policies are recommended by DEO staff to provide the consistency with Florida Statutes, while staff also is maintaining the City's desire to create a term for attainable housing so that we may use this term in our future development decisions.

Staff has also discovered that the proposed wetland mitigation language could create severely non-conforming single family lots (vacant and built). Please refer to the attached map of potential single family lots within the required 50' wetland buffer. The affected existing single family lots are along Poppleton Creek. The minimum 50' average buffer distance from the significant wetland area along the creek would envelop many of these existing lots, and therefore, staff is recommending additional language specifically exempting these single family lots, as listed in the Comprehensive Plan text amendment.

Funding Source:

N/A

Recommended Action:

Motion to approve and adopt Ordinance 2442-2020 including the amended EAR Report and Comprehensive Plan text amendments.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	A1. Ordinance 2442-2020 (Exhibit B)	6/29/2020	Ordinance add to Y drive
🗋	B1. Transmittal Letter	6/29/2020	Exhibit
🗋	B2. Final EAR (Exhibit A)	6/29/2020	Exhibit
🗋	B3. Minutes (Exhibit C)	6/29/2020	Exhibit
🗋	B4. DEO Objections Recommendations and Comments Report	10/16/2020	Attachment
🗋	D1. Ad (Exhibit D)	6/29/2020	Exhibit
🗋	D2. Cover (Exhibit E)	6/29/2020	Exhibit
🗋	D3. Future Land Use Element Recommended Changes	12/3/2020	Exhibit
🗋	D4. Transportation Element Recommended Changes	6/29/2020	Exhibit
🗋	D5. Housing Element Recommended Changes	12/3/2020	Exhibit
🗋	D6. Infrastructure Element Recommended Changes	6/29/2020	Exhibit
🗋	D7. Conservation Element Recommended Changes	12/3/2020	Exhibit
🗋	D8. Recreation and Open Space Element Recommended Changes	6/29/2020	Exhibit
🗋	D9 Intergovernmental Coordination Element Recommended Changes	12/3/2020	Exhibit
🗋	D10. Capital Improvement Element Recommended Changes	6/29/2020	Exhibit
🗋	D11. Coastal Management Element Recommended Changes	6/29/2020	Exhibit
🗋	D12. Public Schools Facilities Element Recommended Changes	6/29/2020	Exhibit
🗋	D13. Economic Development Element Recommended Changes	6/29/2020	Exhibit
🗋	D14. Potential Single Family lots in wetland buffers (New Map)	12/3/2020	Exhibit

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

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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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.

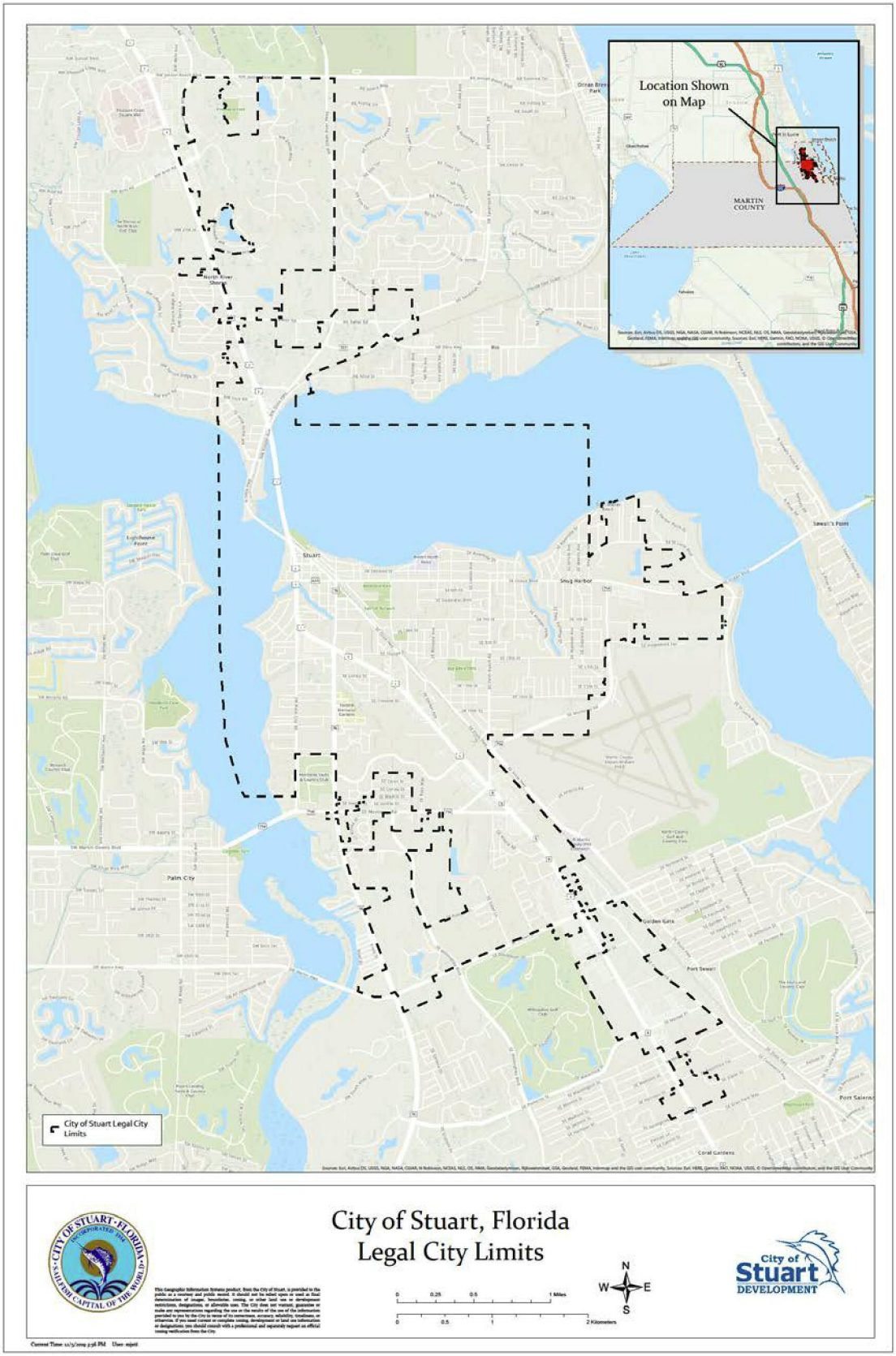
The next step will be for the City to utilize the recomendations of the Evaluation and Appraisal Report to update the Comprehensive Plan to reflect the City's vision and to adapt to changing needs of the community.

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

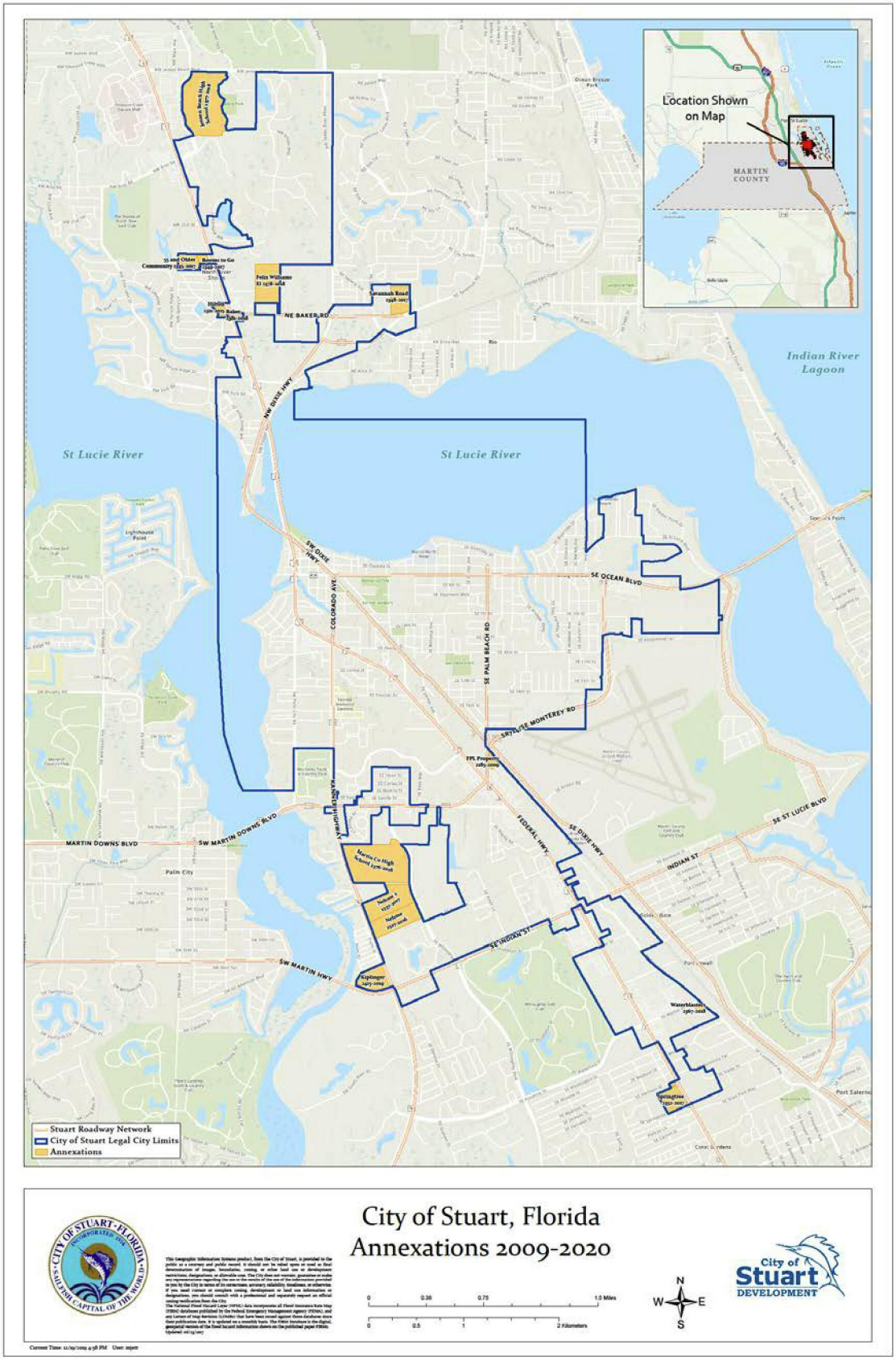
Table 1-2 Population Projections (Resident Population)

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%



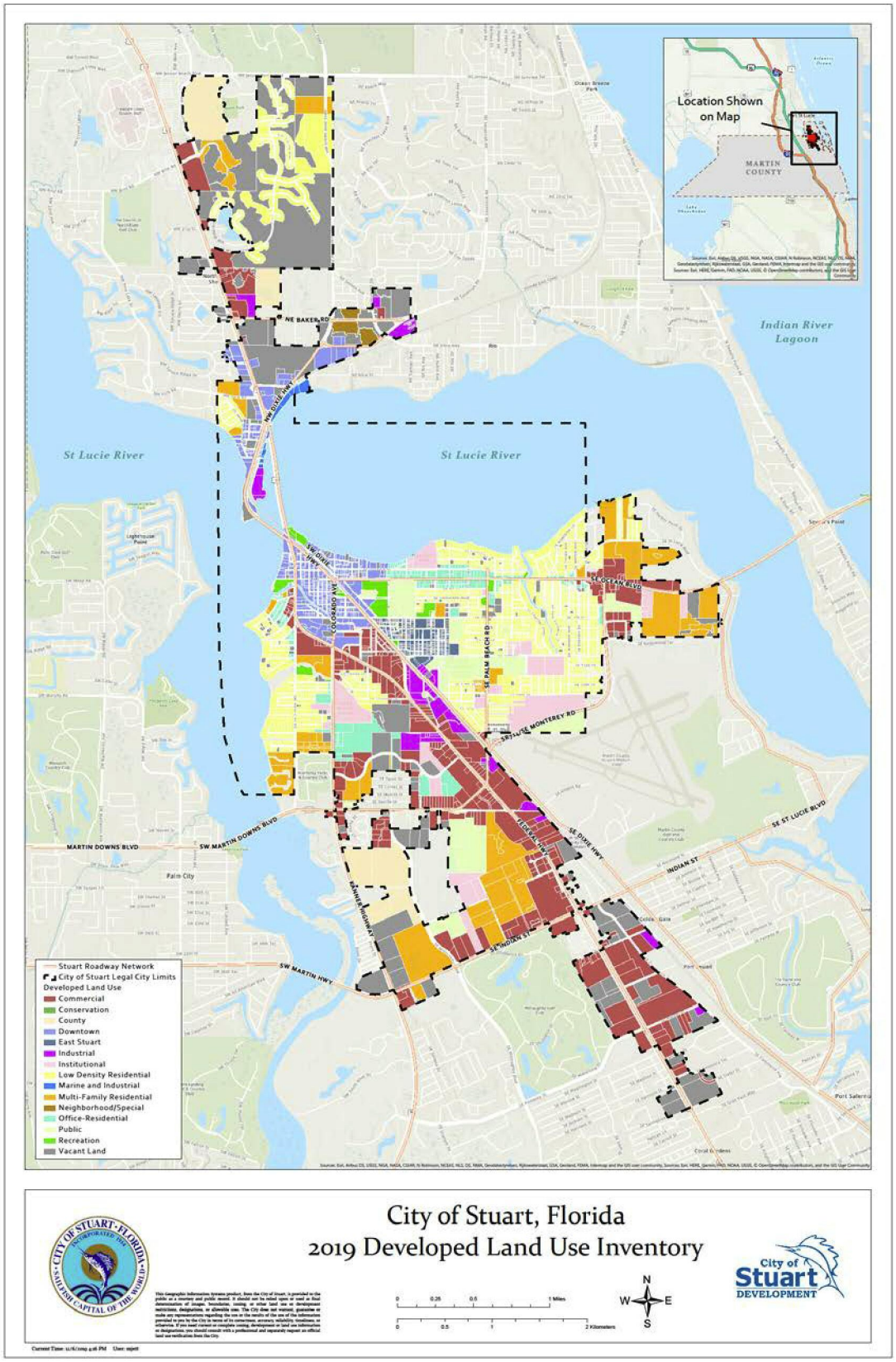
1.5 Vacant Land for Development



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 > Open Space & Green Space	> Water Quality > Resiliency & Climate Change > Renewable & Alternative Energy	None
Mobility	> Walkability	> Passenger Train > Alternative Transportation > Parking > Biking	> Traffic & Streetscape
Public Services	> Potable Water & Utilities > Parks & Recreation > Sanitation & Recycling > Beautification > Stormwater > Sewer & Septic	None	None
Neighborhoods	> Architectural Standards & Design > Density	> Historic Preservation > Affordable Housing > Future Land Use > Housing Stock/Type	None
Business	> Community Redevelopment Area > Downtown > Capital Improvements	> Local Economy > Jobs > 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.

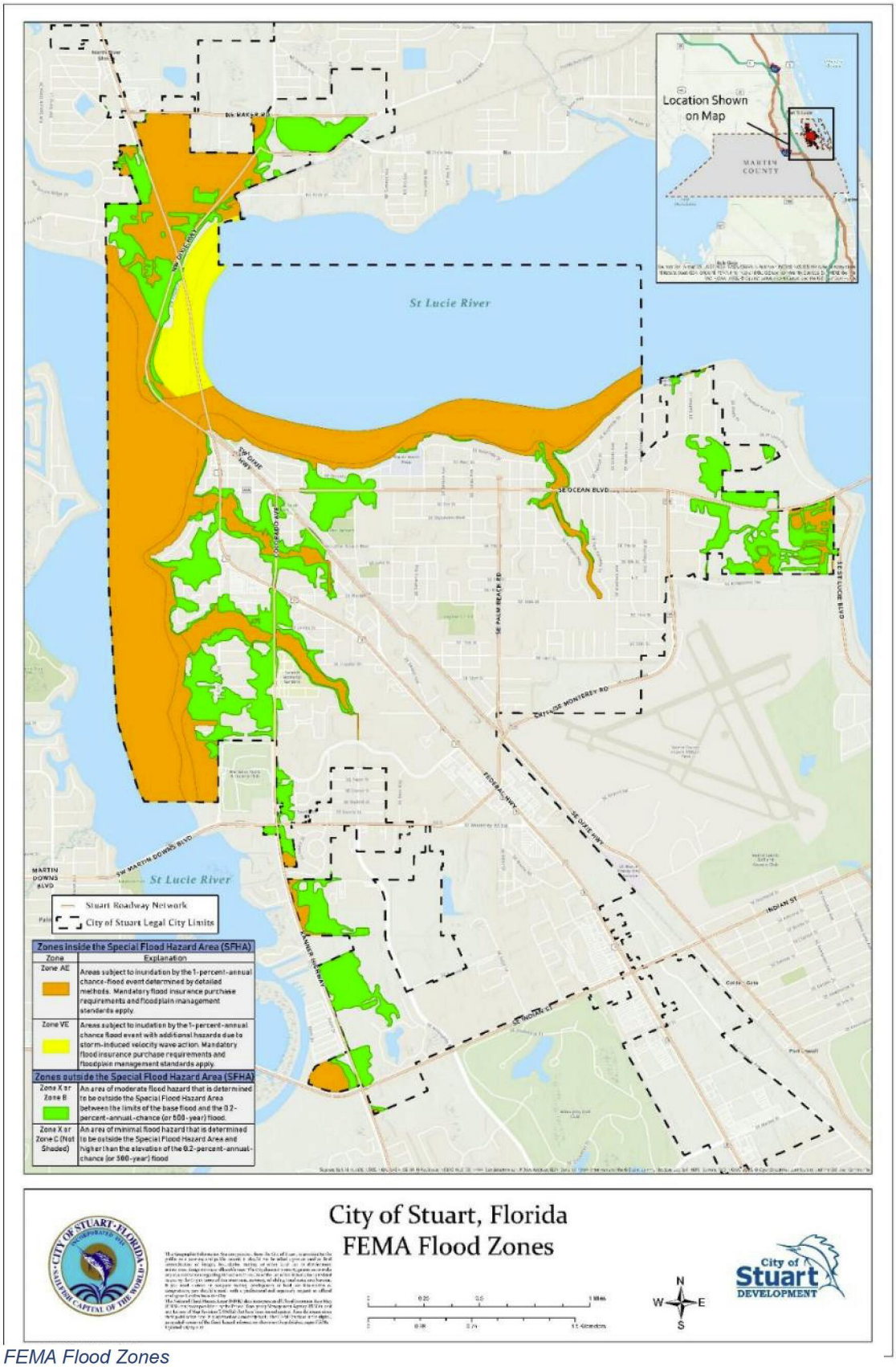
a. **Water Quality and Natural Resources:** Most residents are drawn to the natural beauty of Stuart. The health of the natural environment is crucial to maintaining the

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.

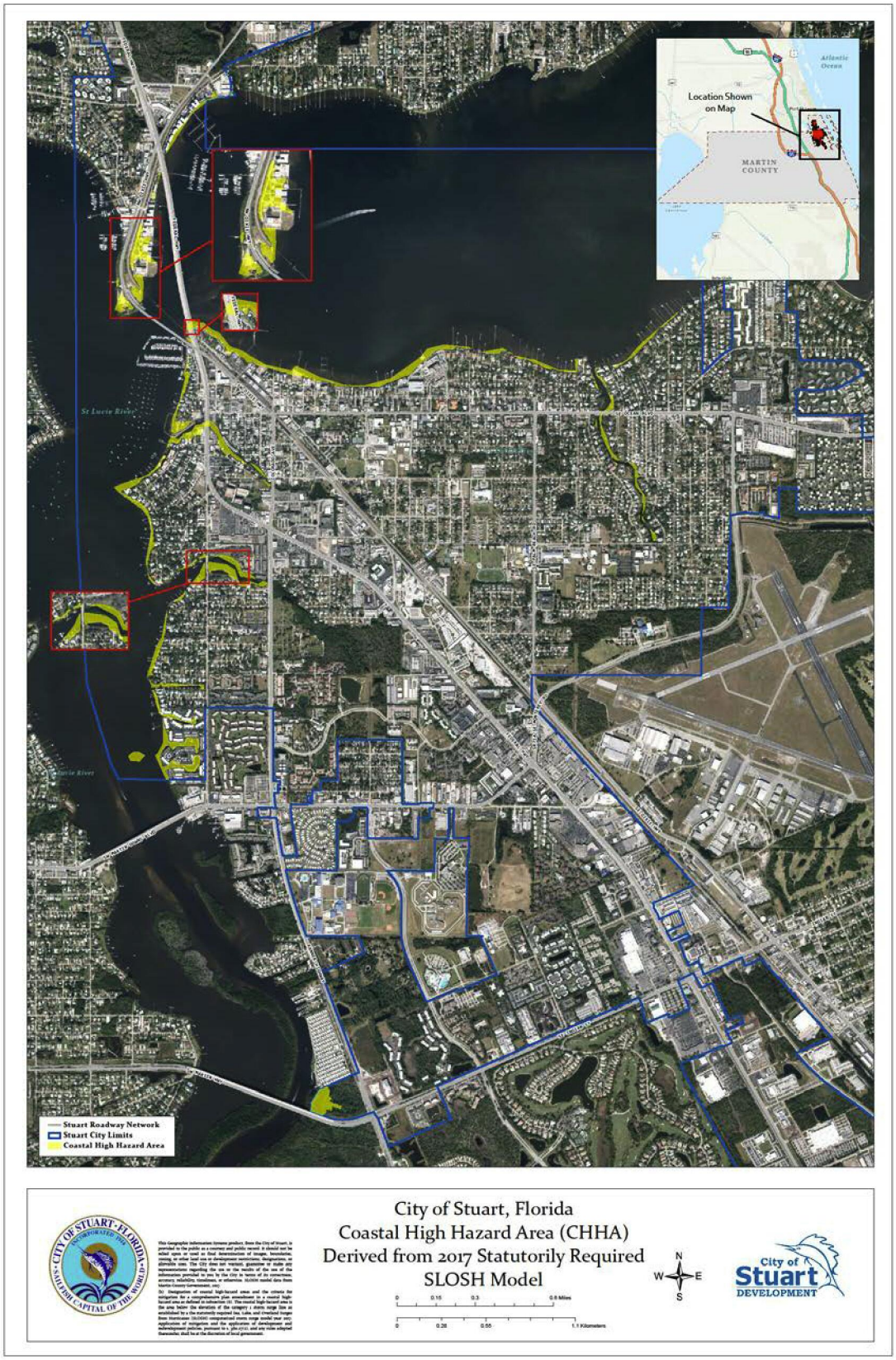
b. **Renewable and Alternative Energy and Resource Use:** For a sustainable future, energy reliability is critical. The City of Stuart's primary source of power is provided by Florida Power and Light, who currently has one of the lowest emission profiles of any utility in North America. This is important 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.

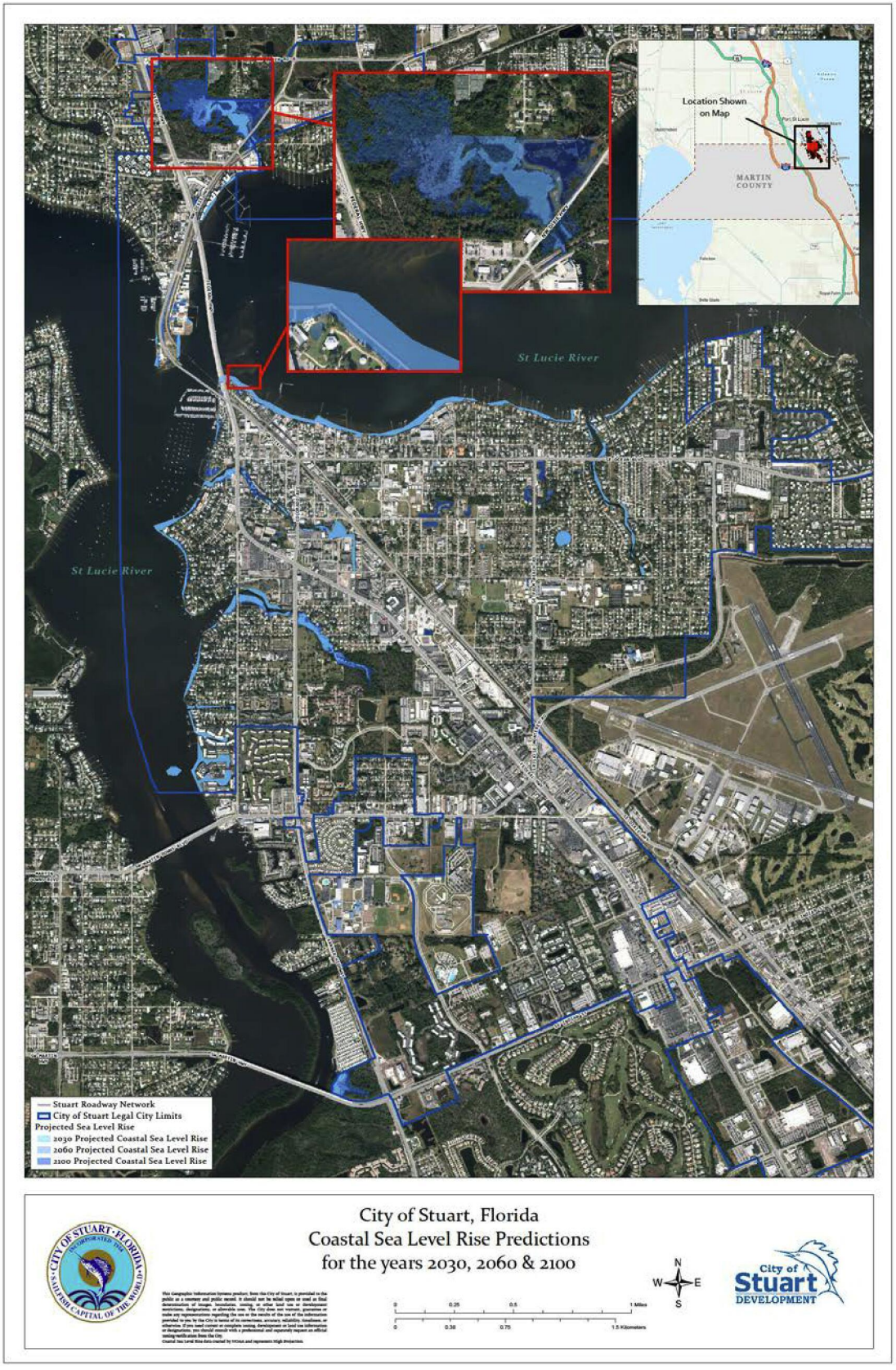




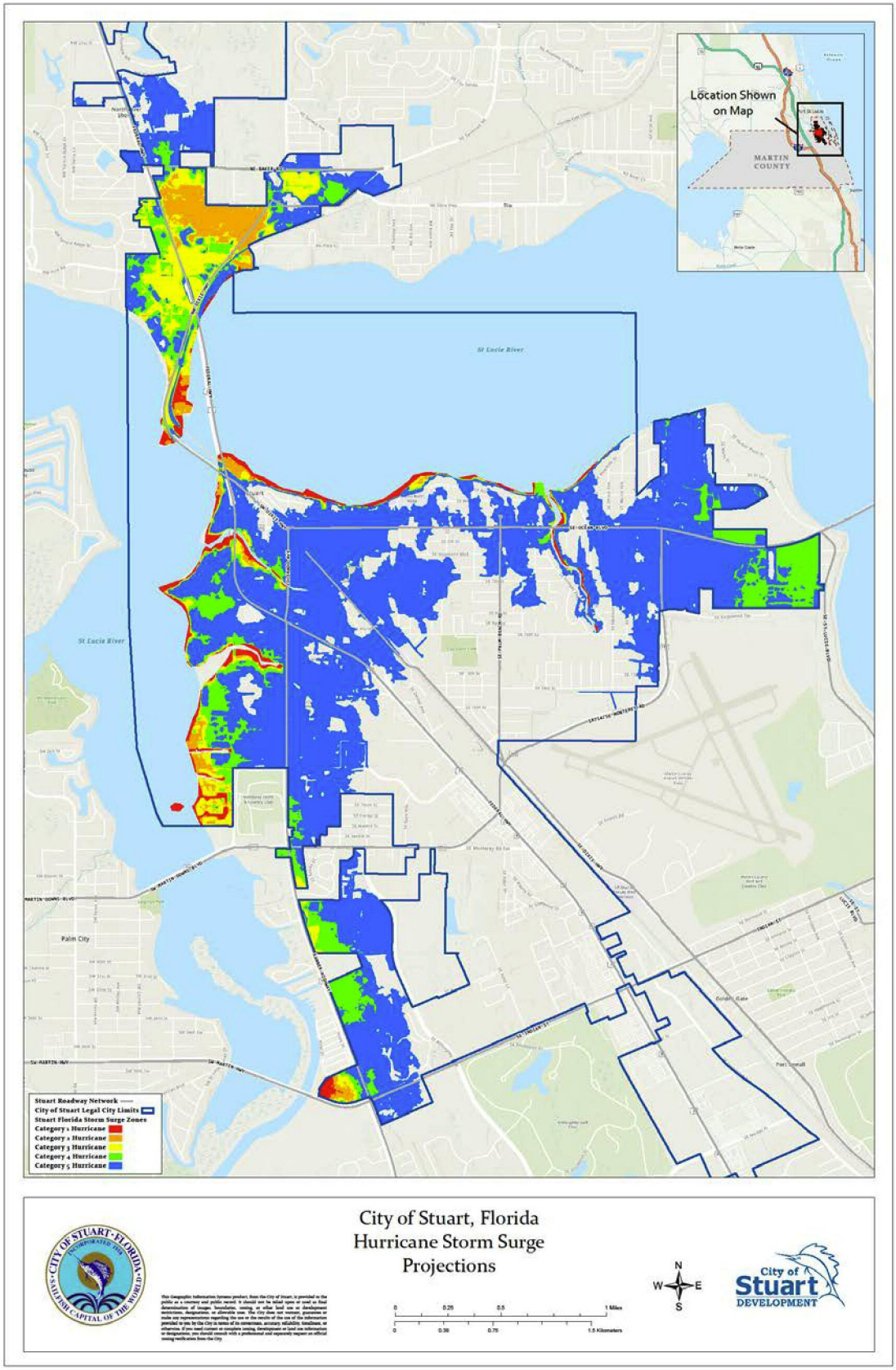
Map 4: FEMA Flood Zones



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"

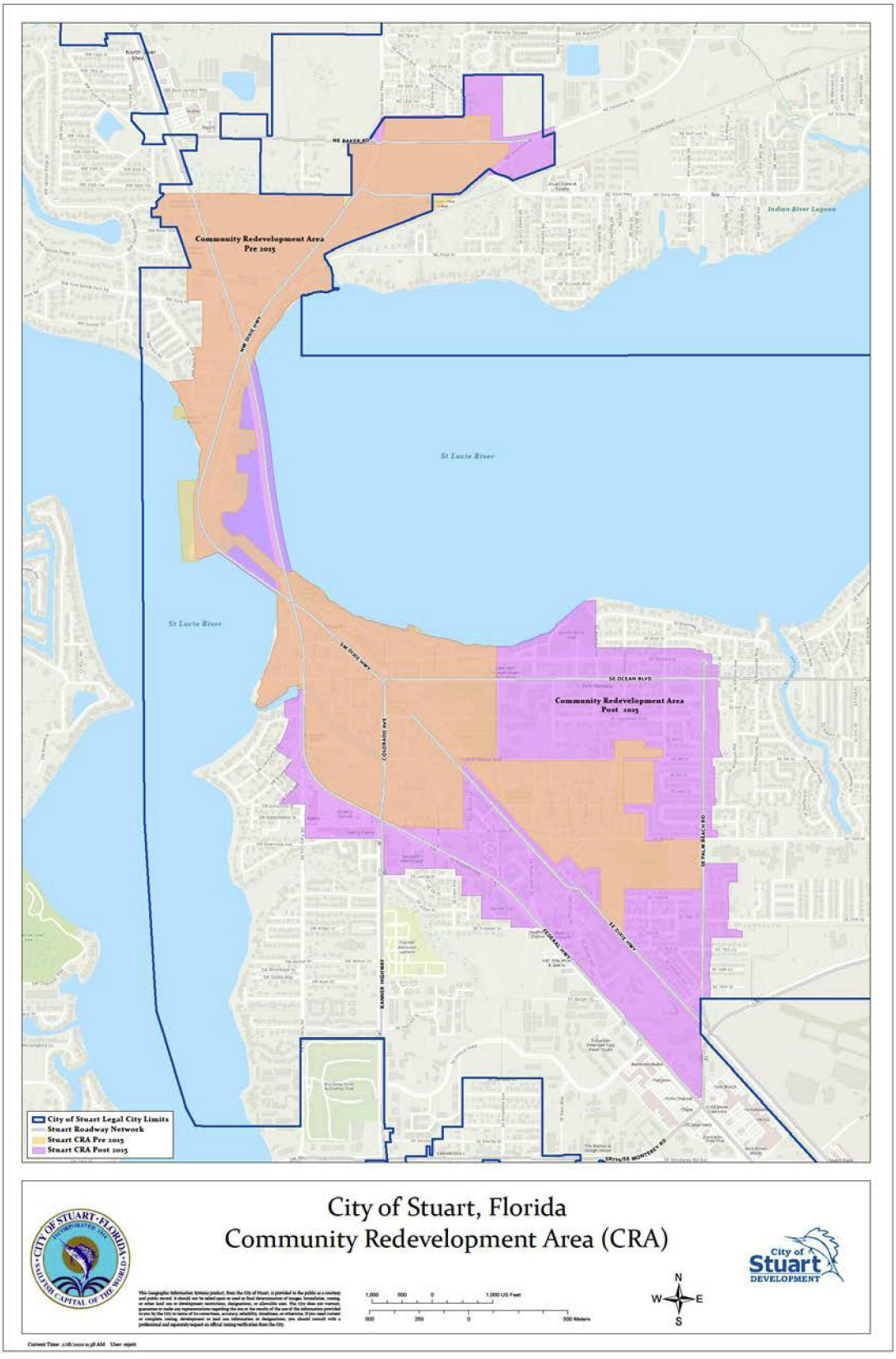
Strong neighborhoods are at the center of the City of Stuart's community identity. The City has identified areas in which the Comprehensive Plan should be updated to promote positive development and redevelopment patterns. The existing Elements, objectives, and policies in the Comprehensive Plan will 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.

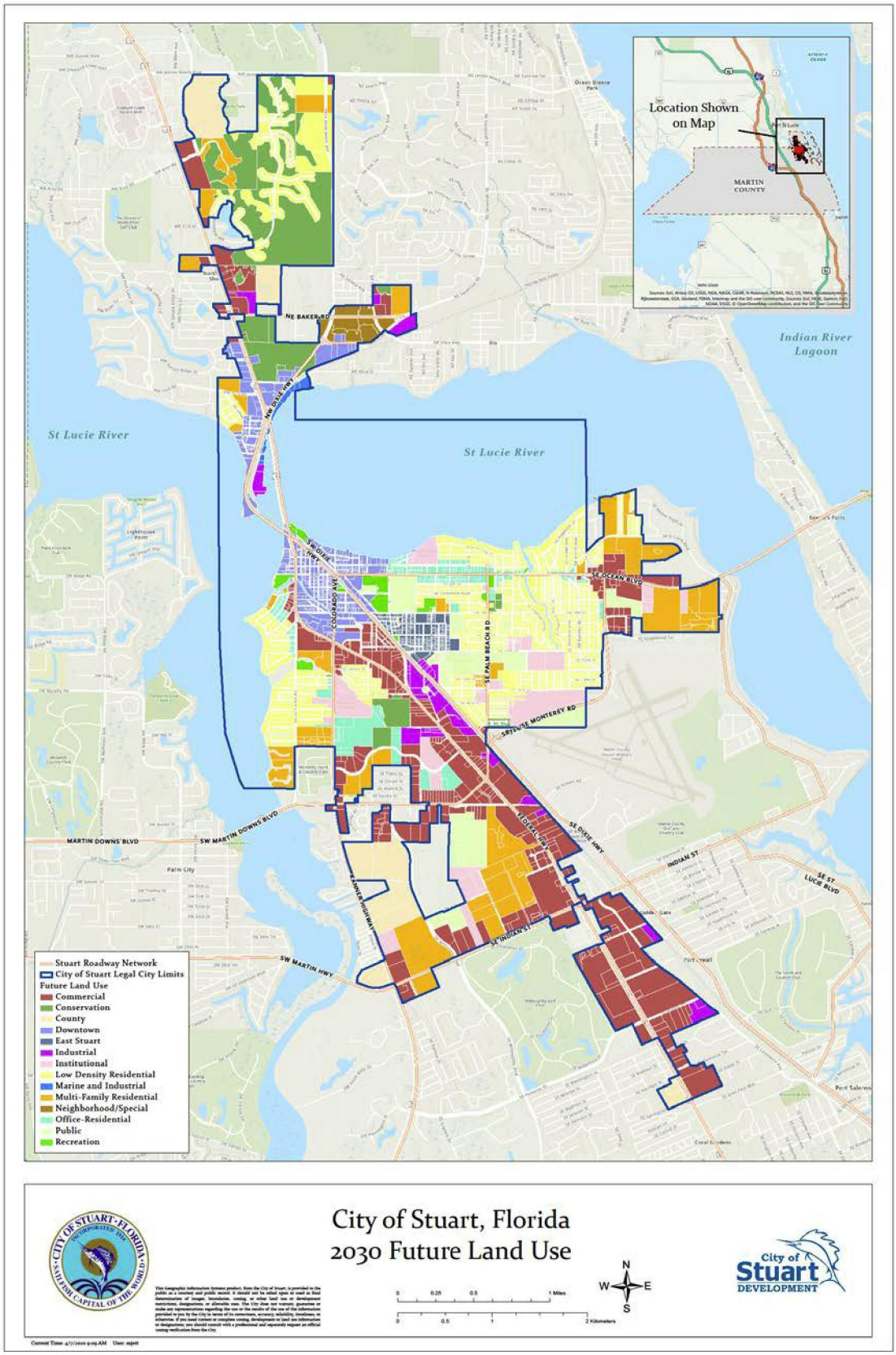


Map 8: Community Redevelopment Area (CRA) 2015 Expansion

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.

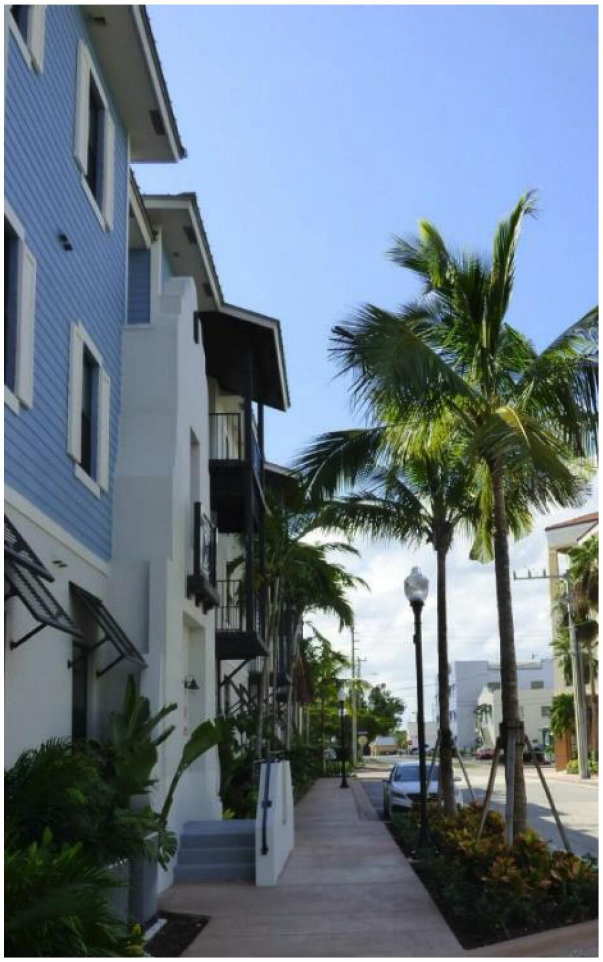
Improving community amenities, recreation opportunities, public access to open space, and pedestrian level infrastructure is essential to safe, inviting, and vibrant communities. The primary issues facing the community in recreation and public space include: the need to update and improve existing parks 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.

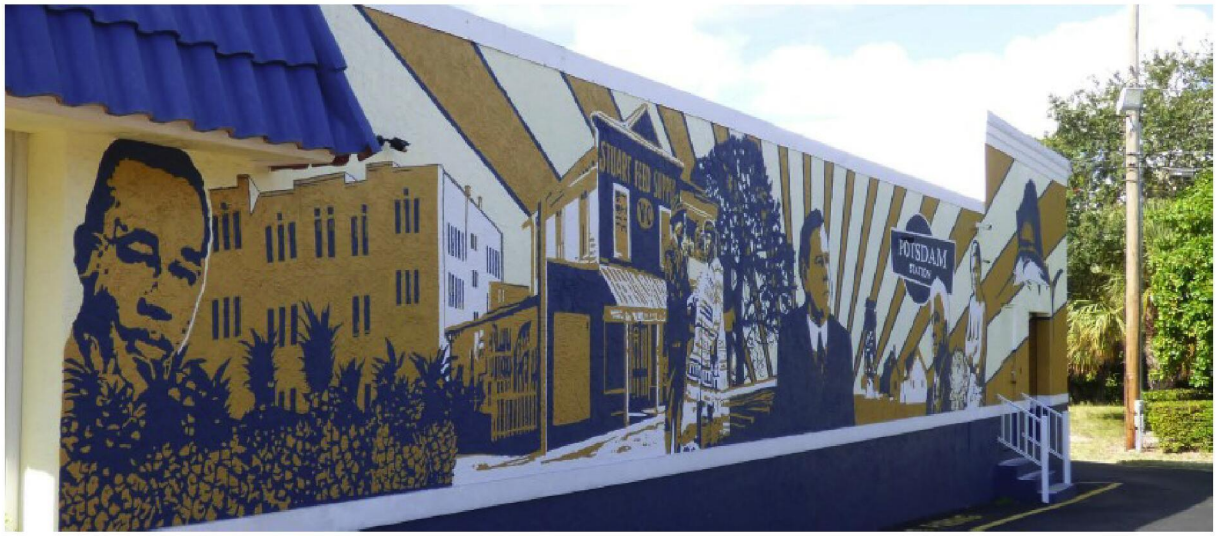
e. Historic Preservation & Neighborhood Vibrancy

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

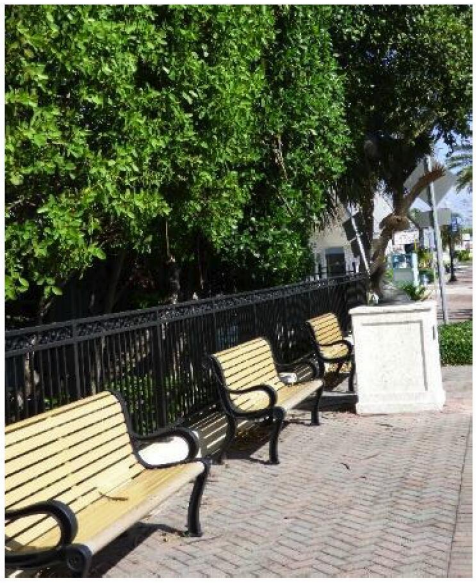
The City strives to provide safe and walkable developments with access to alternate modes of transportation that will create a more sustainable and mobile Stuart for all residents.

"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:

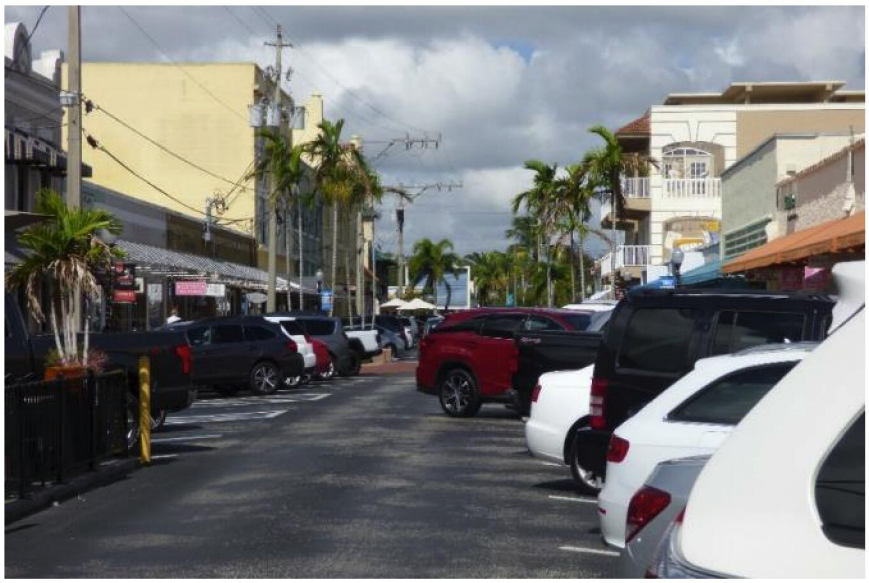
Parking and vehicular infrastructure will remain a priority for the City. Increasing multi-modal transportation options will alleviate stress on the existing road network; however, it will not eliminate the need of maintaining and improving the network. As part of the update to the Comprehensive Plan, 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:

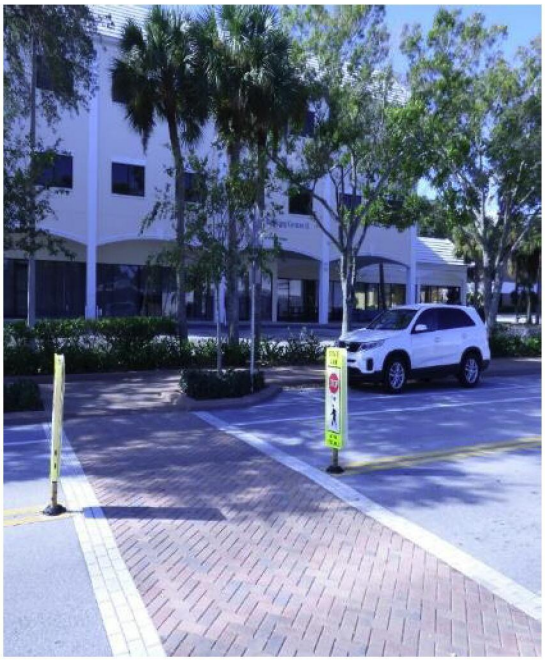
1. Provide a supply of convenient and appropriately designed parking that meets the current and future demand of the downtown.
2. Pursue opportunities for share parking and joint use of facilities with new and existing developments.
3. Develop a parking system that is financially sustainable with all 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.

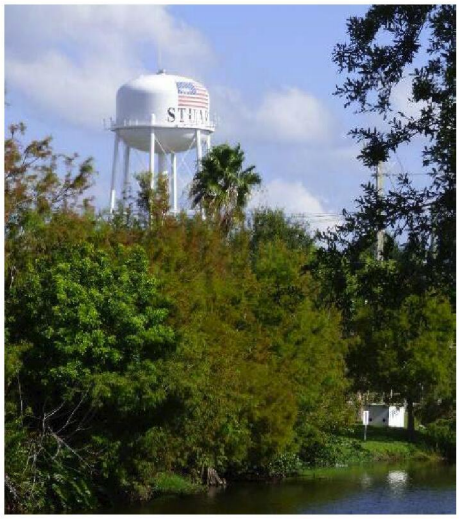


Table 7-1 Population Projections (Resident Population): Stuart Water Service Area

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) 1,100 gallons per acre per day (non-residential) 115 gallons per capita per day (total wastewater flow rate)
Solid Waste	3.5 pounds per capita per day (residential) .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.

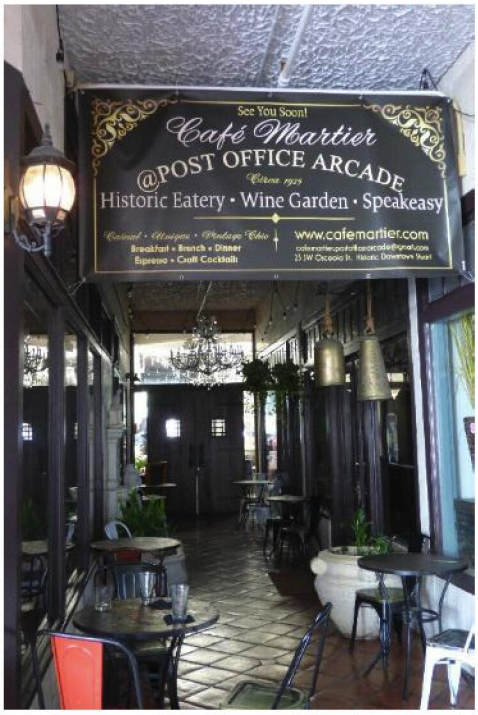
"The City will develop and maintain an economic environment that encourages the creation, expansion and retention of business within city limits while maintaining a high quality of life for its residents."

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 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.

Ron DeSantis
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Dane Eagle
EXECUTIVE DIRECTOR

September 15, 2020

The Honorable Mike Meier
Mayor, City of Stuart
121 SW Flagler Avenue
Stuart, Florida 34994

Dear Mayor Meier:

The Department of Economic Opportunity ("Department") has completed its review of the proposed comprehensive plan amendment for the City of Stuart (Amendment No. 20-03ER), which was received and determined complete on July 17, 2020. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. We have identified an objection and have included recommendations regarding measures that can be taken to address the objection. We are also providing a comment. The comment is offered to assist the local government but will not form the basis for a determination of whether the amendment, if adopted, is "In Compliance" as defined in Section 163.3184(1)(b), F.S. Copies of comments received by the Department from reviewing agencies, if any, are also enclosed.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment. **The second public hearing,** which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of the Department's attached report, or the amendment will be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(4)(e)1., F.S.

Department staff is available to assist the City to address the objection and comment. If you have any questions related to this review, please contact Ed Zeno, Planning Analyst, by telephone at (850) 717-8511 or by email at ed.zeno-gonzalez@deo.myflorida.com.

Sincerely,

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/ez

Enclosures: Objections, Recommendations, and Comments Report
Procedures for Adoption
Reviewing Agency Comments

cc: Stephen Mayer, Senior Planner, City of Stuart
Thomas Lanahan, Executive Director, Treasure Coast Regional Planning Council

Objections, Recommendations and Comments Report
Proposed Comprehensive Plan Amendment
City of Stuart 20-03ER

The Department of Economic Opportunity has identified an objection and a comment regarding the City of Stuart's proposed comprehensive plan amendment. The objection and comment are provided below, along with recommended actions the City could take to resolve issues of concern. If the County adopts the plan amendment without adequately addressing the objection, the Department may find the amendment not in compliance with Chapter 163, Part II, Florida Statutes (F.S.), pursuant to section 163.3184(4)(e)4., F.S. Comments are offered to assist the local government and will not form the basis for a compliance determination.

Department staff have discussed the basis of the report with local government staff and is available to assist the City to address the objection and comment.

Objections: Staff recommends the following objection in response to the proposed amendments:

Objection 1: Affordable Housing Provisions

The City's effort to review and consider its approach to affordable housing within its community is an important endeavor and the City's consideration in this matter is recognized. However, the proposed changes to the City's Housing, Intergovernmental Coordination and Future Land Use Element policies regarding the provision of affordable housing present inconsistencies with the requirements of Florida Statute. Numerous policies throughout the Plan are amended to remove the statutorily defined term "affordable housing" and replace it with the term "attainable housing" whose definition in the Stuart Plan does not wholly conform to the statutory requirements for affordable housing policies as set forth below.

Section 163.3177(6)(f)1.d., F.S. requires policies for the provision of "housing for low-income, very low-income, and moderate-income families." Proposed Housing Element Policy 3.A2.1 states that "The City will address the attainable housing needs of very-low-income to moderate-income residents." However, the proposed amendment removes the portion of Housing Element Policy 3.A2.1 which defines and requires the provision of housing for "moderate income" households pursuant to s. 420.0004(12), F.S.

Additionally, the Housing Policy 3.A2.1 definition of "attainable housing" is inconsistent with the statutory definition of "affordable housing" pursuant to s. 420.0004(3), F.S. because it specifically omits the inclusion of utility payments in the calculation of the 30 percent affordability threshold. The reference to "attainable housing" in the proposed changes to the Future Land Use Element and the Intergovernmental Coordination Element as part of the City's overall approach to planning for affordable housing makes those policies inconsistent with the requirements of Section 163.3177(6)(f)1.d., F.S.

Section 380.0651(1)(h), F.S. defines "affordable workforce housing" as "housing that is affordable to a person who earns less than 120 percent of the area median income, or less than 140 percent of the area median income if located in a county in which the median purchase price for a single-family existing home exceeds the statewide median purchase price of a single-family home." Proposed Housing Element Policy 3.A2.1 has been revised to eliminate the definition for "workforce housing" and proposes instead to define "workforce income" as "an income no less than 80 percent and no greater than 100 percent of the HUD AMI for Martin County, Port Saint Lucie MSA." Therefore, this policy is inconsistent with s. 163.3177(6)(f)1.d. and 380.0651(1)(h), F.S. which require policies for the provision of "affordable workforce housing" that is affordable to a person who earns less than 120 or 140 percent of the area median income.

Statutory Authority: Sections 163.3164(3), 163.3177(6)(f)1.d., 380.0651(1)(h)., and 420.0004, Florida Statutes.

Recommendation:
The Department is prepared to work with the City toward the following recommendations to ensure the approach to affordable housing in the comprehensive plan is consistent with the requirements of Section 163, Florida Statutes while achieving the overall goals for the community.

Revise the proposed amendment prior to adoption to retain the statutorily defined term "affordable housing" and to delete references to "attainable housing" in order to ensure consistency with the affordable housing requirements of Section 163, F.S.. Additionally, the definition of "workforce income" should be revised to mirror the statutory definition of "affordable workforce housing" in s. 380.0651(1)(h), F.S.

Revise proposed Housing Element Policy 3.A2.1 prior to adoption to include a definition of "affordable housing" consistent with s. 420.0004(3), F.S. wherein utility payments are not excluded from the calculation of the 30 percent affordability threshold.

Revise proposed Housing Element Policy 3.A2.1 to retain the statutory definition of "moderate income" as required by s. 163.3177(6)(f)1.d., and 420.0004(12), F.S.

Revise proposed Housing Element Policy 3.A2.1 prior to adoption to define "affordable workforce housing" at either 120 or 140 percent of area median income consistent with s. 163.3177(6)(f)1.d. and 380.0651(1)(h), F.S.

Revise the proposed changes in the Future Land Use Element and the Intergovernmental Coordination Element that reference "attainable housing" to reference "affordable housing" consistent with the definition of affordable housing in the second recommendation above.

II. Comments: Staff provides the following comment in response to the proposed amendments:

Comment 1: Five-Year Schedule of Capital Improvements

The proposed amendment does not seek to update the City's Capital Improvement Plan 2011-2015 included in the adopted Capital Improvement Element (titled as: *Capital Improvements Element and Concurrency Management System*). The Five-Year Schedule of Capital Improvements is a required component of the Capital Improvements Element pursuant to Sections 163.3177(3)(a)4, F.S. and (b), F.S. Prior to adoption, the amendment should be revised to incorporate the updated Five-Year Schedule of Capital Improvements into the Capital Improvements Element, which identifies capital improvement projects to be implemented in the first five (5) years following adoption of the amendment.

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format;

_____ In the case of future land use map amendment, an adopted future land use map, **in color format,** clearly depicting the parcel, its existing future land use designation, and its adopted designation;

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

> "The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity to the ORC report from the Department of Economic Opportunity.

From:	Oblaczynski, Deborah
To:	Eubanks, Ray
Cc:	Corvin, Kelly D.; Stephanie Heidt (sheidt@tcrpc.org); tlanahan@tcrpc.org; Tom Reetz (treetz@ci.stuart.fl.us); DCPexternalagencycomments
Subject:	[EXTERNAL] - City of Stuart, DEO #20-3ER Comments on Proposed Comprehensive Plan Amendment Package
Date:	Thursday, August 6, 2020 3:09:48 PM

Dear Mr. Eubanks:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from the City of Stuart (City). The amendment proposes the City's Evaluation and Appraisal Review based amendments. The proposed changes do not appear to adversely impact the water resources within the District; therefore, the District has no comments on the proposed amendment package.

The District requests that the City of Stuart forward a copy of the adopted amendments to the District. Please contact me if you have any questions or need additional information.

Sincerely,

Deborah Oblaczynski
Policy & Planning Analyst
Water Supply Implementation Unit

Please be advised I am working from home until further notice. I can be contacted at:
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406
Email: doblaczy@sfwmd.gov **or**
Cell Phone: 561-315-1474

From:	Plan Review
To:	Eubanks, Ray; DCPexternalagencycomments
Cc:	Plan Review
Subject:	[EXTERNAL] - Stuart 20-03ER Proposed
Date:	Friday, August 14, 2020 3:19:49 PM
Attachments:	image002.png

To: Ray Eubanks, DEO Plan Review Administrator

Re: Stuart 20-03ER – State Coordinated Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to plan.review@floridadep.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members

From: Staff

Date: August 12, 2020

Subject: Local Government Comprehensive Plan Review
Draft Amendment to the City of Stuart Comprehensive Plan
Amendment No. 20-03ER

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from the City of Stuart was received on July 15, 2020 and contains updates to all elements of the comprehensive plan. The proposed changes are based on the City's Evaluation and Appraisal Review (EAR). The purpose of the EAR is to determine whether the need exists to amend the comprehensive plan to reflect changes in state requirements since the last time the comprehensive plan was updated and to address issues of local concern. In May 2019, the City notified the Florida Department of Economic Opportunity (FDEO) of its intent to conduct a comprehensive review and evaluation of its current comprehensive plan and provide updates as necessary. Once a letter of intent is sent to FDEO, a local government must complete the EAR process, prepare their plan amendments, and transmit them to FDEO within one year. On June 26, 2020 the City was notified by FDEO that they could not amend their comprehensive plan until the EAR process was completed. This report includes a summary of the proposed amendment and Council comments.

Summary of Proposed Amendment

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. The City has provided the proposed changes in ~~strikeout~~ and underline format. Because of the extensive volume of material in the amendment package, the revisions will be provided upon request. The most significant changes in the comprehensive plan are summarized below:

All Elements

- All goals, objectives, and policies are renumbered.
- All references to Rule 9J-5 of the Florida Administrative Code are deleted.

Future Land Use Element

- Revise renumbered Policy 1.A2.1 to include density allowances as a technique for allowing cluster development to maintain existing open space for recreation, groundwater recharge, and waterfront views.
- Revise renumbered Policy 1.A4.1 to remove a reference to the South Florida Water Management District (SFWMD) *Permit Manual IV.*
- Revise renumbered Policy 1.A7.2 to add language that 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 SF and 0.75 density per unit for units less than 1,100 SF.
- Revise renumbered Objective 1.B3 to emphasize future land uses that support the existing or planned community character and encourage efficient use of land, resources, and facilities.
- Revise renumbered Policy 1.B3.11 that requires the City to continue to monitor Martin County's Airport Master Plan and, when appropriate, make the City's position known with regard to plan implementation and modification through direct communication or interlocal agreement.
- Revise renumbered Policy 1.B4.1 to reference the correct name for the Martin County Fire Rescue Emergency Management Agency.
- Revise renumbered Objective 1.C3 to change "pedestrian" to "multi-modal" mobility in the Community Redevelopment Area (CRA).
- Revise renumbered Objective 1.D1 to change "affordable" to "attainable" when referencing housing opportunities.
- Revise renumbered Policies 1.E1.7 and 1.E1.8 to include the name of the Roosevelt Bridge.

Transportation Element

- Update the table of roadways that have been assigned interim levels of service (LOS) to reflect the update of the Marin County Roadway Level of Service Inventory Report; and indicate that the Green River Parkway and Indian Street Bridge projects have been completed.
- A staff note is included in this update that indicates Policy 2.A1.5 and the table referenced above will be updated in a future amendment now that improvements have been made and the interim LOS may no longer be required.
- Revise renumbered Policy 2.A1.8 to add language to the Transportation Systems and Demand Management Strategies to:
    - increase bikeway visibility, connectivity, and bike parking opportunities;
    - increase visibility and safety through streetscape and crosswalk improvements;
    - enhance pedestrian safety through print, social media, and the City website;
    - advance parking guidance systems and other wayfinding signs;
    - encourage electric vehicle charging facilities;

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- Revise renumbered Objective 1.B3 to emphasize future land uses that support the existing or planned community character and encourage efficient use of land, resources, and facilities.
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    - increase visibility and safety through streetscape and crosswalk improvements;
    - enhance pedestrian safety through print, social media, and the City website;
    - advance parking guidance systems and other wayfinding signs;
    - encourage electric vehicle charging facilities;

    - support and encourage complete streets where possible;
    - promote walkable neighborhoods by using Transit Oriented Development principles in new development;
    - consider climate change models in planning and design of new transportation infrastructure;
    - evaluate transportation infrastructure vulnerability as it relates to climate change and resiliency; and
    - prioritize improvements for identified vulnerable transportation infrastructure.
- Update renumbered Policy 2.A1.9 to update references and add maps to the Future Transportation Map Series.
- Revise renumbered Objective 2.A5 to include the Florida Department of Transportation (FDOT) *Complete Streets Design Manual* recommendations and Complete Streets policies where feasible to maintain the City's small-town character by limiting width and vehicular lanage on roadway corridors.
- Revise renumbered Policy 2.A7.10 to support the development of multi-modal pathway in place of the previously noted bicycle/pedestrian pathway on the Old Roosevelt Bridge.
- Revise renumbered Policy 2.A7.13 to support the development of multi-modal corridor, in place of the previously noted bicycle/pedestrian corridor, on the Green River Parkway.

Housing Element

- Revise goals, objectives, and policies to change "affordable" to "attainable" when referencing housing units.
- Revise renumbered Goal 3.A to include language to look at market demands and affordability for provision of adequate residential sites and housing opportunities.
- Revise renumbered Objective 3.A2 to delete reference to the East Stuart Planning District and indicate all City neighborhoods will be addressed in terms of housing needs for the very-low-income to moderate-income residents.
- Revise renumbered Policy 3.A2.1 to provide the definitions and standards for attainable housing and income categories used by the City in its housing programs.
- Revise renumbered Objective 3.B1 to indicate the City will continue to maintain and update its inventory of historic and archeological resources.
- Revise renumbered Policy 3.B1.4 to include language regarding incentives for home owners to participate in the City's voluntary Historic Preservation Program.

Infrastructure Element

- Revise renumbered Policy 4.A1.5 to add language for the city to include reduce, re-use, and recycle practices where appropriate.
- Revise renumbered Policy 4.A4.1 to include language that the City will put special emphasis on establishing city-wide programs to assist business compliance with reduce, re-use, and recycle efforts.
- Revise renumbered Objective 4.A4D to add language that the City will encourage Low Impact Development (LID) practices in all new development projects to reduce impacts and manage stormwater runoff flows, and require integration of site specific LID best management practices.

- Revise renumbered Policy 4.A8.1 to add language that City will assess future reclaimed water distribution infrastructure needs for oncoming disposal effluent and identify areas for conversion to reclaimed irrigation.
- Revise renumbered Policy 4.A9.6 to add language that the City will cooperate with and assist the County and the SFWMD to develop a plan of action to support recharge areas.

Conservation Element

- Revise renumbered Goal 5.A to remove reference to "geothermal" from the list of renewable resources.
- Revise renumbered Policy 5.A5.4 to indicate the City will compile a list of the Florida Friendly and native plant species, and encourage native alternatives rather than planting sod.
- Revise renumbered Policy 5.A.5 to add the requirement that wetland buffers shall be an average width of 50 feet and a minimum width of 25 feet.

Recreation and Open Space Element

- Revise renumbered Policy 6.A1.15 to indicate the City shall monitor and continue to plan for the City's recreational needs at the City's parks and recreation centers.

Intergovernmental Coordination Element

- Revise renumbered Policy 7.A1.12 to include bus pick-up waiting areas when coordinating with the School Board on construction of sidewalks and bike paths.
- Revise goals, objectives, and policies to change "affordable" to "attainable" when referencing housing units.
- Revise renumbered Policy 7.A7.5 to indicate the City will continue to investigate and implement measures for collaborative planning and decision-making with other entities that build public facilities subject to concurrency.
- Revise renumbered Objective 7.A8 and underlying policies to state the City shall use intergovernmental processes, agreements, and programs, and attend regular meetings with the County and School Board subject to the existing interlocal agreement.
- Revise renumbered Policy 7.A8.20 to indicate the City shall work with Martin County and other governmental agencies with joint processes on siting facilities with countywide significance.

Capital Improvements Element

- Revise renumbered Policy 8.A1.5 to state the City shall provide education on the benefits of septic to sewer conversion.
- Revise renumbered Policy 8.A1.8 to indicate the City shall include the identification of vulnerable areas for sewer conversion and the development of long-term funding assistance once infrastructure is available in an area.
- Revise Policy 8.A2.14 to include language that states when the City incorporates projects in the first five years of the City's Ten-Year Water Supply Facilities Work Plan into the five-year schedule of capital improvements, there will emphasis on projects which reduce the City's dependence on the surficial aquifer.

- Revise renumbered Policy 4.A8.1 to add language that City will assess future reclaimed water distribution infrastructure needs for oncoming disposal effluent and identify areas for conversion to reclaimed irrigation.
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- Revise renumbered Policy 5.A.5 to add the requirement that wetland buffers shall be an average width of 50 feet and a minimum width of 25 feet.

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- Revise renumbered Objective 7.A8 and underlying policies to state the City shall use intergovernmental processes, agreements, and programs, and attend regular meetings with the County and School Board subject to the existing interlocal agreement.
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- Revise Policy 8.A2.14 to include language that states when the City incorporates projects in the first five years of the City's Ten-Year Water Supply Facilities Work Plan into the five-year schedule of capital improvements, there will emphasis on projects which reduce the City's dependence on the surficial aquifer.

Coastal Element

In 2015, under Chapter 163, Florida States (F.S.), the Legislature passed requirements under the Peril of Flood (POF) Act for jurisdictions with Coastal Management Elements contained in their comprehensive plan to provide a redevelopment component with principles to use to eliminate inappropriate and unsafe development in coastal areas. The Act defines components that must be included in the comprehensive plan to address POF requirements and the City is proposing changes to satisfy these requirements:

- Revise renumbered Policy 9.A5.16 to indicate the City will amend and re-adopt the Coastal High Hazard Area Map into the map series when new storm surge maps are available.
- Deletion of several redundant and outdated policies related to evacuation and post-disaster redevelopment.
- Revise renumbered Policy 9.B4.1 to reference the correct names for Florida Departments of Economic Opportunity and Environmental Protection.
- Add and revise goals, objectives, and policies to comply with POF regulations. These are included in ~~strikeout~~ and underline format as Exhibit 2.

Public Schools Facility Element

The City staff report indicates that this element will be updated during a future reorganization of the comprehensive plan. At that time, relevant goals, objectives, and policies will be relocated to appropriate elements and goals, objectives, and policies that are outdated and no longer necessary will be removed.

Economic Development Element

- Add Policy 11.A1.9 to indicate that the City shall encourage entrepreneurs and small business incubator space to attract and foster small business initiatives in the downtown district.
- Add Policy 11.A2.8 to indicate the City shall promote underutilized properties in the downtown district to potential developers and business owners to spur redevelopment and revitalization.
- Add Policy 11.A2.9 to indicate the City shall seek available funding for the assessment, clean-up and redevelopment of identified brownfield sites.
- Add Policy 11.A3.5 to indicate the City shall continue to promote tourism through the support of historic and cultural arts.
- Add Policy 11.A3.6 to indicate the City shall promote the creation of a new cultural designation throughout the City by capitalizing on the City's character and historic architecture, and investing in cultural landmarks and art installations.

Regional Impacts

No adverse effects on regional resources or facilities have been identified.

Extrajurisdictional Impacts

Council requested comments from local governments and organizations expressing an interest in reviewing the proposed amendment on July 17, 2020. No extrajurisdictional impacts have been identified.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified. However, Council offers the following recommendations for consideration by the City prior to adoption:

1. Section 163.3177(5)(a), Florida States requires that each local government comprehensive plan include at least two planning periods, one covering at least the first 5-year period occurring after the plan's adoption and one covering at least a 10-year period. The amendment materials do not include this requirement. Council suggests that the City establish a planning horizon to cover a period of at least ten years to be added as a Future Land Use Element policy and included on the Future Land Use Map.
2. Council suggests that the Recreation and Open Space Element be enhanced by the inclusion of level of service standards for various recreation amenities (such as ball fields, playgrounds, etc.) to provide a more comprehensive picture of the provision of a high quality recreation system and justification and support for the collection of impact fees beyond simple land acquisition. Additionally, Objective 6.A should be revised to remove the reference to 2015.

Recommendation

Council should approve this report and authorize its transmittal to the City of Stuart and the Florida Department of Economic Opportunity.

Council Action – August 14, 2020

Council's meeting of August 21, 2020 was cancelled due to the impact of the COVID-19 Pandemic. Under the authority provided by Treasure Coast Regional Planning Council Resolution #20-01, adopted by Council on March 13, 2020, and in order to avoid unnecessary delay, Council's Executive Director, Thomas J. Lanahan, approves this report and authorizes its transmittal to the City of Stuart and the Florida Department of Economic Opportunity.

Attachments

Extrajurisdictional Impacts

Council requested comments from local governments and organizations expressing an interest in reviewing the proposed amendment on July 17, 2020. No extrajurisdictional impacts have been identified.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified. However, Council offers the following recommendations for consideration by the City prior to adoption:

1. Section 163.3177(5)(a), Florida States requires that each local government comprehensive plan include at least two planning periods, one covering at least the first 5-year period occurring after the plan's adoption and one covering at least a 10-year period. The amendment materials do not include this requirement. Council suggests that the City establish a planning horizon to cover a period of at least ten years to be added as a Future Land Use Element policy and included on the Future Land Use Map.
2. Council suggests that the Recreation and Open Space Element be enhanced by the inclusion of level of service standards for various recreation amenities (such as ball fields, playgrounds, etc.) to provide a more comprehensive picture of the provision of a high quality recreation system and justification and support for the collection of impact fees beyond simple land acquisition. Additionally, Objective 6.A should be revised to remove the reference to 2015.

Recommendation

Council should approve this report and authorize its transmittal to the City of Stuart and the Florida Department of Economic Opportunity.

Council Action – August 14, 2020

Council's meeting of August 21, 2020 was cancelled due to the impact of the COVID-19 Pandemic. Under the authority provided by Treasure Coast Regional Planning Council Resolution #20-01, adopted by Council on March 13, 2020, and in order to avoid unnecessary delay, Council's Executive Director, Thomas J. Lanahan, approves this report and authorizes its transmittal to the City of Stuart and the Florida Department of Economic Opportunity.

Attachments

List of Exhibits

Exhibit

1	General Location Map
2	Text Amendments to Coastal Management Element in ~~Strikeout~~ and Underline Format

Exhibit 1
General Location Map

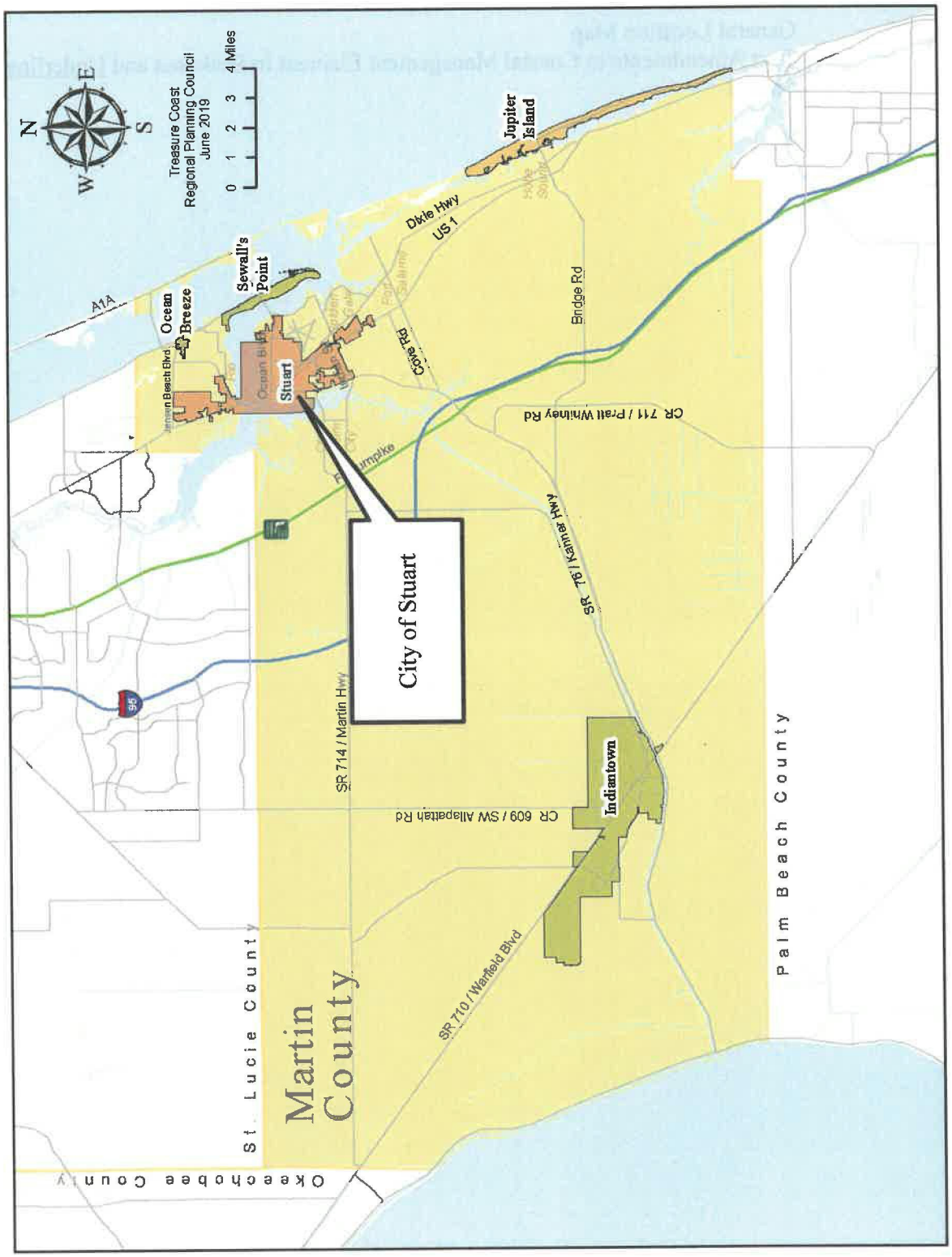


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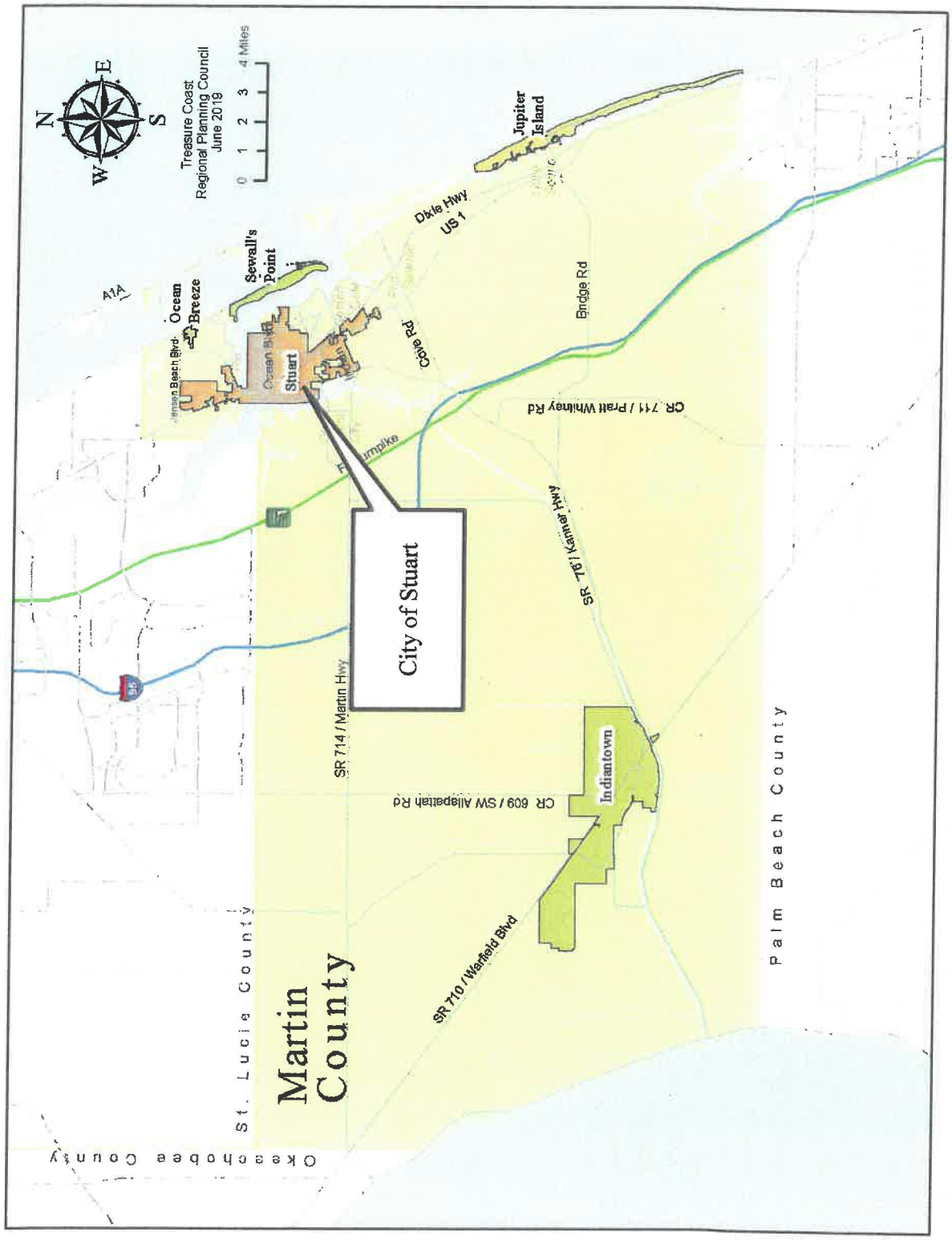


Exhibit 2
Text Amendments to Coastal Management Element in ~~Strikeout~~ and Underline Format

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~~.1~~8~~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

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.

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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~~.1~~8~~4. 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.

From: Hymowitz, Larry
To: DCPexternalagencycomments; Corvin, Kelly D.
Cc: Gardner-Young, Caryn; Carver, Jennifer; Bush, Lois; Mayer, Stephen
Subject: [EXTERNAL] - City of Stuart 20-3ER - FDOT District Four Review
Date: Friday, August 14, 2020 4:28:11 PM

I am writing to advise you that the Department will not be issuing formal comments for the proposed City of Stuart EAR based comprehensive plan amendment with DEO reference number 20-3ER.

The Department has the following technical assistance comment for the City to consider.

1. Evaluating transportation infrastructure vulnerability as it relates to climate change and resiliency is an implementation strategy for Transportation Element 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."* The Coastal Management Element also contains policy direction relating to climate change and resiliency. FDOT District Four has compiled and used data and maps from completed vulnerability assessments focused on transportation infrastructure in the region and has begun compiling and using data relevant to planning, designing, constructing, and operating and maintaining transportation infrastructure from additional sources as they become available. The City is encouraged to consult with the Department to coordinate efforts to facilitate use of relevant tools and data for achieving climate resilience and adaptation objectives and vulnerability assessments.

   Please don't hesitate to contact Lois Bush if you have any questions in this regard.

   Lois Bush
   FDOT, District Four
   954-777-4654
   Teleworking, 8-5 Monday through Friday, can be reached by e-mail (lois.bush@dot.state.fl.us)

The Department requests an electronic copy in Portable Document Format (PDF), of all adopted comprehensive plan amendment materials, including graphic and textual materials and support documents.

Thank you.

Larry Hymowitz
Planning Specialist – Policy and Mobility Planning Section
Planning & Environmental Management - FDOT District Four
3400 West Commercial Boulevard

Fort Lauderdale, Florida 33309-3421
Phone: (954) 777-4663; Fax: (954) 677-7892
larry.hymowitz@dot.state.fl.us

Teleworking, 8-4:45 Monday through Friday,
can be reached by e-mail or by phone (954-777-4663)



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From:	Stephanie Heidt
To:	DCPexternalagencycomments; smayer@ci.stuart.fl.us; Kevin Freeman (kfreeman@ci.stuart.fl.us)
Cc:	Eubanks, Ray; Corvin, Kelly D.; Zeno-Gonzalez, Ed
Subject:	[EXTERNAL] - City of Stuart Comprehensive Plan Amendment No. 20-03ER
Date:	Friday, July 17, 2020 11:30:18 AM

This is to notify you that the Treasure Coast Regional Planning Council will be reviewing the above-referenced plan amendment, which we received on July 15, 2020.

Council staff will review the amendment for extrajurisdictional impacts and impacts on significant regional resources and facilities. Council will provide a written report to the County and a copy of the report to the State Land Planning Agency within 30 calendar days of receipt.

If you have any questions or comments, please feel free to call.

Stephanie Heidt, AICP
Economic Development and
Intergovernmental Programs Director
Treasure Coast Regional Planning Council
772.221.4060 Office
772.475.3863 Cell
sheidt@tcrpc.org

Ron DeSantis
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Ken Lawson
EXECUTIVE DIRECTOR

May 31, 2019

Mr. Stephen Mayer, Senior Planner
City of Stuart
121 SW Flagler Avenue
Stuart, Florida 34994

RE: Stuart Evaluation and Appraisal Notification Letter

Dear Mr. Mayer:

This is to acknowledge receipt of your Evaluation and Appraisal Notification Letter which was due on June 1, 2019, and received by the Department on May 23, 2019.

Please note that your proposed comprehensive plan amendments based on your Evaluation and Appraisal should be transmitted to the Department by **May 23, 2020**, within one year of your notification, pursuant to Section 163.3191(2), Florida Statutes. The amendments are subject to the State Coordinated Review Process as outlined in Section 163.3184(4), Florida Statues.

Ms. Kelly Corvin of the Department's staff is available to assist and provide technical guidance to your questions concerning the contents of the Evaluation and Appraisal based comprehensive plan amendments and may be reached at (850) 717-8503.

If you have any questions concerning the processing of the Evaluation and Appraisal based amendments, please contact Mr. Ray Eubanks, Plan Processing Administrator, at (850) 717-8483.

Sincerely,

D. Ray Eubanks
Plan Processing Administrator

DRE/me

Development Department
121 SW Flagler Ave. Stuart Fl. 34994
Phone: 772.600.5375

May 23, 2019

RECEIVED
MAY 23 2019

Mr. Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning
Attention Plan Processing Unit
Caldwell Building
107 East Madison Street, MSC 160
Tallahassee, FL 32399

RE: **City of Stuart Evaluation and Appraisal Notification Letter**

Dear Mr. Eubanks:

This correspondence serves as the City of Stuart's Evaluation and Appraisal Notification Letter, prepared in accordance with Section 163.3191, Florida Statues (F.S.). The City has reviewed its Comprehensive Plan and has determined that amendments are necessary to reflect changes in state requirements in Chapter 163, Part II, F.S. The City will prepare and transmit proposed amendments to the State Land Planning Agency within one year.

If you require further information, please contact me by telephone at (772) 600-1255; by fax at (772) 288-5388 or by e-mail at smayer@ci.stuart.fl.us.

Sincerely,

Stephen Mayer
Senior Planner

Cc:
Stuart City Commission
David Dyess, City Manager
Michael Mortell, City Attorney
Kev Freeman, City Development Director
Pinal Gandhi-Savdas, Senior Planner
Mary Kindel, City Clerk

Development Department
121 SW Flagler Ave. Stuart FL 34994
Phone: 772.600.5375

May 23, 2019

Mr. Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning
Attention Plan Processing Unit
Caldwell Building
107 East Madison Street, MSC 160
Tallahassee, FL 32399

RECEIVED
MAY 23 2019

RE: **City of Stuart Evaluation and Appraisal Notification Letter**

Dear Mr. Eubanks:

This correspondence serves as the City of Stuart's Evaluation and Appraisal Notification Letter, prepared in accordance with Section 163.3191, Florida Statues (F.S.). The City has reviewed its Comprehensive Plan and has determined that amendments are necessary to reflect changes in state requirements in Chapter 163, Part II, F.S. The City will prepare and transmit proposed amendments to the State Land Planning Agency within one year.

If you require further information, please contact me by telephone at (772) 600-1255; by fax at (772) 288-5388 or by e-mail at smayer@ci.stuart.fl.us.

Sincerely,

Stephen Mayer
Senior Planner

Cc:
Stuart City Commission
David Dyess, City Manager
Michael Mortell, City Attorney
Kev Freeman, City Development Director
Pinal Gandhi-Savdas, Senior Planner
Mary Kindel, City Clerk

	Changes to Chapter 163, F.S. 2010-2018	Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
2010 [Ch. 2010-5, 2010-33, 2010-70, 2010-102, 2010-182, 2010-205, and 2010-209, Laws of Florida]					
1	Deletes section 163.31771(6), Florida Statutes (obsolete language that addressed an accessory dwelling unit repot); no substantive comprehensive planning requirement impact.	Section 16, Chapter 2010-5, Laws of Florida.		Noted.	
2	Makes several minor changes which do not affect substantive comprehensive planning requirements: Section 163.2526, Florida Statutes: repealed Section 163.3167(2), Florida Statutes: obsolete language deleted Section 163.3177(6)(h), Florida Statutes: minor wording changes Section 163.3177(10)(k), Florida Statutes: minor wording changes Section 163.3178(6), Florida Statutes: obsolete language deleted Section 163.2511(1), Florida Statutes: minor wording changes Section 163.2514, Florida Statutes: minor wording changes Section 163.3202, Florida Statutes: minor wording changes	Chapter 2010-102, Laws of Florida		Noted.	
3	Makes several minor wording changes Chapter 163, Part II, Florida Statutes, which do not affect substantive comprehensive planning requirements in the following statutes: Section 163.3167(13), Florida Statutes Section 163.3177(4)(a), Florida Statutes Section 163.3177(6)(c), (d) and (h), Florida Statutes	Chapter 2010-205, Laws of Florida		Noted.	
4	Makes a minor wording change in section 163.2523, Florida Statutes, which does not affect substantive comprehensive planning requirements.	Chapter 2010-209, Laws of Florida		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
5	Deleted the phrase "SMART Schools Clearinghouse" Ch. 2010-70, §11, Laws of Florida.	163.31777(1)(a) and (3)(a)		Noted.	
6	Lists the 14 military installations and 43 local governments affected by special coordination and communication requirements. Ch. 2010-182, §1, Laws of Florida.	163.3175(2)	N/A		
7	Revises §163.3177(6)(a), F.S., to specify that the 43 local governments listed in §163.3175(2), F.S., must consider the factors listed in §163.3175(5), F.S., when considering the compatibility of land uses proximate to military installations. Ch. 2010-182, §2, Laws of Florida.	163.3177(6)(a)	N/A		
8	Defines hangars for the assembly, manufacture, maintenance or storage of aircraft as public transit facilities. Ch. 2010-33, §1, Laws of Florida.	163.3180(4)(b)		Noted.	
2011 [Ch. 2011-139, Laws of Florida]					
1	Deletes the exemption for plan amendments to designate an urban infill and redevelopment area from the twice per year amendment limitation of Section 163.3187.	163.2517(4)		Noted.	
2	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	163.3161(1)		Revisions are needed	Revisions are needed to change "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act"
3	Expresses the purpose of the act, changing "control" future development to "manage" future development "consistent with the proper role of local government."	163.3161(2)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
5	Deleted the phrase "SMART Schools Clearinghouse" Ch. 2010-70, §11, Laws of Florida.	163.31777(1)(a) and (3)(a)		Noted.	
6	Lists the 14 military installations and 43 local governments affected by special coordination and communication requirements. Ch. 2010-182, §1, Laws of Florida.	163.3175(2)	N/A		
7	Revises §163.3177(6)(a), F.S., to specify that the 43 local governments listed in §163.3175(2), F.S., must consider the factors listed in §163.3175(5), F.S., when considering the compatibility of land uses proximate to military installations. Ch. 2010-182, §2, Laws of Florida.	163.3177(6)(a)	N/A		
8	Defines hangars for the assembly, manufacture, maintenance or storage of aircraft as public transit facilities. Ch. 2010-33, §1, Laws of Florida.	163.3180(4)(b)		Noted.	
2011 [Ch. 2011-139, Laws of Florida]					
1	Deletes the exemption for plan amendments to designate an urban infill and redevelopment area from the twice per year amendment limitation of Section 163.3187.	163.2517(4)		Noted.	
2	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	163.3161(1)		Revisions are needed	Revisions are needed to change "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act"
3	Expresses the purpose of the act, changing "control" future development to "manage" future development "consistent with the proper role of local government."	163.3161(2)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
4	States the intent of the act is to focus the state role in managing growth to protect the functions of important state resources and facilities.	163.3161(3)		Noted.	
5	Modifies the intent of the legislature with respect to how comprehensive plans and amendments affect property rights.	163.3161(10)		Noted.	
6	Expresses legislative intent to recognize and protect agriculture, tourism, and military presence as being the state's traditional economic base.	163.3161(11)		Noted. Ordinance 2329-2016 added an Economic Development Element that included objective to promote tourism. Agriculture and military are historically not Stuart's economic base.	
7	Expresses legislative intent to not require local government plans that have been found to be in compliance to adopt amendments implementing the new statutory requirements until the evaluation and appraisal period provided in section 163.3191.	163.3161(12)		Noted. This analysis will identify any needed amendments.	
8	Modifies the provisions for agricultural lands and practices to state that a plan amendment for an agricultural enclave is presumed not to be urban sprawl as defined in section 163.3164.	163.3162(4)	N/A	N/A The City does not have agricultural enclaves.	
9	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act" and sets forth new and modified definitions, many of which were included in repealed Rule 9J-5.003, Florida Administrative Code.	163.3164		Revisions are needed	Revisions are Needed to change "Local Government Comprehensive Planning and Land Development

	Changes to Chapter 163, F.S. 2010-2018	Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
					Regulation Act" to "Community Planning Act"
10	Establishes definition for "adaptation action area."	163.3164(1)		Noted.	
11	Establishes definition for "affordable housing" [same meaning as in Section 420.0004(3)].	163.3164(3)		Noted.	
12	Establishes definition of "antiquated subdivision."	163.3164(5)		Noted.	
13	Establishes definition of "capital improvement."	163.3164(7)		Noted.	
14	Establishes definition of "compatibility."	163.3164(9)		Noted.	
15	Establishes definition of "deepwater ports."	163.3164(11)		Noted.	
16	Establishes definition of "density."	163.3164(12)		Noted.	
17	Establishes definition of "flood prone areas."	163.3164(18)		Noted.	
18	Establishes definition of "goal."	163.3164(19)		Noted.	
19	Establishes definition of "intensity."	163.3164(22)		Noted.	
20	Establishes definition of "internal trip capture."	163.3164(23)		Noted.	
21	Establishes definition of "level of service."	163.3164(28)		Noted.	
22	Deletes definition of "financial feasibility."	163.3164(32)		Noted. City Financial Feasibility information is presented in Section 3.4 of 2009 EAR.	
23	Establishes definition of "new town."	163.3164(32)		Noted.	
24	Establishes definition of "objective."	163.3164(33)		Noted.	
25	Deletes definition of "dense urban land areas."	163.3164(34)		Noted.	
26	Establishes definition of "policy."	163.3164(36)		Noted.	
27	Amends the definition of "public facilities" to delete health systems and spoil disposal sites for maintenance dredging located in intracoastal waterways (except sites owned by ports).	163.3164(38)		Noted.	
28	Changes definition of "regional planning agency" to "the council created pursuant to chapter 186."	163.3164(40)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
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Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
29	Establishes definition of "seasonal population."	163.3164(41)		Noted.	
30	Changes definition of "optional sector plan" to "sector plan" and clarifies the purpose of a sector plan. The term includes an optional sector plan that was adopted before the effective date of the act.	163.3164(42)		Noted.	
31	Establishes definition of "suitability."	163.3164(45)		Noted.	
32	Establishes definition of "transit-oriented development."	163.3164(46)		Noted.	
33	Clarifies the definition of "urban service area" to delete the term "built-up" and to include any areas identified in the comprehensive plan as urban service areas, regardless of local government limitation.	163.3164(50)		Noted.	
34	Establishes new definition of "urban sprawl."	163.3164(51)		Noted.	
35	Modifies requirements for maintaining comprehensive plan, deleting the reference to section 163.3184 and the requirement that proposed plan amendments be submitted to the state land planning agency.	163.3167(2)		Noted.	
36	Deletes provisions for regional planning agency adoption of plan amendments for elements and amendments not prepared by a local government.	163.3167(3) and (6)		Noted.	
37	Deletes provisions for local government challenge of costs associated with preparing a comprehensive plan and related state land planning agency action.	163.3167(7)		Noted.	
38	Deletes provisions for encouraging each local government to articulate a vision of its future physical appearance and qualities of its community.	163.3167(11)		Noted.	
39	Establishes provisions for "planning innovations and technical assistance" and clarifies the roles of the state land planning agency and all other appropriate state and regional agencies in the process. Requires, upon request by the local government, the state land planning agency to coordinate multi-agency assistance on plan amendments	163.3168(1) – (4)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	that may adversely impact important state resources or facilities. Requires the state land planning agency to provide on its website guidance on the submittal and adoption of comprehensive plans, amendments and land development regulations, prohibiting such guidance from being adopted by rule and exempting such guidance from section 120.54(1)(a).				
40	Modifies areas of authority under this act with respect to joint agreements and intergovernmental coordination between cities and counties and planning in advance of jurisdictional changes.	163.3171(4)		Noted.	
41	Modifies military base compatibility provisions to not require that commanding officer comments, underlying studies and reports be binding on the local government. Requires the affected local government to be sensitive to private property rights and not be unduly restrictive on those rights in considering the comments provided by the commanding officer or designee.	163.3175(5)(d) and (6)	N/A	N/A	
42	Modified to require that any local government comprehensive plan that has been amended to address military compatibility requirements after 2004 and was found in compliance be deemed in compliance until the local government conducts its evaluation and appraisal review pursuant to section 163.3191 and determines that amendments are necessary.	163.3175(9)	N/A	N/A	
43	Modified to include significant portions of repealed Rules 9J-5.001 and 9J-5.005, Florida Administrative Code, with respect to the principles, guidelines, standards and strategies to be set forth in required and optional elements of the comprehensive plan and requirements for basing these elements on relevant, appropriate and	163.3177(1)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	that may adversely impact important state resources or facilities. Requires the state land planning agency to provide on its website guidance on the submittal and adoption of comprehensive plans, amendments and land development regulations, prohibiting such guidance from being adopted by rule and exempting such guidance from section 120.54(1)(a).				
40	Modifies areas of authority under this act with respect to joint agreements and intergovernmental coordination between cities and counties and planning in advance of jurisdictional changes.	163.3171(4)		Noted.	
41	Modifies military base compatibility provisions to not require that commanding officer comments, underlying studies and reports be binding on the local government. Requires the affected local government to be sensitive to private property rights and not be unduly restrictive on those rights in considering the comments provided by the commanding officer or designee.	163.3175(5)(d) and (6)	N/A	N/A	
42	Modified to require that any local government comprehensive plan that has been amended to address military compatibility requirements after 2004 and was found in compliance be deemed in compliance until the local government conducts its evaluation and appraisal review pursuant to section 163.3191 and determines that amendments are necessary.	163.3175(9)	N/A	N/A	
43	Modified to include significant portions of repealed Rules 9J-5.001 and 9J-5.005, Florida Administrative Code, with respect to the principles, guidelines, standards and strategies to be set forth in required and optional elements of the comprehensive plan and requirements for basing these elements on relevant, appropriate and	163.3177(1)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	professionally accepted data.				
44	Deletes financial feasibility requirements.	163.3177(2)		Noted. The City maintains financial feasibility policies.	
45	Modifies provisions for preparing the capital improvements element to require the schedule to cover a 5-year period and identify whether projects are either funded or unfunded and given a level of priority for funding. Deletes requirements for financial feasibility.	163.3177(3)(a)4		Noted. The City maintains financial feasibility policies.	
46	Modifies requirements for local government annual review of capital improvements element to no longer require transmittal of the adopted amendment to the state land planning agency and deletes provisions related to sanctions by the Administration Commission, adoption of long-term concurrency management systems and financial feasibility. Deletes the requirement that the annual 5-year capital improvements schedule be updated annually pursuant to a plan amendment; provides that the 5-year capital improvements schedule may be updated by separate ordinance and may not be deemed an amendment to the local comprehensive plan.	163.3177(3)(b)		Noted. The City has continued to adopt an annual update to the capital improvements element.	Optional: The City can revise capital improvements update schedule and/or process
47	Deletes the requirement that the local comprehensive plan be coordinated with the state comprehensive plan.	163.3177(4)(a)		Noted.	
48	Modifies planning period requirements, allowing additional planning periods for specific components, elements, land use amendments, or projects as part of the planning process.	163.3177(5)(a)		Noted.	
49	Modifies requirements for the future land use element to include guidance from repealed Rule 9J-5.006, Florida Administrative Code, relative to general range of density or intensity of uses for gross land area and establishing a long	163.3177(6)(a)		Future Land Use Element satisfies this requirement, as shown in Policies A7.2 and	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	term end toward which land use programs and activities are ultimately directed.			A7.9.	
50	Modifies the standards on which future land use plan and plan amendments are based to include: permanent and seasonal population, compatibility, the need to modify land uses and development patterns within antiquated subdivisions, preservation of waterfronts, location of schools proximate to urban residential areas, and other considerations taken from repealed Rule 9J-5.006, Florida Administrative Code.	163.3177(6)(a)2 and 3		Policy 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. Siting of schools is addressed in Policy A1.12 (g). Antiquated subdivisions are N/A.	Policy in place to increase access to waterfronts but not necessarily to preserve. Consider amendment.
51	Modifies requirements for the future land use element "to accommodate at least the minimum amount of land required to accommodate the medium projections of the University of Florida's Bureau of Economic and Business Research for at least a 10-year planning period unless otherwise limited."	163.3177(6)(a)4		Noted.	
52	Deletes the requirement that in coastal communities, the future land use element must include regulatory incentives and criteria that encourage the preservation of recreational and commercial working waterfronts.	163.3177(6)(a)6		Noted.	
53	Establishes requirements for analyzing future land use map amendments using portions of repealed Rule 9J-5.006, Florida Administrative Code.	163.3177(6)(a)8		Noted.	
54	Establishes requirements for the future land use element and map series, including with slight revisions the primary	163.3177(6)(a)9 and 10		Objective B1: Discourage urban sprawl by	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	term end toward which land use programs and activities are ultimately directed.			A7.9.	
50	Modifies the standards on which future land use plan and plan amendments are based to include: permanent and seasonal population, compatibility, the need to modify land uses and development patterns within antiquated subdivisions, preservation of waterfronts, location of schools proximate to urban residential areas, and other considerations taken from repealed Rule 9J-5.006, Florida Administrative Code.	163.3177(6)(a)2 and 3		Policy 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. Siting of schools is addressed in Policy A1.12 (g). Antiquated subdivisions are N/A.	Policy in place to increase access to waterfronts but not necessarily to preserve. Consider amendment.
51	Modifies requirements for the future land use element "to accommodate at least the minimum amount of land required to accommodate the medium projections of the University of Florida's Bureau of Economic and Business Research for at least a 10-year planning period unless otherwise limited."	163.3177(6)(a)4		Noted.	
52	Deletes the requirement that in coastal communities, the future land use element must include regulatory incentives and criteria that encourage the preservation of recreational and commercial working waterfronts.	163.3177(6)(a)6		Noted.	
53	Establishes requirements for analyzing future land use map amendments using portions of repealed Rule 9J-5.006, Florida Administrative Code.	163.3177(6)(a)8		Noted.	
54	Establishes requirements for the future land use element and map series, including with slight revisions the primary	163.3177(6)(a)9 and 10		Objective B1: Discourage urban sprawl by	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl that were in repealed Rule 9J-5.006, Florida Administrative Code.			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. Supported by Policies B1.1 and C3.5.	
55	Modifies requirements for the transportation element to include significant portions of repealed Rule 9J-5.019, Florida Administrative Code, addressing circulation of recreational traffic, including bicycle facilities, exercise trails, riding facilities, and airport master plans.	163.3177(6)(b)		In 2009, the State Legislature enacted additional legislation regarding airport land use compatibility which will need to be addressed in the Plan amendments. The other significant 2009 legislative change relates to transportation concurrency. Under the new provisions, the City of Stuart is designated as a transportation concurrency exception area for the purposes of state concurrency mandates and must adopt Plan amendments to establish land use and	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
				transportation strategies to"	
56	Modifies requirements for the general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element to include guidance from portions of repealed Rule 9J-5.011, Florida Administrative Code, and deletes requirements for including a topographic map depicting any areas adopted by a water management district as prime groundwater recharge areas and addressing areas served by septic tanks.	163.3177(6)(c)		Noted.	
57	Modifies potable water supply planning requirements to remove the provision that states that "amendments to incorporate the work plan do not count toward the limitation on the frequency of adoption of amendments to the comprehensive plan."	163.3177(6)(c)3		Noted.	
58	Modifies requirements for the conservation element to include portions of repealed Rule 9J-5.013, Florida Administrative Code, to list the natural resources to be identified, analyzed and protected and toward which conservation principles, guidelines and standards are to be directed.	163.3177(6)(d)1 and 2		Conservation Element V: Goal A: Conserve, protect and effectively manage the natural resources of the City of Stuart to ensure the highest environmental quality possible. Supported by associated objectives and policies.	
59	Modifies requirements for analyzing current and projected water sources for a 10-year period to include consideration of demands for industrial, agricultural and potable water use and the quality and quantity of water available to meet these demands and the existing levels of conservation, use and	163.3177(6)(d)3		Conservation Element V: Objective A3 and associated policies (A3.3 and A3.6). Conserve potable and non-potable water resources towards	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
				transportation strategies to"	
56	Modifies requirements for the general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element to include guidance from portions of repealed Rule 9J-5.011, Florida Administrative Code, and deletes requirements for including a topographic map depicting any areas adopted by a water management district as prime groundwater recharge areas and addressing areas served by septic tanks.	163.3177(6)(c)		Noted.	
57	Modifies potable water supply planning requirements to remove the provision that states that "amendments to incorporate the work plan do not count toward the limitation on the frequency of adoption of amendments to the comprehensive plan."	163.3177(6)(c)3		Noted.	
58	Modifies requirements for the conservation element to include portions of repealed Rule 9J-5.013, Florida Administrative Code, to list the natural resources to be identified, analyzed and protected and toward which conservation principles, guidelines and standards are to be directed.	163.3177(6)(d)1 and 2		Conservation Element V: Goal A: Conserve, protect and effectively manage the natural resources of the City of Stuart to ensure the highest environmental quality possible. Supported by associated objectives and policies.	
59	Modifies requirements for analyzing current and projected water sources for a 10-year period to include consideration of demands for industrial, agricultural and potable water use and the quality and quantity of water available to meet these demands and the existing levels of conservation, use and	163.3177(6)(d)3		Conservation Element V: Objective A3 and associated policies (A3.3 and A3.6). Conserve potable and non-potable water resources towards	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	protection and policies of the regional water management district.			the goal of maintaining average daily per capita consumption of potable water at 110 GPD through limitations on or use of potable water for non-potable needs and reducing the leakage rate of the potable water system to 15 percent.	
60	Clarifies requirements for the housing element to include guidelines, standards and strategies based on an inventory taken from the latest decennial United States Census or more recent estimates and various other considerations listed in repealed Rule 9J-5.010, Florida Administrative Code.	163.3177(6)(f)1 and 2		Noted.	
61	Deletes requirement for an affordable housing needs assessment conducted by the state land planning agency.	163.3177(6)(f)2		Noted.	
62	Based on repealed Rule 9J-5.010, Florida Administrative Code, sets forth new requirements for the creation and preservation of affordable housing, elimination of substandard housing conditions, providing for adequate sites and distribution for a range of incomes and types, and including programs for partnering, streamlined permitting, quality of housing, neighborhood stabilization, and improving historically significant housing.	163.3177(6)(f)3		Element 1 Future Land Use: Goal D - Objective D.1 To reduce substandard housing conditions, increase affordable housing opportunities, improve infrastructure and safety conditions, and provide for land use regulations that reflect and strengthen the neighborhood character of East Stuart. Element 3	

	Changes to Chapter 163, F.S. 2010-2018	Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
				Housing and associated goals and policies.	
63	Modifies the objectives of the coastal management element and includes a new requirement for preserving historic and archaeological resources.	163.3177(6)(g)		Policy C2.1.	Optional: May want to consider adding policy to protect resources at risk from coastal impacts.
64	Deletes provisions for local government adoption of recreational surface water use policies.	163.3177(6)(g)2		N/A	
65	Sets forth an option for the local government to develop an adaptation action area designation for low-lying coastal zones experiencing coastal flooding due to extreme high tides and storm surge and that are vulnerable to the impacts of rising sea level.	163.3177(6)(g)10		Noted.	
66	Deletes requirement for intergovernmental coordination element to provide for recognition of campus master plans and airport master plans.	163.3177(6)(h)1.b		Noted.	
67	Modifies requirements for the intergovernmental coordination element to include portions of repealed Rule 9J-5.015, Florida Administrative Code, including coordinating and addressing impacts on adjacent municipalities and coordinating the establishment of level of service standards.	163.3177(6)(h)3.a and b		Intergovernmental Coordination Element VII	Consider compiling levels of service in one place.
68	Deletes requirements in intergovernmental coordination element for fostering coordination between special districts and local general purpose governments, submittal of public facilities report, execution of interlocal agreement with district school board, the county and nonexempt municipalities, and submittal of reports to the Florida Department of Community Affairs by counties with	163.3177(6)(h)3 and 4	N/A	N/A – population not greater than 100,000	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
				Housing and associated goals and policies.	
63	Modifies the objectives of the coastal management element and includes a new requirement for preserving historic and archaeological resources.	163.3177(6)(g)		Policy C2.1.	Optional: May want to consider adding policy to protect resources at risk from coastal impacts.
64	Deletes provisions for local government adoption of recreational surface water use policies.	163.3177(6)(g)2		N/A	
65	Sets forth an option for the local government to develop an adaptation action area designation for low-lying coastal zones experiencing coastal flooding due to extreme high tides and storm surge and that are vulnerable to the impacts of rising sea level.	163.3177(6)(g)10		Noted.	
66	Deletes requirement for intergovernmental coordination element to provide for recognition of campus master plans and airport master plans.	163.3177(6)(h)1.b		Noted.	
67	Modifies requirements for the intergovernmental coordination element to include portions of repealed Rule 9J-5.015, Florida Administrative Code, including coordinating and addressing impacts on adjacent municipalities and coordinating the establishment of level of service standards.	163.3177(6)(h)3.a and b		Intergovernmental Coordination Element VII	Consider compiling levels of service in one place.
68	Deletes requirements in intergovernmental coordination element for fostering coordination between special districts and local general purpose governments, submittal of public facilities report, execution of interlocal agreement with district school board, the county and nonexempt municipalities, and submittal of reports to the Florida Department of Community Affairs by counties with	163.3177(6)(h)3 and 4	N/A	N/A – population not greater than 100,000	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	populations greater than 100,000.				
69	Deletes provisions for optional elements of the comprehensive plan, transportation and traffic circulation, airport compatibility and other requirements related to transportation corridors and reduction of greenhouse gas emissions specific to local governments within an urbanized area.	163.3177(6)(i), (j), (k)		Noted.	
70	Deletes provisions for airport master plans.	163.3177(6)(k)		Noted.	
71	Deletes provisions for additional plan elements, or portions or phases thereof, including an economic development element.	163.3177(7)(a)-(l)		Noted.	
72	See prior table entries for description of deleted provisions.	163.3177(8)-(14)		Noted.	
73	Section renumbered	163.3177(15)(a)		Noted.	
74	Modifies provisions for processing plan amendments for land located within a rural agricultural industrial center to presume that these amendments are not urban sprawl as defined in section 163.3164 and shall be considered within 90 days after any review required by the state land planning agency if required by section 163.3184.	163.3177(7)(c)2	N/A	N/A The City does not have land located within a rural agricultural industrial center.	
75	Deletes requirements for public schools interlocal agreements with respect to submittal of the agreements to the state land planning agency based on an established schedule and other requirements involving the state land planning agency related to waivers and exemptions.	163.31777(1)(b)-(d) and (2)		Noted.	
76	Deletes requirements related to the submittal of comments from the Office of Educational Facilities on the interlocal agreement, challenges to the state land planning agency notice of intent and other review process requirements.	163.31777(3)(a)-(c) and (4)-(7)		Noted.	
77	Deletes parks and recreation, schools and transportation	163.3180(1)		Noted. Martin County	Does the City

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	from the list of public facilities and services subject to the concurrency requirement on a statewide basis.			maintains school concurrency and the City has adopted by reference the School Board's Concurrency Service Areas established in the Interlocal Agreement.	want to maintain concurrency moving forward? P. 566 of 10-2ER refers to school concurrency being mandatory. Policy A4.4, A4.7, A7.5 need to be updated if concurrency does not stay.
78	Modifies concurrency requirements to include portions of repealed Rule 9J-5.0055, Florida Administrative Code, which relate to achieving and maintaining adopted levels of service for a 5-year period, and providing for rescission of any optional concurrency provisions by plan amendment, which is not subject to state review.	163.3180(1)(a) and (b)		Noted. Element VIII Capital Improvements Element and Concurrency Management System	
79	Deletes requirement that professionally accepted techniques be used for measuring levels of service for automobiles, bicycles, pedestrians, transit and trucks.	163.3180(1)(b)		Noted.	
80	Deletes requirement that parks and recreation facilities to serve new development are in place or under actual construction no later than one year after issuance of a certificate of occupancy or its functional equivalent.	163.3180(2)(b) and (c)		Noted.	
81	Deletes provisions addressing governmental entities and establishment of binding level of service standards with	163.3180(3)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	from the list of public facilities and services subject to the concurrency requirement on a statewide basis.			maintains school concurrency and the City has adopted by reference the School Board's Concurrency Service Areas established in the Interlocal Agreement.	want to maintain concurrency moving forward? P. 566 of 10-2ER refers to school concurrency being mandatory. Policy A4.4, A4.7, A7.5 need to be updated if concurrency does not stay.
78	Modifies concurrency requirements to include portions of repealed Rule 9J-5.0055, Florida Administrative Code, which relate to achieving and maintaining adopted levels of service for a 5-year period, and providing for rescission of any optional concurrency provisions by plan amendment, which is not subject to state review.	163.3180(1)(a) and (b)		Noted. Element VIII Capital Improvements Element and Concurrency Management System	
79	Deletes requirement that professionally accepted techniques be used for measuring levels of service for automobiles, bicycles, pedestrians, transit and trucks.	163.3180(1)(b)		Noted.	
80	Deletes requirement that parks and recreation facilities to serve new development are in place or under actual construction no later than one year after issuance of a certificate of occupancy or its functional equivalent.	163.3180(2)(b) and (c)		Noted.	
81	Deletes provisions addressing governmental entities and establishment of binding level of service standards with	163.3180(3)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	respect to limiting the authority of any agency to recommend or make objections, recommendations, comments or determinations during reviews conducted under section 163.3184				
82	Deletes concurrency provisions specifically related to public transit facilities and urban infill and redevelopment areas.	163.3180(4)(b) and (c)		Noted.	
83	Establishes concurrency provisions for transportation facilities, which include portions of repealed Rule 9J-5.0055, Florida Administrative Code. Sets forth requirements with respect to adopted level of service standards, including use of professionally accepted studies to evaluate levels of service, achieving and maintaining adopted levels of service standards, and including the projects needed to accomplish this in 5-year schedule of capital improvements. Requires coordination with adjacent local governments and setting forth the method to be used in calculating proportionate-share contribution. Defines the term "transportation deficiency."	163.3180(5)(a)-(h)		Noted. Element VIII Capital Improvements Element and Concurrency Management System.	Amendment needed to satisfy 163.3180(5)(h) Which states that local governments that implement transportation concurrency must exempt public transit facilities from concurrency. Optional: Review encouraged development tools under (f) to see if desired to incorporate.
84	See prior table entries for description of deleted provisions.	163.3180(6)-(13)		Noted.	
85	Sets forth concurrency provisions for public education, setting forth provisions for those local governments that	163.3180(6)(a)		Noted. Martin County maintains school	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	apply concurrency to public education. If a county and one or more municipalities that represent at least 80 percent of the total countywide population have adopted school concurrency, the failure of one or more municipalities to adopt the concurrency and enter into the interlocal agreement does not preclude implementation of school concurrency within jurisdictions of the school district that have opted to implement concurrency.			concurrency and the City has adopted by reference the School Board's Concurrency Service Areas established in the Interlocal Agreement. Policy A.13.	
86	Modifies school concurrency provisions to clarify that adoption and application of school concurrency is optional.	163.3180(6)(f)1 and 2		Noted. The City continues to enforce school concurrency measures.	
87	Modifies school concurrency provisions to remove requirement for financial feasibility and to require that facilities necessary to meet adopted levels of service during a 5-year period are identified and consistent with the school board's educational facilities plan.	163.3180(d) [2014 cite: Section 163.3180(g)]		Noted.	
88	Modifies school concurrency provisions to allow a landowner to proceed with development of a specific parcel of land notwithstanding a failure of the development to satisfy school concurrency if certain factors are shown to exist, including adequate facilities are provided for in the capital improvements element and school board's educational facilities plan, demonstration that facilities needs can be reasonably provided, and the local government and school board have provided a means by which proportionate share is assessed.	163.3180(h)1.a., b. and c.		Noted.	
89	See prior entries for description of deleted provisions.	163.3180(14)-(17)		Noted.	
90	Changes "transportation concurrency backlogs" to "transportation deficiencies" and makes related clarifications.	163.3182		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	apply concurrency to public education. If a county and one or more municipalities that represent at least 80 percent of the total countywide population have adopted school concurrency, the failure of one or more municipalities to adopt the concurrency and enter into the interlocal agreement does not preclude implementation of school concurrency within jurisdictions of the school district that have opted to implement concurrency.			concurrency and the City has adopted by reference the School Board's Concurrency Service Areas established in the Interlocal Agreement. Policy A.13.	
86	Modifies school concurrency provisions to clarify that adoption and application of school concurrency is optional.	163.3180(6)(f)1 and 2		Noted. The City continues to enforce school concurrency measures.	
87	Modifies school concurrency provisions to remove requirement for financial feasibility and to require that facilities necessary to meet adopted levels of service during a 5-year period are identified and consistent with the school board's educational facilities plan.	163.3180(d) [2014 cite: Section 163.3180(g)]		Noted.	
88	Modifies school concurrency provisions to allow a landowner to proceed with development of a specific parcel of land notwithstanding a failure of the development to satisfy school concurrency if certain factors are shown to exist, including adequate facilities are provided for in the capital improvements element and school board's educational facilities plan, demonstration that facilities needs can be reasonably provided, and the local government and school board have provided a means by which proportionate share is assessed.	163.3180(h)1.a., b. and c.		Noted.	
89	See prior entries for description of deleted provisions.	163.3180(14)-(17)		Noted.	
90	Changes "transportation concurrency backlogs" to "transportation deficiencies" and makes related clarifications.	163.3182		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
91	Changes "creation of transportation concurrency backlog authorities" to "creation of transportation development authorities" and makes related clarifications.	163.3182(2)		Noted.	
92	Changes "powers of a transportation concurrency backlog authority" to "powers of a transportation development authority" and makes related clarifications.	163.3182(4)		Noted.	
93	Modifies the definition of "in compliance" to include a reference to section 163.3248 and delete the reference to now repealed chapter 9J- 5, Florida Administrative Code.	163.3184(1)(b)		Noted.	
94	Provides a list of the "reviewing agencies."	163.3184(1)(c)		Noted.	
95	Sets forth the "expedited" and "coordinated" review processes.	163.3184(2)		Noted.	
96	Sets forth requirements for adopting and processing plan amendments according to the "expedited" and "coordinated" review processes, the scope of the comments to be provided by review agencies, responsibilities of the state land planning agency with respect to its various levels of review and coordination with other state agencies and public hearings.	163.3184(3) and (4)		Noted.	
97	Sets forth requirements for administrative challenges to plans and plan amendments, compliance agreements and mediation and expeditious resolution.	163.3184(5)-(7)		Noted.	
98	Modifies provisions to enable the administration commission to specify sanctions to which the local government will be subject if it elects to make a plan amendment effective notwithstanding a determination of noncompliance.	163.3184(11); 2014 cite: Section 163.3184(8)		Noted.	
99	Modifies provisions for public hearings to state there is no prohibition or limitation on the authority of local governments to require a person requesting an amendment to pay some or all of the cost of the public	163.3184(15); 2014 cite: Section 163.3184(11)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	notice.				
100	Establishes provisions for concurrent zoning, requiring a local government, at the request of an applicant, to consider an application for zoning changes that would be required to properly enact any proposed plan amendment and making the approved zoning changes contingent upon the comprehensive plan or amendment becoming effective.	163.3184(12)		Noted.	
101	Revises provisions to require that no proposed local government comprehensive plan or plan amendment that is applicable to a designated area of critical state concern shall be effective until a final order is issued finding the plan or amendment to be in compliance as defined in subsection (1)(b).	163.3184(13)		Noted.	
102	Modifies provisions to address the process for adoption of small-scale comprehensive plan amendments, deleting several exceptions. Plan amendments are no longer limited to two times per calendar year and text changes that relate directly to and are adopted simultaneously with small scale future land use map amendments are permissible.	163.3187(1)(a)-(f); 2014 cite: Section 163.3187(1)(a)-(d)		Noted.	
103	Modifies the public notice requirements for small scale plan amendments, addressing petitions, prohibiting the state land planning agency from intervening and requiring that consideration be given to the plan amendment as a whole and whether it furthers the intent of this part in all challenges.			Noted.	
104	Deleted provisions.	163.3189		Noted.	
105	Modifies provisions for evaluation and appraisal of comprehensive plan. Maintains the requirement for local government evaluation of plan to occur at least once	163.3191(1)-(14); 2014 cite: Section 163.3191(1)-(5)		This document is being submitted to meet this requirement.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	notice.				
100	Establishes provisions for concurrent zoning, requiring a local government, at the request of an applicant, to consider an application for zoning changes that would be required to properly enact any proposed plan amendment and making the approved zoning changes contingent upon the comprehensive plan or amendment becoming effective.	163.3184(12)		Noted.	
101	Revises provisions to require that no proposed local government comprehensive plan or plan amendment that is applicable to a designated area of critical state concern shall be effective until a final order is issued finding the plan or amendment to be in compliance as defined in subsection (1)(b).	163.3184(13)		Noted.	
102	Modifies provisions to address the process for adoption of small-scale comprehensive plan amendments, deleting several exceptions. Plan amendments are no longer limited to two times per calendar year and text changes that relate directly to and are adopted simultaneously with small scale future land use map amendments are permissible.	163.3187(1)(a)-(f); 2014 cite: Section 163.3187(1)(a)-(d)		Noted.	
103	Modifies the public notice requirements for small scale plan amendments, addressing petitions, prohibiting the state land planning agency from intervening and requiring that consideration be given to the plan amendment as a whole and whether it furthers the intent of this part in all challenges.			Noted.	
104	Deleted provisions.	163.3189		Noted.	
105	Modifies provisions for evaluation and appraisal of comprehensive plan. Maintains the requirement for local government evaluation of plan to occur at least once	163.3191(1)-(14); 2014 cite: Section 163.3191(1)-(5)		This document is being submitted to meet this requirement.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	every 7 years. The local government is required to determine if amendments are necessary to reflect changes in state requirements (only) since the last update and to notify the state land planning agency by letter as to its determination. If needed, these amendments are to be prepared and transmitted within 1 year of this determination for review pursuant to section 163.3184(4) (State Coordinated Review). Local governments are encouraged to comprehensively evaluate and as necessary update plans to reflect changes in local conditions. If a local government fails to submit its notification letter to the state land planning agency or fails to update its plan to reflect changes in state requirements, then the local government is prohibited from amending its plan until it complies with these requirements. The state land planning agency may not adopt rules to implement this section, other than procedural rules or a schedule indicating when local governments must comply with these requirements.				
106	Deletes the reference to section 163.3187(1) and provisions regarding the frequency of adoption of plan amendments as they relate to adoption of a municipal overlay.	163.3217(2)		Noted.	
107	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	163.3220(3)		Revisions are needed	Revisions are needed to change "Local Government Comprehensive Planning and Land Development

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
					Regulation Act" to "Community Planning Act"
108	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	163.3221(2) and (11)		Revisions are needed	Revisions are needed to change "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act"
109	Revises the duration of a development agreement from 20 years to 30 years, unless it is extended by mutual consent, and deletes reference to sections 163.3187 and 163.3189 regarding compliance determination by state land planning agency.	163.3229		Noted.	
110	Modifies provisions for periodic review of a development agreement to delete requirements for annual review conducted during years 6 through 10, incorporation of the review into a written report and the state land planning agency adoption of rules regarding the contents of the report.	163.3235		Noted.	
111	Deletes requirements that a copy of the recorded development agreement be submitted to the state land planning agency within 14 days after the agreement is recorded and for the effectiveness of the agreement based on receipt by the state land planning agency.	163.3239		Noted.	
112	Changes "Optional Sector Plans" to "Sector Plans" and	163.3245(1)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
					Regulation Act" to "Community Planning Act"
108	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	163.3221(2) and (11)		Revisions are needed	Revisions are needed to change "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act"
109	Revises the duration of a development agreement from 20 years to 30 years, unless it is extended by mutual consent, and deletes reference to sections 163.3187 and 163.3189 regarding compliance determination by state land planning agency.	163.3229		Noted.	
110	Modifies provisions for periodic review of a development agreement to delete requirements for annual review conducted during years 6 through 10, incorporation of the review into a written report and the state land planning agency adoption of rules regarding the contents of the report.	163.3235		Noted.	
111	Deletes requirements that a copy of the recorded development agreement be submitted to the state land planning agency within 14 days after the agreement is recorded and for the effectiveness of the agreement based on receipt by the state land planning agency.	163.3239		Noted.	
112	Changes "Optional Sector Plans" to "Sector Plans" and	163.3245(1)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	clarifies the intent to promote and encourage long-term planning for conservation, development and agriculture on a landscape scale and protection of regionally significant resources, including regionally significant water courses and wildlife corridors. Revises the amount of geographic area intended for sector plans from at least 5,000 acres to at least 15,000 acres and protection of public facilities.				
113	Deletes provisions for the state land planning agency entering into an agreement to authorize preparation of an optional sector plan, and consideration of the state comprehensive and strategic regional policy plans, and clarifies the process for scoping meetings and joint planning agreements.	Section 163.3245(2)		Noted.	
114	Modifies the provisions for two levels of sector planning, clarifying the requirements for the long term master plan and detailed specific area plan. These plans may be based upon a planning period longer than timeframe on which the local comprehensive plan is based and are not required to demonstrate need. The state land planning agency is required to consult with certain other agencies as part of its review of the plans.	Section 163.3245(3)	N/A	N/A	
115	Modifies the provisions for two levels of sector planning, clarifying the requirements for the long term master plan and detailed specific area plan. These plans may be based upon a planning period longer than timeframe on which the local comprehensive plan is based and are not required to demonstrate need. The state land planning agency is required to consult with certain other agencies as part of its review of the plans.	Section 163.3245(4)	N/A	N/A	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
116	Requires the detailed specific area plan to establish a buildout date until which the approved development is not subject to downzoning, unit density reduction or intensity reduction, with certain exceptions.	Section 163.3245(5)(d)		Noted.	
117	Establishes provisions for master development approval, pursuant to section 380.06(21), for the entire planning area in order to establish a buildout date and describes the level of detail appropriate for review of the application.	Section 163.3245(6)		Noted.	
118	Establishes provisions for a developer within an area subject to a long-term master plan or detailed specific area plan to enter into a development agreement.	Section 163.3245(7)		Noted.	
119	Establishes provisions for landowner withdrawal of consent to the master plan at the proposed stage and after adoption.	Section 163.3245(8)		Noted.	
120	Provides that after adoption of a long-term master plan or a detailed specific area plan, an owner is entitled to continue existing agricultural or silvicultural uses or other natural resource-based operations or establishment of similar new uses that are consistent with plans approved pursuant to this section.	Section 163.3245(9)		N/A	
121	Allows the state land planning agency to enter into an agreement with a local government that on or before July 1, 2011 adopted a large-area comprehensive plan amendment consisting of at least 15,000 acres based on certain requirements.	Section 163.3245(10)		Noted.	
122	Addresses a detailed specific area plan to implement a conceptual long-term buildout overlay found in compliance before July 1, 2011.	Section 163.3245(11)		Noted.	
123	Provides for a landowner or developer that has received approval of a master DRI development order to implement this order by filing application(s) to approve the detailed specific area plan.	Section 163.3245(12)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
116	Requires the detailed specific area plan to establish a buildout date until which the approved development is not subject to downzoning, unit density reduction or intensity reduction, with certain exceptions.	Section 163.3245(5)(d)		Noted.	
117	Establishes provisions for master development approval, pursuant to section 380.06(21), for the entire planning area in order to establish a buildout date and describes the level of detail appropriate for review of the application.	Section 163.3245(6)		Noted.	
118	Establishes provisions for a developer within an area subject to a long-term master plan or detailed specific area plan to enter into a development agreement.	Section 163.3245(7)		Noted.	
119	Establishes provisions for landowner withdrawal of consent to the master plan at the proposed stage and after adoption.	Section 163.3245(8)		Noted.	
120	Provides that after adoption of a long-term master plan or a detailed specific area plan, an owner is entitled to continue existing agricultural or silvicultural uses or other natural resource-based operations or establishment of similar new uses that are consistent with plans approved pursuant to this section.	Section 163.3245(9)		N/A	
121	Allows the state land planning agency to enter into an agreement with a local government that on or before July 1, 2011 adopted a large-area comprehensive plan amendment consisting of at least 15,000 acres based on certain requirements.	Section 163.3245(10)		Noted.	
122	Addresses a detailed specific area plan to implement a conceptual long-term buildout overlay found in compliance before July 1, 2011.	Section 163.3245(11)		Noted.	
123	Provides for a landowner or developer that has received approval of a master DRI development order to implement this order by filing application(s) to approve the detailed specific area plan.	Section 163.3245(12)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
124	Modifies provisions in the local government comprehensive planning certification program to allow small scale development amendments to follow the process in section 163.3187.	163.3246(9)(a)		N/A. The City is not part of the certification program.	
125	Deletes provisions in the local government comprehensive planning certification program that address the failure to adopt a timely evaluation and appraisal report and failure to adopt an evaluation and appraisal report found to be sufficient.	163.3246(12)		Noted.	
126	Deletes the requirement that the Office of Program Policy. Analysis and Government Accountability prepare a report evaluating the certification program.	163.3246(14)		Noted.	
127	Repeals Section regarding Century Commission for a Sustainable Florida and states that the commission will be abolished on June 30, 2013	163.32465		Noted.	
128	Establishes provisions for Rural Land Stewardship Areas, which were provided for as part of the innovative and flexible planning and development strategies in now repealed section 163.3177(11).	163.3248	N/A	N/A	
129	Sets forth the intent of Rural Land Stewardship Areas	163.3248(1)	N/A	N/A	
130	Establishes a process upon which local governments may adopt a future land us overlay, which may not require a demonstration of need based on population projections or any other factors.	163.3248(2)	N/A	N/A	
131	Sets forth six broad principles of rural sustainability that rural land stewardship areas are to further.	163.3248(3)	N/A	N/A	
132	Provides for agency assistance and participation to local governments or property owners in development of a plan for rural land stewardship area.	163.3248(4)	N/A	N/A	
133	Requires that a rural land stewardship area not be less than 10,000 acres, is located outside of municipalities and	163.3248(5)	N/A	N/A	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	established urban service areas and is designated by plan amendment by each local government with jurisdiction.				
134	Requires the plan amendment(s) designating a rural land stewardship area to be reviewed pursuant to section 163.3184 and to meet certain requirements involving criteria for designating receiving areas, the application of innovative planning and development strategies, a process for implementing these strategies and a mix of densities and intensities that would not be characterized as urban sprawl.	163.3248(5)(a)-(d)	N/A	N/A	
135	Requires a receiving area to be designated only pursuant to procedures established in the local government's land development regulations. If approval of the designation by a county board of county commissioners is required, it is to be made by resolution with a simple majority vote. A listed species survey must be performed and coordinated with appropriate agencies if listed species occur on the receiving area development site. Protective measures must be based on the rural land stewardship area as a whole.	163.3248(6)	N/A	N/A	
136	Sets forth requirements for establishing a rural land stewardship overlay zoning district and methodology for the creation, conveyance, and use of transferrable rural land use/stewardship credits.	163.3248(7)	N/A	N/A	
137	Sets forth limitations for creating, assigning and transferring stewardship credits based on underlying permitted uses, densities and intensities, and considerations for assigning credits based on the value and location of land and environmental resources.	163.3248(8)(a)-(k)	N/A	N/A	
138	Provides for incentives to owners of land within rural land stewardship sending areas, in addition to use or conveyance of credits, to enter into rural land stewardship agreements.	163.3248(9)(a)-(e)	N/A	N/A	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	established urban service areas and is designated by plan amendment by each local government with jurisdiction.				
134	Requires the plan amendment(s) designating a rural land stewardship area to be reviewed pursuant to section 163.3184 and to meet certain requirements involving criteria for designating receiving areas, the application of innovative planning and development strategies, a process for implementing these strategies and a mix of densities and intensities that would not be characterized as urban sprawl.	163.3248(5)(a)-(d)	N/A	N/A	
135	Requires a receiving area to be designated only pursuant to procedures established in the local government's land development regulations. If approval of the designation by a county board of county commissioners is required, it is to be made by resolution with a simple majority vote. A listed species survey must be performed and coordinated with appropriate agencies if listed species occur on the receiving area development site. Protective measures must be based on the rural land stewardship area as a whole.	163.3248(6)	N/A	N/A	
136	Sets forth requirements for establishing a rural land stewardship overlay zoning district and methodology for the creation, conveyance, and use of transferrable rural land use/stewardship credits.	163.3248(7)	N/A	N/A	
137	Sets forth limitations for creating, assigning and transferring stewardship credits based on underlying permitted uses, densities and intensities, and considerations for assigning credits based on the value and location of land and environmental resources.	163.3248(8)(a)-(k)	N/A	N/A	
138	Provides for incentives to owners of land within rural land stewardship sending areas, in addition to use or conveyance of credits, to enter into rural land stewardship agreements.	163.3248(9)(a)-(e)	N/A	N/A	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
139	Expresses the intent of the section as an overlay of land use options that provide economic and regulatory incentives for landowners outside of established and planned urban service areas.	163.3248(10)		Noted.	
140	Expresses the intent of the Legislature that the rural land stewardship area in Collier County be recognized as a statutory rural land stewardship area and be afforded the incentives in this section.	163.3248(11)	N/A	N/A	
141	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	163.360(2)(a)		Revisions are needed	Revisions are needed to change "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act"
142	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	163.516(3)(a)		Revisions are needed	Revisions are needed to change "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act"
2012 [Ch. 2012-5, 2012-75, 2012-83, 2012-90, 2012-96, and 2012-99, Laws of Florida]					

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
1	Rewords the definition of "farm" to the same meaning provided in section 823.14	163.3162(2)(a)		Noted.	
2	Rewords the definition of "farm operation" to the same meaning provided in section 823.14	163.3162(2)(b)		Noted.	
3	Adds a definition of "governmental entity," which has the same meaning provided in section 164.1031. The term does not include a water control district or a special district created to manage water.	163.3162(2)(d)		Noted.	
4-7	Changes "county" to "governmental entity"	163.3162(3)		Noted.	
8	Adds provisions related to agricultural enclaves	163.3162	N/A	N/A The City does not have agricultural enclaves.	
9	Provides that any local government charter provision that was in effect as of June 1, 2011 for an initiative or referendum process for development orders or comprehensive plan amendments may be retained and implemented	163.3167(8)	N/A	N/A. Superseded by 2013 statutes.	
10	Changes the "preparation of the periodic reports" to "the periodic evaluation and appraisal of the comprehensive plan"	163.3174(4)(b)		The Local Planning Agency will fulfill this requirements when they review the amendments.	
11-13	Revisions related to local government coordination with military bases.	163.3175(5) - (6)	N/A	N/A There are no military bases within the City.	
14	Changes the "University of Florida's Bureau of Economic and Business Research" to the "Office of Economic and Demographic Research" and adds language stating that	163.3177(1)(f)3.		Noted. Policy A8.11 addresses population projections.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
1	Rewords the definition of "farm" to the same meaning provided in section 823.14	163.3162(2)(a)		Noted.	
2	Rewords the definition of "farm operation" to the same meaning provided in section 823.14	163.3162(2)(b)		Noted.	
3	Adds a definition of "governmental entity," which has the same meaning provided in section 164.1031. The term does not include a water control district or a special district created to manage water.	163.3162(2)(d)		Noted.	
4-7	Changes "county" to "governmental entity"	163.3162(3)		Noted.	
8	Adds provisions related to agricultural enclaves	163.3162	N/A	N/A The City does not have agricultural enclaves.	
9	Provides that any local government charter provision that was in effect as of June 1, 2011 for an initiative or referendum process for development orders or comprehensive plan amendments may be retained and implemented	163.3167(8)	N/A	N/A. Superseded by 2013 statutes.	
10	Changes the "preparation of the periodic reports" to "the periodic evaluation and appraisal of the comprehensive plan"	163.3174(4)(b)		The Local Planning Agency will fulfill this requirements when they review the amendments.	
11-13	Revisions related to local government coordination with military bases.	163.3175(5) - (6)	N/A	N/A There are no military bases within the City.	
14	Changes the "University of Florida's Bureau of Economic and Business Research" to the "Office of Economic and Demographic Research" and adds language stating that	163.3177(1)(f)3.		Noted. Policy A8.11 addresses population projections.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	population projections must, at a minimum, reflect each area's proportional share of the total county population and the total county population growth				
15	Changes the "University of Florida's Bureau of Economic and Business Research" to the "Office of Economic and Demographic Research"	163.3177(6)(a)4.		Noted.	
16	Changes the requirement that future land use map amendments be based on an analysis of the minimum amount of land needed as determined by the local government, to instead be based on an analysis of the minimum amount of land needed to achieve the requirements of the statute	163.3177(6)(a)8.c.		Noted.	City may want to review development review procedure
17	Deletes the requirement that the housing element be based in part on an inventory taken from the latest Census	163.3177(6)(f)2.		Noted.	
18	Moves the exemptions from having a public school interlocal agreement from section 163.3180(6)(i) to section 163.31777(3)	163.31777(3)		Noted.	
19	Adds language requiring each local government exempt from having a public school interlocal agreement to assess at the time of evaluation and appraisal if the local government still meets the requirements for exemptions described in section 163.31777(3). Each local government that is exempt must comply with the interlocal agreement provisions within one year of a new school within the municipality being proposed in the 5-year district facilities work program	163.31777(4)	N/A	N/A. The City has an interlocal agreement with Martin County.	
20	Replaces "Department of Community Affairs" with "state land planning agency" and changes the language that stated intermodal transportation facilities "shall" not be	163.3178(3)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	designated as developments of regional impact to "may" not be designated as developments of regional impact.				
21	Deletes the provision that the Coastal Resources Interagency Management Committee shall identify incentives to encourage local governments to adopt siting plans and uniform criteria and standards to be used by local governments to implement state goals related to marina siting	163.3178(6)		Noted.	
22	Adds language stating that an amendment that rescinds concurrency shall be processed under the expedited state review process, and is not required to be transmitted to reviewing agencies for comment, except for agencies that have requested transmittal, and for municipal amendments, it must be transmitted to the county. A copy of the adopted amendment shall be transmitted to the state land agency. If the amendment rescinds transportation or school concurrency, the adopted amendment must also be sent to the Department of Transportation or Department of Education, respectively.	163.3180(1)(a)		Noted. Will need to be addressed if City wants to rescind concurrency but not required now (see above)	Optional: Address if concurrency rescinded.
23	Provides general rewording. Adds language to clarify that the choice of one or more municipality to not adopt school concurrency does not preclude implementation of school concurrency within other jurisdictions of the school district.	163.3180(6)(a)		Noted.	
24	Moved to section 163.31777(3)	163.3180(6)(i)		Noted.	
25	Adds developments that are proposed under section 380.06(24)(x) to the list of amendments that must follow the state coordinated review process.	163.3184(2)(c)	N/A	N/A. The City does not have areas of critical state concern.	
26	Added the word "working" to clarify the number of days a local government has to transmit an amendment	163.3184(3)(b)1.		Noted.	
27	Changed the time limit for the reviewing agencies'	163.3184(3)(b)2.		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	designated as developments of regional impact to "may" not be designated as developments of regional impact.				
21	Deletes the provision that the Coastal Resources Interagency Management Committee shall identify incentives to encourage local governments to adopt siting plans and uniform criteria and standards to be used by local governments to implement state goals related to marina siting	163.3178(6)		Noted.	
22	Adds language stating that an amendment that rescinds concurrency shall be processed under the expedited state review process, and is not required to be transmitted to reviewing agencies for comment, except for agencies that have requested transmittal, and for municipal amendments, it must be transmitted to the county. A copy of the adopted amendment shall be transmitted to the state land agency. If the amendment rescinds transportation or school concurrency, the adopted amendment must also be sent to the Department of Transportation or Department of Education, respectively.	163.3180(1)(a)		Noted. Will need to be addressed if City wants to rescind concurrency but not required now (see above)	Optional: Address if concurrency rescinded.
23	Provides general rewording. Adds language to clarify that the choice of one or more municipality to not adopt school concurrency does not preclude implementation of school concurrency within other jurisdictions of the school district.	163.3180(6)(a)		Noted.	
24	Moved to section 163.31777(3)	163.3180(6)(i)		Noted.	
25	Adds developments that are proposed under section 380.06(24)(x) to the list of amendments that must follow the state coordinated review process.	163.3184(2)(c)	N/A	N/A. The City does not have areas of critical state concern.	
26	Added the word "working" to clarify the number of days a local government has to transmit an amendment	163.3184(3)(b)1.		Noted.	
27	Changed the time limit for the reviewing agencies'	163.3184(3)(b)2.		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	transmittal to 30 days "after" instead of "from" the date the amendment was received				
28	Added the word "working" to clarify the number of days a local government has to transmit an amendment	163.3184(3)(c)2.		Noted.	
29	Changes the time limit a local government has to transmit an amendment from "immediately following" the first public hearing to " within 10 working days after" the first public hearing	163.3184(4)(b)		Noted.	
30	Added the word "working" to clarify the number of days a local government has to transmit an amendment	163.3184(4)(e)2.		Noted.	
31	Corrects the citation related to plan amendment package completeness from (3)(c)3. to (4)(e)3.	163.3184(5)(b)		Noted.	
32	Changes the time limit by which the Administration Commission must enter into a final order from 45 days after the receipt of the recommended order to the time period specified in section 120.569.	163.3184(5)(d)		Noted.	
33	Changes the time limit for the state land planning agency to submit a not in compliance recommended order to the Administration Commission from no later than 30 days after the receipt of the recommended order to the time period provided in section 120.569	163.3184(5)(e)1.		Noted.	
34	Changes the time limit by which the state land planning agency must enter into an in compliance final order from 30 days after the receipt of the recommended order to the time period provided in section 120.569	163.3184(5)(e)2.		Noted.	
35	Changes the time period by which the state land planning agency must issue a cumulative notice of intent from "upon receipt of a plan or plan amendment adopted pursuant to a compliance agreement" to "within 20 days after receiving a complete plan or plan amendment adopted pursuant	163.3184(6)(f)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	to a compliance agreement"				
36	Changes the statutory reference for the Florida Small Cities Community Development Block Grant program	163.3184(8)(b)1.a.		Noted.	
37	Changes "subsection" to "section."	163.3184(12)		Noted.	
38	Changes "in accordance with" to "pursuant to" and adds subsection (4) to the section 163.3184 citation.	163.3191(3)		Noted.	
39	Replaces "Department of Community Affairs" with "state land planning agency" and changes "this" Act to "the Community Planning Act"	163.3204		Noted.	
40	Changes the citation that refers to the sanctions that can be the sole issue before the Administration Commission when land development regulations are inconsistent with the comprehensive plan from section 163.3184(11)(a) or (b) to sections 163.3184(8)(a) or (b)1. or 2.	163.3213(6)		Noted.	
41	Changes the definition of state land planning agency to refer to the Department of Economic Opportunity instead of the Department of Community Affairs	163.3221(14)		Revisions are needed; The Comprehensive Plan and Adopted 2009 Evaluation and Appraisal Report mentions the Department of Community Affairs	Revisions are Needed to correct DCA to DEO
42	Deletes the reference to section 163.3177(11).	163.3245(1)		Noted.	
43	Deletes the requirement that the department provide an annual status report to the legislature regarding every optional sector plan.	163.3245(7)		Noted.	
44	Adds "or her" to "his consent to the master plan."	163.3245(9)		Noted.	
45	Replaces "Department of Community Affairs" with "state land planning agency"	163.3246(1)		Noted.	
46	Replaces "Secretary of Community Affairs" with "executive director of the state land planning agency"	163.3247(5)(a)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	to a compliance agreement"				
36	Changes the statutory reference for the Florida Small Cities Community Development Block Grant program	163.3184(8)(b)1.a.		Noted.	
37	Changes "subsection" to "section."	163.3184(12)		Noted.	
38	Changes "In accordance with" to "pursuant to" and adds subsection (4) to the section 163.3184 citation.	163.3191(3)		Noted.	
39	Replaces "Department of Community Affairs" with "state land planning agency" and changes "this" Act to "the Community Planning Act"	163.3204		Noted.	
40	Changes the citation that refers to the sanctions that can be the sole issue before the Administration Commission when land development regulations are inconsistent with the comprehensive plan from section 163.3184(11)(a) or (b) to sections 163.3184(8)(a) or (b)1. or 2.	163.3213(6)		Noted.	
41	Changes the definition of state land planning agency to refer to the Department of Economic Opportunity instead of the Department of Community Affairs	163.3221(14)		Revisions are needed; The Comprehensive Plan and Adopted 2009 Evaluation and Appraisal Report mentions the Department of Community Affairs	Revisions are Needed to correct DCA to DEO
42	Deletes the reference to section 163.3177(11).	163.3245(1)		Noted.	
43	Deletes the requirement that the department provide an annual status report to the legislature regarding every optional sector plan.	163.3245(7)		Noted.	
44	Adds "or her" to "his consent to the master plan."	163.3245(9)		Noted.	
45	Replaces "Department of Community Affairs" with "state land planning agency"	163.3246(1)		Noted.	
46	Replaces "Secretary of Community Affairs" with "executive director of the state land planning agency"	163.3247(5)(a)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
47	Replaces "Department of Community Affairs" with "state land planning agency"	163.3247(5)(b)		Noted.	
48	Removes the word "county" from "board of commissioners"	163.3248(6)		Noted.	
2013 [Ch. 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida]					
1	Re-numbers section 163.3162(3)(b)-(j) as 163.3162(3)(c)-(k) in order to accommodate new section 163.3162(3)(b) – see item 4 below.	163.2136(3)(c)-(k) [re-numbered]		Noted.	
2	Amends the definition of "governmental entity" in the provisions for agricultural lands and practices, clarifying that in addition to not including a water control district established under chapter 298 or a special district created by special act for water management purposes, the term does not include a water management district.	163.3162(2)(d)		Noted.	
3	Replaces "county" with "governmental entity."	163.3162(3)(a)		Noted.	
4	Prohibits a governmental entity from charging a fee on a specific agricultural activity of a bona fide farm operation on land classified as agricultural land pursuant to section 193.461, if such agricultural activity is regulated through implemented best management practices, interim measures, or regulations adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program; or if such agricultural activity is expressly regulated by the United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency.	163.3162(3)(b)	N/A	N/A The City does not have agricultural lands.	
5	Provides that an initiative or referendum process in regard to any development order is prohibited. Removes language that allowed an initiative or referendum process by a local	163.3167(8)(a)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	government charter in effect as of June 1, 2011 to be retained and implemented.				
6	Provides that an initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is prohibited, except for those amendments that affect more than five parcels of land if it is expressly authorized by specific language in local government charter that was lawful and in effect on June 1, 2011. A general local government charter provision for an initiative or referendum process is not sufficient.	163.3167(8)(b)		Noted.	
7	Clarifies the provisions for growth management that an initiative or referendum process in regard to any development order is prohibited, with certain exceptions.	163.3167(8)		Noted.	
8-12	Revises and adds requirements for local governments that continue to implement a transportation concurrency system, whether in the form adopted into the comprehensive plan before the effective date of the Community Planning Act, Chapter 2011-139, Laws of Florida, or as subsequently modified.	163.3180(5)(h)		Noted. The City continues to enforce transportation concurrency.	
13	Sets forth new provisions for any local government that elects to repeal transportation concurrency.	163.3180(5)(i)		Noted.	
14	Changes numerous references in the provisions for the local government comprehensive planning certification program from "department" to "state land planning agency."	163.3246(1),(4)-(7), (9)(a), (12) and (13)		Noted.	
15-47	Creates short title for sections 163.325-163.3253 as the "Manufacturing Competitiveness Act." and sets forth provisions for a local government proposing to establish a local manufacturing development program.	163.325-163.3253		Noted. Does the City plan to adopt a local manufacturing development program?	
48	Revises the definitions to replace a reference to section 165.031(5) in the definition of "public body" to section	163.340(2)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	government charter in effect as of June 1, 2011 to be retained and implemented.				
6	Provides that an initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is prohibited, except for those amendments that affect more than five parcels of land if it is expressly authorized by specific language in local government charter that was lawful and in effect on June 1, 2011. A general local government charter provision for an initiative or referendum process is not sufficient.	163.3167(8)(b)		Noted.	
7	Clarifies the provisions for growth management that an initiative or referendum process in regard to any development order is prohibited, with certain exceptions.	163.3167(8)		Noted.	
8-12	Revises and adds requirements for local governments that continue to implement a transportation concurrency system, whether in the form adopted into the comprehensive plan before the effective date of the Community Planning Act, Chapter 2011-139, Laws of Florida, or as subsequently modified.	163.3180(5)(h)		Noted. The City continues to enforce transportation concurrency.	
13	Sets forth new provisions for any local government that elects to repeal transportation concurrency.	163.3180(5)(i)		Noted.	
14	Changes numerous references in the provisions for the local government comprehensive planning certification program from "department" to "state land planning agency."	163.3246(1),(4)-(7), (9)(a), (12) and (13)		Noted.	
15-47	Creates short title for sections 163.325-163.3253 as the "Manufacturing Competitiveness Act." and sets forth provisions for a local government proposing to establish a local manufacturing development program.	163.325-163.3253		Noted. Does the City plan to adopt a local manufacturing development program?	
48	Revises the definitions to replace a reference to section 165.031(5) in the definition of "public body" to section	163.340(2)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	165.031(7).				
2014 [2014-93, 2014-178, and 2014-218, Laws of Florida]					
1	Deletes the provision that an initiative or referendum in regards to a comprehensive plan amendment or map amendment is only allowed if it affects more than five parcels of land.	163.3167(8)(b)		Noted.	
2	Deletes the provision that an initiative or referendum in regards to a comprehensive plan amendment or map amendment is only allowed if it affects more than five parcels of land.	163.3167(8)(c)		Noted.	
3	Changes "rural areas of critical economic concern" to "rural areas of opportunity"	163.3177(7)(a)2.		N/A. There are no references to 'rural areas of critical economic concern' in the comprehensive plan.	
4	Changes "rural areas of critical economic concern" to "rural areas of opportunity"	163.3177(7)(a)3.b.		N/A	
5	Provides general re-wording and changes "rural area of critical economic concern" to "rural area of opportunity"	163.3177(7)(e)		N/A	
6	Changes "rural areas of critical economic concern" to "rural areas of opportunity"	163.3187(3)		N/A	
7	Requires that local governments must adopt, amend, and enforce land development regulations that are consistent with and implement the comprehensive plan within one year after submission of the comprehensive plan or amended comprehensive plan pursuant to section 163.3191, Florida Statutes (evaluation and appraisal process), instead of section 163.3167(2), Florida Statutes (requirement that each local government maintain a comprehensive plan).	163.3202(1)		Noted.	
8	Provides legislative intent related to the importance of fuel	163.3206(1)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	terminals.				
9	Provides a definition of "fuel" with cross references	163.3206(2)(a)1.-9.		Noted.	
10	Provides a definition of "fuel terminal"	163.3206(2)(b)		Noted.	
11	Provides that after July 1, 2014, a local government may not amend its comprehensive plan, land use map, zoning districts, or land use regulations to conflict with a fuel terminal's classification as a permitted and allowable use, including an amendment that causes a fuel terminal to be a nonconforming use, structure, or development.	163.3206(3)		Noted.	
12	Provides that if a fuel terminal is damaged or destroyed due to a natural disaster or other catastrophe, a local government must allow the timely repair of the fuel terminal to its capacity before the natural disaster or catastrophe.	163.3206(4)		Noted.	
13	Provides that the section does not limit the authority of a local government to adopt, implement, modify, and enforce applicable state and federal requirements for fuel terminals, including safety and building standards. Local authority may not conflict with federal or state safety and security requirements.	163.3206(5)		Noted.	
14	Changes "rural area of critical economic concern" to "rural area of opportunity"	163.3246(10)		N/A.	
2015 [2015-30, 2015-69, Laws of Florida]					
1	Adds requirements for the redevelopment component of the Coastal Management Element • 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. • Encourage removal of coastal real property from FEMA flood zone designations.	163.3178		Noted. Updates needed.	Policy updates needed in Coastal Management Element

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	terminals.				
9	Provides a definition of "fuel" with cross references	163.3206(2)(a)1.-9.		Noted.	
10	Provides a definition of "fuel terminal"	163.3206(2)(b)		Noted.	
11	Provides that after July 1, 2014, a local government may not amend its comprehensive plan, land use map, zoning districts, or land use regulations to conflict with a fuel terminal's classification as a permitted and allowable use, including an amendment that causes a fuel terminal to be a nonconforming use, structure, or development.	163.3206(3)		Noted.	
12	Provides that if a fuel terminal is damaged or destroyed due to a natural disaster or other catastrophe, a local government must allow the timely repair of the fuel terminal to its capacity before the natural disaster or catastrophe.	163.3206(4)		Noted.	
13	Provides that the section does not limit the authority of a local government to adopt, implement, modify, and enforce applicable state and federal requirements for fuel terminals, including safety and building standards. Local authority may not conflict with federal or state safety and security requirements.	163.3206(5)		Noted.	
14	Changes "rural area of critical economic concern" to "rural area of opportunity"	163.3246(10)		N/A.	
2015 [2015-30, 2015-69, Laws of Florida]					
1	Adds requirements for the redevelopment component of the Coastal Management Element • 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. • Encourage removal of coastal real property from FEMA flood zone designations.	163.3178		Noted. Updates needed.	Policy updates needed in Coastal Management Element

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	• Be consistent with or more stringent than the flood resistant construction requirements in the Florida Building Code and federal flood plain management regulations. • Require construction seaward of the coastal construction control line to be consistent with chapter 161, Florida Statutes. • Encourage local governments to participate in the National Flood Insurance Program Community Rating System to achieve flood insurance premium discounts for their residents.				
2	Deletes obsolete provisions establishing 2012 deadlines for a local government to adopt plan amendments related to military base compatibility.	163.3175(9)	N/A	N/A.	
3	Provides that a local government that does not own, operate, or maintain its own water supply facilities and is served by a public water utility with a permitted allocation of greater than 300 million gallons per day is not required to amend its comprehensive plan in response to an updated regional water supply plan or maintain a work plan if the local government's usage of water is less than 1 percent of the public water utility's total permitted allocation. The local government must cooperate with any local government or utility provider that provides service within its jurisdiction. The local government must keep the element up to date in accordance with section 163.3191 (evaluation and appraisal).	163.3177(6)(c)4.	N/A	Noted.	
4	The list of plan amendments subject to the coordinated state review process is expanded to include plan	163.3184(2)		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	amendments that propose an amendment to an adopted sector plan and plan amendments that propose a development that qualifies as a development of regional impact pursuant to section 380.06, Florida Statutes.				
5	Revisions related to Sector Plans.	163.3245	N/A	N/A. The City has not adopted a Sector Plan	
6	Revisions related to the Local Government Comprehensive Planning Certification Program – Connected-City Corridor Pilot Program.	163.3246(11) and (14)	N/A	N/A	
7	Deletes regional planning councils as entities that provide assistance and participate in developing a plan for the rural land stewardship area.	163.3248(4)	N/A	N/A	
2016 [Ch. 2016-10, 2016-148, 2016-239, 2016-148, Laws of Florida]					
1	Deletes this obsolete subsection which required local governments to transmit comprehensive plan updates or amendments to address compatibility of lands adjacent or closely proximate to existing military installations or lands adjacent to an airport to the state land planning agency by June 30, 2012.	163.3177(6)(a)11	N/A	N/A	
2	Modifies this section to state that a representative of a military installation is not required to file a statement of financial interest pursuant to section 112.3145, F.S., solely due to his or her service on the local government's land planning or zoning board.	163.3175 (7)	N/A	N/A	
3	Requires state coordinated review process for plan amendments related to development that is subject to state coordinated review.	163.3184 (2) (c)		Noted.	
3	The recommended order from an administrative challenge becomes effective in 90 days, with some exceptions.	163.3184 (5) (e) 3.		Noted.	
3	Revisions to mediation procedures.	163.3184 (7)		Noted.	
4	Revisions to sector plan process to reduce the minimum	163.3245		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	amendments that propose an amendment to an adopted sector plan and plan amendments that propose a development that qualifies as a development of regional impact pursuant to section 380.06, Florida Statutes.				
5	Revisions related to Sector Plans.	163.3245	N/A	N/A. The City has not adopted a Sector Plan	
6	Revisions related to the Local Government Comprehensive Planning Certification Program – Connected-City Corridor Pilot Program.	163.3246(11) and (14)	N/A	N/A	
7	Deletes regional planning councils as entities that provide assistance and participate in developing a plan for the rural land stewardship area.	163.3248(4)	N/A	N/A	
2016 [Ch. 2016-10, 2016-148, 2016-239, 2016-148, Laws of Florida]					
1	Deletes this obsolete subsection which required local governments to transmit comprehensive plan updates or amendments to address compatibility of lands adjacent or closely proximate to existing military installations or lands adjacent to an airport to the state land planning agency by June 30, 2012.	163.3177(6)(a)11	N/A	N/A	
2	Modifies this section to state that a representative of a military installation is not required to file a statement of financial interest pursuant to section 112.3145, F.S., solely due to his or her service on the local government's land planning or zoning board.	163.3175 (7)	N/A	N/A	
3	Requires state coordinated review process for plan amendments related to development that is subject to state coordinated review.	163.3184 (2) (c)		Noted.	
3	The recommended order from an administrative challenge becomes effective in 90 days, with some exceptions.	163.3184 (5) (e) 3.		Noted.	
3	Revisions to mediation procedures.	163.3184 (7)		Noted.	
4	Revisions to sector plan process to reduce the minimum	163.3245		Noted.	

Changes to Chapter 163, F.S. 2010-2018		Chapter 163, F.S. Citations	N/A	Addressed (where/how)	Amendment Needed By Element
	size to 5000 acres.				
2017: None					
2018 [Chapter 2018-34, section 1, Laws of Florida, Effective March 19, 2018; Chapter 2018-158, section 8, Laws of Florida, Effective April 6, 2018.]					
1	Amends the definition of "development" to exclude work by electric utility providers on utility infrastructure on certain rights-of-way or corridors and the creation or termination of distribution and transmission corridors.	Sections 163.3221(4)(b)(2) and (4)(b)(8)		Noted.	
2	Sector Plans, updated statutory cross references.	163.3245(3)(e), (3)(e)6., and (3)(e)12		N/A	
3	Local Government Comprehensive Planning Certification Program updated to delete references to Development of Regional Impact Review.	163.3246 (11), (12), and (14)		Noted.	
4	Definitions, added a new definition of "master development plan" or "master plan" as subsection (31) and renumbered subsequent sections.	163.3164		Noted.	

Stuart Amendments 201(

Name	Amendment /Ordinance	Summary
Stuart 10-1	2196-10	New definition of Coastal High-Hazard Area
Stuart 10-1CIE	2197-10	Capital Improvements Element amendment
Stuart 10-2ER	2205-2010	EAR-Based and other Comp Plan amendments including FLU Map changes
Stuart 11-1ESR	2235-2011	Zoning and Land User change from C-PUD to Public and from Downtown Redevelopment to Conservation
Stuart 11-CIE1	2218-2010	Amendments to Capital Improvements Element and Public School Facilities Element
Stuart 14-1ESR	14-1ESR	Adopted Comp Plan and 10-year Water Supply Amendments
Stuart 14-CIE1	2277-2014	Updating City's 5-year CIP
Stuart 15-02CIE	2319-2015	Updating City's 5-year capital improvements schedule
Stuart 15-CIE1	2300-2015	Updating City's 5-year capital improvements schedule
Stuart 16-01CIE	2336-2016	Updating City's 5-year capital improvements schedule
Stuart 16-01ESR	2329-2016	Inclusion of Economic Development Element
Stuart 16-CIE1	2336-2016	Updating City's 5-year capital improvements schedule
Stuart 17-01ESR	2332-2017	amending maxium dwelling units per acre
Stuart 17-02ESR	2357-2018	amendment to infrastructure and conservation to support and strengthen amended water supply facilities work plan
Stuart 17-CIE1	2358-2017	Adoption of 5-year capital improvement schedule
Stuart 18-01ESR	2367-2018	ANNEXING A PARCEL OF LAND

Stuart 18-02ESR	2371-2018	Osprey Preserve - Large Scale Future Land Use Map Change (FLUM) and Rezoning

Stuart 18-02ESR	2371-2018	Osprey Preserve - Large Scale Future Land Use Map Change (FLUM) and Rezoning

)-2018

Notes
Harbour Walk Preserve 50.96 acres of 52.93 changed
Amended Chapter 4 (Infrastructure) and Chapter 5 (Conservation), ensuring consistency with SFWMD East Coast Water Supply Plan

1. A continuous buffer has been added between the lake and wetland. 2. A 10 foot wide swath of littoral plantings including transitional plantings have been added at the
lake on the western edge to the top of bank. 3. Additions to the Home Owners Association documents have been added that limit the use of
high phosphorous fertilizer application by way of best management practices.

1. A continuous buffer has been added between the lake and wetland. 2. A 10 foot wide swath of littoral plantings including transitional plantings have been added at the
lake on the western edge to the top of bank. 3. Additions to the Home Owners Association documents have been added that limit the use of
high phosphorous fertilizer application by way of best management practices.

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~~1~~ - FUTURE LAND USE ELEMENT Goals, Objectives, and Policies City of Stuart, Florida Adopted December 2001 (effective April 2002) and October 14, 2002[1]

Footnotes:

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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 affordable 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 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.]

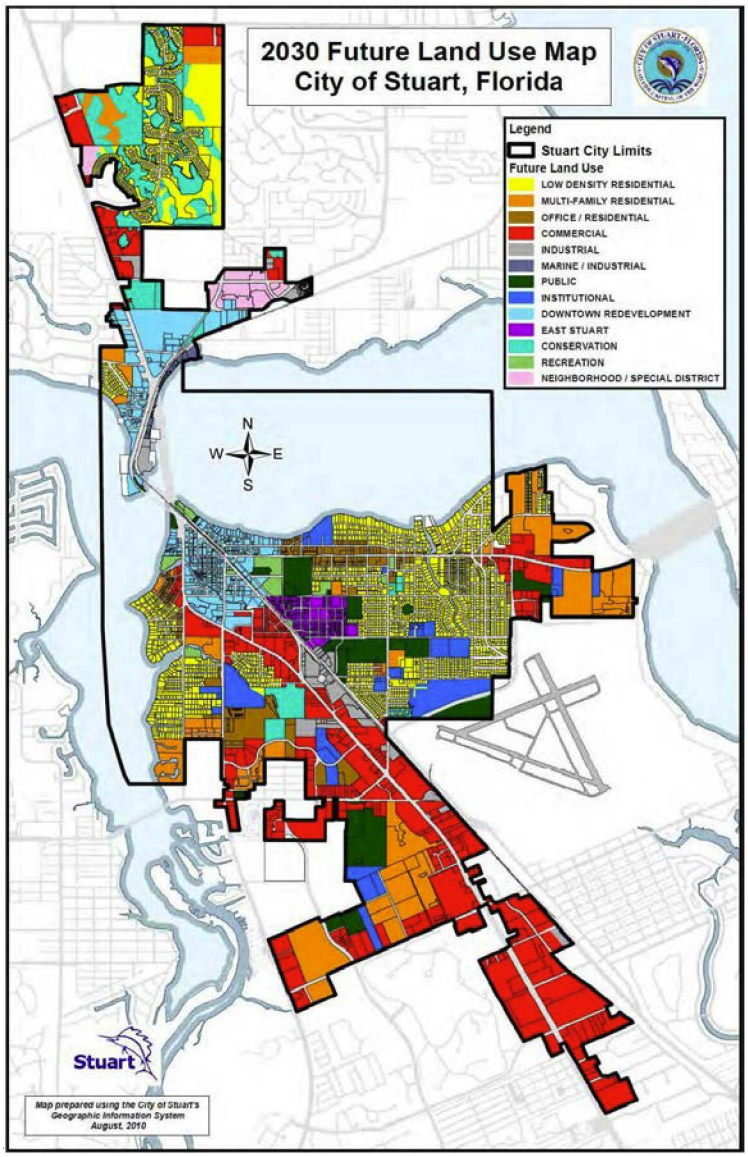
The City shall allow mixed-use and traditional neighborhood development, pedestrian accessibility, and innovative planning and land use techniques that strengthen the small-town character of Stuart through the application of the Neighborhood/Special District land use category.

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.

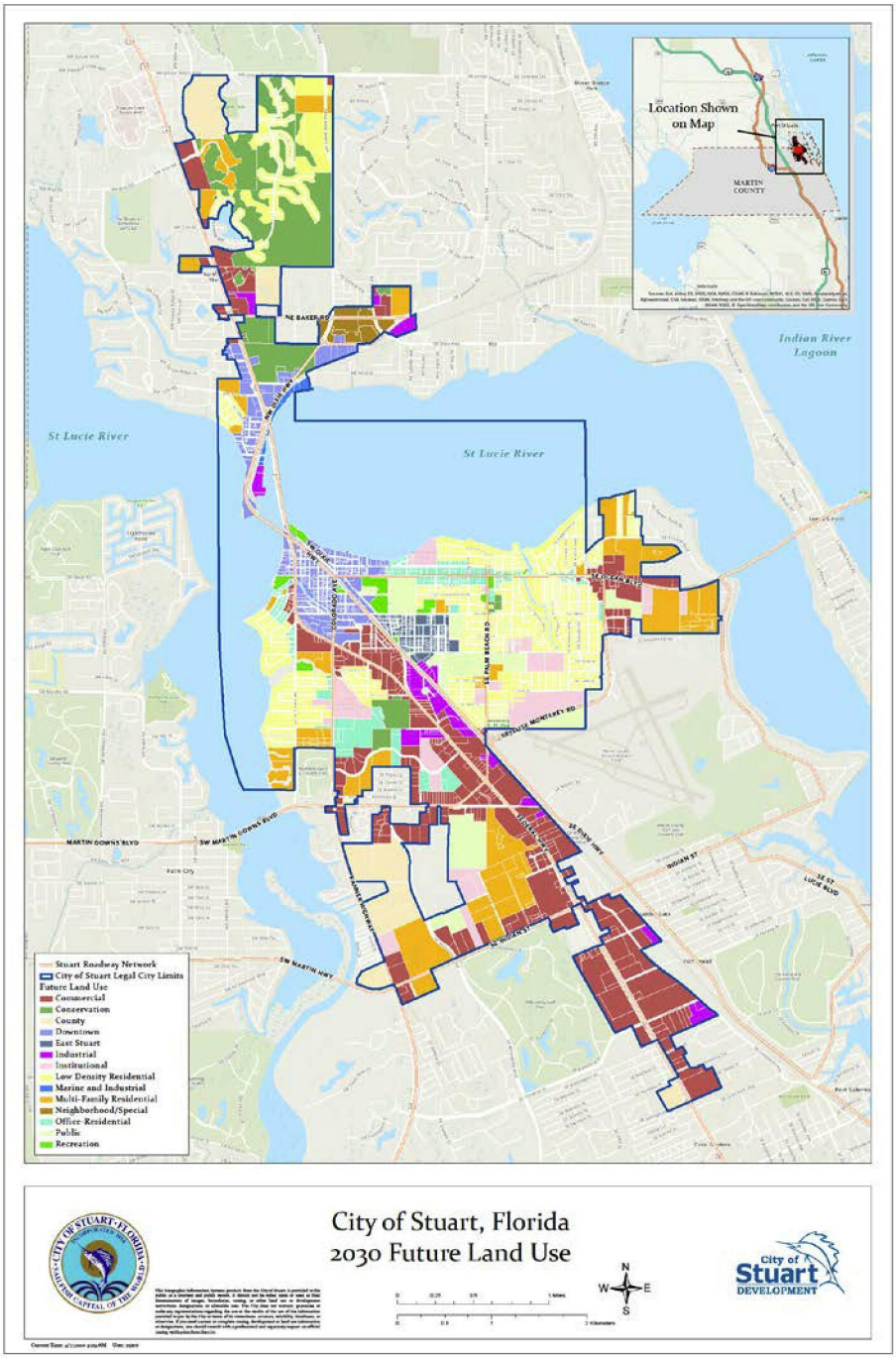
Policy 1.F1.2. Mixed-use development within the Neighborhood/Special District category shall integrate distinct uses together in order to create a functioning, multifaceted type of development. Integration is defined as the combination of distinct uses on a single site where impacts from differing uses 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.

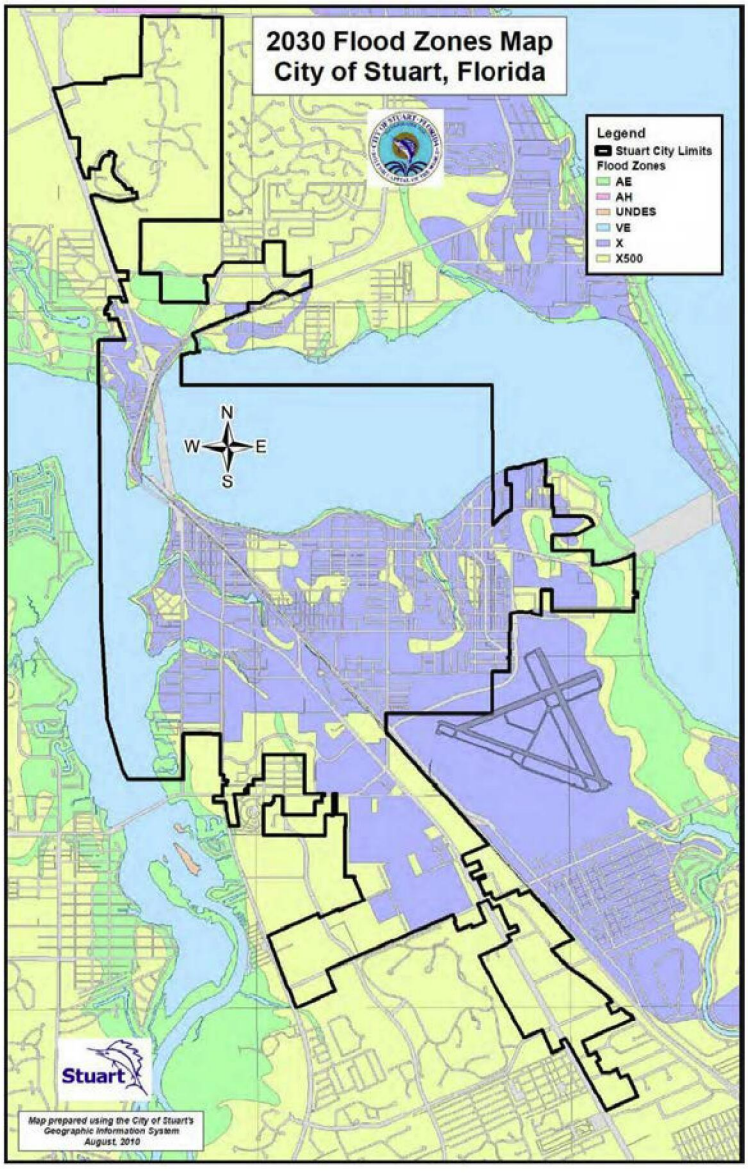
Policy 1.F1.3. To promote pedestrian friendly and neighborhood-scale development, blocks within a mixed-use development should not exceed an average block perimeter of more than 1,600 linear feet, or a five-minute walk, unless the block perimeter has pedestrian access points at intervals not exceeding 550 feet. No block frontage along a single street should exceed 550 feet.

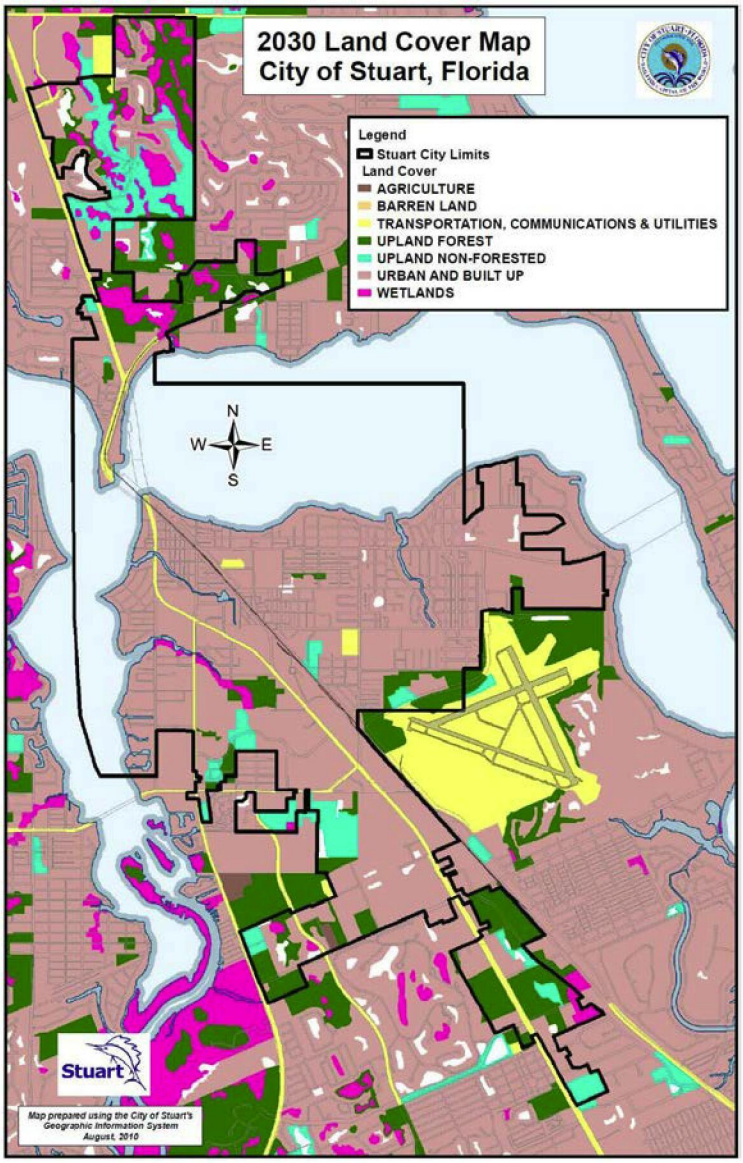
Policy 1.F1.4. Large expanses of parking area discourage neighborhood scale and pedestrian friendliness. Therefore, where possible, development shall include smaller scattered parking lots of "nodes" that are approximately located such that the massing or "bunching" of parking into large expanses of parking area is prevented.

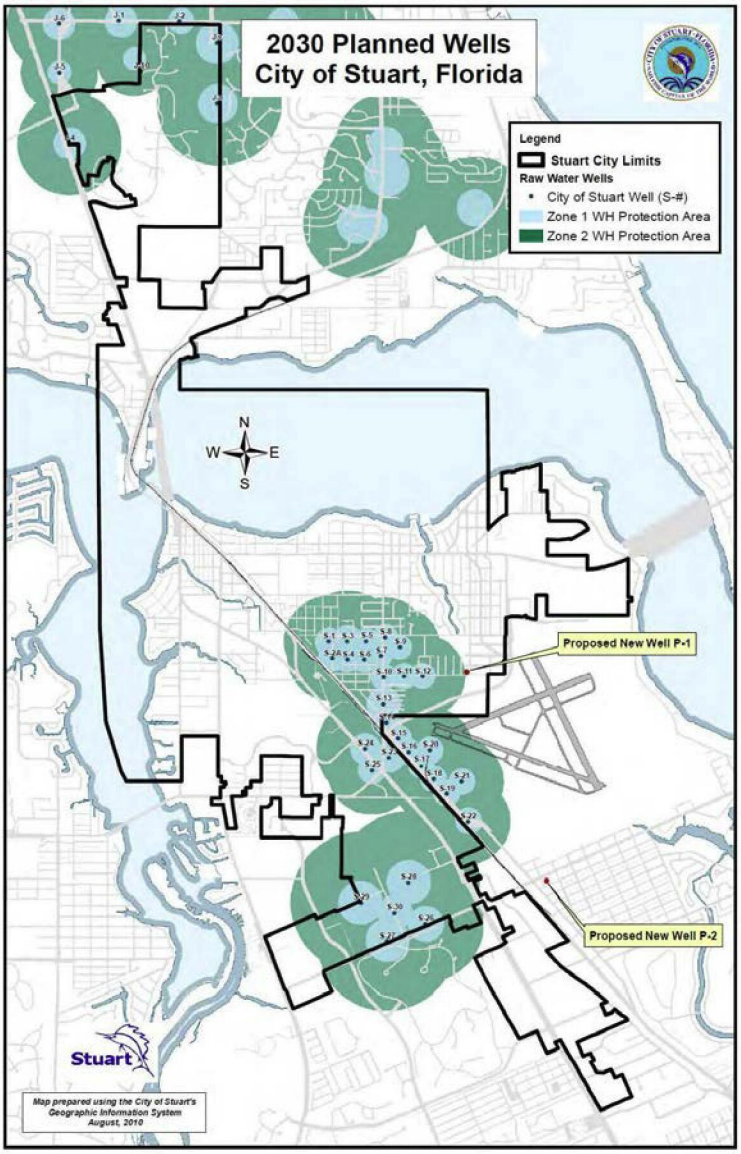

2030 Future Land Use Map
City of Stuart, Florida
Legend
Stuart City Limits
Future Land Use
LOW DENSITY RESIDENTIAL
MULTI-FAMILY RESIDENTIAL
OFFICE / RESIDENTIAL
COMMERCIAL
INDUSTRIAL
MARINE / INDUSTRIAL
PUBLIC
INSTITUTIONAL
DOWNTOWN REDEVELOPMENT
EAST STUART
CONSERVATION
RECREATION
NEIGHBORHOOD / SPECIAL DISTRICT
N
W
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S
Stuart
Map prepared using the City of Stuart's Geographic Information System
August, 2010

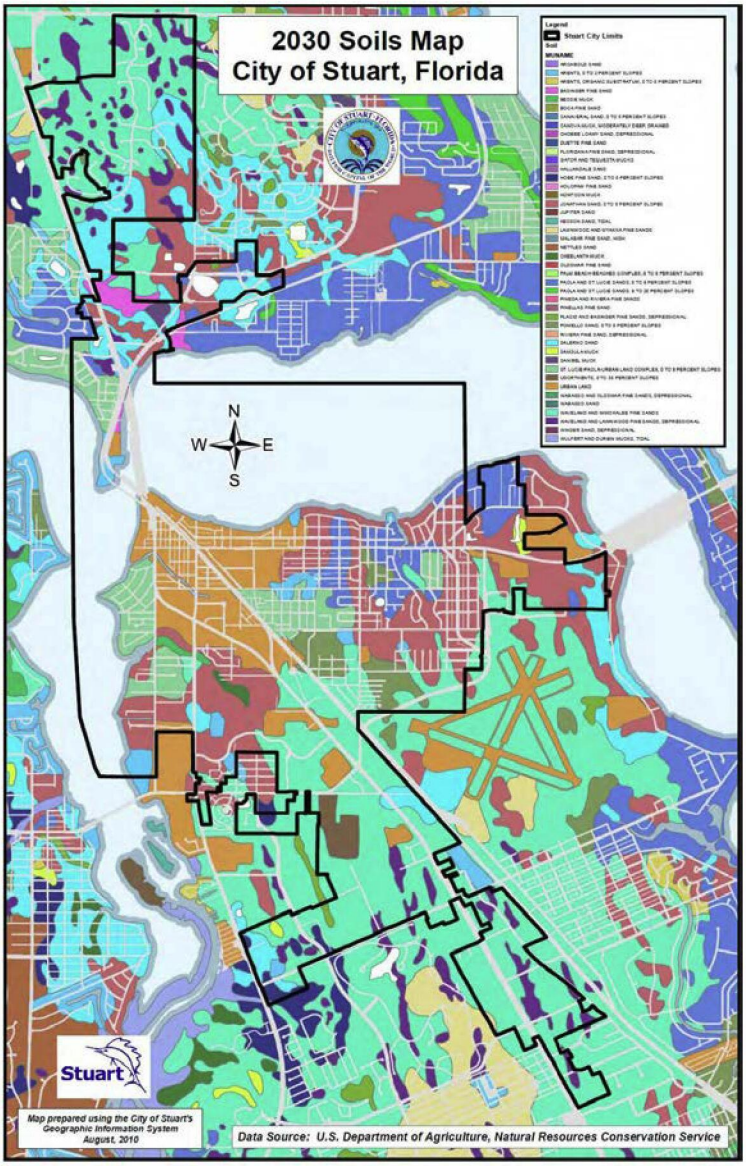
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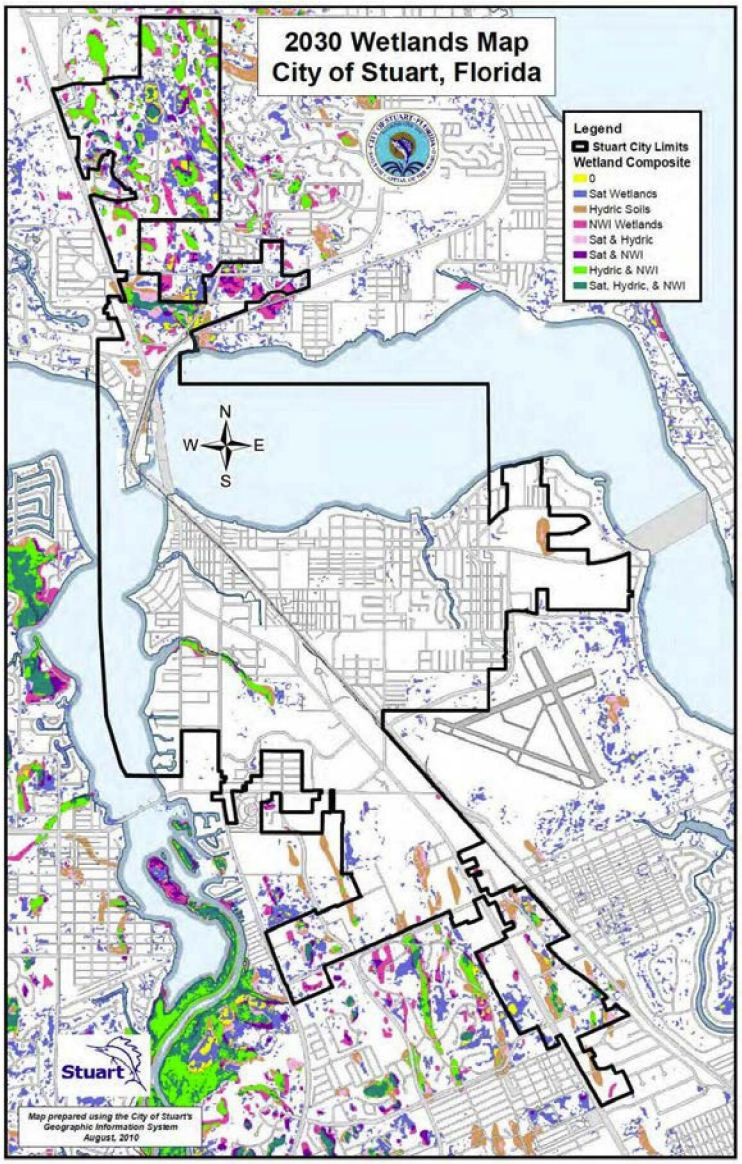



2030 Flood Zones Map
City of Stuart, Florida
Legend
Stuart City Limits
Flood Zones
AE
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UNDES
VE
X
X500
N
W
E
S
Stuart
Map prepared using the City of Stuart's Geographic Information System
August, 2010


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
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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.~~					

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. One-way streets. 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. Pedestrian grade separation. Increasing b~~B~~ikeway~~s~~ visibility connectivity and bike parking opportunities. ~~Bike storage.~~ 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. Traffic calming. Downtown rail station/transportation depot. Increase visibility and safety through streetscape and crosswalk improvement initiatives Enhance pedestrian safety thru print, social media and City website education
Route diversion	Auto restricted zones. Residential traffic control. Truck-restricted zones and routes.
Parking management	Curb parking restrictions on U.S. 1 within the TCEA. On-street parking. Common parking areas. Off-street parking incentives. "In-lieu of" parking incentives. Public/private shared parking. Public/private shared parking through joint ownership or leasing or issuing licensing agreements. Valet parking for commercial businesses.

	Advanced parking guidance system and other wayfinding signs 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. Coordinate transfer improvements with Martin and St. Lucie Counties (see Policy 2.A6.3).
Commercial vehicles	On-street loading zones. Off-street loading zones. Restrict peak-hour on-street loading. 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. Encourage establishment of home offices.
Pricing The City of Stuart supports the application of these policies by the service providers.	Peak/off-peak transit fares. Fares for elderly and handicapped. 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. Taxi/group riding program. Dial-a-ride. Jitney service.
Carpool and vanpool	Encourage carpool and vanpool matching programs by public and private employers. 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 Evaluate transportation infrastructure vulnerability as it related to climate change and resiliency 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/204~~030~~ 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.

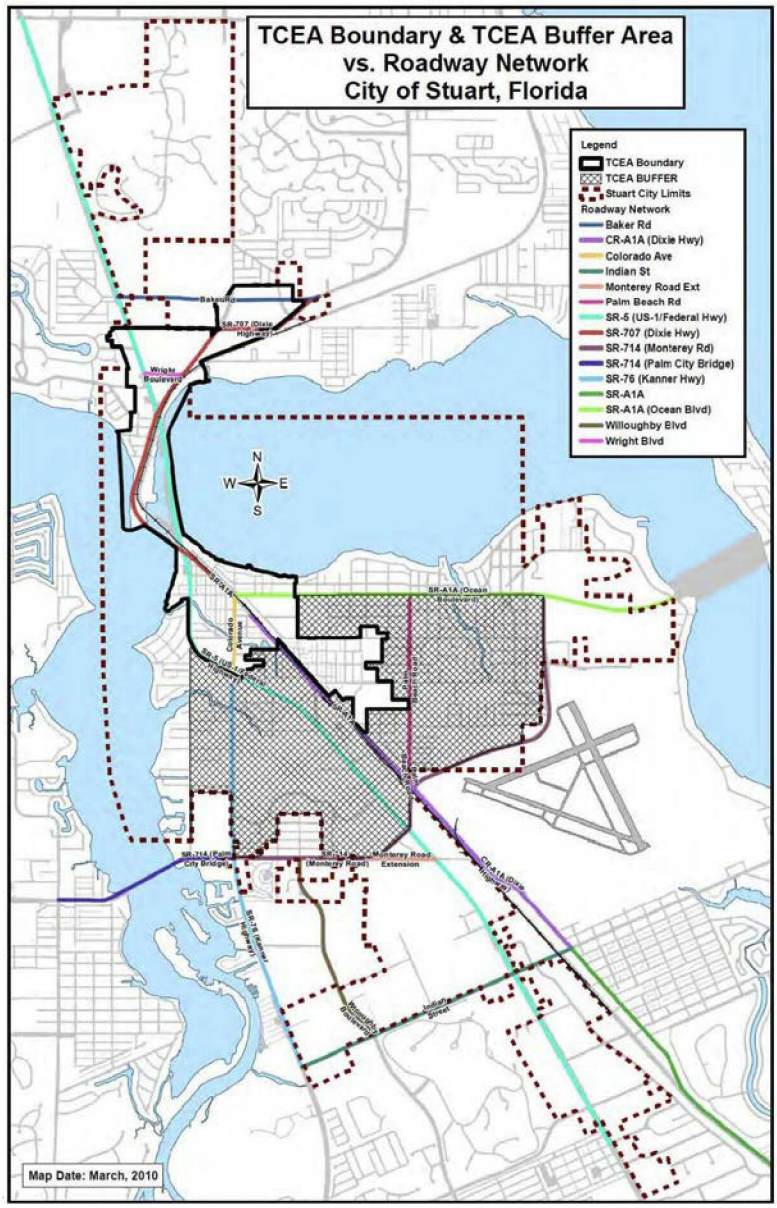
Objective 2.A17. - [Greenhouse gas emission reduction.]

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.

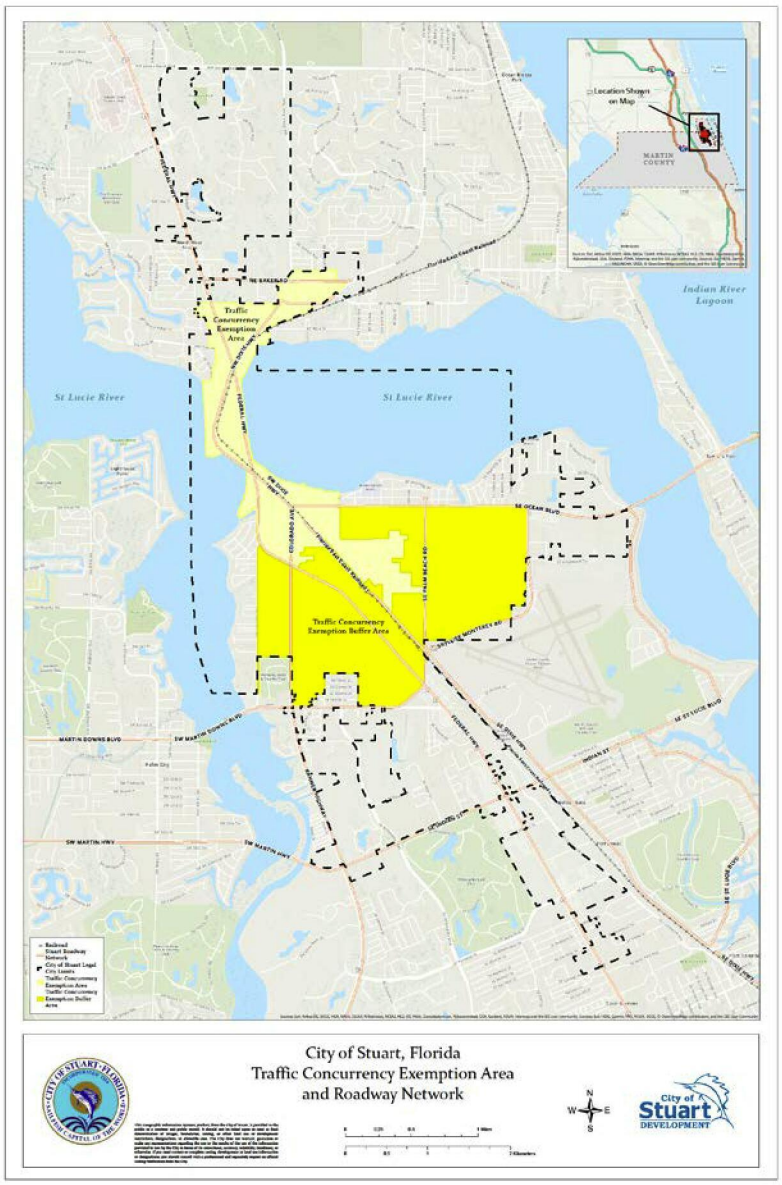
Policy 2.A17.1. Through incentives, which may include development review fast tracking, permit fee rebates, impact fee deferrals, and reduced parking requirements, the City will encourage private and public sector employers to promote fewer work-based vehicle trips through methods including but not limited to:

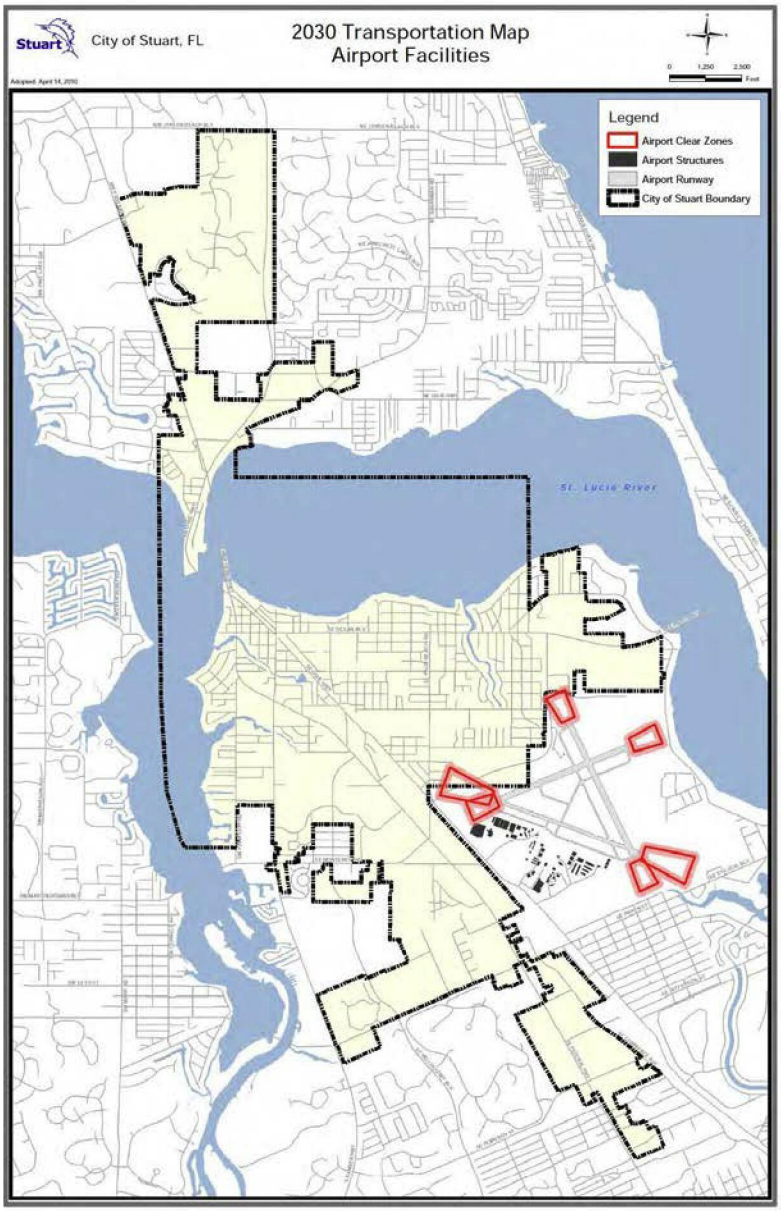
- Carpooling, bicycling and public transit use.
- Video conferencing or conference calls.
- Flex time programs for eligible employees.
- Green building educational materials to the community.
- Energy efficiency and cost saving measures.

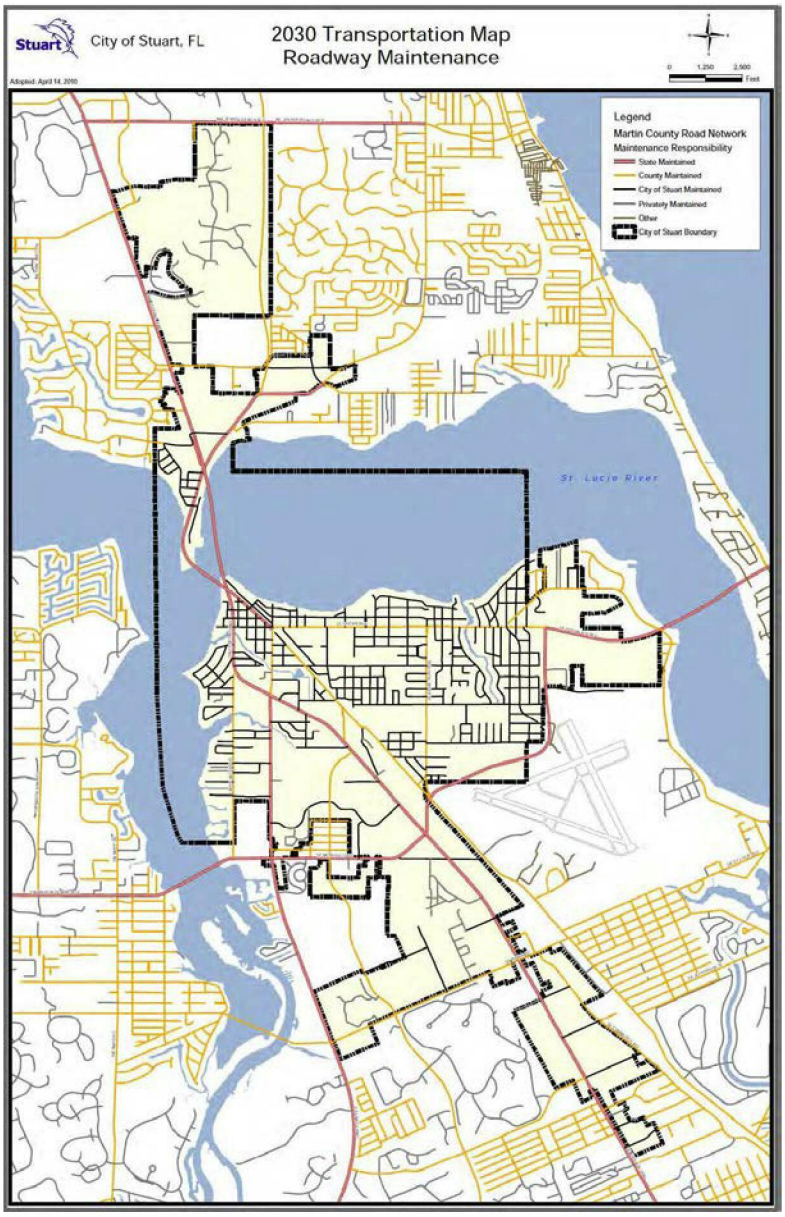
(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

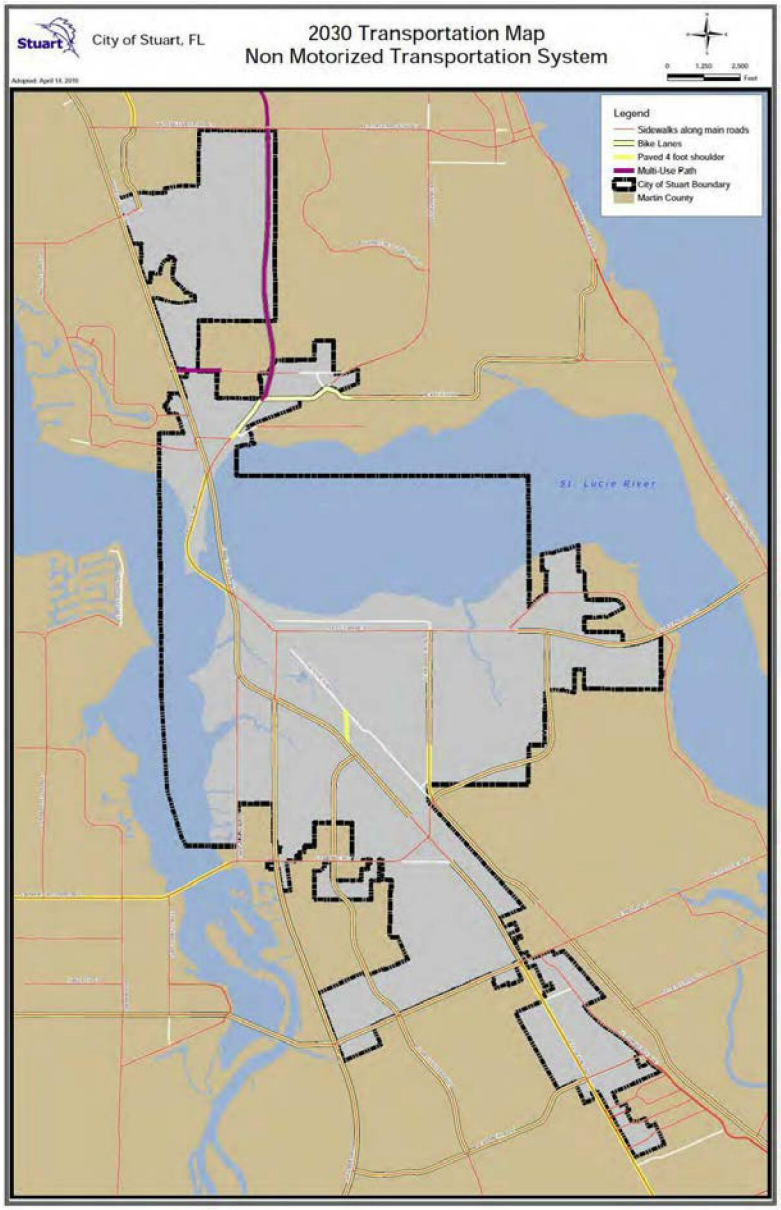

TCEA Boundary & TCEA Buffer Area
vs. Roadway Network
City of Stuart, Florida
Legend
TCEA Boundary
TCEA BUFFER
Stuart City Limits
Roadway Network
Baker Rd
CR-A1A (Dixie Hwy)
Colorado Ave
Indian St
Monterey Road Ext
Palm Beach Rd
SR-5 (US-1/Federal Hwy)
SR-707 (Dixie Hwy)
SR-714 (Monterey Rd)
SR-714 (Palm City Bridge)
SR-76 (Kanner Hwy)
SR-A1A
SR-A1A (Ocean Blvd)
Willoughby Blvd
Wright Blvd
N
W
E
S
Map Date: March, 2010

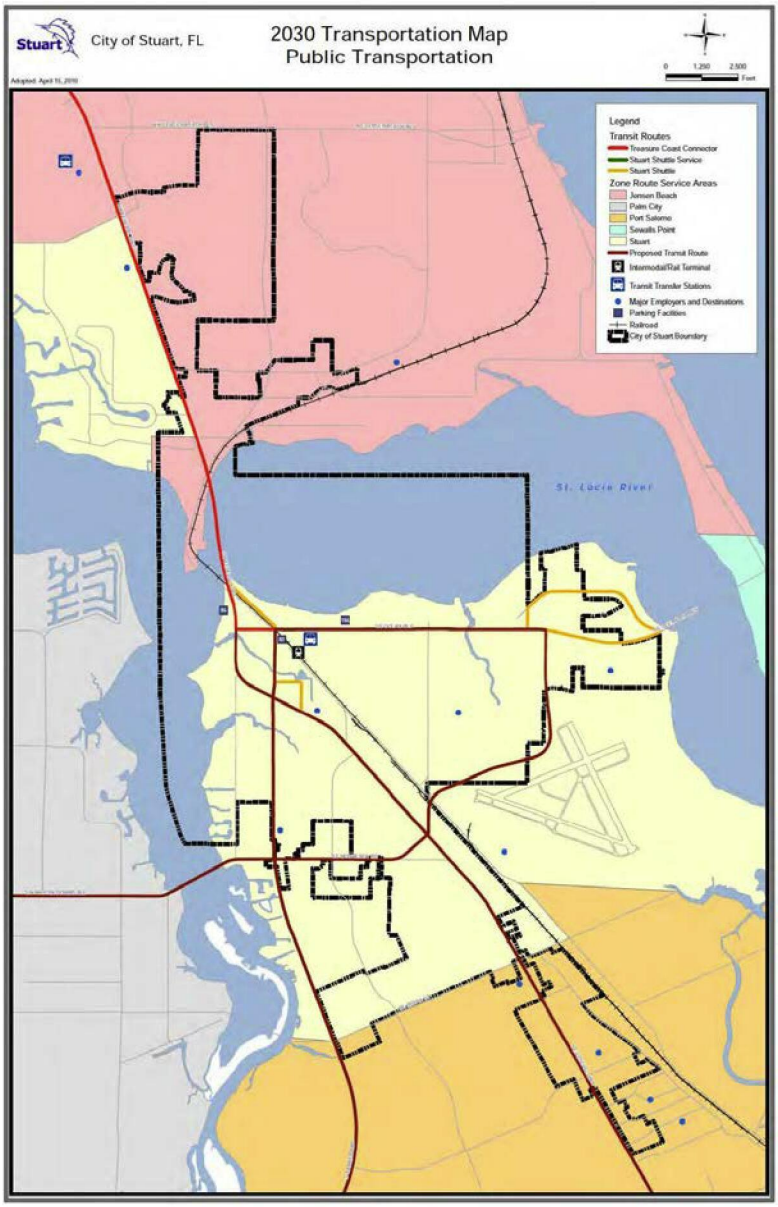
Field Code Changed

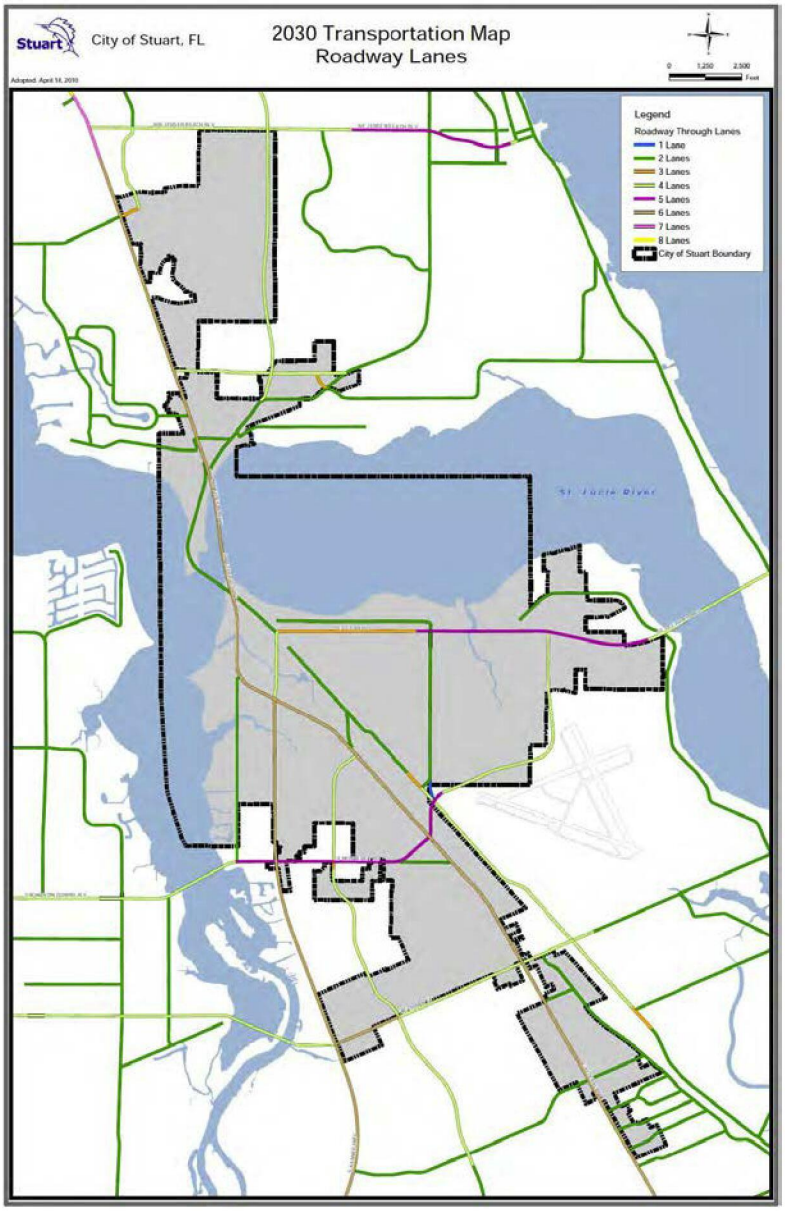


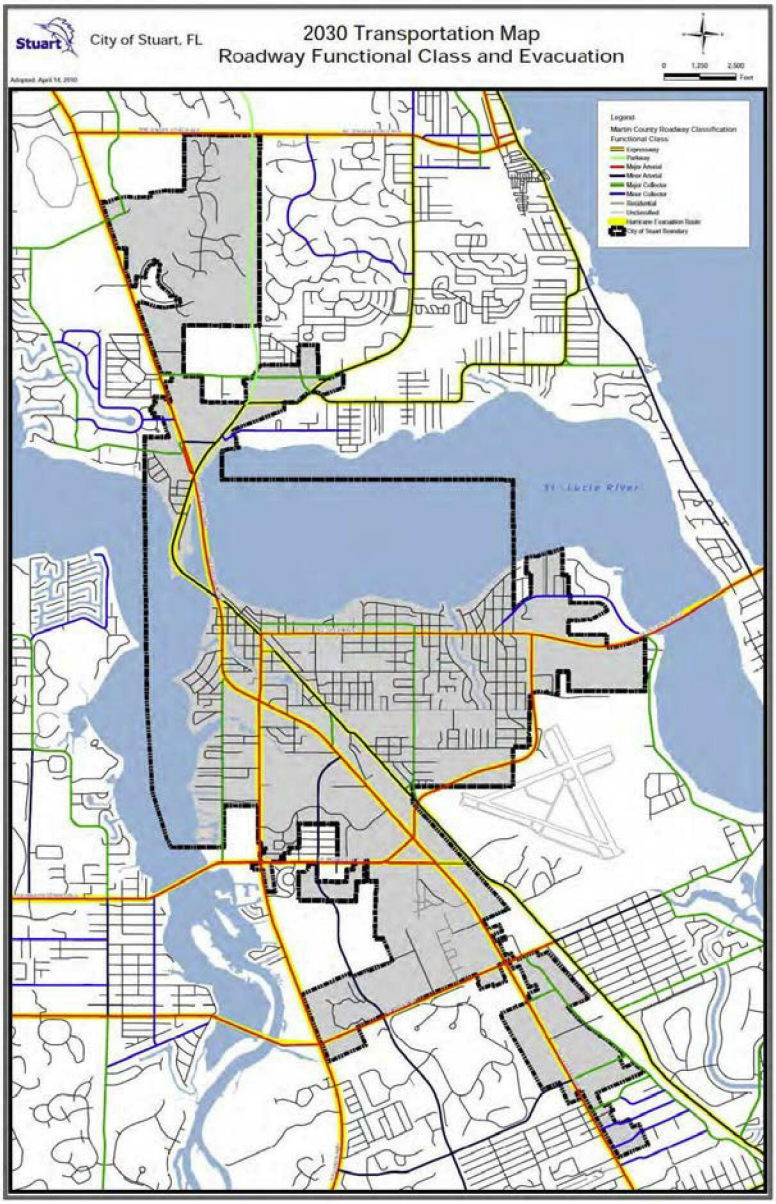

Stuart
City of Stuart, FL
2030 Transportation Map
Airport Facilities
Legend
Airport Clear Zones
Airport Structures
Airport Runway
City of Stuart Boundary
St. Lucie River

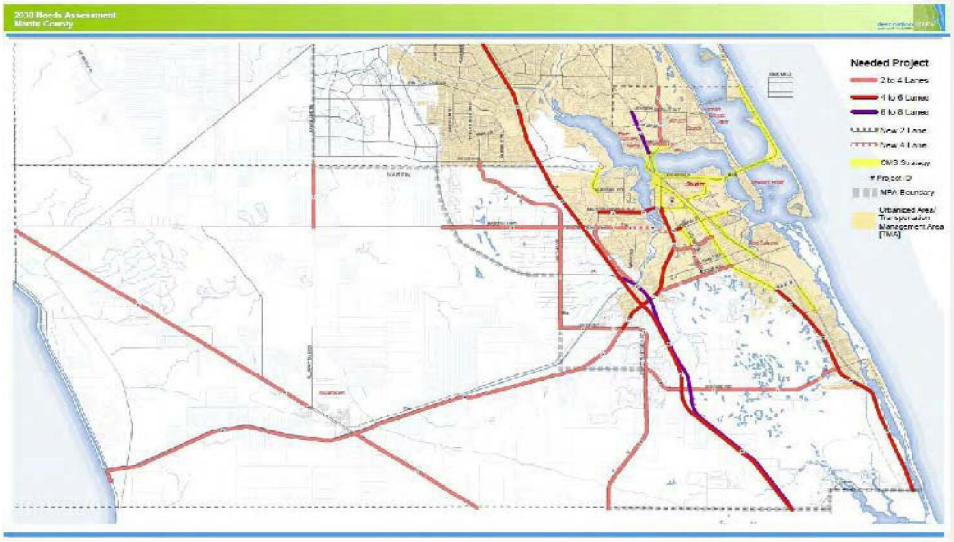

Stuart
City of Stuart, FL
2030 Transportation Map
Roadway Maintenance
Adopted: April 14, 2010
0
1,250
2,500
Feet
Legend
Martin County Road Network
Maintenance Responsibility
State Maintained
County Maintained
City of Stuart Maintained
Privately Maintained
Other
City of Stuart Boundary
St. Lucie River

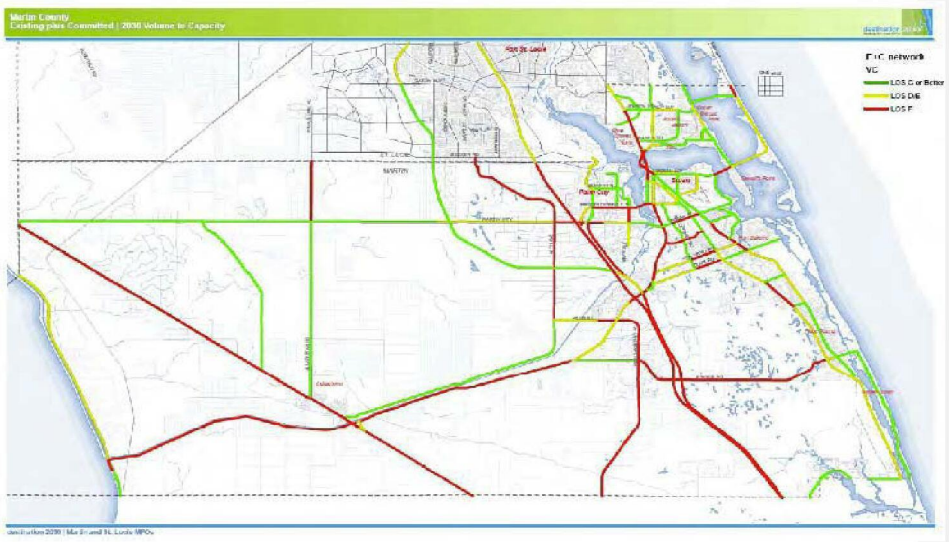

Stuart
City of Stuart, FL
2030 Transportation Map
Non Motorized Transportation System
Legend
Sidewalks along main roads
Bike Lanes
Paved 4 foot shoulder
Multi-Use Path
City of Stuart Boundary
Martin County
St. Lucie River


City of Stuart, FL
2030 Transportation Map
Public Transportation
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


City of Stuart, FL
2030 Transportation Map
Roadway Lanes
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
Legend
Martin County Roadway Classification
Functional Class
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
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 and 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 and 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 housing.

The City will address the affordable housing needs of extremely low income, very-low-income to moderate-income residents by continuing to promote 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 affordable housing and income categories shall be used by the City in its housing programs:

"Affordable housing" means healthy and safe housing that people with extremely low, very low, low, moderate, ~~to very low~~ and workforce incomes can live in without paying more than 30 percent of their household income (including taxes, insurance, and utilities) ~~not including utility payments~~).

"Extremely low income" means an income falling below 30 percent of the U.S. Department of Housing and Urban Development (HUD) Average Medium Income (AMI) for Martin County, Port Saint Lucie MSA

"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 being greater than ~~falling between~~ 80 percent and less than 120 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.

"Attainable Workforce income~~housing~~" means ~~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.~~ housing that is affordable to a person who earns less than 120 percent of the area median income, or less than 140 percent of the area median income if located in a county in which the median purchase price for a single-family existing home exceeds the statewide median purchase price of a single-family home.

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"Attainable income housing" means housing that is affordable to persons or families whose total household income being greater than 80 percent and less than 100 percent of HUD AMU for Martin County, Port Saint Lucie MSA.

Policy 3.A2.2. Streamline regulations. The City shall continue to encourage private sector provision of attainable or 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 or affordable rental housing opportunities for those ineligible for Stuart Housing Authority units, especially the elderly and young working residents;

D. To increase attainable or affordable home ownership opportunities; and

E. To provide the necessary infrastructure to serve attainable or affordable housing units.

Policy 3.A2.5. Protecting attainable or affordable housing in the City of Stuart The number of attainable or 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 or 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 or 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)

Commented [CKD1]: Since this is not a statutorily defined term, it is appropriate for the City to define it. But please refer to the first comment about using this term alone in policy. Affordable and Attainable herein are not synonymous terms and using only "attainable" limits all applicable policies to only apply to households of 80-100% of AMI, neglecting those with lower incomes who need the most assistance.

Commented [CKD2]: Should this be AMI?

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 or 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 or 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 or 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) 1,100 gallons per acre per day (nonresidential) 115 gallons per capita per day (total wastewater flow rate)
Solid waste facilities	3.5 pounds per capita per day (residential) 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 and a minimum width of 25 feet beyond the perimeter of the wetland, except when otherwise exempt in the plan. 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.

iii. As delineated in the map of potential single family properties within a buffer distance of a significant wetland, properties with the following property control numbers are except from the minimum average buffer of 50 feet and minimum width of 25 feet:

083841007006000110;	093841001002001303,	083841007003001502;
083841024000000107;	093841008000001104;	093841001002000705;
093841001002000108;	083841033000000106;	083841007006000100;
093841001002001410;	093841008000001202;	093841001002000901;
083841007006000500;	083841007003001405;	083841007006000604;
093841001002000509; 093841001002000402; and 093841001002001508		

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

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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.A1.1520. 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.B1.5~~7~~, 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 extremely low, very low-, low- ~~and~~ moderate- and affordable 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 or 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 or 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 or 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 attainable or affordable 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 or 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~~ The 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) ~~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, (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: 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. (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: I. Elementary School LOS 100% 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 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. II. Middle School LOS. ~~100% 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~~ 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. III. High School LOS. 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 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.

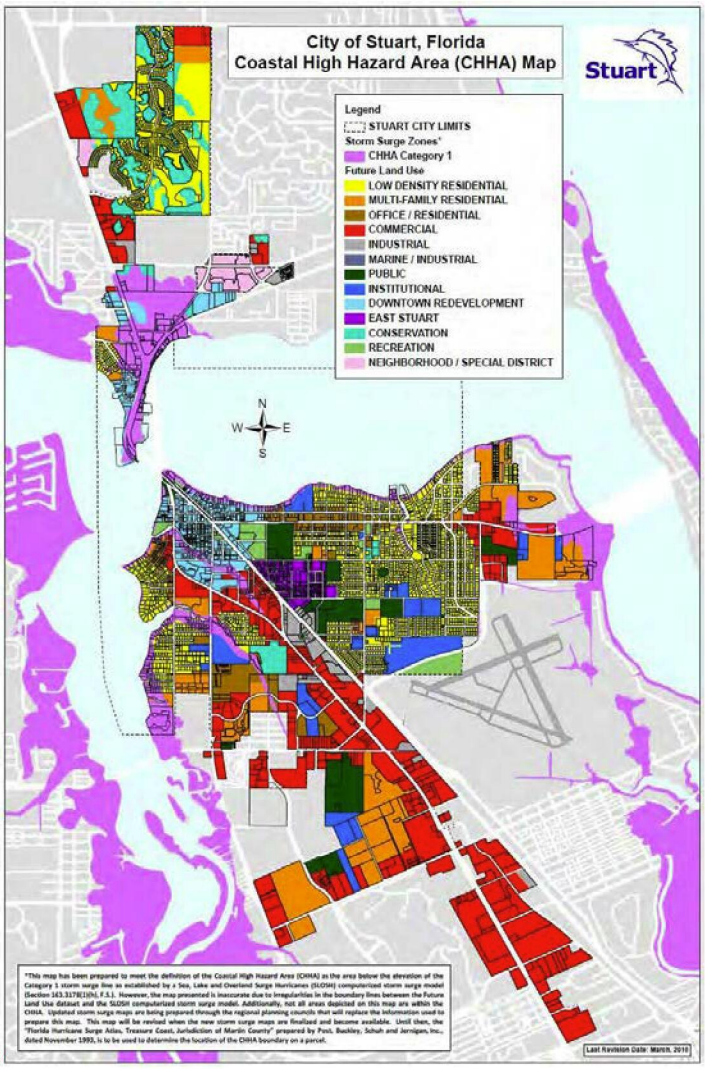
Policy 9.A5.14. The City shall develop strategies which will reduce existing population densities in coastal high hazard and floodplain areas. The City shall encourage the incorporation and enhancement of existing natural systems and open areas within such developed areas to serve as natural storm buffers 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.

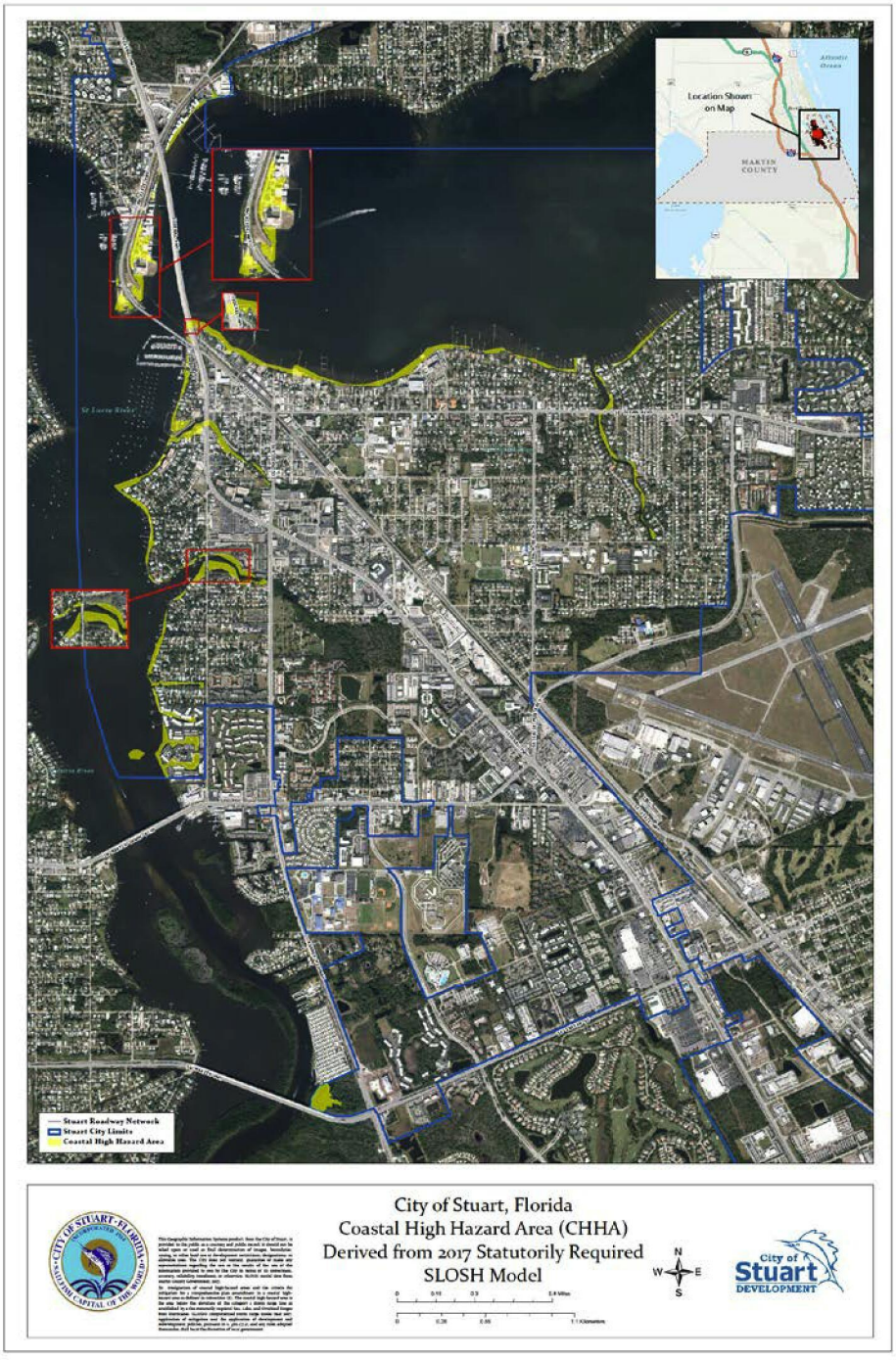
Policy 9.A5.16. The City shall depict ~~and adopt~~ the CHHA on a Coastal High Hazard Area Map in the City's adopted Future Land Use Map series. The City shall amend and readopt the CHHA Map when ~~the~~ new storm surge maps, ~~currently being prepared through the regional planning councils, are finalized~~ 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 e~~Evacuation 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.B5~~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.B5~~1~~.2~~6~~. Potential for hurricane damage shall be a primary consideration for locational decisions and facility design for new capital facilities.

Policy 9.B5~~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.

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 Crystal Lake ES 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 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

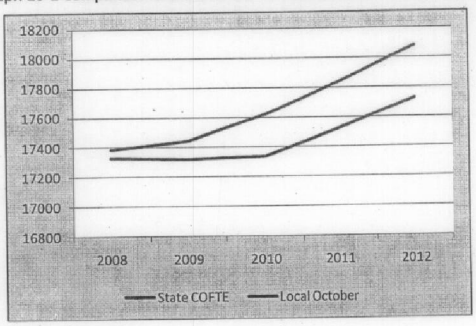
	2013	2014	2015	2016	2017
Elementary	8,658	8,796	8,935	9,073	9,211
Middle	4,208	4,275	4,342	4,409	4,476
High	5,583	5,672	5,762	5,851	5,940
Total	18,450	18,744	19,038	19,332	19,626

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.

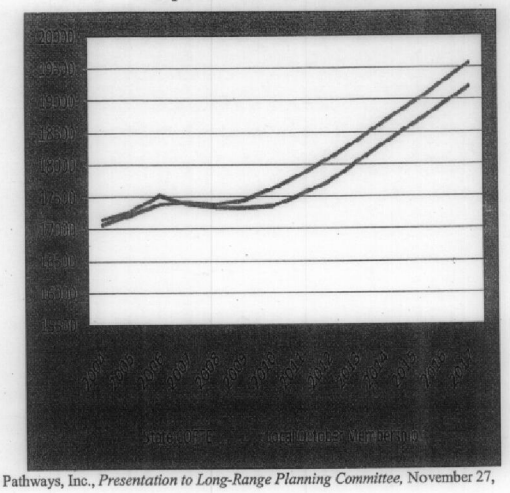
Graph 10-1 Comparison of the DOE COFTE Forecast to the Local Forecast



*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 5 = Close (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 5 = Close (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 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 5 = Within Plan Weight Factor = 4
Matrix 11	Inclusion of site within adopted private master plan	0 = No Plan 5 = Within Plan Weight Factor = 2
Matrix 12	Proximity to population centers	0 = Close 5 = Distant (MC TAZ) Weight Factor = 5
Matrix 13	Degree of triangulation	0 = Poor Triangulation 5 = Ideal Triangulation (Use SB Standard) Weight Factor = 4
Matrix 14	Opportunity to redevelop existing underutilized site/adaptive reuse	0 = No Redevelopment 5 = Full Redevelopment Weight Factor = 4
Matrix 15	Ability to maintain diversity of student population (reflect MC student demographics)	0 = Less Diverse; As Diverse (Existing condition - SB FL Schools Indicator Report) Weight Factor = 5
Matrix 16	Size of site as compared to technical standard	0 = Too Big or Small 5 = Optimal (NOTE: Technical standards; Elementary = 20; Middle = 40; High = 60) (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 5 = Network ready (Existing within first 5 years of adopted CIP + within adopted private master plan) Weight Factor = 1
Matrix 20	Availability of water-line proximity	0 = Lines beyond 10 years in CIP 3 = Lines within 5 years in CIP 5 = Lines close/abutting property Weight Factor = 1
Matrix 21	Water plant capacity	0 = No plant capacity available 3 = Minimal capacity improvement needed 5 = Surplus capacity available Weight Factor = 2
Matrix 23	Sewer plant capacity	0 = No plant capacity available 3 = Minimal capacity improvements needed 5 = Surplus capacity available Weight Factor = 1
Matrix 24	Availability of storm water	0 = Lines beyond 10 years in CIP; no plant capacity available 3 = Lines within 5 years in CIP; minimal capacity improvements needed 5 = Lines close/abutting property; surplus

		capacity available Weight Factor = 2
Matrix 25	Transportation costs for School Board (amount of busing required)	0 = All busing 5 = Minimal busing Weight Factor = 5
Matrix 26	Acquisition complications (need for eminient domain, multiple ownership)	0 = Many 5 = Single-owner and no problems Weight Factor = 5
Matrix 27	Inclusion of site within Urban Service Boundary	0 = Outside 3 = Within secondary 5 = Within Urban Service Boundary 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.

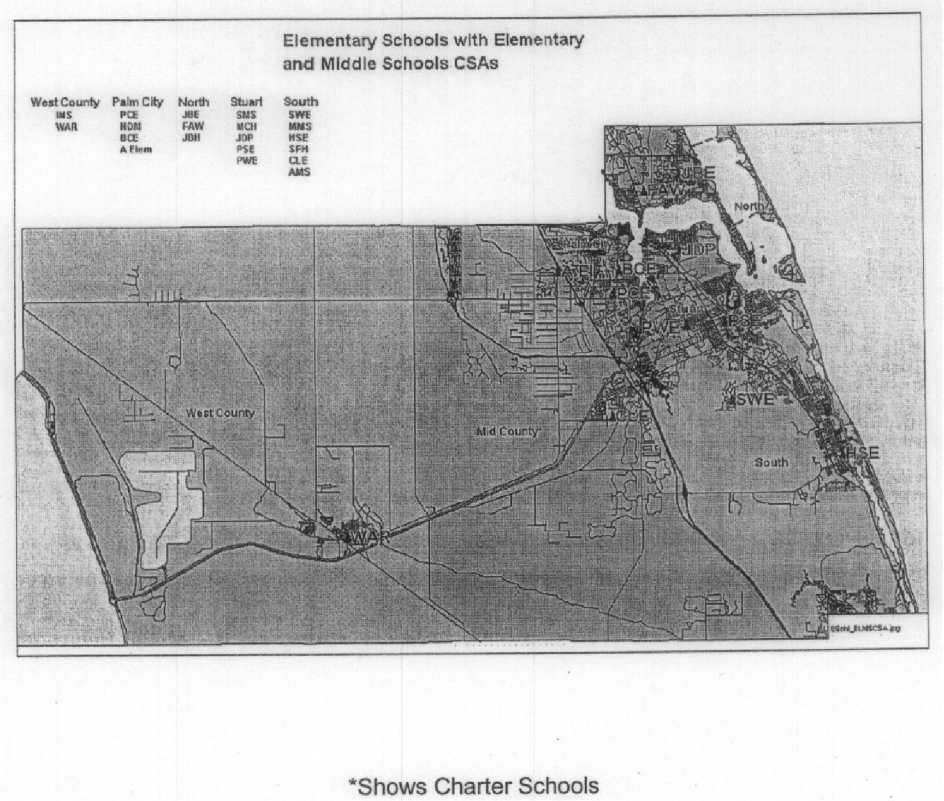
The CSAs have been established to maximize available school capacity, taking into account transportation costs and district policies affecting student assignment.

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 Indiantown Middle

2: Mid-County Zone	No schools at this time
3: North Zone	Felix A. Williams Elementary Jensen Beach Elementary
4: Palm City Zone	Bessey Creek Elementary Palm City Elementary Elementary "A" Hidden Oaks Middle
5: Stuart Zone	J.D. Parker Elementary Pinewood Elementary Port Salerno Elementary Stuart Middle
6: South Zone	Crystal Lake Elementary Hobe Sound Elementary Seawind Elementary Dr. David L. Anderson Middle Murray Middle



*Shows Charter Schools

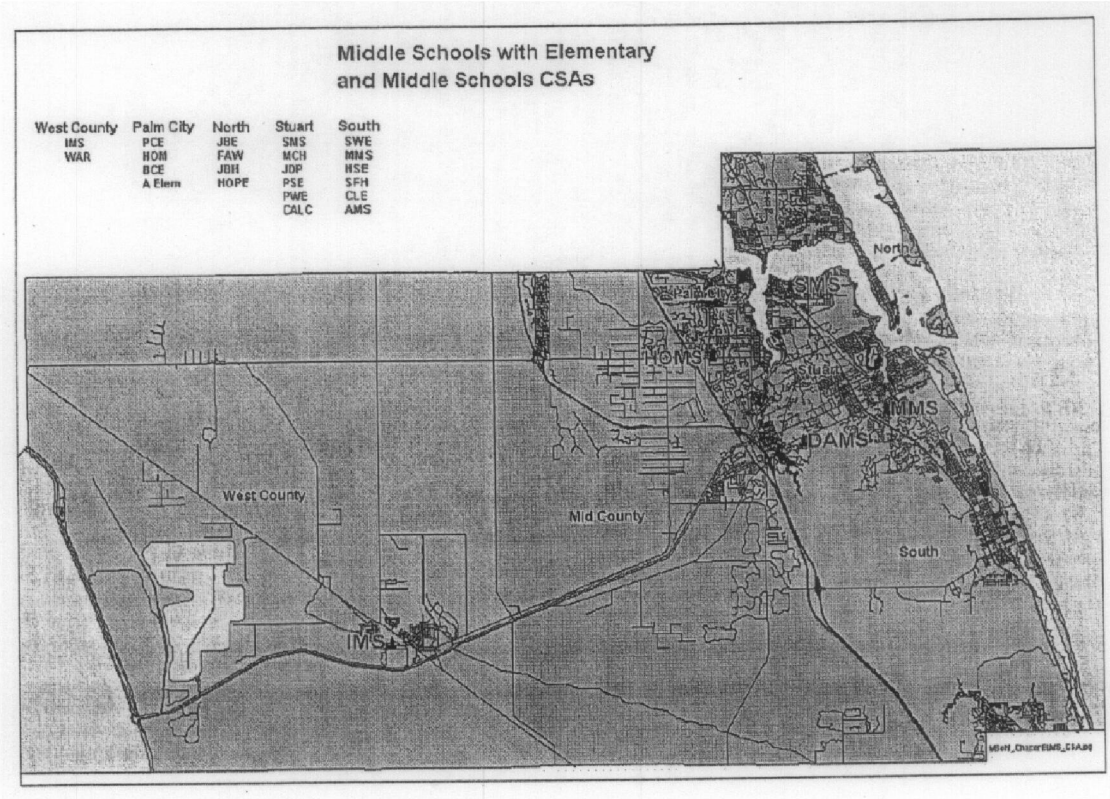
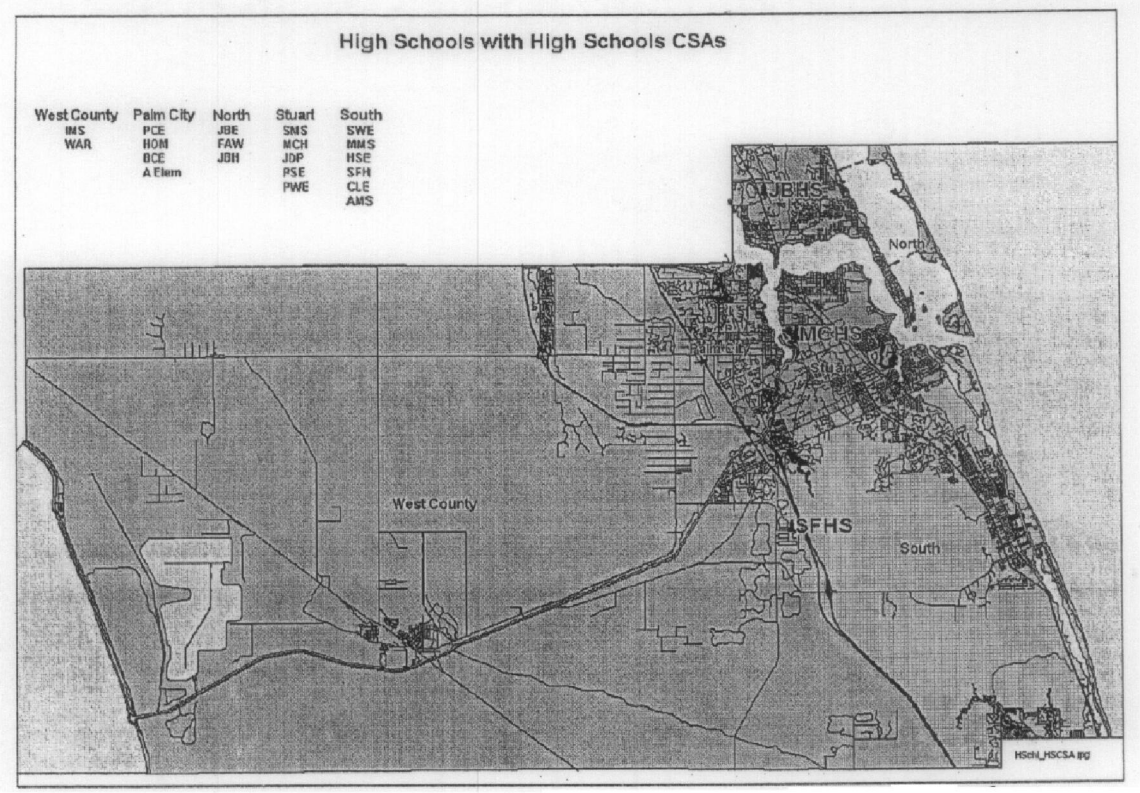


Table 10-20 Concurrency Service Areas and High Schools

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			2008 / 2009			Projected 2009 / 2010			2010 / 2011			2011 / 2012			2012 / 2013		
		Enroll	Cap	LOS	Enroll	Cap	LOS	Enroll	Cap	LOS	Enroll	Cap	LOS	Enroll	Cap	LOS	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			2008 / 2009			Projected 2009 / 2010			2010 / 2011			2011 / 2012			2012 / 2013		
		Enroll	Cap	LOS	Enroll	Cap	LOS	Enroll	Cap	LOS	Enroll	Cap	LOS	Enroll	Cap	LOS	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			2008 / 2009			Projected 2009 / 2010			2010 / 2011			2011 / 2012			2012 / 2013		
		Enroll	Cap	LOS	Enroll	Cap	LOS	Enroll	Cap	LOS	Enroll	Cap	LOS	Enroll	Cap	LOS	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			2008 / 2009			Projected 2009 / 2010			2010 / 2011			2011 / 2012			2012 / 2013		
		Enroll	Cap	LOS	Enroll	Cap	LOS	Enroll	Cap	LOS	Enroll	Cap	LOS	Enroll	Cap	LOS	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)

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.

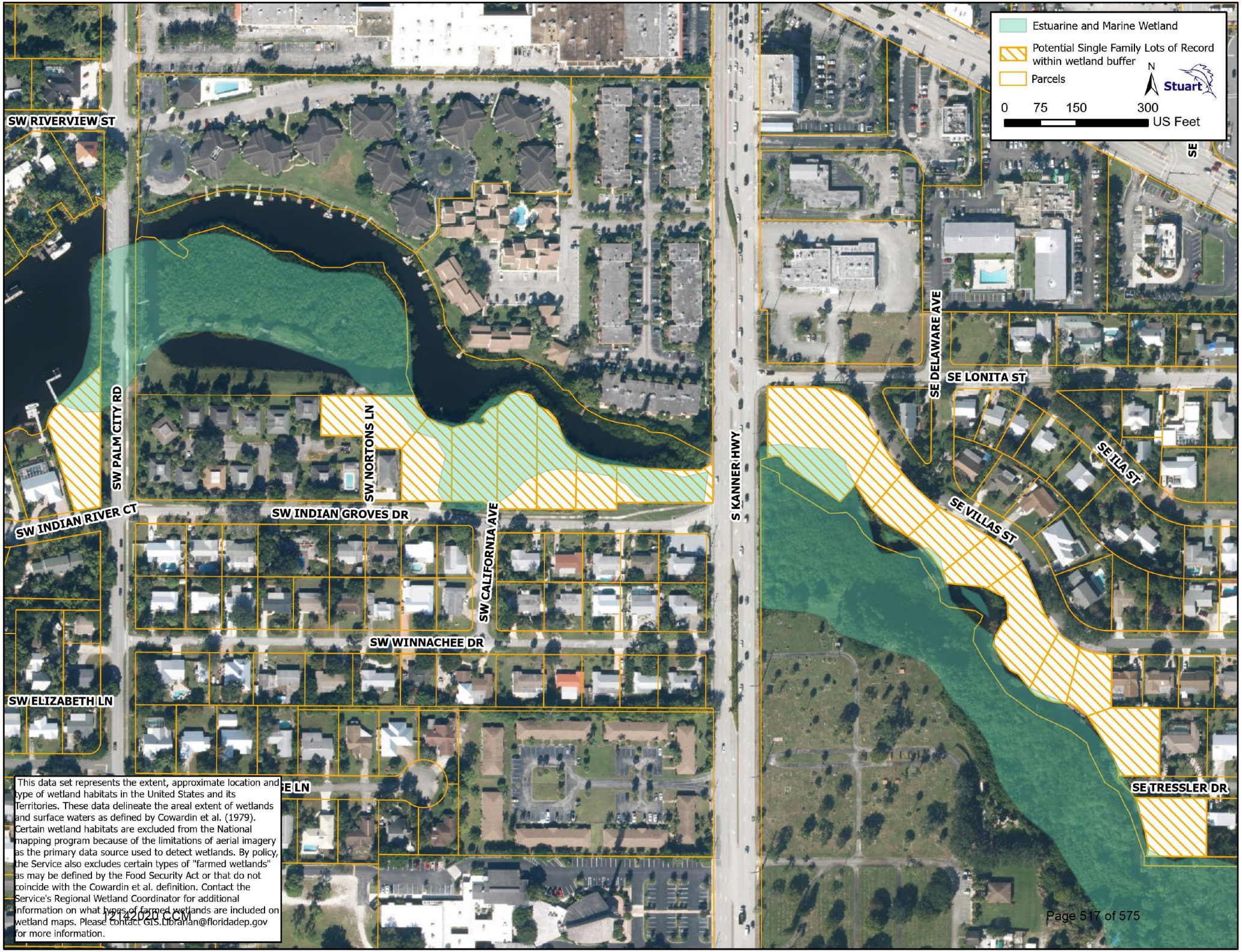
Policy 11.A3.3. The City shall encourage cooperative efforts between local realtors, hotel/motel owners and restaurants, Department of Economic Development and Tourism, and Chambers of Commerce to market Stuart as a Waterfronts Florida tourism destination.

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)


Estuarine and Marine Wetland
Potential Single Family Lots of Record within wetland buffer
Parcels
N
Stuart
0 75 150 300
US Feet
SW RIVERVIEW ST
SW PALM CITY RD
SW NORTONS LN
SW INDIAN RIVER CT
SW INDIAN GROVES DR
SW CALIFORNIA AVE
S KANNER HWY
SE DELAWARE AVE
SE LONITA ST
SE ITLA ST
SE VILLAS ST
SW WINNACHEE DR
SW ELIZABETH LN
SE TRESSLER DR
This data set represents the extent, approximate location and type of wetland habitats in the United States and its Territories. These data delineate the areal extent of wetlands and surface waters as defined by Cowardin et al. (1979). Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. By policy, the Service also excludes certain types of "farmed wetlands" as may be defined by the Food Security Act or that do not coincide with the Cowardin et al. definition. Contact the Service's Regional Wetland Coordinator for additional information on what types of farmed wetlands are included on wetland maps. Please contact GIS.Librarian@floridadep.gov for more information.

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Joseph Tumminelli

Title of Item:

WRECKERS AND VEHICLE / VESSEL TOWING AMENDMENT (RC):

ORDINANCE No. 2456-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING THE STUART CODE OF ORDINANCES, CHAPTER 12 – BUSINESS, ARTICLE VI. WRECKERS AND VEHICLE TOWING, TO BE IN ACCORDINACE WITH FLORIDA STATE STATUTE; FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The range is being increased in order to comply with Florida Statutes.

Funding Source:

N/A

Recommended Action:

Approval of Ordinance 2456-2020.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	Ordinance 2456-2020 Wreckers Vehicles/Vessels	11/3/2020	Ordinance add to Y drive
🗋	Exhibit A Ordinance 2456-2020 Wreckers Vehicles/Vessels	11/16/2020	Exhibit

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

ORDINANCE NUMBER 2456-2020

AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING THE STUART CODE OF ORDINANCES, CHAPTER 12 – BUSINESS, ARTICLE VI. WRECKERS AND VEHICLE TOWING, TO BE IN ACCORDINACE WITH FLORIDA STATE STATUTE; FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

*****

WHEREAS, the Stuart Police Department is recommending an amendment to the City of Stuart Code of Ordinances, Chapter 12 – Business, Article VI. Wreckers and Vehicle/Vessel Towing in order to remove inconsistencies therein and be consistent with revised Florida Statutes; and

WHEREAS, the revised Ordinance will now include "vessels" in accordance with Florida Statute §327.02; and

WHEREAS, the revised Ordinance amends the towing storage site location from six (6) miles to ten (10) miles which broadens the amount of towing companies the City of Stuart may utilize; and

WHEREAS, the revised Ordinance will add language requiring a property owner to post notice with specific requirements, which apply to vehicles, that unauthorized vehicles or vessels will be towed away at the owner's expense; and

WHEREAS, the City Commission of the City finds that it is in the best interest of the public health, safety and welfare of the citizens of the City of Stuart to amend the Code of Ordinances of the City of Stuart to be consistent with Florida Statute 715.07.

NOW THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF STUART, FLORIDA:

SECTION 1: Pursuant to the amendments to Florida Statute 715.07, City of Stuart Code of Ordinances, Chapter 12 – Business, Article VI. Wreckers and Vehicle/Vessel Towing is hereby amended as set forth in Attachment "A", attached hereto.

SECTION 2: 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 3: All ordinances or parts of ordinances herewith are hereby repealed to the extent of such conflict.

SECTION 4: The provisions of this Ordinance shall be codified.

SECTION 5: This Ordinance shall take effect upon adoption.

Passed on First Reading the 23rd day of November, 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				
MERRITT MATHESON, COMMISSIONER				
MIKE MEIER, COMMISSIONER				
TROY MCDONALD, COMMISSIONER				

ADOPTED on Second and Final Reading this ____day of December, 2020.

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL
CITY ATTORNEY

ARTICLE VI. - WRECKERS AND VEHICLE TOWING

Sec. 12-128. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Department means the city development department.

Director means the city development director or the director's designee.

Express instruction means a clear, definite and explicit request:

(1) Made in writing by a city code enforcement officer or any law enforcement officer to immobilize, recover, tow, remove or store a specific and individual vehicle or vessel which is disabled or abandoned or parked without authorization, or whose operator is unwilling or unable to remove the vehicle or vessel;

(2) Made in writing by a property owner or duly authorized agent of the property owner to immobilize, recover, tow, remove or store a specific and individual vehicle or vessel parked without permission of the property owner; however, such property owner or agent shall not be the person requested to immobilize, recover, tow, remove or store the vehicle or vessel or an employee or agent thereof; or

(3) Made by telephone, in person or in writing by a vehicle or vessel owner or the authorized driver to recover, tow, remove or store a specific and individual vehicle or vessel which is in the lawful control of the vehicle owner or authorized driver requesting the towing service. The foregoing notwithstanding, where the property owner is a government entity, the property owner or an employee or agent thereof, may be the same person requested to recover, to remove or store the vehicle.

Every request made in writing must indicate the date and time of the instruction and must be signed by the person requesting the towing service in the presence of the person providing the service. Every request by telephone must also be documented with the date and time of the call.

Property owner means that person who exercises dominion and control over real property, including, but not limited to, the legal titleholder, lessee, designated representative of a condominium association or any person authorized to exercise a shared dominion and control over real property; however, the term "property owner" shall not mean or include a person providing towing services within the purview of this article. The foregoing notwithstanding, all government entities providing their own towing services may be property owners for purposes of this article.

Recover means to take possession of a vehicle and its contents and to exercise control, supervision and responsibility over it.

Remove means to change the location of a vehicle by towing it.

Store means to place and leave a towed vehicle at a location where the person providing the towing service exercises control, supervision and responsibility over the vehicle. The storage facility must be securely fenced or locked for the protection of vehicles and property.

Tow means to haul, draw or pull along a vehicle by means of another vehicle equipped with booms, car carriers, roll-backs, winches or similar equipment.

Vehicle means any mobile item which normally uses wheels, whether motorized or not. ~~an automobile, truck, bus, trailer, semi-trailer, truck-tractor-semi-trailer combination, recreational unit primarily designed as temporary living quarters which either has its own motive power or is mounted on or drawn by another vehicle, or any other mobile item using wheels which is used to transport persons or property and is propelled by power other than muscular power; provided, however, that the term does not include bicycles, mopeds, traction engines, road rollers or vehicles which run only upon a track.~~

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Vessel means every description of watercraft, barge, and airboat used or capable of being used as a means of transportation on water, other than a seaplane or a "documented vessel" as defined in F.S.S. 327.02.

Wrecker means a vehicle primarily designed and equipped to tow other vehicles.

(Code 1995, § 50-87; Ord. No. 1729-00, § 1, 6-26-2000)

Sec. 12-129. - Assignment on rotation basis.

The assignment or call of wreckers or tow trucks by the police department will be on a rotation basis as established by resolution of the city commission.

(Code 1981, § 13-51; Code 1995, § 50-86)

Sec. 12-130. - Vehicle towing license required.

Any person in a wrecker or vehicle towing business who is doing business in the city shall obtain an annual regulatory license from the city and pay the fee as currently established or as hereafter adopted by resolution of the city commission from time to time in appendix A to this Code.

Sec. 12-131. - Requirements for vehicle towing license.

(a) In order to qualify for issuance, renewal or retention of a vehicle towing license under this article, an applicant must apply to the city development department and be found to meet the requirements of this section.

(b) An applicant shall provide the following information to the department:

(1) Sufficient information to identify the applicant, including, but not limited to, full legal name, date of birth, telephone number, the place of business and residence street address, and driver license number. If the applicant is a corporation, the foregoing information shall be provided for each corporate officer, director, resident agent and shareholder. If the applicant is a partnership, the foregoing information shall be provided for each general and limited partner. A post office box address is not sufficient.

(2) Documentation demonstrating that all corporate or partnership applicants are qualified to do business in the state.

(3) A list of all persons with any ownership interest in the applicant who have previously been denied a license from this or any other jurisdiction, including a copy of the applicant's current fictitious name registration with the state.

(4) Any trade name under which the applicant operates, intends to operate, or has previously operated, and a description of proposed, existing and previous towing vehicles' colors and markings.

(5) A description of the applicant's operational procedure to include the location and description of all places of business, a description of the plan and facilities for maintaining towing vehicles and equipment, a description of the system for handling complaints and accidents, and a description of the applicant's communication system.

(6) A description of services proposed to be provided to include days and hours of operation and types of towing and storage services to be provided and a listing of all rates and charges pursuant to this section.

(7) A record of all crimes in any way related to motor vehicles or involving a person with whom the applicant has come in contact while engaged in the services regulated by this article. In the case

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of a corporate or partnership applicant, all such information shall be provided by all corporate officers and directors, or partners.

(8) Proof of insurance as required in section 12-133.

(c) No towing license shall be issued to an applicant or renewed unless the applicant has completed the following:

(1) A true and correct application on a form provided by the department filed with the department with the other documentation required herein.

(2) A background investigation resulting in a determination by the department that:

a. Neither the applicant, nor any officer, director or partner of the applicant, nor any stockholder owning, holding, controlling or having a beneficial interest in five percent or more of the issued outstanding stock of a corporate general partner of a partnership applicant has been convicted of one or more felonies in any way related to motor vehicles or involving a person with whom the applicant came in contact while engaged in the services regulated by this article within the preceding five years, unless the civil rights of such individual have been restored or such person has successfully completed all sentences of incarceration, probationary periods, required rehabilitation activities, and payment of all fines and penalties imposed. For applicants requesting renewal, the city may only consider crimes committed after the date the applicant obtained his license, unless such crimes were not previously disclosed on the original application;

b. Neither the applicant, nor any officer, director or partner of the applicant, nor any stockholder owning, holding, controlling or having a beneficial interest in five percent or more of the issued outstanding stock of a corporate general partner of a partnership applicant has been convicted of three or more misdemeanors in any way related to motor vehicles or involving a person with whom the applicant came in contact while engaged in the services regulated by this article within the 36-month period preceding the date of application, unless the civil rights of such individual have been restored or such person has successfully completed all sentences of incarceration, probationary periods, required rehabilitation activities, and payment of all fines and penalties imposed. For applicants requesting renewal, the city may only consider crimes committed after the date the applicant obtained his license, unless such crimes were not previously disclosed on the original application;

c. Each corporate or partnership applicant is qualified under the laws of the state to do business under the trade name which it has applied for a license; and

d. No fraud or willful or knowing misrepresentation or false statement has been made in the application.

(3) The initial, renewal or late application fee, as applicable, shall be paid.

(Code 1995, § 50-88; Ord. No. 1729-00, § 1, 6-26-2000)

Sec. 12-132. - Denial of license; right of appeal; review.

Any person dissatisfied or aggrieved with the decision of the director to deny an application for initial license or license renewal may, within ten days after denial, appeal in writing to the city manager. Upon receipt of an appeal, the city manager or his designee shall schedule and hold a hearing. At the hearing, witnesses shall be sworn, and the rule of evidence applicable to quasi-judicial proceedings shall govern. After the conclusion of the hearing, the city manager or his designee shall affirm or reverse the decision of the director, and that action shall be final. Should the city manager or his designee reverse the decision of the director, the director shall issue a license forthwith.

(Code 1995, § 50-89; Ord. No. 1729-00, § 1, 6-26-2000)

Sec. 12-133. - Insurance requirements.

(a) It shall be unlawful for any person for compensation or as part of a regularly conducted business activity to recover, tow or remove a vehicle or to provide vehicle storage in connection therewith unless that person has filed with the department and maintains in effect for each towing vehicle operated by that person an insurance policy or certificates of insurance which shall indemnify or insure such person for its liability at a minimum of $1,000,000.00 per person and per occurrence for bodily injury and $500,000.00 per occurrence for property damage.

(b) All required insurance policies shall be issued by insurance companies authorized and qualified to do business in the state. No policy shall be accepted which is less than six months in duration.

(Code 1995, § 50-90; Ord. No. 1729-00, § 1, 6-26-2000)

Sec. 12-134. - Manifest, towing invoice, tow sheet or dispatch records required.

(a) It shall be unlawful for any person to recover, tow or remove a vehicle or provide storage in connection therewith unless the person providing such service shall maintain in his possession a manifest, towing invoice, tow sheet or dispatch records, which include, but are not limited to, the following information:

(1) Names of the wrecker company and of the natural person physically providing the service;

(2) Registration license tag number of the wrecker used to provide the service;

(3) Date and time that the service was requested;

(4) Name, address and telephone number of the person requesting the service;

(5) Date and time that the service was provided;

(6) Location at which the service originated;

(7) Destination to which the vehicle or vessel being provided the service was taken;

(8) Description of vehicle or vessel being provided the service, including make, model, year, color, vehicle identification number, hull number, -and license plate number, if any;

(9) Description of services provided;

(10) Costs for the services provided; and

(11) Any and all load and offload charges, including the name, badge number, and agency of the officer on the scene who approved these additional charges, including a detailed explanation of the services rendered which necessitated the charges.

(b) Each manifest, towing invoice or tow sheet shall be available for inspection upon the demand of authorized city personnel at any time during the period of recovery, towing or removal of a vehicle or vessel.

(Code 1995, § 50-91; Ord. No. 1729-00, § 1, 6-26-2000)

Sec. 12-135. - Towing safety and equipment standards.

(a) It shall be unlawful for any person to recover, tow or remove a vehicle or vessel by use of a wrecker in a manner which violates the standards for use of such wrecker as set by the manufacturer thereof. It shall be unlawful to tow without the use of safety chains.

(b) Wreckers shall meet the safety and equipment requirements and specifications set forth in the administrative rules lawfully adopted by the Florida Highway Patrol as the same shall be amended from time to time.

(c) Operators shall permit authorized city personnel to inspect wreckers for compliance with this section at any time during normal business hours or during any period of recovery, towing or removal of a vehicle or vessel.

(Code 1995, § 50-92; Ord. No. 1729-00, § 1, 6-26-2000)

Sec. 12-136. - Records required.

Each person regulated under this article shall maintain accurate and complete records of all operating information as the city may require, including, but not limited to, manifests, towing invoices, or tow sheets for services rendered, and records of payments for services rendered. Such records shall be maintained in the county for at least three years. The city shall be granted access to these records for inspection and/or permitted to remove such records for the purpose of copying upon five days' prior notice and during regular business hours. All records and information inspected and not copied shall be confidential, except that records may be copied and made public for use in legal proceedings.

(Code 1995, § 50-93; Ord. No. 1729-00, § 1, 6-26-2000)

Sec. 12-137. - Anti-discrimination.

No operator shall refuse or neglect to provide vehicle or vessel recovery, towing or removal services or storage services in connection therewith to any orderly person requesting such service able and willing to pay for such services, on account of that person's race, color, sex, religion, national origin, age, marital status or handicap.

(Code 1995, § 50-94; Ord. No. 1729-00, § 1, 6-26-2000)

Sec. 12-138. - Towing without prior consent of vehicle owner or duly authorized driver of vehicle.

(a) In addition to the other requirements of this article, no person shall recover, tow or remove a vehicle or vessel or provide storage in connection therewith without the prior authorization of the vehicle or vessel owner or authorized driver, a property owner or authorized agent, or a law enforcement officer or city code enforcement officer, except in strict accordance with the requirements set forth in this section. Authorization of a property owner shall be implied if a tow-away zone notice is posted as provided in subsection (b)(5) of this section.

(b) The owner or lessee of real property, or any person authorized by the owner or lessee, which person may be the designated representative of the condominium association if the real property is a condominium, may cause any vehicle or vessel parked on such property without his or her permission to be removed by a person regularly engaged in the business of towing vehicles or vessels, without liability for the costs of removal, transportation, or storage or damages caused by such removal, transportation, or storage, or damages caused by such removal, transportation, or storage, under any of the following circumstances: ~~without the consent of the registered owner or other legally authorized person in control of that vehicle is subject to strict compliance with the following conditions and restrictions:~~

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(1) The towing or removal of any vehicle or vessel from private property without the consent of the registered owner or other legally authorized person in control of that vehicle or vessel is subject to substantial compliance with the following conditions and restrictions:

(~~1~~2) Any towed or removed vehicle or vessel must be stored at a site within a 10-mile radius of the point of removal in any county of 500,000 population or more, and within a 15-mile radius of the point of removal in any county of fewer than 500,000 population. That site must be open for

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the purpose of redemption of vehicles on any day that the person or firm towing such vehicle or vessel is open for towing purposes, from 8:00 a.m. to 6:00 p.m., and, when closed, shall have prominently posted a sign indicating a telephone number where the operator of the site can be reached at all times. Upon receipt of a telephoned request to open the site to redeem a vehicle or vessel, the operator shall return to the site within 1 hour or she or he will be in violation of this section. ~~Any towed or removed vehicle must be stored at a site within six miles of the point of removal. That site must be open for the purpose of redemption of vehicles on any day that the person or firm towing such vehicle is open for towing purposes, from 8:00 a.m. to 6:00 p.m., and, when closed, shall have a prominently posted sign indicating a telephone number where the operator of the site can be reached at all times. Upon receipt of a telephoned request to open the site to redeem a vehicle, the operator shall return to the site within one hour or he will be in violation of this section.~~

(a) If no towing business providing such service is located within the area of towing limitations set forth in sub-subparagraph a., the following limitations apply: any towed or removed vehicle or vessel must be stored at a site within a 20-mile radius of the point of removal in any county of 500,000 population or more, and within a 30-mile radius of the point of removal in any county of fewer than 500,000 population. ~~If no towing business providing such service is located within the area of towing limitations, any towed or removed vehicle must be stored at a site within 30 miles of the point of removal.~~

(b) If no towing business providing such service is located within the area of towing limitations set forth in sub-subparagraph a., the following limitations apply: any towed or removed vehicle or vessel must be stored at a site within a 20-mile radius of the point of removal in any county of 500,000 population or more, and within a 30-mile radius of the point of removal in any county of fewer than 500,000 population.

(~~2~~ 3) The person or firm towing or removing the vehicle or vessel shall, within 30 minutes after ~~of~~ completion of such towing or removal, notify the municipal police department or, in an unincorporated area, the sheriff of such towing or removal, the storage site, the time the vehicle or vessel was towed or removed, and the make, model, color, and license plate number of the vehicle or description and registration number of the vessel and shall obtain the name of the person at that department to whom such information was reported and note that name on the trip record.

(~~3~~ 4) If the registered owner or other legally authorized person in control of the vehicle or vessel arrives at the scene prior to removal or towing of the vehicle, the vehicle or vessel shall be disconnected from the towing or removal apparatus, and that person shall be allowed to remove the vehicle or vessel without interference upon the payment of a reasonable service fee of not more than one-half of the posted rate for such towing service as provided in subsection (b)(6) of this section for which a receipt shall be given, unless that person refuses to remove the vehicle or vessel which is otherwise unlawfully parked.

(~~4~~ 5) A person may not pay or accept money or other valuable consideration for the privilege of towing or removing vehicles or vessels from a particular location. ~~The rebate or payment of money or any other valuable consideration from the individual or firm towing or removing vehicles to the owners or operators of the premises from which the vehicles are towed or removed, for the privilege of removing or towing those vehicles, is prohibited.~~

(~~5~~ 6) Except for property appurtenant to and obviously a part of a single-family residence, and except for instances when notice is personally given to the owner or other legally authorized person in control of the vehicle or vessel that the area in which that vehicle or vessel is parked is reserved or otherwise unavailable for unauthorized vehicles or vessels and that the vehicle or vessel is ~~and~~ subject to being removed at the owner's or operator's expense, any property owner or lessee, or person authorized by the property owner or lessee, prior to towing or removing any vehicle or vessel from private property without the consent of the owner or other legally authorized person in control of that vehicle or vessel, or other legally authorized person in control of that vehicle or vessel must post a notice meeting the following requirements:

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a. The notice must be prominently placed at each driveway access or curb cut allowing vehicular access to the property, within five feet from the public right-of-way line. If there are no curbs or access barriers, the signs must be posted not less than one sign for each 25 feet of lot frontage.

b. The notice must clearly indicate, in light-reflective letters not less than two-inch high on a contrasting background, that unauthorized vehicles will be towed away at the owner's expense. The words "tow-away zone" must be included on the sign in not less than four-inch high letters.

c. The notice must also provide the name and current telephone number of the person or firm towing or removing the vehicles or vessels. ~~, if the property owner, lessee, or person in control of the property has a written contract with the towing company.~~

d. The sign structure containing the required notices must be permanently installed with the words "tow-away zone" not less than three feet and not more than six feet above ground level and must be continuously maintained on the property for not less than 24 hours prior to the towing or removal of any vehicles or vessels.

e. The local government may require permitting and inspection of these signs prior to any towing or removal of vehicles or vessels being authorized.

f. A business with 20 or fewer parking spaces satisfies the notice requirements of this ~~subsection~~ subparagraph by prominently displaying a sign stating "Reserved Parking For Customers Only Unauthorized Vehicles or Vessels Will Be Towed Away At the Owner's Expense" in not less than four-inch high, light-reflective letters on a contrasting background.

g. A property owner towing or removing vessels from real property must post notice, consistent with the requirements in sub-subparagraphs a.-f., which apply to vehicles, that unauthorized vehicles or vessels will be towed away at the owner's expense.

A business owner or lessee may authorize the removal of a vehicle or vessel by a towing company when the vehicle or vessel is parked in such a manner that ~~it~~ restricts the normal operation of business; and if a vehicle parked on a public right-of-way obstructs access to a private driveway the owner, lessee, or agent may have the vehicle removed by a towing company upon signing an order that the vehicle or vessel be removed without a posted tow-away zone sign.

(~~6~~ 7) Any person or firm that tows or removes vehicles or vessels and proposes to require an owner, operator, or person in control of a vehicle or vessel to pay the costs of towing and storage prior to redemption of the vehicle or vessel must file and keep on record with the local law enforcement agency a complete copy of the current rates to be charged for such services and post at the storage site an identical rate schedule and any written contracts with property owners, lessees, or persons in control of property which authorize such person or firm to remove vehicles or vessels as provided in this section.

(~~7~~ 8) Any person or firm towing or removing any vehicles or vessels from private property without the consent of the owner or other legally authorized person in control of the vehicles or vessels shall, on any trucks; wreckers, as defined in F.S. § 713.78(1)(c); or other vehicles used in the towing or removal, have the name, address, and telephone number of the company performing such service clearly printed in contrasting colors on the driver and passenger sides of the vehicle. The name shall be in at least three-inch permanently affixed letters, and the address and telephone number shall be in at least one-inch permanently affixed letters.

(~~8~~ 9) Vehicle entry for the purpose of removing a vehicle or vessel shall be allowed with reasonable care on the part of the person or firm towing the vehicle or vessel. Such person or firm shall be liable for any damage occasioned to the vehicle or vessel if such entry is not in accordance with the standard~~s~~ of reasonable care.

(~~9~~ 10) When a vehicle or vessel has been towed or removed pursuant to this section, it must be released to its owner or custodian within one hour after requested. Any vehicle or vessel owner,

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~~custodian,~~ or agent shall have the right to inspect the vehicle before accepting its return, and no release or waiver of any kind which would release the person or firm towing the vehicle or vessel from liability for damages noted by the owner or other legally authorized person at the time of the redemption may be required from any vehicle or vessel owner, custodian, or agent as a condition of release of the vehicle or vessel to its owner. A detailed, signed receipt showing the legal name of the company or person towing or removing the vehicle or vessel must be given to the person paying towing or storage charges at the time of payment, whether requested or not.

(a) These requirements are minimum standards and do not preclude enactment of additional regulations by any municipality or county including the right to regulate rates when vehicles or vessels are towed from private property.

(~~c~~b) This section does not apply to law enforcement, firefighting, rescue squad, ambulance, or other emergency vehicles which are marked as such or to property owned by any governmental entity.

(~~d~~c) When a person improperly causes a vehicle to be removed, such person shall be liable to the owner or lessee of the vehicle or vessel for the cost of removal, transportation, and storage; any damages resulting from the removal, transportation, or storage of the vehicle or vessel; attorneys' fees; and court costs.

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(Code 1995, § 50-95; Ord. No. 1729-00, § 1, 6-26-2000)

Sec. 12-139. - Towing on holidays; express direction of property owner or authorized agent required.

Notwithstanding any other provision of this article, no person shall recover, tow or remove a vehicle or vessel or provide storage in connection therewith without the prior express instruction of the vehicle owner or authorized driver, a property owner or authorized agent, a law enforcement officer or city codes enforcement officer on a holiday. As used in this section, the term "holiday" means Christmas Day, Christmas Eve Day, New Year's Day, Independence Day, Thanksgiving Day and Labor Day.

(Code 1995, § 50-96; Ord. No. 1729-00, § 1, 6-26-2000)

Sec. 12-140. - Maximum towing and storage rates for providing tow services.

(a) The city commission shall, by resolution, establish maximum rates for providing recovery, towing, removal and storage services at the request of the police department, or a property owner or authorized representative, without the prior consent of the vehicle or vessel owner or other authorized person in control of the vehicle. From time to time, the maximum rates established by the city commission may be altered, revised, increased or decreased.

(b) Persons who provide services pursuant to this section shall not charge in excess of the maximum allowable rates established by the commission. No person providing services pursuant to this section shall charge any type of fee other than the fees for which the city commission has established specific rates.

(c) Each operator shall maintain a rate sheet specifying all rates and charges, which shall be given by the wrecker driver to the requesting vehicle owner or his authorized representative prior to commencing the service.

(Code 1995, § 50-97; Ord. No. 1729-00, § 1, 6-26-2000)

Sec. 12-141. - Violations; penalties.

(a) In addition to the penalties set forth in F.S. § 715.07 for a violation of said section, a violation of any provision of this article shall be punishable in accordance with section 1-13.

(b) A vehicle towing license issued pursuant to this article may be revoked for a violation of the provisions of this article.

(Code 1995, § 50-98; Ord. No. 1729-00, § 1, 6-26-2000)

Secs. 12-142—12-162. - Reserved.

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION

Meeting Date: 12/14/2020 **Prepared by:** Stephen Mayer

Title of Item:

(***REQUEST TO CONTINUE TO DATE CERTAIN OF JANUARY 11, 2021 CCM***) HIDDEN KEY RPUD REZONING (QUASI-JUSICIAL) (RC):

ORDINANCE No. 2457-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING THE 1.36 ACRE PARCEL FROM RESIDENTIAL MULTI-FAMILY/OFFICE (R-3) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD), LOCATED NORTH OF THE ARC OF MARTIN COUNTY AND SOUTH OF THE ESTATES OF STUART, EAST OF KANNER HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE HIDDEN KEY RPUD CONSISTING OF TWENTY-EIGHT (28) MULTI-FAMILY UNITS WITHIN TWO TWO-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:

History
In order for the applicant to modify plans in response to comments made by the Local Planning Agency at the November 12th, 2020 public hearing, staff and the applicant request a continue the item to January 11th, 2021.

Summary
The subject property consists of one parcel totaling 1.36 acres in size, located south of the Estates of Stuart, north of ARC of Martin County and east of Kanner Highway. The property is currently vacant and undeveloped with no wetlands. An environmental assessment shows a mix of exotic and native vegetation, including laurel oak and slash pines which will partially be mitigated for with new landscaping and partially thru payment to the tree replacement fund.

A Site Plan has been planned with 28 multi-family apartment flats within a two-story building. The property is much longer in width that it is in depth. This places site constraints on the property as it related to the usage of the front parking lot and the rear buffer area.

The applicant is requesting the following two (2) waivers from the City's Land Development Code:

1 . **Section 2.07.00 Density.** A RPUD with multi-family land use designation is permitted to have up to 15 units per acre. The applicant is requesting 28 units, or 20.6 units per acre. A density bonus of approximately 5 units per acre is requested, for the 28 1,281 square foot 3-bedroom apartments. The infill project received a previous minor site plan approval for 13 town home units and met all applicable code sections. However, the applicant desires to develop the property as an apartment flat style with one additional waiver to the northern transitional buffer (waiver request below). The applicant is providing 34% open space when the credit is given

for the use of semi-pervious brick pavers. The applicant is exceeding the landscape requirement and is providing a bioswale within the transitional buffers. The site plan consists of 83% native, including native grasses, with the only non-native planting being Alexander and Sylvester Palm trees. The applicant is providing for new housing opportunities in a site that is currently an undeveloped infill lot. Staff recommends supporting the granting of the density bonus for this site.

2 . **Section 6.04.06. Land Use Transitions and Landscape Buffers**. The buffer width requirement for a two-story multi-family use adjacent to multi-family use is 30' along the rear side. The applicant is requesting a consistent 15' wide landscape buffer along the northern and eastern property lines, where the proposed multi-family use is abutting an existing multi-family community (Estates of Stuart), including a 6' high perimeter wall. Within this zone, there is a proposed bioswale. The applicant is required to install 39 shade trees. The applicant is preserving, relocating or planting 49 shade trees, not including the Queen myrtle and palm trees as under story trees.

Additionally, staff recommends that that prior to City Commission approval, the applicant shall provide a signed architectural elevation and a revised site plan showing bike rack location, EV parking/infrastructure locations, and a double dumpster accepted by the City's Public Works Department.

Funding Source:

N/A

Recommended Action:

Motion to continue Ordinance 2457-2020 to January 11th, 2021 for first reading.

ATTACHMENTS:

	Description	Upload Date	Type
🗋	A1. Ordinance 2457-2020	11/2/2020	DRAFT ORDINANCE
🗋	A2. Site Plan	11/2/2020	Exhibit
🗋	A3. Landscape Plan	11/2/2020	Exhibit
🗋	A4. Boundary and Tree Survey	11/2/2020	Exhibit
🗋	A5. Environmental Assessment	11/2/2020	Exhibit
🗋	A6. Traffic Statement	11/2/2020	Exhibit
🗋	A7. Concept Floor Plan and Architecture	11/2/2020	Exhibit
🗋	B1. Staff Report	11/2/2020	Staff Report

BEFORE THE CITY COMMISSION

CITY OF STUART, FLORIDA

ORDINANCE NUMBER 2457-2020

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING THE 1.36 ACRE PARCEL FROM RESIDENTIAL MULTI-FAMILY/OFFICE (R-3) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD), LOCATED NORTH OF THE ARC OF MARTIN COUNTY AND SOUTH OF THE ESTATES OF STUART, EAST OF KANNER HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE HIDDEN KEY RPUD CONSISTING OF TWENTY-EIGHT (28) MULTI-FAMILY UNITS WITHIN TWO TWO-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.

* * * * *

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by Jeremy LeMaster of MDL Holdings, LLC, for a 1.36 acre parcel of land located at PCN # 093841021000000200; and

WHEREAS, the City Commission, has considered the Petitioner's voluntary request for a rezoning to from R-3 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. **Site Plan, Sheet 1 of 1, by Creech Consulting, Inc., dated 8.27.2020**
b. **Landscape Plan, Sheet 1 thru 3 of 3, by Eileen G Designs, Inc., dated 10.12.20**
c. **Floor Plan and Elevations, untitled and undated.**
d. **Boundary and Tree Survey, by GCY, Inc., dated June 2018**
e. **Hidden Key Environmental Assessment Report, prepared by EDC, Inc. dated November 2017.**
f. **Hidden Key Traffic Statement, prepared by Susan O'Rourke, dated 10.12.2020**

SECTION 2: The Land Development (Zoning) District designation on the City of Stuart Official Zoning Map shall be established as "RPUD" Residential Planned Unit Development, above.

SECTION 3: 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 4: 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 5: 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 6: 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.

SECTION 7: 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				
TROY MCDONALD, 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

Lot 2, KANNER MINOR PLAT, according to the plat thereof, as recorded in Plat Book 14, Page 64, of the Public Records of Martin County, Florida.

TOGETHER WITH an easement for common driveway/access over the North 16 feet of the South 110 feet of the West 564 feet of the North three-quarters of the West one-half of the Northwest one-quarter of the Southwest one-quarter of Section 9, Township 38 South, Range 41 East, less the right of way for State Road 76, as described in Official Records Book 1355, Page 1382, of the Public Records of Martin County, Florida.

ALSO TOGETHER WITH an easement for common driveway/access over the South 10 feet of Lot 1, KANNER MINOR PLAT, as shown on said plat recorded in Plat Book 14, Page 64, of the Public Records of Martin County, Florida.

EXHIBIT B – LOCATION MAP



EXHIBIT C – DEVELOPMENT CONDITIONS

Approved Plans and Documents

2. The Hidden Key Residential RPUD project and use thereof shall comply with the following drawings:

   a. **Site Plan, Sheet 1 of 1, by Creech Consulting, Inc., dated 8.27.2020**

   b. **Landscape Plan, Sheet 1 thru 3 of 3, by Eileen G Designs, Inc., dated 10.12.20**

   c. **Floor Plan and Elevations, untitled and undated. (Renderings to be provided; however, by final approval the applicant must provide elevations that have been signed by a registered architect)**

   d. **Boundary and Tree Survey, by GCY, Inc., dated June 2018**

   e. **Hidden Key Environmental Assessment Report, prepared by EDC, Inc. dated November 2017.**

   f. **Hidden Key Traffic Statement, prepared by Susan O'Rourke, dated 10.12.2020**

3. Any modifications to the Hidden Key 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 (50%) impervious coverage for the RPUD. The maximum building height within the RPUD shall be 2 stories. 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. 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.

6. 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.

7. Prior to City Commission approval, the applicant shall provide a site plan showing a bike rack location, EV parking space locations, and a double dumpster accepted by the City's Public Works Department.

Landscaping

8. 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.

9. 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.

10. A landscape maintenance plan, executed in accordance with the Land Development Regulations, including protocols for the use of pesticides, shall be submitted to the Development Department and approved prior to the issuance of a vertical construction building permit.

11. 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

12. RPUD shall maintain the open space as depicted on the Site Plan by **Creech Consulting, Inc**. as described in Exhibit C. Required open space may include native vegetation areas and landscape buffers between the RPUD and adjacent property.

13. The location of the native vegetation shall comply with the project's landscape plan, by **Eileen G Designs, Inc.** The project shall adhere to the Preserve area mitigation and monitoring plan (PAMP) 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. The City's protocol for the use of pesticides shall be adhered to in the continual maintenance of the PAMP.

Tree Mitigation

14. 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

15. Applicant shall provide a digital boundary survey and civil plan prior to the issuance of a site permit.

16. Civil Plans shall be reviewed and approved by all applicable City departments prior to the issuance of a site permit.

17. 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.

18. All development activities shall comply with the City's Concurrency Management System prior to the issuance of building permits.

Development and Construction

19. The Developer shall construct the project's infrastructure in one phase.

20. 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.

21. 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.

22. In the event of any conflict in the provisions of Exhibit 'C' Development Conditions and attached exhibits, Exhibit 'C' shall prevail.

23. 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.

24. 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.

25. 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.

26. 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.

27. Temporary or freestanding storage units are prohibited on the property once construction is complete.

28. 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.

29. Prior to final site plan approval, the applicant shall provide a designated parking space for mail pick-up.

30. Prior to Certificate of Occupancy, the applicant shall provide two (2) EV parking spaces at a level 2 charging rate with a dedicated branch circuit and overcurrent protection device, per space.

31. All roof-top mounted equipment, including air conditioners, shall be screened from public view.

Signage

32. 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.

HOA Requirements & Future Amendments

33. 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.

34. Any applications to amend this Ordinance shall be limited to the Developer.

35. 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.

36. Timetable for development shall be as follows:

Site and building permit application deemed sufficient for permit review under city codes and standards.	**January 1, 2023**
Final Certificate of Occupancy for all site and building improvements.	**January 1, 2024**

Allowable Uses

37. The following uses shall be permitted:
    a. Multi-Family Residential
    b. Home Occupations in accordance with the City's Land Development Code.

SITE DATA

TOTAL SITE AREA:	59,342 SF	1.36 ACRES	100%
EXISTING ZONING:	MULTIFAMILY/OFFICE		
FUTURE LAND USE:	OFFICE-RESIDENTIAL		
PARCEL CONTROL NUMBER	93841021000000200000		
PROPOSED ZONING:	RPUD		
PROPOSED/EXISTING USE:	MULTIFAMILY/VACANT		

OPEN SPACE

TOTAL OPEN SPACE			
PROVIDED	10,869 SF	0.25 ACRES	18%
PAVERS (CREDIT)	9,733 SF	0.22 ACRES	16%

SETBACKS

FRONT : 25 FEET SIDE : 15 FEET REAR : 20' REAR

PREVIOUS APPROVAL

KANNER ROW HOMES, 2012

IMPERVIOUS AREA

TOTAL DEVELOPED AREA			
BUILDING	19,978 SF	0.46 ACRES	34%
PAVERS (19,465 x 50%)	9,733 SF	0.22 ACRES	16%
CONCRETE/DUMPSTER	496 SF	0.01 ACRES	1%
PAVEMENT	1,838 SF	0.04 ACRES	3%
DRY DETENTION	7,611 SF	0.175 ACRES	13%

BUILDING DATA

TOTAL GROSS FLOOR AREA	19,978 SF 0.46 ACRES
TOTAL 28 UNITS	20.59 UNITS / ACRE
UNIT SIZE	1,286 SQUARE FEET
	0.607 F.A.R.
BUILDING HEIGHT	MAX 2 STORIES (3 STORIES MAX)

PARKING REQUIRED

2 SPACES PER UNIT = 56 SPACES
ADA = 2 SPACES

PARKING PROVIDED

REGULAR :	57 SPACES
HANDICAP:	2 SPACES
TOTAL	59 SPACES

ENGINEER
RICHARD CREECH, P.E./P.S.M.
CREECH CONSULTING INC.

LOCATION MAP: NTS

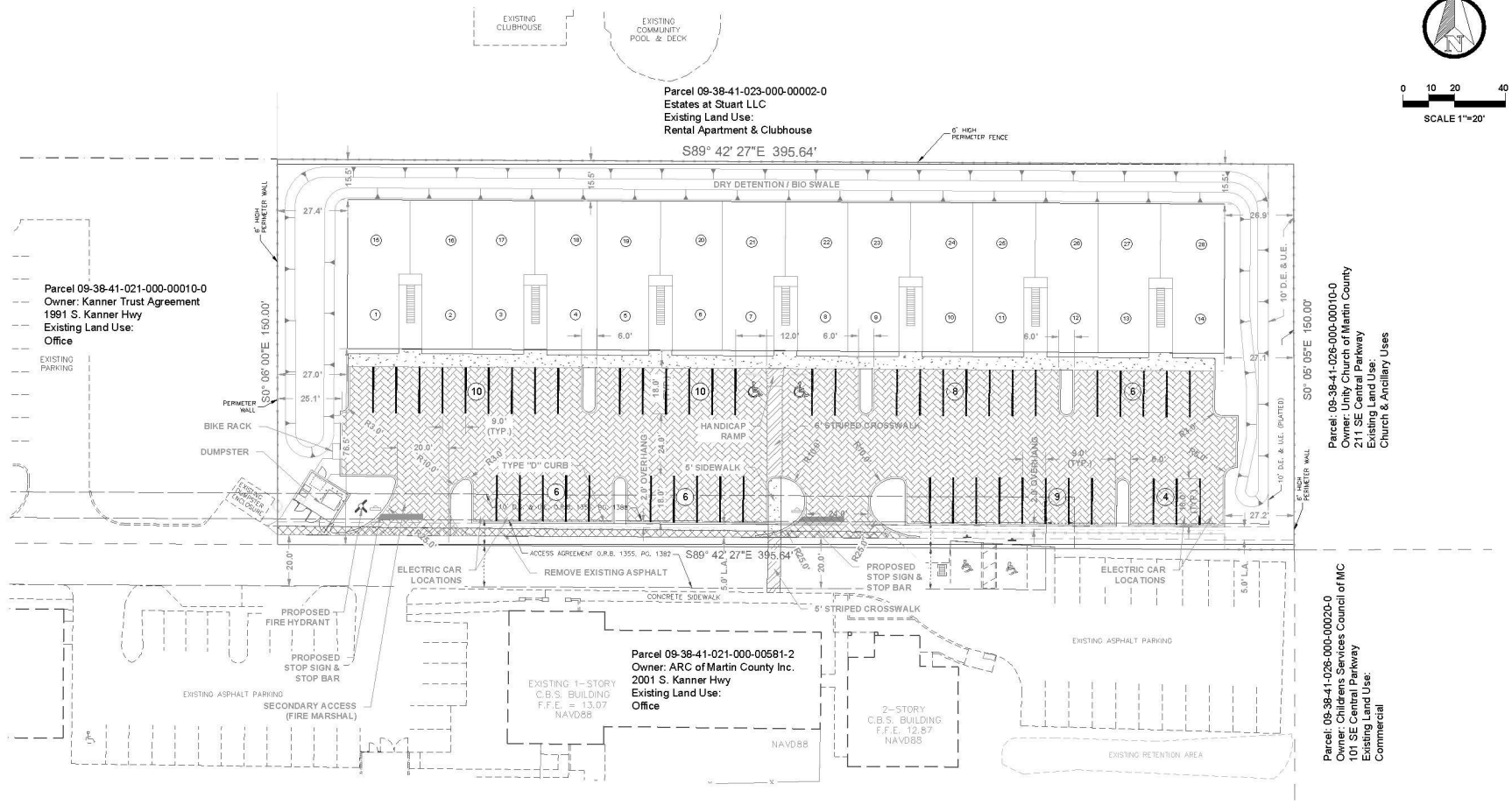


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0 10 20 40
SCALE 1"=20'

CREECH CONSULTING, INC
SITE DEVELOPMENT - PLANNING - ENGINEERING
1235 SE INDIAN STREET - SUITE 102
STUART, FL 34997
772.485.2140
BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION #3466 0116
PROFESSIONAL SURVEYOR AND MAPPER CERTIFICATE OF AUTH. #LB6990

DATE	REVISION	INITIALS

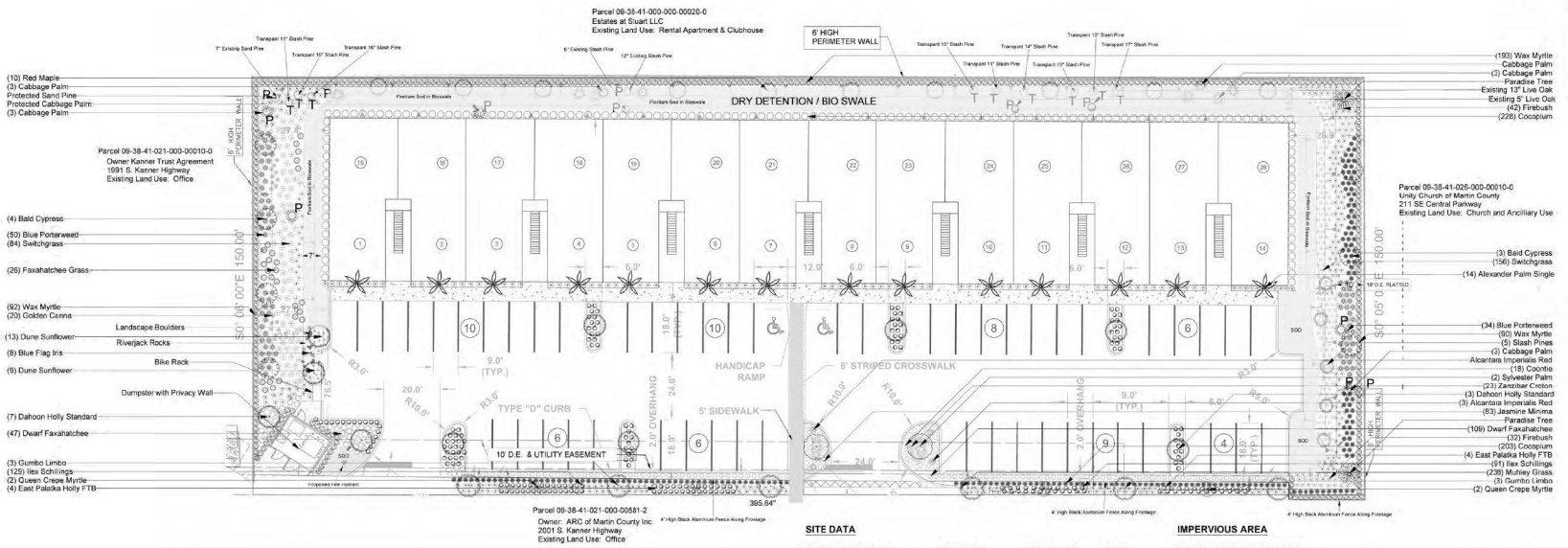
PROJECT: HIDDEN KEY APARTMENTS
LOCATION: CITY of STUART

SHEET TITLE: SITE PLAN
PROJECT #: — | FILE:
SCALE: AS SHOWN | DRAWN BY: DGP | DATE: 09/07/2020

ENGINEER'S SEAL

SHEET 1 OF 1

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY CREECH CONSULTING, INC SHALL BE WITHOUT LIABILITY TO CREECH CONSULTING, INC



KEY

P PROTECT NATIVE OAKS, PINES, PALMS
T TRANSPLANT SLASH PINES

NOTES:

10 Pallets Floritam Sod
65 sf 4-5" Riverjack Rocks
(6) 1' Landscape Boulders

CALCULATIONS FOR TREE REQUIREMENTS BASED ON LOT SIZE
59,342 - 19,978 = 39,364 / 1,500 SF = 26.24 or 26 TREES REQUIRED (50% NATIVE = 13 NATIVE SHADE TREES)

PROVIDED: 96 TOTAL TREES & PALMS, CREDIT FOR 81 TREES AND PALMS (2 PALMS = 1 TREE)
83% Native Trees & Palms

TREE REQUIREMENTS PER TREE MITIGATION PLAN
Need to Plant 96 Trees for Mitigation Purposes.
96 Required - 81 Provided = 15 Trees X .50 = 7.5 or 8 for Tree Fund Mitigation
See Tree Mitigation Plan for Tree Fund Calculation

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TOTAL 28 UNITS	20.59 UNITS / ACRE
UNIT SIZE	1,286 SQUARE FEET
	0.607 F.A.R.
BUILDING HEIGHT	MAX 2 STORIES (3 STORIES MAX)

LANDSCAPE NOTES

1. Encroachment into required bufferyards and landscaped areas by vehicles boats, mobile homes or trailers shall not be permitted, and required landscaped areas shall not be used for the storage or sale of material or products or the parking of vehicles and equipment.
2. Required landscaping shall be maintained so as to at all times present a healthy, neat and orderly appearance, free of refuse and debris. If vegatation which is required to be planted dies, it shall be replaced with equivalent vegetation. All trees for which credit was awarded and which subsequetly die shall be replaced by the requisite number of living trees according to the standards established in the Martin County Landscape Code.
3. All landscaping shall be maintained free from disease, pests, weeds and litter. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance as needed and in accordance with acceptable horticultural practices. Perpetual maintenance shall be provided to prohibit the reestablishment of harmful exotic species within landscaping and preservation areas.
4. Regular landscape maintenance shall be provided for repair or replacement, where where necessary, or any screening or buffering required as shown on this plan. Regular landscape maintenance shall be provided for the repair or replacement of required walls, fences or structures to a structurally sound condition as shown on this plan.
5. The property owner is responsible for replacin any required landscaping in easement areas that may be disturbed by future maintenance.
6. All prohibited species shall be removed from the entire site prior to the issuance of a certificate of occupancy.
7. Mulch material to a minimum compacted depth of 3" will be provided for all planting areas when used to supplement ground cover.
8. The use of Cypress mulch is prohibited in all landscaped areas.
9. Irrigation source is county water and irrigation plans will be provided when construction documents are submitted.

12142020 CC M

PLANT SCHEDULE

Symbol	Qty	Common	Botanical	Size
	4	Alcantara Imperialis Red	Alcantara Imperialis	36" x 36"
	14	Alexander Palm	Ptychosperma elegans	14' c.t.
	7	Bald Cypress	Taxodium distichum	65g., 12-14' Ht., 8' Spd., 4" Cal.
	8	Blue Flag Iris	Iris virginica	1g., 12" Ht., 12" Spd.
	84	Blue Porterweed	Stachytarpheta jamaicensis	20" Ht., 20" Spd.
	7	Cabbage Palm	Sabel Palm	14' c.t.
	7	Cabbage Palm	Sabel Palm	Existing 20'
	150	Cocoplum	Chrysobalanus icaco	36" Ht., 30" Spd.
	203	Cocoplum	Chrysobalanus icaco	3g., 24" Ht., 12" Spd.
	18	Coontie	Zamia Pumila	24" Ht., 24" Spd.
	10	Dahoon Holly Standard	Ilex cassine	16' Ht., 5-6' Spd., 4.5" Cal.
	22	Dune Sunflower	Helianthus debilis	#1
	156	Dwarf Faxahatchee	Tripsacum floridana	3g., 24" Ht., 20" Spd.
	8	East Palatka Holly FTB	Ilex attenuata 'East Palatka'	45g. 12' Ht., 3-4' Spd., 3" Cal.
	26	Faxahatchee Grass	tripsacum dactyloides	1g., 12" Ht., 6" Spd.
	74	Firebush	Hamelia patens	3g., 20" Ht., 20" Spd.
	20	Golden Canna	Canna flaccida	1g., 16" Ht., 18" Spd.
	6	Gumbo Limbo	Bursera Simaruba	100g., 16-18' Ht., 8' Spd., 4.5" Cal.
	220	Ilex Schillings	Ilex Vomitoria 'Schilling Dwarf'	3g., 20" Ht., 12" Spd.
	87	Jasmine Minima	Trachelospermum asiaticum 'Minima'	1 gal.
	1	Live Oak	Quercus Virginiana	13" Existing
	1	Live Oak	Quercus Virginiana	5" Existing
	23	Mami Croton	Codiaeum variegatum 'Mami'	36" Ht., 24" Spd.
	233	Muhlenbergia capillaris	Muhlenbergia capillaris	1g., 12" Ht., 8" Spd.
	2	Paradise Tree	Simarouba glauca	14'-16' Ht., 5' Spd., 4-4.5" Cal.
	4	Queen Crepe Myrtle	Lagerstroemia speciosa	45g., 14'-16' Ht., 5-6' Spd., 4" Cal.
	10	Red Maple	Acer Rubrum	45g., 14' Ht., 6' Spd., 4'-4.5" Cal.
	1	Sand Pine	Pinus clausa	Existing 7"
	2	Slash Pine	Pinus elliottii	10" Transplant
	2	Slash Pine	Pinus elliottii	11" Transplant
	1	Slash Pine	Pinus elliottii	12" Existing
	1	Slash Pine	Pinus elliottii	12" Transplant
	5	Slash Pine	Pinus elliottii	12' Ht., 3' Spd., 2.5" Cal.
	1	Slash Pine	Pinus elliottii	13" Transplant
	1	Slash Pine	Pinus elliottii	14" Transplant
	1	Slash Pine	Pinus elliottii	16" Transplant
	1	Slash Pine	Pinus elliottii	17" Transplant
	1	Slash Pine	Pinus elliottii	6" Existing
	240	Switchgrass	Panicum virgatum	12" Ht., 12" Spd.
	2	Sylvester Palm	Phoenix sylvestris	14' c.t., B & B, Pineapple Cut
	104	Trinette	Schefflera arboricola 'Variegata'	7g., 36" Ht., 24" Spd.
	375	Wax Myrtle	Myrica cerifera	3g., 24" Ht., 12" Spd.

TREES PROVIDED

Native	Qty	Credits Given	Common	Botanical	Size
NO	14	7	Alexander Palms Triple	Ptychosperma elegans	14' c.t.
YES	7	7	Bald Cypress	Taxodium distichum	14-16' Ht., 6' Spd., 4.5" Cal.
YES	7	2.5	Cabbage Palm	Sabel Palm	12-18' OA, Staggered
YES	7	3.5	Cabbage Palm	Sabel Palm	Existing Protected
YES	10	10	Dahoon Holly	Ilex Cassine	12' Ht., 4' Spd., 2.5" Cal.
YES	8	8	East Palatka Holly	Ilex Attenuata	12' Ht., 4-5' Spd., FTB
YES	6	6	Gumbo Limbo	Bursera Simaruba	100g., 16-18' Ht., 8' Spd., 4.5" Cal.
YES	2	2	Live Oak	Quercus Virginiana	Existing 5" & 13" (Protected)
YES	2	2	Paradise Tree	Simarouba Glauca	14-16' Ht., 6' Spd., 4.5" Cal.
YES	4	4	Queen Myrtle	Lagerstroemia Speciosa	14'-16' Ht., 5-6' Spd., 4.5" Cal.
YES	10	10	Red Maple	Acer Rubrum	14-16' Ht., 5-6' Spd., 4.5" Cal
YES	1	1	Sand Pine	Pinus Clausa	Existing 7" Protected
YES	2	2	Slash Pine	Pinus Elliotti	Existing, 6" & 12"
YES	9	9	Slash Pine	Pinus Elliotti	Existing 10"-17", Transplant
YES	5	5	Slash Pine	Pinus Elliotti	12' Ht., 2-3' Spd., 2.5" Cal.
NO	2	2	Sylvester Palm	Phoenix Sylvestris	14' c.t., B & B, Pineapple Cut
Total	96	81			
Native	80	83%			
Not Native	16	17%			
Total	96	100%			

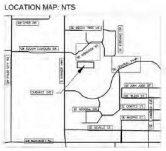
CALCULATIONS FOR TREE REQUIREMENTS BASED ON LOT SIZE
59,342 - 19,978 = 39,364 / 1,500 SF = 26.24 or 26 TREES REQUIRED (50% NATIVE = 13 NATIVE SHADE TREES)

PROVIDED: 96 TOTAL TREES & PALMS, CREDIT FOR 81 TREES AND PALMS (2 PALMS = 1 TREE)
83% Native Trees & Palms

Key / Location:

EILEEN G DESIGNS
LANDSCAPE DESIGN
1650 SW Prosperity Way
Palm City, FL 34990
772-260-0305
EileenGDesigns.com

LOCATION MAP: NTS



HIDDEN KEY APARTMENTS

Martin County, Florida

LANDSCAPE PLAN

Date	By	Description
10/12/20	E.G.	

N

Sheet 1 of 3

SEAL

JUSTIFICATION STATEMENT FOR REMOVAL OF PROTECTED TREES

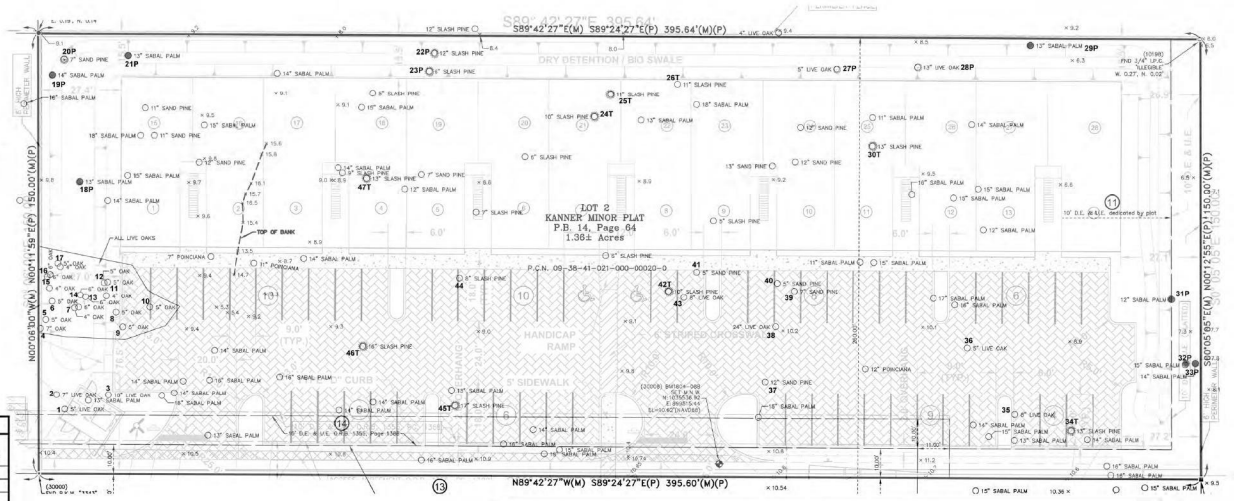
PER 4.666.C4.C - Trees removed in the storm water management areas due to essential grade changes needed to implement safety standars common to standard engineering or architectural practices, and reference to a text where such standards are found shall be required.

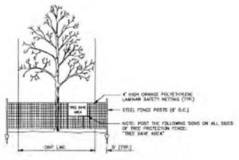
PER 4.666.C4.D - Trees removed due to location of driveways, buildings or other permanent improvements where there is no other alternative or to provide access.

KEY

P = Protected Tree

T = Transplanted Tree

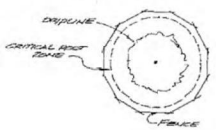




Tree Barricades for Protected Trees*

During periods of development and construction, the areas within the drip-line of preserved trees shall be maintained at their original grade with pervious landscape material. Within these areas, there shall be no trenching or cutting of roots; no fill, compaction or removal of soil; and , no useof concrete, paint, chemicals or other foreign substances.

Barricades must be constructed around the critical protection zone of each tree or cluster of trees. These barricades must be constructed of a minimum of one-fourth-inch diameter rope which is yellow or orange in color and made of nylon or poly. The rope is to be attached to a minimum oftwo × two wooden poles, iron rebar, two inches or greater PVC pipe or other material with prior approval of the Growth Management Department. The rope must be a minimum of four feet off the ground and may not be attached to any vegetation. All barricades must be maintained intact for the duration of construction. The location of proposed development activities that are within15 feet of the critical protection zone of a protected tree must be located using brightly colored flagging to indicate corners.



EXISTING TREE REMOVAL LIST

TREE #	DBH REMOVED	SPECIES	ACTION	REPLACEMENT CREDITS REQUIRED
1	5"	Live Oak	Remove	12.5
2	7"	Live Oak	Remove	17.5
3	10"	Live Oak	Remove	25
4	7"	Live Oak	Remove	17.5
5	5"	Live Oak	Remove	12.5
6	5"	Live Oak	Remove	12.5
7	6"	Live Oak	Remove	15
8	5"	Live Oak	Remove	12.5
9	5"	Live Oak	Remove	12.5
10	5"	Live Oak	Remove	12.5
11	5"	Live Oak	Remove	12.5
12	5"	Live Oak	Remove	12.5
13	6"	Live Oak	Remove	15
14	6"	Live Oak	Remove	15
15	6"	Live Oak	Remove	15
16	6"	Live Oak	Remove	15
17	5"	Live Oak	Remove	12.5
18	20'	Sabel Palm	Protect	0
19	20'	Sabel Palm	Protect	0
20	7"	Sand Pine	Protect	-3
21	20'	Sabel Palm	Protect	0
22	12"	Slash Pine	Protect	-7.5
23	6"	Slash Pine	Protect	0
24	10"	Slash Pine	Transplant	-5.5
25	11"	Slash Pine	Transplant	-6.5
26	11"	Slash Pine	Transplant	-6.5
27	5"	Live Oak	Protect	-12.5
28	13"	Live Oak	Protect	-8.5
29	20'	Sabel Palm	Protect	0
30	13"	Slash Pine	Transplant	-8.5
31	20'	Sabel Palm	Protect	0
32	20'	Sabel Palm	Protect	0
33	20'	Sabel Palm	Protect	0
34	13"	Slash Pine	Transplant	-8.5
35	8"	Live Oak	Remove	20
36	5"	Live Oak	Remove	12.5
37	12"	Sand Pine	Remove	30
38	24"	Live Oak	Remove	60
39	7"	Sand Pine	Remove	17.5
40	5"	Sand Pine	Remove	12.5
41	5"	Sand Pine	Remove	12.5
42	10"	Slash Pine	Transplant	-3.5
43	8"	Live Oak	Remove	20
44	8"	Slash Pine	Remove	12
45	17"	Slash Pine	Transplant	-12.5
46	16"	Slash Pine	Transplant	-11.5
47	13"	Slash Pine	Transplant	-8
	26 Native Trees Removed. 7 Sabel Palms Protected 9 Slash Pines 10" or Greater Transplanted. 5 Native Trees 4.5" or Greater Protected.			394.5
	Oak/Sand Pine Mitigation: 173 x 2.5 = 432.5 Inches / 4.5" = 96 Trees			
	Slash Pine Mitigation: 8 x 1.5 = 12 Inches / 2.5" = 5 Trees			

TREES PROVIDED

Native	Qty	Credits Given	Common	Botanical	Size
NO	14	7	Alexander Palms Triple	Ptychosperma elegans	14' c.t.
YES	7	7	Bald Cypress	Taxodium distichum	14-16' Ht., 6' Spd., 4.5" Cal.
YES	7	2.5	Cabbage Palm	Sabel Palm	12-18' OA, Staggered
YES	7	3.5	Cabbage Palm	Sabel Palm	Existing Protected
YES	10	10	Dahoon Holly	Ilex Cassine	12' Ht., 4' Spd., 2.5" Cal.
YES	8	8	East Palatka Holly	Ilex Attenuata	12' Ht., 4-5' Spd., FTB
YES	6	6	Gumbo Limbo	Bursera Simaruba	100g., 16-18' Ht., 8' Spd., 4.5" Cal.
YES	2	2	Live Oak	Quercus Virginiana	Existing 5" & 13" (Protected)
YES	2	2	Paradise Tree	Simarouba Glauca	14-16' Ht., 6' Spd., 4.5" Cal.
YES	4	4	Queen Myrtle	Lagerstroemia Speciosa	14'-16' Ht., 5-6' Spd., 4.5" Cal.
YES	10	10	Red Maple	Acer Rubrum	14-16' Ht., 5-6' Spd., 4.5" Cal
YES	1	1	Sand Pine	Pinus Clausa	Existing 7" Protected
YES	2	2	Slash Pine	Pinus Elliotti	Existing, 6" & 12"
YES	9	9	Slash Pine	Pinus Elliotti	Existing 10"-17", Transplant
YES	5	5	Slash Pine	Pinus Elliotti	12' Ht., 2-3' Spd., 2.5" Cal.
NO	2	2	Sylvester Palm	Phoenix Sylvestris	14' c.t., B & B, Pineapple Cut
Total	96	81	CALCULATIONS FOR TREE REQUIREMENTS BASED ON LOT SIZE 59,342 - 19,978 = 39,364 / 1,500 SF = 26.24 or 26 TREES REQUIRED (50% NATIVE = 13 NATIVE SHADE TREES) PROVIDED: 96 TOTAL TREES & PALMS, CREDIT FOR 81 TREES AND PALMS (2 PALMS = 1 TREE) 83% Native Trees & Palms		
Native	80	83%			
Not Native	16	17%			
Total	96	100%			

TREE MITIGATION DATA:

TOTAL INCHES FOR SPECIMAN TREES 4.5" AND ABOVE	MITIGATION FORMULA	TOTAL # INCHES TO BE REPLACED	/ MINIMUM SIZE TO REPLACE 4.5"	TOTAL # TREES TO PLANT	X 50% MITIGATION FOR TREE FUND	x 175% OF PLANTFINDER WHOLESALE	TOTAL AMOUNT FOR TREE FUND
173	2.5	432.5	4.5	96	15 x.50 = 7.5 or 8	$850 X 8 = $6,800	$6,800
Credit for 81 Trees on Landscape Plan. 96 Required Mitigation Trees - 81 trees credited = 15 Trees toward Tree Fund							
TOTAL INCHES FOR SLASH PINES	MITIGATION FORMULA	TOTAL # INCHES TO BE REPLACED	/ MINIMUM SIZE TO REPLACE 2.5"	TOTAL # TREES TO PLANT	X 50% MITIGATION FOR TREE FUND	x 175% OF PLANTFINDER WHOLESALE	TOTAL AMOUNT FOR TREE FUND
8	1.5	12	2.5	5			$0

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LOCATION MAP: NTS



HIDDEN KEY APARTMENTS

Martin County, Florida

TREE REMOVAL/MITIGATION PLAN

Date	By	Description
10/12/20	EG	

N

Sheet 2 of 3

SEAL
Reg. No. 49295

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/herself 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 blueprints, 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 Superintendent 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:
A. The Landscape Contractor shall furnish a written guarantee warranting all materials, workmanship and plant materials, except sod, for a period of ONE (1) YEAR 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 at 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 type of 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 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 PLANTING SOIL:
A. Planting soil for all plantings shall consist of existing native soil and shall be free of debris, roots, clay, stones, plants or other foreign materials which might be a hindrance to planting operations or be detrimental to good growth.

2.07 FERTILIZER:
A. Commercial fertilizer shall comply with the state 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 gal.on container	1 tablet
3 gal.on container	2 tablets
5 gal.on container	3 tablets
7 gal.on	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 or larger shall 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 2" max on tree & palm rootballs, keep away from tree & palm trunks or as required by local jusidiction.

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 austruction. 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 planting 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 Plan for complete testing methods and requirements.

F. Planting pits shall be excavated to the following dimensions and refilled with a mixture of (1/2) planting soil (1/2) existing native soil:
1 Gallon material (1 gal.): 12" x 12" x 12" min.
3 Gallon material (3 gal.): 20" x 20" x 18" min.
Lenia 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 waterings. 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 trimmings 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.

D. Stake & Brace all trees larger than 12' oa. See detail.
Stakes shall be 2" x 2" number of sufficient length to satisfactorily support each tree.

E. 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. See General Notes of Landscape Plan for water source.

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.

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.

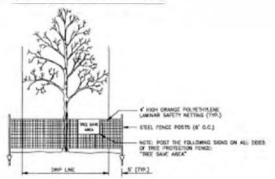
B. FILL PLANTING PIT WITH TWELVE INCHES (12") OF WATER. IF THE WATER LEVEL DROPS FOUR (4") OR MORE WITHIN FOUR (4) HOURS, THE DRAINAGE IS SUFFICIENT AND A DRAINAGE CHANNEL IS NOT REQUIRED IF THE WATER LEVEL DROPS LESS THAN FOUR INCHES (4") WITHIN THE FOUR (4) HOUR PERIOD, A DRAINAGE CHANNEL IS REQUIRED.

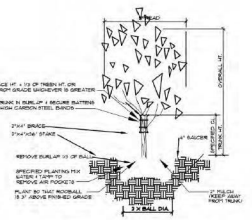
C. WHERE REQUIRED, THE DRAINAGE CHANNEL MUST EXTEND DOWN THROUGH THE NON POROUS SOIL AND INTO POROUS SOIL. (SEE DETAIL)

D. ALL MATERIAL REMOVED FROM THE DRAINAGE CHANNEL SHALL BE DISCARDED.

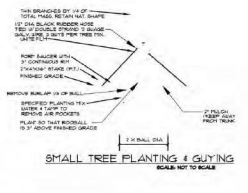
E. WHEN BACKFILLING PLANTING PITS WITH PLANTING MIXTURE, CARE MUST BE TAKEN TO KEEP THE CONSISTENCY OF THE SOIL MIX THE SAME THROUGHOUT THE PLANTING PIT AND DRAINAGE CHANNEL.

TREE PROTECTION DETAIL

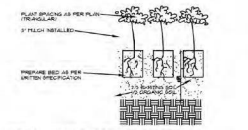




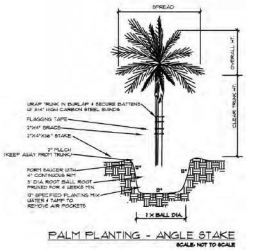
LARGE TREE PLANTING & STAKING
SCALE: NOT TO SCALE



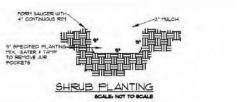
SMALL TREE PLANTING & GUYING
SCALE: NOT TO SCALE



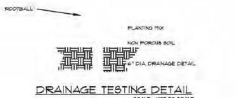
GROUNDCOVER PLANTING DETAIL
SCALE: NOT TO SCALE



PALM PLANTING - ANGLE STAKE
SCALE: NOT TO SCALE



SHRUB PLANTING
SCALE: NOT TO SCALE



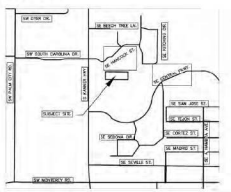
DRAINAGE TESTING DETAIL
SCALE: NOT TO SCALE


(N) 2"x4" x 18'-0" (600) BATTENS SECURE BATTENS W/ (2) 3/4" HIGH CARBON STEEL BANDS TO HOLD BATTENS IN PLACE. (N) BATTENS TO BE EVENLY SPACED. LENGTH OF BATTENS TO TRUNK HEIGHT OF EXISTING SHALL BE BE LOCATED IN RELATION TO THE HEIGHT OF THE TREE FOR ADEQUATE SPACING
(N) LAYERS OF BURLAP
STEEL BANDS

BRACING DETAIL
SCALE: NOT TO SCALE

EILEEN G DESIGNS
LANDSCAPE DESIGN
1650 SW Prosperity Way
Palm City, FL 34990
772-260-0305
EileenGDesigns.com

Key / Location:



Hidden Key Apartments

Martin County, Florida

NOTES & DETAILS

Date	By	Description
10/12/20	E.G.	

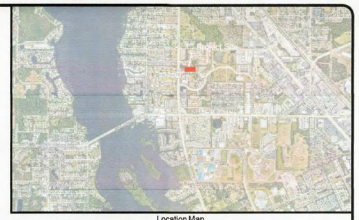
N

Sheet
3 of 3

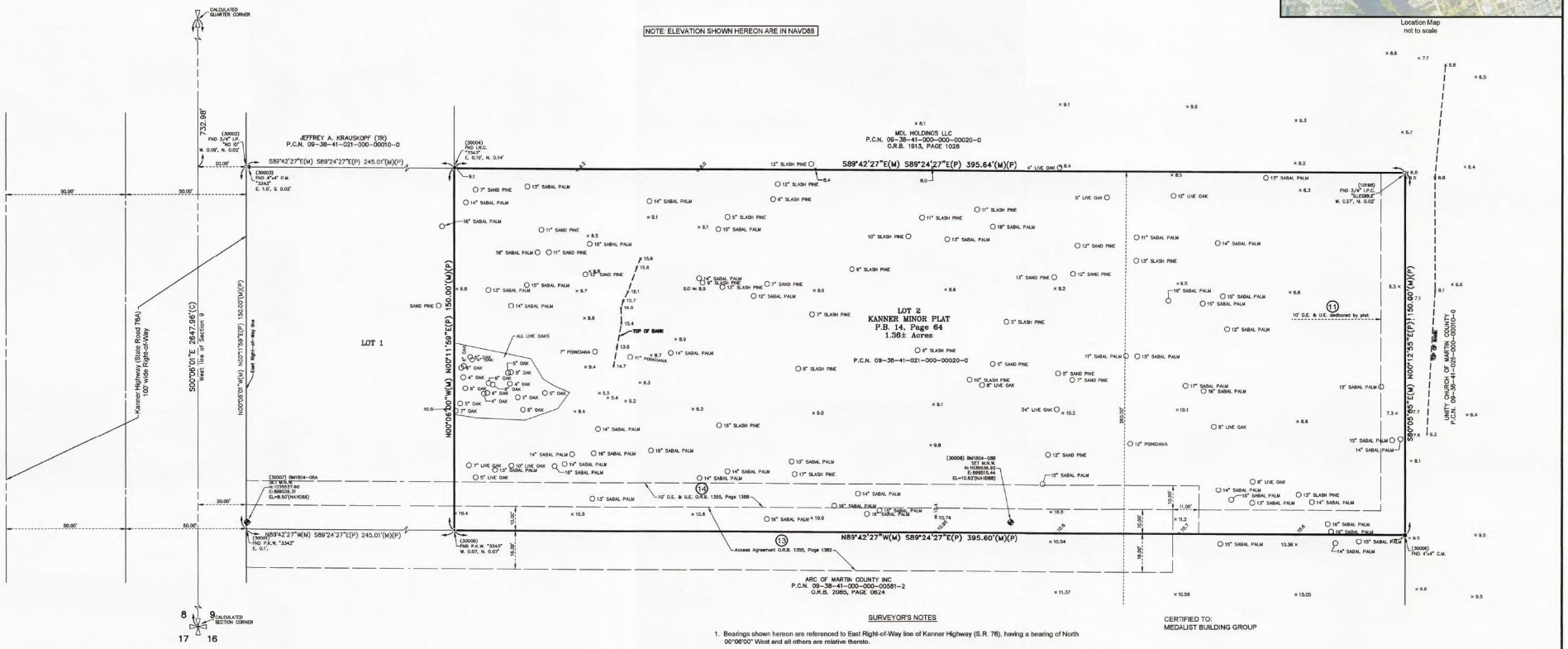
SEAL

Boundary Survey for: Medalist Building Group

Section 9, Township 38 South, Range 41 East,
City of Stuart, Martin County, Florida



Location Map
not to scale



LEGAL DESCRIPTION

Lot 2, KANNER MINOR PLAT, according to the plat thereof, as recorded in Plat Book 14, Page 64, of the Public Records of Martin County, Florida.

TOGETHER WITH an easement for common driveway/access over the North 16 feet of the South 110 feet of the West 564 feet of the North three-quarters of the West one-half of the Northwest one-quarter of Section 9, Township 38 South, Range 41 East, less the right of way for State Road 76, as described in Official Records Book 1355, Page 1382, of the Public Records of Martin County, Florida.

ALSO TOGETHER WITH an easement for common driveway/access over the South 10 feet of Lot 1, KANNER MINOR PLAT, as shown on said plat recorded in Plat Book 14, Page 64, of the Public Records of Martin County, Florida.

GRAPHIC SCALE
20 0 20 40
(IN FEET)
Intended display scale:
1 inch = 20 feet

LEGEND

P.C.N.	= PARCEL CONTROL NUMBER
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
M.N.W.	= MAG NAIL AND WASHER
x10.0	= SPOT ELEVATION
(M)	= MEASURED
(P)	= PLAT
(C)	= CALCULATED
15" OAK	= TREE TYPE AND SIZE
(12)	= TITLE EXCEPTION

SURVEYOR'S NOTES

1. Bearings shown hereon are referenced to East Right-of-Way line of Kanner Highway (S.R. 76), having a bearing of North 00°06'00" West and all others are relative thereto.
2. All visible above ground improvements have been located.
3. There has been no attempt to locate any underground utilities or improvements.
4. This property is located in Flood Zone "OTHER AREAS", "ZONE X" & "ZONE D" according to Flood Insurance Rate Map Community Panel No. 12085C0142G, dated March 16, 2015.
5. 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).
6. Coordinates shown hereon are referenced to the State Plane Coordinate System, Florida East Zone, North American Datum 1983, adjustment of 2011 and are further referenced to the TRIMBLE VRSNOW Real-Time Network as verified by repeated ties to various NGS Horizontal Control Points located in the vicinity of the project.
7. All elevations shown hereon are in feet and referenced to the North American Vertical Datum 1988, and based on a Martin County Benchmark designated "M.C. BENCHMARK 76-025", having an elevation of 8.01 feet.
8. I have reviewed the Old Republic National Title Insurance Company, issued by Old Republic National Title Insurance Company, commitment for title insurance, Agent's File Number S-18113, effective date of October 27, 2017 @ 12:00 a.m., with regards to Schedule B, Section II Exceptions that are matters of survey and have the following comments:

Exception 11 - Restrictions, reservations, covenants, easements and conditions as per plat as recorded in Plat Book 14, Page 64, Public records of Martin County, Florida. Affects subject property as shown on survey.

Exception 12 - Sewer Lift Station Agreement as recorded in Official Records Book 1913, Page 1050, of the Public Records of Martin County, Florida.

Exception 13 - Access Agreement as recorded in Official Records Book 1355, Page 1382, of the Public records of Martin County, Florida. Affects subject property as shown on survey.

Exception 14 - Easement as recorded in Official Records Book 1355, Page 1388, of the Public Records of Martin County, Florida. Affects subject property as shown on survey.

CERTIFIED TO:
MEDALIST BUILDING GROUP

Certification

(Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper)

I hereby 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.

6/26/2018
Date of Survey

Peter Anderson
Professional Surveyor and Mapper
Florida Certificate No. 5199

No.	Revisions	Date	By

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) 366-1366 • WWW.GCYINC.COM

BOUNDARY SURVEY FOR:
Medalist Building Group
MARTIN COUNTY FLORIDA

Scale:	Date:	File & Drawing No:
1"=20'	June 2018	17-1001-06
Drawn By:	Checked By:	Sheet
M.F.M.	P.A.	1 of 1

COPYRIGHT © 2017 BY GCY, INC., PROFESSIONAL SURVEYORS AND MAPPERS

Drawing Name: Kanner Minor Lot 2 Bnd
Page(s): 7-9 & 17-19
Field Book(s): 1894

Medalist Kanner Highway

Parcel ID number: 09-38-41-021-000-00020-0

Environmental Assessment

Prepared For:

Medalist Building Group

Prepared By:

10250 SW Village Parkway, Suite 201,
Port St Lucie, FL 34987
772-223-5200

©EDC, Inc.
November 2017

The following environmental assessment report has been prepared in accordance with the City of Stuart Development Review Division and previsions of the state of Florida. The property is located within Section 9, Township 38 South, and Range 41 East unincorporated Martin County Florida. The parcel is listed by the Martin County Property Appraiser as Parcel ID number: 09-38-41-021-000-00020-0 and totals approximately 1.3623 acres. The parcel is located along the east side of S Kanner Highway, north of SE Central Parkway and south of SE Hancock Street, Stuart, Florida. The following report details the findings of our on-site investigation as it pertains to the City of Stuart and the State of Florida.

VEGETATION:

The composition of the vegetation is a mixture of native, exotic and nuisance species. Species observed during the site reconnaissance included the following:

Muscadine Grape (*Vitis rotundifolia*)
Cabbage palm (*Sabal palmetto*)
Laurel Oak (*Quercus laurifolia*)
Slash Pine (*Pinus elliottii*)
Brazilian pepper (*Schinus terbinthifolius*)
Ear Leaf Acacia (*Acacia auriculiformis*)
Napier Grass (*Pennistem purpurem*)
Umbrella Tree (*Schefflera actinophylla*)

WILDLIFE EVALUATION:

On November 16th, 2017, EDC, Inc. Environmental Division conducted pedestrian transects across the property to investigate for the presence of listed flora and fauna, including gopher tortoise burrows. During the pedestrian transects of the property, no gopher tortoise burrows or other listed plant or animal species were observed.

SOIL COMPOSITION:

Based on a review of the United State Department of Agriculture's Web Soil Survey online database, the soil types identified on this parcel are not associated with hydric soil characteristics. The soils are described below:

Arents, 0 to 2 percent slopes - Arents are nearly level and ranges from somewhat poorly drained to moderately well drained. The soil consists of fill material that were excavated and spread over the surface of wet mineral soils. The mixed fill layer is typically 20 to 50 inches thick. The water table is below a depth of 30 inches for most of the year. Organic matter and thus the agricultural potential for this soil is low.

Jonathan Sand, 0 to 5 percent slopes - This soil is a nearly level to gently sloping, moderately drained soil in elevated ridges in the flatwoods. It is often located within the eastern portion of Martin County. The water table is typically at a depth of 40 to 60 inches for 1 to 4 months during wet seasons, and below a depth of 60 inches for most of the rest of the year. The surface layer is typically dark gray sand about 5 inches thick. Natural vegetation includes slash pine, saw palmetto, scrub oak, gallberry, fetterbush, running oak, gopher apple, grass leaf, gold astor, cacti and scattered sprigs of pineland threeawn and other grasses. This soil is not suitable for cultivated crops due to the doughtiness and sandy texture. The soil is suitable to citrus and low for the commercial production of pine trees.

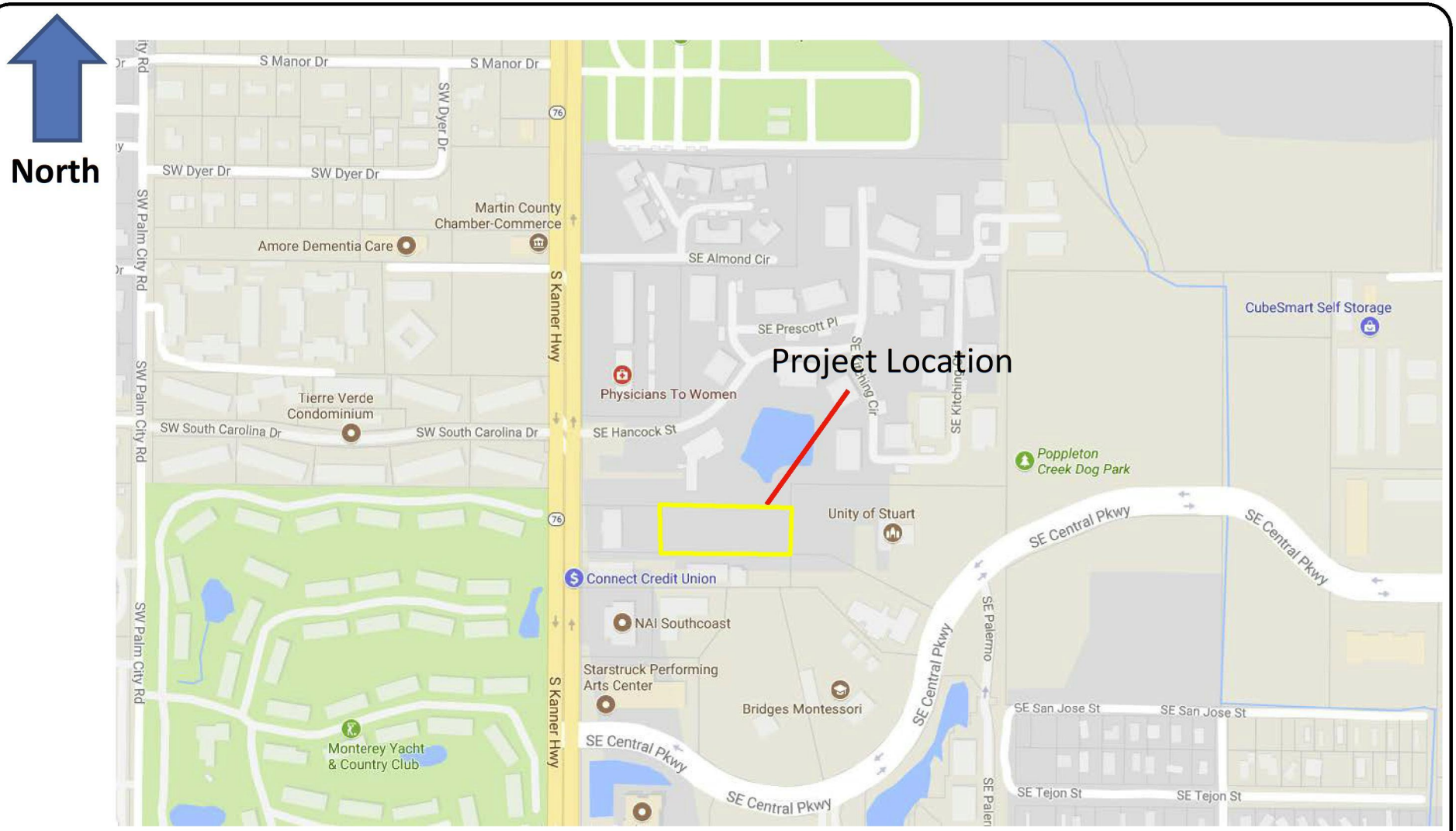
WETLAND DELINEATION:
Based on the State definition of a wetland, there are three components: hydric soils, wetland plants, and hydrologic indicators. These factors listed were not observed during field reconnaissance. In our professional opinion, this property does not include State and Federal jurisdictional wetland areas on the site.

NATIVE HABITAT
The review conducted by EDC, Inc. found native species on site in this upland habitat, however the dense exotic content (**Brazilian Pepper**) on site leads to the conclusion there is not native habitat on site as defined by the Florida Natural Areas Inventory (FNAI) and Department of Transportation (DOT) Florida Land Uses Cover Classification System (FLUCCS). It is the professional opinion of EDC, Inc. Consultants Inc. that native upland habitat does not exist on the property. The property contains native and dense exotic plant species (**Brazilian Pepper -FLUCCS 422**) and does not fit into the native upland habitat, which requires preservation.

CITY REQUIREMENTS
This property does not contain native upland habitat and is not subject to City of Stuart Chapter 5 preservation and avoidance requirements.

LAND USE RECORDS
According to the Martin County Property Appraiser's Report, the subject property has a land use code of 1000, vacant commercial.

SUMMARY:
Based on City requirements, EDC, Inc. conducted a pedestrian survey throughout the property to investigate for the presence of any listed plant or animal species. No State or Federal listed species were observed on the property. Native habitat associations were not determined to exist on the property due to the dense amounts of exotic vegetation present (**Brazilian Pepper- 422**). It is the professional opinion of EDC, Inc. that there are State and Federal jurisdictional wetlands not present on the site.



CROSSROADS ENVIRONMENTAL
A DIVISION OF EDC

12142020 CCM

LOCATION MAP

Section: 9, Township 38 , Range 41	Location:	Date: 11/15/2017
Project: Medalist Kanner Highway	City: Stuart County: Martin County	Source: Google Maps

North



CROSSROADS ENVIRONMENTAL
A DIVISION OF EDC
12142020 CCM

AERIAL MAP

Section: 9, Township 38 , Range 41	Location:	Date: 11/15/2017
Project: Medalist Kanner Highway	City: Stuart County: Martin County	Page 556 of 575



CROSSROADS ENVIRONMENTAL
A DIVISION OF EDC
12142020 CCM

SOILS MAP

Section: 9, Township 38 , Range 41	Location:	Date: 11/15/2017
Project: Medalist Kanner Highway	City: Stuart County: Martin County	Page 557 of 575

O'ROURKE
ENGINEERING & PLANNING

October 12, 2020

Mr. Richard T. Creech
Creech Consulting, Inc.
PO Box 327
Stuart, FL 34995

Re: Hidden Key

Dear Mr. Creech:

O'Rourke Engineering & Planning has completed the traffic analysis for the proposed residential development consisting of 28 multifamily residential dwelling units. The steps in the analysis and the ensuing results are presented herein.

For projects with less than 20 peak hour trips, only a limited traffic statement is required.

INTRODUCTION

O'Rourke Engineering & Planning was retained to prepare a traffic analysis for the proposed residential development located east of Kanner Highway (SR-76) along a shared access road south of SE Hancock Place. **Attachment A** includes the project site plan. The purpose of this analysis is to determine the impact of the development on the roadway.

PROJECT DESCRIPTION

Hidden Key is located on the east side of Kanner Highway (SR-76) south of SE Hancock Street in Martin County. The development consists of 28 multifamily dwelling units. The project will take access off a shared roadway/access driveway with a right-in/right-out on Kanner Highway. The project is expected to be built out by 2022.

Trip Generation — Multifamily Residential (Low-Rise) rates from the ITE Trip Generation 10th Edition were applied to the 28 multifamily residential units.

The trip generation of the site is summarized in **Attachment B.**

As shown, the project will generate 14 AM peak hour trips with 3 in and 11 out and 19 PM peak hour trips with 12 in and 7 out.

PROJECT DISTRIBUTION/ ASSIGNMENT/ IMPACT

The project traffic was assigned as 100% northbound on Kanner Highway based on the right-in/right-out access at Kanner Highway with an ultimate distribution of 55% north and 45% south.

To determine the project impact in 2022, the existing counts, capacity and growth rates were taken from the Martin County 2019 Roadway Level of Service Report. The table summary is included as **Attachment C.** As shown, Kanner Highway will operate at an acceptable LOS at buildout.

The applicable pages from the Martin County 2019 Roadway Level of Service Report are included in Attachment C.

DRIVEWAY VOLUMES

The project will have immediate access to a shared roadway/drive immediately south of the project. That roadway has a right-in/right-out access onto Kanner Highway (SR-76). The driveway volumes are included in **Attachment D**. The driveway will accommodate the minor increase in traffic.

CONCURRENCY REVIEW/ CONCLUSION

The Hidden Keys development will have a traffic impact of 14 AM peak hour trips with 3 in and 11 out and 19 PM peak hour trips with 12 in and 7 out. These trips will not cause levels of service to fall below acceptable levels in the future. Given the traffic is less than 20 peak hour trips, the project does not require additional analysis and is deemed to be consistent with city transportation concurrency requirements.

It has been a pleasure working with you.

Respectfully submitted,
O'ROURKE ENGINEERING & PLANNING

Susan E. O'Rourke, P.E.
President

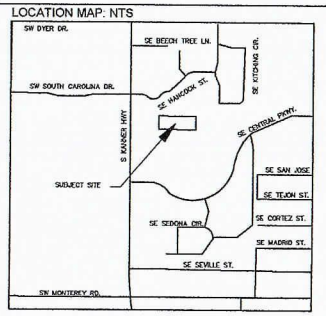
Prepared by: O'Rourke Engineering & Planning Certificate of Authorization: #26869 22 SE Seminole Street Stuart, Florida 34994 772-781-7918	Professional Engineer Susan E. O'Rourke, P.E. Date signed and sealed: 10/12/2020 License #: 42684

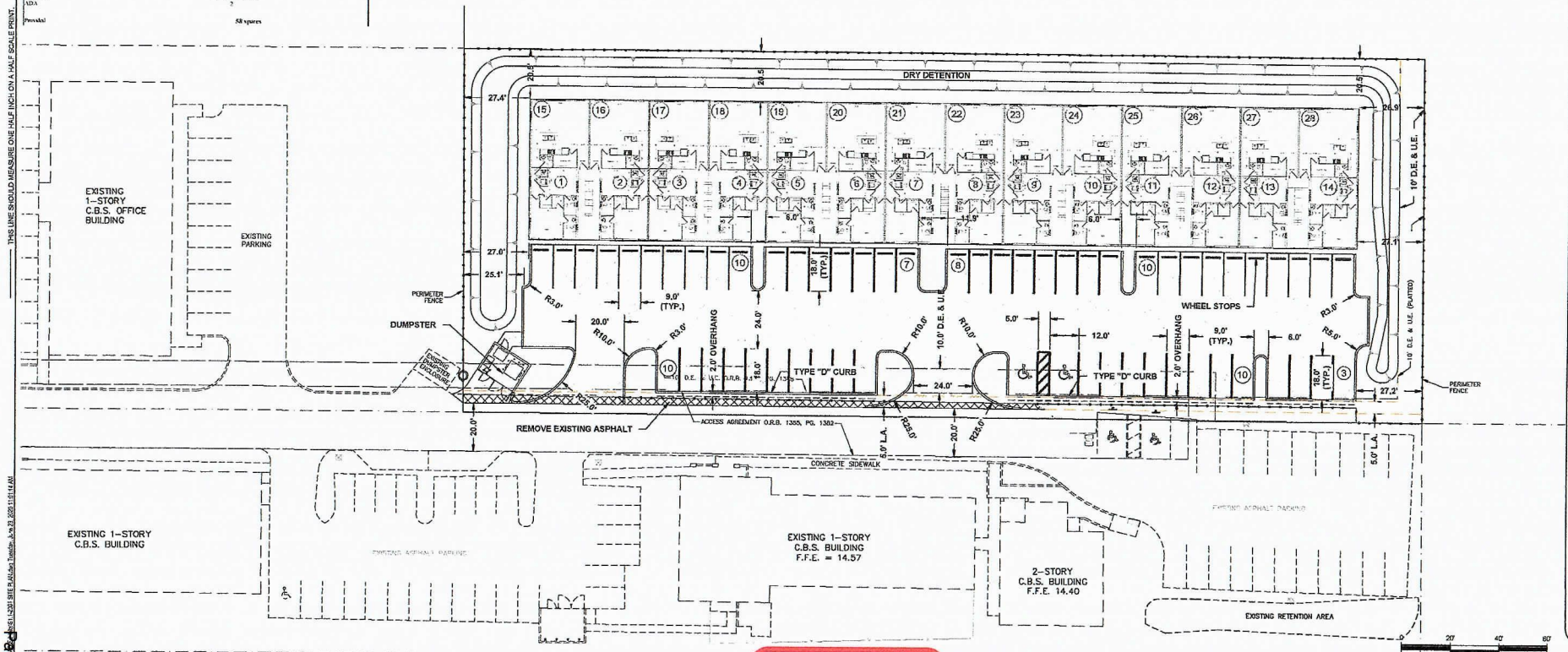
ATTACHMENT A

Site Plan

HIDDEN KEY				
		Sq. ft	Ac.	%
SITE DATA			(% of total site area)	
Total site area		59,241.60	1.36	100%
Zoning	Multifamily/Office			
Future Land Use	Office- Residential			
PCN	9384102400000200000			
Proposed/existing use	Multifamily/Vacant			
OPEN SPACE				
Total open space				
	Required			
	Provided	10,869	0.25	18%
Setbacks	Front	Side	Rear	
	25'	15'	20'	
IMPERVIOUS AREA				
Total developed area				
	Building	19,978	0.459	34%
	Pavers	19,465	0.447	33%
	Concrete / Dumpster	496	0.011	1%
	Pavement	1,838	0.042	1%
Dry Detention		7,611	0.175	13%
BUILDING DATA				
Total gross floor area				
Building coverage Density		19,978	0.459	34%
Height (s- stories)	(Max) 3 stories			
PARKING				
Required	2 unit = 56 spaces			
ADA	2			
Provided	58 spaces			

LOCATION MAP: NTS





PRELIMINARY PROGRESS PLAN 6/23/20

REV. No.	DATE	DESCRIPTION

SEAL

FL P.E. No. 38592
RICHARD CRESCH

CRESCH CONSULTING, INC.
P.O. Box 267
Palm City, FL 34605
Certificate of Authorization 5139
Certificate: LB-0006705

LAT 27°10'50.92"N
LON 80°16'6.20"W
MARTIN COUNTY, FLORIDA

SITE DEVELOPMENT PLANS
HIDDEN KEY
LOT 2, KANNER MINOR PLAT, STUART

SITE PLAN

PROJ. NO.: 2001
DRAWN BY: RC
DATE: 00/00/00
SHEET: S1.1

THIS LINE SHOULD MEASURE ONE HALF INCH ON A HALF SCALE PRINT

12/14/2020 CCM
H:\2001\SITE PLAN\Site Plan.dwg, 6/23/2020 9:11:14 AM

ATTACHMENT B

Trip Generation

Table 1 - Trip Generation

Table 1a: Daily

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Multifamily Housing (Low-Rise)	220	28	DU	T = 7.56(X) - 40.86	50%	50%	86	85	171

Source: ITE 10th Edition Trip Generation Rates

Table 1b: AM Peak Hour

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Multifamily Housing (Low-Rise)	220	28	DU	Ln(T) = 0.95Ln(X) - 0.51	23%	77%	3	11	14

Source: ITE 10th Edition Trip Generation Rates

Table 1c: PM Peak Hour

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Multifamily Housing (Low-Rise)	220	28	DU	Ln(T) = 0.89Ln(X) - 0.02	63%	37%	12	7	19

Source: ITE 10th Edition Trip Generation Rates

ATTACHMENT C

Link Analysis

Table 2a: Link Analysis - AM Peak Hour

Segment	From	To	Is Project Traffic 1% or More of Capacity?	2019 AADT	2019 Volume Peak Hour Peak Direction	Growth Rate	2022 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?
Kanner Highway (SR-76)	SR-714	Project Entrance	no	25,158	1006	1.005	1021	3020	3	100%	0.10%	1024	Yes
	Project Entrance	SR-5	no	25,158	1006	1.005	1021	3020	11	100%	0.36%	1032	Yes

In:	3
Out:	11
Years Grown:	3

Table 2b: Link Analysis - PM Peak Hour

Segment	From	To	Is Project Traffic 1% or More of Capacity?	2019 AADT	2019 Volume Peak Hour Peak Direction	Growth Rate	2022 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?
Kanner Highway (SR-76)	SR-714	Project Entrance	no	25,158	1006	1.005	1021	3020	12	100%	0.40%	1033	Yes
	Project Entrance	SR-5	no	25,158	1006	1.005	1021	3020	7	100%	0.23%	1028	Yes

In:	12
Out:	7
Years Grown:	3

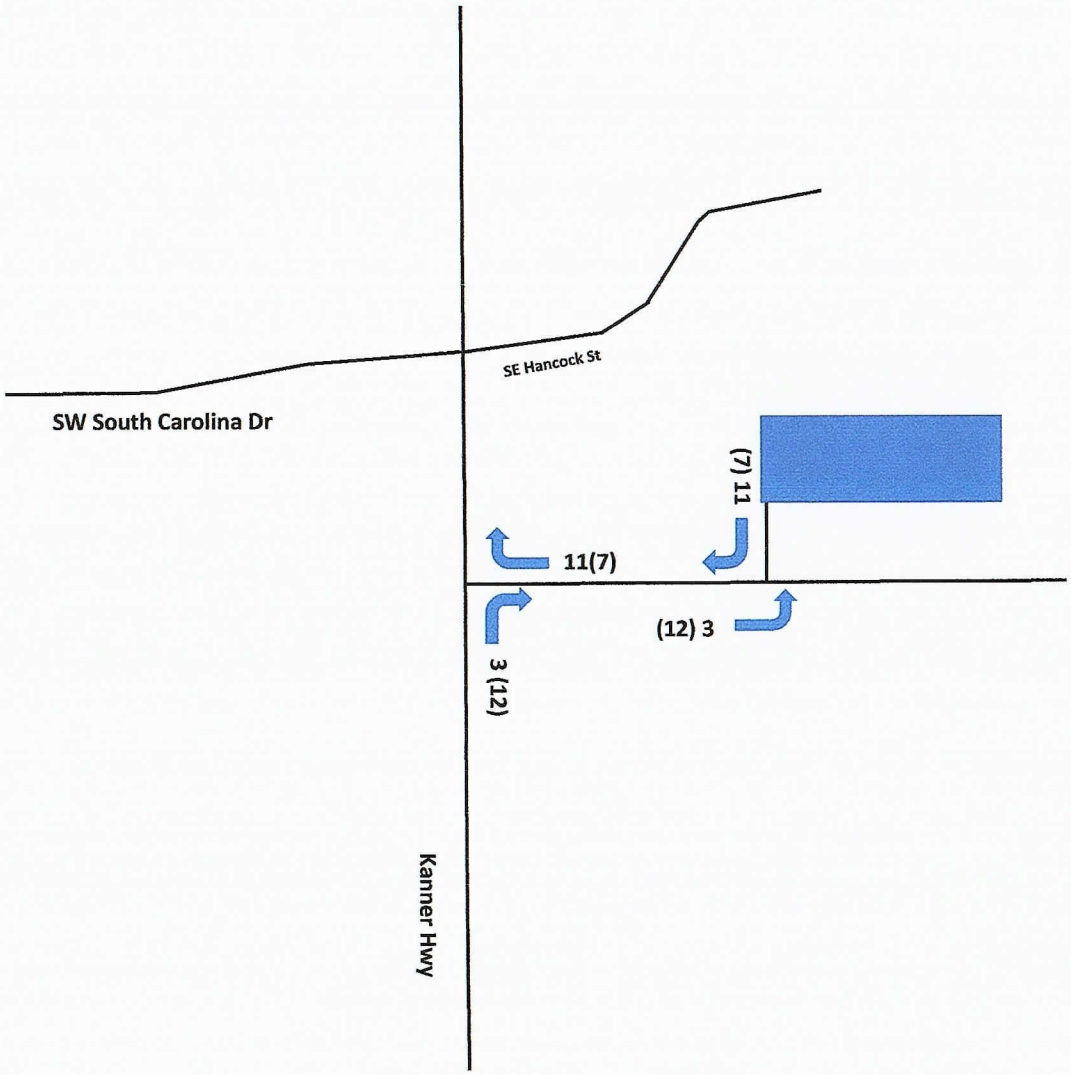
Martin County 2019 Roadway Level of Service Inventory Report

Road Name	From	To	Type	Generalized Service Capacity	2019 Average Annual Daily Traffic	2019 Peak Hour Directional Volume	2019 Generalized LOS	Avg. Annual Growth Rate
SR-732 (Jensen Beach Blvd)	SR-5	Green River Pkwy	Class I: 4-Ln Divided	2000	25,949	1,349	C	0.5%
SR-732 (Jensen Beach Blvd)	Green River Pkwy	CR-723	Class I: 4-Ln Divided	2000	23,804	1,154	C	0.5%
SR-76 (Kanner Hwy)	SR-15	SR-710	Uninterrupted Rural Hwy: 2-Ln Undivided	740	2,134	111	A/B	6.1%
SR-76 (Kanner Hwy)	SR-710	CR-708	Uninterrupted Rural Hwy: 2-Ln Undivided	740	3,412	151	A/B	0.9%
SR-76 (Kanner Hwy)	CR-708	CR-711/CR-76A	Transitional 2-Ln Uninter /Undivided Flow	1200	2,889	168	A/B	0.5%
SR-76 (Kanner Hwy)	CR-711/CR76A	Locks Rd	Class I: 4-Ln Divided	2000	13,401	831	C	1.7%
SR-76 (Kanner Hwy)	Locks Rd	Jack James	Class I: 4-Ln Divided	2000	19,231	920	C	0.5%
SR-76 (Kanner Hwy)	Jack James	Cove Rd	Class I: 6-Ln Divided	3020	43,880	2,372	C	0.6%
SR-76 (Kanner Hwy)	Cove Rd	Salerno Rd	Class I: 6-Ln Divided	3020	34,493	1,495	C	1.0%
SR-76 (Kanner Hwy)	Salerno Rd	Indian St	Class I: 6-Ln Divided	3020	30,912	1,293	C	2.6%
SR-76 (Kanner Hwy)	Indian St	SR-714	Class I: 6-Ln Divided	3020	21,116	993	C	0.5%
SR-76 (Kanner Hwy)	SR-714	SR-5	Class I: 6-Ln Divided	3020	25,158	1,006	C	0.5%
SR-A1A (Ocean Blvd)	SR-714	St Lucie Blvd	Class II: 4-Ln Divided	1630	19,437	1,081	D	0.6%
SR-A1A (Ocean Blvd)	St Lucie Blvd	Sewalls Point Rd	Class I: 4-Ln Divided	2000	23,060	1,127	C	1.0%
SR-A1A (Ocean Blvd)	Sewalls Point Rd	Macarthur Blvd	Class I: 2-Ln Divided	925	13,597	845	C	0.5%
SR-A1A (Ocean Blvd)	MacArthur Blvd	SR-732	2-Ln Uninter /Undivided Flow	1190	8,532	407	A/B	3.1%
SR-A1A (Ocean Blvd)	SR-732	St Lucie County	2-Ln Uninter /Undivided Flow	1190	14,752	870	D	1.8%
St Lucie Blvd	CR-A1A	Indian St	2-Ln Undivided Non-State	675	3,305	172	C	0.5%
St Lucie Blvd	Indian St	SR-A1A	2-Ln Undivided Non-State	675	7,524	429	D	3.3%
Westmoreland Blvd	St Lucie County	SR-5	Class II: 2-Ln Divided	790	12,271	601	D	1.0%
Willoughby Blvd	Cove Rd	Salerno Rd	Class I: 2-Ln Undivided	880	4,332	214	C	8.0%

Segments with shaded LOS require additional analysis.
The peaks are: CR-A1A (PM/SB) and Murphy Rd (PM/NB).

ATTACHMENT D

Driveway Volumes



NTS

O'ROURKE ENGINEERING & PLANNING

22 SE Seminole Street
Stuart, Fl, 34994

Job Number:

Date: 10-6-20

Legend

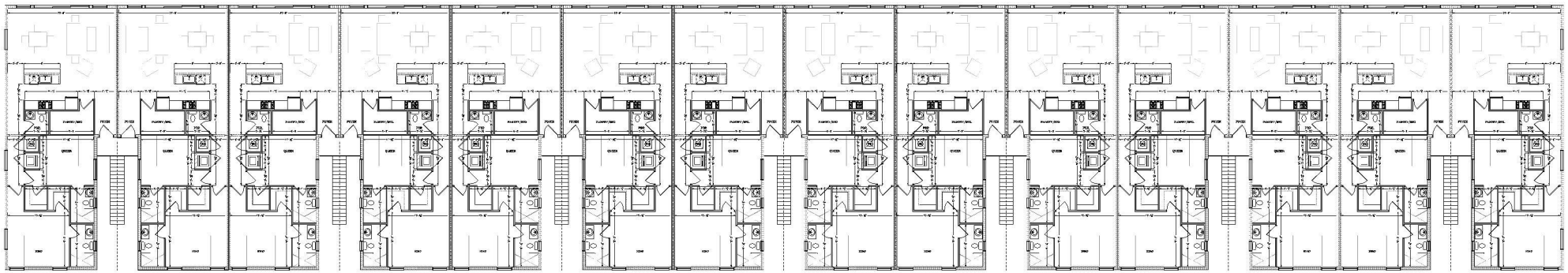
= Project Location

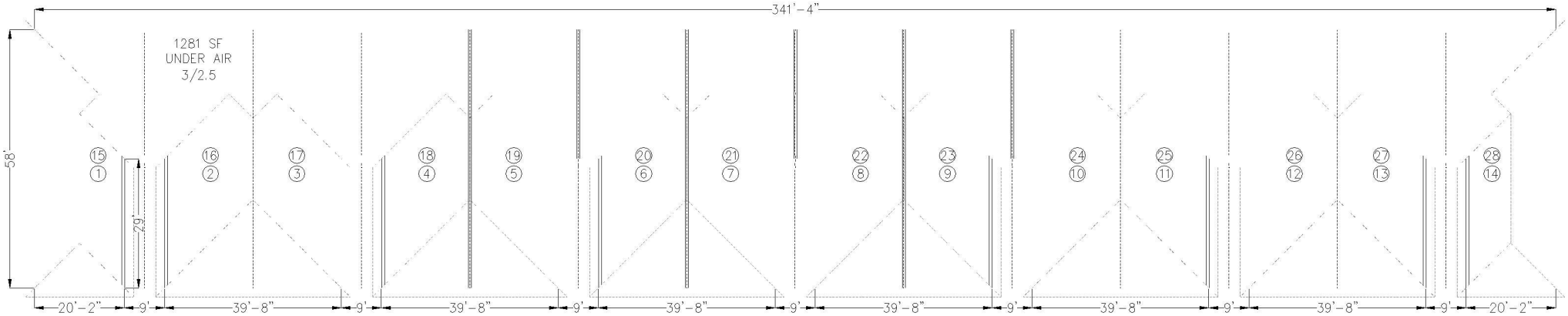
XX (XX) = AM (PM)

Figure 1

Driveway Volumes

Hidden Key




341'-4"
1281 SF
UNDER AIR
3/2.5
58'
29'
15
1
16
2
17
3
18
4
19
5
20
6
21
7
22
8
23
9
24
10
25
11
26
12
27
13
28
14
20'-2"
9'
39'-8"
9'
39'-8"
9'
39'-8"
9'
39'-8"
9'
39'-8"
9'
39'-8"
9'
20'-2"



CITY OF STUART
LOCAL PLANNING AGENCY
November 12, 2020

Project Name: Hidden Key RPUD - Rezoning	**Property Owner: MDL Holdings, LLC**
PCN #: 09-38-41-02-100-00002-00	**Applicant/Petitioner:**
Ordinance No: 2457-2020	**Agent/Representative:** Creech
	Case Planner: Stephen Mayer
Location: A parcel lying south of the Estates of Stuart, north of ARC of Martin County and east of Kanner Highway	

PROJECT SUMMARY		
Property Size (area)		1.36 Acres
Present Use		Undeveloped
Subject Property Land Use		Office/Residential
Adjacent FLU	*North*	Office/Residential
	South	**Office/Residential**
	East	Commercial
	West	Office/Residential
Subject Property Zoning		Multi-Family/Office (R-3)
Adjacent Zoning	*North*	R-3 (Estates of Stuart) - Apartments
	South	R-3 ARC of Martin County)
	East	B-2 (Unity Church)
	West	R-3 (Kanner Trust) Offices
Proposed Land Use Designation & Zoning District		Multi-family Density Residential (RPUD)
Proposed Zoning District		Residential Planned Unit Development RPUD
Proposed Use		28 Multi-family Apartments
City Approvals		Building Department – No comments at this time. Fire Department – No comments at this time. Public Works – No comments at this time. Police Department – No comments at this time
Brief Explanation		The intent of this application is to request a Zoning designation of (RPUD) on the City of Stuart Zoning Map. The subject property is 1.36 acres. The property is currently undeveloped. The intent of this project is to allow 28 attached multi-family apartment homes within a 2-story building to be developed on the site while

	maintaining a 15-foot buffers and 20 units per acre.
Staff Recommendation: Staff recommends approval for the zoning district designation change from Residential Multi-Family/Office (R-3) 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: October 28, 2020

C. Mail Notice Postmark: October 28, 2020 to property owners within 300 feet

D. Publication Date: 10 days prior to Second Reading

II. MAP AMENDMENT ORDINANCE NO. 2457-2020

III. APPLICATION: Dated September 23, 2020

IV. HISTORY OF THE SITE

The applicant is requesting to assign a RPUD zoning district to establish a new site plan with three waivers, including density bonus, in order develop the property for 28 multi-family residential units. The property currently has a city minor site plan approval for 13 townhome units.

V. STAFF ANALYSIS

A. Site and Area Characteristics

The subject property consists of one parcel totaling 1.36 acres in size, located south of the Estates of Stuart, north of ARC of Martin County and east of Kanner Highway. The property is currently vacant and undeveloped with no wetlands. An environmental assessment shows a mix of exotic and native vegetation, including laurel oak and slash pines that will either be mitigated for or paid for thru the tree replacement fund.

B. Project Description

A Site Plan has been planned with 28 multi-family apartment flats within a two-story building. The property is much longer in width that it is in depth. This places site constraints on the property as it related to the usage of the front parking lot and the rear buffer area.

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 mix of office, places of worship and multi-family residential. It is recommended to be adequately buffered to the existing multi-family use to the north in particular, while the sides and front property lines being adjacent to non-residential property, the proposed 15-foot bio-swale buffer is adequate.

2. *The possible creation of an isolated land use classification unrelated to adjacent and nearby classifications;*

   No, the proposed multifamily project will benefit the mix of nonresidential and residential development on the east side of Kanner Highway and is consistent with the residential nature of the adjacent property to the north. 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 15' foot landscape buffer around the entire site.

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 two (2) waivers from the City's Land Development Code:

1. **Section 2.07.00 Density.** A RPUD with multi-family land use designation is permitted to have up to 15 units per acre. The applicant is requesting 28 units, or 20.6 units per acre.

   Request: A density bonus of approximately 5 units per acre is requested, for the 28 1,281 square foot 3-bedroom apartments. The infill project received a previous minor site plan approval for 13 townhome units and met all applicable code sections. However, the applicant desires to develop the property as an apartment flat style with one additional waiver to the northern transitional buffer (waiver request below). The applicant is providing 34% open space when the credit is given for the use of semi pervious brick pavers. The applicant is exceeding the landscape requirement and is providing a bioswale within the transitional buffers. The site plan consists of 83% native, including native grasses, with the only non-native planting being alexander and Sylvester Palm trees. The applicant is providing for new housing opportunities in a site that is currently an undeveloped infill lot. Staff recommends supporting the granting of the density bonus for this site.

2. **Section 6.04.06. Land Use Transitions and Landscape Buffers**. The buffer width requirement for a two-story multi-family use adjacent to multi-family use is 30' along the rear side.

   Request: The applicant is requesting a consistent 15' wide landscape buffer along the northern and eastern property lines, where the proposed multi-family use is abutting an existing multi-family community (Estates of Stuart), including a 6' high perimeter wall. Within this zone, there is a proposed bioswale. The applicant is required to install 39 shade trees. The applicant is preserving, relocating or planting 49 shade trees, not including the Queen myrtle and palm trees as understory trees.

Staff recommends that that prior to City Commission approval, the applicant shall provide a signed architectural elevation and a revised site plan showing bike rack location, EV parking space locations, and a double dumpster accepted by the City's Public Works Department.

VII. STAFF RECOMMENDATION (APPROVAL WITH CONDITIONS)

Staff has determined that the proposed rezoning to RPUD and the attached site and landscape plans are 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.