



AGENDA

COMMUNITY REDEVELOPMENT BOARD

MAY 7, 2024

AT 4:00 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD

Chair - Tom Campenni

Vice Chair - Mark Brechbill

Board Member - Anita Cocoves

Board Member - Aaron Hawkins

Board Member - Frank McChrystal

Board Member - Bonnie Moser

Board Member - Andy Noble

ADMINISTRATIVE

CRA Executive Director - Pinal Gandhi-Savdas

Board Secretary - Susej T. Meleqi

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.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

1. ADVISORY BOARD MEMBER OATH

APPROVAL OF AGENDA

APPROVAL OF MINUTES

2. APPROVAL OF 04/02/2024 CRB MINUTES (RC)

COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

ACTION ITEMS

3. DISCUSSION AND DELIBERATION OF LANDSCAPE CODE REQUIREMENTS OUTLINED IN SECTION 6.04.00 OF THE CITY OF STUART LAND DEVELOPMENT CODE.

STAFF UPDATE

ADJOURNMENT

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.

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: 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.

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.

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Community Redevelopment Board**

Meeting Date: 5/7/2024

Prepared by: Susej Meleqi

Title of Item:

ADVISORY BOARD MEMBER OATH

Summary Explanation/Background Information on Agenda Request:

Advisory Board Members serving the City of Stuart will take an Oath before the City Clerk/City Attorney for public record. New member, Anita Cocoves, will take an oath.

Funding Source:

N/A

Recommended Action:

Board member Anita Cocoves takes Oath.

ATTACHMENTS:

1. Board Member Oath_CRB



CITY OF STUART

Oath of Office

I, _____, am qualified under the Constitution, Laws of Florida, and the Code of Ordinances for the City of Stuart, Florida to serve as a member of the COMMUNITY REDEVELOPMENT BOARD; and that I will well and faithfully perform the duties of an advisory board member on which I am about to enter, so help me God.

Name

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me by means of physical presence ____ or online notarization ____, this 7th day of May 2024, _____, who is personally known to me or who has produced Florida driver license as identification.

Deputy City Clerk

(Notary Seal)

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Community Redevelopment Board**

Meeting Date: 5/7/2024

Prepared by: Susej Meleqi

Title of Item:

APPROVAL OF 04/02/2024 CRB MINUTES (RC)

Summary Explanation/Background Information on Agenda Request:

APPROVAL OF 04/02/2024 CRB MINUTES (RC)

Funding Source:

N/A

Recommended Action:

Approve Minutes.

ATTACHMENTS:

1. 04022024 CRB Minutes

**MINUTES
COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART
APRIL 2, 2024
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

COMMUNITY REDEVELOPMENT BOARD

**Chair - Tom Campenni
Vice Chair - Mark Brechbill
Board Member - Aaron Hawkins
Board Member - Frank McChrystal
Board Member - Bonnie Moser
Board Member - Andy Noble
Board Member - VACANT**

ADMINISTRATIVE

**CRA Executive Director - Pinal Gandhi-Savdas
Board Secretary - Susej T. Meleqi**

CALL TO ORDER

4:06 PM

ROLL CALL

PRESENT: Chair Campenni, Board Member Brechbill, Board Member Hawkins, Board Member McChrystal, Board Member Moser, Board Member Noble
ABSENT:

PLEDGE OF ALLEGIANCE

1. ADVISORY BOARD MEMBER OATH

City Attorney Lee Baggett swore in Aaron Hawkins.

2. SELECTION OF VICE CHAIR

4:11 PM MOTION: Select Mark Brechbill for Vice Chair.

MOVED BY: Frank McChrystal

SECONDED BY: Andy Noble

Motion approved unanimously.

3. NOMINATION OF A BOARD MEMBER FOR COMMUNITY REDEVELOPMENT AGENCY (CRA) SEAT

4:12 PM MOTION: Nominate Mark Brechbill for CRA.

MOVED BY: Frank McChrystal

SECONDED BY: Bonnie Moser

Motion approved unanimously.

APPROVAL OF AGENDA

4:13 PM MOTION: Approve.

MOVED BY: Mark Brechbill

SECONDED BY: Bonnie Moser

Motion approved unanimously.

APPROVAL OF MINUTES

4. APPROVAL OF 02/06/2024 CRB MINUTES

4:13 PM MOTION: Approve.

MOVED BY: Bonnie Moser

SECONDED BY: Mark Brechbill

Motion approved unanimously.

5. 03/05/2024 CRB MINUTES - INFORMATIONAL ONLY (NO MOTION NEEDED)

COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)

None.

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

None.

*****Recess: 4:14PM*****

CALL TO ORDER HISTORIC PRESERVATION BOARD

4:14 PM

HISTORIC PRESERVATION BOARD

6. WOMAN'S CLUB OF STUART CLUBHOUSE HISTORIC DESIGNATION PETITION FOR LISTING ON STUART HISTORIC REGISTER (RC):

RESOLUTION No. 04-2024 CRB/SHPB; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD/ STUART HISTORIC PRESERVATION BOARD OF THE CITY OF STUART, FLORIDA, APPROVING THE REQUEST FOR CERTIFICATE OF DESIGNATION OF THE WOMAN'S CLUB OF STUART CLUBHOUSE FOR LISTING ON STUART HISTORIC REGISTER, PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Deputy City Clerk, Susej Meleqi swore in three (3) people - Pinal Gandhi-Savdas, CRA Executive Director, Cecilia Lewis, Woman's Club President, and Julie Priest, Historian.

Ms. Priest presented the Historical Designation Petition and explained the building's modifications, and its original structure.

Board Member McChrystal questioned what "integrity of design" was. Ms. Priest responded that the building has not been altered.

Vice Chair Brechbill stated he would like the marker to state the original building was torn down due to a hurricane.

Chair Campenni commended the work the Woman's Club does.

Cecilia Lewis, President of the Woman's Club, presented some facts about the Woman's Club and its relationship with the City. Ms. Lewis also thanked and presented Ms. Priest with an honorary membership.

Board Member McChrystal stated he does not believe that this building checks the boxes off for historic designation.

Board Members continued discussion with City Staff.

4:42 PM MOTION: Approve.

MOVED BY: Mark Brechbill

SECONDED BY: Andy Noble

VOTE: MOTION PASSES 5/1. [Roll Call - 4:55PM]

YES: Tom Campenni, Mark Brechbill, Bonnie Moser, Andy Noble, Aaron Hawkins

NO: Frank McChrystal

ADJOURNMENT

4:56 PM

*****CRB RECONVENED - 4:56 PM*****

ACTION ITEMS

7. MINOR URBAN CODE CONDITIONAL USE - MURALS ON BUILDINGS IN THE DOWNTOWN PUBLIX SHOPPING CENTER LOCATED AT 728 SW FEDERAL HWY (RC):

RESOLUTION No. 02-2024 CRB; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA, GRANTING A MINOR CONDITIONAL USE APPROVAL FOR PUBLIC ARTWORK (MURAL) NAMED "ECOSYSTEM IN STUART" ON A PROPERTY LOCATED AT 728 SW FEDERAL HIGHWAY, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL TO PAINT MURAL ON THE EXTERIOR WALLS OF A BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Ms. Gandhi-Savdas presented the location, the mural, letter of support from The Arts Council, and recommended approval.

Board Members asked if the mural is painted or a wrap, the preservation of the mural, and why an extra permit is needed for the sign if it's being approved with the mural.

Mike Mortell, City Manager, explained why a permit would have to be pulled regardless of the sign being part of the mural's approval.

Chair Campenni would like for an item to come back with details on how to maintain or seal the murals.

5:03 PM MOTION: Approve.

MOVED BY: Mark Brechbill

SECONDED BY: Andy Noble

Motion approved unanimously. [Roll call at 5:08 PM]

8. MURAL MATCHING GRANT AGREEMENT BETWEEN THE CRA AND THE PROPERTY OWNER OF 728 SW FEDERAL HWY (RC):

RESOLUTION No. 06-2024 CRA; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE BOARD CHAIR TO EXECUTE AN AGREEMENT BETWEEN THE STUART COMMUNITY REDEVELOPMENT AGENCY AND BRIXMOR/IA DOWNTOWN PUBLIC LLC, WHO IS THE PROPERTY OWNER, FOR A MURAL MATCHING GRANT IN THE AMOUNT OF \$3,000 TO INSTALL MURALS ON EXTERIOR WALLS OF BUILDINGS IN THE DOWNTOWN PUBLIX SHOPPING CENTER LOCATED AT 728 SW FEDERAL HIGHWAY; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Ms. Gandhi-Savdas presented the budget worksheet and staff recommends the approval to award grant in the amount of \$3,000.00

5:10 PM MOTION: Approve.

MOVED BY: Mark Brechbill

SECONDED BY: Frank McChrystal

Motion approved unanimously.

9. MINOR URBAN CODE CONDITIONAL USE - MURAL ON DEHON BUILDING LOCATED AT 11 SE OSCEOLA STREET (RC):

RESOLUTION No. 03-2024 CRB; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA, GRANTING A MINOR CONDITIONAL USE APPROVAL FOR PUBLIC ARTWORK (MURAL) NAMED "OLD COLORADO INN: THEN & NOW" ON A PROPERTY LOCATED AT 11 SE OSCEOLA STREET, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL TO PAINT A MURAL ON THE EXTERIOR NORTHERN WALL OF A BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Ms. Gandhi-Savdas presented the location, mural, letter of support from The Arts Council, and recommended approval.

Steven Vitale and Chris Vitale, applicant and artist, explained the meaning of the mural.

5:19 PM MOTION: Approve.

MOVED BY: Bonnie Moser

SECONDED BY: Mark Brechbill

Motion approved unanimously.

- 10. MURAL MATCHING GRANT AGREEMENT BETWEEN THE CRA AND PROPERTY OWNER OF 11 SE OSCEOLA STREET (RC):**

RESOLUTION No. 07-2024 CRA; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE BOARD CHAIR TO EXECUTE AN AGREEMENT BETWEEN THE STUART COMMUNITY REDEVELOPMENT AGENCY AND STEVEN VITALI, WHO IS THE PROPERTY OWNER, FOR A MURAL MATCHING GRANT IN THE AMOUNT OF \$3,000 TO INSTALL A MURAL ON THE EXTERIOR NORTHERN WALL OF A BUILDING LOCATED AT 11 SE OSCEOLA STREET; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Ms. Gandhi-Savdas presented the budget worksheet and staff recommends the approval to award grant in the amount of \$3,000.00

5:21 PM MOTION: Approve.

MOVED BY: Mark Brechbill

SECONDED BY: Andy Noble

Motion approved unanimously.

STAFF UPDATE

ADJOURNMENT

5:21 PM

Susej T. Meleqi, Board Secretary

Tom Campenni, Chair

**Minutes to be approved at the CRB
Meeting this 7th day of May, 2024.**

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Community Redevelopment Board**

Meeting Date: 5/7/2024

Prepared by: Pinal Gandhi-Savdas, Jodi Nentwick

Title of Item:

DISCUSSION AND DELIBERATION OF LANDSCAPE CODE REQUIREMENTS OUTLINED IN SECTION 6.04.00 OF THE CITY OF STUART LAND DEVELOPMENT CODE.

Summary Explanation/Background Information on Agenda Request:

The Community Redevelopment Board has requested to review the landscaping requirements outlined in Section 6.04.00 of the City of Stuart Land Development Code.

Funding Source:

N/A

Recommended Action:

Staff is seeking direction from the Community Redevelopment Board on recommendations to amend landscaping requirements outlined in Section 6.04.00 of the City of Stuart Land Development Code.

ATTACHMENTS:

1. Land Development Code Section 6.04.00 Landscaping
2. Comments

6.04.00. LANDSCAPING

- A. *Title.* The provisions of this section 6.04.00 shall be known as the "Stuart Landscape Code" and "landscape code."

Sec. 6.04.01. Applicability of Stuart Landscape Code.

- A. This Stuart Landscape Code applies to new development and to a renovation development for which a building permit has been issued by the city after July 1, 1995. No certificate of occupancy shall be issued for any portion or phase of a new development or a renovation development to which this landscape code applies until all required landscaping has been installed pursuant to the requirements of this landscape code.
- B. This Stuart Landscape Code applies to a vacant development which, as of July 1, 1995, and at any time thereafter, has remained unoccupied continuously for the previous 180 days. This landscape code does not apply to a development for which a building permit was issued prior to July 1, 1995, unless such development becomes a vacant development.
- C. This Stuart Landscape Code applies to all development to which the Stuart Parking Code is applicable beginning July 1, 1995.
- D. This Stuart Landscape Code applies to all landscaping installed on public or private property after July 1, 1995.
- E. All development for which landscaping is required by this Stuart Landscape Code shall comply with the xeriscape requirements set forth below in section 6.04.05 prior to issuance of a certificate of occupancy.
- F. The development design of a renovation development or a vacant development may preclude a literal compliance with all the landscape design, installation and irrigation requirements of this landscape code. In such event, the required landscaping that may be reasonably and economically accommodated at the discretion of the city development director shall be provided.
- G. Activities relating to land clearing shall comply with the requirements of chapter V, Resource Protection Related Development Standards, of this Code.
- H. All landscaping required by this landscape code shall be installed and maintained as required by this landscape code. The failure to do so shall constitute a violation of this landscape code subject to code enforcement procedures and regulations.
- I. The provisions of this landscape code apply to properties within the Urban Code, East Stuart Code, and S.E. Ocean Boulevard Overlay Zone as provided at chapter III of this Code.

Sec. 6.04.02. General provisions.

- A. *Plant material standards.*
1. At least 50 percent of all required landscaping in the form of trees, shrubs, ground cover and grass shall collectively consist of native vegetation. No one species of tree shall exceed 25 percent of the minimum number of trees required. Neither existing trees nor trees in excess of the minimum number required shall be subject to this limitation. The native vegetation shall be selected from the following City of Stuart plant list. This list may be amended as necessary from time to time by resolution:

(Ord. No. 1826-02, § 1, 1-28-02)

a. Shade or Canopy Trees:	
Red Maple	(Acer rubrum)
American Holly	(Ilex opaca)
Southern Magnolia	(Magnolia grandiflora)
Sweet Bay	(Magnolia virginiana)
Red Bay	(Persea borbonia)
Sycamore	(Plantanus occidentalis)
Slash Pine	(Pinus elliottii)
Sweet Gum	(Liquidambar styraciflua)
Live Oak	(Quercus virginiana)
Laurel Oak	(Quercus laurifolia)
Mahogany	(Swietenia mahagoni)
Dahoon Holly	(Ilex cassine)
b. Palms:	
Paurotis Palm	(Acoelorrhaphe wrightii)
Queen Palm ¹	(Arecastrum romanzoffianum)
Chinese Fan Palm ¹	(Livistonia chinensis)
Canary Island Date Palm ¹	(Phoenix canariensis)
Alexander Palm ¹	(Ptychosperma elegans)
MacArthur Palm ¹	(Ptychosperma macarthuri)
Silver Palm	(Coccothrinax argentata)
Mexican Washington Palm ¹	(Washingtonia robusta)
c. Flowering Trees:	
Glaucous Cassia ¹	(Cassia surattensis)
Weeping Bottlebrush ¹	(Callistemon viminalis)
Lemon Bottlebrush ¹	(Callistemon lanceolata)
Queens Crepe Myrtle ¹	(Lagerstromia speciosa)
Paradise Tree	(Simaruba glauca)
Silver Trumpet ¹	(Tabebuia caraiba)
Pink Tab or Trumpet Tree ¹	(Tabebuia heterophylla)
Princess Flower Tree ¹	(Tibouchina grandiflora)
Hong Kong Orchid ¹	(Bauhinia blakeana)
d. Accent Trees:	
Myrsine	(Myrsine guianensis)
Wax Myrtle	(Myrica cerifera)
Anacahuita, White Corda ¹	(Cordia boissieri)
Geiger Tree	(Cordia sebestena)
Yellow Elder	(Tecoma stans)
Cherry Laurel	(Prunus caroliniana)
Frangipani Plumeria ¹	(Plumeria acuminata)
Princess Flower Tree ¹	(Tibouchina grandiflora)
Jamaica Caper	(Capparis cynophallophora)
East Palatka Holly	(Ilex attenuata 'EastPalatka')
Golden Dewdrop	(Duranta repens)
Loblolly Bay	(Gordonia lasianthus)
e. Shrubs:	
Florida Privet	(Forestiera segregata)

Created: 2023-12-22 11:21:11 [EST]

Simpson's Stopper	(Myrcianthes fragrans)
Cocoplum	(Chrysobalanus icaco)
Buttonwood	(Conocarpus erectus)
Silver Buttonwood	(Conocarpus erectus sericeus)
Cherry Laurel	(Prunus caroliniana)
Wax Myrtle	(Myrica cerifera)
Myrsine	(Myrsine guianensis)
Gallberry	(Ilex glabra)
Walter's Virburnum	(Viburnum obovatum)
Firebush	(Hamelia patens)
f. Ground Covers:	
Lantana species	(Lantana spp.)
Coontie	(Zamia floridana)
Blue Eyed Grass	(Sysirinchium)
Cordgrass	(Spartina bakerii)
Erect Swordfern	(Nephrolepis cordifolia)
Beach Sunflower	(Helianthus debilis)
Swamp Fern	Blechnum serrulatum
Swamp Lilly	Crinum americanum
Wild Allamanda	Urechites lutea
Shiny Blueberry	Vaccinium myrsinites
Spider Lily	(Hymenocallis latifolia)
g. Vines:	
Carolina Jessamine	(Glesminum sempervirens)
Trumpet Honeysuckle	(Lonicera sempervirens)
¹ These plant materials shall not count towards the native vegetation requirements of this Code.	

2. Not less than 50 percent of all trees used to meet landscaping requirements shall be shade or canopy trees. Trees shall have a minimum height of 12 feet and a minimum spread of six feet at planting. Palm trees may be substituted for any number of the remaining trees provided that two palm trees shall be counted as one tree. Requirements of shade or canopy trees shall be mitigated when proposed locations will conflict with overhead power lines. Forms of mitigation may include: the replacement of each shade or canopy tree with three small accent trees, the planting of shade or canopy trees at an alternate site as determined by the Stuart Beautification Committee, the requirement of additional existing native trees, or other mitigation methods as determined by the city development director.
3. Plant materials used in conformance with the provisions of this landscape code shall conform to the Standards for Florida No. 1 or better as given in "Grades and Standards for Nursery Plants" Part I and Part II, 1963, State of Florida, Department of Agriculture, Tallahassee. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases. Grass seed shall be delivered to the job site in bags with Florida Department of Agriculture tags attached indicating quality control program.
4. Banyan trees, Ficus trees, and Rubber trees and any other tree species identified by the city development director as likely to cause damage to public roadways, public facilities or building foundations shall not be planted closer than 12 feet thereto unless the tree root system is completely contained within a container or barrier five feet square and five feet deep and for which the construction requirements shall be four inch thick concrete reinforced with #6 road mesh (6 × 6 × 6) or equivalent.

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5. Trees of species whose canopy could be damaged by or could cause damage to overhead power lines shall not be planted closer than a horizontal distance from overhead power lines of 30 feet for large-sized trees and 20 feet for medium-sized trees. Large- and medium-sized trees shall be determined by current Florida Power and Light (FPL) guidelines. Small trees can be planted adjacent to power lines. Palm should be planted at a distance equal to or greater than the average frond length plus two feet from the power lines. Plantings near pad mounted transformers shall not restrict access to or maintenance of the transformer, and a five-foot clearance is recommended. For additional information, contact Florida Power and Light (FPL) for recommended tree lists and setbacks.
 6. Shrubs shall be a minimum of 24 inches in height and have a minimum 12-inch spread or be a three-gallon container size at planting.
 7. Hedges shall be 80 percent opaque within one year thereafter. At planting, hedge shrubs shall be not less than 24 inches in height with an 18-inch spread and shall be "full" specimens, which are fully rooted in three-gallon containers. Hedge shrubs shall be planted 24 inches on center. Unless otherwise specified, hedges shall be maintained at a minimum height of 30 inches.
 8. Vines shall be a minimum of 30 inches in height at planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements. No vines shall be planted within utility easements or within five feet of any existing or proposed utility pole, guy wire or pad-mounted transformer.
 9. Ground cover used in lieu of grass shall be planted so as to present a finished appearance and reasonable complete coverage within three months of installation. All landscaped areas shall be sodded or otherwise covered with ground cover.
 10. Grass areas shall be planted in species locally grown as permanent lawns. Grass areas may be sodded, plugged, sprigged or seeded provided solid sod shall be used in swales or other areas subject to erosion. In areas where solid sod or grass seed is not used, nurse grass seed shall be sown for immediate effect and protection until coverage is otherwise achieved.

B. *Installation.*

1. All required landscaping installed pursuant to this landscape code shall be installed according to accepted good planting practices.
2. Landscaped areas shall be protected from vehicular encroachment by car stops, curbs, or other appropriate means.
3. For a major development, as defined in chapter XII, a registered landscape architect shall inspect and certify that all required landscaping has been installed in accordance with the landscape plan and the requirements of this landscape code. No certificate of occupancy or similar authorization will be issued until the required landscaping has been certified.

C. *Irrigation.*

1. Landscaped areas shall be provided with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition. All irrigation systems shall be designed, installed and maintained in such a manner as not to be a nuisance to adjacent properties and uses and to the general public.
2. Design plans for the irrigation system must be submitted with the required landscape plan for review and approval by the city development department.
3. All irrigation systems shall include a "rain switch" to monitor rain levels and irrigation needs.
4. Xeriscape areas must have a readily available water supply to provide temporary irrigation until plantings are established.

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5. Natural areas and native vegetation left undisturbed by development may be excluded from the irrigation system.

D. *Existing native vegetation.*

1. All native vegetation which is not located in areas requiring their removal as reflected by an approved plan document shall be retained in an undisturbed state as provided in chapter V, Resource Protection Related Development Standards, of this Code.
2. All non-native and nuisance species shall be removed upon development as specified in chapter V, Resource Protection Related Development Standards, of this Code.
3. Existing healthy trees which have a caliper of six-inch DBH, or larger, and which are not an invasive plant species may be credited toward meeting the minimum number of required trees. Areas within a development may be designated as natural vegetation areas where the natural grade and existing native vegetation will remain undisturbed. Trees that are not an invasive plant species which are located in such areas and have a caliper of four inches DBH or larger may be credited toward meeting the minimum number of required trees.

Sec. 6.04.03. Landscape design.

- A. For a major development and minor development, a landscape plan shall be submitted and approved as part of the development approval process and prior to the issuance of a development permit. Landscape plans for a major development shall be prepared by a registered landscape architect. All landscape plans must show the location of existing or proposed utility lines that could be impacted by the vegetation being planted.
- B. Landscape standards.
 1. Not less than 20 percent of the total gross area of a development site shall be landscaped. The landscaped areas shall be located on the site in such manner as to maximize preservation of existing trees with priority given to specimen and/or historic trees as described in chapter V, Resource Protection Related Development Standards, of this Code.
 2. Not less than 50 percent of the required landscaping for a major development shall be interior landscaping as described in subsection 6.04.07 C. of this landscaping code.
 3. Impervious surfaces shall not be placed within five feet of the base of an existing tree to be preserved.
 4. Mulch shall be designed and installed in all planting areas to a depth of two to three inches. The type of mulch shall be specified on the landscape plan.
 5. Not less than 50 percent of a required shoreline protection zone, as defined in chapter XII, shall consist of native vegetation.
 6. In order to allow for flexibility and creativity in design standards, hedges may be replaced or interrupted in areas which provide for a decorative wall and berms and other creative landscape features and landscape materials may be clustered so long as the parking area remains screened from public right-of-way and adjacent private property. Such modification must be approved by the city development director in accordance with site plan review procedures and must be consistent with the intent of this landscape code.
 7. In the event the number of parking spaces to be installed exceeds the minimum number of parking spaces required by the Stuart Parking Code, the required landscaping shall be increased by 100 square feet for each additional parking space. The additional landscaping shall consist of shrubs, ground cover, grass and mulch in accordance with the standards of these regulations. For each additional 500 square

feet of impervious surface or fraction thereof, one shade tree shall be provided in addition to the shrubs, ground cover, grass and mulch.

8. Visibility triangles. All landscaping within a visibility triangle shall provide unobstructed cross-visibility at a level between three feet and six feet and shall comply with the most current edition of the State of Florida DOT Roadway and Traffic Design Standards, Index 546 regarding visibility triangles. Trees or palms having limbs and foliage trimmed in such a manner that no limbs or foliage extend into the cross-visibility area shall be allowed provided the location does not itself create a traffic hazard. Landscaping, except grass or ground cover shall not be located closer than three feet from the edge of any driveway pavement. Refer to Landscape Exhibit D, Visibility Triangle.

Sec. 6.04.04. Maintenance.

A. General.

1. The owner and the lawful occupant of real property landscaped as new development, renovation development or vacant development pursuant to the provisions of this landscape code are each responsible for the maintenance of all such required landscaping in a healthy, growing condition.
2. The owner and the lawful occupant of real property landscaped prior to the effective date of this landscape code are each responsible for the maintenance of all installed landscaping in a healthy, growing condition. The city shall periodically inspect all areas of required landscaping for proper maintenance. Regular maintenance includes irrigation, fertilization, and routine pruning of all trees and shrubs. The owner or lawful occupant of the real property shall be responsible to correct any deficiency reported by inspection within a reasonable time frame. Failure to comply will result in a hearing before the code enforcement magistrate.

(Ord. No. 1826-02, § 1, 1-28-02)

3. Landscaped areas shall be maintained in a neat and orderly appearance and kept free from refuse and debris. All walls and fences shall be maintained in good condition so as to present a neat and orderly appearance and shall be kept free from graffiti.
4. Trees shall be pruned only as necessary to promote healthy growth or to avoid powerlines. Trees shall not be severely pruned or "hatracked" in order to permanently maintain growth at a reduced height. Pruning shall be accomplished in accordance with current applicable National Arborists' Standards and the American National Standards Institute (ANSI) Standard A300 Pruning/Trimming Standards.

- B. *Installation and maintenance guarantee.* Prior to the issuance of a certificate of occupancy for any portion of a new development, renovation development or vacant development landscaped pursuant to the provisions of this landscape code, an installation and maintenance guarantee in a form acceptable to the city development director shall be provided to guarantee the installation and maintenance of the required landscaping and the irrigation system in accordance with the provisions of this landscape code and other applicable ordinances, and as defined in chapter XII of this Code. This guarantee shall list all required landscape materials and shall describe the irrigation system to which it pertains.

Sec. 6.04.05. Xeriscape landscaping.

- A. All development for which landscaping is required by this Code shall comply with the xeriscape requirements set forth below prior to issuance of a certificate of occupancy. For a development for which a landscape plan is required prior to issuance of a building permit, the selected design options and the accompanying points necessary to meet the following xeriscape requirements shall be clearly tabulated on the landscape plan.

- B. To obtain a development permit, an applicant shall attain a minimum of 50 points from the following table of design options. As used in the table, "list" means the list of drought tolerant species set forth in the most current South Florida Water Management District's Waterwise, South Florida Landscapes, Landscaping to Promote Water Conservation Using the Principles of Xeriscape™. A copy of the guide is available for public inspection and copying at the office of the city development department.
- C. Design options:

Option		Points
1	Utilization of moisture sensing controller other than rain switch	5
2	Plan submitted with low, moderate and high water usage zones indicated on the landscape plan	5
3	Grass:	
	25%—50% of the grass areas are made up of drought tolerant grass species from the list	5
	51% or more of the grass areas are made up of drought tolerant grass species from the list	10
4	Shrubs:	
	25%—50% of the required shrubs are made up of drought tolerant species from the list	5
	51% or more of the required shrubs are made up of drought tolerant species from the list	10
5	Trees:	
	25%—50% of the required trees are made up of drought tolerant species from the list	5
	51% or more of the required trees are made up of drought tolerant species from the list	10
6	Extra shade trees in vehicular use areas:	
	25% more than the required shade trees planted in the vehicular use area	5
	50% more than the required shade trees planted in the vehicular use area	10
7	Sod area less than 50% of landscape area	10
8	Utilization of compacted mulched (use of cypress mulch not recommended in order to protect natural cypress wetlands) planting beds at least three inches deep in all planted areas except ground cover	10

(Ord. No. 1284-93, § 6.06.03.E., 4-26-93; Ord. No. 1417-95, 7-1-95)

Sec. 6.04.06. Land use transitions and landscape buffers.

The character and aesthetics of residential neighborhoods are of special interest to the city because they provide a quality of living that makes Stuart a vibrant community. It is necessary to protect and buffer these residential neighborhoods from adverse impacts from neighboring non-residential uses and multi-family residential uses. The following regulations are intended to assist in providing a subtle transition between residential uses and neighboring non-residential uses and multi-family residential uses.

A. Applicability.

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(Supp. No. 15)

1. *Types of development.* The "transitional regulations" set forth in this section 6.04.06 apply to an application for new development, renovation development, and vacant development as those terms are defined in chapter XII of this Code.
2. *Development incompatibility.* Specifically, these transitional regulations apply to an application for non-residential development approval and to an application for single-family or multi-family residential development approval on property adjacent to an existing residential use or an adjacent residential zoning district. These regulations do not apply, however, to a proposed non-residential use adjacent to an existing non-residential use in the "R-3" residential zoning district.
3. *Conflicts.* In the event of a conflict between a transitional regulation in this section 6.04.06 and the requirements set forth in chapter III of this Code, the chapter III requirements shall prevail. Otherwise, in the event of a conflict between any transitional regulations in this section 6.04.06 and other Code sections, the transitional regulation shall prevail.

B. *Transitional regulations.*

As used herein, the term "common boundary" means the common boundary of the proposed non-residential or multi-family use and the adjacent residential use or residential zoning district. As used herein, the terms "buffer" and "buffer screen" are defined in chapter XII of this Code.

1. Except as modified below, buffer width requirements for one-story developments, including parking lots, shall be:

Type of Use	Abutting Single-Family Use or Zone		Abutting Two-family or Multi-Family Use or Zone	
	Side Yard (ft.)	Rear Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
Multi-Family, 0.5 acre or less	25	25	15	20
Multi-family, other	25	25	25	25
Commercial and other non-residential	25	25	25	25
Industrial	30	30	30	30

(Ord. No. 1453-96, 6-1-96)

2. The modification to the above buffer requirements are as follows:
 - a. For multi-story developments, the buffer width is an additional ten feet for each upper story.
 - b. A buffer of not less than 15 feet in width shall be provided along the common boundary between the side and rear of any proposed use and a residential use or residential zoning district that is separated by a street, road, or other right-of-way of less than 100 feet in width.
 - c. For sites with no native vegetation, the side and rear landscape strip shall be at least 25 feet in depth and planted with native vegetation, in accordance with section 5.04.02.A.4 of this Code.
3. The following modifications to the above buffer requirements apply to "R-3" zoning district:

-
- a. The "commercial and other non-residential" side yard buffer width for an "abutting multi-family use or zone" property which is undeveloped and zoned "R-3" residential district shall be 15 and not 25 feet.
 - b. In the "R-3" residential district, the side yard buffer between proposed and existing non-residential uses shall be 12.5 feet instead of 25 feet.

(Ord. No. 1687-99, 8-9-99)

- c. A buffer of not less than 15 feet in width shall be provided along the common boundary between a proposed non-residential use in the "R-3" residential zoning district and adjacent undeveloped property in the "R-3" residential zoning district.
- 4. *Buffer use.* No structures, mechanical equipment, trash receptacles, parking areas, or internal driveways shall be located in the common boundary buffer within 15 feet of the property line.
- 5. *Buffer materials.* The following buffer landscape requirements shall apply, however, not less than one tree shall be planted every 30 linear feet of the common boundary.
 - a. A buffer shall consist of landscaping to include a landscape screen.
 - b. A buffer shall include a buffer screen the width of which is 25 percent of the width of the required buffer. The buffer screen shall include a six-foot high wall or fence with five-foot wide landscape area located along the property line. Where a proposed non-residential development will abut a residential development, the five-foot wide landscape area shall be located outside the six-foot high wall or fence.
 - c. A fence or wall included in a buffer screen shall be constructed with the side of the fence or wall with the finished appearance facing the use of lesser intensity.
 - d. An opening through a buffer area may be provided to facilitate pedestrian or vehicular traffic between developments subject to the approval of the city development director; however, no parking spaces shall be located within the buffer.

(Ord. No. 1453-96, 6-1-96)

- e. Excluding the buffer screen area, a dry retention area may be located in a buffer. Existing plant material within a dry retention area shall not be credited toward meeting the landscape requirements of this landscape code.

Refer to Landscaping Exhibit B, Typical Buffers.

Sec. 6.04.07. Parking areas for multi-family and all non-residential developments.

- A. *Parking area landscaping adjacent to streets.* On the site of a multi-family or a non-residential development which includes a parking area not entirely screened visually by an intervening building from abutting streets, landscaping shall be installed as follows:
 - 1. A landscaped strip of land not less than ten feet in width shall be located between the parking area and the abutting street.
 - 2. The landscaping provided within the landscaped strip shall include:
 - a. One tree for every 30 linear feet of required landscape strip planted singly or in clusters, not be more than 50 feet apart, located between the common lot line and the parking area; and
 - b. A hedge, wall, berm or other durable landscape barrier placed along the outside perimeter of the strip adjacent to right-of-way; and

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(Supp. No. 15)

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- c. Other landscaping, such as shrubs or vines, planted five feet on-center along the street side of a wall; and
 - d. Grass, ground cover, or other landscape treatment.
 3. Shrubs comprising a hedge shall be planted in the landscaped strip at 24 to 30 inches on-center.
 4. Not less than 25 percent of the strip shall be ground cover.
 5. Property located between the strip and parking area shall also be landscaped with grass or other ground cover at a minimum.

Refer to Landscaping Exhibit C, Example of Commercial Development.

B. *Adjacent to private property.* On the site of a multi-family or a non-residential development which includes a parking area not entirely screened visually by an intervening building from abutting private property, landscaping shall be installed as follows:

1. A landscaped strip of land not less than five feet in width shall be located between the parking area and the abutting private property.
2. The landscaping provided within the landscaped strip shall include:
 - a. One tree for every 30 linear feet of required landscape strip planted singly or in clusters, not be more than 50 feet apart, located between the common lot line and the abutting private property; and
 - b. A hedge, wall, berm or other durable landscape barrier placed along the outside perimeter of the strip adjacent to property line; and
 - c. Other landscaping, such as shrubs or vines, planted five feet on-center along the street side of a wall; and
 - d. Grass, ground cover, or other landscape treatment.
3. Shrubs comprising a hedge shall be planted in the landscaped strip at 24 to 30 inches on-center.
4. Not less than 25 percent of the strip shall be ground cover.
5. Property located between the strip and parking area shall also be landscaped with grass or other ground cover at a minimum.

C. *Parking area interior landscaping.*

1. For a major development, not less than 50 percent of the required landscaping shall be interior landscaping exclusive of required buffer. Interior landscaping shall be located around the periphery of structures and interspersed throughout parking areas.
2. A landscaped area not less than five feet wide, consisting primarily of shrubbery, shall be provided along the sides of the building which abut a parking area. A landscaped area not less than two feet in width shall be provided along the sides and rear of a building where abutting an on-site service or access driveway. The landscaping located along the sides and rear of buildings which abut a parking area or driveways shall include a hedge, one tree for every 30 linear feet, and ground cover. This landscaping may be clustered to allow for creativity and flexibility in design with the approval of the city development director.
3. Interior landscaping shall include not less than one tree for every 500 square feet or fraction thereof of interior landscaped area. Interior landscaped areas shall be located in such a manner as to divide and break up the expanse of paving.

(Ord. No. 1453-96, 6-1-96)

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(Supp. No. 15)

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4. Vehicles may not encroach more than two feet into any interior landscaped area. Two feet of said landscaped area may be part of the required depth of each abutting parking space.
 5. Interior landscaped islands shall be provided between every ten parking spaces. Each interior island shall be not less than six feet in width. Each interior island shall contain not less than one shade tree and a combination of shrubs, ground cover, grass, and mulch. Any hedge materials located within an interior landscaped island shall be maintained at a height of not more than 24 inches.
 6. Terminal landscaped islands shall be provided at the end of each parking row. Full terminal landscaped islands shall be not less than ten feet in width and two parking spaces in length. Other terminal landscaped islands shall be not less than ten feet in width and one parking space in length. The length of these islands may be five feet less than the required parking space length. Each terminal island shall contain not less than one shade tree per 18 feet in length and a combination of shrubs, ground cover, grass and mulch.
 7. Interior landscaped medians shall be provided between every interior row of parking spaces and not less than six feet in width. Interior medians shall be landscaped with not less than one shade tree every 20 linear feet thereof planted singly or in clusters provided that no trees shall be located more than 50 feet apart and a combination of shrubs, ground cover, grass and mulch. Trees shall be planted between parking spaces as shown on Landscaping Exhibit C, Example of Commercial Development. Any hedge materials located within an interior landscaped median shall be maintained at a height of not more than 24 inches.
 8. Not less than 50 percent of trees used in parking area interior landscaping shall be shade trees.
 9. Interior landscaped islands may be used for surface water storage under the following conditions:
 - a) Such islands shall be not less than ten feet in width.
 - b) The slope of the median shall not exceed 4:1, and no median shall be more than 1½ feet below the top of the pavement of the parking area.
 - c) Medians utilized for surface water storage shall be curbed with six-inch curbs with openings spaced to alleviate erosion of the island or median. Openings shall have erosion protection (i.e., concrete flumes with energy dissipators) installed from the top of the pavement of the parking area to the bottom of the swale.
 - d) If the median is designed for transmission of stormwater, the median shall contain raised inlets to provide retention; however, no organic mulch or small-leaf trees shall be permitted within the island or median.
 - e) Tree species planted in the median shall be proven adaptable to standing water.Otherwise, interior and terminal landscaped islands and medians shall not be utilized for surface water storage and shall be filled or crowned.
 10. Underground parking structures and multi-level parking structures shall have a landscaped buffer 20 feet in width on the front lot line. The landscaped buffer shall be measured at right angles to the property line unless a wider area is specified as part of the district regulations.

Refer to Landscaping Exhibit C, Example of Commercial Development.

Sec. 6.04.08. Development landscaping requirements.

- A. *Single-family and two-family development.* Single-family and two-family development either newly constructed or renovated at a cost of \$15,000.00 or more shall include one existing or planted tree for every

3,000 square feet of lot area or fraction thereof and per dwelling unit. At least one tree shall be located in the front yard and at least one tree shall be located in the rear yard. Trees shall be shown on a site plan.

B. *Multi-family residential development.*

1. Multi-family development shall provide a landscaped strip of land of not less than ten feet in width between the building walls and parking areas. Landscape materials shall be provided as follows:
 - a. The greater of one tree for every 20 linear feet of required landscape perimeter area, or one tree for every 200 square feet of planting area or a major portion thereof, with no less than 50 percent being shade trees, located between the building walls and parking areas; and
 - b. A hedge or other durable landscape barrier not less than three feet in height at installation placed in a continuous manner along the building walls.
2. A landscaped strip of land not less than ten feet in depth shall be located between the abutting right-of-way and parking areas. Landscape materials shall be provided as follows:
 - a. The greater of one tree for every 25 linear feet of required landscape perimeter area, or one tree for every 250 square feet of planting area or major portion thereof, with no less than 75 percent being shade trees, located between the abutting right-of-way and parking area; and
 - b. A hedge, wall, berm or other durable landscape barrier not less than three feet in height at installation placed in a continuous manner along the building walls; and
 - c. A combination of grass, ground cover, or other landscape treatment excluding paving which covers the remainder of the landscaped strip.
3. All property excluding the required landscape strip lying between the building and parking area and between the right-of-way and parking area shall be landscaped with grass or other ground cover.
4. Multi-family residential development shall provide not less than one tree for each 1,500 square feet, or fraction thereof, of development site.
5. Not less than 20 percent of the development site shall be landscaped.

Refer to Landscaping Exhibit E, Example of Multi-Family Development.

- C. *Commercial and other non-residential development.* A commercial or other non-residential development being either new development, renovation development, or vacant development shall include one existing or planted tree for every 2,500 square feet, or fraction thereof, of the development site. Not less than 20 percent of the development site shall be landscaped.
- D. *Large-Scale Commercial Development (LCD).* An LCD which requires more than 200 parking spaces shall include a landscape strip with a landscape berm between the parking area and the fronting street of a width of not less than 20 feet. The height of the berm shall be lowered at driveway entrances to accommodate a monument sign and to promote vehicle safety. All trees to be located within this strip shall be not less than 16 feet high at installation with a spread of six feet. Required landscape materials, including shrubs, may be clustered along said landscape berm.

Sec. 6.04.09. Variance appeal to board of adjustment.

A variance appeal to landscape code is forth in section 8.07.00.

Sec. 6.04.10. Loading, storage, mechanical equipment, solid waste disposal facilities and other service function areas.

- A. *Purpose and intent.* The negative visual impacts of service function areas within commercial and non-residential development that may detract or affect the streetscape, landscape or the overall community image shall be minimized.
- B. *Buffering and screening.* Loading areas or docks, outdoor storage, trash collection, mechanical equipment, trash compaction, truck parking, recycling, rooftop equipment and other service function areas shall be fully screened and out of view from adjacent properties at ground view level when located along primary facades or within view of public rights-of-way or residentially zoned properties.
- C. *Materials and design.* Screening materials for and the design of service function areas shall be consistent with design treatment of the primary facades of commercial or non-residential development including its landscaping.

EXHIBIT A

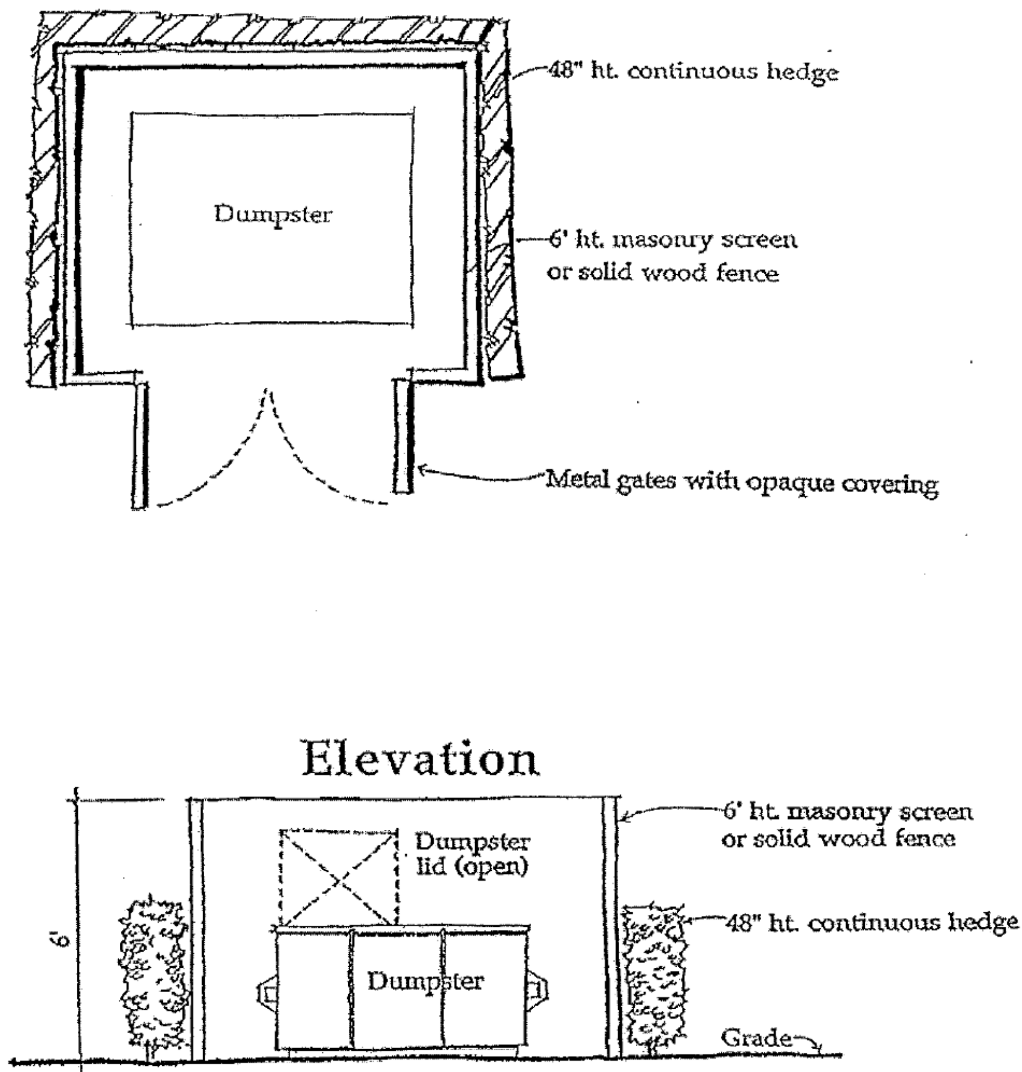


EXHIBIT B

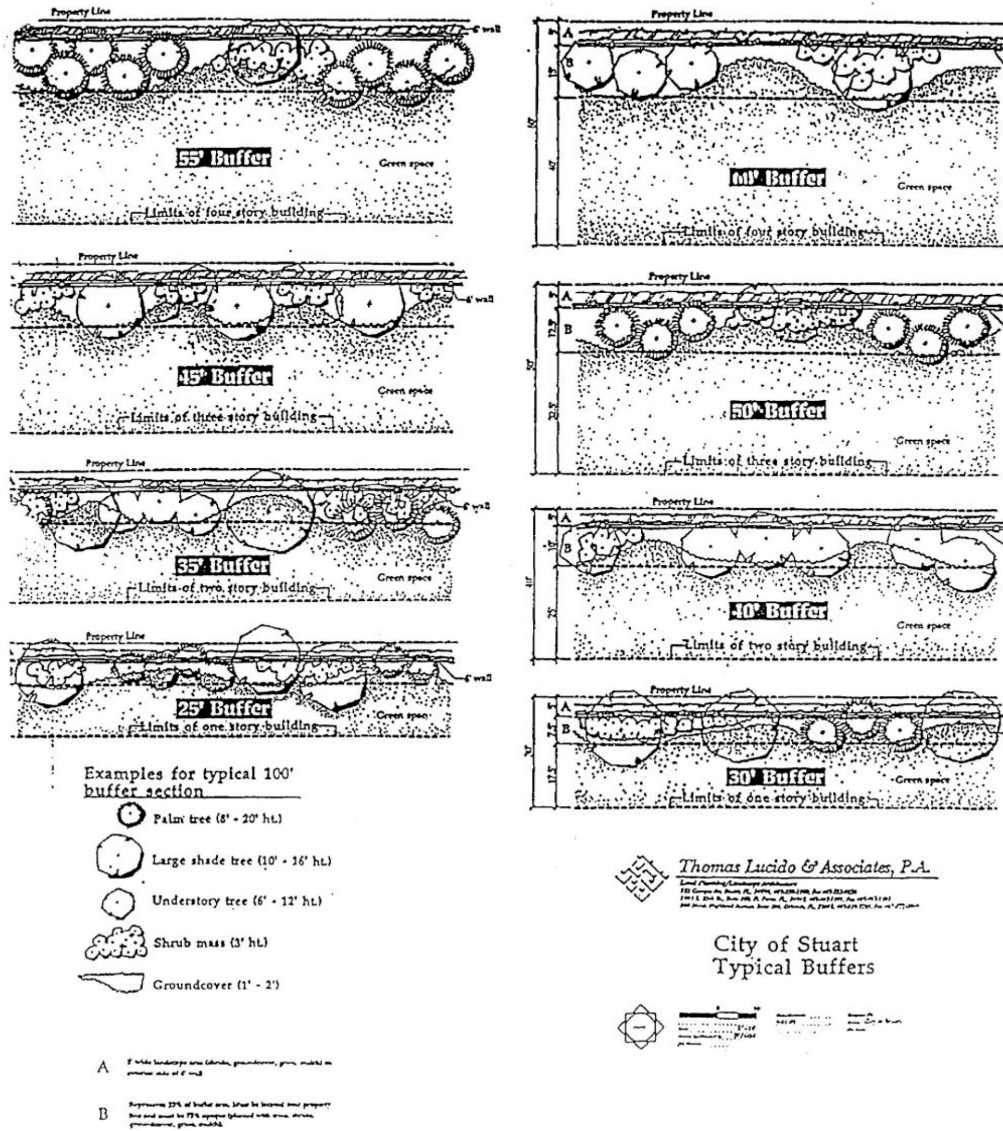


EXHIBIT C

Terminal Island (shrub, groundcover, grass, & mulch)

Commercial Building

Dumpster (see exhibit)

1 tree per terminal island

5' wide landscape area

5' min.

Hedge (12" hl., planted 24" o.c.)

Trees 30' o.c.

Groundcover (planted along 25% of)

Interior median trees 25' o.c.

Edge of parking area

Trees adjacent to ROW 30' o.c.

Groundcover (planted along 25% of total LF)

Hedge (12" hl., planted 24" o.c.)

ROW

Access Drive

12' min.

Then 30' o.c.

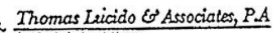
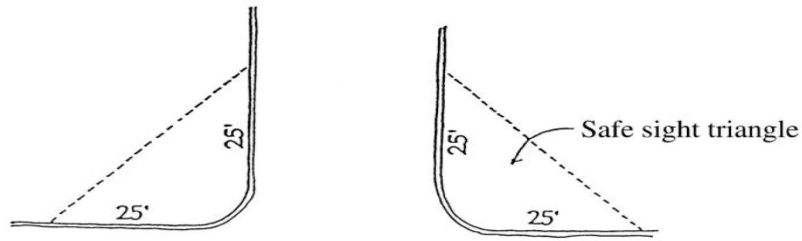
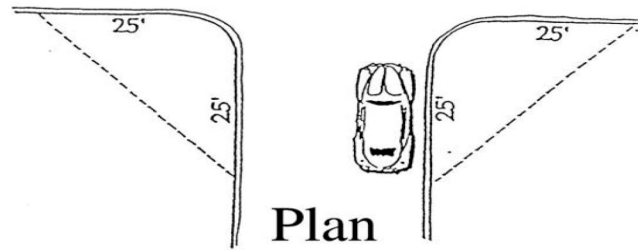


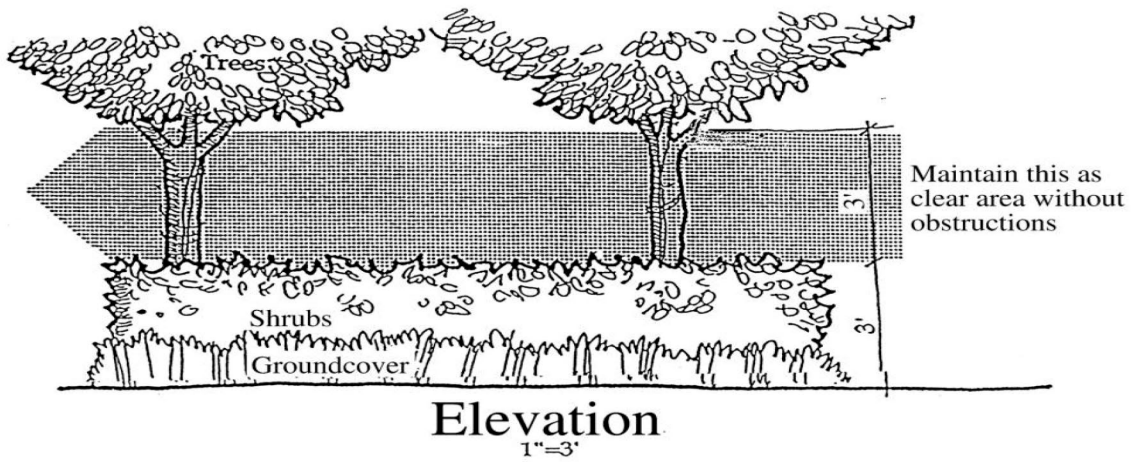
EXHIBIT D



Roadway

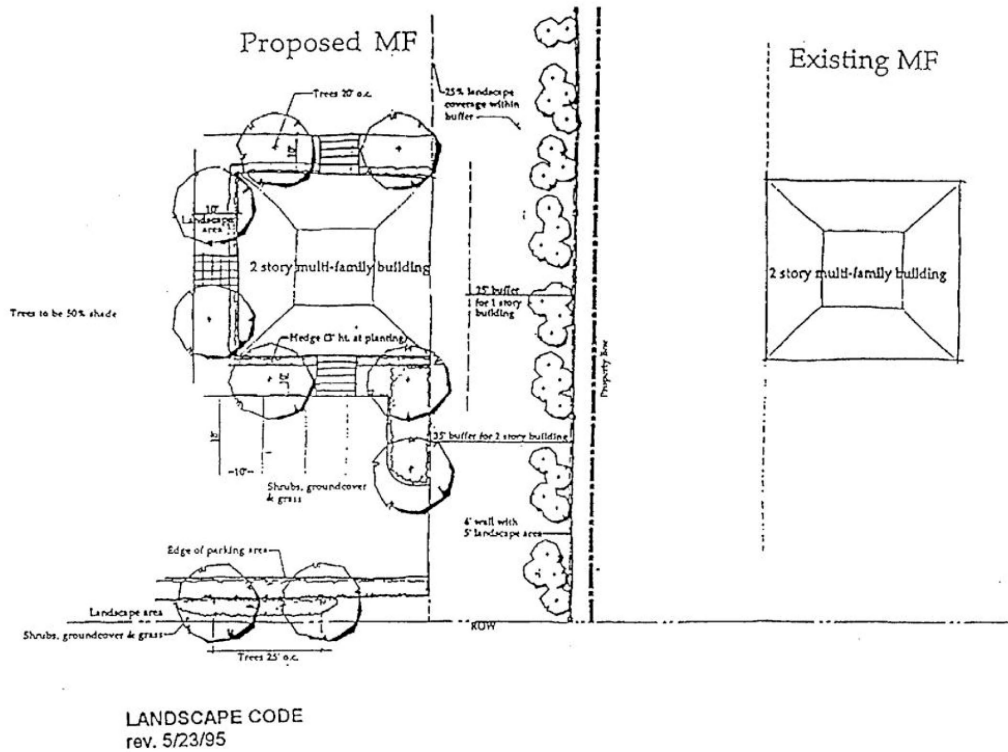


Plan
1"=20'



Elevation
1"=3'

EXHIBIT E



Thomas Lucido & Associates, P.A.
 Land Planning & Landscape Architecture
 133 Commerce Ave., Suite 200, Fort Lauderdale, FL 33304-4000
 Tel: 1-800-441-1111, Fax: 1-800-441-1112, Tel: 954-561-1111, Fax: 954-561-1112
 400 South Broward Blvd., Suite 200, Fort Lauderdale, FL 33304, Tel: 954-561-1111, Fax: 954-561-1112

City of Stuart
 Landscape Specifications
 MF adjacent to MF

Comments from Nik Schroth – 01/10/24

Create some sort of mechanism whereby the health of the site/landscaping etc., is more than just the plan, i.e. if the mitigation was 100 inches and the replacement was 250 inches as long as the inches are there the Landscape Plan doesn't need to be strictly adhered to, as long as the inches are there.

Comments from Bonnie Moser – 02/03/24

1. Some species listed in the shade tree section are not actually considered to have a shade canopy. Either their shape or size of varieties wouldn't be effective. American Holly, Dahoon Holly and Magnolia are three that I would recommend having a landscape architect review for potential new recommendations.
2. (page 5 of 10) Who is enforcing the 2-year survival requirement? Are there any requirements for developments to have a long-term landscape management plan? I ask because sometimes tree plants are designed to provide immediate shade with mass planting and then intended to be pruned/thinned as plantings mature.
3. Generally, I would recommend having a landscape architect review and update the codes, particularly to incorporate LID and stormwater treatment guidance as well as to review plant materials.