City of Stuart

AGENDA

LOCAL PLANNING AGENCY
SEPTEMBER 8, 2022
AT 5:30 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

LOCAL PLANNING AGENCY

Chair - Kelly Laurine
Vice Chair - Margaret Bromfield
Board Member - Larry Massing
Board Member - Bill Mathers
Board Member - Campbell Rich
Board Member - Ryan Strom
Board Member - Jackie Vitale
Ex Officio Board Member - Kimberly Everman

ADMINISTRATIVE

Interim Development Director, Erin Wohlitka
Board Secretary, Jordan Pinkston

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

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

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

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

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

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

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

QUASI-JUDICIAL HEARINGS: Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party reg3rding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. APPROVAL OF AUGUST 4, 2022 MINUTES

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

ACTION ITEMS

2. PRESENTATION OF THE PROPOSED FORM BASED CODE FOR THE EAST STUART NEIGHBORHOOD AND THE CREEK DISTRICT BY THE TCRPC

STAFF UPDATE

ADJOURNMENT

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Local Planning Agency

Meeting Date: 9/8/2022 **Prepared by:** Jordan Pinkston

Title of Item:
APPROVAL OF AUGUST 4, 2022 MINUTES

Summary Explanation/Background Information on Agenda Request:
N/A.

Funding Source:
N/A.

Recommended Action:
Approve.

ATTACHMENTS:
1. LPA Minutes_08042022

MINUTES
LOCAL PLANNING AGENCY OF THE CITY OF STUART
AUGUST 4, 2022
AT 5:30 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

LOCAL PLANNING AGENCY

Chair - Kelly Laurine
Vice Chair - Margaret Bromfield
Board Member - Larry Massing
Board Member - Bill Mathers
Board Member - Campbell Rich
Board Member - Ryan Strom
Board Member - Jackie Vitale
Ex Officio Board Member - Kimberly Everman

ADMINISTRATIVE

Development Director, Kev Freeman
Board Secretary, Jordan Pinkston

CALL TO ORDER

ROLL CALL

PRESENT: Chairperson Laurine, Vice Chairperson Bromfield, Board Member Rich, Board Member Mathers, Board Member Strom, Board Member Vitale
ABSENT: Board Member Massing

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Action: Approve.
Moved by: Margaret Bromfield
Second by: Jackie Vitale
Motion passed unanimously.

APPROVAL OF MINUTES

1. APPROVAL OF JUNE 9, 2022 MINUTES

Action: Approve.
Moved by: Jackie Vitale
Second by: Bill Mathers
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

None.

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

None.

ACTION ITEMS

2. WATERBLASTING - MAJOR AMENDMENT TO IPUD (QUASI-JUDICIAL) (RC)

ORDINANCE NUMBER 2497-2022: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE WATERBLASTING INDUSTRIAL PLANNED UNIT DEVELOPMENT (IPUD) LOCATED ON THE SOUTH SIDE OF MARKET STREET AND WEST SIDE OF COMMERCE AVE TO ALLOW THE ADDITION OF 28,327 SQUARE FEET OF INDUSTRIAL/WAREHOUSE BUILDING; APPROVING A FINAL SITE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR CERTAIN DEVELOPMENT DOCUMENTS AND CONDITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

PRESENTATION: Kev Freeman, Planner
Deanna Foriere, EDC Project Engineer

PUBLIC COMMENT (3-minute max):

1. Joan Goodrich (SE Monterey Commons Blvd.) - Business Development Board is in support of the project and expansion.

PUBLIC COMMENTS VIA ZOOM: None.

BOARD COMMENT:

Campbell Rich asked the applicant about the materials currently on the property.

Deanna Foriere explained that it would be used for.

Campbell Rich asked about the Master Stormwater Plan.

Deanna Foriere explained that the original permit did an analysis of the stormwater and there have not been changes since.

Campbell Rich went into detail about the language used in the report and expressed his concerns.

Brad Curry, EDC, addressed Campbell Rich's concerns and explained the background of the original property.

Action: Approve.

Moved by: Ryan Strom
Second by: Campbell Rich
Motion passed unanimously.

STAFF UPDATE

PRESENTATION: Mary Kindel, City Clerk

Mary Kindel reminded the board about the importance of the City email each board member has been provided. The deadline for all members to use their city email as a primary form of communication is August 15, 2022.

Erin Wohlitka spoke about the status of hiring planners.

Mike Mortell updated the board on the status of the Costco litegation.

ADJOURNMENT

Jordan Pinkston, Board Secretary	**Kelly Laurine, Chair**

CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Local Planning Agency

Meeting Date: 9/8/2022 **Prepared by:** Pinal Gandhi-Savdas

Title of Item:
PRESENTATION OF THE PROPOSED FORM BASED CODE FOR THE EAST STUART NEIGHBORHOOD AND THE CREEK DISTRICT BY THE TCRPC

Summary Explanation/Background Information on Agenda Request:
In August 2021, the CRB and CRA Boards approved a budget for Land Development Code text amendments to strengthen the code that encourages in-fill development and redevelopment in the CRAs.

In September 2021, the CRA Board approved an interlocal agreement with the Treasure Coast Regional Planning Council (TCRPC) to develop a Form Based Code for the East Stuart neighborhood and "The Creek" Arts & Entertainment District. The Board recognized that more substantive changes were needed to facilitate infill development and redevelopment in both areas for socially and economically vibrant, environmentally sustainable, compact, walkable neighborhoods in the CRAs.

On November/December 2021, the TCRPC introduced a Form-Based Code and provided the difference between a conventional Zoning Code and a Form-Based Code to the Community Redevelopment Board and the City Commission.

The goal of the overall work program includes amendment of the Land Development Code, amendment to the Future Land Use Map, and amendment of the Zoning Map to ensure the predictability of future development defined by a vision developed by the community while preserving and enhancing the existing character of a neighborhood or district.

On January 11, 2022, the TCRPC held East Stuart Vision Workshop to introduce the Form Based Code, review the existing code and 2002 East Stuart Charrette Report, rank vision priorities through scorecards and group discussion for recommendations to update the East Stuart Master Plan.

On January 22, 2022, there was a guided walking tour of both the East Stuart neighborhood and "The Creek" District; participants were led by representatives of the TCRPC to provide insights about key properties, street and building design. It was an opportunity to both receive feedback from the community and for the staff and design team to learn from the community.

On March 7, 2022, the TCRPC provided an update on the code work to the East Stuart Neighborhood Workshop focused on community History.

In addition to community outreach meetings, the TCRPC has interviewed/engaged with more than 85 residents, business and property owners, CRB, and City Commissioners.

The TCRPC also met with Concerned Citizens of East Stuart after the Vision Workshop to review the

East Stuart Charrette Report and assess the projects identified in the report. The second meeting with the Concerned Citizens was held prior to the "Work-In-Progress" meeting to review code recommendations.

On June 21, 2022, there were two "Work-In-Progress" presentations, each with a specific focus on the unique regulations for the East Stuart neighborhood and "The Creek" District.

In August 2022, a postcard, with public meeting dates and QR Code to review the draft code, was mailed to all the property owners in the East Stuart neighborhood and "The Creek" District to inform them about the public hearing meetings for the code updates to the CRB, LPA and City Commission and provide feedback at meetings.

The Creek District Code will be a new section in the Land Development Code and the East Stuart Neighborhood Code will replace the existing section known as the "East Stuart Code District" in the Land Development Code. It is not represented as strike through and underline. Instead, where polices are new or dimensions changed, they are shown with an underline. In places where there is no underline, the language or policy is like an existing policy.

The changes proposed involve Future Land Use Map changes. The future land use amendment applies to 20.72 acres in the East Stuart neighborhood and 20.32 acres in "The Creek" District. The amendment is being proposed as a small-scale amendment on the basis that it meets the criteria of Section 163.3187, F.S. regarding the total amount of acreage involved for a land use change (50 acres or fewer) and does not involve a text change of the city's Comprehensive Plan at this time. Pursuant to Florida State Statutue 163.3184, the city must present data and analysis demonstrating that the proposed land use changes will meet the adopted level of service for public facilities, including potable water, sanitary sewer, police, fire, and school, traffic impact analysis, drainage (stormwater management) and environmental. Upon direction from the board, documentation supporting the findings will be presented as part of the adoption hearing process in November.

The proposed amendment to the Land Development Code, amendment to the Future Land Use Map and amendment to the Zoning Map were presented to the Community Redevelopment Board on September 6, 2022 and will be presented to the City Commission on September 26, 2022.

Funding Source:
N/A

Recommended Action:

1. Provide feedback on the proposed Land Development Code amendment that replaces Section 3.02.00, East Stuart Neighborhood Code, in Chapter III of the LDC, amends the Future Land Use Map and Zoning Map to reflect existing uses within the neighborhood.
2. Provide feedback on the proposed Land Development Code amendment that creates Section 3.04.00, The Creek District Code, in Chapter III of the LDC, amends the Future Land Use Map and Zoning Map to create consistency and to reflect the existing context.
3. Direct staff to make certain changes and bring the item back to the LPA Board and City Commission for adoption hearings in November.

ATTACHMENTS:

1. East Stuart Code - Section 3.02.00
2. Existing East Stuart Code for Reference
3. East Stuart Existing and Proposed ZONING parcels to change only
4. East Stuart Existing and Proposed FLU parcels to change only
5. The Creek District Code - Section 3.04.00
6. Existing Creek District Code for Reference
7. Creek Existing and Proposed Zoning Map only
8. Creek Existing and Proposed FLUM Map parcels to change only

EAST STUART NEIGHBORHOOD
Draft Land Development Regulations

The following pages are a draft of the proposed Land Development Regulations for the East Stuart Neighborhood This draft is for public review, comment, and consideration before proposed adoption in Fall 2022.

The proposed code is intended to:

- Reflect the unique, and historic character of the East Stuart Neighborhood.
- Create a code that is easier to read and review by staff and applicants.
- Promote harmonious infill development and provides a variety of housing options.

Because East Stuart Neighborhood Code Draft is a new section of the Land Development Regulations, it is not presented as strikethrough and underline. The volume of strike-through and underline would not be conducive to understanding. Instead, where policies are new or dimensions changed, they are shown with an underline. In places where there is no underline, the language or policy is similar to an existing policy. A copy of the existing zoning codes for this area can be found on **Municode**.

Terms that are ***italicized*** are defined terms and will be included in the Chapter XII of the Land Development Regulations if they do not yet exist. Text in **bold** are references to other portions of the Land Development Regulations. Efforts have been made to create an interactive PDF. If you are viewing this as PDF, references may be clickable and link to sections within this Code or to **Municode** for sections outside this Code.

In addition to Land Development Regulations, there are some areas within the East Stuart Neighborhood where we are recommending a change to the Future Land Use Map. These changes do not affect any language in the Comprehensive Plan. The purpose is to create consistency between Zoning Maps and the Future Land Use Maps and to reflect existing uses within the neighborhood.

There may be additional text in yellow noting other graphics or text which is forthcoming. They will be provided at a later date.

If you have any questions or comments, please contact:

Jessica Cortor Seymour, RA, LEED AP
Principal Program Coordinator, Treasure Coast Regional Planning Council
(772) 221-4060 | jseymour@tcrpc.org

Best regards,
Jessica Seymour

Sec. 03.02.00. East Stuart Neighborhood Code

Sec. 03.02.1. Procedure & Process

A. Intent. The purpose of this Code is to encourage redevelopment, infill development, small business development, affordable housing, historic preservation and restoration, and to promote stability within the East Stuart Neighborhood. 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. Boundary. The boundaries of the neighborhood are set forth in **Sec. 03.02.02. Regulating Plan.**

C. Applicability. The provisions of this Code shall apply to development within the East Stuart Neighborhood. The standards and regulations set forth in **Sec. 3.02.00** shall apply to *new development* and *substantial renovation*.

D. Consistency with Comprehensive Plan. Applicable Future Land Use designations are list in **Figure 02 How to Use this Code.**

FIGURE 01 FUTURE LAND USE & ZONING COMPATIBILITY

	FUTURE LAND USES IN THE EAST STUART NEIGHBORHOOD		
	East Stuart	Recreation	Public
ZONING	**BMU** *Business & Mixed Use*	-	-
	GRO *General Residential & Office*	-	-
	SFD *Single Family & Duplex*	-	-
	CPUD *Commercial Planning Unit Development*	-	-
	-	**Recreation**	**Recreation**
	-	-	**Public**

E. Effective date. This ordinance shall be effective at adoption.

F. Administration. The provisions of this Code shall be administered and enforced by the 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 Neighborhood to particular properties, inspecting premises, and issuing permits and certificates of occupancy.

G. Form-based code. The East Stuart Neighborhood Code is a form-based code, land development regulations that foster predictable built results and a high-quality public realm by using physical form, rather than full separation of uses, as the code's primary organizing principle.

H. Amendment to this Code. In the continued administration of the intent of this Code, the Commission may find it reasonable and necessary to adopt amendments to the text, zoning, regulation plan. All such amendments shall follow procedure in **Chapter XI**.

I. How to Use this Code. See **Figure 02 How to Use this Code**.

FIGURE 02 HOW TO USE THIS CODE

SEC. 03.02.02

1 **FIND YOUR PROPERTY ON THE REGULATING PLAN & IDENTIFY THE ZONING DISTRICT.**

SEC. 03.02.03

2 **REVIEW PERMITTED USE OR USES AND IDENTIFY ANY ADDITIONAL STANDARDS FOR SPECIFIC USES THAT MAY APPLY.**

SEC. 03.02.04 - SEC. 03.02.12

3 **REVIEW & COMPLY WITH THE STANDARDS/REGULATIONS APPLICABLE TO THE PROPERTY.**

- **Sec. 03.02.04. Development Standards**
- **Sec. 03.02.05. Frontage Types & Building Types**
- **Sec. 03.02.06. Thoroughfare Standards**
- **Sec. 03.02.07. Access & Parking Standards**
- **Sec. 03.02.08. Stormwater Standards**
- **Sec. 03.02.09. Landscape Standards**
- **Sec. 03.02.10. Fence & Wall Standards**
- **Sec. 03.02.11. Sign Standards**
- **Sec. 03.02.12. Architectural Standards**

4 **IDENTIFY IF WORK/PROJECT REQUIRES ADDITIONAL APPROVALS**

Some examples include:

- Project/work create a new block or street?
- Does the project/work exceed the criteria in **Major Development Projects**?
- Subdividing a lot a part of project/work? See **Sec. 11.01.05**.
- Project/work require a Zoning change? See **Sec. 11.01.09**.
- Project/work require a Conditional Use? See **Sec. 11.01.11**.

5 **SCHEDULE A PRE-APPLICATION CONFERENCE WITH THE DEVELOPMENT DEPARTMENT.**

6 **SUBMIT PERMIT TO BUILDING DEPARTMENT.**

ADDITIONAL RESOURCES:

- Definitions can be found in Chapter XII of the Land Development Code.
- Questions along the way? Contact City Staff at the Development Department.
- East Stuart Neighborhood is in the Community Redevelopment Area (CRA). Familiarize yourself with the incentives, program and projects within the Community Redevelopment Agency.

A. Application permits. No building or other land development permit shall be issued by the Development Director unless all provisions of this Code have been met, including approved exceptions, based on the development review and approval process.

1. Pre-application conference. Before beginning any new development, substantial renovation, renovation development, renovation, or demolition on private or public land, applicants are required to schedule a pre-application conference with the Development Department to determine the applicability of this Code.

a. Preliminary development review. After the pre-application conference, a preliminary design review may be requested by the Development Director to include a conceptual site plan and floor plans, and elevations.

b. At a pre-application conference, the applicant and Development Department will discuss relevant procedures from **Chapter XI** and possible required board presentation as outline in **Figure 03 Required Board Presentations.**

c. Development Director may request an applicant host a community workshop including any active neighborhood association(s) before submitting an application. A community workshop will be required of all major development projects. Applicant shall submit minutes and sign-in sheets from community workshop as part of the application.

FIGURE 03 REQUIRED BOARD PRESENTATIONS

		PRE-APPLICATION CONFERENCE	Community Redevelopment Agency			BOARD OF ADJUSTMENT	LOCAL PLANNING AGENCY	CITY COMMISSION
			CRB	SHPB	CRA BOARD			
Variance	**Sec. 8.05.01**	✓	✓			✓		
Plat Application	**Sec. 11.01.05**	✓						✓
Major Development Project	**Sec. 11.01.02**	✓	✓					✓
Conditional Use	**Sec. 11.01.11**	✓	✓					✓
Zoning Change	**Sec. 11.01.09**	✓	✓				✓	✓
FLU Change	**Sec. 11.01.06** or **11.01.07**	✓	✓				✓	✓

2. Application. After the pre-application conference and preliminary design review, 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 Neighborhood shall meet the submittal requirements of plan document as defined in **Chapter XI** of this Code. Completed applications shall include **Figure 05 Application Requirements.**

FIGURE 05 APPLICATION REQUIREMENTS

APPLICATION REQUIREMENTS
A general vicinity or location map & legal description
Proposed permitted uses, development activities & design
Building plans
Front, rear, & side architectural elevations with required Frontage Types identified
Finished floor elevation and base flood elevation
Documentation related to streets, parking, loading and connections to existing sidewalks
Landscaping including existing tree protection and planned shade trees
Existing historic buildings
Signage
Conceptual stormwater management plan
Any other documentation as required by the Development Director in order to demonstrate compliance with this Code

A. *Major development projects*. *Major development projects* shall be subject to the major development plan approval process described in **Sec. 11.01.02**. In addition to the requirements of **Sec. 11.01.02** a presentation to the CRB shall be required.

FIGURE 04 MAJOR DEVELOPMENT

MAJOR DEVELOPMENT IN EAST STUART NEIGHBORHOOD
A residential project which exceeds 20 total dwelling units
A non-residential development over 20,000 square feet in area.
A mixed-use development over 20,000 square feet in area.
A public or private institutional development exceeding one acre in land area.
Pursuant to **Sec. 5.05.02.A.2.c** when no practical alternative exists to locating structures on the site to accommodate a historic tree, a major development plan may apply for the removal and replacement of a historic tree.

B. 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 Neighborhood except in compliance with the provisions of this Code. A violation of this Code shall be deemed a zoning violation. In such event the 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.

DRAFT FOR REVIEW ONLY

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Sec. 03.02.02. Regulating Plan.

A. Zoning Districts in East Stuart Neighborhood. The following zoning districts are intended to regulate building placement, building height, parking, architectural character, outbuildings, signage, and curb cuts, etc. within each respective zoning district. The requirements vary according to the desired type and intensity of development. All zoning districts promote a compact walkable neighborhood with a variety of housing choices. Three zoning districts are described below:

1. *Business and mixed-use zoning district (BMU)*. The BMU zoning 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 of business and office uses with proximity to residential uses promotes a vibrant mixed use neighborhood.

2. *General residential and office zoning district (GRO)*. The GRO zoning district is generally characterized by a mix of single-family, duplexes and multi-family dwellings. The area allows for limited non-residential uses, and permits professional offices.

3. *Single-family and duplex zoning district (SFD)*. The SFD zoning district, at the center of the East Stuart community, is characterized mainly by single-family and duplex dwellings.

B. Regulating plan. **Figure 06 Regulating Plan** and **Figure 07 Thoroughfare Plan** are the Regulating Plans that apply to the East Stuart Neighborhood.

1. Recommended Connections. Potential future street and alley connections may also be illustrated on Thoroughfare Regulating Plans. Future connections are desired new vehicular or pedestrian connections to existing streets or alleys that will improve the overall transportation network. Future connections are not precise alignments or specific locations. The final street designations, exact alignment, location, maintenance responsibility and dedication of these intended links of the transportation network will be determined during the development review and approval process.

FIGURE 06 REGULATING PLAN

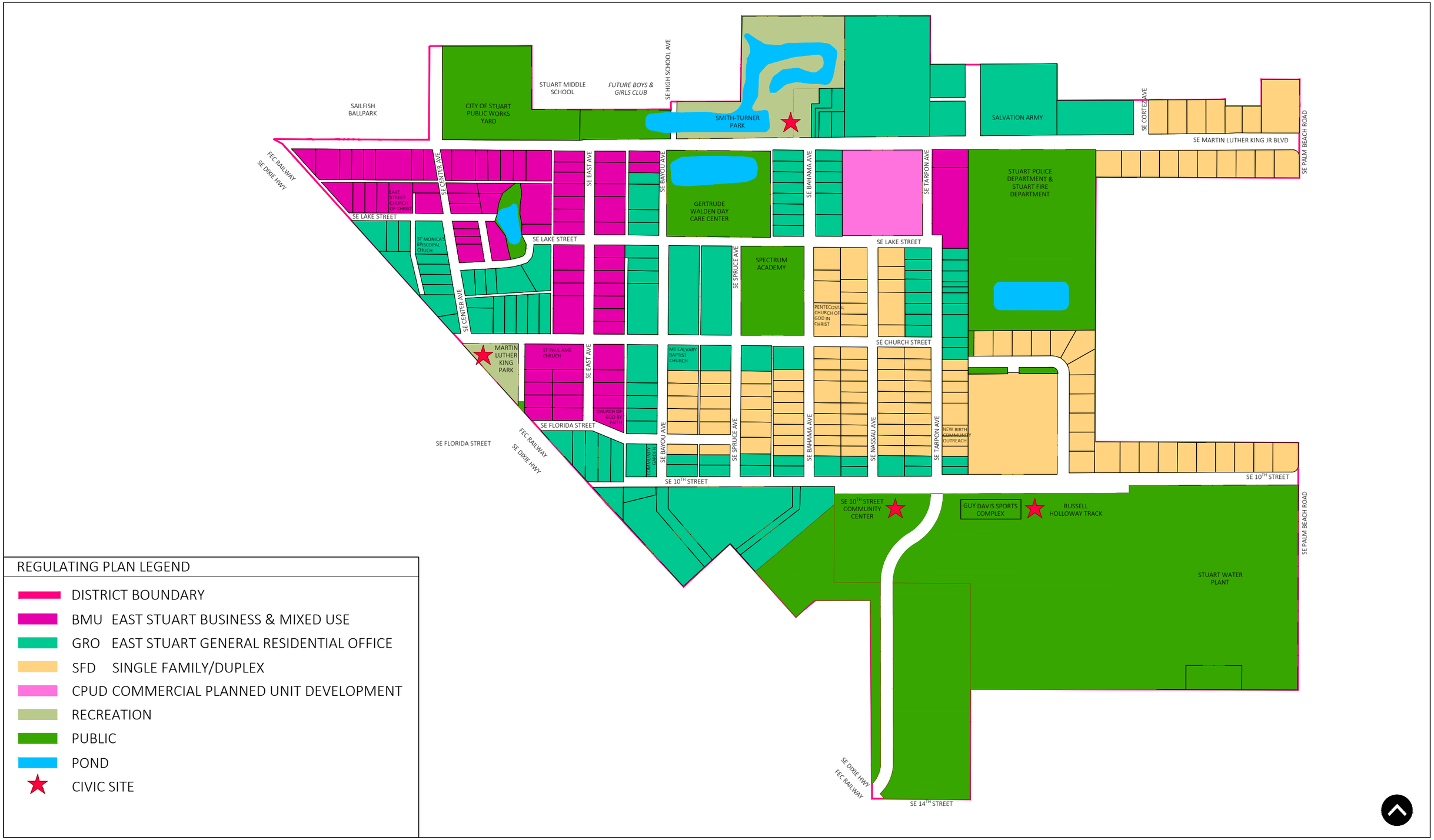
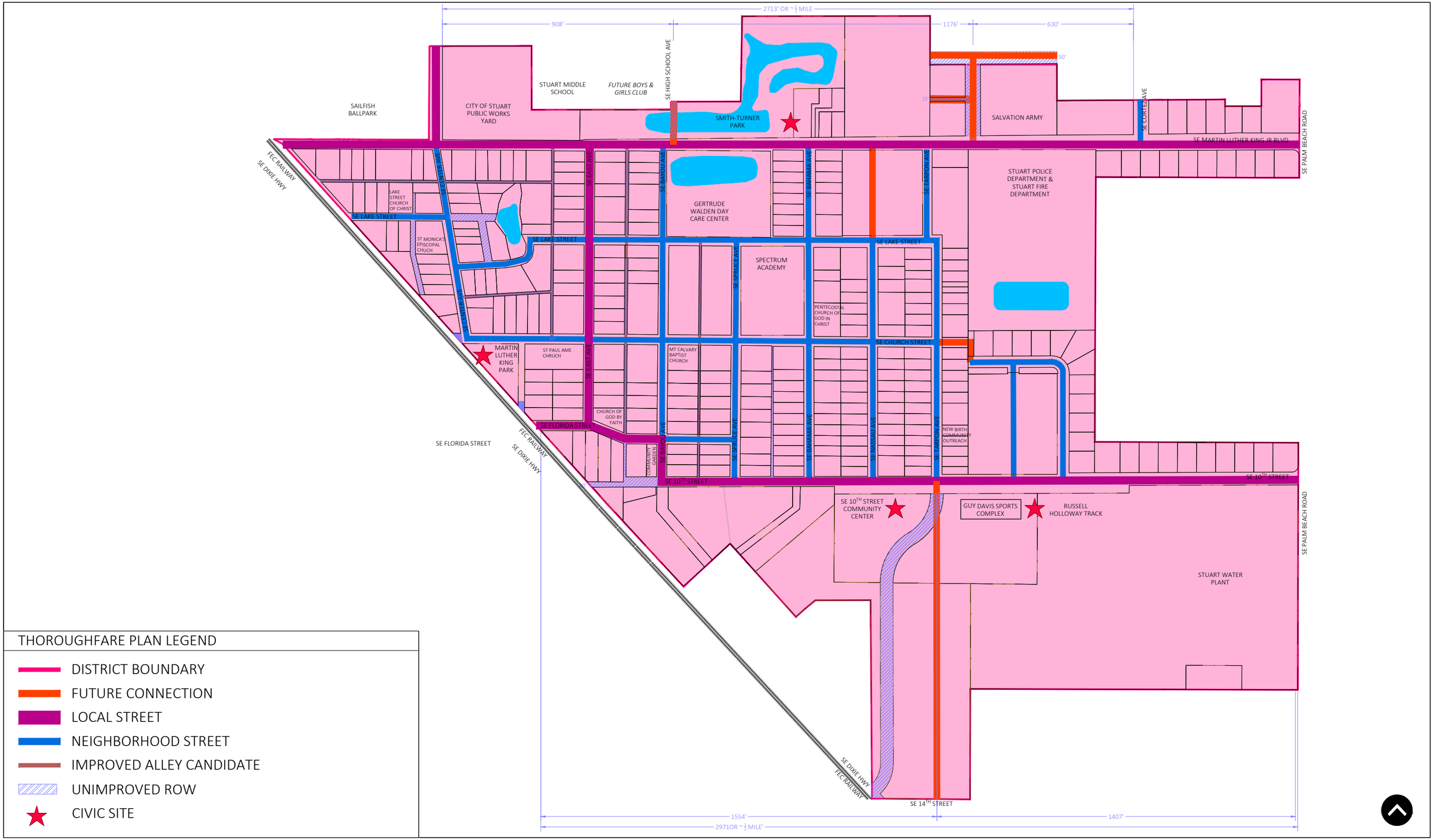


FIGURE 07 THOROUGHFARE PLAN



Sec. 03.02.03. Permitted Uses.

A. **Figure 08** identifies permitted uses in East Stuart Neighborhood. Uses which require a *conditional use* (CU) approval are marked with "CU."

B. Conditional Use. The review of a East Stuart Neighborhood Conditional Use application shall follow the procedures set forth in **Sec. 3.02.01.A.**

C. Non-conforming uses. Non-conforming uses created at the adoption of this Code shall be deemed legal non-conforming uses subject to the provisions of **Sec. 8.03.00**.

FIGURE 08 PERMITTED USES IN THE EAST STUART NEIGHBORHOOD

	Standards for Specific Use	BMU	GRO	SFD	Public	Rec.
Residential Uses						
Single-family dwelling unit		✓	✓	✓	-	-
Detached accessory dwelling unit, ancillary to a primary single-family dwelling unit		✓	✓	✓	-	-
Duplex dwellings units		✓	✓	✓	-	-
Multi-family dwelling units		✓	✓	-	-	-
Family day care home in a residence		✓	✓	✓	-	-
Group home of six or fewer residents		-	-	✓	-	-
Home Occupation	**Sec. 03.02.03.B.2**	✓	✓	✓	-	-
Transient Residential & Overnight Accommodations						
Hotels/motels		✓	-	-	-	-
Rooming and boarding houses		✓	✓	-	-	-
Bed and breakfast inn		✓	✓	-	-	-
Institutional Uses						
Adult day care centers (< three acres)		✓ CU	✓	-	-	-
Child care centers (< three acres)	**Sec. 02.04.03.B.1**	✓ CU	✓	-	-	-
Community centers		✓	✓	-	✓	✓
<u>Funeral homes without crematoriums</u>		✓ CU	-	-	-	-
Governmental buildings		✓	✓	-	✓	-
Libraries		✓	✓	-	✓	-
Museums		✓	-	-	✓	-
Assisted living facilities (< three acres)		✓	✓	-	-	-
Religious institutions (< three acres)		✓	✓	-	-	-
Elementary or junior high Schools—Private, parochial		✓ CU	✓ CU	-	✓	-
High schools—Private, parochial, or technical		✓ CU	✓ CU	-	✓	-
Technical Schools—Private, parochial		✓ CU	✓ CU	-	✓	-
Commercial Uses						
Art shops/galleries		✓	-	-	-	-
Banks/financial institutions		✓	-	-	-	-
Barbershop, Beauty Salons, Specialty Salons		✓	-	-	-	-
Bars		✓ CU	-	-	-	-

	Standards for Specific Use	BMU	GRO	SFD	Public	Rec.
Catering shop		✓	-	-	-	-
Clubs, lodges, and fraternal organizations		✓ CU	-	-	-	-
Massage therapy establishment		✓	-	-	-	-
Microbreweries and craft distilleries		✓	-	-	-	-
Office, business or professional		✓	✓	-	-	-
Office, medical or veterinary		✓	✓	-	-	-
Restaurants, convenience & general excluding drive-in	**Sec. 2.06.13**	✓	-	-	-	-
Retail sales and service		✓	-	-	-	-
Rooftop dining	**Sec. 2.06.19**	✓ CU	-	-	-	-
Studios, art, dance, music, exercise		✓	-	-	-	-
Theater, excluding drive-in theaters		✓	-	-	-	-
Recreational Uses						
Public Parks		✓	✓	✓	✓	✓
Utility & Service Uses						
Public facilities and services		✓	✓	✓	✓	✓
Public utility		✓	✓	✓	✓	✓
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	**Sec. 2.06.11**	✓	✓	-	-	-
Agricultural Uses						
Community gardens	**Sec. 2.06.08**	✓	✓	✓	✓	✓
Urban farms	**Sec. 2.06.08**	✓	✓	-	-	-
Storage, Transportation & Logistics Uses						
Government provided public parking garages and lots		✓	-	-	✓	✓
Private parking garages and lots		✓ CU	-	-	-	-

D. Standards for Specific Uses. Certain uses have unique characteristics that require the imposition of development standards in addition to those minimum standards which may pertain to the general group of uses encompassing the use. These standards shall be met in addition to all other standards of this Code, unless specifically exempted.

1. *Child care centers*. Child care centers shall comply with the following standards:

a. Required square footage of outdoor play area per child shall meet Florida Department of Children and Family Services standards and provide proof of issuance of a state license for such facility;

b. The outdoor play area is enclosed by a fence having a height of at least five feet in order to prevent passage;

c. One non-illuminated sign may be permitted to identify the principal structure, but such sign cannot exceed the size and height requirements of the respective zoning

district, and cannot contain any advertising other than the name of the business;

d. The location of outdoor play equipment shall be determined in the site plan review;

e. Proof of application of a state license for such facility before approval of the conditional use shall be shown and such license must be issued before, or at the same time, of any certificate of occupancy or business tax receipt may be issued for such facility.

2. *Home occupations.* Home occupations shall comply with the following standards:

a. The use of the dwelling unit for the home occupation shall be clearly incidental and secondary to the residential use and shall under no circumstances change the residential character of the dwelling, outbuilding or accessory structures.

b. The home occupation shall not generate pedestrian or vehicular traffic in greater volume than would normally be expected to the home.

c. The home occupation shall have no more than one non-illuminated sign with a maximum area of one square foot. The sign shall be mounted flat against a wall within one foot of the entrance to the dwelling or outbuilding in which the home occupation is located.

d. There shall be no use of utilities or community facilities beyond that normal to the use of the property for residential purposes.

e. The home occupation shall not employ equipment which creates fire hazards, electrical interference, noise, vibration, glare, fumes, odors detectable to the normal senses outside the dwelling unit. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

f. A home occupation that involves retail sales or services that require patrons to visit the residence shall be limited to detached single-family dwellings, townhouses or outbuildings and shall require approval of a conditional use process, as provided in Sec. 3.02.01. The permitted hours of operation shall be specified in such approval.

g. Storage or parking of one commercial vehicle is allowed, provided:

i. That such vehicle or trailer is owned or operated by the resident of the property; and

ii. That such vehicle is garaged or otherwise screened from view of adjoining properties and any adjoining street.

iii. The restrictions in subparagraph (ii) shall not apply to public service agency vehicles such as law enforcement and those providing emergency response services.

h. The use can qualify for all local, state and federal licenses, certificates and permits.

i. Any violation of these regulations may result in the revocation of any home occupation business tax receipt, in addition to any other remedy for such violation provided in the City's Code. The issuance of a business tax receipt to engage in a home occupation in accordance with this ordinance shall not be deemed to be a change in zoning nor an official expression of opinion as to the proper zoning for the particular property.

3. Re-construction of ***grandfathered business***. The following non-conforming business premises may be re-constructed within its existing building footprint and the current use therein continued.

a. Taylor's Grocery Store, 610 East 10th Street

Sec. 03.02.04. Development Standards

A. All new development, substantial improvements or renovations shall comply with the Development Standards in **Figure 09 Development Standards in the East Stuart Neighborhood**. Development Standards which require a *conditional use* (CU) approval are marked with "CU."

FIGURE 09 DEVELOPMENT STANDARDS IN THE EAST STUART NEIGHBORHOOD

	BMU	GRO	SFD	Public	Recreation
Lot Size					
Lot area	None	None	None	None	None
Lot width	None	None	None	None	None
Building Placement					
Front Build-to-Zone	5'-20'	10'-20'	10'-20'	5'-20'	5'-20'
Side setback at property line, min. in feet	5'	5'	5'	10'	10'
Side setback at street, min. in feet	10''	10'	10'	10'	10'
Rear setback, min. in feet	10'	10'	10'	10'	10'
Placement for Accessory Structures	5' rear/side	5' rear/side	5' rear/side		
Building Height					
Building height, max. in stories	3	3	2	3	3
Building height, max. in feet	40'	35'	30'	40'	40'
Building height for Accessory Structures	2-stories / 25'	2-stories / 25'	2-stories / 25'		
Ground story height, min. in feet	12'	-	-	12'	12'
Gross Density					
Residential density, max. in units/acre	17 / CU 30	17 / CU 30	17	Not Applicable	Not Applicable
Coverage					
Impervious surface, max. in %	TBD	65%	65%	65%	65%
Civic Open Space for lots ≥ 1/2 acre and < 1 acre	5%	5%	5%	Not Applicable	Not Applicable
Civic Open Space for lots ≥ 1 acre	7%	7%	7%	Not Applicable	Not Applicable
Frontage Types					
Porch	✓	✓	✓	✓	✓
Stoop	✓	✓	✓	✓	✓
Bracketed Balcony	✓	✓	✗	✓	✓
Forecourt	✓	✓	✗	✓	✓
Arcade	✓	✗	✗	✓	✓
Storefront	✓	✗	✗	✓	✓
Parking Placement, see Sec. 03.02.07. Access & Parking Standards					

B. Building Placement.

1. *Build-to-Zone (BTZ)*. Setbacks are measured from the property line and are defined in Chapter XII.

2. *Setbacks*. Setbacks are measured from the property line and are defined in Chapter XII. **Sec. 2.04.04. - Supplemental building setback requirements.**

3. *Primary Facade*. Main entries shall be prominent and orientated to the street.

i. The primary façade shall be generally parallel to the right-of-way, located in accordance with the build-to-zone of the zoning district.

ii. The primary façade shall face existing roadways.

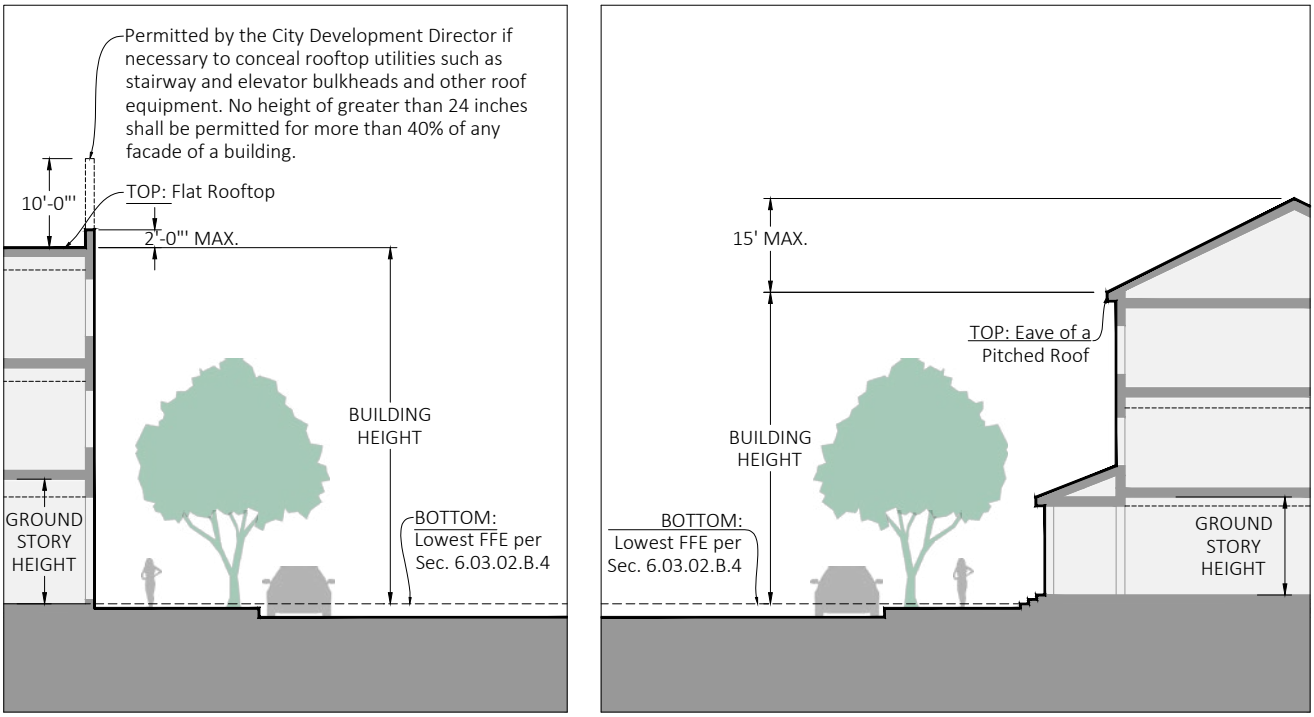
iii. The location of the primary façade is not changed by the projection of architectural elements such as cornices, bay windows, awnings, balconies, or stoops.

iv. On corner lots, the primary façade shall extend to the corner or a civic open space shall be provided.

C. *Building Height*. Building height is measured in accordance with Sec. 2.04.07. - Supplemental building height. See **Figure 10** for illustration.

1. *Ground story height*. Minimum ground story heights are provided for zoning districts. Ground story height is measured as the clear height from finished floor elevation to the underside of structure above.

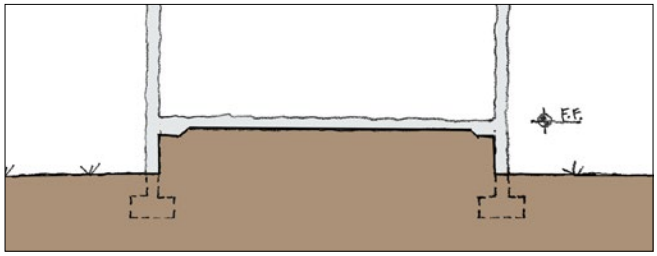
FIGURE 10 ILLUSTRATION OF MEASURING HEIGHT



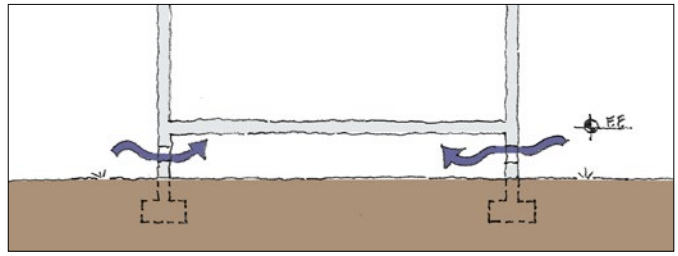
2. *Finished floor elevations.* For the purpose of minimizing stormwater impacts, the finished floor elevations of surrounding properties shall be taken into consideration in establishing the finished floor elevation of the new structure. Fill may be placed on site to the level of natural grade, maintaining the overall drainage of the neighborhood. If new construction has a floor level higher than natural grade, the foundation shall provide for the rise in floor level, rather than mounding fill to building perimeter. Minor grading directing water away from house to natural established drainage is allowed. See examples in **Figure 11 Alternatives to Foundations on Fill**.

FIGURE 11 ALTERNATIVES TO FOUNDATIONS ON FILL

Stem Wall, Extended Footers, or
Thickened Monolithic Foundation with Fill



Historic Stem or Pier Wall Foundation



D. *Building Length*. Buildings shall not be longer then 150'.

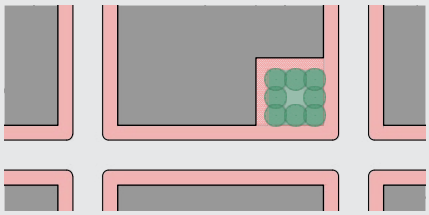
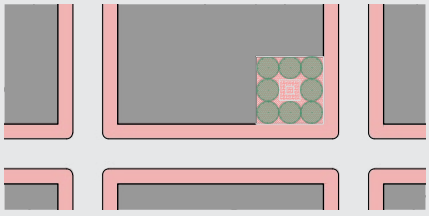
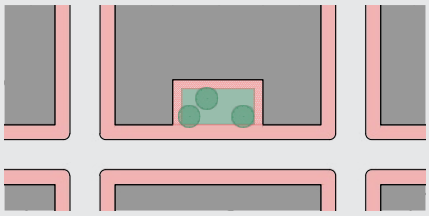
E. *Gross Density*. The gross density is measured in as defined in **Chapter XII**.

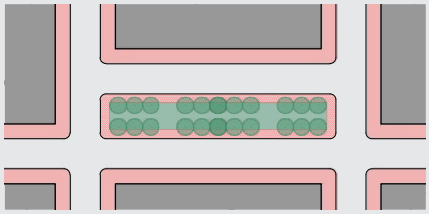
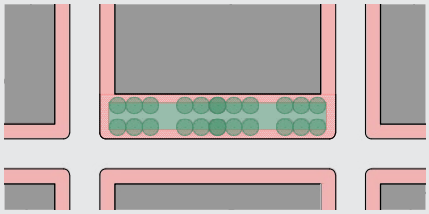
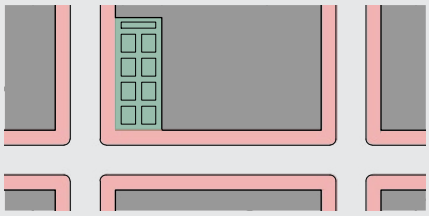
F. Coverage.

1. *Impervious surface*. Impervious surface coverage is determined by calculating the total impervious surface area as a percentage of the gross site area. Water bodies are impervious and shall be included as such in the calculation of impervious surface coverage. See **Sec. 2.04.03. - Supplemental impervious surface coverage requirements.**

2. *Civic Open Space*. Civic open spaces are privately maintained outdoor spaces which are accessible by the general public, improve the pedestrian environment, and serve as an amenity for the City as a whole as well as for occupants of the building which the civic open space serves. Civic open spaces shall provide low impact infrastructure elements to promote improved stormwater treatment. Examples of Civic Open Space which can be implemented are show in **Figure 12 Civic Open Space Types.**

FIGURE 12 CIVIC OPEN SPACE TYPES

	SIZE	DESCRIPTION	ILLUSTRATION
GREEN	≥1,500 sf	A green is at least 1,500 square feet in size and adjoins streets on at least two sides or a street and a pedestrian passageway or main building entry. Greens are designed primarily for passive uses, consisting primarily of lawn with either formally or informally arranged landscaping and shade trees.	
PLAZA	≥ 1,500 sf	A plaza adjoins streets on at least two sides, or a street and a pedestrian passageway, or main building entry. Plazas are mostly hardscaped with formally arranged landscaping and a water feature and shade trees.	
PLAYGROUND	≥ 2,500 sf	Playgrounds provide children's play equipment and are shaded with shade trees or shade structures. Playgrounds adjoin a street on at least one side and the configuration shall ensure easy surveillance of the area from adjacent buildings and streets.	

	SIZE	DESCRIPTION	ILLUSTRATION
SQUARE	≥ 10,000 sf	A square adjoins streets on at least three sides. Squares may be up to 50% hardscaped, with formal landscaping and shade trees. Squares accommodate both passive uses and community gatherings.	
ATTACHED GREEN	2,000 to 6,000 sf	An attached green spans the entire length of a block. Attached greens shall be at least 30 feet wide and are appropriate on the short end of a block. Attached greens are primarily lawns with formally arranged landscaping and shade trees.	
COMMUNITY GARDEN	≥ 15' wide	Community Garden. A community garden is 2,500 to approximately 5,000 square feet and adjoins a street on at least one side. Community gardens are land that is cultivated collectively by members of a community.	
FORE-COURT	250 to 1,500 sf	Buildings shall utilize standards from Forecourt frontage type, see **Figure 18 Forecourt**.	
PUBLIC ART	< 250 sf	A space incorporating a fountain, living wall, or work of art may be provided facing a street or a pedestrian passageway.	

G. *Accessory Structures*. Accessory structures shall comply with the Development Standards applicable in the zoning district except where modified herein.

1. <u>Accessory structures shall not be established on a lot prior to the issuance of all permits required for the development of the principal use to which it is accessory.</u>

2. Shielding from Street. Sheds, exposed pumps, electrical meters, heat pumps, generators, pool equipment, air conditioning compressors, clothes lines, antennas, satellite dishes, outdoor storage, and similar structures and uses shall not be located between the front of a building and a street. Listed items and similar structures shall be shielded from view from public rights-of-way. All rooftop utilities and facilities, such as air conditioning units, shall be screened so as to not be visible from public view, including from balconies and windows of adjacent buildings.

3. *Outbuildings.* Outbuildings shall conform to the following requirements:

a. Outbuildings may include detached garages and carports, greenhouses, slat houses, cabanas and detached garage apartments and Accessory Dwelling Units (ADU).

b. Outbuildings shall be located behind the rear facade of the principal building or in the rear one half of the property subject to a minimum five-foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet.

c. There shall not be less than five feet separation between an outbuilding and a principal building.

d. Outbuildings shall be constructed of the same materials used in the principal building. Canvas outbuildings are not permitted.

e. Only one outbuilding per principle building is permitted.

f. Outbuildings shall not exceed a maximum building footprint of 1,000 square feet and a maximum gross floor area of 2,000 square feet.

g. Outbuildings may not exceed the height of the principal building.

h. Outbuildings may be constructed as elevated buildings that include the location of open parking below an enclosed structure; however, open parking shall be shielded from public right-of-way by landscaping, lattice or other screening material that is not less than 42 inches in height.

i. Outbuildings may be connected to the principal building by a covered walkway element, trellis, or other structural link, which shall not be enclosed so as to create occupiable space.

j. Residential Recreational Facility such as swimming pools, tennis, basketball or volleyball courts, and other similar private outdoor recreational uses shall have setbacks comply with setbacks consistent with outbuildings as shown in **Figure 11 Alternatives to Foundations on Fill**. The size of a residential recreational facility shall be restricted by the minimum maximum impervious coverage space standards of the zoning district.

4. *Accessory Dwelling Units.*

a. One ADU may be permitted on a lot on which a detached single-family dwelling, duplex, or townhouse is located.

b. An ADU shall not count as a separate unit for purposes of calculating density.

c. An ADU may be the second floor of a garage, a freestanding cottage, or physically attached to the principal dwelling.

d. An ADU shall not exceed a footprint of 1,000 square feet.

e. An ADU may have a separate utility meter or share utilities with the principal dwelling, as required or permitted by the utility provider.

H. *Frontage Types.* Each new building, or substantial improvement, constructed must meet the standards for one of the Frontage Types permitted in the zoning district where it is located. Frontage Type diagrams do not prescribe use or architectural style and are illustrative. Dimensions provided in tables control for regulatory requirements. See **Sec. 03.02.05.**

I. *Historic buildings*. The requirements of this Code may be adjusted by variance for the purposes of preserving a historic building.

J. *Pubic Art*. All zoning districts shall comply with standards in Sec. 3.01.07 Public art. Wall murals shall be permitted on any structures. When visible from a public right-of-way, mural shall require the approval by *conditional use*.

K. 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 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.

Sec. 03.02.05. Frontage Types & Building Types

A. *Frontage Types* are required by zoning district. Using one or more of the permitted *frontage types* indicated in **Figure 14 Permitted Frontage Types Matrix** is required. Standards for *frontage types* are found in **Figure 15 Porch** through **Figure 20 Shopfront**.

B. *Façade Transparency.*

1. Windows and doors at the ground level shall have clear, transparent glass that has a minimum visible light transmission (VLT) of 50%. Mirrored glass is prohibited at the ground level.

2. Building façades facing a *Local Street* (as identified on the Thoroughfare plan) and *Civic Open Spaces* shall have a minimum percentage of transparent glazing. The required percentage is determined by the frontage type.

3. Above the ground level, building façades must have transparent windows which cover some percent of the wall area of each story as measured between finished floors.

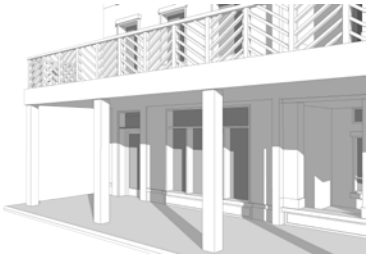
FIGURE 13 FRONTAGE TYPES MATRIX

PORCH

STOOP

BRACKETED BALCONY

FORECOURT



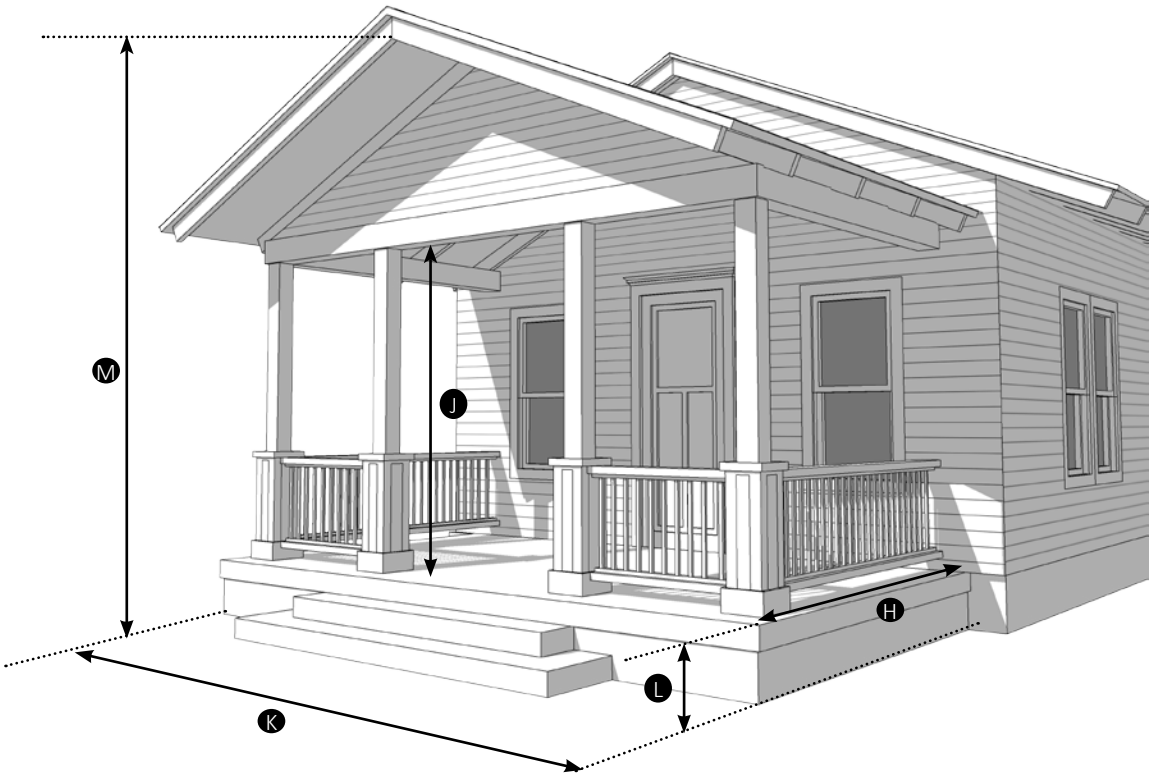
ARCADE / GALLERY

SHOPFRONT

FIGURE 14 PERMITTED FRONTAGE TYPES MATRIX

Permitted Zoning District			Permitted Frontage Types	Cottage	Duplex	Cottage Court	Town-house	Apartment House	Court-yard	Live-Work
SFD			Porch	✓	✓	✓	✓	✓		
			Stoop	✓	✓	✓	✓	✓		
	GRO		Bracketed Balcony				✓	✓		
		BMU	Forecourt					✓	✓	✓
			Arcade / Gallery					✓	✓	✓
			Shopfront						✓	✓

FIGURE 15 PORCH



Description
A porch is an open-air structure attached to a building forming a covered entrance large enough for comfortable use as an outdoor room. Front porches may be screened.

Dimensions		
Depth	6 feet min. *8 feet preferred*	H
Height, clear	8 feet min.	J
Width, length of facade	50% min.	K
Finish level above finished grade	18 inches min.	L
Height, stories	2 stories max.	M

Façade Transparency	
Ground level	25% min.
Above the ground level	15% min.

Permitted Zoning District		
SFD	GRO	BMU

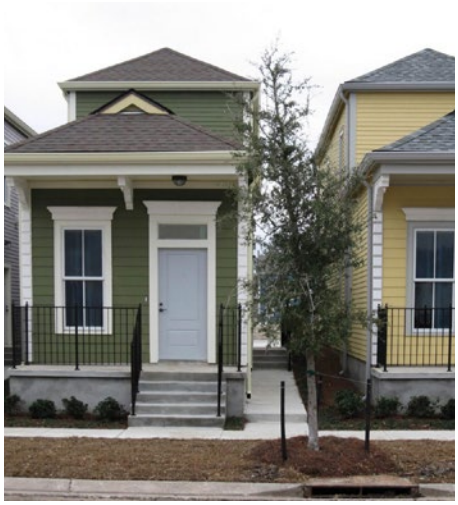
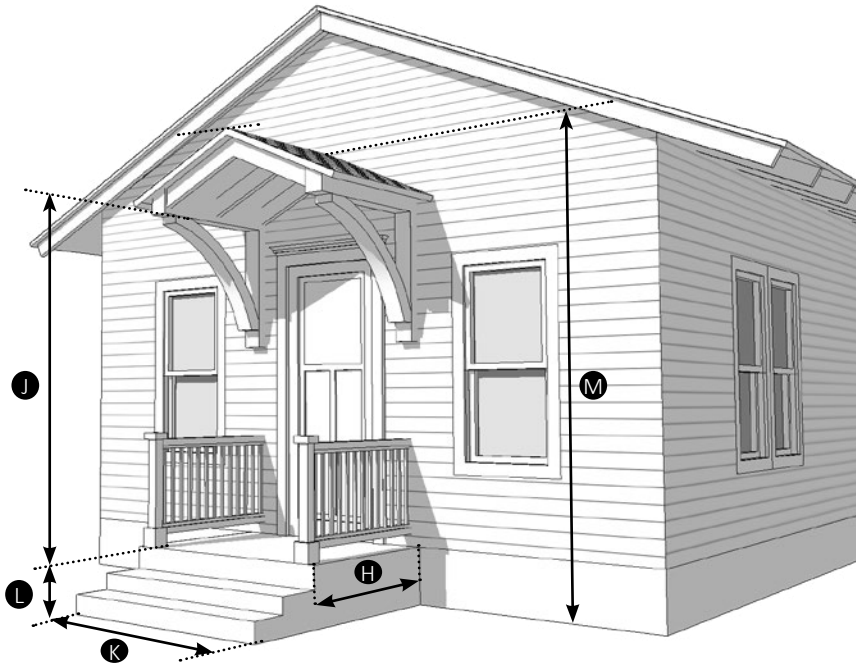


FIGURE 16 STOOP



Description
A stoop is a small staircase leading to the entrance of a building that may be covered. The elevation of the stoop is necessary to ensure privacy for residential uses in the ground story of buildings. Stoops should provide sufficient space for a person to comfortably pause before entering or after exiting the building.

Dimensions		
Depth	5 feet min.	H
Height, clear	8 feet min.	J
Width, clear	4 feet min.	K
Finish level above finished grade	18 inches min.	L
Height, stories	1 story max.	M

Façade Transparency	
Ground level	25% min.
Above the ground level	15% min.

Permitted Zoning District		
SFD	GRO	BMU

FIGURE 17 BRACKETED BALCONY

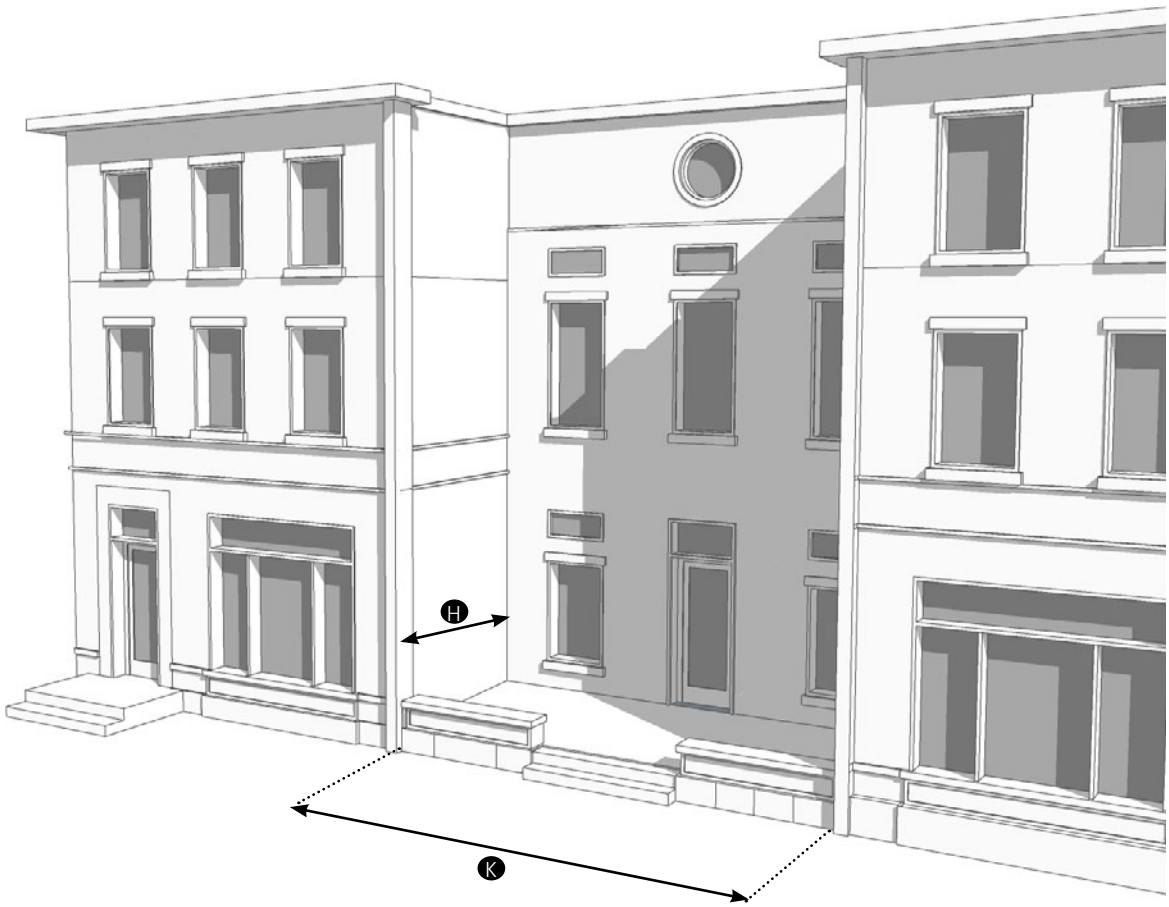
Description
A bracketed balcony is a second-story balcony, that creates a semi-public space overlooking the street above a main entry or unit. Bracketed balconies are typically associated with buildings with commercial uses in the ground story; however, bracketed balconies may be used with residential uses. On corner lots, a balcony shall extend along two street facades, but it does not have to be continuous. Where balconies are required, the aggregate length of balconies shall be not less than 50% of the building facade at the floor level from which it projects on each floor level.

Dimensions		
Depth	3 feet min., 5 feet max.	H
Height, ground level clear	10 feet min.	J
Width	4 feet min.	K

Façade Transparency	
Ground level	40% min.
Above the ground level	15% min.

Permitted Zoning District	
GRO	BMU

FIGURE 18 FORECOURT



Description

A forecourt is an open area in front of the main building entrance(s) designed as a small garden or plaza. Low walls or balustrades no higher than three feet six inches in height when solid may enclose the forecourt. Forecourt walls are constructed of similar material as the principal building or are composed of a continuous, maintained hedge. A forecourt may afford access to one or more first floor residential dwelling units or incorporate storefronts for commercial uses. Forecourts are typically associated with multifamily, mixed-use, and commercial buildings.

Dimensions

Depth, clear	20 feet max.	H
Width, length of facade	12 feet min. / 50% of facade max.	K

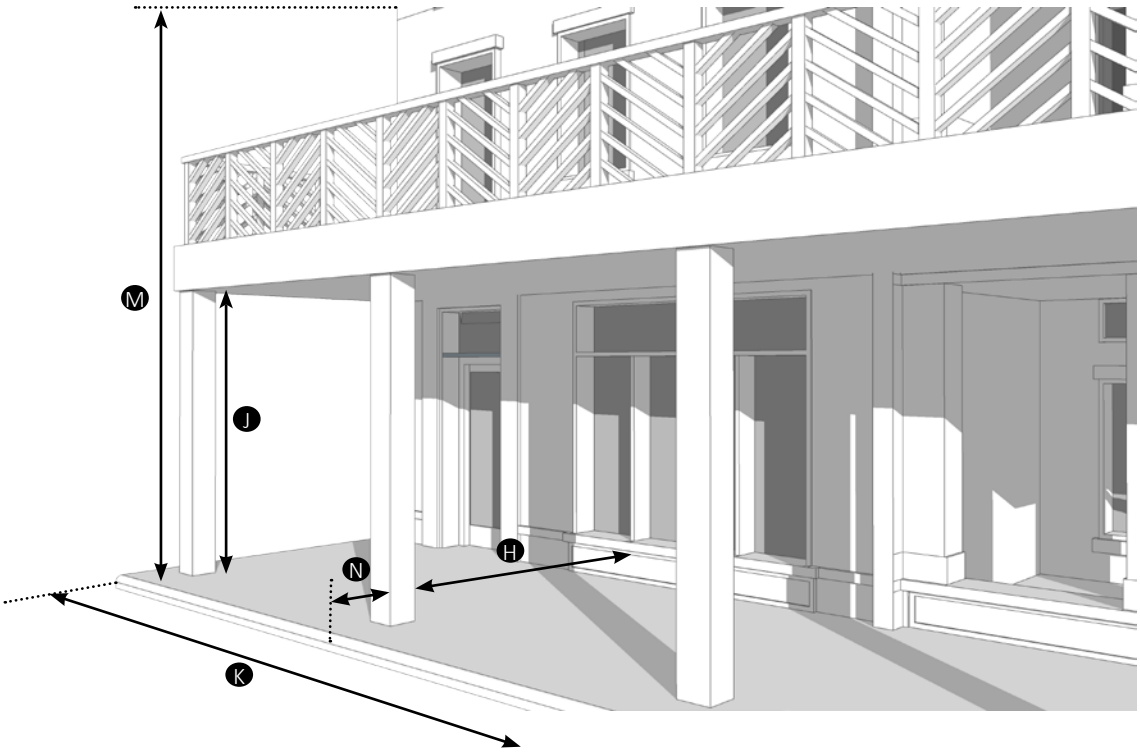
Façade Transparency

Ground level	40% min.
Above the ground level	15% min.

Permitted Zoning District

GRO | BMU

FIGURE 19 ARCADE



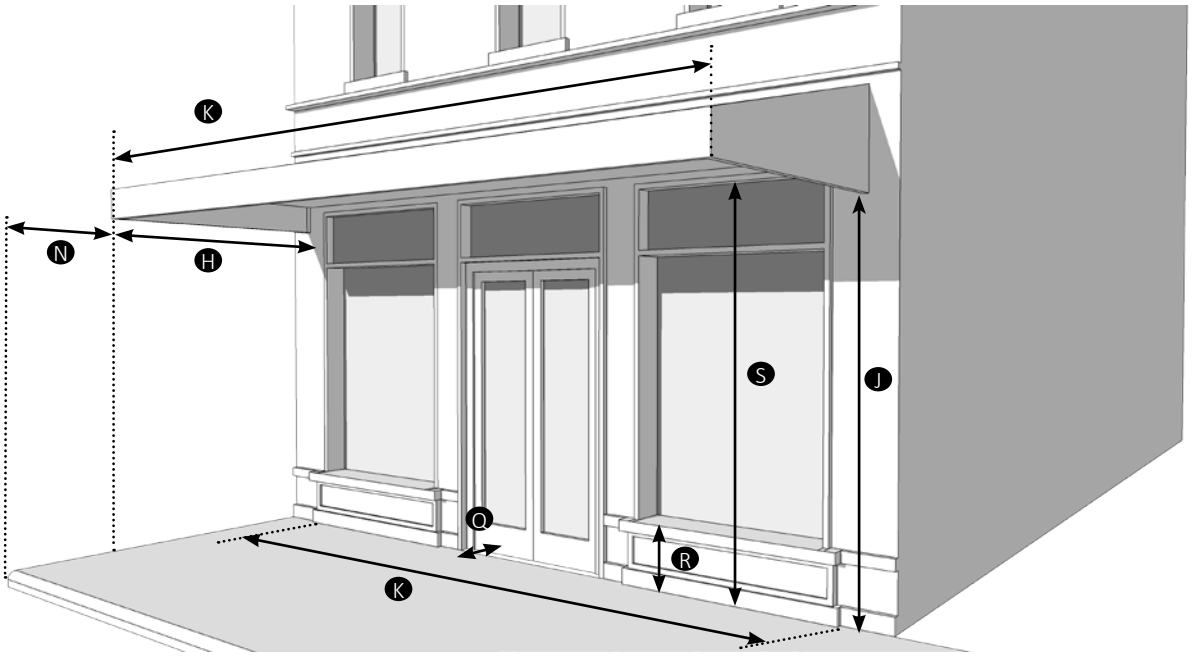
Description
An arcade is a covered, unglazed, linear hallway attached to the front of a building, supported by columns or pillars. The arcade extends into the public right-of-way, over the streetscape area, creating a shaded environment ideal for pedestrians. This frontage type shall be used in conjunction with a **Shopfront Frontage Type** for a minimum of 50% of the Arcade length. Arcades shall remain open to the public at all times. Where an arcade encroaches into the public right-of-way, a right-of-way maintenance agreement may be required.

Dimensions		
Depth, clear	8 feet min.	H
Height, ground level clear	10 feet min.	J
Width, length of facade	70% min.	K
Height, stories	2 stories max.	M
Set back from curb	2 feet min. / 4 feet max.	N

Façade Transparency	
Ground level	40% min.
Above the ground level	15% min.

Permitted Zoning District	
GRO	BMU

FIGURE 20 SHOPFRONT



Description
The shopfront is a frontage type along the sidewalk level of the ground story, typically associated with commercial uses. Shopfronts are frequently shaded by awnings or arcades.

Dimensions		
Width, length of facade	70% min.	K
Door recess	10 feet max.	C
Storefront base	1 foot min. / 3 feet max.	R
Glazing height	8 feet min.	S
Optional Awning		
Depth	3 feet min.	H
Height, ground level clear	8 feet min.	J
Width, length of facade	70% min.	K
Set back from curb	2 feet min.	N
Façade Transparency		
Ground level	40% min.	
Above the ground level	15% min.	

Permitted Zoning District

BMU

C. *Building Types*. The following Building Types are illustrative examples of appropriate building types. Building Types do not prescribe use or architectural style. The following Building Types shall be incorporated. **Figure 09 Development Standards in the East Stuart Neighborhood** provides additional Development Standards.

1. **Figure 22 Cottage**
2. **Figure 23 Duplex**
3. **Figure 24 Cottage Court**
4. **Figure 25 Townhouse**
5. **Figure 26 Apartment House**
6. **Figure 27 Courtyard Building**
7. **Figure 28 Live/Work Building**
8. **Figure 29 Outbuilding**

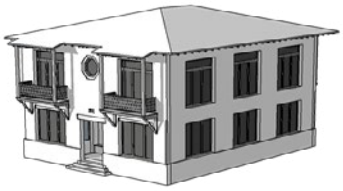
FIGURE 21 BUILDING TYPES MATRIX

COTTAGE

DUPLEX

COTTAGE COURT

TOWNHOUSE



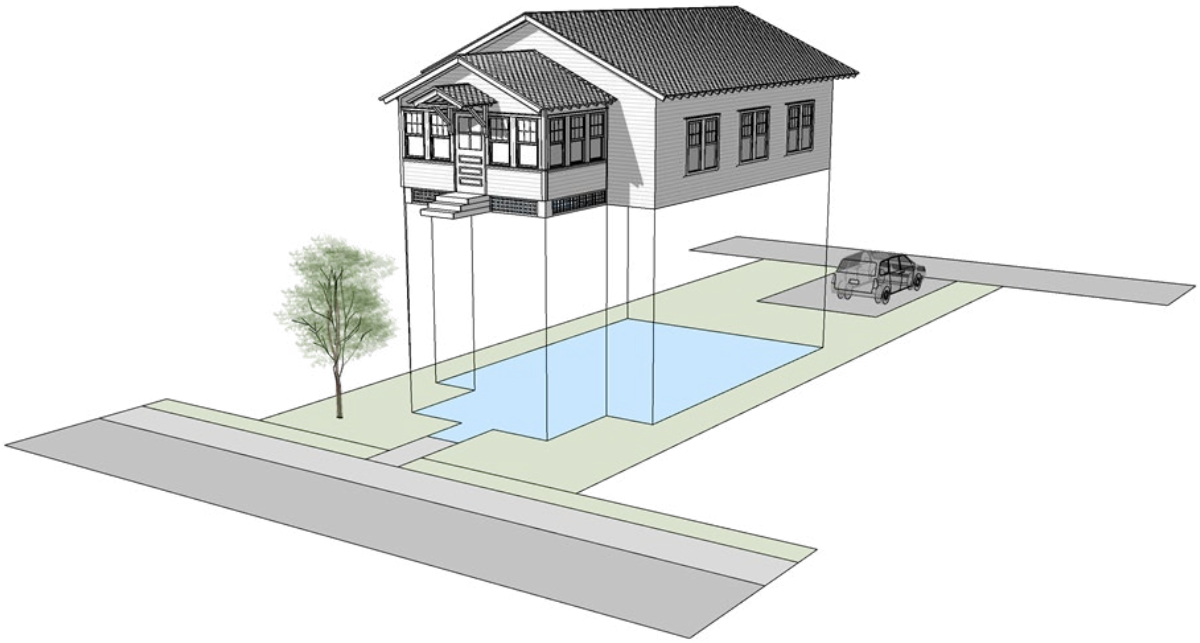
APARTMENT HOUSE

COURTYARD BUILDING

LIVE/WORK BUILDING

OUTBUILDING

FIGURE 22 COTTAGE



KEY

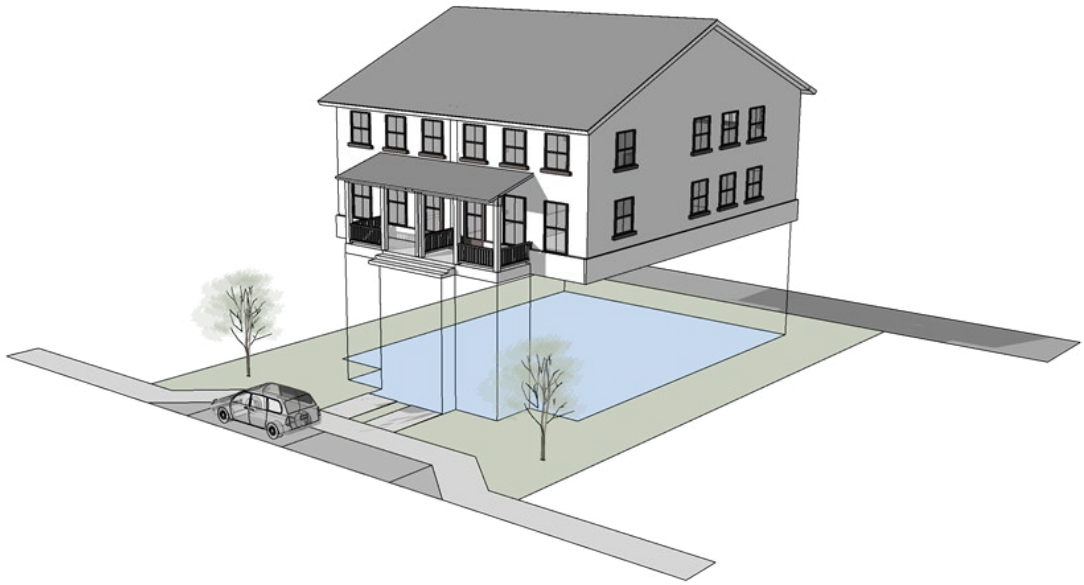
- PROPERTY LINE
- BUILDING FOOTPRINT
- PARKING AREA

Description
A Cottage is a detached building with a small front yard often located on a narrow lot.

Notes
Cottages shall not exceed a footprint of 2,000 square feet.
For this Building Type, the frontage buildout requirement may be met with the provision of a continuous wall or fence along the lot frontage.
For additional development standards, see **Figure 09 Development Standards in the East Stuart Neighborhood**.

Permitted Zoning District			Permitted Frontage Types	
SFD	GRO	BMU	Porch	✓
			Stoop	✓

FIGURE 23 DUPLEX



KEY

- PROPERTY LINE
- BUILDING FOOTPRINT
- PARKING AREA

Description

A Duplex is an attached building with one common wall that separates two dwelling units within a single lot. Duplexes can be designed to blend in with detached single family dwellings.

Notes

For this Building Type, the frontage buildout requirement may be met with the provision of a continuous wall or fence along the lot frontage.

For additional development standards, see **Figure 09 Development Standards in the East Stuart Neighborhood**.

Permitted Zoning District			Permitted Frontage Types	
SFD	GRO	BMU	Porch	✓
			Stoop	✓

FIGURE 24 COTTAGE COURT

KEY

- PROPERTY LINE
- BUILDING FOOTPRINT
- PARKING AREA

Description
A Cottage Court is a series of small detached houses arranged around a common open space. Homes may share other common amenities like storage and parking areas.

Notes
Cottage Courts may include duplexes.
For this Building Type, the frontage buildout requirement may be met with the provision of a continuous wall or fence along the lot frontage.
For additional development standards, see **Figure 09 Development Standards in the East Stuart Neighborhood**.

Permitted Zoning District			Permitted Frontage Types	
SFD	GRO	BMU	Porch	✓
			Stoop	✓

FIGURE 25 TOWNHOUSE

KEY

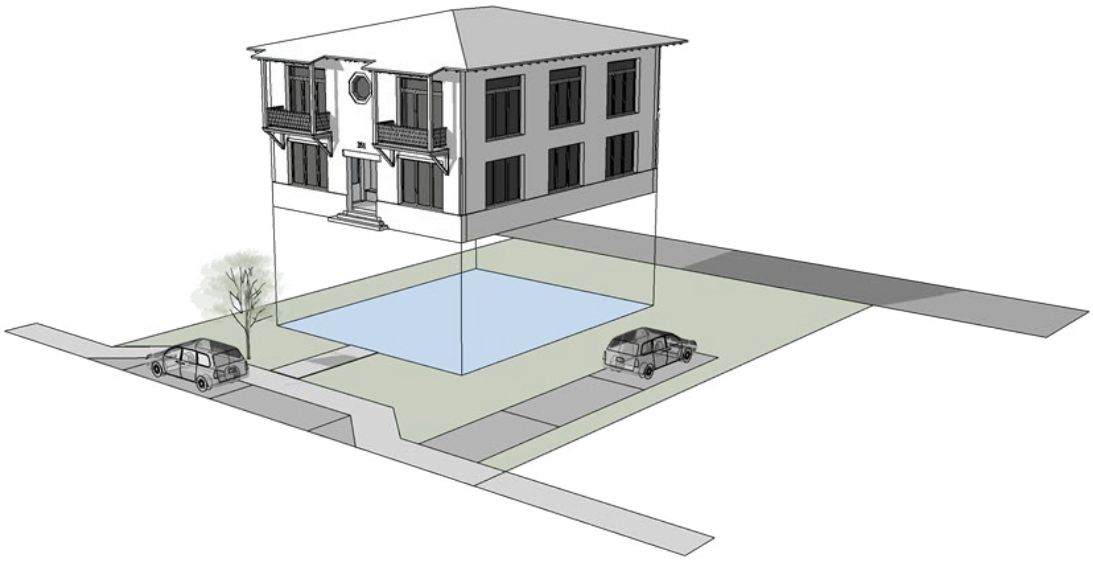
- PROPERTY LINE
- BUILDING FOOTPRINT
- PARKING AREA

Description
A Townhouse is a building with common walls on one or both sides and often a private garden to the rear.

Notes
Townhouses shall have a maximum grouping of 8 dwelling units and a minimum setback of 15 feet between buildings.
Where off-street parking is required, parking shall be located in the rear.
When adjacent to another property that is not part of the townhouse development the Side at Property Line Setback is 10 feet minimum from the property line.
For additional development standards, see **Figure 09 Development Standards in the East Stuart Neighborhood**.

Permitted Zoning District			Permitted Frontage Types	
SFD	GRO	BMU	Porch	✓
			Stoop	✓
			Bracketed Balcony	✓

FIGURE 26 APARTMENT HOUSE



KEY

- PROPERTY LINE
- BUILDING FOOTPRINT
- PARKING AREA

Description

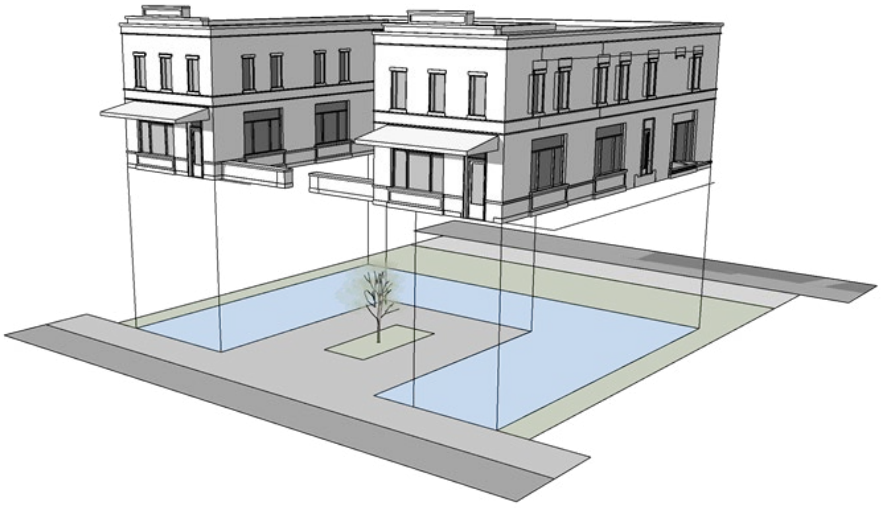
An Apartment House contains multiple residences above and/or beside each other in a building that occupies most of its lot width and is placed close to the sidewalk.

Notes

For additional development standards, see **Figure 09 Development Standards in the East Stuart Neighborhood**.

Permitted Zoning District			Permitted Frontage Types	
SFD			Porch	✓
			Stoop	✓
	GRO	BMU	Bracketed Balcony	✓
			Forecourt	✓
			Arcade / Gallery	✓

FIGURE 27 COURTYARD BUILDING



KEY

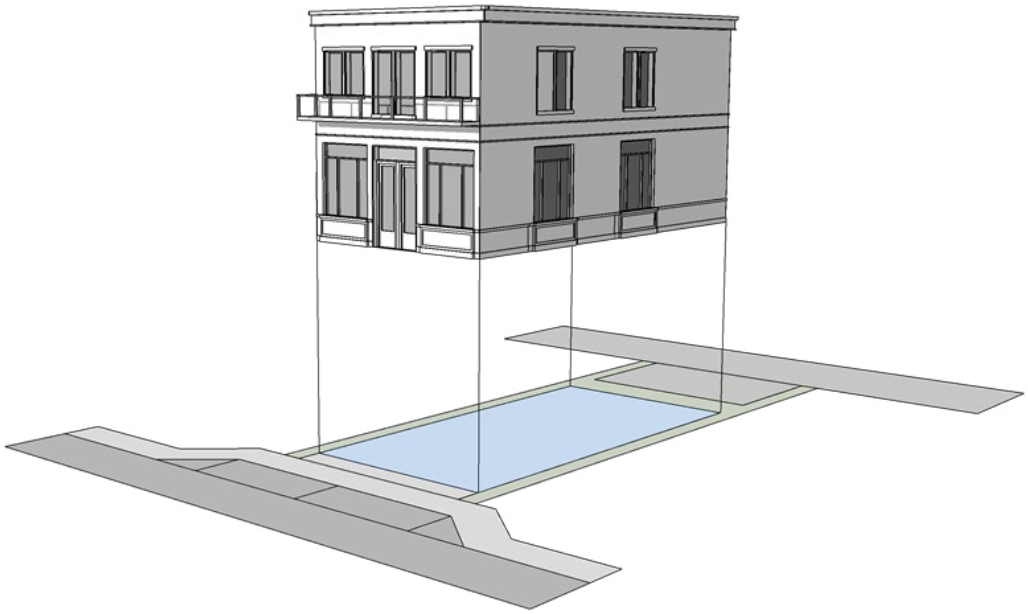
- PROPERTY LINE
- BUILDING FOOTPRINT
- PARKING AREA

Description
A Courtyard Building accommodates multiple dwellings or businesses arranged around and fronting on a central green that may be partially or wholly open to the street.

Notes
The proportions of the courtyard space shall be at least as deep as it is wide.
For additional development standards, see **Figure 09 Development Standards in the East Stuart Neighborhood**.

Permitted Zoning District		Permitted Frontage Types	
GRO	BMU	Forecourt	✓
		Arcade / Gallery	✓
		Shopfront	✓

FIGURE 28 LIVE/WORK BUILDING



KEY

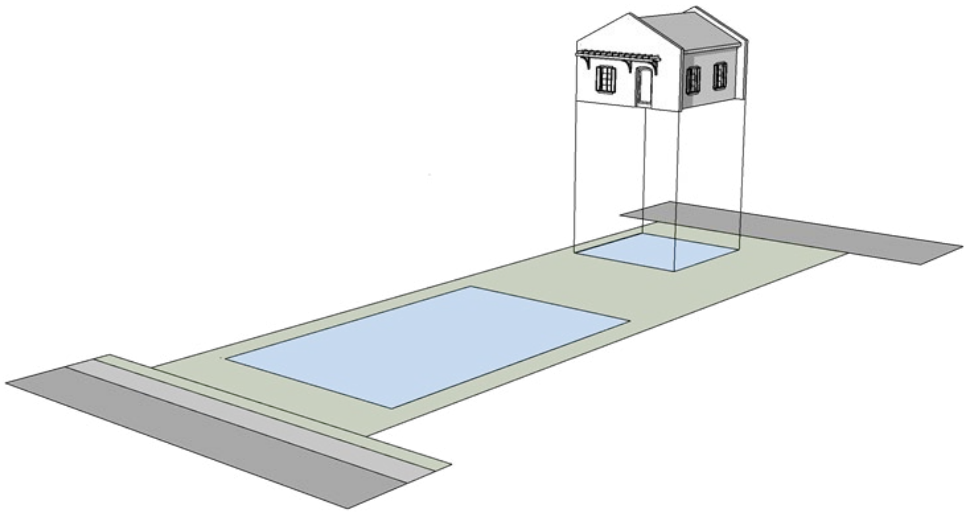
- PROPERTY LINE
- BUILDING FOOTPRINT
- PARKING AREA

Description
A Live/Work Building is a building which is predominately residential in its character, but contains commercial and residential uses.

Notes
For additional development standards, see **Figure 09 Development Standards in the East Stuart Neighborhood**.

Permitted Zoning District		Permitted Frontage Types	
GRO	BMU	Forecourt	✓
		Arcade / Gallery	✓
		Shopfront	✓

FIGURE 29 OUTBUILDING



KEY

- PROPERTY LINE
- BUILDING FOOTPRINT
- PARKING AREA

Description
An Outbuilding is an accessory building, usually located toward the rear of the same lot as a Principal Building, and is sometimes connected to the Principal Building. An Outbuilding may include a garage, shed, workshop, or accessory dwelling unit.
Notes
Outbuildings shall not exceed a footprint of 900 square feet.
For additional development standards, see **Figure 09 Development Standards in the East Stuart Neighborhood**.

Permitted Zoning District			Permitted Frontage Types	
SFD	GRO	BMU	Porch	✓
			Stoop	✓
			Bracketed Balcony	✓

FIGURE 30 ACCESSIBLE ROUTES

Description

The Florida Building Code contains technical requirements for accessibility for sites, facilities, buildings and elements by individuals with disabilities which may include code requirements for the access into a building. The images above depict possible solutions for buildings when raised above the natural or existing grade. Refer to the latest version of Florida Building Code for the specific requirements and standards of the code. See **Figure 30** for images of examples.

Sec. 03.02.06. Thoroughfare Standards.

A. Applicability. **Sec. 6.01.00** shall apply except where modified in **Figure 31 Thoroughfare, Access & Parking Standards**.

FIGURE 31 THOROUGHFARE, ACCESS & PARKING STANDARDS

Sec. 6.01.00	Transportation Systems	Applies as written	Replaced by
Sec. 6.01.01	General provisions.	✔	-
Sec. 6.01.02	Streets.	✔	-
Sec. 6.01.03	Rights-of-way.	➔	**Sec.03.02.06**
Sec. 6.01.04	Sidewalks and bikeways.	➔	**Sec.03.02.07.D**
Sec. 6.01.05	Pedestrian access for large-scale commercial development (LCD).	➔	**Sec.03.02.07.D**
Sec. 6.01.06	Access.	➔	**Sec.03.02.07**
Sec. 6.01.07	Standards for drive-through facilities.	✘	Does not apply.
Sec. 6.01.08	Non-residential vehicular access.	➔	**Sec.03.02.06**
Sec. 6.01.09	Stuart Parking Code.	➔	**Sec.03.02.07**
Sec. 6.01.10	Rules for computing parking requirements.	✔	-
Sec. 6.01.11	Location of required parking spaces.	➔	**Sec.03.02.07**
Sec. 6.01.12	Shared parking and joint use of facilities.	✔	-
Sec. 6.01.13	Off-street parking schedule.	➔	**Figure 41**
Sec. 6.01.14	Design standards for off-street parking.	➔	**Sec.03.02.07.D**
Sec. 6.01.15	Parking structure standards.	➔	**Sec.03.02.07.D**
Sec. 6.01.16	Transit stops.	✔	-
Sec. 6.01.17	Parking study.	✔	-
Sec. 6.01.18	Off-street loading requirements.	✔	-
Sec. 6.01.19	Payment in lieu of parking program.	✔	-
Sec. 6.01.20	Bicycle parking.	✔	-

B. Thoroughfare Principles. All development including public improvements shall incorporate the following thoroughfare principles:

1. Street layout shall exhibit a high degree of overall connectivity.

2. Cul-de-sacs are strongly discouraged.

3. Oversized blocks shall be avoided so that neighborhoods can be traversed easily. Blocks created by new streets shall not exceed 550 feet on any side of the block. New block perimeters shall not exceed 1,600 feet.

4. Shade trees shall be planted between the sidewalk and vehicles wherever feasible.

5. The abandonment of existing streets or paved or unpaved rights-of-way is strongly discouraged.

6. <u>Private gated communities are not permitted. This prohibition does not preclude gates that control access to a single parking lot.</u>

C. Thoroughfare Plan. A Thoroughfare Plan is provided for East Stuart Neighborhood in **Figure 07 Thoroughfare Plan** in **Sec. 03.02.02. Regulating Plan.**

D. Description of Thoroughfare Types. **Figure 32 Description of Thoroughfare Types** describes street types that are appropriate for the East Stuart Neighborhood.

1. New Thoroughfare. When new streets and alleys are developed or an existing street or alley is extended, the street types in **Figure 32 Description of Thoroughfare Types** and illustrated in **Figure 34** through **Figure 40** shall be used. The selection of the particular street type shall be determined through consultation between the Development Director, CRA, the developer, and the City Engineer.

2. Existing Thoroughfare. The Thoroughfare Standards of this section should be incorporated into the construction or reconstruction of streets to the greatest extent possible, taking into account existing conditions including right-of-way constraints that may require adjustments to these standards.

FIGURE 32 DESCRIPTION OF THOROUGHFARE TYPES

Type	Description	Preferred ROW	Actual ROW	Example Street(s)	Design Speed
Alley	A roadway which provides a secondary means of access to abutting properties, and not intended for general traffic circulation.	15’	10’	Not Applicable	Not Applicable
Neighborhood Yield Street	A ***residential street*** with on-street parking on one side of the roadway and sidewalks on both sides with limited slow vehicular travel. A neighborhood street shall have sidewalks of at least 6’ and vehicular travel lanes no greater then 10’. It may include pedestrian scale lighting, bulb-outs for trees, and on-street parking.	40’	40’	SE Church Street	15 mph
Neighborhood Street	A ***residential street*** with sidewalks on both sides and limited slow vehicular travel. A neighborhood street shall have sidewalks of at least 6’ and vehicular travel lanes no greater then 10’. It may include pedestrian scale lighting, bulb-outs for trees, and on-street parking.	40’	30’-40’	SE Nassau Street	15 mph
Local Street between public parks	A ***local street*** with two travel lanes, and a wide pedestrian and furnishing zone.	46’	46’-50’	SE MLK Jr. Blvd. at Parks	25 mph
Local Street at public use	A ***local street*** with two travel lanes, on-street parking on one side, existing shade trees to remain, pedestrian scale lighting, and wide sidewalks on both sides. Street design shall buffer active public uses from the residential side of the roadway and provide safe and comfortable access to parks and neighborhood schools.	60’	50’-70’	SE 10th Street	25 mph
Local Street	A ***local street*** with two travel lanes, on-street parking on both sides, a wide pedestrian and furnishing zone. Furnishing zone may or may not include street trees, but shall include pedestrian scale lighting. Local streets may also serve as the gateways into the neighborhood, so special care and attention must be made to announce the neighborhood character and to promote safe speeds.	60’	60’-40’	SE MLK Jr. Blvd & SE East Ave.	25 mph
Shared-use Bridge	The shared use bridge connects important thoroughfares where waterways and stormwater treatment areas interrupt important connections in the City. They shall allow access by pedestrians, cyclist, scooters, skateboards, golf carts and other forms of micro-mobility. Bridges are opportunities to celebrate water in Stuart and establish community identity.	15’	20’	SE Bayou Ave. to SE High School Ave.	Not Applicable

E. Thoroughfare Design Standards. Where particular elements are not required, they are not prohibited if its design is appropriate to the context and is approved by the City Engineer. See elements illustrated in **Figure 33 Streetscapes Diagrams**. The illustrative street designs address the desired street elements:

a. *Vehicular travel lanes* – primarily for vehicular circulation and shall be no greater then 11', and may include a marked sharrow for posted speed of 25 mph or less.

b. *Parking lanes* – on-street parking, may be parallel or reverse angled parking.

c. *Bike facility* – may be a marked sharrow, a separate bicycle lane, or shared used path.

d. *Pavement width* – width of pavement from edge of pavement or curb which is dedicated for vehicular travel, but could include separate bike lane or marked sharrow. Where appropriate, pavement may include pervious areas to manage stormwater.

e. *Sidewalk* – A sidewalk shall be at least six feet wide and be provided on both sides of the streetscapes. Sidewalks may be shared use path.

f. *Pedestrian zone* – A pedestrian zone is free of any street furnishings or utilities and allows the clear passage of pedestrians. A wide pedestrian zone shall be no less then 5 feet. Any portion of the pedestrian zone within the front setback area shall be improved as an extension of the public sidewalk and shall match the public sidewalk in design and material, providing a seamless physical transition.

g. *Furnishing zone* – paved area adjacent to the sidewalk for street furniture, tree wells, and extra sidewalk width. Pedestrian scale lighting is often included. New thoroughfare lighting shall be Dark Sky Approved lighting.

h. *Median* – vegetated area between travel lanes of opposing direction (required only where indicated) Medians, when present, should be used to integrate stormwater management.

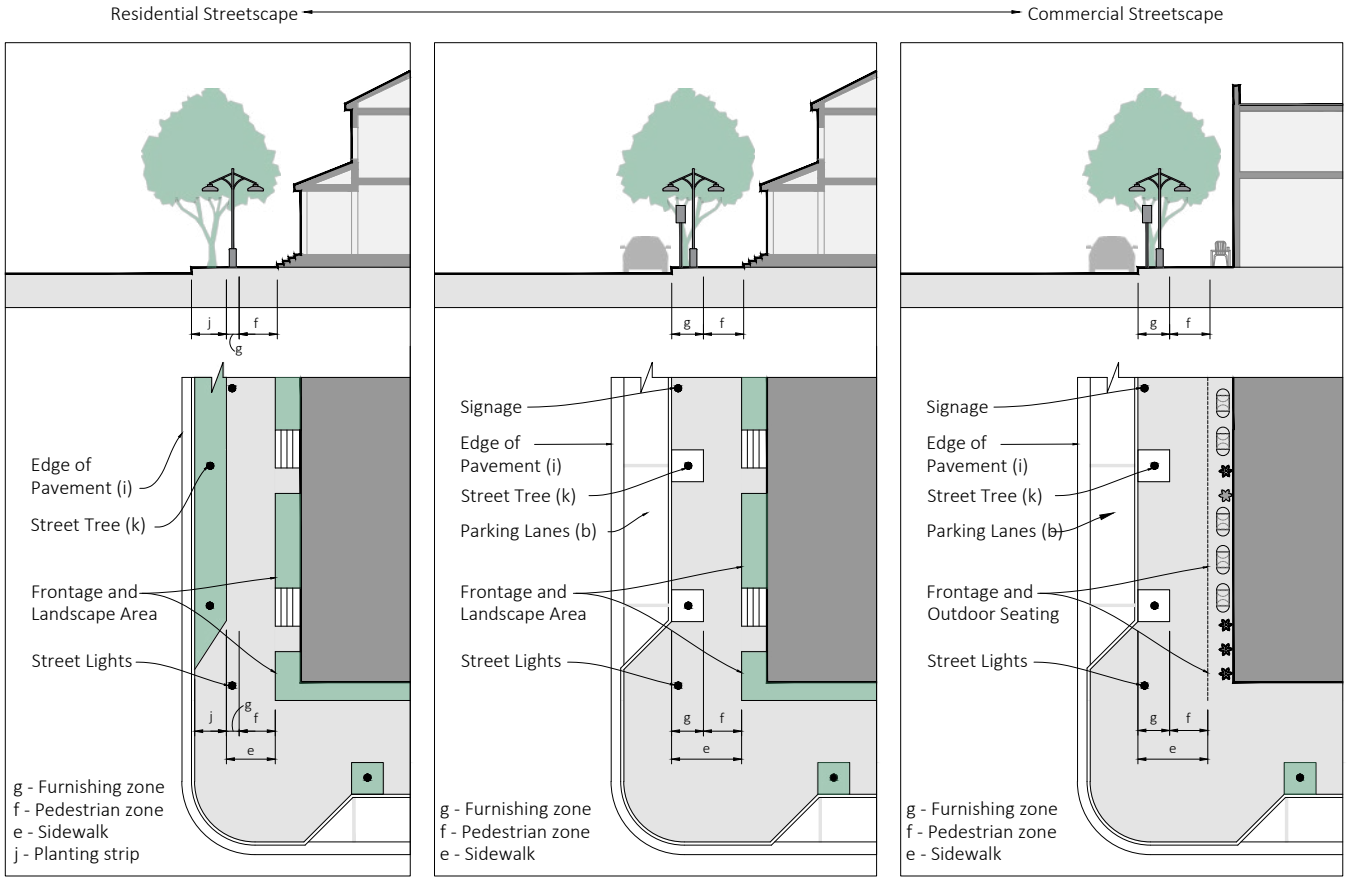
i. *Edge of pavement* – curb and gutter or a valley gutter. Enhanced crosswalks with design features like bulb-outs or pinch-points are encouraged to address visibility when crossing vehicular travel lanes.

j. *Planting strip or planting area* – vegetated area between a sidewalk and vehicles. Planting strips are encouraged to integrate stormwater management.

k. *Street trees* – required type and placement of street trees. Street designs shall prioritize maintaining existing shade trees where they already exist.

l. *Low Impact Infrastructure* – or green stormwater infrastructure, such as pervious paving, pervious pavers, pervious concrete, bio-retention systems, rain gardens, bioswales, and stormwater planters, are encouraged to slow and treat stormwater runoff while providing additional community benefits.

FIGURE 33 STREETSCAPES DIAGRAMS



F. *Visibility triangles.*

1. Anything else in this section to the contrary notwithstanding, three feet (as measured from the crown of the road) shall be the maximum height of any section of new fence or wall which is located within 20 feet of the following intersections, unless protected by a traffic-control device:

a. The right-of-way lines of two streets;

b. The right-of-way line of a street and the right-of-way line of an alley;

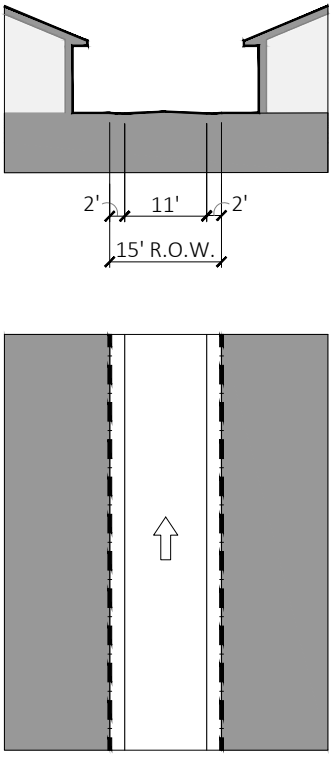
c. The right-of-way line of a street and the right-of-way line of a railroad.

2. Three feet (as measured from the crown of the road) shall be the maximum height of any section of new fence or wall which is located within eight feet of the following intersections:

a. The centerline of a driveway and the abutting right-of-way line.

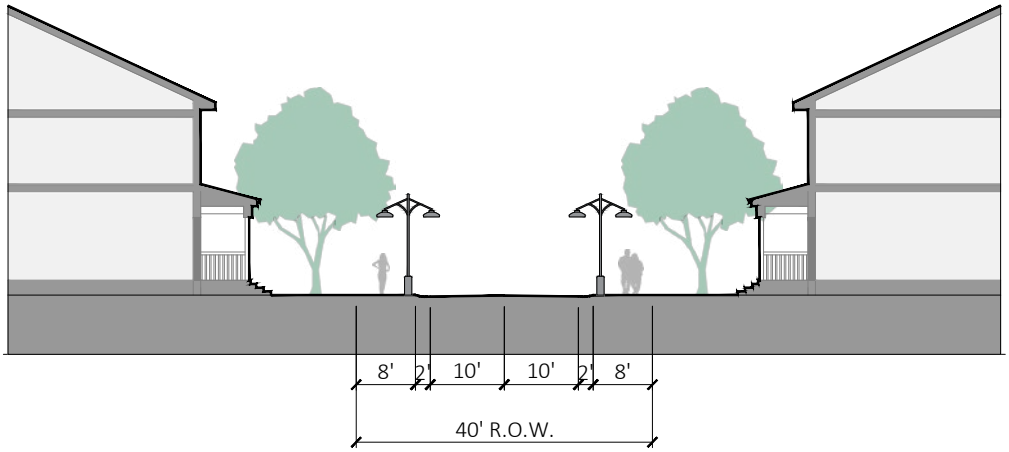
G. Deviation from Street Design Standards. The City Engineer after consulting with the Development Director may allow deviations from the standards contained in **Figure 34** through **Figure 39** when necessary due to the location of existing buildings, constrained right-of-way, or to meet other community needs or goals for the particular street segment. Such deviations may include, but are not limited to, the width of a furnishings zone, sidewalk, median, or bike facility that is greater or less than that provided in **Figure 34** through **Figure 39**.

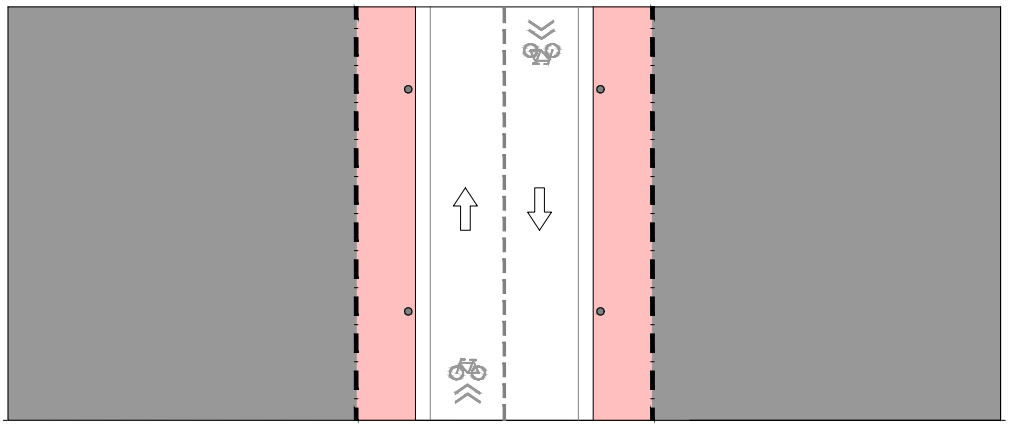
FIGURE 34 ALLEY



Type	
Vehicular travel lanes	11 feet paved 1-way traffic
Parking Lanes	Not required
Bike Facility	Not required
Preferred R.O.W.	15 feet
Pavement Width	11 feet
Sidewalk	Not required
Road Edge Treatment	Valley gutter
Planter Strip	Not required
Planting	Not required
Low Impact Infrastructure	Permeable surface

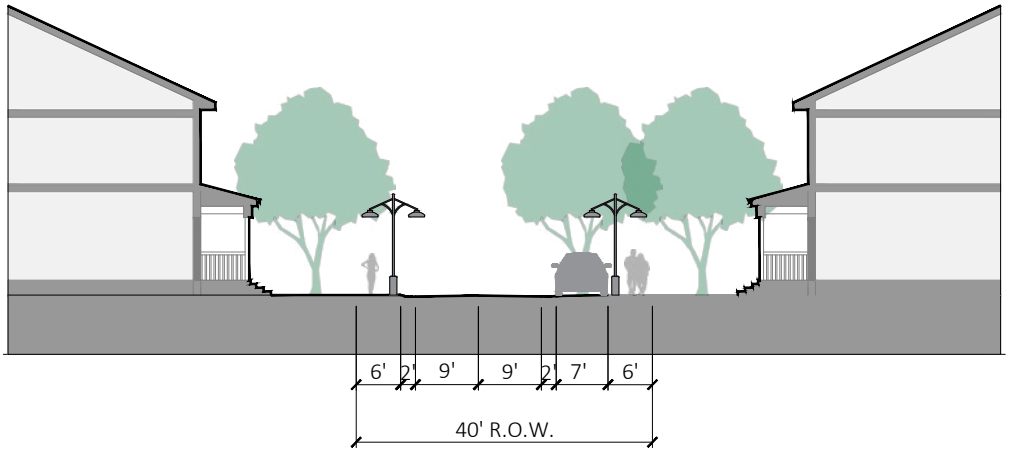
FIGURE 35 NEIGHBORHOOD STREET

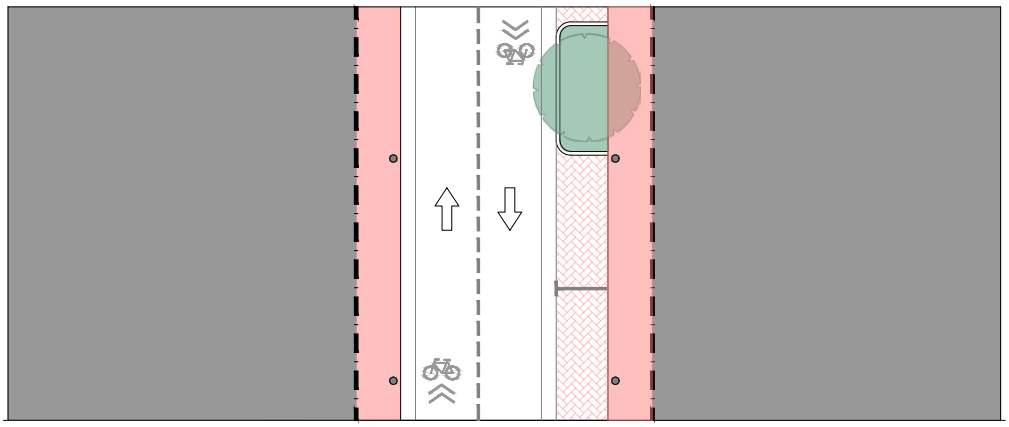




Type	
Vehicular travel lanes	10 feet
Parking Lanes	Not required
Bike Facility	Marked sharrow
Preferred R.O.W.	40 feet
Pavement Width	24 feet
Sidewalk	8 feet
Median	Not required
Road Edge Treatment	Valley gutter
Planting	Not required
Low Impact Infrastructure	Not required

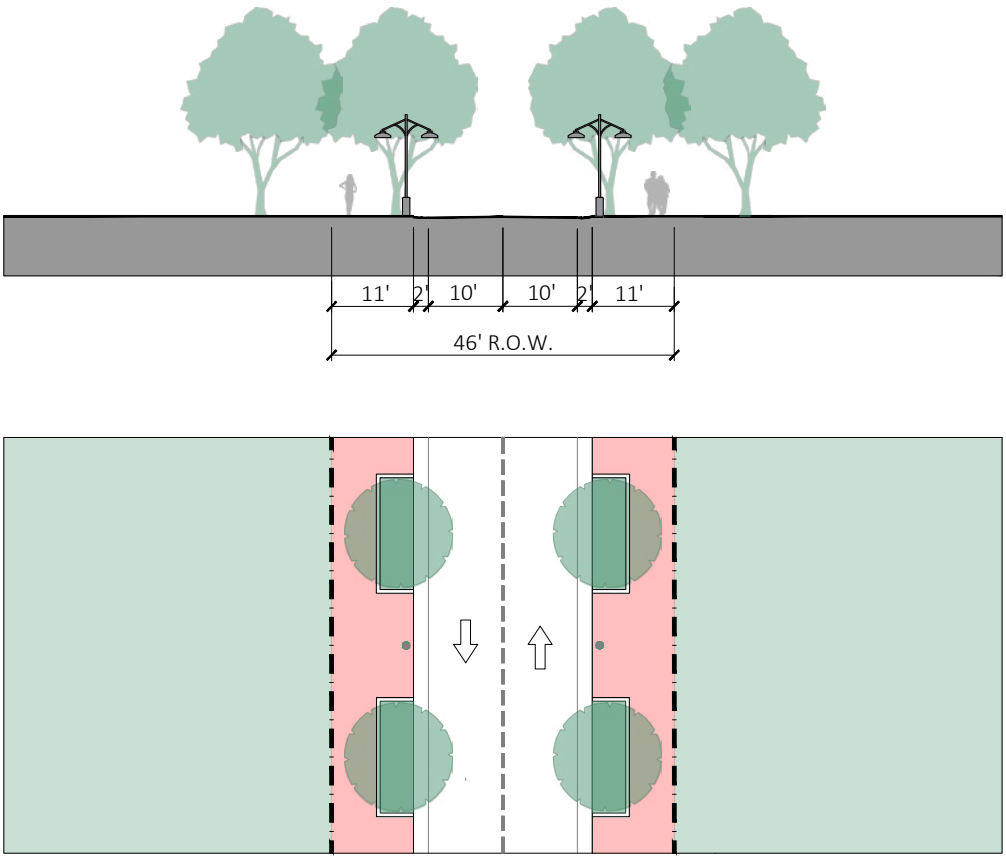
FIGURE 36 NEIGHBORHOOD YIELD STREET





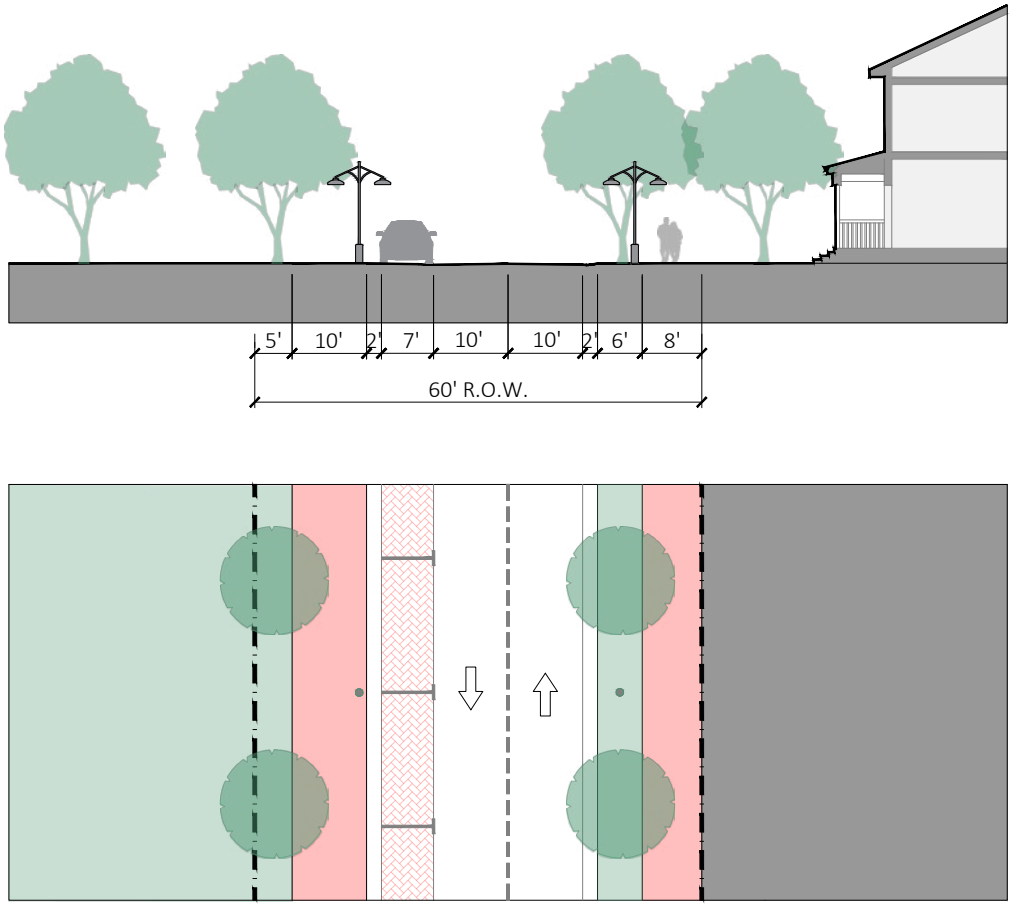
Type	
Vehicular travel lanes	9 feet
Parking Lanes	7 feet parallel one side
Bike Facility	Marked sharrow
Preferred R.O.W.	40 feet
Pavement Width	22 feet
Sidewalk	6 feet
Median	Not required
Road Edge Treatment	Valley gutter
Planting	Shade trees within bulb-outs
Low Impact Infrastructure	Tree box filter, permeable surface at on-street parking

FIGURE 37 LOCAL STREET AT PUBLIC PARK



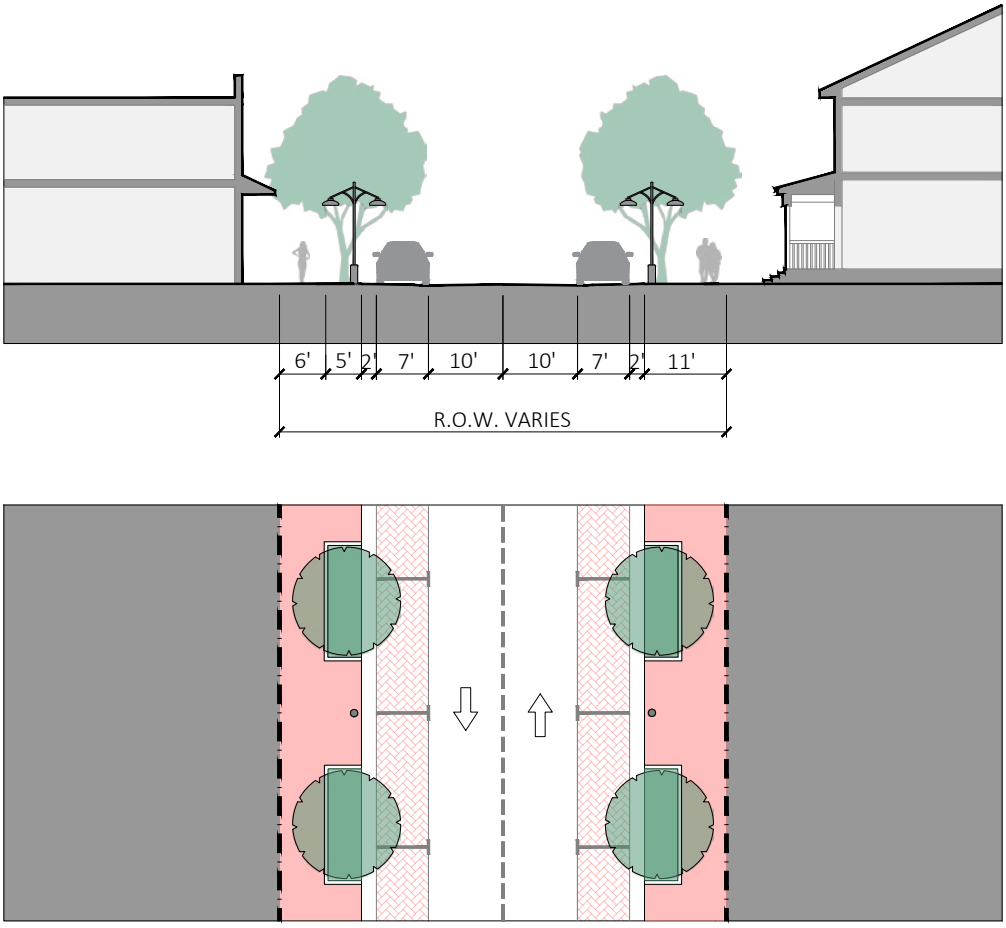
Type	
Vehicular travel lanes	10 feet
Parking Lanes	Not required
Bike Facility	Shared-use path
Preferred R.O.W.	46 feet
Pavement Width	20 feet
Sidewalk	11 feet
Median	Not required
Road Edge Treatment	Curb & gutter
Planting	Tree well with shade trees 30 feet on center
Low Impact Infrastructure	Tree Box Filter

FIGURE 38 LOCAL STREET AT PUBLIC USE



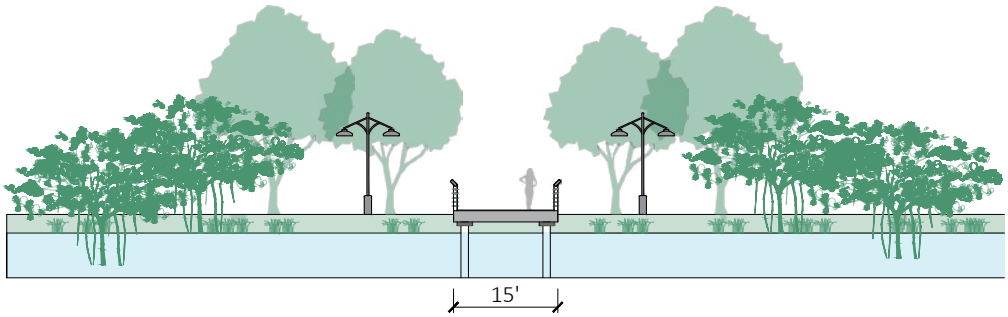
Type	
Vehicular travel lanes	10 feet
Parking Lanes	7 feet parallel on one side
Bike Facility	Shared-use path
Preferred R.O.W.	60 feet
Pavement Width	36 feet
Sidewalk	8-10 feet
Median	Not required
Road Edge Treatment	Curb & gutter
Planting	6 feet planting strip with shade trees 30 feet on center and maintaining existing shade trees where applicable
Low Impact Infrastructure	Tree box filter, permeable surface at on-street parking

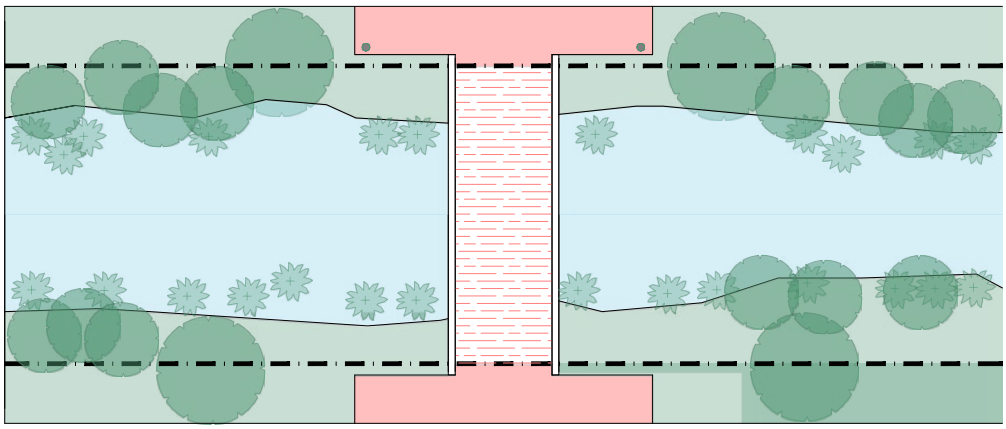
FIGURE 39 LOCAL STREET



Type	
Vehicular travel lanes	10 feet
Parking Lanes	7 feet parallel on both sides
Bike Facility	Shared-use path
Preferred R.O.W.	60 feet
Pavement Width	36 feet
Sidewalk	11 feet
Median	Not required
Road Edge Treatment	Curb & gutter
Planting	Shade trees 30 feet on center, may occur in the tree wells within the furnishing zone or within the parking lanes
Low Impact Infrastructure	Tree box filter, permeable surface at on-street parking

FIGURE 40 SHARED-USE BRIDGE





Type	
Vehicular travel lanes	Prohibited
Parking Lanes	Prohibited
Bike Facility	Shared-use path
Preferred R.O.W.	15 feet
Pavement Width	Not required
Sidewalk	Shared-use path
Median	Prohibited
Road Edge Treatment	Prohibited
Planting	Not required
Low Impact Infrastructure	Bio-retention systems, rain gardens, bioswales at water's edge

Sec. 03.02.07. Access & Parking Standards

A. Applicability. **Sec. 6.01.00** shall apply except where modified in **Figure 31 Thoroughfare, Access & Parking Standards**.

B. Pedestrian Access. The owner shall be responsible for the installation of a continuous sidewalk along the entire length of the parcel frontage that abuts a public street.

1. Minimum width. All sidewalks within the East Stuart Neighborhood shall be not less than 6' minimum on a right-of-way of 50' or less. All others shall be 8' minimum. See **Sec. 03.02.06. Thoroughfare Standards.**

2. All development shall include direct pedestrian access from development to existing and future sidewalks within the public right-of-way. Pedestrian access shall be separated from the vehicular travel path.

3. Sidewalks shall be provided for internal circulation and linkage to other projects when such facilities are possible given the particular physical characteristics of the site, type of project, and adjacent land uses. Determination of ~~+~~shall be made by the Development Director.

4. Materials. Pedestrian access shall consist of concrete, 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 Development Director which clearly distinguish them from vehicular use areas and promote traffic calming.

C. Bicycle Access & Parking.

1. **Sec. 6.01.20. - Bicycle parking** applies within East Stuart Neighborhood. A minimum 6' pedestrian clear zone shall not be reduced due to less then 6' by the placement of bicycle parking.

D. Vehicle Access & Parking.

1. The required minimum parking is listed in **Figure 41 Minimum Provided Parking Schedule**.

2. On-street parking. On-street parking, constructed to City code, within a public right-of-way along the lot frontage can be counted towards on-site parking requirements. An approved revocable permit from the City Commission is required for on-street parking constructed by the applicant.

3. *Payment in lieu of parking* (PILOP). Up to three required parking spaces may be accommodated via payments to the PILOP program as described in **Sec. 6.01.19. - Payment in lieu of parking program.**

4. Parking alternatives. The following may be substituted for required on-site parking spaces. Alternative parking spaces shall count toward no more than twenty-five (25) percent of the overall on site parking requirement.

i. (4) bicycle rack spaces shall count as one (1) parking space;

ii. (2) motorcycle or scooter spaces shall count as one (1) parking space;

iii. (2) golf cart spaces shall count as one (1) parking space;

5. *EV Charging Station (EVCS).* All new commercial development of gross floorspace greater than 5,000 square feet and all new residential development greater than 50 dwelling units are required to provide *EVCI* to accommodate the future installation of *EVCS*(s). See **Sec. 2.06.22**.

FIGURE 41 MINIMUM PROVIDED PARKING SCHEDULE

Uses	Required Minimum Parking
Residential Uses	
All residential uses	1 per unit
Detached accessory dwelling unit	Refer to primary use
Family day care home in a residence	Refer to primary use
Transient Residential & Overnight Accommodations	
All Transient Residential & Overnight Accommodations	1 per room
Institutional Uses	
Adult day care centers	1 per 300-sf
Child care centers	1 per 6 kids adequate stacking for pick-up/drop-off activities consistent with the student population
Community centers	1 per 300-sf
Funeral homes without crematoriums	1 per 4 seats
Governmental buildings	1 per 300-sf
Libraries	1 per 300-sf
Museums	1 per 500-sf
Nursing homes	1 per 4 beds + 1 per 1000-sf
Religious institutions	1 per 4 seats
Elementary or junior high Schools—Private, parochial	1 per classroom, plus 1 per 500-sf for employees & visitors with adequate stacking for pick-up/drop-off activities consistent with the student population
High schools—Private, parochial, or technical	1 space per 3 students, plus 1 per 500-sf for employees & visitors
Technical Schools—Private, parochial	1 per 10 student stations, plus 1 per 500-sf for employees & visitors
Commercial Uses	
All Commercial uses	1 per 300-sf
Recreational Uses	
All Recreational uses	Not Applicable
Utility & Service Uses	
All Utility & Service uses	Not Applicable
Telecommunication Uses	
Stealth telecommunications facilities	1 per tower
Agricultural Uses	
Community gardens	Not Applicable
Urban farms	1 per 4 employees
Storage, Transportation & Logistics Uses	
All Storage, Transportation & Logistics Uses	Not Applicable

6. Parking Placement. See **Figure 43 Parking Placement.**

a. All parking areas shall be located behind the rear facade of the principal building or screened from public rights-of-way by a street-wall, other screening approved by the City Development Director, or landscape buffer as described in **Sec. 3.02.09**, Landscaping, of this Code.

b. Boats, campers, and recreational trailers may be parked in rear yard setbacks.

7. Parking Design Standards.

a. See **Figure 42 Parking Lot Design Dimensions**.

FIGURE 43 PARKING PLACEMENT

	Distance from Lot Line	Landscaping Requirement in Parking Lots
Front	5' from facade or 12'	*Coordinate with Landscape Standards.*
Side street	5' from facade or 12'	*Coordinate with Landscape Standards.*
Side interior	2'	*Coordinate with Landscape Standards.*
Rear with alley	0'	*Coordinate with Landscape Standards.*
Rear without alley	5'	*Coordinate with Landscape Standards.*
Curb Cut Notes		
For properties with access to an improved alley, no curb cuts are permitted.		
Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 75 feet of frontage. Distance between curb cuts shall be measured from the centerlines of each curb cut.		
Curb cut(s) shall be permitted for a single-family residence utilized as a single family dwelling or duplex dwelling regardless of the existence of an alley.		
The total driveway width at the property line shall not exceed 20 feet.		

b. Where an alley are located along the side or rear property lines, said alleyways may be used as the required back-up dimension for parking spaces.

c. Materials.

i. Vehicular access shall consist of concrete, 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 Development Director.

ii. For developments requiring ten or fewer parking spaces, parking areas may be constructed with shell-rock, gravel, turf blocks, paver blocks, or other alternative materials approved by the Development Director. Additional maintenance requirements may be required of a developer utilizing alternative materials such as daily sweeping of shell-rock or gravel areas maintained at a certain depth.

FIGURE 42 PARKING LOT DESIGN DIMENSIONS

Space Angle	Space Width	Parking Row Depth	Curb Length	Drive Aisle Width: One-way	Drive Aisle Width: Two-way
Parallel or 0°	8'-0" [1]	9'-0"	22'-0"	10'-0"	20'-0" [3]
30°	9'-0" [2]	17'-0"	20'-0"	12'-0"	20'-0" [3]
45°	9'-0" [2]	19'-0"	14'-6"	12'-0"	20'-0" [3]
60°	9'-0" [2]	20'-0"	11'-9"	13'-0"	20'-0" [3]
Perpendicular or 90°	9'-0" [2]	18'-0"	9'-0"	24'-0"	20'-0" [3]

[1] May include valley gutter.

[2] The width of parking spaces may be reduced to 8½ feet for up to 20% of the required parking.

[3] 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.

8. Garages, structured parking and parking located within a building envelope.

a. Garages shall not be the principal element of the front facade.

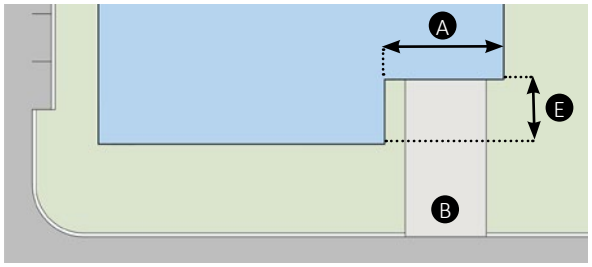
b. For single-family detached dwellings and duplexes the following shall apply:

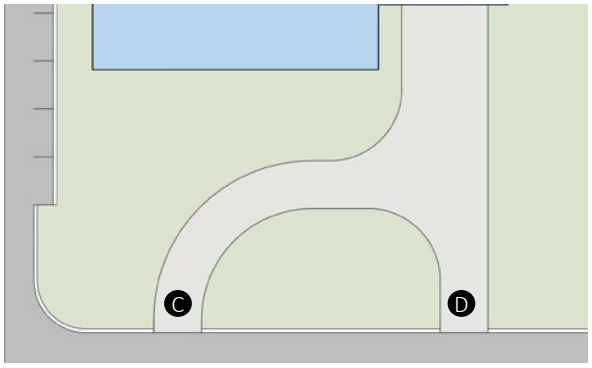
i. Attached garages shall be set back from the front facade as described in **Figure 44 Front Loaded Attached Garage** or configured with a side entry, shown in **Figure 45 Front Loaded-Side Entry Attached Garage**.

ii. Detached garages are permitted provided they comply with the Outbuilding Building Type and building coverage requirements.

iii. Carports and porte cocheres shall be regulated the same as attached garages.

FIGURE 44 FRONT LOADED ATTACHED GARAGE

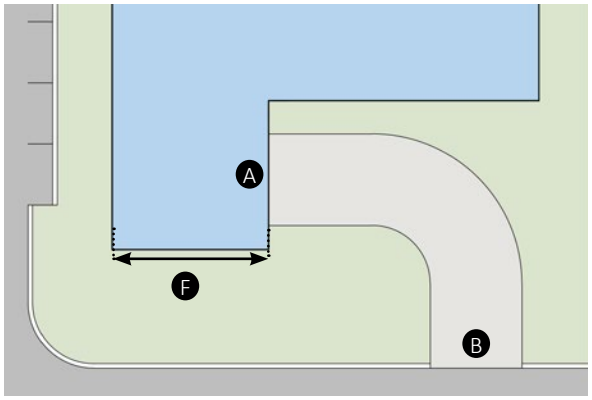




Description
Setting the garage back from the primary façade emphasizes the building entrance and living spaces.

Dimensions		
Garage	40% max front elevation 2 car garage max.	A
Width of Driveway	20’ max. total width at property line	B
	20’ max. total width (C+D) at property line	C D
Setback from Front Facade	5’ min. for a 1 car garage of 16’ or less 10’ min. for 2 or more car garage 16’	E

FIGURE 45 FRONT LOADED-SIDE ENTRY ATTACHED GARAGE



Description
Side entry garage continues the character of the home and diminishes the appearance of non-livable space to the street.

Dimensions		
Garage	2 car garage max.	A
Width of Driveway	20 feet max.	B
Building Width	40% max. front elevation; must be in character of main house and have operable windows.	F

Sec. 03.02.08. Stormwater Standards

A. **Sec 6.03.00 Stormwater Management** applies as written.

Sec. 03.02.09. Landscape Standards

A. Landscape Standards Principles. All development including public improvements shall incorporate the following landscape principles and goals:

1. Reducing glare & heat island effect

2. Stormwater

3. Provide shade

4. Enhance beauty of our community

B. **Figure 46** identifies which of the landscaping, buffering, and tree protection standards in **Sec. 6.04.00** apply in the East Stuart Neighborhood and which standards are modified, replaced, or do not apply.

FIGURE 46 LANDSCAPING, BUFFERING, AND TREE PROTECTION STANDARDS

Sec. 6.04.00	Landscaping	Applies as written	Replaced by
Sec. 6.04.01	Applicability of the Stuart Landscape Code	✔	-
Sec. 6.04.02	General provisions	✔	-
Sec. 6.04.03	Landscape design	→	Sec. 3.02.09.C
Sec. 6.04.04	Maintenance	✔	-
Sec. 6.04.05	Xeriscape landscape	✔	-
Sec. 6.04.06	Land use transitions & landscape buffers	✘	Does not apply.
Sec. 6.04.07	Parking areas for multi-family & all non-residential developments	→	**Sec. 3.02.09.D**
Sec. 6.04.08	Developments landscape requirements	→	**Sec. 3.02.09.C**
Sec. 6.04.09	Variance appeal to board of adjustment	✔	-
Sec. 6.04.10	Loading, storage, mechanical equipment, solid waste disposal facilities & other service function	→	Modified by **Sec. 3.02.09.E**

C. Landscape Design. For <u>all</u> development a landscape plan shall be submitted and approved as part of the development approval process and prior to the issuance of a development permit. Landscape plans for a ***major development*** shall be prepared by a registered landscape architect. All landscape plans must show the location of existing or proposed utility lines that could be impacted by the vegetation being planted.

1. Required landscape area & tree planting. <u>**Figure 47 Required Landscape Area & Tree Planting** indicates the minimum number of trees and landscape area that must be planted</u>.

2. The landscaped areas shall be located on the site as to maximize preservation of existing trees with priority given to specimen and/or historic trees as described in **Chapter V, Resource Protection Related Development Standards**.

FIGURE 47 REQUIRED LANDSCAPE AREA & TREE PLANTING

Zoning	Minimum Percentage	Number of Trees per Site	Tree Location
BMU	Not applicable	1	Front, within ***build-to-zone***
GRO	20%	1	Front, within ***build-to-zone***
SFD	20%	1	Front, within ***build-to-zone***
Public	Not applicable	1 per 30 linear feet at ***lot frontage***	Front
Recreation	Not applicable	1 per 30 linear feet at ***lot frontage***	Front

3. All required shade trees, as defined by **Chapter VI** shall be 14 feet in height at installation, and have a DBH of not less than 2½ inches.

4. The Development Director may grant a reduction for existing trees that meet these requirements.

5. Where the location of required landscaping is precluded by existing buildings or permanent site improvements, the placement of landscaping may occur off-site in right-of-way or other near by public space, in openings within paved areas, or in other locations as determined by the Development Director.

6. Yards shall be sodded or otherwise landscaped in accordance with **Sec. 03.02.09**.

7. Impervious surfaces shall not be placed within five feet of the base of an existing tree to be preserved.

8. Mulch shall be designed and installed in all planting areas to a depth of two to three inches. The type of mulch shall be specified on the landscape plan.

9. In order to allow for flexibility and creativity in design standards, hedges may be replaced or interrupted in areas which provide for a decorative wall, creative landscape features, and landscape materials may be clustered so long as the parking area remains screened from public right-of-way and adjacent private property. Such modification must be approved by the Development Director in accordance with site plan review procedures and must be consistent with the intent of this landscape code.

10. *Visibility triangles*. All landscaping within a visibility triangle shall provide unobstructed cross-visibility at a level between three feet and six feet and shall comply with **Sec. 03.02.06.F. Visibility triangles.**

D. *Parking lot* standards - where 10 or more parking spaces are provided Refer to **Figure 49.**

1. Excess parking spaces. Where the number of parking spaces to be installed exceeds the minimum number of parking spaces required by the East Stuart Neighborhood Code, the required landscaping shall be increased by 100 square feet for each additional parking space. The additional landscaping shall consist of shrubs, ground cover, grass and mulch. For each additional 500 square feet of impervious surface or fraction thereof, one shade tree shall be provided in addition to the shrubs, ground cover, grass and mulch.

2. Parking lot perimeter landscaping A *parking lot* not entirely screened visually by an intervening building from abutting streets or private property, shall be installed as follows:

a. A landscaped strip not less than 8 feet in width located between the parking lot and the abutting street or property.

b. The landscaping provided within the landscaped strip shall include:

i. One tree for every 30 linear feet planted on center or in clusters, and shall not be more than 50 feet apart;

ii. A hedge planted 24 to 30 inches on-center, a wall, or other durable landscape barrier placed along the outside perimeter of the strip; and

iii. Grass, ground cover not less then 25%, or other landscape treatment.

3. *Parking lot* interior landscaping

a. Interior landscaping shall include not less than one tree for every 500 square feet or fraction thereof of interior landscaped area.

b. Vehicles may encroach no more than two feet into any interior landscaped area. Two feet of landscaped area may be part of the required depth of each abutting parking space.

c. Any hedge materials located within an interior landscaped island shall be maintained at a height of not more than 24 inches.

d. Interior landscaped islands shall be provided between every ten parking spaces. Each interior island shall be not less than six feet in width. Each interior island shall contain not less than one shade tree and a combination of shrubs, ground cover, grass, and mulch.

e. Terminal landscaped islands shall be provided at the end of each parking row. Full terminal landscaped islands shall not be less than ten feet in width and two parking spaces in length. Other terminal landscaped islands shall be not less than ten feet in width and one parking space in length. The length of these islands may be five feet less than the required parking space length. Each terminal island shall contain not less than one shade tree and a combination of shrubs, ground cover, grass and mulch.

f. Interior landscaped medians shall be provided between every interior row of parking spaces and not less than six feet in width. Interior medians shall be landscaped with not less than one shade tree every 20 linear feet thereof planted singly and a combination of shrubs, ground cover, grass and mulch. Trees shall be planted between parking spaces as shown on **Figure 49**.

g. Not less than 80 percent of trees used in parking area interior landscaping shall be shade trees.

h. Interior landscaped islands shall be used for surface water storage ~~under the~~ and meet the following conditions:

i. Such islands shall be not less than ten feet in width.

ii. The slope of the median shall not exceed 4:1, and no median shall be more than 1½ feet below the top of the pavement of the parking area.

iii. Medians utilized for surface water storage shall be curbed with six-inch curbs with openings spaced to alleviate erosion of the island or median. Openings shall have erosion protection (i.e., concrete flumes with energy dissipation) installed from the top of the pavement of the parking area to the bottom of the swale.

iv. If the median is designed for transmission of stormwater, the median shall contain raised inlets to provide retention; however, no organic mulch or small-leaf trees shall be permitted within the island or median.

v. Tree species planted in the median shall be proven adaptable to standing water.

4. Underground parking structures and multi-level parking structures shall have a landscaped buffer 8 feet in width on the front lot line. The landscaped buffer shall be measured at right angles to the property line unless a wider area is specified as part of the district regulations. Refer to **Figure 49.**

E. Dumpster enclosures. Dumpster enclosures shall comply with **Sec. 6.08.00** of this Code except as modified below. *Draft text & graphics forthcoming.*

Sec. 03.02.10. Fence & Wall Standards

A. Fence & Wall Principles. All development including public improvements shall incorporate the following fence and wall principles:

1. Fences or walls shall be in harmony and compatible with their surroundings.

2. All fences and walls shall be maintained in good repair on both sides, so as to be structurally sound.

3. No fences, walls, or hedges may be located within the intersection sight-triangle as set forth. See **Sec. 03.02.06.F. Visibility triangles.**

4. Obstruction of water drainage. In no case shall a fence or wall restrict the natural sheet flow of water or impede movement of drainage water from swales, drainage ditches, etc.

B. Construction Fences. All development projects greater then a half acre shall also install a construction fence with a temporary six-foot chain link fence with obscure green or black fabric of uniform color or other visual barrier material approved by the Development Director around the site prior to the initiation of the construction phase.

C. Materials

1. Fences and walls shall be constructed with one or more of the materials listed in **Figure 48 Fence & Wall Materials.**

2. Metal fences shall be of non-corrodible metal or galvanized wire fabric, having a minimum of 11 gauge. Chain link fences shall be vinyl coated. Colors of the vinyl material shall be limited to green or black.

3. Fences and walls shall be finished on the exterior side where all framing is facing the interior.

4. Dangerous materials prohibited.

a. No fence, wall, or other enclosures shall include materials or devices, such as broken glass, spikes, razors, nails or similar materials intended or designed to maim, mutilate or cause other bodily injury to any person or animal.

b. Electrically charged fences are prohibited.

c. Barbed wire fences are hereby prohibited, unless approved as necessary to protect the public from hazardous conditions.

FIGURE 48 FENCE & WALL MATERIALS

Fence Materials	
Aluminum or Steel	Stone
Brick	Wood
Painted stucco	Wrought iron
Split-face masonry block	Vinyl

D. Height

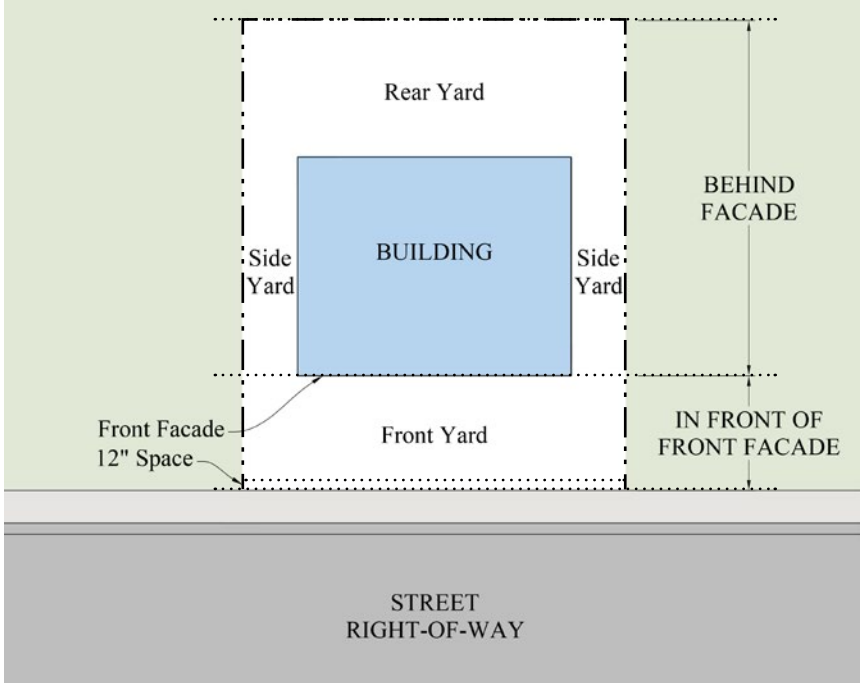
1. Fences located in the front yard shall have a maximum height of four feet along the front and side property lines to the front facade of the principal building. Along the side property lines behind the front facade and along the rear property line a fence may be six feet in height.

2. Any fence or wall over six feet in height must be designed and sealed by a licensed professional engineer or licensed architect.

3. The height of fences and walls shall be measured from existing natural elevation of a lot, prior to any construction or alteration.

4. An entryway bower, arbor, or trellis, constructed in conjunction with a fence or wall, shall not exceed a maximum height of nine feet, measured from existing grade.

FIGURE 49 WALL & FENCE LOCATIONS



Sec. 03.02.11. Sign Standards

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

1. The following sign types shall be prohibited:

a. exposed neon tubing

b. backlit sign panels

c. *cabinet signs*

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.

Sec. 03.02.12. Architectural Standards

A. Architectural character. New development, substantial renovations and major facade improvements within the East Stuart Neighborhood Code shall be harmonious with the community's traditional architecture, including, but not limited to, early Florida vernacular, cracker, shotgun, conch, Mediterranean revival, mission revival, bungalow, classic revival—folk Victorian, ranch or other architectural types common to Stuart. The Development Director shall determine compliance in this regard.

B. Historic Preservation.

1. Protection of historic buildings

2. Replication of historic buildings. 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. Shall be supported by drawings and images. Stuart Historic Preservation Board review.

a. McHardy Building

b. Taylor's Grocery Store, 610 East 10th Street

c. Taylor's Domino Park, 610 East 10th Street

C. Heat Island Effect. In order to reduce urban heat islands for both roofed and non-roofed areas, the following recommendations are provided for building and site design:

1. Non-roofed: Provide shade on at least 30% of non roof impervious surface on the site, including parking lots, walkways, plazas, etc.; or use light-colored/high-albedo materials (reflectance of at least .3) for 30% of the site's non-roofed impervious surfaces; or, use open grid pavement system.

2. Roofed: Use Energy Star roof-compliant, high-reflectance and high emissivity roofing or install a "green" (vegetated) roof for at least 50% of the roof area.

3. Parking Garage Roofs: Provide shade on at least 30% of any exposed parking on the roof.

EAST STUART NEIGHBORHOOD
Existing Land Development Regulations

The East Stuart Neighborhood Code Draft is a new section of the Land Development Regulations, it is not presented as strikethrough and underline. The volume of strike-through and underline would not be conducive to understanding. Instead, where policies are new or dimensions changed, they are shown with an underline. In places where there is no underline, the language or policy is similar to an existing policy.

To further aid in the review of the proposed draft code, the following pages are the existing Land Development Regulations for the East Stuart Neighborhood Study Area. Key standards have been summarized in chart form for easy comparison to the proposed ***Draft East Stuart Neighborhood Code***. They include:

- Permitted uses,
- Development standards (i.e. setbacks and permitted height), and
- Parking standards.
- A PDF of the existing East Stuart Code follows the chart summary.

All existing zoning codes for the City can also be found on **Municode**.

If you have any questions or comments, please contact:

Jessica Cortor Seymour, RA, LEED AP
Principal Program Coordinator, Treasure Coast Regional Planning Council
(772) 221-4060 | jseymour@tcrpc.org

Best regards,
Jessica Seymour

EXISTING PERMITTED USES

REVIEW DOCUMENT - **EAST STUART**

Below is a summaries chart of the Permitted Uses under the current Land Development Regulations within the East Stuart Neighborhood Study Area.

- CD is an abbreviation of Conditional Use- meaning the use may be permitted, but requires additional approval process.
- MU is an abbreviation of Mixed Use - meaning the use is permitted when combined with a commercial use.
- A "-" indicates a use that is not permitted.

Uses	Existing Zoning Districts				
	BMU	GRO	R-3/ Office	SFD	R-1
Residential Uses					
Single-family residences	-	✓	✓	✓	✓
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	-	✓	✓	✓	✓
Duplex dwellings units	-	✓	✓	✓	-
Multi-family dwelling units	✓ Requires MU	✓ Allows MU	✓ Allows MU	-	-
Family day care home in a residence	-	✓	✓	✓	✓
Assisted living facilities of four or fewer persons (refer to supplemental standards in section 2.06.03)	-	-	✓	-	✓
Assisted living facilities of five or more persons (refer to supplemental standards in section 2.06.03)	-		✓ CU	-	-
Group home of six or fewer residents which otherwise meets the definition of a community residential home as defined in chapter XII	-	-	✓	✓	✓
Transient Residential Land Uses and Overnight Accommodations					
Hotels/motels	✓	-	-	-	-
Rooming and boarding houses	✓	✓	✓	-	-
Bed and breakfast inn	-	✓	✓	-	-
Institutional Uses					
Adult day care centers (< three acres)	✓ CU	✓ CU	✓ CU	-	-
Adult day care centers (< five acres)	-	-	✓ CU	-	-
Child care centers (< three acres)	✓ CU	✓	✓ CU	-	-
Child care centers (< five acres)	-	-	✓ CU	-	-
Community centers	✓	✓	✓	-	-
Funeral homes without crematoriums	-	-	-	-	-
Governmental buildings	✓	✓	✓	-	-
Libraries	✓	✓	✓	-	-
Museums	✓	-	-	-	-
Nursing homes	✓	✓	✓	-	-
Religious institutions (< three acres)	✓	✓	✓	-	-
Religious institutions (< five acres)	✓ CU	✓ CU	✓	-	-

EXISTING PERMITTED USES

REVIEW DOCUMENT - **EAST STUART**

Uses	Existing Zoning Districts				
	BMU	GRO	R-3/ Office	SFD	R-1
Religious institutions (> five acres)	✓ CU	✓ CU	✓ CU	-	-
Schools—Private, parochial, or technical (< three acres)	✓ CU	✓	✓ CU	-	✓ CU
Schools—Private, parochial, or technical (< five acres)	-	-	✓ CU	-	✓ CU
Commercial Uses					
Art shops/galleries	✓	-	-	-	-
Banks/financial institutions	✓	-	-	-	-
Barbershop, Beauty Salons, Specialty Salons	✓	-	-	-	-
Bars	✓	-	-	-	-
Catering shop	✓	-	-	-	-
Massage therapy establishment	✓	-	✓	-	-
Microbreweries and craft distilleries	✓	-	-	-	-
Office, business or professional	✓	✓	✓	-	-
Office, medical or veterinary	✓	✓	✓	-	-
Pain Managment Clinics	-	-	✓ CU	-	-
Restaurants, convenience & general excluding drive-in/through	✓	-	-	-	-
Retail sales and service (intensive and non-intensive)	✓	-	-	-	-
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.	✓	-	-	-	-
Studios (art, dance, music, exercise)	✓	-	✓	-	-
Theater, excluding drive-in theaters	✓	-	-	-	-
Recreational Uses					
Public Parks	✓	✓	✓	✓	✓
Utility & Service Uses					
Public facilities and services	✓	✓	✓	✓	✓
Public utility	✓	✓	✓	✓	✓
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	✓	✓	✓	-	-
Agricultural Uses					
Community gardens pursuant to section 2.06.08 of this Code	✓	✓	✓	✓	✓
Urban farms pursuant to section 2.06.08 of this Code	✓	✓	-	✓	-
Storage, Transportation and Logistics Uses					
Government provided public parking garages and lots.	✓	-	-	-	-
Private parking garages and lots	✓ CU	-	-	-	-

EXISTING DEVELOPMENT STANDARDS

REVIEW DOCUMENT- EAST STUART

Below is a summaries chart of the Development Standards under the current Land Development Regulations within the East Stuart Neighborhood Study Area.

	Existing Zoning Districts				
	BMU	GRO	R-3/Office	SFD	R-1
Lot Size, see					
Lot area, minimum in sf	None	None	10,000-sf	None	7500-sf
Lot width, minimum in feet	None	None	100'	None	75'
Height, see					
Building height, maximum in stories	3 / CU 4	3 / CU 4	3-4	2	3
Building height, maximum in feet	35' / CU 45'	35' / CU 45'	35'-45'	25'	35'
Ground story height, minimum in feet	-	-	-	-	-
Density, see					
Residential density, max in units/acre	15 / CU 30	15 / CU 30	10	17	7
Non-Residential, maximum FAR			<3.0 FAR 1 /<1.5 FAR 2		<0.75 FAR
Coverage, see -- all must meet Section 6.03					
Impervious surface, maximum in %	Sec. 6.03	65% [1]	40%-50%	65% [1]	50%
Footnote:	*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.*				
Building & Parking Placement, see					
Front setback	0' on MLK, East, Central /15'	15'	25'	15'	25'
Side setbacks	5' 2-stories / 10' 3-stories	5' 2-stories / 10' 3-stories	5'-25'	5'	7.5'
Rear setbacks	20'	20'	20'	20'	15'
Building Types, see					
Mixed-Use & Live Work	✓	✓	✓		
Apartment Houses		✓	✓		
Duplex	✗	✓	✓	✓	✗
Outbuilding	✓ 2-stories/25' & 5' rear/side setback	✓ 2-stories/25' & 5' rear/side setback		✓ 2-stories/25' & 5' rear/side setback	✓
Accessory Dwelling Unit (ADU)		✓ 1-story/12' or 2 stories above garage 25' & 10' rear, 5'side setback		✓ 1-story/12' or 2 stories above garage 25' & 10' rear, 5'side setback	

EXISTING PARKING STANDARDS

REVIEW DOCUMENT- EAST STUART

Below is a summaries chart of the Parking Standards under the current Land Development Regulations within the East Stuart Neighborhood Study Area.

	Existing Zoning Districts				
	BMU	GRO	R-3/Office	SFD	R-1
Residential Uses					
Single-family residences	-	1 per unit	2 per unit	1 per unit	2 per unit
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	-	0	0	0	0
Duplex dwellings units	-	1 per unit	1 per unit	1 per unit	-
Family day care home in a residence		2 per unit	2 per unit	2 per unit	2 per unit
Multi-family dwelling units	1 per unit	1 per unit	2 per unit	-	-
Assisted living facilities of four or fewer persons (refer to supplemental standards in section 2.06.03)	-	-	1 per 4 living unit + 1 per employee on shift	-	1 per 4 living unit + 1 per employee on shift
Assisted living facilities of five or more persons (refer to supplemental standards in section 2.06.03)	-	-	1 per 4 living unit + 1 per employee on shift	-	-
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 living unit + 1 per employee on shift	1 per 4 bed + 1 per employee	1 per 4 living unit + 1 per employee on shift
Transient Residential Land Uses and Overnight Accommodations					
Hotels/motels	1 per room + 2 per 3 employees	-	-	-	-
Rooming and boarding houses	0.5 per unit	0.5 per unit	1 per unit		
Bed and breakfast inn	-	0.5 per unit	1 per room + 2 per 3 employees	-	-
Institutional Uses					
Adult day care centers	1 per 200-sf	1 per 200-sf	1 per 200-sf	-	-
Child care centers	1 per employee / 1 per 6 kids	1 per employee / 1 per 6 kids	1 per employee / 1 per 6 kids	-	-

	Existing Zoning Districts				
	BMU	GRO	R-3/Office	SFD	R-1
Community centers	1 per 300-sf	1 per 300-sf	1 per 300-sf		
Governmental buildings	1 per 300-sf	1 per 300-sf	1 per 300-sf		
Libraries	1 per 300-sf	1 per 300-sf	1 per 300-sf		
Museums	2 per 1000-sf + 2 bus spaces	-	-	-	-
Nursing homes	1 per 4 beds+ 1 per 2 employees	1 per 4 beds+ 1 per 2 employees	1 per 4 beds+ 1 per 2 employees	-	-
Religious institutions	1 per 4 seats	1 per 4 seats	1 per 4 seats	-	-
Schools—Private, parochial, or technical	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.			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 1 space per 3 students, plus 1 space per employee, plus adequate space for ancillary uses as described in other sections of this code	
Commercial Uses					
Art shops/galleries	1 per 300-sf				
Banks/financial institutions	1 per 300-sf				
Barbershop, Beauty Salons, Specialty Salons	2 per station				
Bars	1 per 4 seat	-	-	-	-

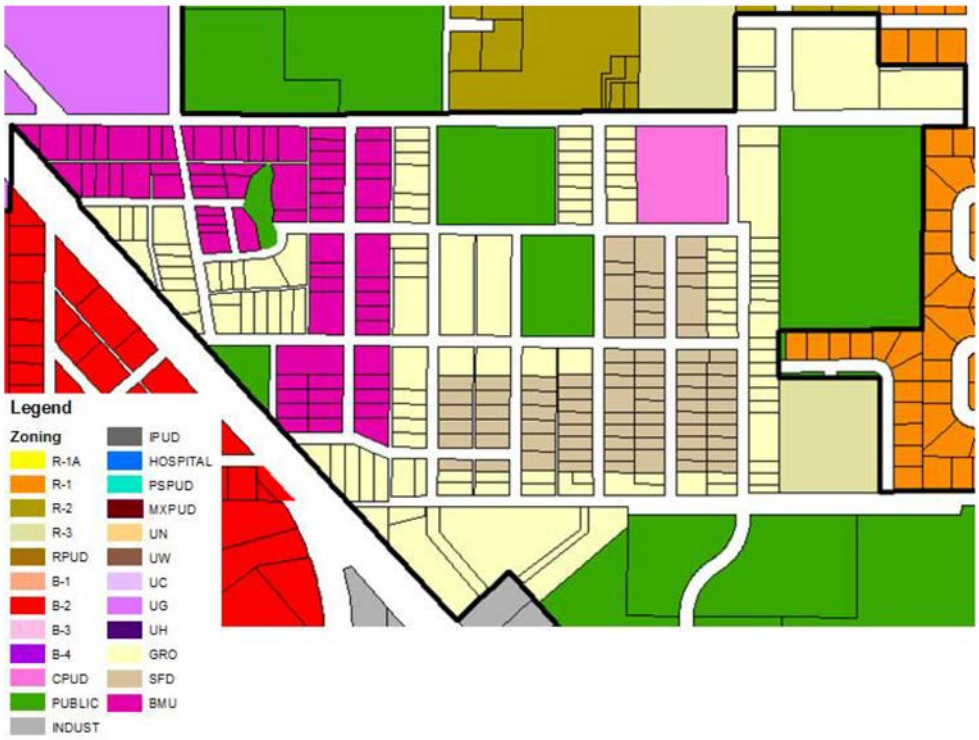
	Existing Zoning Districts				
	BMU	GRO	R-3/Office	SFD	R-1
Catering shop	1 per employee + 0.5 space delivery truck + 2 spaces per 1000-sf	-	-	-	-
Massage therapy establishment	1 per 300-sf	-	1 per 300-sf	-	-
Microbreweries and craft distilleries	1 per employee + 1 per 300-sf pubic space	-	-	-	-
Office, business or professional	1 per 350-sf	1 per 350-sf	1 per 300-sf	-	-
Office, medical, and veterinary	1 per 200-sf	1 per 200-sf	1 per 200-sf	-	-
Pain Management Clinic			1 per 200 square feet (also refer to section 2.06.14.E.3)		
Restaurants, convenience & general excluding drive-in/through	1 per 4 seat	-	-	-	-
Retail sales and service (intensive and non-intensive)	1 per 300-sf	-	-	-	-
Studios (art, dance, music, exercise)	1 per 300-sf	-	1 per 300-sf	-	-
Theaters excluding drive-in theaters	1 per 4 seat	-	-	-	-
Recreational Uses					
Public Parks	Not Applicable				
Utility & Service Uses					
Public facilities and services	Not Applicable				
Public utility	Not Applicable				
Telecommunication Uses					
Stealth telecommunications facilities	1 per tower	1 per tower	1 per tower	-	-
Agricultural Uses					
Community gardens	0	0	0	0	0
Urban farms	1 per 4 employees	1 per 4 employees	-	1 per 4 employees	-
Storage, Transportation and Logistics Uses					
Government provided public parking garages and lot	Not Applicable	-	-	-	-
Private parking garages	Not Applicable	-	-	-	-

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 3.02.09 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 for the East Stuart Code District.

The 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.

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.

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.

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

Design Standards	Permitted
Maximum density	Up to 15 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 Avenue.[1] 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 buildings.[2]
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.
Maximum number of stories	Up to 3[3]
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. 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	1 per residential unit; plus required spaces for the applicable permitted non-residential uses.

project's total floor space shall be a non-residential use.	
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, refer to section 2.06.04, Supplemental Use Standards.	1 per 6 children, plus 1 space per employee with a safe pedestrian walkway system through 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 employeesCommercial 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.	
Private parking garages and lots by East Stuart Code District conditional use	N/A
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. *General residential and office sub-district (GRO).* The following development standards shall apply in the GRO sub-district.

Design Standard	Permitted
Maximum density	Up to 15 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	15 feet
Minimum building setbacks—Side	5 feet for one and two-story buildings. 15 feet for full or partial three-story buildings[4]
Minimum building setback—Rear	20 feet
Maximum impervious surface coverage	Up to 65%[5] (See note 1. below)
Maximum number of stories	Up to 3[6]
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. Refer to section 2.06.04, Supplemental Use Standards	1 per 6 children, plus 1 space per employee with a safe pedestrian walkway system through 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.
Health Care Uses	
Nursing homes	1 per 4 beds, plus 1 space per 2 employees

Commercial Uses	
Office, business or professional, medical, and veterinary.	1 per 350 square feet (professional)1 per 200 square feet (medical and veterinary)
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
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

C. *Single-family duplex sub-district (SFD).* The following development standards shall apply in the SFD sub-district.

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 buildings[7]
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 SpacesResidential 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/ARecreational Uses
Public parks	Dependent upon type of recreational activities providedUtility 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 employeesAgricultural 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

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.06. 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 20 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 8½ 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. *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. *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. *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. *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. *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 Section 6.03.00 of this Code.

J. *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.

K. *Fences.* Fences shall adhere to the requirements in section 6.09.05 except for the following: fences located in the front yard shall have a 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.

L. *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.

M. *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.

N. *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 section 2.06.19.

O. *Dumpster enclosures.* Dumpster enclosures shall comply with section 6.08.00 of this Code.

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.07. 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. 3.02.08. Density.

A. Up to 17 dwelling units per acre are permitted in the SFD sub-district.

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.

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.09. 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 2½ 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 2½ 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. 3.02.10. 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. 3.02.11. 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. 3.02.12. 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. 3.02.13. 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.

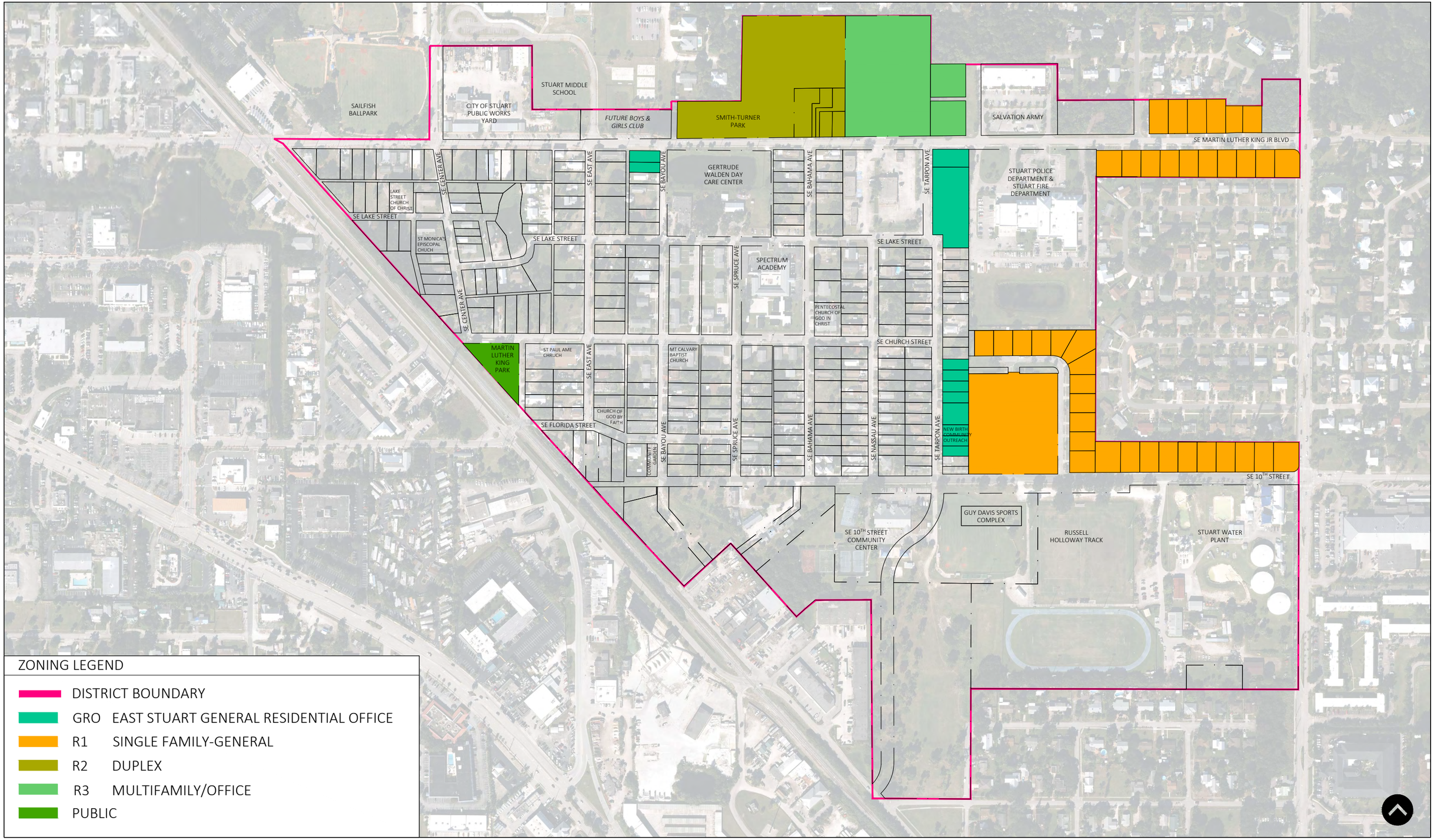
Nothing in this provision shall counteract existing building and life safety code requirements.

(Ord. No. 2062-05, § 1, 1-6-06)

Sec. 3.02.14. East Stuart Code conditional use.

The city commission may grant an East Stuart Code conditional use. The review of an 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)



ZONING LEGEND

- DISTRICT BOUNDARY
- GRO EAST STUART GENERAL RESIDENTIAL OFFICE
- R1 SINGLE FAMILY-GENERAL
- R2 DUPLEX
- R3 MULTIFAMILY/OFFICE
- PUBLIC

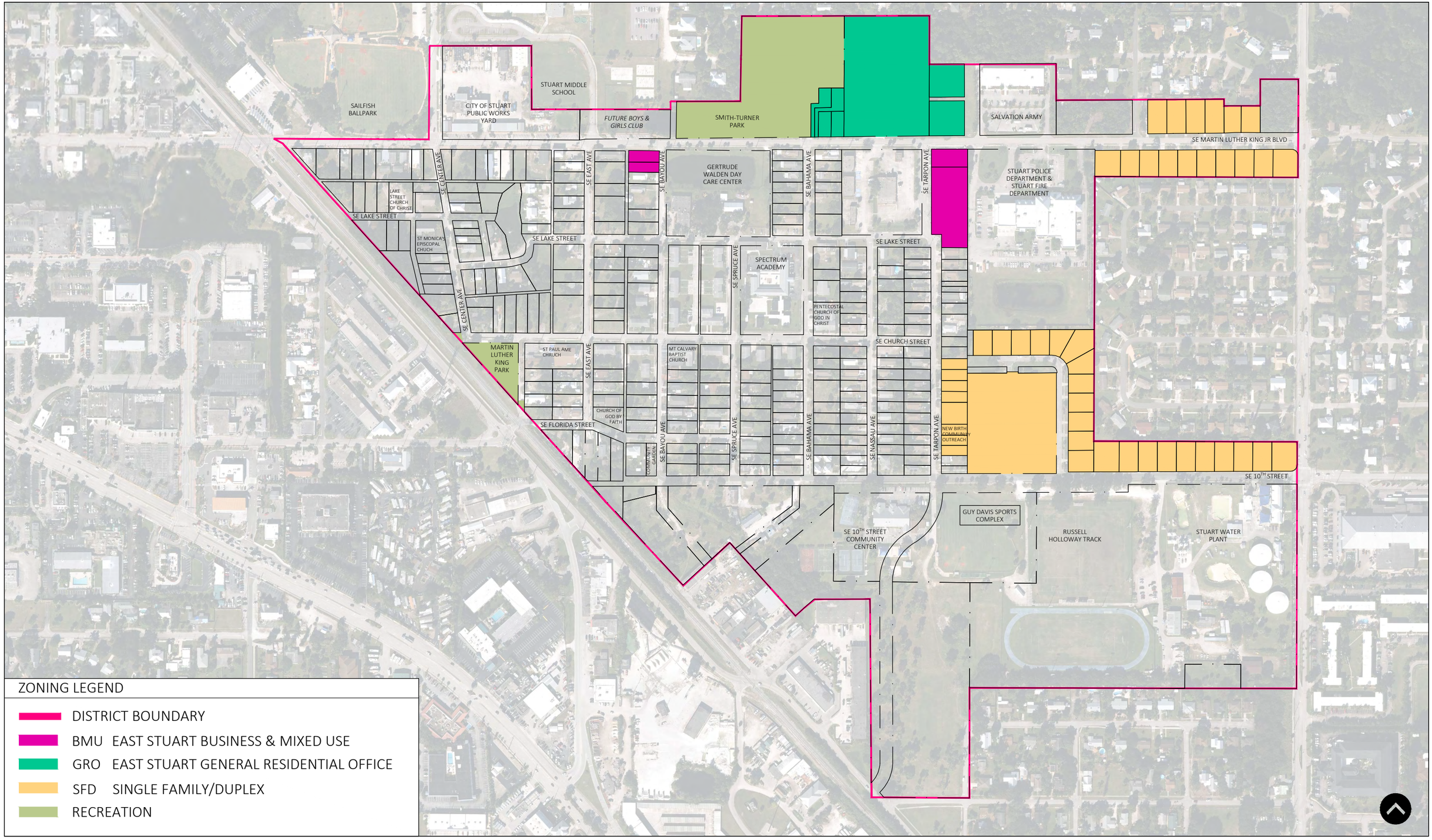
EAST STUART

Community Redevelopment Area

7/25/2022

SCALE: 1 = 350

EXISTING ZONING PARCELS WITH PROPOSED CHANGE ONLY



ZONING LEGEND

- DISTRICT BOUNDARY
- BMU EAST STUART BUSINESS & MIXED USE
- GRO EAST STUART GENERAL RESIDENTIAL OFFICE
- SFD SINGLE FAMILY/DUPLEX
- RECREATION

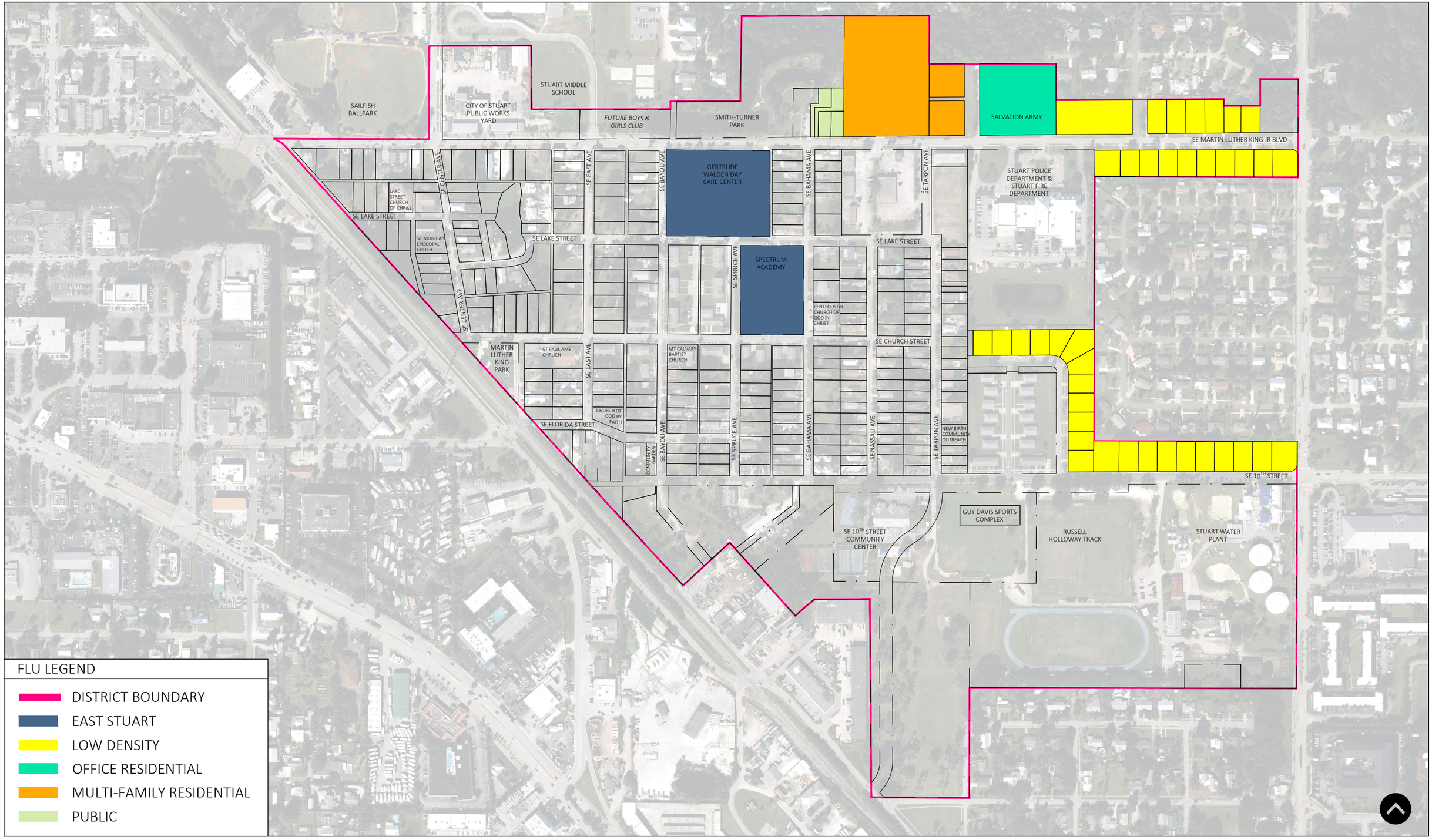
EAST STUART

Community Redevelopment Area

PROPOSED REGULATING PLAN PARCELES WITH PROPOSED CHANGES ONLY

7/25/2022

SCALE: 1 = 350



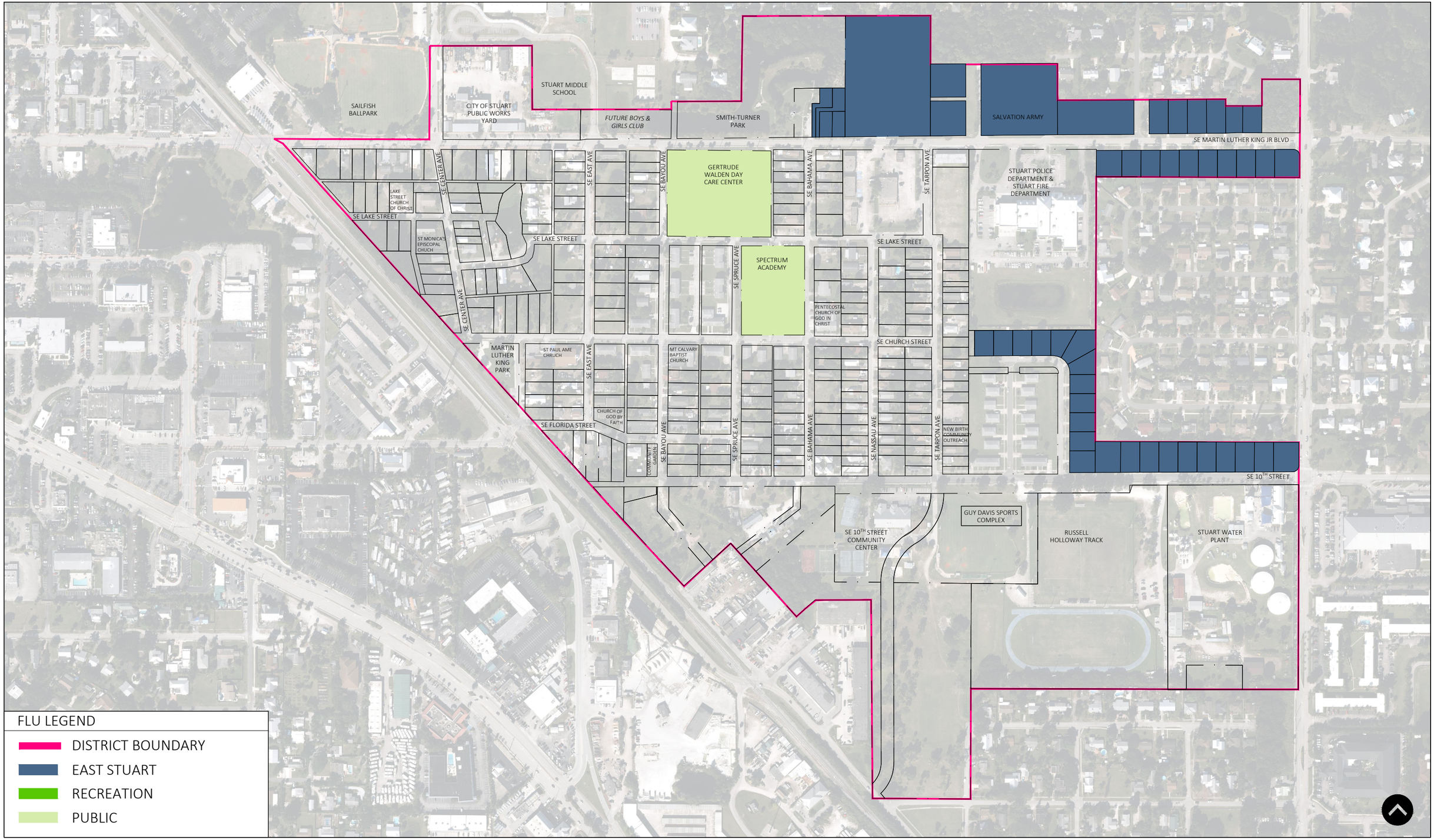
EAST STUART

Community Redevelopment Area

EXISTING FUTURE LAND USE MAP PARCELS WITH PROPOSED CHANGE ONLY

7/25/2022

SCALE: 1 = 350



EAST STUART

Community Redevelopment Area

PROPOSED FUTURE LAND USE MAP PARCELS WITH PROPOSED CHANGE ONLY

7/25/2022

SCALE: 1 = 350

THE CREEK DISTRICT
Draft Land Development Regulations

The following pages are a draft of the proposed Land Development Regulations for The Creek District. This draft is for public review, comment, and consideration before proposed adoption in Fall 2022.

The proposed code is intended to:

- Reflect the unique character of The Creek District of the Arts & Entertainment District.
- Improve the relationship between development and Frazier Creek by promoting low-impact infrastructure.
- Create a code that is easier to read and review by staff and applicants.
- Promote infill development within the urban center while maintaining Stuart's unique character.

Because The Creek District Code Draft is a new section of the Land Development Regulations, it is not presented as strikethrough and underline. The volume of strike-through and underline would not be conducive to understanding. Instead, where policies are new or dimensions changed, they are shown with an underline. In places where there is no underline, the language or policy is similar to an existing policy. A copy of the existing zoning codes for this area can be found on **Municode**.

Terms that are ***italicized*** are defined terms and will be included in the Chapter XII of the Land Development Regulations if they do not yet exist. Text in **bold** are references to other portions of the Land Development Regulations. Efforts have been made to create an interactive PDF. If you are viewing this as PDF, references may be clickable and link to sections within this Code or to **Municode** for sections outside this Code.

There may be additional text in yellow noting other graphics or text which is forthcoming. You will find there are four forthcoming sections. They will be provided at a later date. Those sections are:

- Stormwater Standards
- Landscaping Standards
- Sign Standards
- Architectural Standards

In addition to Land Development Regulations, there are some areas within The Creek District where we are recommending a change to the Future Land Use Map. These changes do not affect any language in the Comprehensive Plan. The purpose is to create consistency between Zoning Maps and the Future Land Use Maps and to reflect existing context.

If you have any questions or comments, please contact:

Jessica Cortor Seymour, RA, LEED AP
Principal Program Coordinator, Treasure Coast Regional Planning Council
(772) 221-4060 | jseymour@tcrpc.org

Best regards,
Jessica Seymour

Sec. 03.04.00. The Creek District Code

Sec. 03.04.01. Procedure & Process

A. Intent. The purpose of The Creek District Code is to encourage infill redevelopment, historic preservation, and promote the rich arts and entertainment community with appropriate standards. Regulations reflect traditional building with arcades, balconies, porches, and the enabling of social interaction on downtown streets. This Creek District Code defines coherent streetscapes, the visual protection of the streetscape, and historically relevant, architectural heritage of downtown Stuart.

B. Boundary. The boundaries of the neighborhood are set forth in **Sec. 03.04.02. Regulating Plan.** The Creek District shall be that geographical area as encompassed by the following general description: SE Dixie Highway to the northeast, SE Florida Street and SE Federal Highway to the south and South Colorado Avenue to the west. Both sides of the streets mentioned are included to promote a cohesive streetscape.

C. Applicability. The provisions of this code shall apply to development within The Creek District. The standards and regulations set forth in **Sec. 3.04.00** shall apply to *new development* and *substantial renovation*.

D. Consistency with Comprehensive Plan. Zoning categories in The Creek District shall be interpreted as Urban Subdistricts. Applicable Future Land Use designations are list in **Figure 01 Future Land Use & Zoning Compatibility.**

FIGURE 01 FUTURE LAND USE & ZONING COMPATIBILITY

	FUTURE LAND USES IN THE CREEK DISTRICT	
	Downtown	Recreation
Urban Subdistricts ZONING	**Creek North**	-
	Creek South	-
	Creek Industrial	-
	UPUD	-
	-	**Recreation**

E. Effective date. This ordinance shall be effective at adoption.

F. Administration. The provisions of this Code shall be administered and enforced by the 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 Creek District to particular properties, inspecting premises, and issuing permits and certificates of occupancy.

G. Form-based code. The Creek District Code is a form-based code, land development regulations that foster predictable built results and a high-quality public realm by using physical form, rather than full separation of uses, as the code's primary organizing principle.

H. Amendment to this Code. In the continued administration of the intent of this Code, the Commission may find it reasonable and necessary to adopt amendments to the text, zoning, regulation plan. All such amendments shall follow procedure in **Chapter XI**.

I. How to Use this Code. See **Figure 02 How to Use this Code**.

FIGURE 02 HOW TO USE THIS CODE

SEC. 03.04.02

1 **FIND YOUR PROPERTY ON THE REGULATING PLAN & IDENTIFY THE ZONING DISTRICT.**

SEC. 03.04.03

2 **REVIEW PERMITTED USE OR USES AND IDENTIFY ANY ADDITIONAL STANDARDS FOR SPECIFIC USES THAT MAY APPLY.**

SEC. 03.04.04 - SEC. 03.04.12

3 **REVIEW & COMPLY WITH THE STANDARDS/REGULATIONS APPLICABLE TO THE PROPERTY.**

- **Sec. 03.04.04. Development Standards on page 12**
- **Sec. 03.04.05. Frontage Types on page 18**
- **Sec. 03.04.06. Thoroughfare Standards on page 27**
- **Sec. 03.04.07. Access & Parking Standards on page 39**
- **Sec. 03.04.08. Stormwater Standards on page 43**
- **Sec. 03.04.09. Landscape Standards on page 44**
- **Sec. 03.04.10. Fence & Wall Standards on page 47**
- **Sec. 03.04.11. Sign Standards on page 49**
- **Sec. 03.04.12. Architectural Standards on page 50**

4 **IDENTIFY IF WORK/PROJECT REQUIRES ADDITIONAL APPROVALS.**

Some examples include:

- Project/work create a new block or street?
- Does the project/work exceed the criteria in **Major Development Projects**?
- Subdividing a lot a part of project/work? See **Sec. 11.01.05**.
- Project/work require a Zoning change? See **Sec. 11.01.09**.
- Project/work require a Conditional Use? See **Sec. 11.01.11**.

5 **SCHEDULE A PRE-APPLICATION CONFERENCE WITH THE DEVELOPMENT DEPARTMENT.**

6 **SUBMIT PERMIT TO BUILDING DEPARTMENT.**

ADDITIONAL RESOURCES:

- Definitions can be found in Chapter XII of the Land Development Code.
- Questions along the way? Contact City Staff at the Development Department.
- The Creek District is in the Community Redevelopment Area (CRA). Familiarize yourself with the incentives, program and projects within the Community Redevelopment Agency.

J. Application permits. No building or other land development permit shall be issued by the Development Director unless all provisions of this Code have been met, including approved exceptions, based on the development review and approval process.

1. Pre-application conference. Before beginning any new development, substantial renovation development, renovation, or demolition on private or public land, applicants are required to schedule a pre-application conference with the Development Department.

a. Preliminary development review. After the pre-application conference, a preliminary design review may be requested by the Development Director to include a conceptual site plan and floor plans, and elevations.

b. At a pre-application conference, the applicant and Development Department will discuss relevant procedures from **Chapter XI** and possible required board presentation as outline in **Figure 03 Required Board Presentations.**

c. Development Director may request an applicant host a community workshop including any active neighborhood association(s) or business associations before submitting an application. A community workshop will be required of all ***major development projects***. Applicant shall submit minutes and sign-in sheets from community workshop as part of the application.

FIGURE 03 REQUIRED BOARD PRESENTATIONS

		PRE-APPLICATION CONFERENCE	Community Redevelopment Agency			BOARD OF ADJUSTMENT	LOCAL PLANNING AGENCY	CITY COMMISSION
			CRB	SHPB	CRA BOARD			
Variance	**Sec. 8.05.01**	✓	✓			✓		
Plat Application	**Sec. 11.01.05**	✓						✓
Major Development Project	**Sec. 11.01.02**	✓	✓					✓
Conditional Use	**Sec. 11.01.11**	✓	✓					✓
Zoning Change	**Sec. 11.01.09**	✓	✓				✓	✓
FLU Change	**Sec. 11.01.06** or **11.01.07**	✓	✓				✓	✓

2. Application. After the pre-application conference and preliminary design review, an application for development shall be submitted to the Development Department in accordance with this Code. Except as modified herein, applications for development permits, excluding interior tenant finishes, within The Creek District shall meet the submittal requirements of plan document as defined in **Chapter XI** of this Code. Completed applications shall include **Figure 05 Application Requirements.**

FIGURE 05 APPLICATION REQUIREMENTS

APPLICATION REQUIREMENTS
A general vicinity or location map & legal description
Proposed permitted uses, development activities & design
Conceptual building plans
Front, rear, & side architectural elevations with required Frontage Types identified
Finished floor elevation and base flood elevation
Documentation related to streets, parking, loading and connections to existing sidewalks
Landscaping including existing tree protection and planned shade trees
Existing historic buildings
Signage
Conceptual stormwater management plan
Any other documentation as required by the Development Director in order to demonstrate compliance with this Code

K. *Major development projects*. *Major development projects* shall be subject to the major development plan approval process described in **Sec. 11.01.02**. Major development projects shall be defined as in **Figure 04 Major Development Projects.** In addition to the requirements of **Sec. 11.01.02** a presentation to the CRB shall be required.

FIGURE 04 MAJOR DEVELOPMENT PROJECTS

MAJOR DEVELOPMENT IN THE CREEK DISTRICT
A residential project which exceeds 35 total dwelling units.
A non-residential development over 35,000 square feet in area.
A mixed-use development over 35,000 square feet in area.
A public or private institutional development exceeding one acre in land area.
Pursuant to **Sec. 5.05.02.A.2.c** when no practical alternative exists to locating structures on the site to accommodate a historic tree, a major development plan may apply for the removal and replacement of a historic tree.

L. 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 Creek 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 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.

Sec. 03.04.02. Regulating Plan.

A. Zoning Districts in The Creek District. The following zoning districts regulate new development, thoroughfares and public spaces. The requirements vary according to the desired type and intensity of development. All zoning districts promote a compact walkable neighborhood with a variety of housing choices. Three zoning districts are described below:

1. Creek North is a pedestrian-orientated center with dining, shopping, housing, and entertainment. Buildings are richly detailed, promote public art and public civic spaces. The Creek North was originally platted as the Woodland Park. Therefore, it is home to historic structures and is characterized by smaller platted lots. A significant community playground is located to the north of the zoning area.

2. Creek South lies south of Frazier Creek and extends the pedestrian-orientated buildings and thoroughfares to US-1/Federal Highway at the southern edge. The Creek South affords opportunities for a variety of housing and business types on wide shaded sidewalks.

3. Creek Industrial lies where the Hillcrest plat from 1913 was located. In 1913, Hillcrest was a part of the town where segregated Black Americans were permitted to rent. Today the Creek Industrial is home to small scale industrial and maker spaces. The Creek Industrial allows for board range of uses including live-work units, restaurants, and trades industries.

B. Regulating plan. **Figure 06 Regulating Plan** and **Figure 07 Thoroughfare Plan** are the Regulating Plans that apply to the The Creek District.

1. *A Streets* and *B Streets*.

i. *A Streets* are intended to develop over time as pedestrian friendly environments and, as such, are held to higher standards regarding building placement, building frontage, and the location of parking and service uses.

ii. *B Streets* while still an important piece of the pedestrian environment, *B Streets* are not held to the same strict standards as the A Street.

2. *Required Commercial Frontage.* A portion of the street network held to stricter standards regarding allowable frontage types and uses located within sidewalk level stories. Areas where Required Commercial Frontage applies can be indicated on the Regulating Plan. Required Commercial Frontage shall be non-residential and open to the public at the ground level. Frontage types shall include a shopfront, arcade, forecourt, or a porch. Required Commercial Frontage shall be provided for a depth of no less than 20 feet measured from the front of the building. The Required Commercial Frontage can also be meet with civic open space as defined in **Figure 12 Civic Open Space Types.**

3. Recommended Connections. Potential future street and alley connections may also be illustrated on Thoroughfare Regulating Plans. Future connections are desired new vehicular or pedestrian connections to existing streets or alleys that will improve the overall transportation network. Future connections are not precise alignments or specific locations. The final street designations, exact alignment, location, maintenance responsibility and dedication of these intended links of the transportation network will be determined during the development review and approval process.

FIGURE 06 REGULATING PLAN

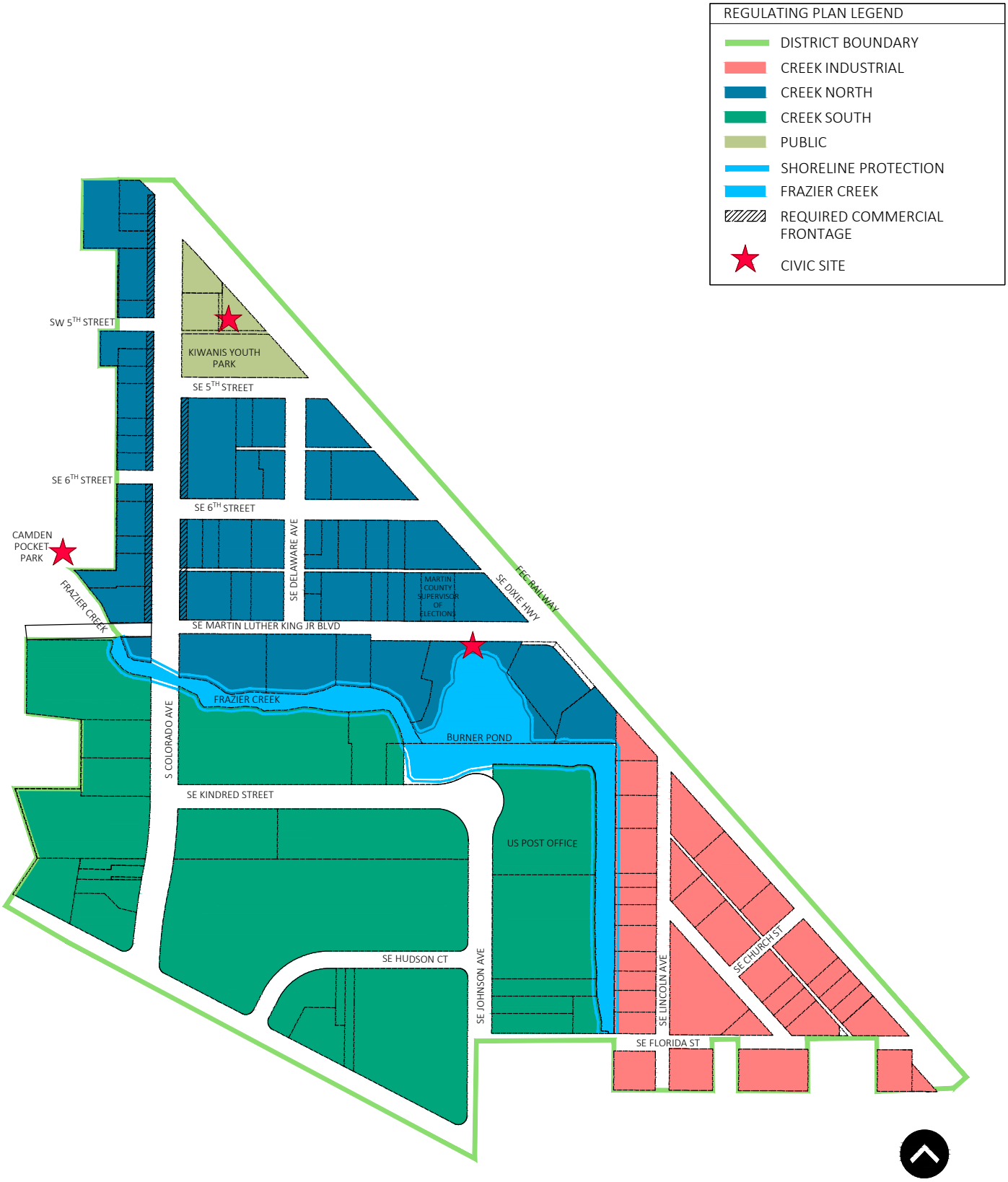
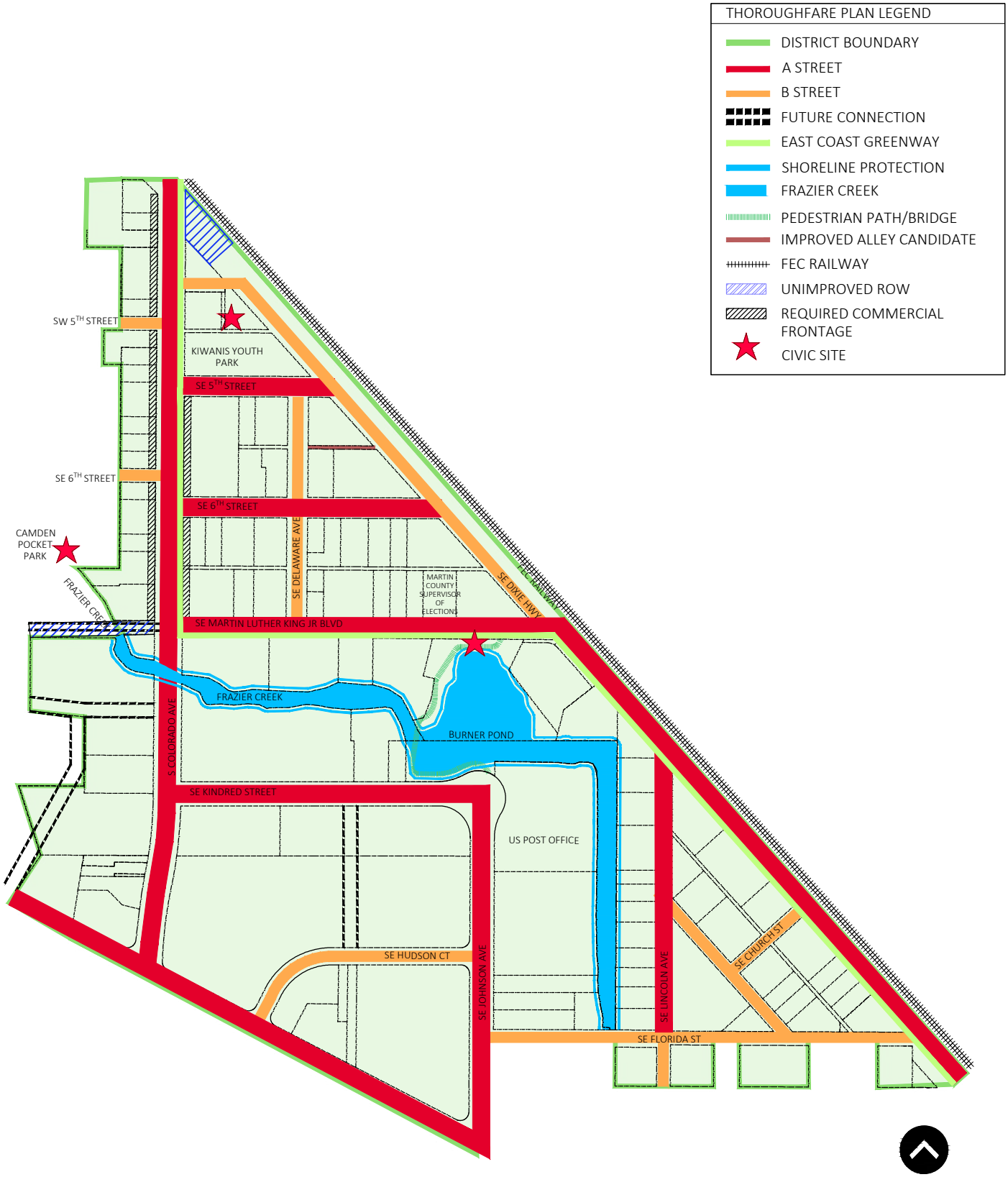


FIGURE 07 THOROUGHFARE PLAN



Sec. 03.04.03. Permitted Uses.

A. **Figure 08** identifies permitted uses in The Creek District. Uses which require a ***conditional use*** (CU) approval are marked with "CU."

B. Conditional Use. The review of The Creek District Conditional Use application shall follow the procedures set forth in **Sec. 3.04.01.K.**

C. Non-conforming uses. Non-conforming uses created at the adoption of this Code shall be deemed legal non-conforming uses subject to the provisions of **Sec. 8.03.00**.

FIGURE 08 PERMITTED USES IN THE CREEK DISTRICT

	Standards for Specific Use	Creek North	Creek South	Creek Ind.	Rec.
Residential Uses					
Single-family dwelling unit		✓	✓	-	-
Detached accessory dwelling unit, ancillary to a primary single-family dwelling unit		✓	✓	-	-
Duplex dwellings units		✓	✓	-	-
Multi-family dwelling units		✓	✓	✓ CU	-
Family day care home in a residence		✓	✓	-	-
Live-Work unit	**Sec. 03.04.03.B.2**	✓	✓	✓	-
Home Occupation	**Sec. 03.04.03.B.2**	✓	✓	-	-
Transient Residential & Overnight Accommodations					
Hotels/motels		✓	✓	✓	-
Rooming and boarding houses		✓	✓		-
Bed & breakfast inn		✓	✓		-
Institutional Uses					
Adult day care centers		✓	✓	✓	-
Child care centers		✓	✓	✓	-
Community centers		✓	✓	-	✓
Funeral homes, without crematoriums		✓	✓	-	-
Governmental buildings		✓	✓	-	-
Libraries		✓	✓	✓	-
Museums		✓	✓	✓	-
Religious institutions		✓	✓	-	-
~~Schools~~		-	-	-	-
Technical Schools		-	-	✓	-
Commercial Uses					
Automobile repair service, within an enclosed building along US-1/Federal Highway		-	✓ CU	✓	-
Art shops/galleries		✓	✓	✓	-
Bakery, retail		✓	✓	✓	-
Banks/financial institutions		✓	✓	-	-
Barbershop, Beauty Salons, Specialty Salons		✓	✓	✓	-

	Standards for Specific Use	Creek North	Creek South	Creek Ind.	Rec.
Bars		✓	✓	✓	-
Catering shop		✓	✓	✓	-
Formula Business	**Sec. 2.06.12**	✓ CU	✓	✓	
Clubs, lodges, and fraternal organizations		✓	✓	-	-
Dry Cleaning, provided that all cleaning is conducted off-premises		✓	✓	-	-
Health spas		✓	✓	-	-
~~Marinas, Commercial~~		-	-	-	-
Massage therapy establishment		✓	✓	✓	-
Microbreweries and craft distilleries		✓	✓	✓	-
Office, business or professional		✓	✓	✓	-
Office, medical or veterinary		✓	✓	✓	-
Outdoor storage	**Sec. 6.10.00**	-	-	✓	-
Pharmacies, 2,000-sf or less		✓	✓	-	-
Restaurants, convenience & general excluding drive-in	**Sec. 2.06.13**	✓	✓	✓	-
Retail sales and service		✓	✓	✓	-
Retail manufacturing, provided such manufacturing is incidental to sales and occupies less than 75% of the total gross floor area		✓	✓	✓	-
Rooftop dining	**Sec. 2.06.19**	✓ CU	✓ CU	✓ CU	-
Studios, art, dance, music, exercise		✓	✓	✓	-
Theater, excluding drive-in theaters		✓	✓	✓	-
Recreational Uses					
Public Parks		✓	✓	✓	✓
Utility & Service Uses					
Public facilities and services		✓	✓	✓	✓
Public utility		✓	✓	✓	✓
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	**Sec. 2.06.11**	✓	✓	✓	✓
Agricultural Uses					
Community gardens	**Sec. 2.06.08**	✓	✓	✓	✓
Urban farms	**Sec. 2.06.08**	✓	✓	✓	-
Storage, Transportation & Logistics Uses					
Government provided public parking garages and lots		✓	✓	✓	-
Private parking garages and lots		-	✓ CU	✓ CU	-

D. Standards for Specific Uses. Certain uses have unique characteristics that require the imposition of development standards in addition to those minimum standards which may pertain to the general group of uses encompassing the use. These standards shall be met in addition to all other standards of this Code, unless specifically exempted.

1. *Home occupations.* Home occupations shall comply with the following standards:

a. The use of the dwelling unit for the home occupation shall be clearly incidental and secondary to the residential use and shall under no circumstances change the residential character of the dwelling, outbuilding or accessory structures.

b. The home occupation shall not generate pedestrian or vehicular traffic in greater volume than would normally be expected to the home.

c. The home occupation shall have no more than one non-illuminated sign with a maximum area of one square foot. The sign shall be mounted flat against a wall within one foot of the entrance to the dwelling or outbuilding in which the home occupation is located.

d. There shall be no use of utilities or community facilities beyond that normal to the use of the property for residential purposes.

e. The home occupation shall not employ equipment which creates fire hazards, electrical interference, noise, vibration, glare, fumes, odors detectable to the normal senses outside the dwelling unit. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

f. A home occupation that involves retail sales or services that require patrons to visit the residence shall be limited to detached single-family dwellings, townhouses or outbuildings. The permitted hours of operation shall be specified in such approval.

g. Storage or parking of one commercial vehicle is allowed, provided:

i. That such vehicle or trailer is owned or operated by the resident of the property; and

ii. That such vehicle is garaged or otherwise screened from view of adjoining properties and any adjoining street. Public service agency vehicles such as law enforcement and those providing emergency response services are exempt.

h. The use can qualify for all local, state and federal licenses, certificates and permits.

i. Any violation of these regulations may result in the revocation of any home occupation business tax receipt, in addition to any other remedy for such violation provided in the City's Code. The issuance of a business tax receipt to engage in a home occupation in accordance with this ordinance shall not be deemed to be a change in zoning nor an official expression of opinion as to the proper zoning for the particular property.

Sec. 03.04.04. Development Standards

A. All new development or substantial renovations shall comply with the Development Standards in **Figure 09 Development Standards in The Creek District**. Development Standards which require a *conditional use* (CU) approval are marked with "CU."

FIGURE 09 DEVELOPMENT STANDARDS IN THE CREEK DISTRICT

	Creek North	Creek South	Creek Indus.	Recreation
Lot Size				
Lot area	None	None	6,000-sf	None
Lot width	None	None	None	None
Building Placement				
Front Build-to-Zone	0'-10'	0'-20'	10'-30'	5'-20'
Build-to-Zone Setback at US-1/Federal Highway	Not Applicable	20'-40'	Not Applicable	Not Applicable
Side setback at property line, min.	0' or 5' ≥	0' or 5' ≥	5'	10'
Side setback at street, min.	5'	10'	10'	10'
Rear setback with alley, min.	0'	0'	5'	5'
Rear setback without alley, min.	10'	10'	10'	10'
Percentage of Frontage Buildout	60%	80%	Not Applicable	Not Applicable
Placement for Accessory Structures & Outbuildings	5' rear/side	5' rear/side	5' rear/side	5' rear/side
Additional Building Placement Standards				
Shoreline Protection at Frazier Creek	10'	10'	10'	Not Applicable
Min. sidewalk on S Colorado Ave	10'	10'	Not Applicable	10'
Min. sidewalk at all other rights-of-way	10'	8'	6'	8'
Building Height				
Building height, max. in stories	3	4	4	3
Building height, max.	40'	45'	45'	40'
Building height for Outbuildings	2-stories / 30'	2-stories / 30'	2-stories / 30'	2-stories / 30'
Ground story height, min.	12'	12'	12'	12'
Gross Density				
Residential density, max. in units/acre	15 / 30 CU	15 / 30 CU	15	Not Applicable
Coverage				
Impervious surface, max. in %	TBD	TBD	65%	65%
Civic Open Space for lots ≥ 1/2 acre and < 1 acre	5%	5%	Not Applicable	Not Applicable
Civic Open Space for lots ≥ 1 acre	7%	7%	5%	Not Applicable
Frontage Types				
Porch	✓	✗	✓	✓
Stoop	✓	✓	✓	✓
Bracketed Balcony	✓	✓	✓	✓
Forecourt	✓	✓	✓	✓
Arcade	✓	✓	✗	✓
Storefront	✓	✓	✓	✓
Garage Storefront	✗	✗	✓	✓
Parking Placement, see Sec. 03.04.07. Access & Parking Standards				

B. Building Placement.

1. *Build-to-Zone (BTZ)*. Setbacks are measured from the property line and are defined in Chapter XII.

2. *Setbacks*. Setbacks are measured from the property line and are defined in Chapter XII. **Sec. 2.04.04. - Supplemental building setback requirements.**

3. *Primary Facade*. Main entries shall be prominent and orientated to the street.

a. The primary façade shall be parallel to the right-of-way, located in accordance with the build-to-zone of the zoning district.

b. The primary façade shall face A Street or existing roadways.

c. The location of the primary façade is not changed by the projection of architectural elements such as cornices, bay windows, awnings, balconies, or stoops.

d. On corner lots, the primary façade shall extend to the corner or a civic open space shall be provided.

4. *Shoreline protection zone* of Frazier Creek. **Sec. 5.06.02 Shoreline protection zone delineations** applies in The Creek District except where modified herein. The following types of development shall be permitted:

a. Living shorelines;

b. Rain gardens;

c. Riprap and,

d. Pervious walkways, docks, kayak launch shall be allowed within the shoreline protection zone where they provide public access to the water or connection between adjoining properties where the square footage of impervious surfaces does not exceed fifty percent of the shoreline protection zone area.

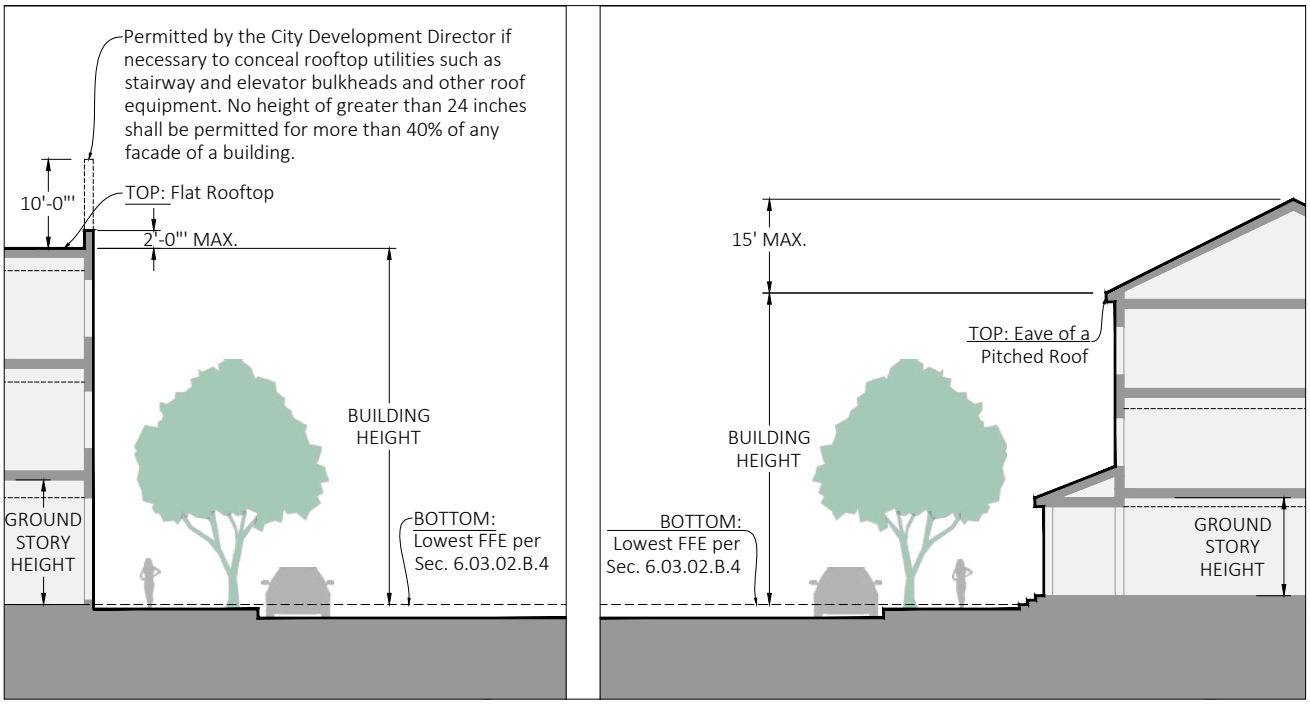
e. Any development shall protect wetlands, seagrass, oyster beds, shoreline mangroves, and ensure no shoreline erosion.

f. Bulkheads, seawalls, and parking shall not be permitted.

C. *Building Height*. Building height is measured in accordance with **Sec. 2.04.07. - Supplemental building height**. See **Figure 10 Illustration Building Height** for reference.

1. *Ground story height*. Minimum ground story heights are provided by zoning districts. Ground story height is measured as the clear height from finished floor elevation to the underside of structure above.

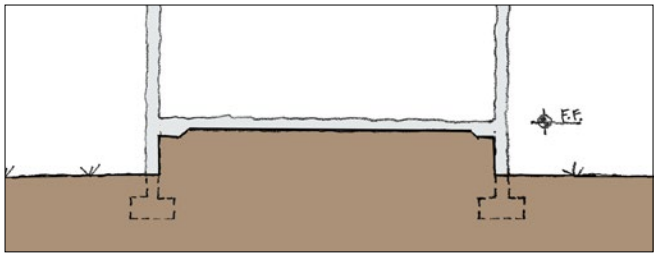
FIGURE 10 ILLUSTRATION BUILDING HEIGHT



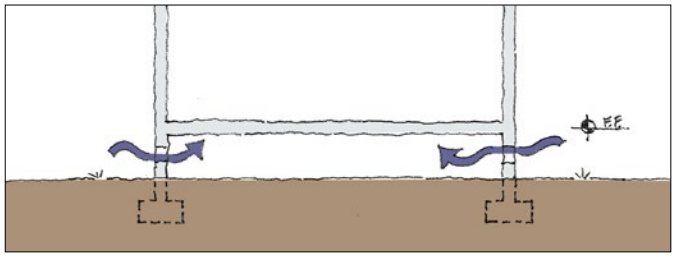
2. *Finished floor elevations.* For the purpose of minimizing stormwater impacts, the finished floor elevations of surrounding properties shall be taken into consideration in establishing the finished floor elevation of the new structure. Fill may be placed on site to the level of natural grade, maintaining the overall drainage of the neighborhood. If new construction has a floor level higher than natural grade, the foundation shall provide for the rise in floor level, rather than mounding fill to building perimeter. Minor grading directing water away from house to natural established drainage is allowed. See examples in **Figure 11 Alternatives to Foundations on Fill**.

FIGURE 11 ALTERNATIVES TO FOUNDATIONS ON FILL

Stem Wall, Extended Footers, or Thickened Monolithic Foundation with Fill



Historic Stem or Pier Wall Foundation



3. *Residential rooftop use occupancy*. Residential occupancy of a flat rooftop which are ancillary to residential occupancies 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.

4. *Architectural feature*. Tower features shall not be more than 300 square feet in area and shall not be more than 15 feet above the maximum building height. Architectural features may encroach into a setback the lesser of five feet or 60 percent of the width of a setback. For facades built with a zero setback, cornices, parapets, and bay windows at upper stories may project a maximum of three feet.

D. *Building Length*. Buildings shall not be longer then 200' without a street, alley, or *via* providing through access to another street, alley or via. A via shall be a minimum of 10' wide, not less then 10' in height open to the public, and illuminated at night. Except in residential buildings, the building face shall have transparent windows covering at least 50% of the wall area, and incorporation of storefront standards is encouraged.

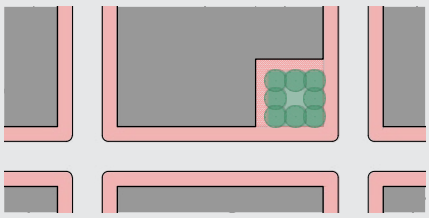
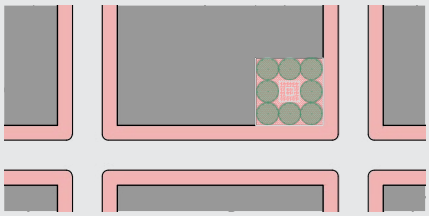
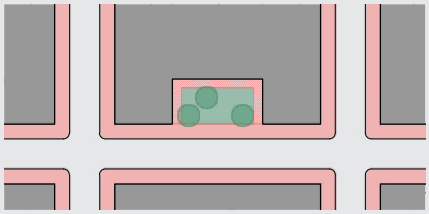
E. *Gross Density*. The gross density is measured in as defined in **Chapter XII**.

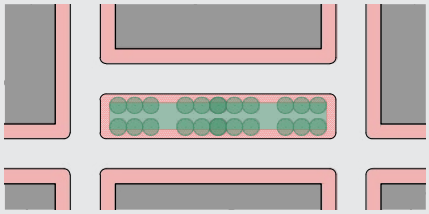
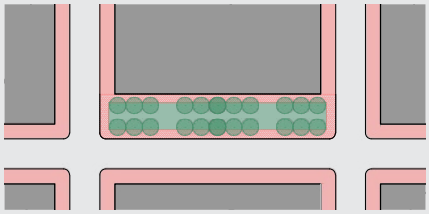
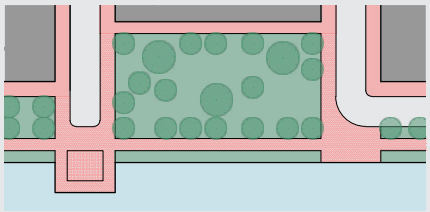
F. Coverage.

1. *Impervious surface*. Impervious surface coverage is determined by calculating the total impervious surface area as a percentage of the gross site area. Water bodies are impervious and shall be included as such in the calculation of impervious surface coverage. See **Sec. 2.04.03. - Supplemental impervious surface coverage requirements.**

2. *Civic Open Space*. Civic open spaces are privately maintained outdoor spaces which are accessible by the general public, improve the pedestrian environment, and serve as an amenity for the City as a whole as well as for occupants of the building which the civic open space serves. Civic open spaces shall provide low impact infrastructure elements to promote improved stormwater treatment. Examples of Civic Open Space which can be implemented are show in **Figure 12 Civic Open Space Types.**

FIGURE 12 CIVIC OPEN SPACE TYPES

	SIZE	DESCRIPTION	ILLUSTRATION
GREEN	≥1,500 sf	A green is at least 1,500 square feet in size and adjoins streets on at least two sides or a street and a pedestrian passageway or main building entry. Greens are designed primarily for passive uses, consisting primarily of lawn with either formally or informally arranged landscaping and shade trees.	
PLAZA	≥ 1,500 sf	A plaza adjoins streets on at least two sides, or a street and a pedestrian passageway, or main building entry. Plazas are mostly hardscaped with formally arranged landscaping and a water feature and shade trees.	
PLAYGROUND	≥ 2,500 sf	Playgrounds provide children's play equipment and are shaded with shade trees or shade structures. Playgrounds adjoin a street on at least one side and the configuration shall ensure easy surveillance of the area from adjacent buildings and streets.	

	SIZE	DESCRIPTION	ILLUSTRATION
SQUARE	≥ 10,000 sf	A square adjoins streets on at least three sides. Squares may be up to 50% hardscaped, with formal landscaping and shade trees. Squares accommodate both passive uses and community gatherings.	
ATTACHED GREEN	2,000 to 6,000 sf	An attached green spans the entire length of a block. Attached greens shall be at least 30 feet wide and are appropriate on the short end of a block. Attached greens are primarily lawns with formally arranged landscaping and shade trees.	
WATERWAY PROMENADE	≥ 15' wide	A waterway promenade or public access along the water's edge is a continuous greenway along the length of a waterway. To be effective buildings and sidewalks shall provide direct and clear access. Buildings shall treat the promenade as an additional primary facade. Waterway Promenades shall utilize standards from thoroughfare types, see **Figure 31 Waterway Promenade**.	
FORE-COURT	250 to 1,500 sf	Buildings shall utilize standards from Forecourt frontage type, see **Figure 18 Forecourt**.	
PUBLIC ART	< 250 sf	A space incorporating a fountain, living wall, or work of art may be provided facing a street or a pedestrian passageway.	

G. *Accessory Structures*. Accessory structures shall comply with the Development Standards applicable in the zoning district except where modified herein.

1. <u>Accessory structures shall not be established on a lot prior to the issuance of all permits required for the development of the principal use to which it is accessory.</u>

2. Shielding from Street. Sheds, exposed pumps, electrical meters, heat pumps, generators, pool equipment, air conditioning compressors, clothes lines, antennas, satellite dishes, outdoor storage, and similar structures and uses shall not be located between the front of a building and a street. Listed items and similar structures shall be shielded from view from public rights-of-way. All rooftop utilities and facilities, such as air conditioning units, shall be screened so as to not be visible from public view, including from balconies and windows of adjacent buildings.

3. *Outbuildings.* Outbuildings shall conform to the following requirements:

a. Outbuildings may include detached garages and carports, greenhouses, slat houses, cabanas and detached garage apartments and Accessory Dwelling Units (ADU).

b. Outbuildings shall be located behind the rear facade of the principal building or in the rear one half of the property subject to a minimum five-foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet.

c. There shall not be less than five feet separation between an outbuilding and a principal building.

d. Outbuildings shall be constructed of the same materials used in the principal building. Canvas outbuildings are not permitted.

e. Only one outbuilding per principle building is permitted.

f. Outbuildings shall not exceed a maximum building footprint of 1,000 square feet and a maximum gross floor area of 2,000 square feet.

g. Outbuildings may not exceed the height of the principal building.

h. Outbuildings may be constructed as elevated buildings that include the location of open parking below an enclosed structure; however, open parking shall be shielded from public right-of-way by landscaping, lattice or other screening material that is not less than 42 inches in height.

i. Outbuildings may be connected to the principal building by a covered walkway element, trellis, or other structural link, which shall not be enclosed so as to create occupiable space.

4. *Accessory Dwelling Units.*

a. One ADU may be permitted on a lot on which a detached single-family dwelling, duplex, or townhouse is located.

b. An ADU shall not count as a separate unit for purposes of calculating density.

c. An ADU may be the second floor of a garage, a freestanding cottage, or physically attached to the principal dwelling.

d. An ADU shall not exceed a footprint of 1,000 square feet.

e. An ADU may have a separate utility meter or share utilities with the principal dwelling, as required or permitted by the utility provider.

H. *Frontage Types.* Each new building, or substantial improvement, constructed must meet the standards for one of the Frontage Types permitted in the zoning district where it is located. Frontage Type diagrams do not prescribe use or architectural style and are illustrative. Dimensions provided in tables control for regulatory requirements. See **Sec. 03.04.05.**

I. Historic buildings. The requirements of this Code may be adjusted by variance for the purposes of preserving a historic building.

J. *Pubic Art*. All zoning districts shall comply with standards in **Sec. 3.01.07 Public art**. Wall murals shall be permitted on any structures. When visible from a public right-of-way, mural shall require the approval by ***conditional use***.

K. 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 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.

Sec. 03.04.05. Frontage Types

A. *Frontage Types* are required by zoning district. Using one or more of the permitted *frontage types* indicated in **Figure 14 Permitted Frontage Types Matrix** is required. Standards for *frontage types* are found in **Figure 15** through **Figure 21**.

B. *Façade Transparency.*

1. Windows and doors at the ground level shall have clear, transparent glass that has a minimum visible light transmission (VLT) of 50%. Mirrored glass is prohibited at the ground level.

2. Building façades facing *A Streets* and *Civic Open Spaces* shall have a minimum percentage of transparent glazing. The required percentage is determined by the frontage type.

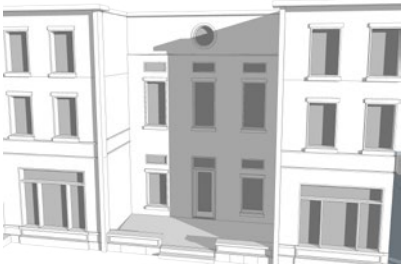
3. Above the ground level, building façades must have transparent windows which cover some percent of the wall area of each story as measured between finished floors.

FIGURE 13 FRONTAGE TYPES MATRIX

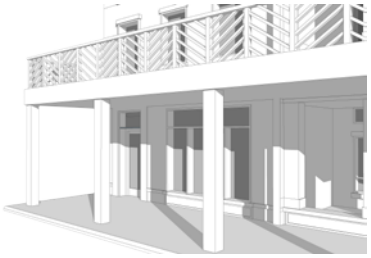
PORCH

STOOP

BRACKETED BALCONY



FORECOURT



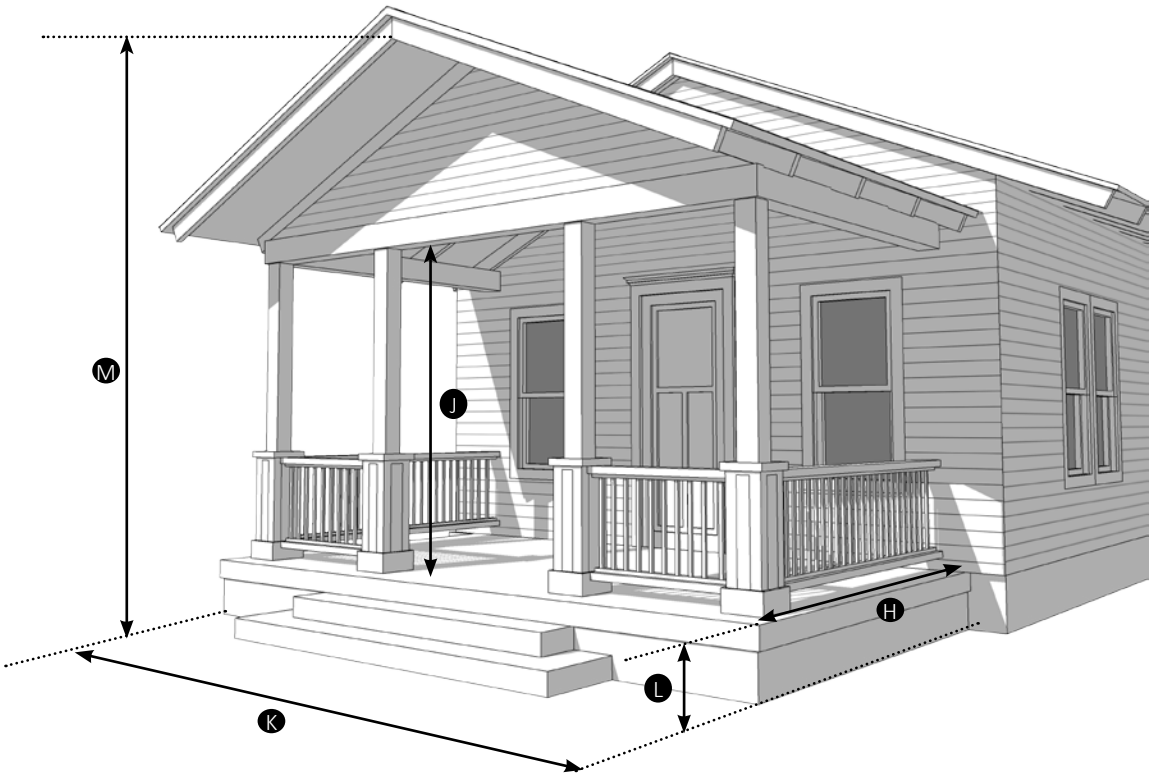
ARCADE

SHOPFRONT

FIGURE 14 PERMITTED FRONTAGE TYPES MATRIX

Permitted Frontage Types	Creek North (CN)	Creek South (CS)	Creek Industrial (CI)	Recreation
Porch	✓	✓	✓	✓
Stoop	✓	✓	✓	✓
Bracketed Balcony	✓	✓	✓	✗
Forecourt	✓	✓	✓	✓
Arcade	✓	✓	✗	✓
Shopfront	✓	✓	✓	✓
Garage Storefront	✗	✗	✓	✓

FIGURE 15 PORCH



Description
A porch is an open-air structure attached to a building forming a covered entrance large enough for comfortable use as an outdoor room. Front porches may be screened.

Dimensions		
Depth	6 feet min. *8 feet preferred*	H
Height, clear	8 feet min.	J
Width, length of facade	50% min.	K
Finish level above finished grade	21 inches min.	L
Height, stories	2 stories max.	M

Façade Transparency	
Ground level	25% min.
Above the ground level	15% min.

Permitted Zoning District		
CN	CS	CI

FIGURE 16 STOOP

Description
A stoop is a small staircase leading to the entrance of a building that may be covered. The elevation of the stoop is necessary to ensure privacy for residential uses in the ground story of buildings. Stoops should provide sufficient space for a person to comfortably pause before entering or after exiting the building.

Dimensions		
Depth	5 feet min.	H
Height, clear	8 feet min.	J
Width, clear	4 feet min.	K
Finish level above finished grade	21 inches min.	L
Height, stories	1 story max.	M

Façade Transparency	
Ground level	25% min.
Above the ground level	15% min.

Permitted Zoning District		
CN	CS	CI

FIGURE 17 BRACKETED BALCONY

Description

A bracketed balcony is a second-story balcony, that creates a semi-public space overlooking the street above a main entry or unit. Bracketed balconies are typically associated with buildings with commercial uses in the ground story; however, bracketed balconies may be used with residential uses. On corner lots, a balcony shall extend along two street facades, but it does not have to be continuous. Where balconies are required, the aggregate length of balconies shall be not less than 50% of the building facade at the floor level from which it projects on each floor level.

Dimensions

Depth	3 feet min., 5 feet max.	H
Height, ground level clear	10 feet min.	J
Width	4 feet min.	K

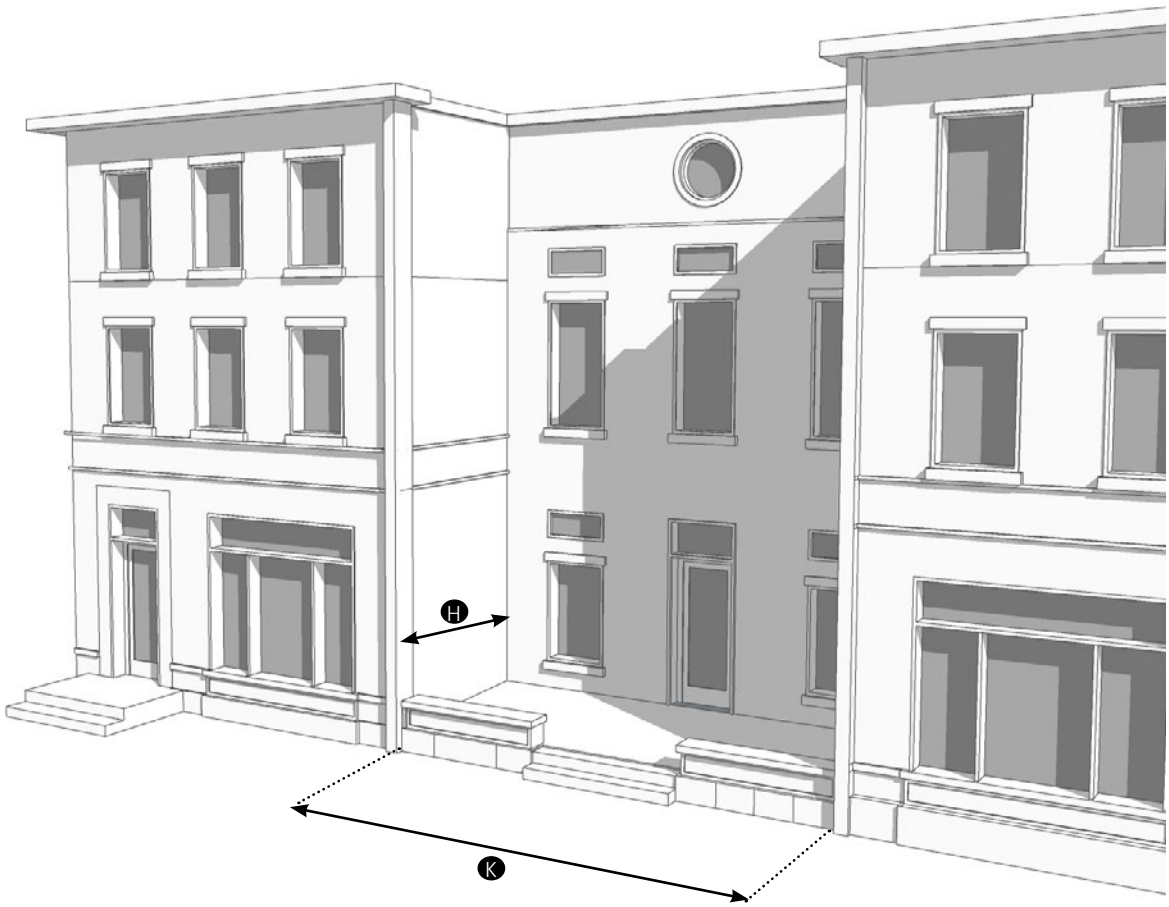
Façade Transparency

Ground level	40% min.
Above the ground level	15% min.

Permitted Zoning District

CN	CS	CI

FIGURE 18 FORECOURT



Description

A forecourt is an open area in front of the main building entrance(s) designed as a small garden or plaza. Low walls or balustrades no higher than three feet six inches in height when solid may enclose the forecourt. Forecourt walls are constructed of similar material as the principal building or are composed of a continuous, maintained hedge. A forecourt may afford access to one or more first floor residential dwelling units or incorporate storefronts for commercial uses. Forecourts are typically associated with multifamily, mixed-use, and commercial buildings.

Dimensions

Depth, clear	20 feet max.	H
Width, length of facade	12 feet min. / 50% of facade max.	K

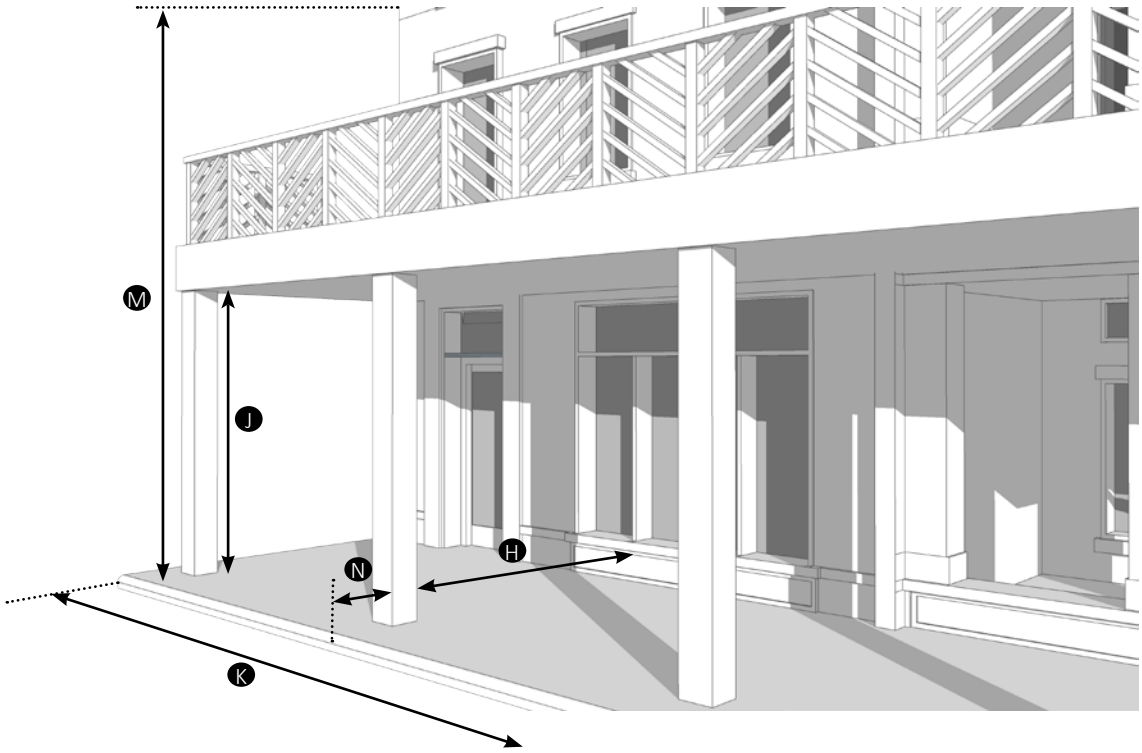
Façade Transparency

Ground level	40% min.
Above the ground level	15% min.

Permitted Zoning District

CN	CS	CI

FIGURE 19 ARCADE



Description

An arcade is a covered, unglazed, linear hallway attached to the front of a building, supported by columns or pillars. The arcade extends into the public right-of-way, over the streetscape area, creating a shaded environment ideal for pedestrians. This frontage type shall be used in conjunction with a **Shopfront Frontage Type** for a minimum of 50% of the Arcade length. Arcades shall remain open to the public at all times. Where an arcade encroaches into the public right-of-way, a right-of-way maintenance agreement may be required.

Dimensions

Depth, clear	8 feet min.	H
Height, ground level clear	10 feet min.	J
Width, length of facade	70% min.	K
Height, stories	2 stories max.	M
Set back from curb	2 feet min. / 4 feet max.	N

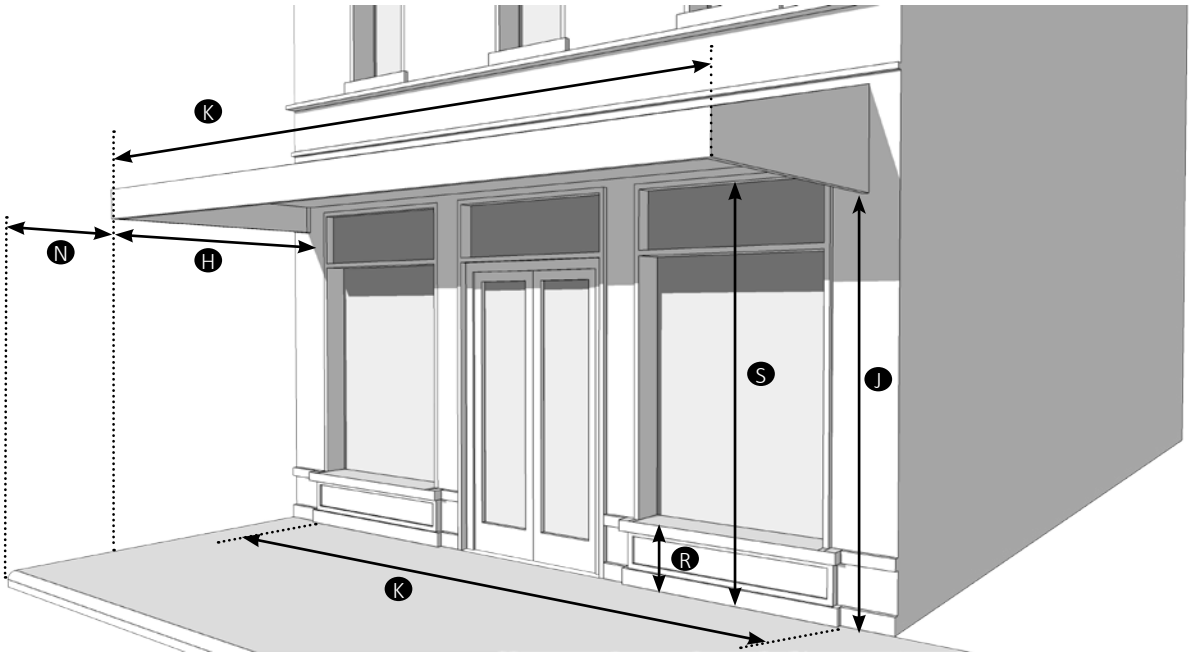
Façade Transparency

Ground level	40% min.
Above the ground level	15% min.

Permitted Zoning District

CN	CS

FIGURE 20 SHOPFRONT



Description
The shopfront is a frontage type along the sidewalk level of the ground story, typically associated with commercial uses. Shopfronts are frequently shaded by awnings or arcades.

Dimensions		
Width, length of facade	70% min.	K
Door recess	10 feet max.	
Storefront base	1 foot min. / 3 feet max.	R
Glazing height	8 feet min.	S
Optional Awning		
Depth	3 feet min.	H
Height, ground level clear	8 feet min.	J
Width, length of facade	70% min.	K
Set back from curb	2 feet min.	N
Façade Transparency		
Ground level	40% min.	
Above the ground level	15% min.	

Permitted Zoning District		
CN	CS	CI

FIGURE 21 GARAGE STOREFRONT

Description		
Garage Storefront provides a large opening necessary for light industrial, marker space or commercial uses. Garage door may be overhead or bio-folding, but must include glazing while still promoting an active streetscape.		
Dimensions		
Width, length of facade	30% min.	K
Door recess	10 feet max.	C
Glazing height	8 feet min.	S
Optional Awning		
Depth	3 feet min.	
Height, ground level clear	8 feet min.	
Width, length of facade	70% min.	
Set back from curb	2 feet min.	
Façade Transparency		
Ground level	25% min.	
Above the ground level	Not required	

Permitted Zoning District
CI

FIGURE 22 ACCESSIBLE ROUTES

Description

The Florida Building Code contains technical requirements for accessibility for sites, facilities, buildings and elements by individuals with disabilities which may include code requirements for the access into a building. The images above depict possible solutions for buildings when raised above the natural or existing grade. Refer to the latest version of Florida Building Code for the specific requirements and standards of the code. See **Figure 22** for images of examples.

Sec. 03.04.06. Thoroughfare Standards

A. Applicability. **Sec. 6.01.00** shall apply except where modified in **Figure 23 Thoroughfare, Access & Parking Standards**.

FIGURE 23 THOROUGHFARE, ACCESS & PARKING STANDARDS

Sec. 6.01.00	Transportation Systems	Applies as written	Replaced by
Sec. 6.01.01	General provisions.	✔	-
Sec. 6.01.02	Streets.	✔	-
Sec. 6.01.03	Rights-of-way.	➔	**Sec.03.04.06**
Sec. 6.01.04	Sidewalks and bikeways.	➔	**Sec.03.04.07.D**
Sec. 6.01.05	Pedestrian access for large-scale commercial development (LCD).	➔	**Sec.03.04.07.D**
Sec. 6.01.06	Access.	➔	**Sec.03.04.07**
Sec. 6.01.07	Standards for drive-through facilities.	✘	Does not apply.
Sec. 6.01.08	Non-residential vehicular access.	➔	**Sec.03.04.06**
Sec. 6.01.09	Stuart Parking Code.	➔	**Sec.03.04.07**
Sec. 6.01.10	Rules for computing parking requirements.	✔	-
Sec. 6.01.11	Location of required parking spaces.	➔	**Sec.03.04.07**
Sec. 6.01.12	Shared parking and joint use of facilities.	✔	-
Sec. 6.01.13	Off-street parking schedule.	➔	**Figure 41**
Sec. 6.01.14	Design standards for off-street parking.	➔	**Sec.03.04.07.D**
Sec. 6.01.15	Parking structure standards.	➔	**Sec.03.04.07.D**
Sec. 6.01.16	Transit stops.	✔	-
Sec. 6.01.17	Parking study.	✔	-
Sec. 6.01.18	Off-street loading requirements.	✔	-
Sec. 6.01.19	Payment in lieu of parking program.	✔	-
Sec. 6.01.20	Bicycle parking.	✔	-

B. Thoroughfare Principles. All development including public improvements shall incorporate the following thoroughfare principles:

1. Street layout shall exhibit a high degree of overall connectivity.

2. Cul-de-sacs are prohibited.

3. Oversized blocks shall be avoided so that neighborhoods can be traversed easily. Blocks created by new streets shall not exceed 550 feet on any side of the block. New block perimeters shall not exceed 1,600 feet.

4. Shade trees shall be planted between the sidewalk and vehicles wherever feasible.

5. The abandonment of existing streets or paved or unpaved rights-of-way is strongly discouraged.

6. Private gated communities are not permitted. This prohibition does not preclude gates that control access to a single parking lot.

C. Thoroughfare Plan. A Thoroughfare Plan is provided for The Creek District in **Figure 07 Thoroughfare Plan** in **Sec. 03.04.02. Regulating Plan..**

D. Description of Thoroughfare Types. **Figure 26 Description of Thoroughfare Types** describes street types that are appropriate for The Creek District.

1. New Thoroughfare. When new streets and alleys are developed or an existing street or alley is extended, the street types in **Figure 26 Description of Thoroughfare Types** and illustrated in **Figure 25** through **Figure 32** shall be used. The selection of the particular street type shall be determined through consultation between the Development Director, CRA, the developer, and the City Engineer.

2. Existing Thoroughfare. The Thoroughfare Standards of this section should be incorporated into the construction or reconstruction of streets to the greatest extent possible, taking into account existing conditions including right-of-way constraints that may require adjustments to these standards.

FIGURE 26 DESCRIPTION OF THOROUGHFARE TYPES

Type	Description	Preferred ROW	Actual ROW	Example Street(s)	Design Speed
Alley	A roadway which provides a secondary means of access to abutting properties, and not intended for general traffic circulation.	15’	10’-15’ varies	Alley parallel to 6th Street	Not Applicable
Industrial Street	A *local street* with on-street parking on one side of the roadway and sidewalks on both sides. Curb design shall consider for the frequent movement of commercial work trucks.	40’	40’	SE Lincoln Ave.	15 mph
Local Street	A *local street* with two travel lanes, on-street parking, a wide pedestrian and furnishing zone on both sides of the street. Furnishing zone may or may not include street trees, but shall include pedestrian scale lighting.	60’	40’-57’ varies	SE Delaware Ave. & MLK Jr Blvd	25 mph
Local Street with bike lane	A *local street* similar to the above which includes a dedicated bike lane. Design speeds greater then 25 mph would require a protected bike lane.	70’	70’	SE Kindred Street	25 mph
Main Street with bike lane	A *major arterial* with on-street parking, bike lanes, and a wide pedestrian and furnishing zone. A landscape median and turn lanes divides travel lanes.	80’	80’	Colorado Ave.	25 mph
Boulevard Setback	Applicable where a *major arterial* with a significant number of vehicle lanes is required and consumes the majority of the right-of-way, the design of the setback with a shared use path and shade trees becomes essential to promote for safe mobility.	140’	100’	US-1/ Federal Hwy	35-40 mph
Waterway Promenade	The waterway promenade is a pedestrian, cycling, and small scale non-motorized watercraft path which allows for access to the waterways. The path and access shall enhance the waterway by improving water quality with low impact infrastructure and littoral planting.	Not Applicable	20’-75’	Frazier Creek	Not Applicable
Shared-use Bridge	The shared use bridge connects important thoroughfares where waterways and stormwater treatment areas interrupt important connections in the City. They shall allow access by pedestrians, cyclist, scooters, skateboards, golf carts and other forms of micro-mobility. Bridges are opportunities to celebrate water in Stuart and establish community identity.	15’	40’	7th Street to MLK Jr Blvd	Not Applicable

E. Thoroughfare Design Standards. Where particular elements are not required, they are not prohibited if its design is appropriate to the context and is approved by the City Engineer. See elements illustrated in **Figure 24 Streetscapes Diagrams**. The illustrative street designs address the desired street elements:

a. *Vehicular travel lanes* – primarily for vehicular circulation and shall be no greater then 11', and may include a marked sharrow for posted speed of 25 mph or less.

b. *Parking lanes* – on-street parking, may be parallel or reverse angled parking.

c. *Bike facility* – may be a marked sharrow, a separate bicycle lane, or shared used path.

d. *Pavement width* – width of pavement from edge of pavement or curb which is dedicated for vehicular travel, but could include separate bike lane or marked sharrow. Where appropriate, pavement include pervious areas to manage stormwater.

e. *Sidewalk* – A sidewalk shall be provided on both sides of a streetscape. Sidewalks may be part of a shared use path. Minimum width is determined by zoning district. See **Sec. 03.04.04. Development Standards** for minimum width of a sidewalk.

f. *Pedestrian zone* – A pedestrian zone is free of any street furnishings or utilities and allows the clear passage of pedestrians. A wide pedestrian zone shall be no less then 5 feet. Any portion of the pedestrian zone within the front setback area shall be improved as an extension of the public sidewalk and shall match the public sidewalk in design and material, providing a seamless physical transition.

g. *Furnishing zone* – paved area adjacent to the sidewalk for street furniture, tree wells, and extra sidewalk width. Pedestrian scale lighting is often included. New thoroughfare lighting shall be Dark Sky Approved lighting.

h. *Median* – vegetated area between travel lanes of opposing direction (required only where indicated) Medians, when present, should be used to integrate stormwater management.

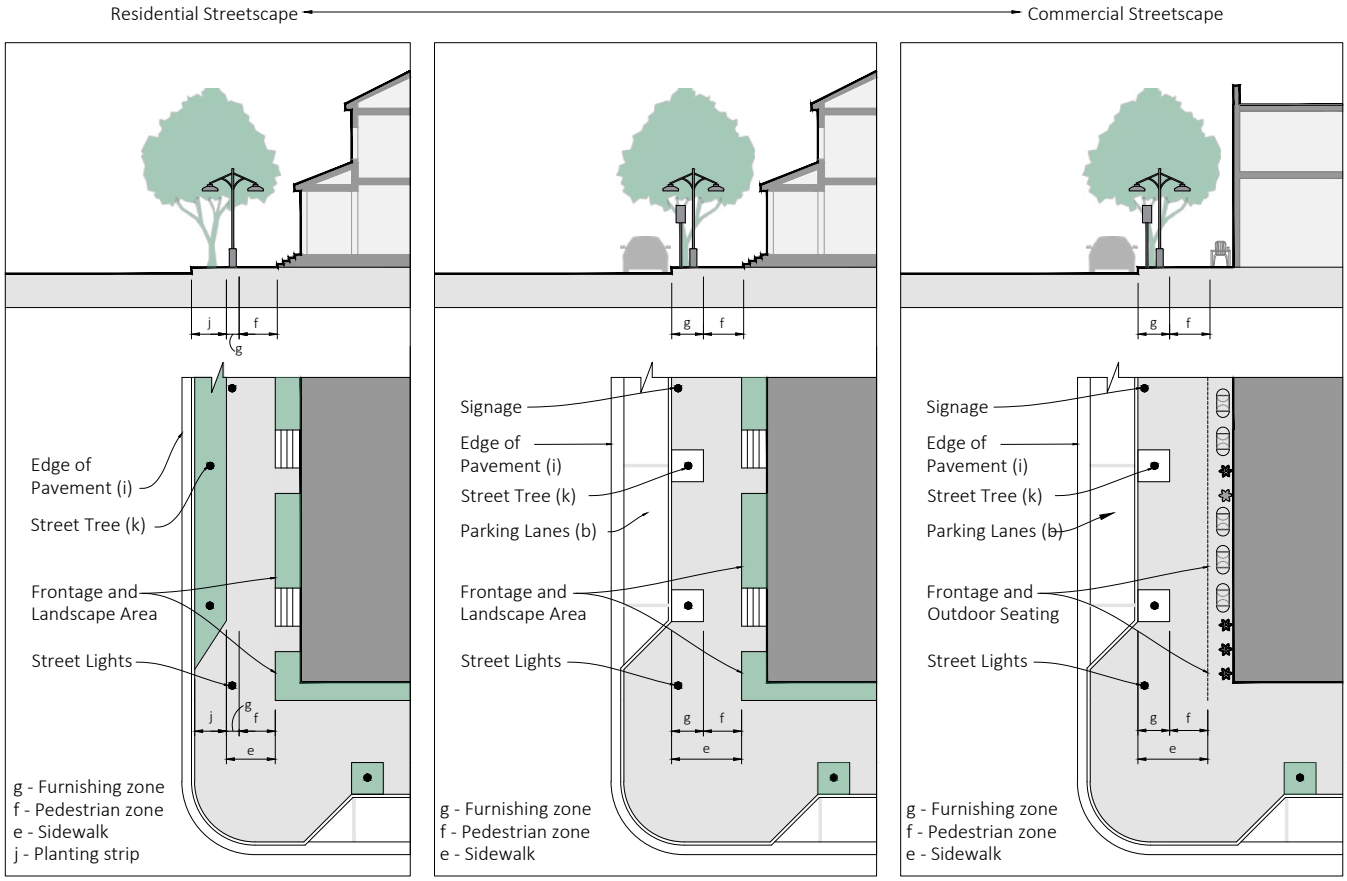
i. *Edge of pavement* – curb and gutter or a valley gutter. Enhanced crosswalks with design features like bulb-outs or pinch-points are encouraged to address visibility when crossing vehicular travel lanes.

j. *Planting strip or planting area* – vegetated area between a sidewalk and vehicles. Planting strips are encouraged to integrate stormwater management.

k. *Street trees* – required type and placement of street trees. Street designs shall prioritize maintaining existing shade trees where they already exist.

l. *Low Impact Infrastructure* – or green stormwater infrastructure, such as pervious paving, pervious pavers, pervious concrete, bio-retention systems, rain gardens, bioswales, and stormwater planters, are encouraged to slow and treat stormwater runoff while providing additional community benefits.

FIGURE 24 STREETSCAPES DIAGRAMS



F. *Visibility triangles.*

1. Anything else in this section to the contrary notwithstanding, three feet (as measured from the crown of the road) shall be the maximum height of any section of new fence or wall which is located within 20 feet of the following intersections, unless protected by a traffic-control device:

a. The right-of-way lines of two streets;

b. The right-of-way line of a street and the right-of-way line of an alley;

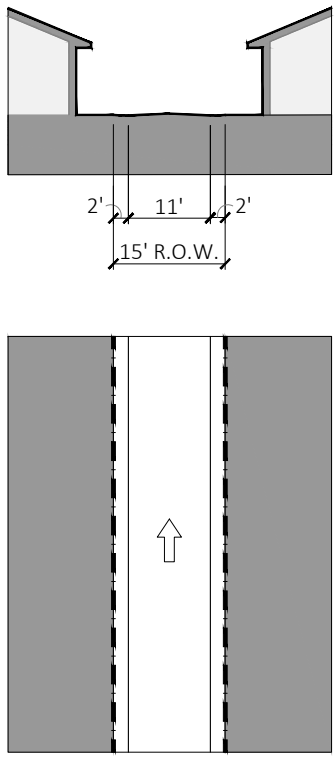
c. The right-of-way line of a street and the right-of-way line of a railroad.

2. Three feet (as measured from the crown of the road) shall be the maximum height of any section of new fence or wall which is located within eight feet of the following intersections:

a. The centerline of a driveway and the abutting right-of-way line.

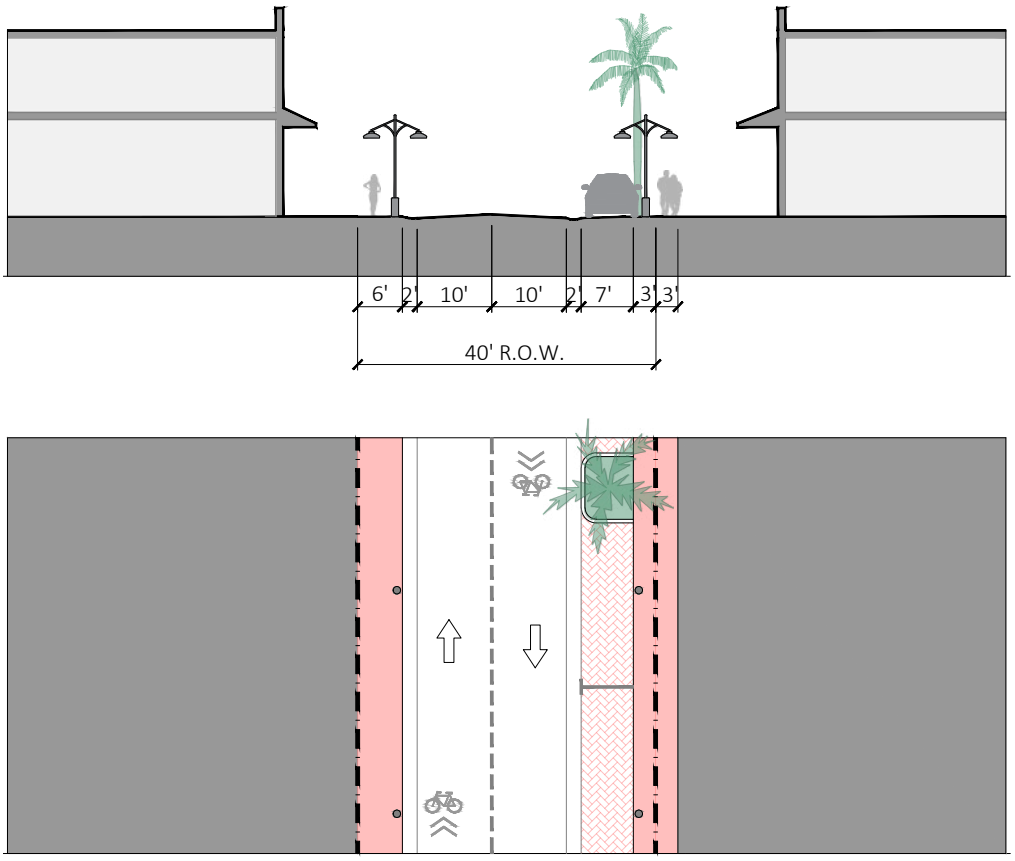
G. Deviation from Street Design Standards. The City Engineer after consulting with the Development Director may allow deviations from the standards contained in **Figure 25** through **Figure 27** when necessary due to the location of existing buildings, constrained right-of-way, or to meet other community needs or goals for the particular street segment.

FIGURE 25 ALLEY



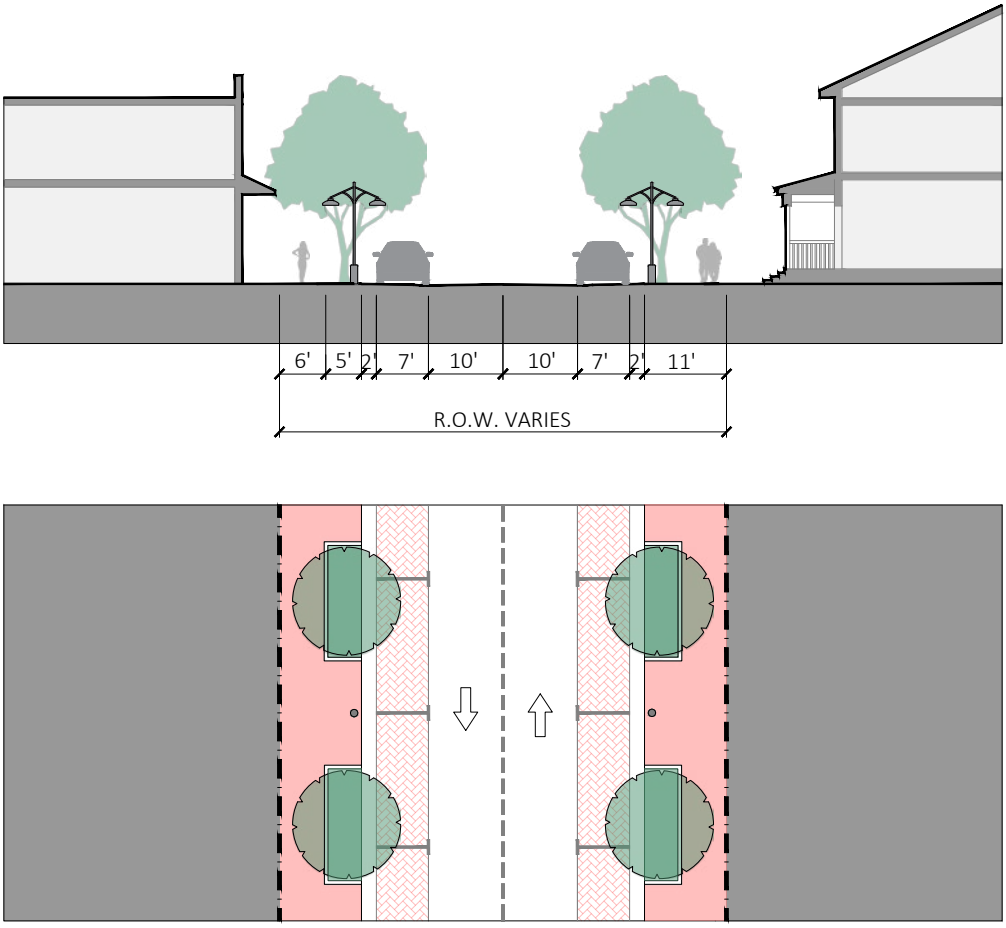
Type	
Vehicular travel lanes	11 feet paved 1-way traffic
Parking Lanes	Not required
Bike Facility	Not required
Preferred R.O.W.	15 feet
Pavement Width	11 feet
Sidewalk	Not required
Road Edge Treatment	Valley gutter
Planter Strip	Not required
Planting	Not required
Low Impact Infrastructure	Permeable surface

FIGURE 26 INDUSTRIAL LOCAL STREET



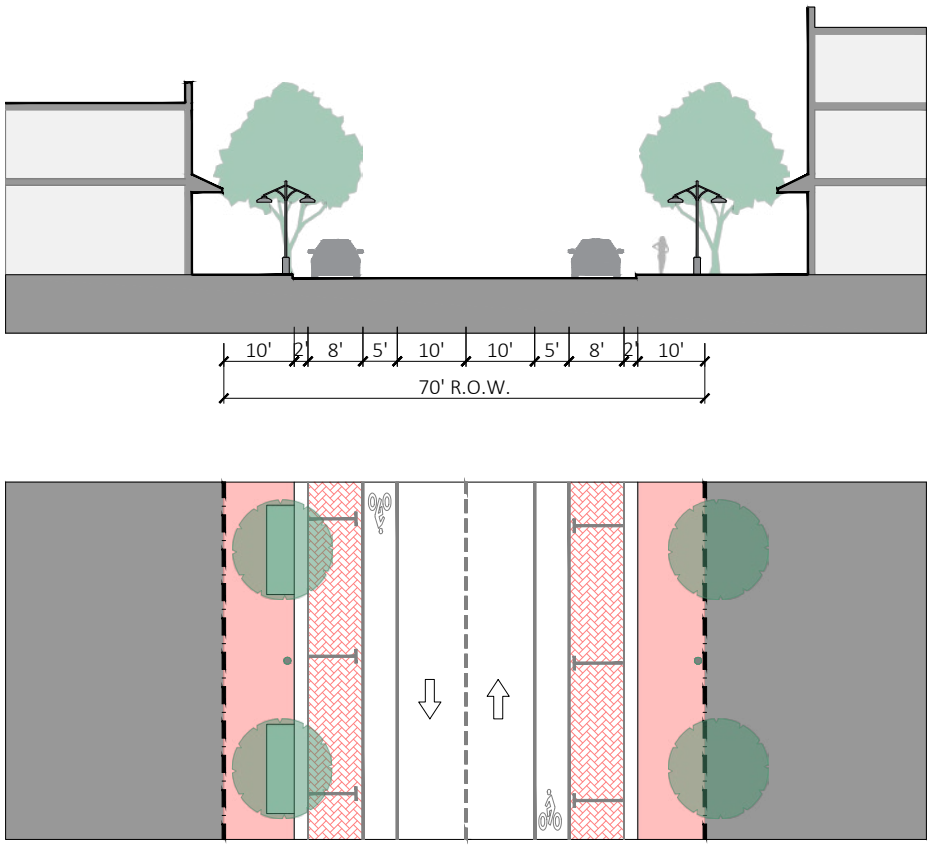
Type	
Vehicular travel lanes	10 feet
Parking Lanes	7 feet parallel one side
Bike Facility	Marked sharrow
Preferred R.O.W.	40 feet
Pavement Width	29 feet
Sidewalk	6 feet
Median	Not required
Road Edge Treatment	Valley gutter or curb & gutter
Planting	Not required
Low Impact Infrastructure	Permeable surface at on-street parking

FIGURE 27 LOCAL STREET



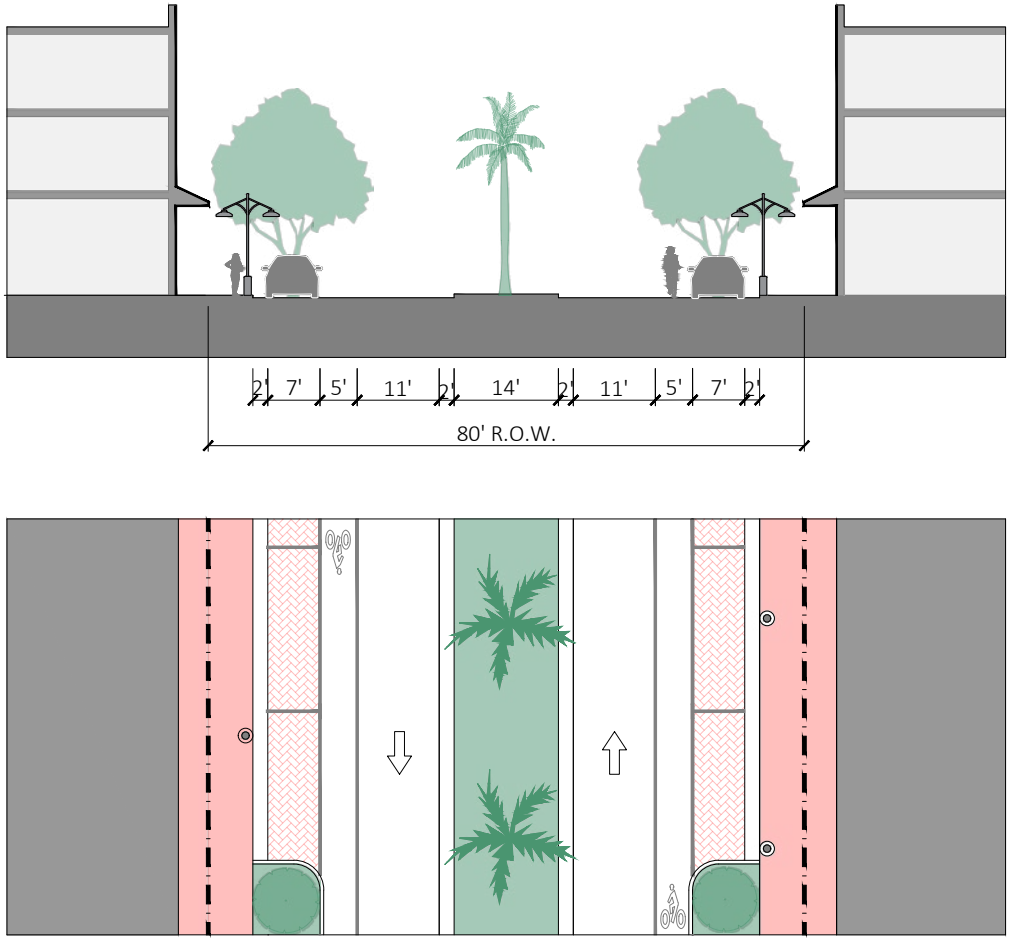
Type	
Vehicular travel lanes	10 feet
Parking Lanes	7 feet parallel on both sides
Bike Facility	Shared-use path
Preferred R.O.W.	60 feet
Pavement Width	34 feet
Sidewalk	10 feet
Median	Not required
Road Edge Treatment	Curb & gutter or valley gutter
Planting	Shade trees 30 feet on center, may occur in the tree wells within the furnishing zone or within the parking lanes
Low Impact Infrastructure	Tree box filter, permeable surface at on-street parking

FIGURE 28 LOCAL STREET WITH BIKE LANE



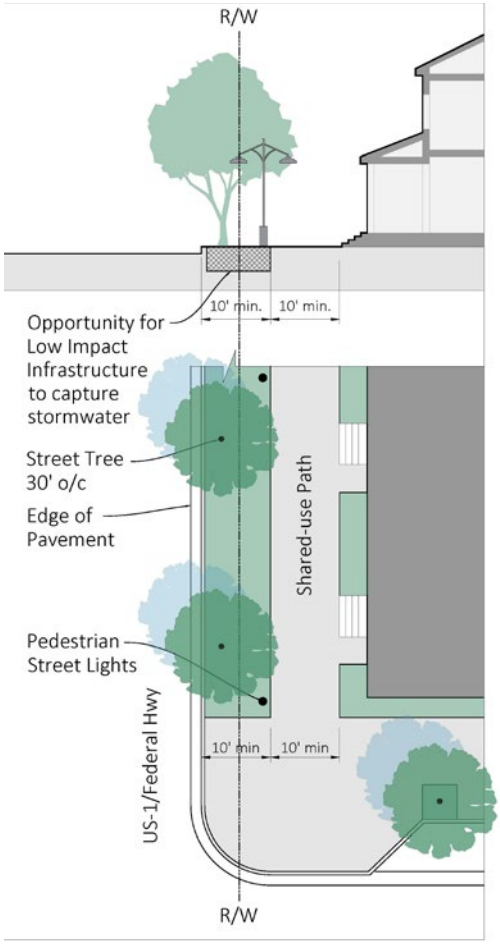
Type	
Vehicular travel lanes	10 feet
Parking Lanes	7 feet parallel on both sides
Bike Facility	5' bike lane
Preferred R.O.W.	70 feet
Pavement Width	46 feet
Sidewalk	11 feet
Median	Not required
Road Edge Treatment	Curb & gutter
Planting	Shade trees 30 feet on center, may occur in the tree wells within the furnishing zone or within the parking lanes
Low Impact Infrastructure	Tree box filter, permeable surface at on-street parking

FIGURE 29 MAIN STREET WITH BIKE LANE



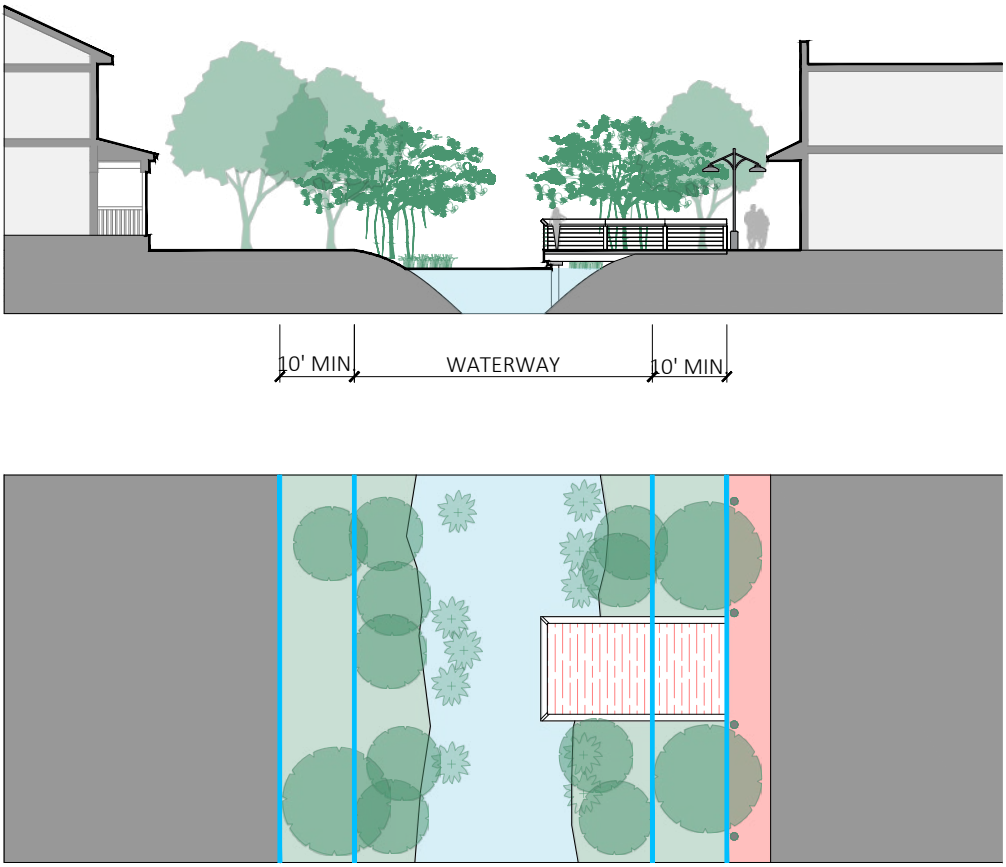
Type	
Vehicular travel lanes	10 feet
Parking Lanes	7 feet parallel on both sides
Bike Facility	Shared-use path
Preferred R.O.W.	60 feet
Pavement Width	23 feet & 23 feet
Sidewalk	11 feet
Median	18 feet
Road Edge Treatment	Curb & gutter
Planting	Shade trees 30 feet on center, may occur in the tree wells within the furnishing zone or within the parking lanes
Low Impact Infrastructure	Tree box filter, permeable surface at on-street parking

FIGURE 30 BOULEVARD SETBACK



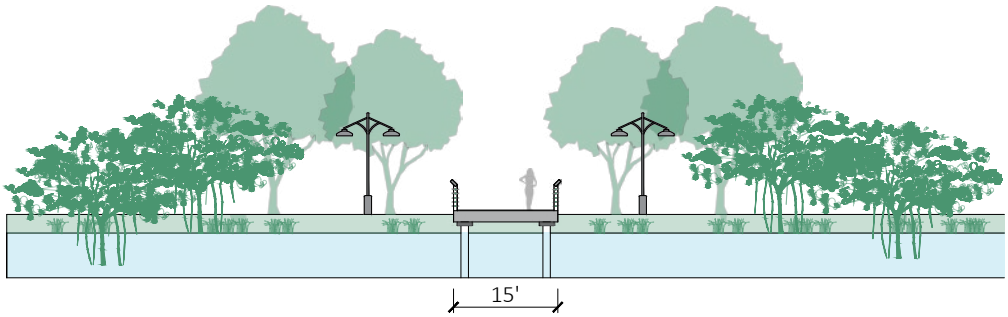
Type	
Vehicular travel lanes	10 to 12 feet
Parking Lanes	Prohibited
Bike Facility	Shared use path
Preferred R.O.W.	120 feet
Pavement Width	30 to 100 feet
Sidewalk	10 feet min shared use path
Median	18 feet preferred
Road Edge Treatment	Curb & gutter
Planting	Shade trees 30 feet on center, may occur in the tree wells within the furnishing zone
Low Impact Infrastructure	Tree box filter

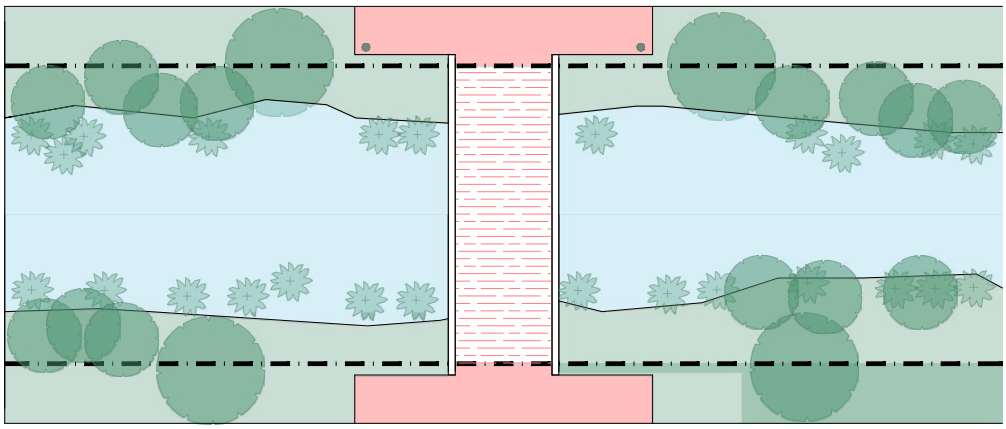
FIGURE 31 WATERWAY PROMENADE



Type	
Vehicular travel lanes	Prohibited
Parking Lanes	Prohibited
Bike Facility	Not required
Preferred R.O.W.	15 feet
Pavement Width	Not required
Sidewalk	8 feet
Median	Prohibited
Road Edge Treatment	Prohibited
Planting	Maintain existing mangroves and littoral plantings
Low Impact Infrastructure	Bio-retention systems, rain gardens, bioswales at water's edge
Shoreline protection area	10 feet min.

FIGURE 32 SHARED-USE BRIDGE





Type	
Vehicular travel lanes	Prohibited
Parking Lanes	Prohibited
Bike Facility	Shared-use path
Preferred R.O.W.	15 feet
Pavement Width	Not required
Sidewalk	Shared-use path
Median	Prohibited
Road Edge Treatment	Prohibited
Planting	Not required
Low Impact Infrastructure	Bio-retention systems, rain gardens, bioswales at water's edge
Shoreline protection area	10 feet min.

Sec. 03.04.07. Access & Parking Standards

A. Applicability. **Sec. 6.01.00** shall apply except where modified in **Figure 31 Thoroughfare, Access & Parking Standards**.

B. Pedestrian Access. The owner shall be responsible for the installation of a continuous sidewalk along the entire length of the parcel frontage that abuts a public street.

1. Minimum width. Minimum width of sidewalk is determined by the zoning district, see **Sec. 03.02.06. Thoroughfare Standards.**

2. All development shall include direct pedestrian access from development to existing and planned sidewalks within the public right-of-way. Pedestrian access shall be separated from the vehicular travel path.

3. Sidewalks shall be provided for internal circulation and linkage to other projects when such facilities are possible given the particular physical characteristics of the site, type of project, and adjacent land uses. Determination shall be made by the Development Director.

4. Materials. Pedestrian access shall consist of concrete, brick or concrete pavers, asphalt, stamped pattern concrete systems, rock salt textured concrete with integral color, or other similar material approved by the Development Director which clearly distinguish them from vehicular use areas and promote traffic calming. Where identified by the Development Director, sidewalks shall be constructed of paver block, brick or pink concrete.

C. Bicycle Access & Parking.

1. **Sec. 6.01.20. Bicycle Parking** applies within The Creek District, and the minimum 5' pedestrian clear zone shall not be reduced due to less then 5' by the placement of bicycle parking.

D. Vehicle Access & Parking.

1. The required minimum on-site parking is listed in **Figure 33 Minimum On-site Parking Schedule**.

2. On-street parking. On-street parking, constructed to City code, within a public right-of-way along the lot frontage can be counted towards on-site parking requirements. An approved revocable permit from the City Commission is required for on-street parking constructed by new development.

3. *Payment in lieu of parking* (PILOP). Up to three required on-site parking spaces may be accommodated via payments to the PILOP program as described in **Sec. 6.01.19.**

4. Parking alternatives. The following may be substituted for required on-site parking spaces. Alternative parking spaces shall count toward no more than twenty-five (25) percent of the overall on site parking requirement.

a. (4) bicycle rack spaces shall count as one (1) parking space;

b. (2) motorcycle or scooter spaces shall count as one (1) parking space;

c. (2) golf cart spaces shall count as one (1) parking space;

d. (1) transit vehicle pull-off shall count as four (4) parking spaces.

5. Historic preservation credit. Historic buildings as designated by the *Stuart Historic Preservation Board* and recorded and preserved in compliance with **Sec. 5.09.00.A Historic Preservation Program** are exempt from new parking requirements at a change of use when existing on-site parking remains. If existing on-site parking is removed, up to 50 percent of the required parking for any new use permitted use may be accommodated via payments to the PILOP as described in **Sec. 6.01.19**.

6. *EV Charging Station (EVCS).* All new commercial development of gross floorspace greater than 5,000 square feet and all new residential development greater than 50 dwelling units are required to provide *EVCI* to accommodate the future installation of *EVCS*(s). See **Sec. 2.06.22**.

FIGURE 33 MINIMUM ON-SITE PARKING SCHEDULE

Uses	Required Minimum Parking
Residential Uses	
All residential uses	1 per unit
Detached accessory dwelling unit	Refer to primary use
Family day care home in a residence	Refer to primary use
Transient Residential & Overnight Accommodations	
All Transient Residential & Overnight Accommodations	.75 per room
Institutional Uses	
Adult day care centers	1 per 300-sf
Child care centers	1 per 6 kids adequate stacking for pick-up/drop-off activities consistent with the student population
Community centers	1 per 300-sf
Funeral homes without crematoriums	1 per 4 seats
Governmental buildings	1 per 300-sf
Libraries	1 per 300-sf
Museums	1 per 500-sf
Nursing homes	1 per 4 beds + 1 per 1000-sf
Religious institutions	1 per 4 seats
Commercial Uses	
All Commercial uses	1 per 300-sf
Recreational Uses	
All Recreational uses	Not Applicable
Utility & Service Uses	
All Utility & Service uses	Not Applicable
Telecommunication Uses	
Stealth telecommunications facilities	1 per tower
Agricultural Uses	
Community gardens	Not Applicable
Urban farms	1 per 4 employees
Storage, Transportation & Logistics Uses	
All Storage, Transportation & Logistics Uses	Not Applicable

7. Parking Placement. See **Figure 35 Parking Placement.**

FIGURE 35 PARKING PLACEMENT

	Distance from Lot Line	Landscaping Requirement in Parking Lots
Front	5' from facade or 12'	*Coordinate with Landscape Standards.*
Side street	5' from facade or 12'	*Coordinate with Landscape Standards.*
Side interior	2'	*Coordinate with Landscape Standards.*
Rear with alley	0'	*Coordinate with Landscape Standards.*
Rear without alley	5'	*Coordinate with Landscape Standards.*
Curb Cut Notes		
For properties with access to an improved alley, no curb cuts are permitted.		
Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 75 feet of frontage. Distance between curb cuts shall be measured from the centerlines of each curb cut.		
Curb cut(s) shall be permitted for a single-family residence utilized as a single family dwelling or duplex dwelling regardless of the existence of an alley.		
The total driveway width at the property line shall not exceed 20 feet.		

a. All parking areas shall be located behind the rear facade of the principal building or screened from public rights-of-way by a street-wall, other screening approved by the City Development Director, or landscape buffer as described in **Sec. 3.04.09**, Landscaping, of this Code.

b. Up to two required parking spaces may be provided as "stacked" spaces, where one parking space is located behind the other.

c. Boats, campers, and recreational trailers may be parked in rear yard setbacks.

8. Parking Design Standards.

a. See **Figure 34 Parking Lot Design Dimensions**.

FIGURE 34 PARKING LOT DESIGN DIMENSIONS

Space Angle	Space Width	Parking Row Depth	Curb Length	Drive Aisle Width: One-way	Drive Aisle Width: Two-way
Parallel or 0°	8'-0" [1]	9'-0"	22'-0"	10'-0"	20'-0" [3]
30°	9'-0" [2]	17'-0"	20'-0"	10'-0"	20'-0" [3]
45°	9'-0" [2]	19'-0"	14'-6"	10'-0"	20'-0" [3]
60°	9'-0" [2]	20'-0"	11'-9"	10'-0"	20'-0" [3]
Perpendicular or 90°	9'-0" [2]	18'-0"	9'-0"	20'-0"	20'-0" [3]
[1] May include valley gutter.					
[2] The width of parking spaces may be reduced to 8½ feet for up to ~~10%~~ 20% of the required parking.					
[3] 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.					

b. Where an alley is located along the side or rear property lines, said alleyways may be used as the required back-up dimension for parking spaces.

c. Materials. Vehicular access shall consist of concrete, 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 Development Director.

9. Garages, structured parking and parking located within a building envelope.

a. Garages shall not be the principal element of the front facade.

b. All structured parking shall minimize the appearance of expansive blank walls along the ground floor through exterior design, architectural features, and landscaping. The intent is to provide an appealing facade from the sidewalk pedestrian perspective.

c. Structured parking may be permitted through ***conditional use*** approval. A single family home shall not require a conditional use to provide parking located within a building envelope.

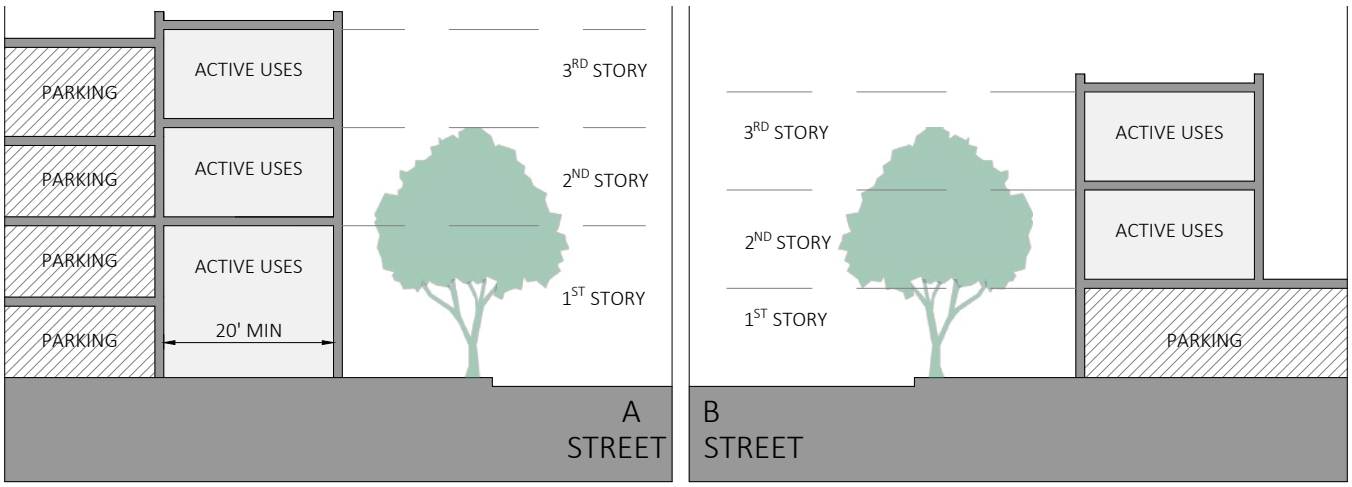
d. Buildings which have parking located within the envelope shall be consistent with the design of the facades and the street side shall be entirely screened. When feasible, landscaping shall be installed along the ground floor facade, within the public sidewalk and within on-street landscape islands.

e. Access drives into the parking area on the ground floor shall be limited to one drive aisle at a maximum of 24 feet in width for buildings less than 100 linear feet in width and two drive aisles at a maximum of 24 feet in width each for buildings 100 linear feet in width and greater. If the property is adjacent to an alley two drive aisles at a maximum of 24 feet in width each shall be permitted for buildings less than 100 linear feet in width. The development director may permit two 12-foot drive aisles for buildings less than 100 square feet in width.

f. The visual impact of garage doors shall be minimized through architectural design.

g. Elevated buildings. Parking is prohibited beneath an elevated building without screening active use of at least 20 wide.

FIGURE 36 STRUCTURED PARKING & ACTIVE USES



Sec. 03.04.08. Stormwater Standards

A. Stormwater management. With the proper legal documentation and consent of the property owner, stormwater runoff from properties within The Creek District Code may be conveyed onto adjacent private properties. Otherwise, stormwater runoff must be conveyed to the public right-of-way, and the quality of the runoff must be considered. Proposed development may not obstruct existing drainage patterns. If a site is designed such that stormwater is captured by an internal stormwater management system, the applicant must illustrate how the stormwater reaches the public stormwater management system. If a site is designed such that there is no internal stormwater management system, the applicant must illustrate how the stormwater runoff will be conveyed to the public stormwater management system and demonstrate that said system could accommodate the additional runoff. Pervious surfaces such as perforated pavers, mulched areas, and other similar examples may be considered in the calculation for stormwater detention. For all development, stormwater quality treatment prior to discharge shall be provided in compliance with **Sec 6.03.00 Stormwater Management**.

Sec. 03.04.09. Landscape Standards

A. Landscape Standards Principles. All development including public improvements shall incorporate the following landscape principles and goals:

1. Reducing glare & heat island effect

2. Stormwater benefits

3. Provide shade

4. Enhance beauty of our community

B. **Figure 37** identifies which of the landscaping, buffering, and tree protection standards in **Sec. 6.04.00** apply in The Creek District and which standards are modified, replaced, or do not apply.

FIGURE 37 LANDSCAPING, BUFFERING, AND TREE PROTECTION STANDARDS

Sec. 6.04.00	Landscaping	Applies as written	Replaced by
Sec. 6.04.01	Applicability of the Stuart Landscape Code	✔	-
Sec. 6.04.02	General provisions	✔	-
Sec. 6.04.03	Landscape design	→	Sec. 3.04.09.C
Sec. 6.04.04	Maintenance	✔	-
Sec. 6.04.05	Xeriscape landscape	✔	-
Sec. 6.04.06	Land use transitions & landscape buffers	✘	Does not apply
Sec. 6.04.07	Parking areas for multi-family & all non-residential developments	→	**Sec. 3.04.09.D**
Sec. 6.04.08	Developments landscape requirements	→	**Sec. 3.04.09.C**
Sec. 6.04.09	Variance appeal to board of adjustment	✔	-
Sec. 6.04.10	Loading, storage, mechanical equipment, solid waste disposal facilities & other service function	→	Modified by **Sec. 3.04.09.E**

C. Landscape Design. For <u>all</u> development a landscape plan shall be submitted and approved as part of the development approval process and prior to the issuance of a development permit. Landscape plans for a ***major development*** shall be prepared by a registered landscape architect. All landscape plans must show the location of existing or proposed utility lines that could be impacted by the vegetation being planted.

1. Required landscape area & tree planting. <u>**Figure 38 Required Landscape Area & Tree Planting** indicates the minimum number of trees and landscape area that must be planted</u>.

FIGURE 38 REQUIRED LANDSCAPE AREA & TREE PLANTING

Work in Progress
Draft to follow.

2. The landscaped areas shall be located on the site as to maximize preservation of existing trees with priority given to specimen and/or historic trees as described in **Chapter V, Resource Protection Related Development Standards**.

3. All required shade trees, as defined by **Chapter VI** shall be 14 feet in height at installation, and have a DBH of not less than 2½ inches.

4. The Development Director may grant a reduction for existing trees that meet these requirements.

5. Where the location of required landscaping is precluded by existing buildings or permanent site improvements, the placement of landscaping may occur off-site in right-of-way or other near by public space, in openings within paved areas, or in other locations as determined by the Development Director.

6. Yards shall be sodded or otherwise landscaped in accordance with **Sec. 03.04.09**.

7. Impervious surfaces shall not be placed within five feet of the base of an existing tree to be preserved.

8. Mulch shall be designed and installed in all planting areas to a depth of two to three inches. The type of mulch shall be specified on the landscape plan.

9. In order to allow for flexibility and creativity in design standards, hedges may be replaced or interrupted in areas which provide for a decorative wall, creative landscape features, and landscape materials may be clustered so long as the parking area remains screened from public right-of-way and adjacent private property. Such modification must be approved by the Development Director in accordance with site plan review procedures and must be consistent with the intent of this landscape code.

10. *Visibility triangles*. All landscaping within a visibility triangle shall provide unobstructed cross-visibility at a level between three feet and six feet and shall comply with **Sec. 03.02.06.F. Visibility triangles.**

D. *Parking lot* standards - where 10 or more parking spaces are provided Refer to **Figure 49.**

1. Excess parking spaces. Where the number of parking spaces to be installed exceeds the minimum number of parking spaces required by The Creek District Code, the required landscaping shall be increased by 100 square feet for each additional parking space. The additional landscaping shall consist of shrubs, ground cover, grass and mulch. For each additional 500 square feet of impervious surface or fraction thereof, one shade tree shall be provided in addition to the shrubs, ground cover, grass and mulch. All excess parking spaces shall be made of pervious hardscape such as pavement, concrete and/or pavers.

2. Parking lot perimeter landscaping A *parking lot* not entirely screened visually by an intervening building from abutting streets or private property, shall be installed as follows:

a. A landscaped strip not less than 5 feet in width located between the parking lot and the abutting street or property.

b. The landscaping provided within the landscaped strip shall include:

i. One tree for every 30 linear feet planted on center or in clusters, not be more than 50 feet apart;

ii. A hedge planted 24 to 30 inches on-center, a wall, or other durable landscape barrier placed along the outside perimeter of the strip; and

iii. Grass, ground cover not less then 25%, or other landscape treatment.

3. *Parking lot* interior landscaping

a. Interior landscaping shall include not less than one tree for every 500 square feet or fraction thereof of interior landscaped area.

b. Vehicles may encroach no more than two feet into any interior landscaped area. Two feet of landscaped area may be part of the required depth of each abutting parking space.

c. Any hedge materials located within an interior landscaped island shall be maintained at a height of not more than 24 inches.

d. Interior landscaped islands shall be provided between every ten parking spaces. Each interior island shall be not less than six feet in width. Each interior island shall contain not less than one shade tree and a combination of shrubs, ground cover, grass, and mulch.

e. Terminal landscaped islands shall be provided at the end of each parking row. Full terminal landscaped islands shall not be less than ten feet in width and two parking spaces in length. Other terminal landscaped islands shall be not less than ten feet in width and one parking space in length. The length of these islands may be five feet less than the required parking space length. Each terminal island shall contain not less than one shade tree and a combination of shrubs, ground cover, grass and mulch.

f. Interior landscaped medians shall be provided between every interior row of parking spaces and not less than six feet in width. Interior medians shall be landscaped with not less than one shade tree every 20 linear feet thereof planted singly and a combination of shrubs, ground cover, grass and mulch. Trees shall be planted between parking spaces as shown on **Figure 49**.

g. Not less than 80 percent of trees used in parking area interior landscaping shall be shade trees.

h. Interior landscaped islands shall be used for surface water storage ~~under the~~ and meet the following conditions:

i. Such islands shall be not less than ten feet in width.

ii. The slope of the median shall not exceed 4:1, and no median shall be more than 1½ feet below the top of the pavement of the parking area.

iii. Medians utilized for surface water storage shall be curbed with six-inch curbs with openings spaced to alleviate erosion of the island or median. Openings shall have erosion protection (i.e., concrete flumes with energy dissipators) installed from the top of the pavement of the parking area to the bottom of the swale.

iv. If the median is designed for transmission of stormwater, the median shall contain raised inlets to provide retention; however, no organic mulch or small-leaf trees shall be permitted within the island or median.

v. Tree species planted in the median shall be proven adaptable to standing water.

4. Underground parking structures and multi-level parking structures shall have a landscaped buffer 10 feet in width on the front lot line. The landscaped buffer shall be measured at right angles to the property line unless a wider area is specified as part of the district regulations. Refer to **Figure 49.**

E. Dumpster and recycling. *Work in Progress. Draft to follow.*

Sec. 03.04.10. Fence & Wall Standards

A. Fence & Wall Principles. All development including public improvements shall incorporate the following fence and wall principles:

1. Fences or walls shall be in harmony and compatible with their surroundings.

2. All fences and walls shall be maintained in good repair on both sides, so as to be structurally sound.

3. No fences, walls, or hedges may be located within the intersection sight-triangle as set forth. See **Sec. 03.04.06.F. Visibility triangles.**

4. Obstruction of water drainage. In no case shall a fence or wall restrict the natural sheet flow of water or impede movement of drainage water from swales, drainage ditches, etc.

B. Construction Fences. All development projects greater then a half acre shall also install a construction fence with a temporary six-foot chain link fence with obscure green or black fabric of uniform color or other visual barrier material approved by the Development Director around the site prior to the initiation of the construction phase.

C. Materials

1. Fences and walls shall be constructed with one or more of the materials listed in **Figure 39 Fence & Wall Materials.**

2. Metal fences shall be of non-corrodible metal or galvanized wire fabric, having a minimum of 11 gauge. Chain link fences shall be vinyl coated. Colors of the vinyl material shall be limited to green or black. Chain link fences shall not be visible from public rights-of-way. Chain link fences may be concealed by landscaping and shall only be located on the side and rear yard.

3. Fences and walls shall be finished on the exterior side where all framing is facing the interior.

4. Dangerous materials prohibited.

a. No fence, wall, or other enclosures shall include materials or devices, such as broken glass, spikes, razors, nails or similar materials intended or designed to maim, mutilate or cause other bodily injury to any person or animal.

b. Electrically charged fences are prohibited.

c. Barbed wire fences are hereby prohibited, unless approved as necessary to protect the public from hazardous conditions.

FIGURE 39 FENCE & WALL MATERIALS

Fence Materials	
Aluminum or Steel	Stone
Brick	Wood
Painted stucco	Wrought iron
Split-face masonry block	Vinyl

D. Height

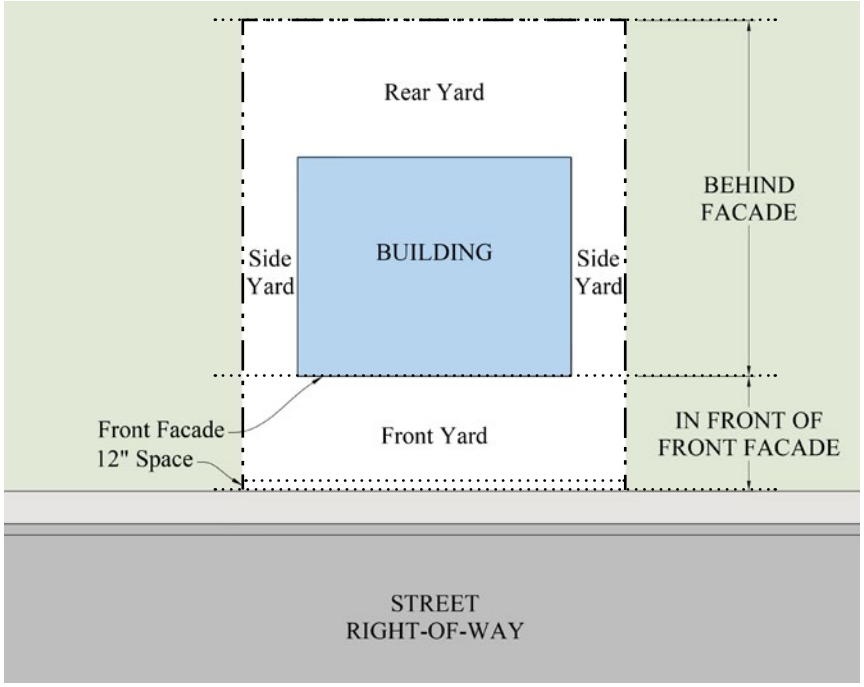
1. Fences located in the front yard shall have a maximum height of 4 feet along the front and side property lines to the front facade of the principal building. Along the side property lines behind the front facade and along the rear property line a fence may be 6 feet in height.

2. Any fence or wall over 6 feet in height must be designed and sealed by a licensed professional engineer or licensed architect.

3. The height of fences and walls shall be measured from existing natural elevation of a lot, prior to any construction or alteration.

4. An entryway bower, arbor, or trellis, constructed in conjunction with a fence or wall, shall not exceed a maximum height of nine feet, measured from existing grade.

FIGURE 40 WALL & FENCE LOCATIONS



Sec. 03.04.11. Sign Standards

A. **Figure 41** identifies which of the sign standards in **Sec. 6.11.00** apply in The Creek District and which standards are modified, replaced, or do not apply.

FIGURE 41 SIGN STANDARDS

Sec. 6.11.00	Signs	Applies as written	Replaced by
Sec. 6.11.01	Purpose and goals	✓	-
Sec. 6.11.02	Permit required.	✓	
Sec. 6.11.03	Non-conforming pole signs	✓	
Sec. 6.11.04	Permit procedures	✓	
Sec. 6.11.05	Aesthetic attributes	→	Modified by **Sec. 3.04.11.F**
Sec. 6.11.06	Code applicability	✓	
Sec. 6.11.07	Sign area, dimensioning, lighting and colors	→	Modified by **Sec. 3.04.11.C**
Sec. 6.11.08	Design requirements and restrictions	→	Modified by **Sec. 3.04.11.D**
Sec. 6.11.09	Unified signage plan; location, safety, design requirements and restrictions	✓	
Sec. 6.11.10	Structural standards	✓	
Sec. 6.11.11	Removal and disposition of certain signs	✓	
Sec. 6.11.12	Types of signs permitted	→	Modified by **Sec. 3.04.11.E**
Sec. 6.11.13	Special purpose signs and signing	✓	
Sec. 6.11.14	"No fee permit" signs	✓	
Sec. 6.11.15	Exempt signs (not requiring a permit)	✓	
Sec. 6.11.16	Prohibited signs	→	Modified by **Sec. 3.04.11.F**
Sec. 6.11.17	Design standards matrix		

Work in Progress
Draft to follow.

Sec. 03.04.12. Architectural Standards

Work in Progress
Draft to follow.

THE CREEK DISTRICT
Existing Land Development Regulations

The Creek District Code Draft is a new section of the Land Development Regulations, it is not presented as strikethrough and underline. The volume of strike-through and underline would not be conducive to understanding. Instead, where policies are new or dimensions changed, they are shown with an underline. In places where there is no underline, the language or policy is similar to an existing policy.

To further aid in the review of the proposed draft code, the following pages are the existing Land Development Regulations for the The Crek District Study Area. Key standards have been summarized in chart form for comparison to the proposed ***Draft Creek District Code***. They include:

- Permitted uses,
- Development standards (i.e. setbacks and permitted height), and
- Parking standards.
- A PDF of the existing Urban General, Urban Center and B-2 Code follows the chart summary.

All existing Zoning codes for the City can also be found on **Municode**.

If you have any questions or comments, please contact:

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Principal Program Coordinator, Treasure Coast Regional Planning Council
(772) 221-4060 | jseymour@tcrpc.org

Best regards,
Jessica Seymour

PERMITTED USES

EXISTING PERMITTED USES IN THE **CREEK DISTRICT**

Below is a summaries chart of the Permitted Uses under the current Land Development Regulations within The Creek District Study Area.

- CD is an abbreviation of Conditional Use- meaning the use may be permitted, but requires additional approval process.
- A "-" indicates a use that is not permitted.

	Urban Center	Urban General	B-2
Residential Uses			
Single-family residences	✓	✓	-
Detached accessory dwelling unit, ancillary to a primary single-family structure			-
Duplex dwellings units	✓	✓	-
Family day care home in a residence	✓	✓	✓
Multi-family dwelling units	✓	✓	✓
Transient Residential & Overnight Accommodations			
Bed and breakfast inn	✓	✓	-
Hotels/motels	✓	✓	✓
Rooming and boarding houses	✓	✓	-
Institutional Uses			
Adult day care centers	✓	✓	✓
Adult day care centers (< five acres)	✓	✓	✓
Child care centers	✓	✓	✓
Child care centers (< five acres)	✓	✓	✓
Community centers	✓	✓	-
Funeral homes without crematoriums	✓	✓	-
Governmental buildings	✓	✓	-
Libraries	✓	✓	✓
Museums	✓	✓	✓
Nursing homes			-
Religious institutions	✓	✓	-
Schools	-	-	✓
Schools—Private, parochial, or technical (< five acres)	-	-	✓
Commercial Uses			
Automobile repair service—Within an enclosed building in along U.S. 1 (Federal Hwy. and Savannah Road) only	✓	✓	-
Art shops/galleries	✓	✓	-
Bakery, retail	✓	✓	-
Banks/financial institutions	✓	✓	✓
Barbershop, Beauty Salons, Specialty Salons	✓	✓	✓
Bars	✓	✓	✓
Catering shop	✓	✓	✓
Clubs, lodges and fraternal organizations	✓	✓	-
Dry cleaning, provided that all cleaning is conducted off-premises	✓	✓	-

PERMITTED USES

EXISTING PERMITTED USES IN THE **CREEK DISTRICT**

	Urban Center	Urban General	B-2
Health spas	✓	✓	-
Marinas, Commercial	✓	✓	✓
Massage therapy establishment	✓	✓	✓
Microbreweries and craft distilleries	✓	✓	✓
Office, business or professional, medical, and veterinary	✓	✓	✓
Outdoor storage (refer to standards in section 6.10.00)			✓
Pharmacies (if 2,000 square feet or less)	✓	✓	-
Restaurants, convenience and general	✓	✓	✓
Retail sales and service (intensive and non-intensive)	✓	✓	-
Retail sales and service (intensive and non-intensive)—Within an enclosed building only	✓	✓	✓
Retail manufacturing—Providing such manufacturing is incidental to sales and occupies less than 75 percent of the total gross floor area	✓	✓	-
Rooftop dining, as defined by this Code, is permitted as a major conditional use	✓ CU	✓ CU	✓ CU
Studios (art, dance, music, exercise)	✓	✓	-
Theaters	✓	✓	✓
Recreational Uses			
Public Parks	✓	✓	✓
Utility & Service Uses			
Public facilities and services	✓	✓	✓
Public utility	✓	✓	✓
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	✓	✓	✓
Agricultural Uses			
Community gardens	✓	✓	✓
Urban farms	✓	✓	✓
Storage, Transportation & Logistics Uses			
Government provided public parking garages & lots	✓	✓	-
Parking garages & lots	✓ CU	✓ CU	✓

Sec. 2.06.12.- **Formula businesses.** Includes northern park of Creek District. Formula Business are only permitted by Conditional Use and are held to a higher architectural standard. Formula business means a retail business establishment, including a restaurant, which is one of not less than six or more similar establishments located elsewhere which as a group satisfy two or more of the following criteria:

1. They have the same or a similar name, trade name, trademark or logo;
2. They maintain a standardized menu, food ingredients or food preparation;
3. They maintain a standardized array of merchandise;
4. They have the same or similar building appearance;
5. They benefit from common advertising of the group of businesses as opposed to a single business;
6. They utilize common or similar signage; and
7. If the group is comprised of restaurants:
   a. They provide for the sale of food or beverages to the customer in a ready-to-consume state, or
   b. The design of the building or the principal method of operation is that of a fast-food or drive-in restaurant offering quick food service, or
   c. Food where orders are generally not taken at the customer's table, or
   d. Food is generally served in disposable wrapping or containers, ore. Where food and beverages may be served directly to the customer in a motor vehicle.

DEVELOPMENT STANDARDS

EXISTING DEVELOPMENT STANDARDS IN THE **CREEK DISTRICT**

	UC Urban Center	UG Urban General	B-2 Business General
Lot Size, see			
Lot area, minimum in sf	None	None	10,000
Lot width, minimum in feet	None	None	100'
Height, see			
Building height, maximum in stories	3 / 4 MU	3 / 4 MU	4
Building height, maximum in feet	35' / 45' mu	35' / 45' mu	45'
Ceiling height, maximum in feet	-	-	-
Density, see			
Residential density, max in units/acre	15 / 30 CU	15 / 30 CU	Up to 15 in PUD
Hotel/motel density, max in units/acre	?	?	?
Non-Residential, maximum FAR	<3.0 FAR 1 /<1.5 FAR 2	<3.0 FAR 1 /<1.5 FAR 2	<3.0 FAR 1 /<1.5 FAR 2
Coverage, see			
Building coverage, maximum %	-	-	-
Impervious surface, maximum in %	Sec. 6.03	Sec. 6.03	65%
Open space, minimum in %	-	-	-
Building & Parking Placement, see			
Front setback	0' build to line	10'	30'
**2.04.06 US-1 20' from ROW	*20' setback at US1*		
Side setbacks	0'	5'	5'
Rear setbacks	**0'**	**15'**	20'
**Shoreline protection zone within a CRA	**10' Setback at Frazier Creek**		
Frontage Buildout, minimum %	80% ex. 10' driveway/ courtyard	60%	-
Parking setbacks, minimum in feet			
Frontage Types, see			
Storefront	✓ Required		
Arcade	✓ Required		
Balconies	✓ Required		
Porch		✓ Required	

PARKING STANDARDS

EXISTING PARKING STANDARDS IN THE **CREEK DISTRICT**

	UC Urban Center	UG Urban General	B-2 Business General
Residential Uses			
Single-family residences	1.5 per unit		
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			
Duplex dwellings units	1.5 per unit		
Family day care home in a residence	2 per unit		2 per unit
Multi-family dwelling units	1.5 per unit		1.5 per unit for 1-bedroom 2 per 2-bedroon
Transient Residential Land Uses and Overnight Accommodations			
Hotels/motels	1 per room + 2 spaces 3 employees		
Rooming and boarding houses	1 per room		
Bed and breakfast inn	1 per room		
Institutional Uses			
Adult day care centers	1 per 200 square feet. This may be reduced by 1 space for each 1 users for which the center agrees to provide alternative transportation		1 per 200 sf
Child care centers	1 per 6 children, plus 1 space per employee with a safe pedestrian walkway system through the parking area to the building		1 per 6 children, plus 1 space per employee with a safe pedestrian walkway system through the parking area to the building
Community centers	1 per 300 square feet		
Funeral homes without crematoriums	1 per 4 seats of chapel capacity, plus 1 per 3 employees		
Governmental buildings	1 per 300 sf		
Libraries	1 per 300 sf		1 per 300 sf
Museums	2 per 1,000 square feet of exhibit floor space, plus 1 spaces for bus parking		1 per 300 sf
Nursing homes	plus 1 per 3 employees		
Religious institutions	1 per 4 seats		1 per 4 seats

	UC Urban Center	UG Urban General	B-2 Business General
Schools			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.
Commercial Uses			
Automobile repair service—Within an enclosed building in along U.S. 1 (Federal Hwy. and Savannah Road) only	1 per 200 square feet of sales area, plus 2 spaces per service bay, plus 1 space per employee		-
Art shops/galleries	1 per 200 square feet		
Bakery, retail	(1) space for each employee on the largest working shift plus (1) space per (300) square feet of gross floor area		-
Banks/financial institutions	1 per 300 square feet, plus queuing spaces per section 6.01.07		-
Barbershop, Beauty Salons, Specialty Salons	seats		-
Bars	1 per 4 seats		-
Catering shop	-		-
Clubs, lodges and fraternal organizations	-		-
Dry cleaning, provided that all cleaning is conducted off-premises	-		-
Health spas	-		-
Marinas, Commercial	-		-

	UC Urban Center	UG Urban General	B-2 Business General
Massage therapy establishment	--		-
Microbreweries and craft distilleries	-		-
Office, business or professional, medical, and veterinary	-		-
Outdoor storage	-		-
Pharmacies (if 2,000 square feet or less)	1 per 200-sf		-
Restaurants, convenience and general	-		-
Retail sales and service (intensive and non-intensive)	-		-
Retail sales and service (intensive and non-intensive)—Within an enclosed building only	-		-
Retail manufacturing—Providing such manufacturing is incidental to sales and occupies less than 75 percent of the total gross floor area	-		-
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.	-		1 per 300-sf
Studios (art, dance, music, exercise)	-		1 per 300-sf
Theaters	-		1 per 300-sf
Recreational Uses			
Public Parks	-		
Utility & Service Uses			
Public facilities and services	-		-
Public utility	-		-
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
Agricultural Uses			
Community gardens pursuant to section 2.06.08 of this Code	0		0
Urban farms pursuant to section 2.06.08 of this Code	1 per 4 employees		1 per 4 employees
Storage, Transportation and Logistics Uses			
Government provided public parking garages and lots.	-		-
Parking garages & lots (private or government provided public)	-		-

3.01.00. URBAN CODE

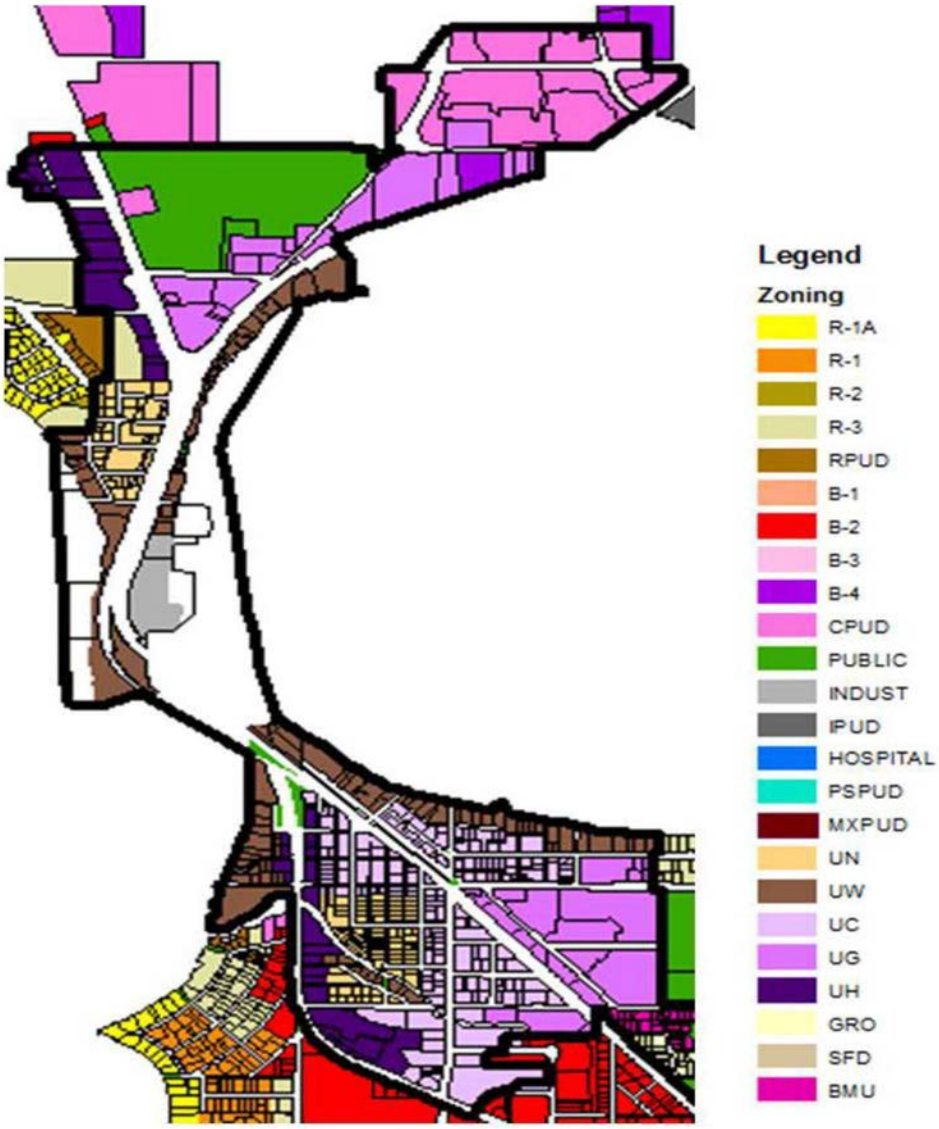
A. *Title.* The provisions of this section 3.01.00 shall be known as the "Urban Code."

Sec. 3.01.01. Generally.

A. *Intent.* The purpose of the Urban Code is to encourage redevelopment, historic restoration, and infill development, and generally to promote a sense of place within the Urban Code district, described below, by providing standards and development incentives that are not otherwise available. This includes the promotion of traditional building types with arcades, balconies, railings, and porches and the enabling of social interaction on downtown streets. This Urban Code provides for mandated building alignments to define coherent streets spaces, the location of outbuildings at the rear of lots for affordable housing, the visual protection of the streetscape from parking lots, and traditional, historically relevant, durable construction which is harmonious with the architectural heritage of downtown Stuart.

B. *The Urban Code District.* There is hereby established within the City of Stuart an "Urban Code District," including subdistricts, the boundaries of which are generally shown in the map below.

(Ord. No. 1978-04, § 1, 6-28-04)



C. *Applicability.* The provisions of this Urban Code shall apply to new development, new construction, and to substantial renovation, as defined in chapter XII of the Code within the Urban Code District.

(Ord. No. 1453-96, 6-1-96; Ord. No. 2014-05, § 1, 2-14-05)

D. *Effective date.* The provisions of this Urban Code shall apply to all development within the Urban Code District for which a complete application for a development permit pursuant to submittal requirements of plan document as defined in chapter XII of this Code has not been filed with the city development department on or before December 2, 2003.

(Ord. No. 1872-02, § 1, 10-10-02; Ord. No. 1978-04, § 1, 6-28-04)

E. *Non-conforming uses.* Non-conforming uses created by the adoption of this ordinance code on the 28th day of June 2004 shall be deemed legal non-conforming uses subject to the provisions of section 8.03.00 of this Code.

(Ord. No. 1978-04, § 1, 6-28-04)

Sec. 3.01.02. Administration, enforcement, procedures, and penalties.

A. *Administration.* The provisions of this Urban 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 this Urban Code to particular properties, inspecting premises, and issuing permits and certificates of occupancy. Nothing in this Urban Code is intended to conflict with the building and fire prevention 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 Urban Code have been met, including approved conditional use approvals, 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, a pre-application conference with the city development department is strongly encouraged. Upon submittal of a conceptual site plan, floor plans, and elevations a non-binding preliminary written response of the city development director may be requested by the applicant.

2. *Application.* After the pre-application conference, if any, an application for development shall be submitted to the city development department in accordance with this Code. Applications for development permits, excluding interior tenant finishes, within the Urban Code District shall meet the requirements of plan documents as defined in chapter XII 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 Urban Code.

(Ord. No. 1715-2000, 2-28-00; Ord. No. 1849-02, § 1, 4-8-02; Ord. No. 1978-04, § 1, 6-28-04)

D. *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 Urban Code District except in compliance with the provisions of this Urban Code. A violation of this Urban 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.

E. *Reserved.*

(Ord. No. 1849-02, § 1, 4-8-02; Ord. No. 1872-02, § 1, 10-10-02; Ord. No. 1978-04, § 1, 6-28-04)

Sec. 3.01.03. Urban standards and regulations for designated urban subdistricts.

The geographic locations and current characteristics of the five urban subdistricts are broadly described below:

Urban center ("UC"), inclusive of the "historic downtown," characterized by relatively dense, walkable, mixed-use, development pattern generally located at or near the established downtown area. The UC is the most

urban in terms of density, mix of uses, pedestrian activity, historic restoration, shared parking and civic/cultural venues. In the South Point, UC is generally located in portions of the Potsdam subdivision (that triangular portion bound by Albany Avenue, West Ocean Boulevard, and SR 707/Dixie Highway), along both sides of the historic downtown core block (Osceola Street and Flagler Avenue), along portions of SE Ocean Boulevard, and along both sides of Colorado Avenue.

Urban general ("UG"), characterized by less intensive mixed-use development, with substantial residential uses, generally located adjacent to the urban center. In the North Point, UG is generally located along the triangular area bound by Wright Boulevard, SE Federal Highway and SR 707/Dixie Highway. In the South Point, UG is generally located along portions of SE Ocean Boulevard (both north and south) and in portions of the Woodlawn Park subdivision (that triangular portion generally bound by SR 707/Dixie Highway, Frazier Creek, and the properties fronting Colorado Avenue).

Urban neighborhood ("UN"), characterized by a predominantly residential nature located along low-volume, pedestrian-friendly streets. In the North Point, UN is generally located in the non-waterfront portions of the Riverside Park subdivision (that portion generally bound by North River Drive, Palm Street, SR 707/Dixie Highway, and Fern Street). In the south point, UN is generally located in the Frazier Addition (the triangular area generally bound by Frazier Creek, West Ocean Boulevard, and the properties fronting Colorado Avenue) and the non-waterfront portions of the Frazier Crescent subdivision (along Channel Avenue and 6th and 7th Streets).

(Ord. No. 1978-04, § 1, 6-28-04)

The following urban standards and regulations of "building placement," "building height," "parking," "architectural requirements," "outbuildings," "signage," and "curb cuts" apply to each respective urban subdistrict.

A. *Urban center (UC).*

1. *Principal building placement.*

a. The front building facade shall be constructed parallel to the street along the front property line with a required build-to line of zero feet.

b. The side setbacks may be zero feet.

c. The rear setback may be zero feet.

d. The front street facade width of the principal building shall not be less than 80 percent of the lot width. A ten-foot driveway may be allowed if no alley access is available in the rear or side of the lot.

e. If a property abuts public rights-of-way at its front and rear property lines, any building facade which is 100 feet or more in facade width measured parallel to the public right-of-way shall include a via to allow for pedestrian access to the public rights-of-way. A via shall be not less than six feet in width and not less than ten feet in height. A via may be enclosed; however, a via shall be open to the public during the business hours of operation of the building(s) in which it is located.

f. The front street facade of the building may be set back to form a public courtyard for a maximum of 33 percent of the facade width.

2. *Principal building height.*

a. The maximum building height is three stories and 35 feet. The minimum building height shall be two stories or 26 feet. If 25 percent or more of the building is residential or hotel, a fourth story shall be permitted. The maximum building height for a four story building is 45 feet.

b. Four story buildings in the Old Downtown District are prohibited. There is no major Urban Code conditional use available for an additional story or building height in the Old Downtown District.

3. *Parking.*

a. All parking areas shall be located behind the rear facade of the principal building or screened from public rights-of-way by a streetwall, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.

4. *Architectural requirements.*

a. Balconies are required along all street facades for all buildings. The aggregate length of balconies shall not be less than 50 percent of building facade from which it projects on each floor level.

b. Arcades are required on the west side of Colorado Street between Confusion Corner and Frazier Creek and on the north side of 2nd Street between U.S. 1 and Dixie Highway. Arcades shall conform to the standards in section 3.01.04.C.

c. The ground floor along the front facade of the building shall have doorways, arcades, or glazed openings with aggregate width equal to at least 50 percent of the total facade width.

5. *Outbuildings.*

a. Outbuildings shall be located behind the rear facade of the principal building or in the rear one half of the property subject to a minimum five-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 five feet separation between an outbuilding and a principal building.

6. *Curb cuts.*

a. Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 75 feet of frontage.

b. For properties with access from a rear alley, no curb cuts shall be permitted.

(Ord. No. 1978-04, § 1, 6-28-04)

B. *Urban general (UG).*

1. *Principal building placement.*

a. The front building facade shall be constructed parallel along the front property line with a required setback of not less than ten feet.

b. The minimum side setbacks are not less than five feet on each side.

c. The rear setback shall be not less than 15 feet.

d. The front street façade width of the principal building shall not be less than 60 percent of the lot width.

2. *Principal building height.*

a. The maximum building height is three stories and 35 feet. If 50 percent or more of the building is residential or hotel, a fourth story shall be permitted. The maximum building height for a four story building is 45 feet.

3. *Parking.*

   a. Parking areas shall be located as follows:

      i. For new development, all parking areas shall be located behind the rear facade of a principal building or screened from public rights-of-way by a wall, trellis, other screening approved by the city development director or landscape buffer as described in section 6.04.00, Landscaping, of this Code.

      ii. For substantial renovation, where possible, parking areas shall be located behind the rear building facade or at the side property line and screened from the public view and from public rights-of way by a streetwall, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.

4. *Architectural requirements.*

   a. Porches are required on the front building facade. Porches shall have a minimum depth of six feet and a minimum length of 50 percent of the building facade width. Porches may project four feet into the front setback.

5. *Outbuildings.*

   a. Outbuildings shall be located behind the rear facade of the principal building or in rear one-half of the property subject to a minimum five-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 five feet separation between an outbuilding and a principal building.

6. *Curb cuts.*

   a. Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 75 feet of frontage.

   b. For properties with access from a rear alley, no curb cuts shall be permitted.

(Ord. No. 1978-04, § 1, 6-28-04)

C. *Urban neighborhood (UN).*

1. *Principal building placement.*

   a. The front building facade shall be constructed parallel to the street along the front property line with a required setback of not less than ten feet.

   b. The side setbacks are not less than five feet on each side.

   c. The rear setback shall be not less than 15 feet.

   d. The front street facade width of the principal building shall not be less than 60 percent of the lot width.

2. *Principal building height.*

   a. The maximum building height is three stories and 35 feet.

   b. There is no major Urban Code conditional use available for an additional story or building height in this subdistrict.

3. *Parking.*

   a. Parking areas shall be located as follows:

i. For new development, all parking areas shall be located behind the rear facade of a principal building or screened from public rights-of-way by a streetwall, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.

ii. For substantial renovation, parking areas shall be located, where possible, behind the rear building facade or at the side property line and screened from public rights-of-way by a streetwall, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.

4. *Architectural requirements.*

a. Porches are required on the front building facade. Porches shall have a minimum depth of six feet and a minimum length of 70 percent of the building width. On corner properties, porches must be constructed along both street facades. Porches may project two feet into the front setback.

b. Walls, wood picket fences, wrought iron fences, or hedges are required along the front property line and on corner lots, along the side property lines and shall have a minimum height of three feet and a 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 wall or 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 for 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.

c. 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.

5. *Outbuildings.*

a. Outbuildings shall be located behind the rear facade of the principal building or in rear one half of the property subject to a minimum five-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 five feet separation between an outbuilding and the principal building.

6. *Curb cuts.*

a. 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.

b. For properties with access from a rear alley, no curb cuts shall be permitted.

7. *Trees.*

a. When a permit for new construction or renovation is issued, the owner shall be responsible for planting two shade trees 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 XII of this Code, shall be 14 feet in height at installation, and have a DBH of not less than two and one-half inches, and be selected from the CRA landscape palette, if adopted by the city. The development director may grant a reduction for existing trees that meet these requirements.

8. *Buffer for single family residential.*

a. A buffer for the single family neighborhood on the west side of NW North River Drive shall be provided. The buffer shall conform to section 6.04.00, Landscaping, of this Code.

(Ord. No. 1978-04, § 1, 6-28-04)

(Ord. No. 1978-04, § 1, 6-28-04)

F. *Additional regulations and requirements.*

1. *Parking.*

a. *The Old Downtown District.*

i. *Old Downtown District identified.*

a) Those properties within the boundary of the centerlines of SW Seminole Street on the north, SW Flagler Avenue on the south, S Colorado Avenue on the east, and SW Saint Lucie Avenue on the west; the city hall property west of and contiguous to SW Saint Lucie Avenue, being Lot 36 according to the plat of The Feroe Subdivision recorded in the public records of Martin County, Florida, at Plat Book 2, page 25 and Lots 3, 4, 5, 6, 7, 7A, 8, 9, and 9A according to the plat of Revised Danforth's Addition recorded in the public records of Martin County, Florida, at Plat Book 5, page 69; and those properties located east of and contiguous to S Colorado Avenue, being Lots 8, 9, 12, and 24-28, Block 3, and Lots 19-23, Block 4, amended plat of Porter's Addition recorded in the public records of Martin County, Florida at Plat Book 2, page 75.

ii. *Parking requirements.*

a) Properties located in the "Old Downtown District" shall be exempt from the parking requirements of this Code.

b) The four properties located east of and contiguous to Colorado Avenue, being Lots 8, 9, 12, and 24-28, Block 3, and Lots 19-23, Block 4, amended plat of Porter's Addition (Plat Book 2, page 75), shall be exempt from the parking requirements of this Code provided each such property shall hereafter maintain not less than the number of on-site parking spaces existing as of November 13, 1995, as follows:

1/2 of lots 8 & 9:	0 spaces
1/2 of lots 8 & 9:	10 spaces
Lots 12, 24-28, Blk. 3:	17 spaces
Lots 19—23, Blk. 4:	7 spaces.

c) In the Old Downtown District required parking for any use permitted may be accommodated via payments to the payment in lieu of parking program as described in chapter VI of this Code.

d) The six properties located on the north side of S.W. Seminole Street, between S.W. Saint Lucie Avenue and S. Colorado Avenue, being Lots 2

thru 8, Feroe Subdivision, Plat Book 2, Page 25, Palm Beach County (now Martin) and Porter's Addition, Lots 1, 2 & 3 Blk 2 and Lot 9, Feroe Subdivision (a replat of Lots 9 & 10) shall be exempt from the parking requirements of this Code, provided that each property shall maintain not less than the number of on-site parking spaces existing as of April 1, 2013. as follows:

Feroe Subdivision	
Lot 2:	0 spaces
Lot 3:	0 spaces
Lots 4 & 5:	4 spaces
Lots 6 & 7:	3 spaces
Lot 8:	2 spaces
Porter's Addition, Lots 1, 2 & 3 and Lot 9, Feroe S/D (replat of Lots 9 & 10)	7 spaces

iii. *Parking exemption not applicable.*

a) For properties identified by paragraphs F.1.a.i.a) and F.1.a.ii.b) above, if a building is demolished by an owner, parking for all uses within the newly constructed building shall be provided. Buildings which are destroyed by accident or an act of God and are replicated, shall remain exempt from parking requirements.

b) For properties identified by paragraphs F.1.a.i.a) and F.1.a.ii.b) above, this exemption from the parking requirements of this Code applies to the building floor space existing as of January 1, 2004. This exemption does not apply to additional building floor space and to the uses thereof that is constructed on and after January 1, 2004 or to any expanded use of the exterior premises which creates additional parking demand. The uses of additional building floor space shall meet the parking requirements of this Code.

c) Private properties within the Woodlawn Park Section (WPS) shall be granted a credit against required on-site parking spaces based on the following formula:

Parking space credit per individual property (C) = IP/(A/N),

where:

IP = Square footage of an individual property within the WPS, as determined by the Martin County Property Appraiser's latest records.

A = Total square footage of all properties in the WPS, as determined by the Martin County Property Appraiser's latest records.

N = Total number creditable on-street parking spaces, as determined by the city development director.

WPS defined. For the purposes of this section, the WPS shall consist of those properties circumscribed by Colorado Avenue to the west, Dixie Highway to the northeast and Martin Luther King Jr. Boulevard to the south.

On street parking spaces within the WPS shall remain public. The granting of a parking space credit under this section shall convey no rights whatsoever to property owners within the WPS with regards to on-street parking spaces.

d) For the six properties located on the north side of S.W. Seminole Street, between S.W. Saint Lucie Avenue and S. Colorado Avenue, identified by paragraph F.1.a.ii.d) above, if a building is demolished, whether by the owner or by accident or act of God, any newly constructed building shall remain exempt from parking requirements only to the extent that the gross square footage of the newly constructed building does not exceed the gross square footage of the previously existing building. The use of additional building square footage shall meet the parking requirements of this Code. In the event a permit for demolition of a building is sought, the city shall have up to 120 days from the date of application to take possession of the building at no cost to the city and to move the building off site at no cost to the property owner.

e) For the six properties located on the north side of S.W. Seminole Street between S.W. Saint Lucie Avenue and S. Colorado Avenue, identified by paragraph F.1.a.ii.d) above, this exemption from the parking requirements of this Code applies to the building floor space existence as of May 1, 2013. This exemption does not apply to additional building floor space and to the uses thereof that is constructed on and after May 1, 2013 or to any expanded use of the exterior premises which creates additional parking demand, provided that an outside seating area, covered or uncovered, of up to 500 square feet is permitted without regard to parking requirements. Said seats shall not be creditable toward the acquisition of a state SRX liquor license. The uses of additional building floor space shall meet the parking requirements of this Code.

b. Where it does not currently exist, on-street parking, constructed to City Code, may be used to offset the required number of parking spaces. Such parking shall abut the proposed development. The cost of the pavement modifications shall be borne by the private development. An approved revocable permit from the city commission is required for on-street parking.

c. Historic buildings shall receive a parking credit for the existing use and shall provide at least 50 percent of the required parking for a more intense use on the site. Up to 50 percent of the required parking for any new use permitted may be accommodated via payments to the payment in lieu of parking program as described in section 6.01.19 of this Code.

d. Payment in-lieu-of parking ("PILOP"): In lieu of providing up to three parking spaces required for any use located in Stuart Community Redevelopment Area, a developer may pay into the "Stuart Payment in Lieu of Parking Trust Fund" as described in section 6.01.19 of this Code.

e. Modifications: Within the Urban Code District, the parking design standards set forth in section 6.01.14 may be modified as follows:

i. 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.

ii. 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.

iii. 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.

iv. 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 property owner utilizing alternative materials such as daily sweeping of gravel, mulched areas maintained at a certain depth.

v. The width of parking spaces may be reduced to eight and one-half feet for up to ten percent of the required parking.

vi. Up to two required parking spaces may be provided as "stacked" spaces, where one parking space is located behind the other.

f. Boats, campers, and recreational trailers shall be parked in rear yard setbacks only where possible and shall not be parked in vistas.

2. *Urban Code District uses.*

a. The following uses are permitted and are all-inclusive individually or in combination in the Urban Code District subject to the regulations pertaining to formula businesses in section 2.06.12.

Land Use Type	Number of Parking Spaces Required
Residential Land Uses	
Duplex residences	1.5 per unit; garages count towards required off-street parking
Family day care home in a residence	2 per dwelling unit plus adequate space for pick-up and drop-off
Home occupations as regulated in Section 2.06.09 of this Code	N/A
Multi-family dwelling units	1.5 per unit; garages count towards required off-street parking
Single-family residences	1.5 per unit; garages count towards required off-street parking
Transient Residential Land Uses and Overnight Accommodations	
Bed and breakfast inn	1 per guest room
Hotels/motels	1 per rental room, plus 2 spaces per 3 employees
Rooming and boarding houses	1 per unit
Institutional Uses	
Adult day care centers	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	1 per 6 children, plus 1 space per employee with a safe pedestrian walkway system through the parking area to the building
Community centers	1 per 300 square feet
Funeral homes without crematoriums	1 per 4 seats of chapel capacity, plus 1 per 3 employees
Governmental buildings	1 per 300 square feet
Libraries	1 per 300 square feet
Museums	2 per 1,000 square feet of exhibit floor space, plus 2 spaces for bus parking
Religious institutions	1 per 4 seats in main sanctuary, plus other parking requirements for any other accessory uses, if applicable
Commercial Uses	
Automobile repair service—Within an enclosed building in along U.S. 1 (Federal Hwy. and Savannah Road) only	1 per 200 square feet of sales area, plus 2 spaces per service bay, plus 1 space per employee
Art galleries	1 per 200 square feet
Bakery, retail	One (1) space for each employee on the largest working shift plus one (1) space per three hundred (300) square feet of gross floor area
Banks/financial institutions	1 per 300 square feet, plus queuing spaces per section 6.01.07
Barbershop, Beauty Salons, Specialty Salons	2 per station
Bars	1 per 4 seats
Catering shop	1 per employee, plus 0.5 spaces per delivery truck, plus 2 spaces per 1,000 square feet
Clubs, lodges and fraternal organizations	1 per 3 persons based on the maximum seating capacity of the building, or 1 space per 100 square feet (whichever is greater). One-half (½) of total parking area must be paved; the other half may be an approved stabilized surface
Dry cleaning, provided that all cleaning is conducted off-premises	1 per employee, plus 0.5 spaces per delivery truck, plus 1 space per 300 square feet
Health spas	1 per 200 square feet if located with retail, or 1 space per 150 square feet if located independently

Marinas, Commercial	1 per 4 slips for operations that do not require a utilities agreement, and 1 per each slip that requires a utility agreement, plus 1 per each employee
Massage therapy establishments	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, low intensity medical, and veterinary	1 per 350 square feet (professional)1 per 300 square feet (low intensity medical)1 per 200 square feet (medical and veterinary)
Pharmacies (if 2,000 square feet or less)	1 per 200 square feet
Restaurants, convenience and general	1 per 4 seats
Retail sales and service (intensive and non-intensive)—Within an enclosed building only	1 per 300 square feet of floor space
Retail manufacturing—Providing such manufacturing is incidental to sales and occupies less than 75 percent of the total gross floor area	1 per 300 square feet
Studios (art, dance, music, exercise)	1 per 300 square feet
Theaters	1 per 4 seats
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 stations	Dependent upon type of utility and any required buildings and employees
Industrial Uses	
Existing marine industrial uses (may be reconstructed within their existing building footprints and the current uses therein continued. Revision or expansion of building footprints and/or uses permitted as a conditional use by Major Urban Code Conditional Use. Nothing in this provision shall counteract existing building and life safety code requirements)	Dependent on specific use
Telecommunication Uses	
Stealth telecommunications facilities which do not exceed 45 feet in height or which are constructed as part of an existing	1 space per tower

architectural feature or tower structure provided its total height does not exceed 120 percent of the height of the architectural feature or structure	
Storage, Transportation and Logistics Uses	
Government provided public parking lots or garages	N/A
Agricultural Uses	
Community garden pursuant to section 2.06.08 of this Code	0
Urban farm pursuant to section 2.06.08 of this Code	1 per 4 employee
Miscellaneous	
Outbuildings	Determined by use type

b. The following uses are permitted as conditional uses by major conditional use approval and are all-inclusive individually or in combination in the Urban Code District subject to the regulations pertaining to formula businesses in section 2.06.12.

Land Use Type	Number of Parking Spaces Required
Commercial Uses	
Boat storage, dry	1 per 4 boat storage spaces. Required auto parking spaces cannot be used for wash and dry racks or for boats or trailers
Formula businesses in the area as regulated in section 2.06.12 of this Code	Required spaces dependent on proposed use
Gasoline sales shall be limited to properties on SE Federal Hwy., Green River Parkway, and Savannah Road	1 per 250 square feet, plus 2 spaces per service bay, plus 1 space per vacuum. Pump locations are not to be included as a parking space. Gas stations with car washes shall also provide 1 parking space per wash unit or bayMarinas, as defined herein.
All marinas shall at all times be in compliance with the City of Stuart Public Works Department Standards and Specifications in relation to water supply, sewage disposal and solid waste. Compliance with these standards shall include a written utility service agreement with the City of Stuart expressly authorizing overnight as defined herein	1 per 4 slips for operations that do not require a utilities agreement, and 1 per each slip that requires a utility agreement, plus 1 per each employee
Pharmacies over 2,000 square feet	1 per 200 square feet

Rooftop dining areas (refer to supplemental standards in section 2.06.19)	1 space for four seats
Street vendors	N/A
Industrial Uses	
Boat building, indoors	1 for each 1,000 square feet of the gross floor area in a building up to 10,000 square feet in area, and then 1 for each 2,000 square feet of gross floor area thereafter; or 1 for each 2 anticipated employees, whichever is greater. In no event shall there be fewer than 5 parking spaces provided per building
Telecommunication Uses	
Stealth telecommunications facilities in excess of 45 feet in height. Refer to chapter II Zoning Districts Uses Allowed, Density and Intensity, section 2.06.12 Telecommunication Facilities Supplemental Use Standards	1 space per tower
Storage, Transportation and Logistics Uses	
Private parking lots	N/A
Private parking garages	N/A

3. *Density.* A density of 15 dwelling units per acre is permitted in all Urban Code subdistricts. The number of dwelling units may be increased to a maximum of 30 dwelling units per acre with a major Urban Code conditional use.

4. *Storage sheds.* One storage shed may be located on any lot within the Urban Code District, provided that it is not visible from the principal public right-of-way.

5. *Multiple frontages.* In the event a single lot abuts more than two streets, the setback and architectural requirements for the corresponding Urban Code District shall only apply to two street facades.

6. *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 Urban Code to rectify any conflicts with utilities or other public infrastructure. No utilities shall be located beneath a principal building.

7. *Historic buildings.* The requirements of this Urban Code may be adjusted by a major Urban Code conditional use for the purposes of preserving a historic building.

8. *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.

9. *Lot coverage.* For the purposes of this Urban Code, there shall be no impervious lot 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.

10. *Lot area requirements.* For purposes of this Urban Code there shall be no minimum lot area or lot width requirement as defined in section 2.04.00.

11. *Stormwater management.* With the proper legal documentation and consent of the property owner, stormwater runoff from properties within the Urban Code District may be conveyed onto adjacent private properties. Otherwise, stormwater runoff must be conveyed to the public right-of-way, and the quality of the runoff must be considered. Proposed development may not obstruct existing drainage patterns. If a site is designed such that stormwater is captured by an internal stormwater management system, the applicant must illustrate how the stormwater reaches the public stormwater management system. If a site is designed such that there is no internal stormwater management system, the applicant must illustrate how the stormwater runoff will be conveyed to the public stormwater management system and demonstrate that said system could accommodate the additional runoff. Pervious surfaces such as perforated pavers, mulched areas, and other similar examples may be considered in the calculation for stormwater detention. For all development, stormwater quality treatment prior to discharge shall be provided in compliance with section 6.03.00 of this Code.

12. *Public art.* Public art shall be required of all development and redevelopment and shall equal not less than one percent of the total costs of vertical construction. Public art may include fountains, murals, sculptures, paintings, or other generally acceptable art form as directed by the community redevelopment board which is displayed in a public venue. All public art required under this section shall be readily visible to the public. All public art intended to meet the requirements of this section that is visible from a public right-of-way or is exterior to a building must be approved by the community redevelopment board as a minor Urban Code conditional use. A single family home on a single platted lot of record is exempt from this requirement.

13. *Curb cuts.* Distance regulations between curb cuts shall be measured from the centerlines of each curb cut.

14. *Shoreline protection zone.* In accordance with section 5.06.00, the shoreline protection zone for any water body shall be ten feet measured from the waterside lot line or perpendicular to the mean high waterline as established by a licensed surveyor, whichever is nearer to the principal structure on the same lot; or perpendicular to the centerline of a seawall.

(Ord. No. 1978-04, § 1, 6-28-04); Ord. No. 2010-05, § 3, 2-14-05)

G. *Landscaping.*

1. All development in the Urban Code District shall comply with the landscaping requirements as described in section 6.04.00, the landscape code, with the following exceptions:

   a. The width of landscape buffers shall be determined by the required side and rear setbacks as described in this Urban Code, and buffer screens shall be 25 percent of those setbacks.

   b. 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 urban subdistrict.

   c. 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 urban subdistrict.

d. The width of the landscaped area located along the sides of a building, which abuts any parking area, shall be 2½ feet.

e. 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.

f. 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 urban subdistrict.

g. The street facade of a building shall contain a hedge, potted plants, or trees planted in public right-of-way. The dimensions for such landscape materials shall comply with section 6.04.05.A. of this Code. In the urban center and urban general subdistricts, no hedge shall be planted between the principal building front and the curb of the street, and trees shall be placed in a continuous sidewalk. If necessary, due to right of way conditions, the requirement for trees may be mitigated subject to the approval of the city development director.

h. Terminal and interior islands within parking areas may be used for stormwater retention.

i. A maximum of 20 percent of the pedestrian arcade walkway may be planted. No plantings are required within the arcade.

2. 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. 1872-02, § 1, 10-10-02; Ord. No. 1922-03, § 1, 3-10-03)

Sec. 3.01.04. Architectural standards and regulations.

The following described architectural standards and regulations are governed by the categories of building and activities related thereto and shall apply to new development, to substantial renovation, to renovation development, to renovation and to building exterior refinishing. It is the responsibility of the applicant to demonstrate to the satisfaction of the city development director that any alternative building or other materials have at least a ten-year history of successful application in climates that are comparable to the City of Stuart.

A. *Building walls.* The exterior walls of the principal building shall be constructed of any of the following materials and in the following specified manner. All materials shall be used over the entire building or as continuous horizontal bends only. No panelizing shall be permitted or other simulations except as noted below.

1. *Materials.*

a. Stucco with a "float finish," smooth or coarse, machine spray, dash and troweled.

b. Wood clapboard five inches to the weather.

c. Wood shingles seven inches to the weather.

d. Cement siding, or similar composite plank in individual clapboard-style boards, which has a proven successful application in a climate comparable to Stuart's of not less than ten years.

e. On residential buildings only, wood board or batten board of a board width from eight inches to 12 inches.

f. Wood shiplap siding, smooth face, seven inches to the weather.

g. Coral, keystone, or tabby.

h. Modular unit masonry, either brick or concrete, coursed in regular ashlar pattern, flush sawn, wire cut, or sand finish.

i. Cast stone.

2. *Other design standards.* Except for single-family residential, all developments which are less than 20,000 square feet shall incorporate a minimum of four of the following building design standards, and all developments which exceed 20,001 square feet shall incorporate a minimum of five of the following building treatments:

a. Overhangs;

b. Arcades as defined by this Code;

c. Sculptured artwork and/or fountains;

d. Raised cornice parapets over doors;

e. Peaked roof forms;

f. Display windows;

g. Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design;

h. Clock or bell towers;

i. Decorative landscape planters or planting areas, a minimum of five feet in width, and areas for shaded seating consisting of a minimum of 100 square feet;

j. Integration of specialty pavers, or stamped, colored concrete along the building's walkway to constitute a minimum of 60 percent of walkway area;

k. Water elements, a minimum of 50 square feet in area; and

l. Courtyards along the front building facade.

(Ord. No. 1957-03, § 1, 10-13-03; Ord. No. 1978-04, § 1, 6-28-04)

B. *Roofs and gutters.* The roofs and gutters of the principal building shall be constructed of any of the following materials and in the following specified manner.

1. *Materials.*

a. Cedar shingles with factory treated class B finish.

b. Steel, copper and factory painted aluminum standing seam, batten seam, or Bermuda roofing.

c. Galvanized steel "5-V crimp" roofing panels.

d. Galvanized metal or copper shingles of Victorian or diamond shape or pattern or of another dimension, which is approved by the city development department.

e. Asphalt dimensional shingles for residential buildings only.

f. Built-up roof behind parapets.

g. Exposed half-round gutters of copper or galvanized steel.

h. Clay or cement barrel, s-shaped, flat cement, or mission tiles which are a shade of "red," "ochre," "cream" and "white" color shades provided that such coloring is integral to the clay or cement. No glazed or painted clay or cement tiles shall be allowed. No other shape of clay or cement tiles shall be permitted.

(Ord. 1445-95, 1-22-96; Ord. No. 1978-04, § 1, 6-28-04)

2. *Manner.*

a. Gable and simple hip roofs.

b. Flat with railings or parapets.

c. Shed roof attached to a wall higher than the ridge.

d. Rafters at overhangs shall be exposed.

e. Pitch:

i. On principal building from 5-12 up to 12-12.

ii. On sheds, porches and balconies not less than 3-12.

iii. Tower roofs may be any pitch.

f. Aluminum fascia and soffits shall not be allowed.

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

g. For buildings which are located not more than five feet from the front property line, gutters must be shielded and may not drain onto the surface of public sidewalks. Gutters may be enclosed within a column or other architectural feature.

(Ord. No. 1841-02, § 3, 6-10-02)

C. *Arcades and porches.* The arcades and porches of the principal building 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 ten feet in the UC, eight feet wide otherwise.

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. Materials shall either be of wood or conform to the construction materials of the principal building. Alternatively, round steel columns may be used on Flagler Avenue west of Colorado Avenue, and on Osceola Street and Seminole Street.

(Ord. No. 1978-04, § 1, 6-28-04)

D. *Windows and doors.* The windows and doors of the principal building shall be constructed with any of the following materials, configurations, operations and options.

1. *Materials.*

a. Glass.

i. Clear, low-e, stained, or leaded and beveled.

ii. On side and rear elevations, translucent glass may be used.

iii. Tinted glass may be used; however, in no case shall a streetside display window be of tinted glass other than to meet current energy efficiency codes.

iv. Glass block may be used for architectural accents only.

b. Frames.

i. Painted and stained wood.

ii. Aluminum and vinyl-clad wood.

iii. Steel and aluminum.

c. Flat skylights in sloped roofs.

2. *Configurations.*

a. Square and vertical rectangular.

b. Circular and semi-circular.

c. Semi-ellipse.

d. Octagonal.

e. Diamond.

3. *Operations.*

a. Single and double hung.

b. Casement.

c. Fixed with frame.

d. Awning windows.

e. On side and rear elevations, sliders may be used.

f. Jalousie windows are prohibited, except as replacement windows.

4. *Options.*

a. Operable wood shutters which are sized to match openings.

b. Fabric awnings excluding quarterballs.

c. Bahama shutters.

d. Screened windows and doors.

e. Security grills of a pattern approved by the city development director.

(Ord. No. 1978-04, § 1, 6-28-04)

E. *Garden walls.* The garden walls of the principal building shall be constructed of either wood, wrought iron, simulated aluminum wrought iron, or PVC lattice, or shall conform to the construction materials of the principal building, including stone, brick, and stucco. Chain link fence concealed by landscaping may be used along the side and rear of the property provided that no chain link fencing is visible from public right-of-way. No simulations shall be permitted. All chain link fences must be black or dark green vinyl-clad.

(Ord. No. 1978-04, § 1, 6-28-04)

F. *Outbuildings.* Outbuildings permitted within the Urban Code District shall be constructed of the same materials used in the principal building. Outbuildings may include detached garages and carports, greenhouses, slat houses, cabanas and detached garage apartments and "granny flats." Canvas outbuildings are not permitted. There shall be not less than five feet of separation between the outbuilding and the principal building.

Outbuildings shall conform to the following requirements:

1. Only one outbuilding per principle building is permitted.

2. Outbuildings are subject to a minimum five-foot side and rear yard setbacks from the property line, with the exception of the Urban Waterfront (UW) Subdistrict. On corner lots the side setback shall be ten feet.

3. Outbuildings shall not exceed a maximum building footprint of 1,000 square feet and a maximum gross floor area of 2,000 square feet.

4. Outbuildings shall not exceed 30 feet in height. Outbuildings may not exceed the height of the principal building on the same property.

5. An outbuilding may have an unenclosed porch of up to 50 percent of the gross floor area of the outbuilding.

6. Outbuildings may be constructed as elevated buildings that include the location of open parking below an enclosed structure; however, open parking shall be shielded from public right-of-way by landscaping, lattice or other screening material that is not less than 42 inches in height.

7. Outbuildings may be connected to the principal building by a covered walkway element, trellis, or other structural link, which shall not be enclosed so as to create occupiable space.

8. Outbuildings may be connected to an outbuilding on an adjacent property and shall be structurally separated by a fire wall on the common boundary line and shall have a five-foot minimum rear yard setback.

(Ord. No. 1978-04, § 1, 6-28-04)

G. *Building colors and finishes.* All exterior building wall colors used within the Urban Code District shall be restricted to muted pastel or earth-toned shades. The use of black or florescent colors is prohibited as a predominant exterior building color. Exterior colors shall be approved by the city development director. Building trim may be any color. Wall murals shall be permitted on any structures, and shall require the approval of a minor Urban Code conditional use. Building roofs shall be a solid color; however, a variegated roof color scheme consisting of approved roof colors may be permitted by the city development director.

(Ord. No. 1946-03, § 1, 7-21-03; Ord. No. 1978-04, § 1, 6-28-04)

H. *Prohibited uses in front yard.* The following uses shall be prohibited within all Urban Code Districts:

1. Clothes lines and other clothes drying apparatus.
2. Electrical meters.
3. Air conditioning equipment, including window units on the building facade.
4. Antennas and satellite dishes.
5. Chain link fences.
6. Fences greater than four feet in height.
7. Stockade fences.

(Ord. No. 1978-04, § 1, 6-28-04)

I. *Sidewalks.* When a permit for new construction or renovation is issued, the owner shall be responsible for the installation of a minimum six-foot wide, continuous sidewalk along the entire length of the parcel frontage that abuts a public street. Where identified by the city development director, sidewalks shall be constructed of paver block, brick or pink concrete.

J. *Lighting.*

1. The use of neon exposed lighting on any property is prohibited.
2. All building and site lighting fixtures shall be decorative.

(Ord. No. 1978-04, § 1, 6-28-04)

K. *Elevated buildings.* Permitted in all urban subdistricts. Parking is prohibited beneath an elevated building.

(Ord. No. 1978-04, § 1, 6-28-04)

L. *Parking located within a building envelope.*

1. Except as provided below and for the Old Downtown District, parking located within a building envelope, below, above, or at grade, may be permitted in all Urban Code subdistricts by a major Urban Code conditional use:
   a. A single family home shall not require a major Urban Code conditional use to provide parking located within a building envelope.
2. Parking located within a building envelope shall conform to the following requirements:
   a. Buildings which have parking located within the envelope shall be consistent with the design of the facades and the street side shall be entirely screened. When feasible,

landscaping shall be installed along the ground floor facade, within the public sidewalk and within on-street landscape islands.

b. Access drives into the parking area on the ground floor shall be limited to one drive aisle at a maximum of 24 feet in width for buildings less than 100 linear feet in width and two drive aisles at a maximum of 24 feet in width each for buildings 100 linear feet in width and greater. If the property is adjacent to an alley two drive aisles at a maximum of 24 feet in width each shall be permitted for buildings less than 100 linear feet in width. The development director may permit two 12-foot drive aisles for buildings less than 100 square feet in width.

c. A parking level construction entirely below the lowest permissible finished first floor elevation shall not be deemed a story. The visual impact of garage doors shall be minimized through architectural design.

(Ord. No. 1978-04, § 1, 6-28-04)

M. *Balconies.* Balconies shall conform to the following requirements:

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

2. 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.

3. 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.

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

5. "Paris" balconies, having a minimum projection from the building face of 12 inches and a wrought iron railing, are permitted, if the balcony is accessed by French doors.

(Ord. No. 1978-04, § 1, 6-28-04)

N. *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.

(Ord. No. 1978-04, § 1, 6-28-04)

O. *Signage.* The use of exposed neon tubing, or similar, on any property is prohibited. All signage in the Urban 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. 1978-04, § 1, 6-28-04); Ord. No. 2014-05, § 1, 2-14-05; Ord. No. 2145-07, § 1, 11-26-07)

P. *Fences.* Fences shall adhere to the requirements in section 6.09.05, except for the following; fences located in the front yard shall have a 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. Chain link fence concealed by landscaping may be used along the side and rear of the property provided that no chain link fencing is visible from public right-of-way. No simulations shall be permitted. All chain link fences must be black or dark green vinyl-clad.

(Ord. No. 1978-04, § 1, 6-28-04)

Q. *Architectural feature.* Tower features shall not be more than 300 square feet in area and shall not be more than 15 feet above the maximum building height. Architectural features may encroach into a setback the lesser of five feet or 60 percent of the width of a setback. For facades built with a zero setback, cornices, parapets, and bay windows at upper stories may project a maximum of three feet.

(Ord. No. 1978-04, § 1, 6-28-04)

R. *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.

(Ord. No. 1978-04, § 1, 6-28-04)

S. *Residential rooftop use occupancy.* Residential uses occupancy of a flat rooftop which are ancillary to residential occupancies 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.

(Ord. No. 1978-04, § 1, 6-28-04)

T. *Rooftop dining.* Rooftop dining, as defined by this Code, are permitted as a major conditional use, and in accordance with the supplemental regulations set forth in Section 2.06.19.

(Ord. No. 1978-04, § 1, 6-28-04)

Sec. 3.01.06. Urban code conditional use requirements.

A. *Major and minor Urban Code conditional uses.* As provided below, the city commission may grant a major Urban Code conditional use and the city community redevelopment board may grant a minor Urban Code conditional use. The review of major and minor Urban Code conditional use applications 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 Urban Code 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, the CRA redevelopment plan, the city comprehensive plan and will measurably improve the form, function and traditional neighborhood characteristics of the Urban Code District. The procedure for a major Urban Code conditional use shall follow the procedures set forth at section 11.01.10 with respect to submittal information and required notice for a major conditional use approval. The procedure for a minor Urban Code conditional use shall follow the procedures set forth in section 11.01.10 with respect to submittal information and required notice for a major conditional use approval; however, mailed notice shall only be

required to be provided to property owners which are directly abutting the subject property, and a minor Urban Code conditional use shall be granted by the city community redevelopment board.

1. *Minor Urban Code conditional use.* A minor Urban Code conditional use shall be required for relief from the following regulations of the Urban Code;; public art, and architectural materials.

2. *Major Urban Code conditional use.* A major Urban Code conditional use shall be required for relief from the following regulations of the Urban Code; density, permitted uses, setbacks, location of parking, location of buildings and structures, conflicts with utilities, curb cuts, historic buildings, pitched roofs in the Old Downtown District, number of stories, building height not to exceed 45 feet, parking located within a building envelope, location of a formula business, and architectural requirements.

   a. *Review.* Upon submittal of an application for a major Urban Code conditional use the city development department shall review all applicable portions of this code and the comprehensive plan and shall make a recommendation to the community redevelopment board followed by a recommendation to the city commission. Prior to its consideration by the city commission, the city community redevelopment board shall review the application and make an advisory recommendation thereon to the city commission. A major Urban Code conditional use may be granted by the city commission upon a determination that the design objectives set forth in this section and site qualitative design development standards set forth in section 6.00.04 have been substantially satisfied. Unless a longer timetable is granted by the community redevelopment board and city commission, a building permit shall be obtained no later than 12 months from the approval date of a major Urban Code conditional use. A certificate of occupancy shall be obtained no later than 30 months from the issuance of a building permit.

   b. *Design objectives.* The design objectives established in this section are intended to promote superior site and building design and shall be applied by the city in the review of a development plan. In order to achieve substantial conformance with the design objectives the city commission may impose development conditions and operational requirements in order to satisfy the design objectives. A major Urban Code conditional use may be granted only when an applicant presents clear and convincing evidence that the proposed development will result in a superior product that is compatible with the surrounding neighborhood and achieves substantial conformance with the design objectives outlined in this section.

      1. *Building height.* The proposed building is proportional and complimentary to surrounding buildings in the area.

      2. *Additional building setbacks.* Three- and four-story buildings have an additional five-foot setback on each side.

      3. *Mixed residential unit types.* The proposed development includes a mix of one- and two-bedroom rental apartments 1,000 square feet or less of gross floor area.

      4. *Architectural treatments.* Architectural treatments on the principal building facade should be continued around all sides of the building that are visible from the public realm.

      5. *Architectural features for mixed-use buildings.* In mixed-use buildings, the ground floor shall be differentiated from upper floors through the use of strong cornice lines, awnings, distinct but compatible exterior colors or materials, exterior lighting, colonnades or overhangs that cover the sidewalk, increased setback for upper floors or similar treatments.

      6. *Defined entrance.* The primary building entrance is a prominent feature that is well lit and visible and directly accessible from a public street. To the extent possible, the primary building entrance should be defined and articulated with pediments, pilasters, columns, porticoes, porches, overhangs, railings, or other architecturally compatible elements.

7. *Pedestrian amenities.* Pedestrian amenities in the form of benches, potted plants, flower boxes, outdoor patio area, murals, or other acceptable forms of amenities located adjacent to a public sidewalk and/or right-of-way.

8. *Patio gardens.* The proposed structure incorporates gardens which include a mixture of flower boxes, arbors, trellis, flowering vines, and other landscaping materials.

9. *Varying roof lines.* Roofs shall have three or more roof slope planes per primary facade, sloping roofs or have vertical roof changes with a minimum change in elevation of two feet.

10. *Elevation plane variation.* The elevation plane variation is identified as the exterior wall of a structure or building. For planes 50 feet or less, the secondary plane shall project at least two feet from the primary plane and make up at least five percent of the entire elevation. For planes larger than 50 feet, the secondary plane shall project at least two feet from the primary plane and make up at least 30 percent of the entire elevation.

11. *Blank walls.* Long, windowless, uninterrupted walls shall be avoided. Transparent windows or faux windows or shutters shall comprise at least 30 percent of street and water side exterior elevations and blank wall areas shall not exceed ten feet in vertical direction and 20 feet in horizontal direction of any facade.

12. *Solar hot water, electric, or air.* Installation of solar water heaters, photovoltaic panels, and/or solar space heating (either passive or active) systems. Solar facility shall be installed for each individual residential or non-residential unit through a common system supplying each residential or non-residential unit. The solar unit shall be designed to be the primary heat or electrical source for the residential or non-residential unit being served.

13. *Enhanced landscaping.* Landscaping shall be planted over and above city code requirements with respect to size, quantity, and quality.

14. *Improvements to the surrounding neighborhood.* The applicant proposes to make improvements such as; burying utility lines, replacing existing sidewalks with stamped concrete or pavers, providing pedestrian walkways constructed of stamped concrete or pavers, or other improvements.

15. *Green Space.* The development preserves open space,

    a. A tot lot or park is provided on site.

    b. Land is donated to the city to use as public green space.

    c. A monetary contribution is made to the city public enhancement fund.

    d. An additional vista(s) of at least five feet is provided in the Urban Waterfront Subdistrict.

16. *Decorative paving.* The development includes the use of brick pavers or stamped or color concrete, in accordance with city specifications, on the site.

17. *Historic preservation.* For buildings identified in the City of Stuart update to the 1991 historic property survey dated April 2003 and any subsequent updates thereof; or any other structure which has local architectural, historical, or cultural significance, the following shall apply:

    a. The existing facades of historic structures are preserved and incorporated into the overall design of the proposed development.

    b. Any expansion of an existing building is historically or architecturally consistent with the existing building.

c. Historic structures are relocated within the city limits, within Martin County, or outside Martin County.

d. A monetary contribution is made to the relocation of historic buildings fund.

(Ord. No. 1978-04, § 1, 6-28-04; Ord. No. 2014-05, § 4, 2-14-05)

Sec. 3.01.08. Public art.

A. *Intent.* The intent of this section is to further the commitment of the city to the aesthetic enrichment of the Urban Code District through the private acquisition of works of art so that citizens and visitors to the Urban Code District of the city will be afforded an opportunity to enjoy and appreciate works of art.

B. *Applicability.* The provisions of this section shall apply to all new development and substantial renovations (as defined in chapter XII of this Code) in the Urban Code District with the exception of a duplex, single-family home and single-family home subdivisions.

C. *Requirements for receiving building permit.* All new development and renovation development pursuant to chapter XII shall elect one of the options listed below prior to the issuance of a building permit:

1. Provide work of art on the development site provided the work is an original and must be created individually by a professional artist or team of artists. Bronze sculptures in limited editions of not more than 50 in all sizes and materials by a single artist are allowed. The value of the work of art shall not be less than one percent of the vertical construction cost of the development. The nature of the work of art shall be proposed by the developer and shall be submitted to the city's community redevelopment board which shall review the proposal for conformity with the public art standards set forth below. An approved work of art shall be incorporated into the site plan, public lobby floor plan or the landscape plan for the development as part thereof.

2. Contribute an amount equal to or greater than one percent of the vertical construction cost in lieu of providing a work of art, a developer may pay the sum of one percent of the vertical construction cost into the public art trust fund described below. Such payment shall be made prior to issuance of a building permit for any portion of the development.

3. If the value of on-site work of art proposed on the development site is less than one percent of the vertical construction cost of the development, a developer may have an option to contribute the remaining balance of the public art fee to the public art trust fund as described below.

D. *Performance security required.*

1. If a work of art has not been approved by the community redevelopment board at the time of application for a building permit, the permit applicant shall provide a performance security bond or other surety acceptable to the city, in the amount of one percent of the value of the vertical construction which shall be posted until the work of art is approved by the community redevelopment board. The cost estimate or bid for work of art shall be provided by the artist or representative and accepted by the city. The surety may be extended no more than 12 months from the original surety expiration date. This surety shall be cancelled, or returned when the work of art has been approved by the community redevelopment board.

2. In the event an approved work of art has not been properly constructed and installed prior to the issuance of the first certificate of occupancy for any portion of the development, the permit applicant shall provide a performance security bond or other surety acceptable to the city, in the amount of one percent of the value of the vertical construction which shall be posted until the work of art is completed. The surety may be extended no more than 12 months from the original surety expiration date. This surety shall be cancelled, or returned when the work of art has been properly constructed

and installed. The surety may be forfeited to the public art trust fund, and the developer and property owner cited with a code violation for failing to provide the required work of art.

E. *Application for work of art for development projects.* An application for a minor Urban Code conditional use shall be made to construct and install a work of art. The application shall include the artist's resume and portfolio establishing the artist's credentials and abilities, a detailed description of the work of art, its proposed location on the development site and the cost evaluation as set forth below. Drawings and renderings depicting the artist(s) portfolio, the proposed work of art in terms of size/scale, color, shape, materials, and maintenance program shall be included in sufficient detail to provide the board with a clear understanding of the work of art proposed.

F. *Standards for work of art.* The community redevelopment board shall be governed by the following criteria in the exercise of their discretion to approve, approve with conditions, or disapprove the proposed installation of public art. In specific cases, the board shall have the authority to exercise discretion and approve a proposal that proves to be an exceptional work of art yet does not meet all of the following criteria.

1. The proposed art conforms to the definition of public art contained in this section;
2. The proposed art meets or exceeds the valuation requirement as provided herein;
3. The proposed art meets the location requirements;
4. The proposed art is visible from a public right-of-way and will enrich the open space;
5. The proposed art is of exceptional quality and enduring value;
6. The proposed art is an appropriate scale to the development site;
7. The proposed art is compatible with the neighborhood and not injurious to the neighborhood or otherwise detrimental to the public welfare;
8. The proposed art work reflects cultural diversity;
9. The proposed art does not constitute a safety hazard:
10. The proposed art does not require extraordinary maintenance.

G. *Maintenance of work of art.* A work of art provided and located on public or private property pursuant to this section shall be and remain the sole property of the property owner. The property owner shall be responsible for maintenance and care of the public work of art. A constructed and installed work of art approved pursuant to this section shall be retained on site in its approved condition and location and shall not be removed, replaced or altered without prior approval of the community redevelopment board.

H. *Removal or replacement.* After a work of art has been approved by the community redevelopment board, such works of art shall be retained on site in its approved location and shall not be removed without prior approval of the community redevelopment board unless replaced with a reasonably equivalent replacement work of art, except when deemed to be unsafe by the building official, in which case it must be replaced within 12 months. This includes displacement damages by natural disasters, in which case the replacement timeframe shall be at the discretion of the development director.

I. *Additional public works of art.* Following the construction and installation of a required work of art approved pursuant to this section, additional works of art are encouraged and may be constructed and installed without the approval of the community redevelopment board.

J. *Public art trust fund created.*

1. There is hereby created a public art trust fund for the deposit of payments made in lieu of the construction and installation of a work of art as required in this section.

2. Funds in the public art trust fund shall be used solely for the selection, acquisition, transportation, installation, maintenance and promotion of works of art to be displayed in the city and all expenditures from the fund for such purposes shall be approved by the community redevelopment agency. The cost of insurance for public art located on property owned by the city may be paid with funds in the public art fund.

3. All works of art purchased with funds in the public art trust fund shall be and remain the sole property of the city.

4. The public art fund shall be kept in an interest bearing account, separate from general revenues and all accrued interest shall be deposited in the public art fund.

K. *Process for commissioning artworks for public right-of-way or public places.*

1. *Artist identification.* The community redevelopment board will make a recommendation to the community redevelopment agency on the selection process that will be used for each particular project. The options for selecting artwork are:

   a. *Direct purchase.* An existing artwork is selected for a particular project.

   b. *Commission purchase (or invitation).* Artist is chosen to create a site-specific work of art.

   c. Limited or open competition:

      1) *Limited.* One or more artists are invited to submit proposals for selection.

      2) *Open.* Any artist may apply subject to criteria established by the community redevelopment board in the "call for artists."

         1. Request for qualification (RFQ) may be used when the commissioning body is interested in a larger pool or applicants for a project. Applicants are asked to submit qualifying material only (resume, images of past work, letter of interest, etc.) that a panel will use to determine suitability for the project. Based on the qualifying materials submitted, the pool of applicants is narrowed by a panelist to 3—5 artists to move forward in the competition. Finalist may be asked to submit a more detailed proposal, visit the site or make a presentation.

         2. Request for proposal (RFP) may be used to look for proposals for a specific project/site/theme. Artists are asked to submit qualification materials and a proposal for the project.

2. *Review of submittals.* The community redevelopment board shall review the submittals and make a recommendation to the community redevelopment agency. The final selection may be made by the community redevelopment agency or the community redevelopment agency with one or more additional participants (referred to as "panelist") as each project dictates. These may include a representative of the site/building/community where the artwork to be located, a local artist (not eligible for commission) or outside art/public art expert, other experts in the area of architecture, landscape architecture, engineering, urban planner, etc.

3. *Review process/criteria.* The community redevelopment board and community redevelopment agency or panelist may review the submitted visual material simultaneously with the written material. Artists are selected to move forward in the process based on set criteria, which may include but not limited to:

   a. Quality, creativity and strength of past work as indicated by visual materials submitted.

   b. Technical competence demonstrated by past work.

   c. Understanding of the project goals as indicated in the RFQ or RFP.

d. Relevance of submitted materials to the project.

e. Aptitude of planning and budgeting.

f. Experience working on public art projects and demonstrated ability to adapt to meet the project goals as indicated in the RFQ or RFP.

g. Commitment to participate with agency/community as part of the concept development.

h. Local artist or previous experience working on public art within the city limits.

4. *Interview.* In the event the community redevelopment agency or panelist cannot make a unanimous decision, finalists may be invited to make a presentation to help finalize the decision. The criteria to select the artist for the project may include but not limited to:

a. Artistic excellence.

b. Ability to relate the proposed artwork to the site.

c. Experience with projects in similar scope and/or type.

d. Knowledge of fabrication and installation of public art proposed.

e. Ability to be an effective communicator, team player and work with diverse groups.

f. Ability to be detail oriented, a problem solves, an efficient project manager with an understanding of schedules and budgets.

g. Flexibility/openness of ideas.

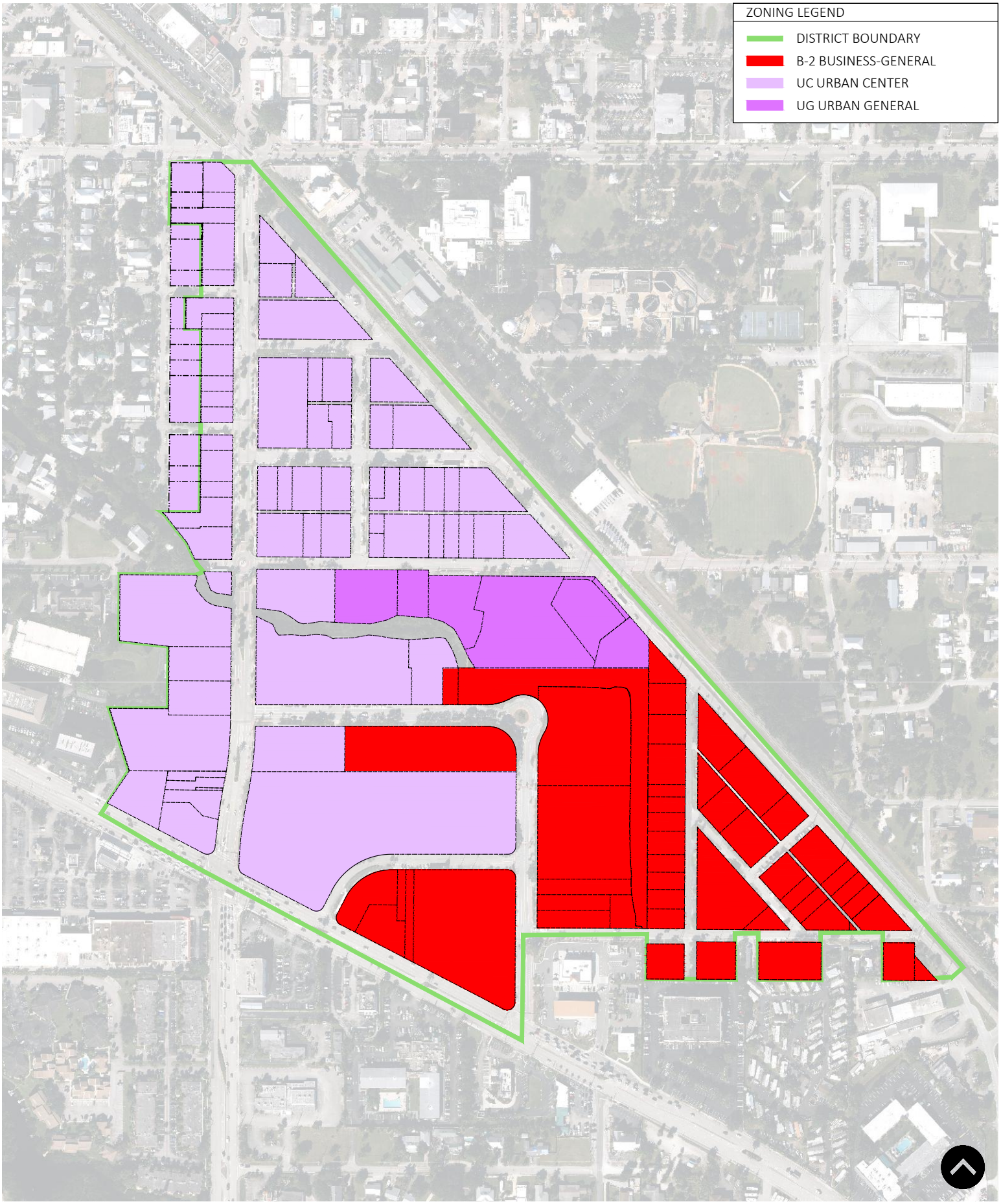
h. Presented budget in realistic and flexible.

5. *Contracts.* The contract shall outline the responsibilities, obligations with respect to products and services being provided by the artist, and the conditions desired by the community redevelopment agency or panelist to successfully realize the artwork.

L. *Cost estimates required.* Cost estimates for determining valuation of art, posting of security or payment in lieu shall be required from the artist and/or contractor and be presented to city development staff prior to the community redevelopment board hearing.

M. *Final compliance.* The property owner will be in compliance with this section after the installation of the public art in accordance with the approved plans, inspection by city development staff and the submittal of five photographs of the artwork on the site and a notarized statement of costs expended that meets or exceeds the requirements.

(Ord. No. 2046-05, § 1, 11-28-05; Ord. No. 2375-2018, § 1, 9-24-18)



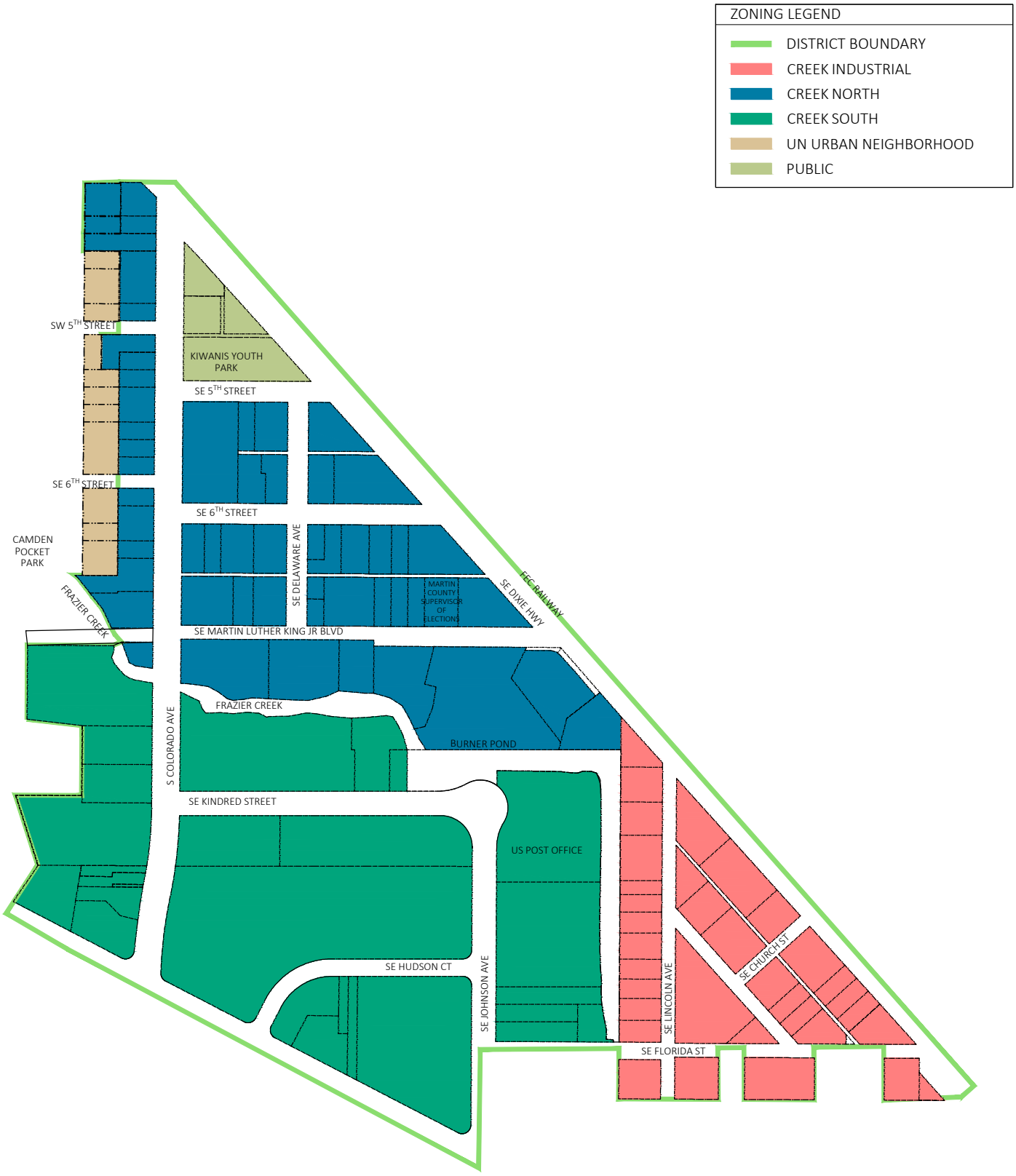
THE CREEK DISTRICT

Community Redevelopment Area

EXISTING ZONING

7/28/2022

SCALE: 1 = 400



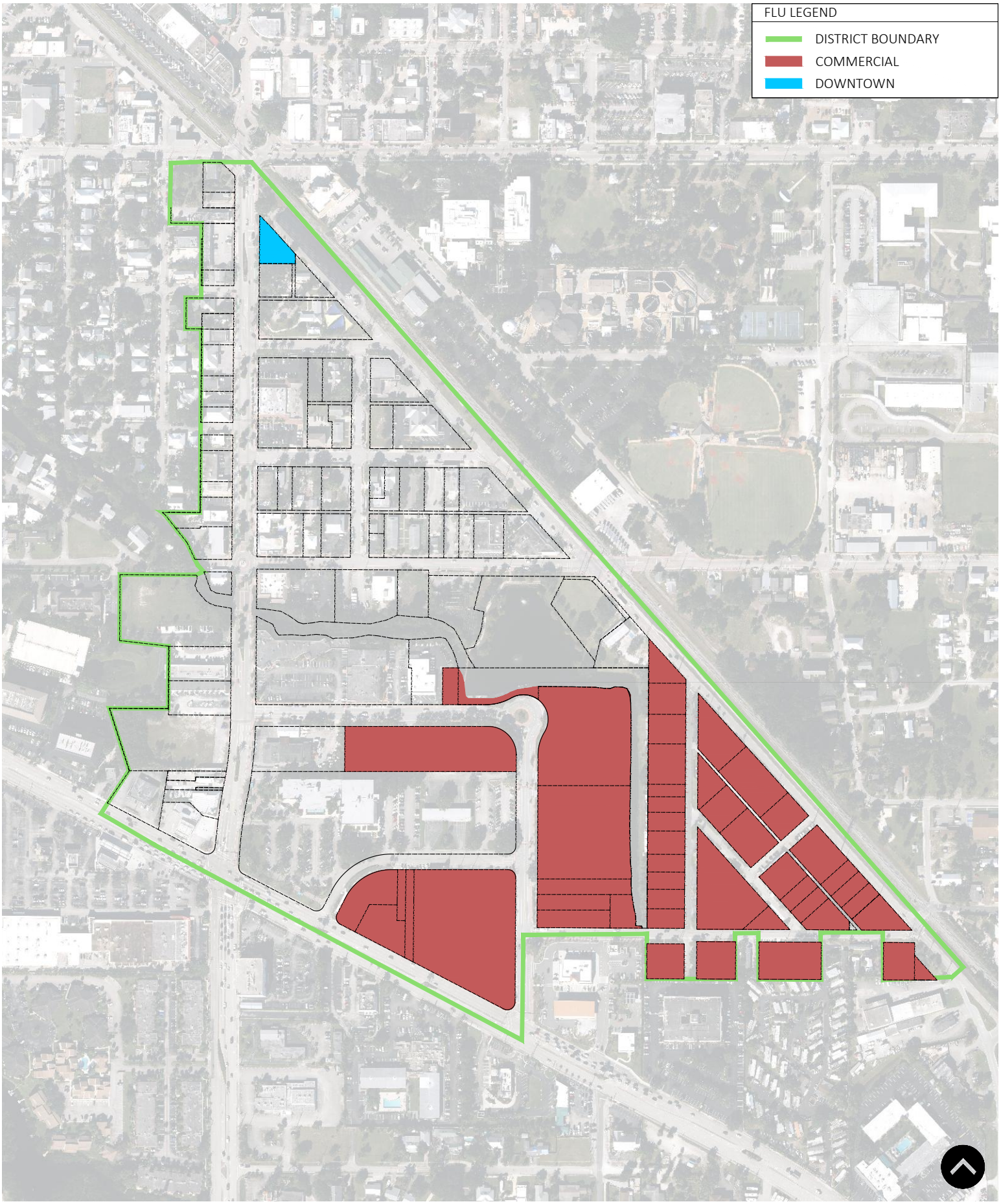
THE CREEK DISTRICT

Community Redevelopment Area

PROPOSED ZONING MAP

7/28/2022

SCALE: 1 = 400



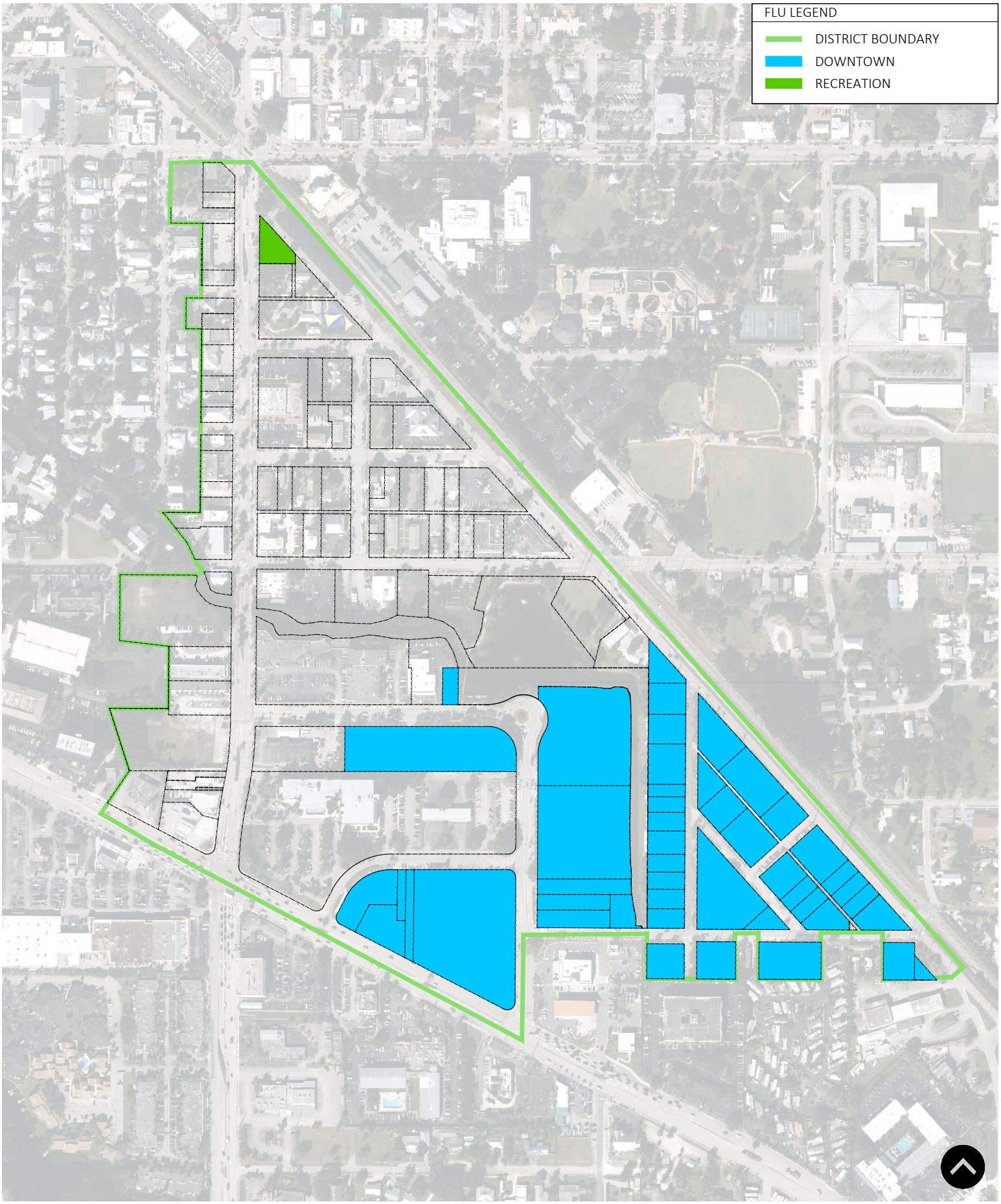
THE CREEK DISTRICT

Community Redevelopment Area

7/28/2022

SCALE: 1 = 400

EXISTING FUTURE LAND USE MAP PARCELS WITH A PROPOSED CHANGE ONLY



THE CREEK DISTRICT

Community Redevelopment Area

7/28/2022

SCALE: 1 = 400

PROPOSED FUTURE LAND USE MAP PARCELS WITH A PROPOSED CHANGE ONLY