



AGENDA
STUART COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION
BOARD
TO BE HELD MARCH 5, 2019 AT 4:00 PM

121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD

Chairman - Chris Lewis
Vice Chairman - Frank Wacha
Board Member - Drew Pittman
Board Member - Tom Campenni
Board Member - Pete Walson
Board Member - Cristina Maldonado
Board Member - Nathan Ritchey

ADMINISTRATIVE

Development Director, Kev Freeman
CRA Administrator, Pinal Gandhi-Savdas
Board Secretary, Michelle Vicat

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 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.

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of CRB Minutes

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (5 min. max)

COMMENTS FROM THE BOARD MEMBERS

COMMUNITY REDEVELOPMENT BOARD

1. Appointment of Community Redevelopment Board Liaison to Stuart Main Street
2. Ordinance No. 2403-2019 Land Development Code Amendment to East Stuart Code Districts

OTHER MATTERS BEFORE THE BOARD

HISTORIC PRESERVATION BOARD MATTERS

STAFF UPDATE

ADJOURNMENT

UPCOMING MEETINGS and EVENTS

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CRB/HPB Board**

Meeting Date:3/5/2019

Prepared by:Michelle Vicat

Title of Item:

Approval of CRB Minutes

Summary Explanation/Background Information on Agenda Request:

Approval of February 5, 2019 CRB Minutes

Funding Source:

N/A

Recommended Action:

Approve

ATTACHMENTS:

Description	Upload Date	Type
▣ CRB Minutes	2/26/2019	Cover Memo



MINUTES

**COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION BOARD
FEBRUARY 5, 2019 AT 4:00PM
CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

COMMUNITY REDEVELOPMENT BOARD MEMBERS

**Chair – Chris Lewis
Vice Chair – Frank Wacha
Board Member – Drew Pittman
Board Member – Tom Campenni
Board Member – Pete Walson
Board Member – Nathan Ritchey
Board Member – Cristina Maldonado**

ADMINISTRATIVE

**Development Director, Kev Freeman
Assistant to the City Manager, Pinal Gandhi-Savdas
Board Secretary, Michelle Vicat**

CALL TO ORDER  4:00 PM

ROLL CALL  4:00 PM Roll Call.

Present: Cristina Maldonado, Pete Walson, Frank Wacha, Drew Pittman, Chris Lewis, Tom Campenni, Nathan Ritchey

Absent: Drew Pittman

BOARD REORGANIZATION

Tom Campenni nominated Chris Lewis as Chair, seconded by Frank Wacha, motion approved unanimously

Tom Campenni nominated Frank Wacha as Vice Chair, seconded by Pete Walson, motion approved unanimously

APPROVAL OF MINUTES

 4:04 PM **Motion: Action:** Approve, **Moved by** Tom Campenni, **Seconded by** Pete Walson. Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max): None

COMMENTS FROM THE BOARD MEMBERS: None

OTHER MATTERS BEFORE THE BOARD

1. R16-2019: Northpoint Major Urban Conditional Use - North Stuart Acquisition and Development

PRESENTATION: Stephen Mayer, Senior Planner
Richard Geisinger, Applicant

COMMENTS FROM THE PUBLIC: None

COMMENTS FROM THE BOARD MEMBERS

Cristina Maldonado asked if there would be two restaurants.

Richard Geisinger said there would be, but one is a tiny burger shack.

Tom Campenni asked what the difference was between the original RFQ and this proposal and thought it important that they conform to the RFQ.

Richard Geisinger said the restaurant grew a bit and they are not asking for approvals on the smaller piece.

Tom Campenni said there are 18 spaces that the city was going to benefit from asked if they were putting in the docks.

Joe Capra, Captec Engineering said they provided more parking as public parking than what was in the original and thought it was 62 spaces.

Cristina Maldonado asked why they are exceeding the height limit.

Richard Geisinger said because the railroad is next door, they wanted to put the parking at the elevation that was below the railroad and they went up from there and it's a combination of expense and need for office space.

Mike Mortell, City Attorney explained city code relating to height.

Nathan Ritchey asked how far along he is in acquiring the additional piece and how will it change things.

Richard Geisinger said they are working on it after they close and also working on an element for a water taxi.

Chris Lewis asked about the issue with the sidewalks.

Richard Geisinger said it was a 6 foot sidewalk now and thought an 8 foot was very large and would create other problems but they would work with staff.

Chris Lewis asked staff why the 8 foot sidewalk.

Stephen Mayer said they had clear instruction from the commission that they wanted 8 foot sidewalks.

Tom Campenni asked Mike Mortell if they approved it, would it go to commission.

Mike Mortell said they make a recommendation and it would go to commission.

Frank Wacha asked how they were dealing with the drainage.

Joe Capra said it's an exfiltration system and described how it would work and said the owner would be responsible for cleaning that.

Pete Walson asked how long this has been in process.

Mike Mortell said this RFP was done in 2017 and Mr. Geisinger's was the only response received and it was approved in November 2017 and then a few extensions were submitted and then the proposal was received.

Tom Campenni said he was concerned that they may not build what they are presenting.

Richard Geisinger said that what they saw is what they are going to build and they may bring in an additional plan if they can purchase the additional piece.

Frank Wacha said he was coming over the bridge and saw an osprey eating a fish and asked that they create a cupola for the ospreys.

 **4:50 PM Motion: Action: Approve, Moved by Tom Campenni, Seconded by Frank Wacha. Motion passed unanimously accepting all conditions including a maintenance schedule for the drainage that will be submitted by Joe Capra.**

Richard Geisinger said the way the dock language is written is that it was for the public and the purpose of the docks is threefold: some for the executives, some for the restaurant and taxi and some for the public and this needs to be rewritten and the attorney can work on rewording condition 13 regarding the docks.

Stephen Mayer said it is just something that needs to be wordsmithed.

Richard Geisinger then brought up the public art condition and asked for clarification.

Stephen Mayer clarified the public art condition.

2. Downtown Stuart Wayfinding Signage Program 5:03 PM

PRESENTATION: Pinal Gandhi-Savdas, CRA Administrator

COMMENTS FROM THE PUBLIC (5 min. max):

Paul Skyers asked if they could make accommodations for the event based businesses that occur at different times of the year.

COMMENTS FROM THE BOARD MEMBERS

Tom Campenni asked who is running the program, collecting the fees and putting up the signs and what is wrong with how it's run now. He asked why they DBA couldn't run it.

Pinal Gandhi-Savdas said the CRA is running it, Finance is collecting the fees and Public Works is putting up the signs.

Tom Campenni asked why the city is getting into the sign business.

Mike Mortell described the reason it was implemented and said he didn't think the DBA would do it.

Nathan Ritchey thought they were overcomplicating this and asked if it was just directional.

Pete Walson agreed with Nathan and thought they were overcomplicating things and thought the city should use some of the signs for parking, restrooms etc.

Tom Campenni said he was voting against this.

 **5:22 PM Motion: Action: Approve, Moved by Pete Walson, Seconded by Nathan Ritchey approved 5/1 with Tom Campenni dissenting,**

3. Community Redevelopment Agency Annual Report 2018

PRESENTATION: Pinal Gandhi-Savdas, CRA Administrator

COMMENTS FROM THE PUBLIC (5 min. max): None

COMMENTS FROM THE BOARD MEMBERS

Pete Walson said they had a long discussion about approving \$7000 and they have \$614,000 in streetscape improvements that were approved with little discussion.

Tom Campenni pointed out the date 2017 that should be 2018.

Pinal Gandhi-Savdas said she would correct that.

 **5:32 PM Motion: Action: Approve, Moved by Tom Campenni, Seconded by Pete Walson. Motion passed unanimously.**

4. Presentation of proposed amendments to section 2.04.00 of the City of Stuart Land Development Code that would establish the Urban Planned Unit Development (UPUD) and East Stuart Planned Unit Development (ESPUD) zoning categories

PRESENTATION: Pinal Gandhi-Savdas, CRA Administrator

COMMENTS FROM THE BOARD MEMBERS

Pete Walson said it made more sense to him when they gave him the overview of what they were trying to accomplish instead of trying to read the agenda.

Tom Campenni said he liked everything they've done but if they cut up a lot into three parcels will there be unity of title and said the whole idea was to build smaller cottages but they don't want someone coming in from out of town putting five cottages on a lot and renting them out and asked if they could address that when this was being developed. He said he would like to see an owner live on the property to keep it in the family.

Pete Walson thought the biggest input should come from the people that own the land.

Tom Campenni said staff has been going to the East Stuart meetings and working with the neighborhood and said his comments were because he didn't want them to create slums; he wanted them to create homes.

Frank Wacha clarified that they were bringing back design standards next month and he was all in favor of this.

Nathan Ritchey said he has a manual he can share on pocket neighborhoods.

Pete Walson said he thought they shouldn't ask the owners to live on the properties because he didn't think they would and suggested landscaped, foliated neighborhoods.

Nathan Ritchey asked if this would cover granny flats.

Pinal Gandhi-Savdas said it would.

Pete Walson asked staff to look into a conflict between landscape size and monument signs because the landscaping is covering the monument sign at ABC Liquors.

Mike Mortell said he would look into the exposure.

COMMENTS FROM THE PUBLIC (5 min. max):

Betty Brinkley who lives in the East Stuart Community said they want to leave their set up as it is. She said she attends the East Stuart Partnership Meeting and the people who attend the meeting are not from East Stuart.

Pete Walson suggested they run the meetings through a church instead of the East Stuart Partnership and in Pittsburgh they made the people come to the meeting.

HISTORIC PRESERVATION BOARD MATTERS: None



5:50 PM **Motion: Action:** Adjourn, **Moved by** Frank Wacha, **Seconded by** Pete Walson. Motion passed unanimously.

APPROVED

RESPECTFULLY SUBMITTED

Chris Lewis, Chair

Michelle Vicat, Board Secretary

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 3/5/2019

Prepared by: Pinal Gandhi-Savdas

Title of Item:

STUART MAIN STREET APPOINTMENT

Summary Explanation/Background Information on Agenda Request:

Board member Chris Lewis previously served as a CRB liaison to Stuart Main Street. Chris is now unable to attend Stuart Main Street meetings so the board need to appoint a CRB member as a non-voting ex-officio board member to Stuart Main Street.

See Article V, Section 1 of attached Stuart Main Street by-laws.

Funding Source:

N/A

Recommended Action:

Motion to appoint CRB member as a non-voting ex-officio board member to Stuart Main Street.

ATTACHMENTS:

Description	Upload Date	Type
□ Stuart Main Street By-laws	2/21/2019	Backup Material

|
BYLAWS OF THE
STUART MAIN STREET ASSOCIATION, INC.
Revised March 13, 2018

ARTICLE I – Name, Offices, Seal and Area

Section I – Name

This organization is incorporated under the Laws of the State of Florida and shall be known, as Stuart Main Street Association, Inc.

Section II – Offices

The principal office of the Corporation shall be Stuart, Martin County, Florida. The Corporation may also have offices at such other places as the Board of Directors may from time to time appoint or the purposes of the Corporation may require. The Corporation's mailing address is Post Office Box 3035, Stuart, FL 34994.

Section III- Area

The geographic area of responsibility of the corporation shall be that geographic area indicated on the attached map [Exhibit A] and in the applications for designation as a Florida Main Street on file with Florida Main Street Program Office of the Bureau of Historic Preservation, Division of Historical Resources, Florida Department of State. The area boundaries may be changed from time to time at the discretion of the Board of Directors with a revised map being prepared reflecting such changes. The revised map shall be provided to the state office listed above.

ARTICLE II – Purpose

Section I – Purpose

A. Vision Statement

Stuart Main Street envisions a vibrant, sustainable Historic Downtown Stuart for residents, businesses and visitors. Embracing the future while preserving the past, the Historic Downtown is a center for community life in Stuart and the larger surrounding community and home to an active spirit of civic pride and entrepreneurship, public and private sector cooperation, and the community's historical and cultural heritage.

B. Mission Statement

Stuart Main Street uses the Main Street Four Point Approach[®] to create and promote a positive downtown experience for residents, businesses, and visitors. Specifically Stuart Main Street works to:

- Build community consensus and use resources collaboratively;
- Maintain a distinctive appearance in keeping with downtown's Old Florida charm;
- Stabilize the economic environment, strengthening and retaining existing businesses and filling vacancies;
- and, Market a positive image of the downtown through advertising, public relations and digital media, and retail and special events.

C. Goal

The goal of this organization is to promote downtown redevelopment in the City of Stuart, within the context of historic preservation utilizing the four point "Main Street" approach, while preserving the character and "small town" atmosphere of historic Stuart, in accordance with our exempt purpose as outlined in our application for exempt status under Internal Revenue Code Section 501(a), as amended from time to time. As such, no part of the net earnings of the Corporation shall inure to the benefit of any of its members or any other individual; and the Corporation shall not participate in, or intervene in, any political campaign on behalf of any candidate for public office or receive, administer and distribute funds in connection with any activities related to the above purposes.

Section II – Intent

It is the intent of the Corporation to qualify as, a nonprofit, tax-exempt entity, pursuant to Section 501 (c) (3) of the Internal Revenue Code of 1954, as now or hereafter amended. In order to affect such intent, no part of the net earnings of the Corporation shall inure, to the benefit of any of its members or any other individual; and the Corporation shall not participate in, or intervene in, any political campaign on behalf of any candidate for public office.

Section III – Dissolution and Residual Assets

Upon dissolution of the Corporation, the residual assets of the Corporation shall be distributed to a private, nonprofit corporation, of similar purposes, which is an exempt organization as described in Section 501 (c) (3) of the Internal Revenue Code of 1954 or corresponding sections of any prior or future law, selection of which corporation may be designated prior to dissolution.

ARTICLE III – General Membership

Section I – GENERAL MEMBERSHIP

The membership of Stuart Main Street shall be open to any individual that wishes to participate in or otherwise support the activities of Stuart Main Street.

Section II – Dues

The Board of Directors shall establish annual dues as it deems appropriate. Such establishment of dues shall include method of payment and application procedure.

Section III – Qualifications

Any business, organization, or individual interested in supporting the purposes of Stuart Main Street may become a member by filing an application in such form as the Board of Directors shall prescribe and subject to the payment of such dues as the Board of Directors may establish.

Section IV – Voting

In any proceeding in which voting by members is called for by the Board of Directors, each member is entitled to one vote. In such case and only in such case shall the result of the voting be binding upon the Board of Directors.

ARTICLE IV – General Membership Meetings

Section I – Annual Meetings

An Annual General Membership Meeting of Stuart Main Street shall be held in the first quarter of the fiscal year. The time and place shall be fixed by the Board of Directors.

Section II – General Meetings

General meetings may be called by the Executive Committee.

Section III – Special Meetings

Special meetings of members shall be called by the Executive Committee or written request of at least 3 directors or within thirty (30) days after receipt of written request of not less than fifteen percent (15%) of the general membership.

Section IV – Meeting Notice

Written notice of every meeting of the membership shall be given not less than ten (10) days before the date of the meeting. Publication according to the law for publication of legal notices in newspapers or email to the last known email address shall constitute due written notice. Attendance of a member at a membership meeting shall constitute a waiver of notice of such meeting or manner in which it has been called or convened, except when a member attends a meeting solely for the purpose of stating, at the beginning of the meeting, any such objections to the transaction of any business. Other interested parties shall be given such notice of meetings, as the Board of Directors shall deem appropriate.

Section V – Quorum

At any duly called general meeting of Main Street, 10% of the members shall constitute a quorum: at Board meetings, a majority of Directors shall constitute a quorum: at committee meetings, a majority shall constitute a quorum except when a committee consists of more than nine (9) members. In that case, five (5) shall constitute a quorum.

ARTICLE V – Board of Directors

Section I – Composition of the Board

The Board of Directors shall consist at a minimum of nine (9) persons with a maximum of 15. The number of directors may be either increased or decreased by the Board of Directors at any regular or special meeting, or by a vote of 2/3 of the directors at any regular or special meeting thereof but shall never be less than three (3). Board Members shall be elected for a term of one year. Each Director shall hold office for a term of one year and shall be eligible for reelection provided all requirements of the position have been met for the preceding year.

The Board of Directors may at its sole discretion elect to have Non-Voting Ex-Officio members and Advisory Members (to be seated by a majority vote) as it deems prudent to maintain a liaison with other governmental agencies and public awareness groups; their term is to be determined by board action.

Section II – Selection and Election of Directors

A. Nominating Committee.

At a regular Board Meeting in the fourth quarter of the fiscal year, the President for the coming year shall appoint a nominating committee of three members, one of which must be a Board Member, and one of which must be the Executive Director. The committee shall meet in the fourth quarter, and whenever there is a vacancy on the board.

The Nominating Committee is the organization's most important committee assignment.

In going about its task, the Committee is asked to be sensitive to geographic representation within the district and to be guided by the principle set forth in the Main Street program to the effect that each Board Member should have at least one of the three W's: Wisdom, Wealth, or Work. The future of the organization rests with how well the Nominating Committee pursues its responsibility.

B. Slate.

The Nominating Committee shall in 30 days or less, provide a slate of candidates to the incoming President to fill the upcoming vacancies. In addition, in the event of a board or executive committee vacancy that may occur during the year, the Nominating Committee shall within 30 days of the vacancy nominate an eligible candidate(s) for the position.

C. Eligibility.

Each candidate must be a qualified member and must have agreed to accept the responsibility of an active and committed directorship. Candidates must be members, associates, or employees of members or associates. In the event the recommended slate is not approved the Nominating Committee shall in 30 days or less provide a new slate of candidates to the incoming President.

D. Notice of Nomination.

Nominations to the Board shall be made by the Nominating Committee, and elected by the Board of Directors at the next regular board meeting.

E. Nominations by Petition.

Additional candidates for Directors can be nominated by Petition bearing the genuine signature of at least five qualified members. Such Petition shall be filed with the Manager within ten days after notice has been given of the names of those nominated by slate. The determination of the Nominating Committee as to the legality of the Petition(s) shall be final.

F. Election without Petition.

If no Petition is filed within the designated period, the nominations shall be closed and the slate of nominees shall be declared elected by the Board of Directors at the last board meeting in the fourth quarter of the fiscal year.

G. Election with Petition.

If a legal Petition nominates additional candidates, the names of all candidates shall be arranged on a ballot in alphabetical, order. Each member will be instructed to cast the number of votes equivalent to the number of vacancies that will occur at the end of the calendar year. The Manager shall mail this ballot to all Members at least twenty days before the last Board meeting in the fourth quarter of the fiscal year. The ballots shall be returned to the Manager five days before the last Board meeting in the fourth quarter of the fiscal year. The Board of Directors shall declare at the last Board in the fourth quarter

of the fiscal year meeting the vacancies to be filled by the candidates with the greatest number of votes.

Section III – Seating of New Directors

All newly elected Board members shall take office at the first Regular Board meeting in each fiscal year or upon approval by the Board of Directors.

Section IV – Meetings

The Board of Directors shall meet monthly. Special meetings of the Board may be called by the President or by four or more Directors.

Section V – Meeting By Conference Telephone or Video

Members of the Board of Directors may participate in special meetings of the Board of Directors by means of conference telephone- e-mail or video conference. Minutes of the special meeting shall be kept and presented at the next Board of Directors regular or special meeting for approval.

Section VI – Quorum

A majority of the directors present shall constitute a quorum for the transaction of business. If a quorum shall not be present at any meeting of the Board, the Directors may choose to adjourn or continue the meeting, as long as no motions are voted on.

Section VII – Orientation Program & Main Street 101 Training

All new members of the Board of Directors shall participate in an orientation program familiarizing them with the goals and objectives of Stuart Main Street and their responsibilities, and attend the Main Street 101 Training or a training program presented by a qualified instructor using the Main Street 101 training material within 12 months of assuming office. Non-compliance shall be grounds for dismissal from the Board of Directors.

Section VIII – Vacancies for Lack of Attendance

A member of the Board who is absent from three consecutive regular meetings, or who at any time during the fiscal year has not attended at least two-thirds of all meetings of the Board, shall provide a written explanation and statement of intent to remain on the board to the President for review by the Executive Committee. The Executive Committee shall make a recommendation of whether the Board Member shall continue on the Board. The Board of Directors shall vote on that recommendation at its next regular scheduled Board meeting.

Section IX – Policy

The policy-making responsibility of the corporation shall be vested in the Board of Directors, which shall control its property, be responsible for its finances, and direct its affairs.

ARTICLE VI – Officers

Section I – Election of Officers

The officers of the corporation shall be elected annually by the last regular meeting of the fiscal year by the Board of Directors and shall consist of a President, Vice President/President Elect, a Secretary, a Treasurer and such other officers and assistant officers as may be deemed necessary.

Section II – Term of Office

The term of office for all selected officers shall be for one year, beginning January first.

Section III – Duties of Officers

A. President.

The President shall preside at all business meetings but may at his or her discretion or at the suggestion of the Directors arrange for another officer to preside at other meetings. The President shall perform such duties as are usually incumbent upon that officer and such as may be directed by resolution of the Board of Directors.

B. Vice President/President Elect.

In the absence of the President, the Vice President shall preside at all business meetings. The Vice President shall also have such duties and responsibilities as the President or Board of Directors may from time to time prescribe.

C. Secretary.

The Secretary shall record the Minutes of all meetings. All records and correspondence of the Corporation shall be maintained in good order by the Executive Director and shall be housed at the Main Street office. The Secretary shall also have such other duties as may be assigned by the membership or the Board of Directors.

D. Treasurer.

The Treasurer shall maintain in good order all financial records of the Corporation. The Treasurer shall also have such other duties as may be assigned by the membership, the Board of Directors, or these bylaws.

E. Immediate Past President.

The Immediate Past President shall serve as a Director and a member of the Executive

Committee and shall act in an advisory capacity to the President and to the Board of Directors.

ARTICLE VII – Executive Director

Section I – Management

The Board of Directors shall, employ a Main Street Executive Director who shall be the chief administrative officer and carry out the work of the Corporation in accordance with the policies of, the Board of Directors. The President in conjunction with the Executive Committee will prepare a written annual employee evaluation of the Executive Director. These evaluations will be shared with the Executive Director and used as the basis of an evaluation prepared by the Executive Committee for review and action by the Board of Directors. This evaluation will be completed in the last quarter of the fiscal year.

Section II – Duties

The Stuart Main Street Association Executive Director shall be a nonvoting member of the Board of Directors and shall be present at all meetings of the Board of Directors except when excused by the Board. The Main Street Executive Director shall manage the daily operations of the Corporation. The Main Street Executive Director shall be responsible for coordinating the implementation of the Corporation's policies and projects and such other duties as the Board of Directors, may require. The Main Street Executive Director shall receive for his or her services such compensation as may be determined by the Board of Directors. The Main Street Executive Director shall prepare all reports required by the Florida Main Street Coordinator and submit them to the Board of Directors prior to their transmission to the State.

ARTICLE VIII – Committees

Section I – Executive Committee

The Executive Committee shall consist of the President, Vice President/President Elect, Treasurer, Secretary, the Immediate Past President, and the Chairperson(s) of the National Main Street Four Point Committees. A majority of the members present shall constitute a quorum.

The purpose of the Executive Committee is to identify topics for consideration by the Board of Directors and conduct any business of the Board of Directors that may require action before the convening of the next regular Board of Directors meeting. The Executive Committee will report its activities to the Board of Directors no later than the next scheduled Board Meeting and any

actions authorized by the Executive Committee shall be presented at the next Board of Directors regular or special meeting for approval.

Vacancies shall be filled in accordance with Article V Section II Selection and Election of Directors.

Section II – Standing Committees

The Corporation shall have four (4) standing committees corresponding to the Main Street America Four Point Approach committees.

The Chairperson of each committee shall be responsible for directing and coordinating the affairs of the committee. The committee Chairpersons shall be appointed by the incoming President with Ratification by the Board by the last regular meeting of the fiscal year. Terms of the committee Chairpersons shall be for one year for the same period as Officers of the Corporation, notwithstanding Board can remove committee Chairperson at any time.

Section III – Additional Committees

The Executive Committee may appoint additional committees to address needs as they arise.

Section IV – Limitation of Authority

No action by any member, committee, director, or officer shall be binding upon or constitute an expression of the policy of the corporation until it shall have been approved or ratified by the Board of Directors.

Section V – Quorum

A majority of the members of a committee shall constitute a quorum.

Section VI – Annual Work Plan

Each Standing Committee Chairperson shall propose a work plan for the coming fiscal year and submit it to the Board of Directors by the board meeting of the first month of the fourth quarter of the fiscal year. The proposed budget, with any revisions made during the review process, shall be adopted by the Board no later than the last Board meeting of the fiscal year. Once approved, each Standing Committee Chairperson shall maintain the annual work plan for the committee and its subcommittees, which will be reviewed by the Board Directors monthly. The work program will contain budget information to be used in preparing the Main Street annual budget.

ARTICLE IX – Finances

Section I – Funds

All moneys paid to the Corporation, shall be placed in such general operating funds as may be designated by the Board of Directors from time to time.

Section II – Disbursement

Upon approval of the budget, the Executive Director shall authorize disbursements on accounts and expenses provided for in the budget without additional approval of the Board. Disbursement shall be made by the Financial Administrator. In the case of disbursements over \$5,000.00, two authorized account signors are required.

Section III – Fiscal Year

The fiscal year of the corporation shall close on December 31.

Section IV – Budget

The Treasurer, with input from all Board Committees and the Main Street Executive Director shall propose a budget for the coming fiscal year and submit it to the Board of Directors by the Board Meeting in the first month of the fourth quarter of the fiscal year. The proposed budget, with any revisions made during the budget review process, shall be adopted by the Board no later than the last Board Meeting of the fiscal year. The document budget format will use a chart of accounts that provide sufficient detail to enable the Board and Committee Chairpersons to evaluate Main Street's progress against approved expenditures and actual revenues totaled by tasks, projects, and programs. The budget will provide Line Item Estimated Revenues and Line Item Estimated Appropriations. A written explanation of changes from the past year's approved budget shall also be provided with the purposed budget. Any amendments to the approved budget will be presented in writing by the Treasurer for approval by the Board of Directors.

Section V – Monthly Financial Report

At monthly Board meetings, the Treasurer shall present a financial report showing data on actual revenue, expenditures, and comparisons of budget year to date vs. approved budget.

Section VI – Annual Financial Summary

Not later than three months after the close of each fiscal year, the Treasurer shall prepare or cause to be prepared:

- A. A balance sheet showing in "accepted accounting" details the financial condition of the Corporation at the close of the last fiscal year.

- B. An income statement showing the source and application of funds of the Corporation during the last fiscal year.

Section VII – Finance Committee

The Executive Committee shall recommend and the Board approve Finance Committee members for the coming fiscal year by the last meeting of the fiscal year to take office January first.

The Finance Committee shall consist of at least three members, one of which must be a Board member, and none of which can be a current or prior President, or Treasurer, nor any bookkeeper or authorized check signer for the Organization. However, the Treasurer will attend all meetings of the Finance Committee in an informational capacity.

This committee will meet monthly if possible in person or by phone or email to review the financial records and reports of the Organization and will report either in writing or verbally on such to the Board at the monthly Board Meeting.

Notwithstanding this provision, the Board may call for an immediate review of the records and written report any time they feel such action is required.

In addition, this committee will meet annually to review the books, records, and bank accounts of the Organization to determine if they have been handled in accordance with prescribed Board policies, and good business practices. The Finance Committee will provide a written report to the Board with their findings, and a recommendation of any further action to be taken by the Board. Such action may include further review by the Committee, or an independent CPA, or any other action deemed appropriate by the Board.

Notwithstanding this provision, the Board may call for an annual audit or a special audit at any time they feel such action is required.

ARTICLE X – Insurance

Section I – General Liability Insurance

General Liability Insurance, an all-risk insurance policy that usually covers bodily injury or property damage caused by the insured to a third party, including bodily injury or property damage arising in connection with losses caused by the insured's operations. This insurance also provides liability coverage for bodily injury and property damage for the insured's products. A General Liability Insurance Policy shall be maintained in force and effect as long as Stuart Main Street conducts business.

The Main Street Executive Director shall obtain quotes and the Board of Directors shall approve purchasing a General Liability Insurance Policy to protect board and staff and thereby indirectly protecting the corporation that might have to indemnify them in limit amount to be set by the Board of Directors.

Section II – Directors’ & Officers’ Liability Insurance (D&O)

D&O policies provide coverage for costs and expenses that board members, trustees, officers, employees, and volunteers may incur as a result of claims brought in connection with their service to the organization, as well as for expenses that the organization may incur to indemnify these individuals against such claims. D&O policies issued to a not-for-profit organization also may provide coverage for certain claims made directly against the organization. These policies typically cover claims made against the insured and reported to the insurance company while the policies are in force.

The Main Street Executive Director shall obtain quotes and the Board Approve purchasing D&O Insurance to protect board and staff and thereby indirectly protecting the corporation that might have to indemnify them in a limit amount to be set by the Board of Directors.

ARTICLE XI (Formerly ARTICLE X) – Amendments

Section I – Revisions

The Board of Directors shall have the power to alter, amend or repeal the Bylaws or adopt new Bylaws by a two-thirds vote of the Directors present at any duly called meeting of the Board, provided that no such action shall be taken if it would in any way adversely affect the Corporation's qualifications under Section 501 (c) (3) of the Internal Revenue Code of 1954 or corresponding sections of any prior or future law.

“New amendments shall supersede and null and void any and all previous amendments.”

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 3/5/2019

Prepared by: Pinal Gandhi-Savdas

Title of Item:

Discuss Proposed Land Development Code Amendment to the East Stuart Code District.

ORDINANCE NUMBER 2403-2019; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE EXISTING SECTION OF CHAPTER III ENTITLED “3.02.00 EAST STUART CODE” AND CREATING HOUSING TYPES AND BUILDING DESIGN STANDARDS; PROVIDING 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 Development Department staff held two meetings in East Stuart to get direct input from the East Stuart neighborhood and changes they want to see in their neighborhood. The community strongly expressed the need for additional affordable housing units and variety of housing choices for all income levels. The community also desire for outside space through building architectural features such as the front porch, stoop or common open space to enable social interaction with neighbors. By encouraging compact and mixed-use development, the neighborhood will continue to identify itself as a walkable neighborhood while preserving neighborhood's character.

Staff is proposing the following text amendments to the City of Stuart Land Development Code related to the East Stuart Code District:

- Consolidated multiple tables for development standards into single table so it's easier to read.
- Consolidated permitted uses into single table to allow mixed-use neighborhood where people can live, work, play and shop in one place and less dependence of cars.
- Allow opportunities for infill and redevelopment to occur by providing flexibility in regulations.
- Reduction in setbacks for compact development.
- Allow opportunities for variety of housing types to meet diverse housing needs of residents from all income levels.
- Provide design standards for single-family/duplex residential and commercial, office, mixed-use and multi-family developments.
- Ensure requirements are consistent with the City's Comprehensive Plan.
- Miscellaneous code fixes identified by staff.
- Address minor deficiencies in the code.

Please note the information in the margins in the attached ordinance for clarification and explanation for the proposed amendments.

Funding Source:

N/A

Recommended Action:

Discussion and Deliberation by the CRB.

ATTACHMENTS:

Description

Upload Date

Type

▢	Ordinance No. 2403-2019 LDC Amendments East Stuart Code District	2/26/2019	Ordinance add to Y drive
▢	East Stuart Vacant Lots	2/25/2019	Backup Material
▢	East Stuart Charrette Report Excerpt	2/25/2019	Backup Material



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

ORDINANCE NUMBER 2403-2019

**AN ORDINANCE OF THE CITY OF STUART, FLORIDA,
AMENDING THE EXISTING SECTION OF CHAPTER III
ENTITLED "3.02.00 EAST STUART CODE" AND CREATING
HOUSING TYPES AND BUILDING DESIGN STANDARDS;
PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE,
AND FOR OTHER PURPOSES.**

* * * * *

WHEREAS, by Ordinance No. 2326-2016, the Stuart City Commission last amendment and restated its Land Development Code on June 27, 2016; and

WHEREAS, the purpose of the amendments to provide opportunities for a variety of housing types at a range of price levels to meet the diverse housing needs; to provide building design standards for quality of developments; to preserve the historic character of the neighborhood; to reorganize the code for ease of use and clarity; and to address minor deficiencies and conflicts in the code; and

WHEREAS, the Land Planning Agency reviewed the proposed amendments to the Land Development Code at a public hearing on _____, and

WHEREAS, the City Commission duly scheduled, advertised, and held a public hearing on _____, to consider this ordinance and provide for full public participation in the Land Development Code amendment process.

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

SECTION 1: The Stuart Land Development Code is hereby amended as follows:

CHAPTER III
SPECIAL ZONING CODES
3.02.00
EAST STUART CODE

- Sec. 3.02.01. Area defined.
- Sec. 3.02.02. East Stuart District.
- Sec. 3.02.03. Generally.
- Sec. 3.02.04. Administration, enforcement, procedures and penalties.
- Sec. 3.02.05. Development standards and permitted uses for the East Stuart District.
- Sec. 3.02.06. Determining density for a single-family residence.
- Sec. 3.02.07. Backyard cottages.
- Sec. 3.02.08. Minimum single-family and duplex residential design standards.
- Sec. 3.02.09. Live-work Units.
- Sec. 3.02.10. Pocket Neighborhood Developments (PNDs)
- Sec. 3.02.11. Commercial, office, and mixed-use development design standards.
- Sec. 3.02.12. Multi-family development design standards.
- Sec. 3.02.~~06~~13. Additional development standards.
- Sec. 3.02.~~07~~14. Uses prohibited in the East Stuart District.
- Sec. 3.02.~~08~~15. Density.
- Sec. 3.02.~~09~~16. Landscaping.
- Sec. 3.02.~~10~~17. Architectural character.
- Sec. 3.02.~~11~~18. Signage.
- Sec. 3.02.~~12~~19. Replication of historic buildings.
- Sec. 3.02.~~13~~20. Re-construction of grandfathered business.
- Sec. 3.02.~~14~~21. East Stuart District conditional uses.
- Sec. 3.02.22. East Stuart Planned Unit Development (ESPUD)

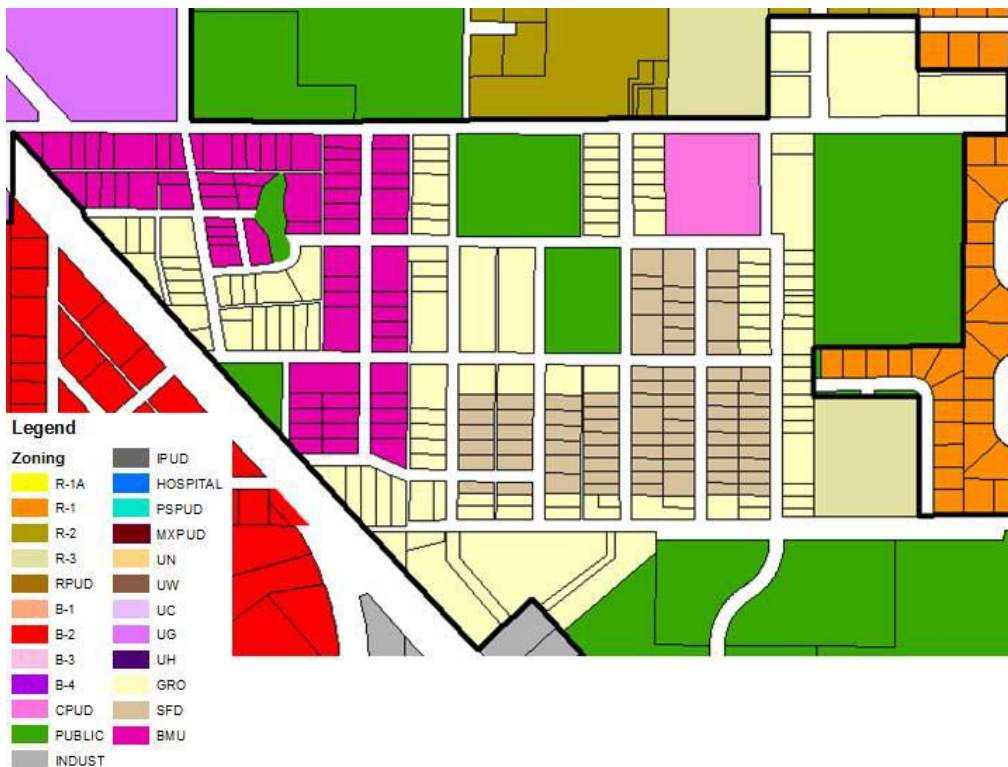
CHAPTER III
SPECIAL ZONING CODES

3.02.00. EAST STUART CODE

Sec. 3.02.01. Area defined.

The East Stuart Code District shall be that geographical area of the City of Stuart as encompassed by the following general description, and more fully described in the City of Stuart Community Redevelopment Plan, dated August 2010:

THE AREA BOUNDED BY MARTIN LUTHER KING, JR. BOULEVARD (FORMERLY KNOWN AS 7TH STREET) TO THE NORTH; THOSE PROPERTIES LOCATED NORTH OF AND CONTIGUOUS TO MARTIN LUTHER KING, JR, BEING LOTS 1-6, BLK 8, , LOTS 1-12, BLK 7, STYPMANN PARK FIRST ADDITION, AND LOTS 15-20, BLK 4, STYPMANN PARK SECOND ADDITION; SE TARPON AVENUE TO THE EAST, INCLUDING THOSE PROPERTIES LOCATED EAST OF AND CONTIGUOUS TO SE TARPON AVENUE; 10TH STREET TO THE SOUTH, AND SR A1A TO THE WEST, PLUS THE PRIVATE PROPERTY FRONTING THE SOUTH SIDE OF 10TH STREET.



Sec. 3.02.02. East Stuart Code District.

- A. *Title.* The provisions of this section shall be known as the “East Stuart Code District”.

Sec. 3.02.03. Generally.

- A. *Intent.* The purpose of this Code is to encourage redevelopment, in-fill development, small business development, affordable housing, historic preservation and restoration, and to promote stability within the East Stuart community by providing standards and development incentives that are not otherwise available. This Code provides

development incentives, allows for the replication of historic buildings and calls for historically relevant, durable construction which is harmonious with the architectural heritage of East Stuart.

- B. *The East Stuart Code District.* There is hereby established within the City of Stuart the "East Stuart Code District." The boundaries of the district are set forth in Exhibit 3.01.07.04.
- C. *Applicability.* The provisions of this Code shall apply to development within the East Stuart Code District. The standards and regulations set forth ~~at section 3.02.05~~ below shall apply to new development, and to substantial renovation. The architectural criteria at section 3.02.0917 below shall apply to new development, to substantial renovation, and to exterior renovation that affects more than 50 percent of the facade of a building. All major development shall adhere to the site design qualitative development standards outlined in section 6.00.04.
- D. *Effective date.* The provisions of this Code shall apply to all development within the East Stuart Code District for which a complete application for a development permit pursuant to submittal requirements of plan document as defined in Chapter XI of this Code has not been filed with the city development department on or before December 12, 2005.
- E. *Non-conforming uses.* Non-conforming uses created by the adoption of this Code shall be deemed legal non-conforming uses subject to the provisions of section 8.03.00 of this Code.

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.04. Administration, enforcement, procedures and penalties.

- A. *Administration.* The provisions of this Code shall be administered and enforced by the city development director whose duties shall include receiving and reviewing building permit and other land development permit applications, assisting applicants in procedures required hereunder, making decisions regarding the application of the East Stuart District to particular properties, inspecting premises, and issuing permits and certificates of occupancy. Nothing in this Code is intended to conflict with the building codes of the city.
- B. *Application permits.* No building or other land development permit shall be issued by the city development director unless all provisions of this Code have been met, including approved exceptions, based on the development review and approval process.
- C. *Procedures for application.*
 - 1. *Pre-application conference.* Before beginning any new development, substantial renovation, renovation development, renovation, or demolition on private or public land, applicants are encouraged to schedule a pre-application conference with the city development department to determine the applicability of this Code. Pre-application conferences shall be mandatory for projects requiring major site plan approval as defined herein.

2. *Preliminary development review.* After the pre-application conference, a preliminary design review may be requested by the city development director to include a conceptual site plan and floor plans, and elevations. A non-binding preliminary written response of the city development director may be requested by the applicant.
 3. *Application.* After the pre-application conference and preliminary design review if any, an application for development shall be submitted to the city development department in accordance with this Code. Except as modified herein, applications for development permits, excluding interior tenant finishes, within the East Stuart Code District shall meet the submittal requirements of plan document as defined in Chapter XI of this Code. Completed applications shall include a general vicinity or location map, legal description, map of vegetative cover, proposed development activities and design, building plans, front, rear, and side architectural elevations, floor elevations, documentation related to streets, parking, and loading; tree removal and protection, landscaping, signs, and any other documentation as required by the city development director in order to demonstrate compliance with this Code.
- D. *Major development projects.* Major development projects, as defined by this Code, shall be subject to the major development plan approval process described in section 11.01.01.
- E. *Violations and remedies.* It shall be unlawful and a violation of this Code for any person to construct, renovate or remodel a building within the East Stuart Code District except in compliance with the provisions of this Code. A violation of this Code shall be deemed a zoning violation. In such event the city development director may initiate code enforcement proceedings to compel compliance. The city commission may initiate appropriate civil proceedings including, but not limited to, a declaratory action, injunction action and mandamus action to compel compliance.

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.05. Development standards and permitted uses for the East Stuart Code District.

The current characteristics and desired development pattern of the three sub-districts are broadly described below: following sub-districts are intended to regulate building placement, building height, parking, architectural character, outbuildings, signage, and curb cuts, etc. within each respective sub-district. The requirements vary according to the desired type and intensity of development. Three sub-districts are described below:

Business and mixed-use sub-district (BMU). The BMU sub-district encompasses East Stuart's traditional business area, abutting the south side of Martin Luther King Jr. Boulevard adjacent to Central and East Avenues. The area is currently characterized by several vacant parcels, a few scattered single-family and multi-family residences and a small number of businesses. The desired development pattern is limited business and office uses along with mixed used occupancies combining residential and non-residential uses. The area does not allow for single-family residences or duplexes. A greater intensity of development is envisioned in the BMU sub-district than in any other area of the East Stuart Code District. Mixed use building with pedestrian-scaled retail and restaurants on the first floor and create housing choices with upper floor apartments is desired along Martin Luther King Jr. Boulevard. The

desired development pattern in other areas of BMU sub-district is compact walkable mixed-use neighborhood with variety of housing choices and non-commercial uses where services and facilities are conveniently available to reduce automobile dependence and improve the quality of life for residents.

General residential and office sub-district (GRO). The GRO sub-district is spread across the East Stuart community and is generally characterized by a mix of single-family residences, duplexes and multi-family apartments. ~~The area permits non-residential uses, including professional offices, but does not accommodate retail or service related businesses. The desired development pattern in GRO is a mix of housing types combined with low intensity non-residential uses.~~ The desired development pattern in GRO sub-district is compact walkable mixed-use neighborhood with variety of housing choices and non-commercial uses where services and facilities are conveniently available to reduce automobile dependence and improve the quality of life for residents.

Single-family and duplex sub-district (SFD). The SFD sub-district, at the center of the East Stuart community, is characterized mainly by single-family and duplex homes. ~~The area permits limited non-residential uses, such as home occupational licenses, but generally prohibits business activities. The desired development pattern in the SFD sub-district is low-density residential.~~ The desired development pattern in the SFD sub-district is compact, mixed uses to create a variety of housing choices including single-family home, backyard cottages, duplex, live/work units, multi-family dwelling units, residential combined with non-residential, and pocket neighborhood developments in close proximity to goods and services.

A. The following development standards shall apply to each respective East Stuart sub-districts.

<u>Zoning Sub district</u>		<u>BMU</u>	<u>GRO</u>	<u>SFD</u>
<u>Design Standards</u>				
<u>Max Density</u>		<u>17 DUA</u>	<u>17 DUA</u>	<u>Up to 17 DUA</u>
<u>Minimum Lot Size</u>		<u>None</u>	<u>None</u>	<u>None</u>
<u>Minimum Lot Width</u>		<u>None</u>	<u>None</u>	<u>None</u>
<u>Minimum Building Setbacks:</u>				
	<u>Front</u>	<u>Zero feet (build-to-line) for parcels fronting MLK Jr. Blvd, SE Central Ave and SE East Ave¹ and 10 feet minimum for all other parcels.</u>	<u>10 feet</u>	<u>10 feet</u>
	<u>Side</u>	<u>5 feet for one and two story buildings and 10' for three story buildings²</u>	<u>5 feet for one and two story buildings and 10' for three story buildings²</u>	<u>5 feet for one and two story buildings</u>
	<u>Rear</u>	<u>15 feet</u>	<u>15 feet</u>	<u>15 Feet</u>
<u>Impervious Surface Area</u>		<u>No impervious surface coverage requirements. However, all developments shall comply with section</u>	<u>Up to 65%³</u>	<u>Up to 65%³</u>

Comment [PGS1]: Consolidated multiples tables for zoning standards for sub-districts into single table so it's easier to read.

Comment [PGS2]: Consistent with Comp Plan

Comment [PGS3]: Reduced front setback from 15' to 10' to allow space in the rear for backyard cottages and consistent with urban districts setbacks.

Comment [PGS4]: Reduced rear setback from 20' to 15' to allow space in the rear for backyard cottages and consistent with urban districts setbacks.

	<u>6.03.00 "Stormwater Management."</u>		
<u>Maximum Stories</u>	<u>Up to 3⁴</u>	<u>Up to 3⁴</u>	<u>Up to 2</u>
<u>Maximum Height</u>	<u>Up to 35 feet</u>	<u>Up to 35 feet</u>	<u>Up to 25 feet</u>

¹ The eave of roof structure may project no more than two feet into the public right-of-way.

² One story buildings shall not exceed 12 feet in height. Two story buildings shall not exceed 25 feet in height. Three story buildings shall not exceed 35 feet in height.

³ May exceed 65 percent by East Stuart Code district conditional use. The applicant must show either that the soils of the site can be proven to accommodate the additional runoff via soil boring tests by a registered professional engineer, or (a) The runoff created by the additional coverage will be retained on-site via retention facilities for a ten-year, three-day storm event for lots which are not more than one acre and for a 25-year, three-day event for lots which are one acre or greater in area; and (b) Retention areas will not be located above drain fields; and (c) Retention areas shall be not more than two feet deep unless a professional engineer certifies the appropriate plans and installation; and (d) All improvements will show compliance with section 6.03.00, Stormwater Management of this Code.

⁴ If 25 percent or more of the building is residential, a fourth floor may be permitted by East Stuart Code district conditional use or by East Stuart Planned Unit Development (ESPUD). The maximum building height for a four-story building is 45 feet. Greater setbacks may be required as a condition of approving a fourth floor.

~~B.A Business and mixed-use sub-district (BMU). The following development standards shall apply in the BMU sub-district.~~

TABLE INSET:

DESIGN STANDARDS	PERMITTED
Maximum density	Up to 1715 units per acre; Up to 30 units per acre by East Stuart Code District Conditional Use.
Minimum lot size	None
Minimum lot width	None
Minimum building setback—Front	Zero lot line front setback (build to line) required for parcels fronting Martin Luther King Jr. Boulevard, SE Central Avenue and SE East Avenue¹. 15-foot minimum for all other parcels.
Minimum building setbacks—Side	5 feet for one and two story buildings. 10 feet for full or partial three story buildings².
Minimum building setback—Rear	20 feet
Impervious surface coverage	There shall be no impervious surface coverage requirement; however, all development must meet the requirements of section 6.03.00 entitled "Stormwater Management" of this Code, as amended from time to time.

Comment [PGS5]: BMU, GRO, SFD sub districts - Zoning standards consolidated in the table above and uses consolidated in the table below.

Comment [KF6]: Limited to 17 under Comp Plan

Comment [PGS7]: UC – 0'; UG – 10'; UN – 10'; UH – 15' on US-1 or 0' other streets

Comment [PGS8]: UC – 0'; UG – 15'; UN – 15'; UH – 15'

Maximum number of stories—	Up to 3³—
Maximum building height—	Up to 35 feet (except as otherwise provided)—
Outbuildings—	Outbuildings may be one or two stories, shall be located behind the rear facade of the principal building and shall be subject to a minimum 5 foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than 5 feet separation between an outbuilding and a principal building. One story outbuildings shall not exceed 12 feet in height. Two story outbuildings shall not exceed 25 feet in height.—

~~1— The eave of roof structure may project no more than two feet into the public right-of-way.~~

~~2— One story buildings shall not exceed 12 feet in height. Two story buildings shall not exceed 25 feet in height. Three story buildings shall not exceed 35 feet in height.~~

~~3— If 25 percent or more of the building is residential, a fourth floor may be permitted by East Stuart Code district conditional use or by East Stuart Planned Unit Development (ESPUD). The maximum building height for a four-story building is 45 feet. Greater setbacks may be required as a condition of approving a fourth floor.~~

~~Permitted uses. The following uses shall be permitted by right, or by an East Stuart District major conditional use approval in the BMU sub-district.~~

Land Use Type	Number of Parking Spaces Required
Residential Land Uses	
Home occupations, as approved by the city development director. Refer to section 2.06.09, Supplemental Use Standards	N/A
Residential units combined with non-residential uses provided all applicable standards for each use are met. Refer to Chapter VI, On-Site and Off-Site Development Standards. Not less than 20 percent of the project's total floor space shall be a non-residential use.	1 per residential unit; plus required spaces for the applicable permitted non-residential uses.
Transient Residential Land Uses and Overnight Accommodations	
Hotels, motels	1 per rental room, plus 2 spaces per 3 employees—
Rooming and boardinghouses and bed and breakfast inns	0.5 per unit (minimum of one space)
Institutional Uses	
Adult day care centers of three acres or less, by East Stuart Code District Conditional Use	1 per 200 square feet. This may be reduced by 1 space for each 2 users for which the center agrees to provide alternative transportation.
Child care centers of three acres or less, by East Stuart Code District Conditional Use,	1 per 6 children, plus 1 space per employee with a safe pedestrian walkway system through

Refer to Section 2.06.04, Supplemental Use Standards.	the parking area to the building —
Libraries, — community — centers, — any governmental building	1 per 300-square feet
Museum	2 per 1,000-square feet of exhibit floor space, plus 2 spaces for bus parking —
Religious institutions and ancillary uses on the same premises of three acres or less. Greater in size by East Stuart Code District conditional use.	1 per 4 seats in main sanctuary, plus other parking requirements for any other accessory uses, if applicable —
Schools (private, parochial, technical) of three acres or less, by East Stuart Code District conditional use.	Elementary or junior high school: 1 per classroom, plus 1 space per employee, plus 1 space for each 6 seats in auditorium or other areas that may be used for public assemblies; together with adequate stacking for pick-up/drop-off activities consistent with the student population. High school: 1 space per 3 students, plus 1 space per employee, plus adequate space for ancillary uses as described in other sections of this code. Technical school: 1 per 10 student stations, plus 1 space per each employee, plus 20 visitor spaces
Health-Care Uses	
Nursing homes.	1 per 4 beds, plus 1 space per 2 employees —
Commercial Uses	
Art shops/galleries.	1 per 300-square feet
Banks/financial institutions.	1 per 300-square feet, plus queuing spaces (refer to Section 6.01.07 for queuing requirements) —
Bar, provided all provisions of the Stuart Code of Ordinances, chapter 4, Alcoholic Beverages, are met.	1 per 4 seats
Barber, Beauty Salons, Specialty Salons —	2 per station
Catering shop	1 per employee, plus 0.5 spaces per delivery truck, plus 2 spaces per 1,000 square feet
Massage therapy establishment	1 per 300-square feet
Microbreweries and craft distilleries	1 per employee plus 1 per 300-square feet for tasting, tap room, and gift shops.
Office, business or professional, medical, and veterinary.	1 per 350-square feet (professional); 1 per 200-square feet (medical and veterinary)
Retail business or retail service establishment (intensive and non-intensive)	1 per 300-square feet of floor space
Rooftop dining, as defined by this Code, is	

permitted as a major conditional use, and in accordance with the supplemental standards set forth in Section 2.06.19.	
Theatres, restaurants general, excluding drive-in theatres, drive-in or drive-through restaurants.	1 per 4 seats.
Studios (art, dance, music, exercise)	1 per 300 square feet
Recreational Uses	
Public parks	Dependent upon type of recreational activities provided
Utility and Service Uses	
Public facilities and services	Dependent upon type of facility and service
Public utility	Dependent upon type of utility and any required buildings and employees
Telecommunication Uses	
Stealth telecommunications facilities which do not exceed 45 feet in height or which are constructed as part of an existing architectural feature or structure provided its total height does not exceed 120 percent of the height of the architectural feature or structure	1 per tower
Storage, Transportation and Logistics Uses	
Government provided public parking garages and lots.	N/A
Private parking garages and lots by East Stuart Code District Conditional Use.	
Agricultural Uses	
Community gardens pursuant to section 2.06.08 of this Code	0
Urban farms pursuant to section 2.06.08 of this Code	1 per 4 employees

~~B.B General residential and office sub-district (GRO). The following development standards shall apply in the GRO sub-district.~~

~~TABLE INSET:~~

DESIGN STANDARD	PERMITTED
Maximum density	Up to 1715 units per acre. Up to 30 units per acre by East Stuart Code District conditional use.
Minimum lot size	None

Comment [KF9]: Comp plan only allows 17

Minimum lot width—	None—
Minimum building setback—Front—	15 feet—
Minimum building setbacks—Side—	5 feet for one and two story buildings. 15 feet for full or partial three story buildings⁴.—
Minimum building setback—Rear—	20 feet—
Maximum impervious surface coverage—	Up to 65%⁵ (See note 1, below)—
Maximum number of stories—	Up to 3⁶—
Maximum building height—	Up to 35 feet (except as otherwise provided)—
Outbuildings—	Outbuildings may be one or two stories, shall be located behind the rear facade of the principal building and shall be subject to a minimum 5 foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than 5 feet separation between an outbuilding and a principal building. One story outbuildings shall not exceed 12 feet in height. Two story outbuildings shall not exceed 25 feet in height.—
—	An outbuilding may be used for a single detached accessory dwelling unit providing the following requirements are met:—
—	1. It is located on the same lot as a single family detached home.—
—	2. A detached accessory dwelling unit shall not exceed one story in height. The unit may be located on a second story if the first story is utilized as a garage or storage facility.—
—	3. An accessory dwelling unit to be located on the second story of a detached garage or storage facility shall be set back a minimum of 10 feet from the rear property line.—
—	4. The accessory dwelling unit shall contain one full bath and kitchen facilities.—
—	5. An accessory dwelling unit and the primary dwelling unit shall be occupied by members of a single family as that term is defined in this Code. The accessory dwelling unit shall use the same street address.—
Note 1. The applicant must show either that the soils of the site can be proven to accommodate the additional runoff via soil boring tests by a registered professional engineer;	

or—	
—	(a) The runoff created by the additional coverage will be retained on-site via retention facilities for a ten-year, three-day storm event for lots which are not more than one acre and for a 25-year, three-day event for lots which are one acre or greater in area; and—
—	(b) Retention areas will not be located above drain fields; and—
—	(c) Retention areas shall be not more than two feet deep unless a professional engineer certifies the appropriate plans and installation; and—
—	(d) All improvements will show compliance with section 6.03.00, Stormwater Management of this Code.—

~~4—One-story buildings shall not exceed 12 feet in height. Two-story buildings shall not exceed 25 feet in height. Three-story buildings shall not exceed 35 feet in height.~~

~~5—May exceed 65 percent by East Stuart Code district conditional use.~~

~~6—If 25 percent or more of the building is residential, a fourth floor may be permitted by East Stuart Code district conditional use. The maximum building height for a four-story building is 45 feet. Greater setbacks may be required as a condition of approving a fourth floor.~~

~~**Permitted uses.** The following uses shall be permitted in the in the GRO sub-district.~~

Land Use Type	Number of Parking Spaces Required
Residential Land Uses	
Detached accessory dwelling unit, ancillary to a primary single family structure, as defined in this Code. Refer to section 6.09.02, General standards and requirements	N/A
Duplex dwelling units	1 per unit
Family day care home in a residence	2 per dwelling unit plus adequate space for pick-up and drop-off.
Home occupations, as approved by the city development director. Refer to section 2.06.09, Supplemental Standards	N/A
Multi-family dwelling units	1 per unit
Single-family dwelling unit	1 per unit
Transient Residential Land Uses and Overnight Accommodations	
Rooming and boardinghouses and bed and breakfast inns	0.5 per unit (minimum of one space)
Institutional Uses	
Adult day care centers of three acres or less, by East Stuart Code District conditional use.	1 per 200 square feet. This may be reduced by 1 space for each 2 users for which the center agrees to provide alternative transportation.
Child care centers of three acres or less, by East Stuart Code District conditional use.	1 per 6 children, plus 1 space per employee with a safe pedestrian walkway system through

Refer to section 2.06.04, Supplemental Use Standards	the parking area to the building
Libraries, community centers, any governmental building	1 per 300 square feet
Religious institutions and ancillary uses on the same premises of three acres or less. Greater in size by East Stuart Code District conditional use	1 per 4 seats in main sanctuary, plus other parking requirements for any other accessory uses, if applicable
Schools (private, parochial, and technical) of three acres or less by East Stuart Code District conditional use	Elementary or junior high school: 1 per classroom, plus 1 space per employee, plus 1 space for each 6 seats in auditorium or other areas that may be used for public assemblies; together with adequate stacking for pick-up/drop-off activities consistent with the student population. High school: 1 space per 3 students, plus 1 space per employee, plus adequate space for ancillary uses as described in other sections of this code. Technical school: 1 per 10 student stations, plus 1 space per each employee, plus 20 visitor spaces
<i>Health Care Uses</i>	
Nursing homes	1 per 4 beds, plus 1 space per 2 employees
<i>Commercial Uses</i>	
Office, business or professional, medical, and veterinary.	1 per 350 square feet (professional); 1 per 200 square feet (medical and veterinary)
<i>Recreational Uses</i>	
Public parks	Dependent upon type of recreational activities provided
<i>Utility and Service Uses</i>	
Public facilities and services	Dependent upon type of facility and service
Public utility	Dependent upon type of utility and any required buildings and employees
<i>Telecommunication Uses</i>	
Stealth telecommunications facilities which do not exceed 45 feet in height or which are constructed as part of an existing architectural feature or structure provided its total height does not exceed 120 percent of the height of the architectural feature or structure	1 per tower
<i>Agricultural Uses</i>	
Community gardens pursuant to section 2.06.08 of this Code	0
Urban farms pursuant to section 2.06.08 of this	1 per 4 employees

Code	
B.C Single-family duplex sub-district (SFD). The following development standards shall apply in the SFD sub-district.	
TABLE INSET:	
DESIGN STANDARD	PERMITTED
Maximum density	Up to 17 dwelling units per acre.
Minimum lot size	None
Minimum lot width	None
Minimum building setback—Front	15 feet
Minimum building setbacks—Side	5 feet for one and two story buildings⁷.
Minimum building setback—Rear	20 feet
Maximum impervious surface coverage	Up to 65%⁸ (See note 1. below)
Maximum number of stories	Up to 2
Maximum building height	Up to 25 feet
Outbuildings	Outbuildings may be one or two stories, shall be located behind the rear facade of the principal building and shall be subject to a minimum 5 foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than 5 feet separation between an outbuilding and a principal building. One story outbuildings shall not exceed 12 feet in height. Two story outbuildings shall not exceed 25 feet in height.
—	An outbuilding may be used for a single detached accessory dwelling unit providing the following requirements are met:
—	1. It is located on the same lot as a single family detached home.
—	2. A detached accessory dwelling unit shall not exceed one story in height. The unit may be located on a second story if the first story is utilized as a garage or storage facility.

—	3. An accessory dwelling unit to be located on the second story of a detached garage or storage facility shall be set back a minimum of 10 feet from the rear property line.—
—	4. The accessory dwelling unit shall contain one full bath and kitchen facilities.—
—	5. An accessory dwelling unit and the primary dwelling unit shall be occupied by members of a single family as that term is defined in this Code. The accessory dwelling unit shall use the same street address.—
Note 1. The applicant must show either that the soils of the site can be proven to accommodate the additional runoff via soil boring tests by a registered professional engineer; or—	
—	(a) The runoff created by the additional coverage will be retained on-site via retention facilities for a ten-year, three-day storm event for lots which are not more than one acre and for a 25-year, three-day event for lots which are one acre or greater in area; and—
—	(b) Retention areas will not be located above drain fields; and—
—	(c) Retention areas shall be not more than two feet deep unless a professional engineer certifies the appropriate plans and installation; and—
—	(d) All improvements will show compliance with section 6.05.00, Stormwater Management of this Code.—

~~7—One-story buildings shall not exceed 12 feet in height. Two-story buildings shall not exceed 25 feet in height.
8—May exceed 65% by East Stuart Code District conditional use.~~

~~Permitted uses. The following uses shall be permitted in the in the SFD sub-district.~~

Land Use Type	Number of Required Parking Spaces
Residential Land Uses	
Detached accessory dwelling unit, ancillary to a primary single-family structure, as defined in this Code. Refer to section 6.09.02, General standards and requirements	N/A
Detached single-family dwelling unit	1 per unit
Duplexes	1 per unit
Family day care home in a residence	2 per dwelling unit plus adequate space for pick up and drop off.
Group home of six or fewer residents which otherwise meets the definition of a community residential home as defined in chapter XII	1 per 4 beds, plus 1 space per employee—
Home occupations, as approved by the city development director. Refer to section 2.06.09, Supplemental Use Standards	N/A

<u>Recreational Uses</u>	
<u>Public parks</u>	<u>Dependent upon type of recreational activities provided</u>
<u>Utility and Service Uses</u>	
<u>Public facilities and services</u>	<u>Dependent upon type of facility and service</u>
<u>Public utility</u>	<u>Dependent upon type of utility and any required buildings and employees</u>
<u>Agricultural Uses</u>	
<u>Community gardens pursuant to Section 2.06.08 of this Code</u>	<u>0</u>
<u>Urban farms pursuant to Section 2.06.08 of this Code</u>	<u>1 per 4 employees</u>

(Ord. No. 2062-05, § 1, 1-6-06)

B. East Stuart Code District uses

- 1. The following uses are permitted and are all-inclusive individually or in combination in the East Stuart Code District.**

TABLE INSET:

<u>Land Use Type</u>	<u>Number of Parking Spaces Required</u>
<u>Residential Land Uses</u>	
<u>Single-family dwelling unit, detached</u>	<u>1 per unit</u>
<u>Backyard cottage</u>	<u>1 per unit</u>
<u>Duplex residences</u>	<u>1 per unit</u>
<u>Multi-family dwelling units</u>	<u>1 per unit</u>
<u>Pocket Neighborhood Developments (PNDs)</u>	<u>1 per dwelling unit</u>
<u>Live/Work units</u>	<u>1 per unit</u>
<u>Residential units combined with non-residential uses provided all applicable standards for each use are met. Refer to Chapter VI, On-Site and Off-Site Development Standards. Not less than 20 percent of the project's total floor space shall be a non-residential use.</u>	<u>1 per residential unit; plus required spaces for the applicable permitted non-residential uses.</u>
<u>Detached accessory dwelling unit, ancillary to a primary single family structure, as defined in this Code. Refer to section 6.09.02, General standards and requirements</u>	<u>N/A</u>
<u>Family day care home in a residence</u>	<u>2 per dwelling unit plus adequate space for pick-up and drop-off.</u>
<u>Group home of six or fewer residents which otherwise meets the definition of a community residential home as defined in chapter XII</u>	<u>1 per 4 beds, plus 1 space per employee</u>

Comment [PGS10]: Existing vacant lots in East Stuart zoning sub-districts: SFD (19 lots); GRO (22 lots); BMU (29 lots); Currently BMU doesn't allow S/F dwelling units. Combining uses allows for opportunities for infill and redevelopment to occur, provide more housing options, and create a urban area where people can live, work, play and shop in one place.

Comment [PGS11]: Added "backyard cottage" and provided development requirements.

Comment [PGS12]: Added "pocket neighborhood development" and provided development requirements.

Comment [PGS13]: Added "Live/Work units" as a separate category and provided development requirements.

Comment [PGS14]: Remove ADU because it conflicts with PND's definition. ADU shall comply with the general code requirements in Chapter 6 of this Code.

<u>Home occupations, as approved by the city development director. Refer to section 2.06.09, Supplemental Use Standards</u>	<u>N/A</u>
<u>Transient Residential Land Uses and Overnight Accommodations</u>	
<u>Hotels, motels</u>	<u>1 per rental room, plus 2 spaces per 3 employees</u>
<u>Rooming and boardinghouses and bed and breakfast inns</u>	<u>0.5 per unit (minimum of one space)</u>
<u>Institutional Uses</u>	
<u>Adult day care centers of three acres or less, by East Stuart Code District Conditional Use</u>	<u>1 per 200 square feet. This may be reduced by 1 space for each 2 users for which the center agrees to provide alternative transportation.</u>
<u>Child care centers of three acres or less, by East Stuart Code District Conditional Use. Refer to Section 2.06.04, Supplemental Use Standards.</u>	<u>1 per 6 children, plus 1 space per employee with a safe pedestrian walkway system through the parking area to the building</u>
<u>Libraries, community centers, any governmental building</u>	<u>1 per 300 square feet</u>
<u>Museum</u>	<u>2 per 1,000 square feet of exhibit floor space, plus 2 spaces for bus parking</u>
<u>Religious institutions and ancillary uses on the same premises of three acres or less. Greater in size by East Stuart Code District conditional use.</u>	<u>1 per 4 seats in main sanctuary, plus other parking requirements for any other accessory uses, if applicable</u>
<u>Schools (private, parochial, technical) of three acres or less, by East Stuart Code District conditional use.</u>	<u>Elementary or junior high school: 1 per classroom, plus 1 space per employee, plus 1 space for each 6 seats in auditorium or other areas that may be used for public assemblies; together with adequate stacking for pick-up/drop-off activities consistent with the student population.</u> <u>High school: 1 space per 3 students, plus 1 space per employee, plus adequate space for ancillary uses as described in other sections of this code.</u> <u>Technical school: 1 per 10 student stations, plus 1 space per each employee, plus 20 visitor spaces</u>
<u>Health Care Uses</u>	
<u>Nursing homes.</u>	<u>1 per 4 beds, plus 1 space per 2 employees</u>
<u>Commercial Uses</u>	
<u>Art shops/galleries.</u>	<u>1 per 300 square feet</u>
<u>Banks/financial institutions.</u>	<u>1 per 300 square feet, plus queuing spaces (refer to Section 6.01.07 for queuing requirements)</u>

<u>Bar, provided all provisions of the Stuart Code of Ordinances, chapter 4, Alcoholic Beverages, are met.</u>	<u>1 per 4 seats</u>
<u>Barber, Beauty Salons, Specialty Salons</u>	<u>2 per station</u>
<u>Catering shop</u>	<u>1 per employee, plus 0.5 spaces per delivery truck, plus 2 spaces per 1,000 square feet</u>
<u>Massage therapy establishment</u>	<u>1 per 300 square feet</u>
<u>Microbreweries and craft distilleries</u>	<u>1 per employee plus 1 per 300 square feet for tasting, tap room, and gift shops.</u>
<u>Office, business or professional, medical, and veterinary.</u>	<u>1 per 350 square feet (professional); 1 per 200 square feet (medical and veterinary)</u>
<u>Retail business or retail service establishment (intensive and non-intensive)</u>	<u>1 per 300 square feet of floor space</u>
<u>Rooftop dining, as defined by this Code, is permitted as a major conditional use, and in accordance with the supplemental standards set forth in Section 2.06.19.</u>	
<u>Theatres, restaurants-general, excluding drive-in theatres, drive-in or drive-through restaurants.</u>	<u>1 per 4 seats.</u>
<u>Studios (art, dance, music, exercise)</u>	<u>1 per 300 square feet</u>
<u>Recreational Uses</u>	
<u>Public parks</u>	<u>Dependent upon type of recreational activities provided</u>
<u>Utility and Service Uses</u>	
<u>Public facilities and services</u>	<u>Dependent upon type of facility and service</u>
<u>Public utility</u>	<u>Dependent upon type of utility and any required buildings and employees</u>
<u>Telecommunication Uses</u>	
<u>Stealth telecommunications facilities which do not exceed 45 feet in height or which are constructed as part of an existing architectural feature or structure provided its total height does not exceed 120 percent of the height of the architectural feature or structure</u>	<u>1 per tower</u>
<u>Storage, Transportation and Logistics Uses</u>	
<u>Government provided public parking garages and lots.</u>	<u>N/A</u>
<u>Private parking garages and lots by East Stuart Code District Conditional Use.</u>	
<u>Agricultural Uses</u>	
<u>Community gardens pursuant to section 2.06.08 of this Code</u>	<u>0</u>
<u>Urban farms pursuant to section 2.06.08 of this</u>	<u>1 per 4 employees</u>

Code

Sec. 3.02.06. Determining density for a single-family residence.

A. Residential density measures the number of dwellings on a given unit of land. Density for a single-family residence shall be calculated as follows in the East Stuart Code District:

1. The allowable number of dwelling units shall be calculated by multiplying the net buildable area by the allowed density in dwelling units/acre. Backyard cottage shall be excluded from this calculation. The footprints of the principal and backyard cottage, including all other accessory structures such as garages and carports shall be included in the lot coverage calculation and shall not exceed the maximum impervious surface coverage for the zoning district.

Comment [PGS15]: Backyard cottages provide another type of housing that complements single family housing options. Provides smaller-scale housing choices for young adults/family or elderly. It's more affordable housing option.

Sec. 3.02.07. Backyard cottages.

A. The following are the development standards for backyard cottages:

1. The architectural design, roofing material, exterior materials and colors of a backyard cottage shall be substantially the same as and visually compatible with the primary structure.
2. Only one backyard cottage shall be permitted on any one lot where single-family residence is permitted or existing.
3. Backyard cottage shall only be permitted in side or rear yards.
4. Minimum lot size shall be 4,000 square feet.
5. The side setbacks shall not be less than five feet.
6. The rear setback shall not be less than ten feet.
7. The maximum floor area for backyard cottages shall be 450 square feet. If it exceeds the maximum square footage, it shall comply with the accessory dwelling unit requirements in section 6.09.02 of this code.
8. Backyard cottage may provide separate, independent living quarters for one household. Units may be attached or detached from the primary dwelling unit on the lot. Backyard cottages shall be located behind the primary dwelling unit.
9. Entrance for a backyard cottage shall not face the nearest side lot line or the rear lot line, unless there is an alley, or other public right-of-way, abutting on that side of the lot to maintain the neighbor's privacy.
10. Backyard cottage shall not exceed one story in height. The backyard cottage may be located on a second story if the first story is utilized as a garage or storage facility.

Comment [PGS16]: Addition of backyard cottage can increase the current and re-sale value of a homeowner's property; provides space to move from primary dwelling unit to smaller backyard cottage while staying in the neighborhood (aging-in-place lifestyles); provide source of income; incentivizes infill or redevelopment of property/primary dwelling unit.

Comment [PGS17]: ADU shall not exceed the height of the principal building and footprint of ADU shall not exceed 50% of the footprint of the principal structure. ADU shall be occupied by members of a single family.

Comment [PGS18]: Provide homeowners extra income from a rental that helps to meet mortgage and maintenance costs. Homeowners living on fixed income may find additional rental income helpful, allowing them to stay in their homes.

Comment [PGS19]: It is possible that the backyard cottage may exceed the height of the principal structure but the primary structure will eventually be redeveloped to be consistent with the height of the two story structure in the rear and incentivizes infill or redevelopment of the principal structure.

11. The backyard cottage shall contain one full bath and kitchen facilities.
12. If detached, there shall be a minimum of five feet separate distance from the primary residence.
13. One parking space is required for backyard cottage.
14. A surface path to the backyard cottage shall be provided from the street frontage.
15. Separate utility meters and/or addresses are not permitted.

B. Owner Occupancy Requirements. The following shall apply and conditioned for building permit:

1. Either the primary dwelling unit or the backyard cottage shall be owner-occupied.
2. The backyard cottage shall not be sold, or title thereto transferred separate and apart from the rest of the property.
3. The total number of residents in both units may not exceed eight.

Sec. 3.02.08. Minimum single-family and duplex residential design standards.

A. Single-family and duplex residential development shall meet the following minimum design standards:

1. Single-family and duplex 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.
2. A porch or stoop (small staircase) is required element of each dwelling. Porches could be present along the front and rear elevations or wraparound the entire structure. On corner lots, porches must be constructed along both street facades. Porches shall have a minimum depth of 6 feet and a minimum length 50 percent of the building façade width. Porches may project 4 feet into the front setback. Front porches shall be open on three sides and shall not be covered.
3. Stoops shall provide sufficient space to comfortably and safely pause before entering the dwelling, taking into account the swing of the door. Minimum dimensions shall be 5 feet deep by 4 feet side.
4. A minimum of two different roof bearing heights on primary buildings or porches.
5. Roofs shall have a minimum pitch of 4:12, provided a flat roof may be permitted if designed by a Florida licensed architect and upon clear demonstration that the flat roofs design is an integral part of the building's overall architectural character.

Comment [PGS20]: Currently there are no design standards. Provide design standards to improve the aesthetic quality of development projects.

Comment [PGS21]: Porches and stoop are desirable in the community and consistent with the historic character of the neighborhood and enabling of social interaction on streets.

6. Roof overhangs shall be a minimum of 8 inches on the rake and 16 inches on the eaves.
7. Foundations shall consist of stem wall. Dry stack foundations are not permitted. For the purpose on minimizing storm water impacts, the finished floor elevations of surrounding properties shall be taken into consideration in establishing the finished floor elevation of the new structure.
8. Parking shall be provided on side or rear, when feasible.
9. Driveway shall be a minimum of 10 feet in width and may be constructed within the building setback area.
10. Driveways and walkways shall consist of brick or concrete pavers, asphalt, stamped pattern concrete systems, rock salt textured concrete with integral color, grass block, or other similar material approved by the City Development Director.
11. Exterior equipment, including but not limited to air conditioning equipment, heat pumps, generators and pool equipment, shall be shielded from view.

Sec. 3.02.09. Live-Work Units

A. Live-Work Units defined: A single residential unit consisting of a professional or business office component, the area of which does not exceed 50% of the units total floor space. A professional or business office located within a Live-work unit shall be solely owned and operated by the tenant or resident of the unit.

1. The non-residential space shall be on the first floor oriented toward the street, with the residential use on upper levels or behind the non-residential use.
2. The structure shall have a residential character and shall meet the building placement and setbacks required in the zoning district.
3. Live-Work units shall meet the design standards of a single-family residential.
4. The non-residential space is subject to applicable building codes and business tax receipt.
5. Access shall be provided in the form of single or separate entrances for the non-residential area and residential occupancy areas.
6. No additional parking spaces are required to serve the non-residential portion.

Comment [PGS22]: Benefits is that it provides affordable office space and keep business and personal living space separate; allows additional income from office space and pay one rent; ideal for entrepreneurs and small startups.

7. Live-work units are permitted one wall-mounted sign limited to a maximum of 2 square feet without a permit. Signs may not be illuminated.

Sec. 3.02.10. Pocket Neighborhood Developments (PNDs)

- A. Purpose. To purpose of this section is to encourage greater efficiency of land use by allowing compact infill development on aggregate sites; to stimulate new housing that is compatible in scale and character to established surrounding residential areas; to produce a broader range of building forms for residential development; to expand opportunities for home ownership; and to ensure that residents of such housing enjoy a high quality environment and access to green space.
- B. Pocket Neighborhood Development Defined: A type of planned community which consists of a clustering of smaller residences or dwelling units that are individually owned or rented, around a courtyard or common open space area, and designed to promote a sense of community and neighborliness through an increased level of contact on a single lot.
- C. Applicability. Pocket residential development is permitted within the East Stuart Code District.
- D. Density. The permitted density shall be a maximum of 17 units per acre.
- E. Maximum building height and roof pitch. The height limit permitted for structures in PNDs shall be a maximum of 25 feet for detached single-family dwellings and live/work units, and rooflines must present a distinct profile and appearance for the building and express the neighborhood character.
- F. Minimum Lot Area: On a lot to be used for a PND, a minimum of 3 detached single-family dwelling units (minimum lot size of 7,700 sf) around a common open space area are required.
- G. Lot Coverage: The maximum lot coverage permitted for principal and accessory structures in PND's shall be limited to that allowed in the zoning district. Accessory structures for common usage are allowed in the common space areas.
- H. Minimum Yard Setbacks:
1. Front setback - The minimum front setback shall be 10 feet (build-to-line for parcels fronting Martin Luther King Jr. Blvd, SE Central Ave, and SE East Avenue).
 2. Rear setback - The minimum rear setback shall be 10 feet.
 3. Side setbacks - The minimum side setbacks shall be 5 feet.
- I. Frontage: Frontage on a public street is not required for lots in a pocket housing development provided that the development provides for adequate access to the lot via easements, shared driveways, walkways or other means.

Comment [PGS23]: This will allow development like "Rio Porches" in Rio neighborhood to occur in East Stuart. Allows development of small groups of houses around a shared open space. Essentially creating small scale community in a large scale neighborhood. The benefits include residents share responsibility of the common space, look out for one another, and foster community through gatherings in common open space.

Comment [PGS24]: Consistent with BMU front setback requirements

Comment [PGS25]: Less restrictive setbacks to allow compact area for the dwelling units in exchange for a common area.

J. Architectural: Pocket Neighborhood Development shall comply with the design standards for single-family residential in section 3.02.08. Buildings in PND shall have four sided architecture.

K. Usable Open Space: Pocket Neighborhood Development shall provide usable open space for residents. Such space may be in a common, shared form or associated with individual units. Such space shall be planted with grass and trees. Hard-surfaced private porch, patio or deck may occupy up to one-half of the common area. And no more than 50% of the private open space can be within an enclosed covered area.

L. Parking location: Parking shall be located on the PND property and shall be as unobtrusive as possible.

1. Required parking shall be located to the side or rear of the principal buildings within the PND and screened from the street and adjacent private property.
2. Parking in front yard is not permitted.
3. If the PND abuts an alley, parking accessed from the alley is preferred.
4. All surface parking shall be paved with asphalt, concrete or pavers. Gravel is not permitted.

M. Landscaping: Landscaping on the PND property shall comply with section 3.02.09. of this code. The Development Director shall have the authority to modify the landscaping requirements contained in this section, included but not limited to situations in which compliance cannot be met due to physical site constraints.

N. Lighting: Lighting shall comply with section 6.07.00. of this code.

O. Fencing: Fencing shall comply with section 3.02.06. of this code.

P. Other PND Standards:

1. PNDs are limited to detached single family dwelling units and live/work units.
2. Accessory structures shall be allowed and must follow the general provisions and lot coverage requirements of the zoning districts.
3. Accessory Dwelling Units shall not be allowed in PNDs.
4. The live/work and dwelling units may be individually owned or rented.
5. If PNDs are individually owned, all common open space shall be under the control of a Homeowner's Association (HOA). Prior to final plat approval, the developer will provide a set of conditions, covenants and restrictions for the Pocket Neighborhood Development, which shall be reviewed and if approved by the City Attorney, shall be recorded with Martin County.

6. Pedestrian pathways must be included to provide for movement of residents and guests from parking areas to homes and other amenities. These pathways must be shown on the site plan and be part of the common areas.
7. Driveways and walkways shall consist of brick or concrete pavers, asphalt, stamped pattern concrete systems, rock salt textured concrete with integral color, grass block, or other similar material approved by the City Development Director.

Sec. 3.02.11. Commercial, office, mixed-use development design standards.

A. All new non-residential development and substantial renovation shall incorporate the following building design standards:

1. The ground floor elevations are predominantly transparent with display windows and door openings for storefront building.
2. The ground floor can be slightly elevated from the sidewalk to provide privacy and somewhat transparent for office building.
3. Mirrored windows are not permitted.
4. The ground floor plan should be flexible to accommodate a variety of uses.
5. Upper-story uses shall be office or residential.
6. Parking should be on-street, in the rear, or on the side of the building, when feasible.
7. Building fronts shall have at least one of the following, extending at least 50 percent of the building façade.
 - a. Arcade or colonnade.
 - b. 2nd floor balcony.
 - c. Marquee or awnings.
8. A parapet or cornice is required on flat or shed roofs, at the top of the front façade and side facades facing streets.
9. Courtyard buildings are permitted as Office and Mixed-use buildings.
10. It is desirable for non-residential buildings:
 - a. To have an expression line between the first floor and the second floor that is visible above the awning;
 - b. For the openings and mass of the buildings to be balanced;
 - c. For the windows and door openings to have vertical proportion and rhythm.

Comment [PGS26]: Currently there are no design standards. Provide design standards to improve the aesthetic quality of development projects.

Illustration of Commercial and Mixed-Use Buildings

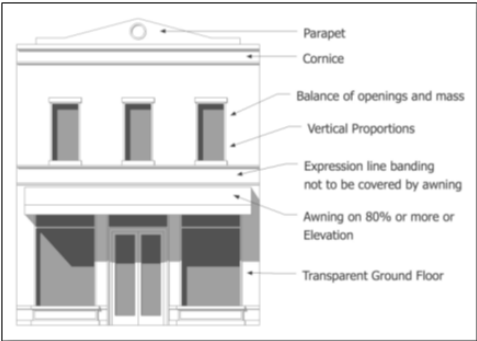
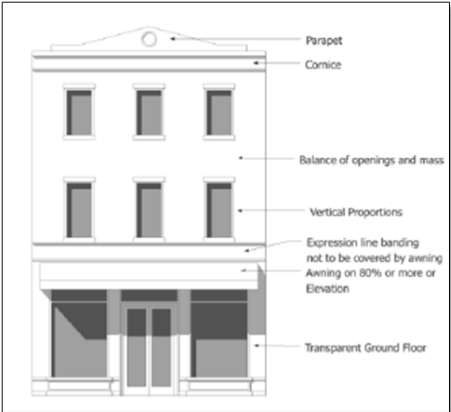


Illustration of Office Building



Sec. 3.02.12. Multi-family development design standards.

A. All new multi-family development and substantial renovation shall incorporate the following building design standards:

1. The ground floor can be slightly elevated from the sidewalk to provide privacy for apartment building.
2. The ground floor plan may be flexible to accommodate future office or commercial uses.
3. Upper-story uses shall be residential.
4. Parking should be on-street, in the rear, or on the side of the building, when feasible.
5. Private open space takes the form of individual porches or balconies and a shared rear yard.
6. Apartment building fronts shall have at least one of the following:
 - a. Porch;
 - b. Arcade or colonnade;
 - c. 2nd floor balcony.
 - d. Marquee or awnings.
7. A parapet or cornice is required on flat or shed roofs, at the top of the front façade and side facades facing streets.

Comment [PGS27]: Currently there are no design standards. Provide design standards to improve the aesthetic quality of development projects.

8. The windows, door openings and mass of the building shall be balanced and have vertical proportion and rhythm.

9. Courtyard buildings are permitted as Apartment Buildings.

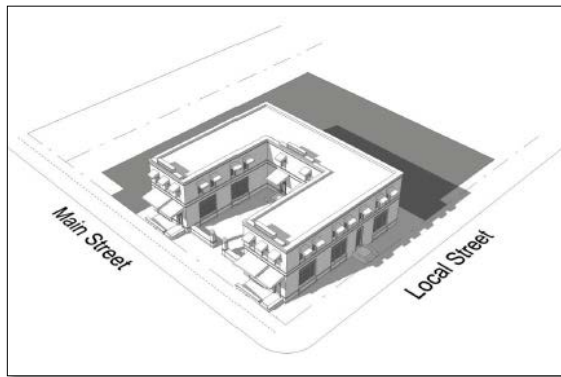
10. It is desirable for Apartment Buildings:

- a. To create a good relationship to the street and differentiation between public and private space;
- b. For the building walls and openings to have good rhythm and be properly balanced and proportioned;
- c. To have high quality exterior finishes.

Illustration of Apartment Building



Illustration of Courtyard Building



Sec. 3.02.0613. Additional development standards.

- A. *Parking.* Except as otherwise provided in use tables above, required off-site parking spaces within the East Stuart Code District shall comply with section 6.01.00, referred to as the "Stuart Parking Code".
- B. *On-street parking,* constructed to city code, may be used to offset the required number of off-street parking spaces where it does not currently exist. Such parking shall abut the proposed development, shall meet sound design standards, and shall be constructed at the cost of the applicant for development. An approved revocable permit from the city commission is required for on-street parking.
- C. *Payment in lieu of parking ("PILOP").* Up to three required parking spaces for any use permitted in any sub-district may be accommodated via payments to the PILOP program as described in chapter VI of this Code.
- D. *Modifications of parking design standards.* Within the East Stuart Code District, parking design standards set forth in section 6.01.14 may be modified as follows:
 - 1. For all but 90-degree parking spaces, the one-way traffic aisle width may be reduced to ten feet. For 90-degree parking spaces, the one-way traffic aisle width may be reduced to 20 feet. Any two-way traffic aisle width may be reduced to twenty feet.
 - 2. The width of a two-way traffic drive aisle may be reduced to 20 feet. The two-way drive aisle width may be reduced from 20 feet to a minimum of 12 feet for parking areas of eight spaces or less. Within a reduced drive aisle area, parking spaces are prohibited, with the exception of parallel parking spaces.
 - 3. Where alleyways are located along the side or rear property lines, said alleyways may be used as the required back-up dimension for parking spaces.

4. For developments requiring ten or fewer parking spaces, parking areas may be constructed with mulch, gravel, turf blocks, paver blocks, or other alternative materials approved by the city development director. Additional maintenance requirements may be required of a developer utilizing alternative materials such as daily sweeping of gravel or mulched areas maintained at a certain depth.
5. The width of parking spaces may be reduced to eight and one-half feet for up to 20 percent of the required parking.
6. Up to two required parking spaces may be provided as "stacked" spaces, where one parking space is located behind the other.

E. Curb cuts.

1. Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 50 feet of frontage. However, one curb cut shall be permitted for a single-family residence utilized as a residence regardless of the existence of a rear alley.
2. For properties with access from a rear alley, no curb cuts shall be permitted.

Comment [PGS28]: Consistent with the requirements for the urban code districts.

~~E.F.~~ Storage sheds. One storage shed may be located on any lot within the East Stuart Code District provided that it is not visible from the principal public right-of-way and complies with setbacks within the applicable sub-district.

~~F.G.~~ Conflicts with utilities. In instances where the required location of a building, including architectural requirements, conflicts with existing utilities or other public infrastructure, the developer shall be required to relocate such utilities if the cost of relocation is less than five percent of the cost of the proposed building or improvements (excluding land value) and the utilities can be relocated within 150 feet of the subject property. Otherwise, the city development director may adjust the requirements of this Code to rectify any conflicts with utilities or other public infrastructure. No utilities shall be located beneath a principal building.

~~G.H.~~ Historic buildings. The requirements of this Code may be adjusted by East Stuart Code District conditional use for the purposes of preserving a historic building.

~~H.I.~~ Finished floor elevations. The requirements of section 6.03.02 B.4. relating to finished floor elevations may be modified if the engineer for a proposed development can demonstrate a lower elevation is appropriate and will not be detrimental regarding flooding to adjacent properties.

~~I.J.~~ Storm water management. With the proper legal documentation and consent of the property owner, storm water runoff from properties within the East Stuart Code district may be conveyed onto adjacent private properties. Otherwise, storm water 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 storm water is captured by an internal storm water management system, the applicant must illustrate how the storm water reaches the public storm water management system. If a site is designed such that there is no internal storm water

management system, the applicant must illustrate how the storm water runoff will be conveyed to the public storm water 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 storm water detention. For all development, storm water quality treatment prior to discharge is required to comply with sSection 6.03.00 of this Code. .

J.K. *Screens.* All rooftop utilities and facilities such as air conditioning units, as well as all exterior mechanical equipment, shall be screened so as to not be visible from public view, including from balconies and windows of adjacent buildings.

L. *Fences.* Fences shall adhere to the requirements in section 6.09.05 except for the following: Walls, wood picket fences, wrought iron fences, or hedges are the only type of fence or barrier allowed along the front property line and on corner lots, along the side property lines and shall have a fences located in the front yard shall have a minimum height of 3 feet and maximum height of four feet along the front and side property lines to the front facade of the principal building. Along the side property lines behind the front facade and along the rear property line a fence may be six feet in height. Arbors and trellises are permitted in the front yard and may be located along property lines. The maximum height of arbors and trellises shall be ten feet. Above walls and fences, architectural features of up to 12 inches in height shall be allowed, spaced a minimum of four feet apart.

M. *Chain link fences shall not be visible from public rights-of-way. Chain link fences shall be vinyl coated using only black or dark green colors.*

Comment [PGS29]: Consistent with the requirements for the urban code districts.

K.N. *Parapet walls.* A parapet wall shall not exceed 24 inches in height, provided however, a greater height of up to ten feet may be permitted by the city development director if necessary to conceal rooftop utilities such as stairway and elevator bulkheads and other roof equipment or to achieve architectural enhancement. No height of greater than 24 inches shall be permitted for more than 40 percent of any facade of a building. A parapet wall shall be designed to be consistent and compatible with the design and treatment of the facade of the structure.

L.O. *Residential rooftop use occupancy.* Occupancy Residential uses of a flat rooftop, which shall be limited to uses which are ancillary to residential occupancies only and shall be enclosed by a code-compliant safety railing or other approved barrier. Except as otherwise permitted by this code, no permanently affixed structures, including, gazebos, trellises, or other similar structures shall be allowed on the roof of a four-story building. Maintenance and repairs shall not be deemed occupancy as that term is used in this paragraph.

M.P. *Rooftop dining.* Rooftop dining, as defined by this Code, is permitted as a major conditional use, and in accordance with the supplemental standards set forth in sSection 2.06.19.

Q. *Dumpster enclosures.* Dumpster enclosures shall comply with sSection 6.08.00 of this Code.

R. Building colors and finishes. Exterior building wall colors for all new development and substantial renovation within the East Stuart Code District shall be restricted to Bahamian soft pastel-color exteriors including but not limited to pinks, blues, yellows, and greens to preserve the historic character of the neighborhood; however, earth-tones shades may be permitted by the city development director. Variation in color and material shall be considered to create visually engaging designs for pocket neighborhood development, multi-family residential development, commercial and office buildings. The use of black or florescent colors is prohibited as exterior wall or accent colors. Exterior colors shall be approved by the city development director. Building trim color shall complement the predominant exterior building color. Building roofs shall be a solid color; however, variegated roof color scheme may be permitted by the city development director.

Comment [PGS30]: Preserve the Bahamian village character of the neighborhood.

S. Outbuildings. Outbuildings shall be located behind the rear facade of the principal building and shall be subject to a minimum 5 foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than 5 feet separation between an outbuilding and a principal building.

Comment [PGS31]: Moved from above.

T. Arcades, porches and balconies. The arcades, porches and balconies shall be constructed of any of the following materials and in the following specified manner. No simulations shall be permitted.

1. Arcades shall conform to the following requirements:

- a. An arcade shall have a minimum clear height of 12 feet from the lowest point of the ceiling and a minimum clear width of eight.
- b. Both ends of an arcade must remain open at all times, and the side of an arcade which runs parallel to the building to which it is attached must be open from four feet above grade to its roof.
- c. With the approval of the city development director, an arcade may be extended over public right-of-way and may include landscape materials or planters, and the display of merchandise or outdoor seating; however, the arcade must maintain at least four feet of open sidewalk width under cover to allow for unobstructed pedestrian circulation.
- d. Arches or lintels shall be not less than 16 inches in depth. Masonry piers shall be no less than 16 inches by 16 inches and wood posts shall be no less than eight inches by eight inches. Balusters shall be separated not more than five inches on center.

2. Porches shall conform to the following requirements:

- a. A porch shall include columns no less than four inches by four inches that support its roof and floor.
- b. A porch shall have a minimum depth of six feet.

c. Porches which are 30 inches above grade must meet the building code's standards for railings and railing heights. Porches which are lower than 30 inches above grade may have railings between 36 inches and 42 inches in height or may be open, the latter subject to approval via a minor urban code conditional use.

3. Balconies shall conform to the following requirements:

a. On corner lots, a balcony shall extend along two street facades, but it does not have to be continuous.

b. A balcony may extend over a public sidewalk or right-of-way but may not be designed or used as a means of building ingress or egress above a public right-of-way.

c. Where balconies are required, the aggregate length of balconies shall be not less than (50 percent) of the building facade at the floor level from which it projects on each floor level.

d. A balcony shall have a minimum clear height of ten feet at ground level above sidewalks and a minimum depth of three feet.

~~e. Materials shall either be of wood or conform to the construction materials of the principal building.~~

Comment [PGS32]: Consistent with the requirements in the urban code districts.

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.0714. Uses prohibited in the East Stuart Code District.

A. Adult businesses are prohibited throughout the East Stuart Code District.

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.0815. Density.

A. Up to 17 dwelling units per acre are permitted in all East Stuart Code ~~the SFD~~ sub-districts.

~~B. Up to 15 dwelling units per acre are permitted in the BMU and GRO sub-districts.~~

~~C. Up to 30 dwelling units per acre may be permitted in the BMU and GRO sub-districts by an East Stuart Code District conditional use.~~

Comment [KF33]: Density limited to 17 du/ac in accordance with comp plan.

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.0916. Landscaping.

A. *Landscaping.* All development in the East Stuart Code District shall comply with the landscaping requirements as described in section 6.04.00, the landscape code, with the following exceptions:

1. The width of landscape buffers shall be determined by the required side and rear setbacks as described in this East Stuart code, and buffer screens shall be 25 percent of those setbacks.
 2. The width of the landscaped strip of land located between parking areas and an abutting public right-of-way shall be the required setback for parking areas for the respective sub-district.
 3. The width of the landscaped strip of land located between parking areas and abutting private property shall be the required setback for parking areas for the respective sub-district.
 4. The width of the landscaped area located along the sides of a building, which abuts any parking area, shall be two and one-half feet.
 5. The width of the landscaped strip of land located between the building walls of a multi-family development and parking areas shall be five feet.
 6. The width of the landscaped strip of land located between a parking area of a multi-family development and an abutting right-of-way shall be the required setback for parking areas for the respective sub-district.
 7. Terminal and interior islands within parking areas may be used for storm water retention.
- B. When a permit for new construction or renovation is issued, the owner shall be responsible for planting one shade tree no closer than three feet and no further than five feet from the right-of-way that abuts the front property line. All required shade trees, as defined by Chapter VI of this Code, shall be 14 feet in height at installation, and have a DBH of not less than two and one-half inches. The development director may grant a reduction for existing trees that meet these requirements.
- C. In the case of renovation development and vacant development as described in the landscape code where the location of required landscaping is precluded by existing buildings or permanent site improvements, the placement of landscaping may occur off-site, in planters, in openings within paved areas, or in other locations as determined by the city development director.

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.1017. Architectural character.

New development, substantial renovations and major facade improvements within the East Stuart Code District shall be harmonious with the community's traditional architecture including, but not limited to, early Florida vernacular, cracker, shotgun, conch, Spanish--

Mediterranean, bungalow, classic revival--folk Victorian, ranch or other architectural types common to Stuart. The city development director shall determine compliance in this regard.

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.~~1118~~. Signage.

A. *Signage.* The use of exposed neon tubing on any property is prohibited. All signage in the East Stuart Code District shall comply with the sign requirements as described in section 6.11.00, the sign code, with the following exceptions:

1. Backlit sign panels and internally illuminated cabinet signs shall be prohibited.
2. Signs affixed to the exterior of a building should be architecturally compatible with the style, composition, materials, colors and details of the building and with other signs used on the building site.

(Ord. No. 2062-05, § 1, 1-6-06; Ord. No. 2145-07, § 1, 11-26-07)

Sec. 3.02.~~1219~~. Replication of historic buildings.

Notwithstanding section 3.02.05 of this Code, historical buildings, as defined by this Code, including historical buildings that have been demolished, may be rebuilt within the same footprint of the original structure provided the rebuilt structure meets the standards for replication. Nothing in this provision shall counteract existing building and life safety code requirements.

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.~~1320~~. Re-construction of grandfathered business.

Notwithstanding section 3.02.05 of this Code, the following non-conforming business premises may be re-constructed within its existing building footprint and the current use therein continued. This section shall become null and void in 2020, unless extended by amendment to this Code.

* Taylor's Grocery Store, 610 East 10th Street

Nothing in this provision shall counteract existing building and life safety code requirements.

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.~~1421~~. East Stuart Code Conditional Use.

The city commission may grant an East Stuart Code Conditional Use. The review of a East Stuart Code District Conditional Use application shall follow the procedures set forth in section 11.01.10 relating to Major Conditional Use Approval review including, but not limited to, required findings of fact, conditions, notice, public hearing, standards, burden of proof, revocation and expiration. Approval of an East Stuart Code District Conditional Use shall only

be granted if the applicant can demonstrate that the request is consistent with and will further the implementation of this Code and the city comprehensive plan, and will measurably improve the form, function and traditional neighborhood characteristics of East Stuart..
(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.22. East Stuart Planned Unit Development (ESPUD)

The city commission may grant an East Stuart Planned Unit Development (ESPUD). The review of an ESPUD application shall follow the procedures set forth in section 11.01.08 relating to PUD review including, but not limited to, required findings of fact, conditions, notice, public hearing, standards, burden of proof, revocation and expiration. Approval of a PUD shall only be granted if the applicant can demonstrate that the request is consistent with and will further the implementation of this Code and the city comprehensive plan, and will measurably improve the form, function and traditional neighborhood characteristics of East Stuart. Amendments to approved ESPUD shall follow the procedures set forth in section 11.01.09 relating to planned unit development amendment application.

Comment [KF34]: Proposed amendment to PUD section of code defines the East Stuart Planned Unit Development. ESPUD shall comply with permitted uses and development standards for the East Stuart Code District for compact urban form and development pattern as opposed to general PUD.

SECTION 2: All ordinances or parts of ordinances herewith are hereby repealed to the extent of such conflict.

SECTION 3: If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 4: The provision of Sections 1 of this ordinance shall be codified.

SECTION 5: This ordinance shall take effect upon adoption

Passed on first reading the ____ day of _____, 2019.

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:

REBECCA S. BRUNER, MAYOR
EULA R. CLARKE, VICE MAYOR
KELLI GLASS LEIGHTON, COMMISSIONER
MERRITT MATHESON, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this ____ day of _____, 2019.

ATTEST:

MARY R. KINDEL
CITY CLERK

REBECCA S. BRUNER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL MORTELL
CITY ATTORNEY

East Stuart Housing Analysis

Zoning District with # of vacant lots

- Visual confirmation of vacant lot
- SFD (19 lots)
- GRO (22 lots)
- BMU (29 lots)



Priorities and Project Management

The Citizen's Master Plan represents a vision intended to guide actions and investment toward a well defined objective. The plan is comprehensive, and describes a large number of development and redevelopment opportunities.

Not all of these opportunities should be pursued immediately, attention and resources should instead be focused on those opportunities that are strategically most important to achieving the long term objectives of the plan. It will take many years to fully implement the plan, but steady progress can be made toward the objective, and East Stuart will improve with each step.

East Stuart is situated in the path of growth. The issue will therefore not be attracting development, but managing it.

Project Management

The City's Planning Department should assign an individual or team with responsibility to shepherd the Master Plan through the Review, Approval, Adoption and Implementation process. It is important that someone be designated as the person responsible for assuring that the East Stuart plan is adopted and that all necessary Comprehensive Plan, Zoning and Land Use changes necessary to assure implementation of the plan are expeditiously processed.

The City of Stuart as a whole is experiencing rapid growth and development pressure, and achieving the objectives of the plan requires that Land Use and Zoning policies be put in place to assure that new development proceeds as envisioned. It is recommended that a team representing planning, design, and law be assigned the responsibility or serve as support to the individual in charge.

Adoption of the Citizen's Master Plan by Residents and the Charrette Steering Committee. The final draft plan was made available for review in January of 2004. It was found acceptable by the Steering Committee who intends to recommend its approval by

the City's Commission.

Review and Approval of the Citizen's Master Plan by the Community Redevelopment Board. The Citizen's Master Plan should be reviewed and approved by the Community Redevelopment Board and recommended for adoption by the City Commission, as the Master Plan for East Stuart.

Review and Approval of the Citizen's Master Plan by City Commissioners. The Citizen's Master Plan should be reviewed and approved by the City's Commission and forwarded to all the local boards.

High Priority Items

Expand The CRA plan to include the area designated as "Study Area" as shown in the master plan. The CRA boundaries should be reviewed and expanded to incorporate the entire master plan for the East Stuart area. The original boundary was modified to address both sides of the street (in the case of MLK Blvd) and include city-owned property that will play a fundamental role in the overall redevelopment of the community.

Develop An Overlay Zoning Code. This code will be the fundamental tool that will ensure the proper implementation of the citizen's plan. The Code should be similar to the one the CRA has in place for the downtown area, and should incorporate coding by building types. This type of coding will guarantee the preservation of the community's scale and character.

Preserve and Restore the McHardy Building. The McHardy Building should be deeded to a Not-for-Profit organization (e.g. Concerned Citizens). This change of ownership will enable participation of State and Federal funding for restoration and historic



preservation. The City should then provide grant-writing assistance, and potentially matching funds for this endeavor. The matching funds (if any) should be provided by the Community Redevelopment Agency.

The City should immediately begin working with the community regarding prioritization of improvements proposed in the citizen's master plan. There are a number of issues regarding the design of MLK Blvd. and other public streets. These include: creating urbanized sections, using gateways, installing outside curb and gutters, re-arranging parking, installing medians, sidewalk design, lighting, utilization of pavement textures at designated intersections, etc. The City has identified initial funding to address these issues. The initial improvements have been prioritized by the Charrette Steering Committee.

Should the funding not be enough to cover one or more of these improvements, it is important to *wait* until sufficient funding becomes available.

The design of the public realm, particularly that of MLK Blvd. should not be compromised due to lack of immediate funding. MLK Blvd. is the "public face" of the community. The improvements along this corridor will play the most important role not only in defining the character, but the demand, desirability and potential for investment in the area.

Develop a "Package of Incentives" for investment in the area.

This is intended to attract investors that are willing to follow the citizen's master plan. To avoid speculation and accelerate implementation, incentives should not be warranted "as of right". The City of West Palm Beach's master plan (in particular the Northwood Neighborhood master plan) can be used as an example of "time-

