



**AGENDA**

**SPECIAL COMMISSION MEETING OF THE STUART CITY COMMISSION  
NOVEMBER 2, 2022  
AT 4:00 PM  
COMMISSION CHAMBERS  
121 SW FLAGLER AVE.  
STUART, FLORIDA 34994**

**CITY COMMISSION**

**Mayor Troy McDonald  
Commissioner Becky Bruner  
Commissioner Eula R. Clarke  
Commissioner Christopher Collins  
Commissioner Campbell Rich**

**ADMINISTRATIVE**

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

Agenda items are available on our website at <http://www.cityofstuart.us>  
Phone: (772) 288-5306. Fax: (772) 288-5305. E-mail: [mkindel@ci.stuart.fl.us](mailto: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 regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.

## **ROLL CALL**

## **PLEDGE OF ALLEGIANCE**

## **PRESENTATIONS**

1. FLORIDA STATUTES COUNTY AND MUNICIPAL PLANNING; LAND DEVELOPMENT REGULATION
2. DEVELOPMENT DEPARTMENT: COMMUNITY PLANNING

## **APPROVAL OF AGENDA**

## **COMMENTS FROM THE PUBLIC (3 Minutes Max.)**

## **CONSENT CALENDAR**

3. CHRISTMAS PARADE ROAD CLOSURE (RC):

RESOLUTION No. 103-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A ROAD CLOSURE FOR THE ANNUAL VISITING NURSE ASSOCIATION'S STUART CHRISTMAS PARADE ON FRIDAY, DECEMBER 2, 2022, BEGINNING AT S. E. MONTEREY ROAD TRAVELING WEST ON S.E. OCEAN BLVD. TO CONFUSION CORNER INTERSECTION; AUTHORIZING THE CITY MANAGER OF THE CITY OF STUART TO SIGN THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMIT FOR THE TEMPORARY CLOSING OF A STATE ROAD; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

## **END OF CONSENT CALENDAR**

**DISCUSSION AND DELIBERATION**

4. DISCUSS THE TOPICS FROM THE PRESENTATIONS AND DELIBERATE THE POLICIES THAT THE COMMISSION WANT TO SEE IMPLEMENTED.

**ADJOURNMENT**

**CITY OF STUART, FLORIDA  
AGENDA ITEM REQUEST  
City Commission**

**Meeting Date:** 11/2/2022

**Prepared by:** Michael Mortell

**Title of Item:**

FLORIDA STATUTES COUNTY AND MUNICIPAL PLANNING; LAND DEVELOPMENT REGULATION

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

Brief presentation of the Florida Community Planning Act as contemplated by Florida Statutes, Section 163.3167.

**Funding Source:**

Not applicable

**Recommended Action:**

Provide direction to staff during workshop regarding zoning in progress.

**ATTACHMENTS:**

**CITY OF STUART, FLORIDA  
AGENDA ITEM REQUEST  
City Commission**

**Meeting Date:** 11/2/2022

**Prepared by:** Jodi Nentwick

**Title of Item:**

DEVELOPMENT DEPARTMENT: COMMUNITY PLANNING

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

Presentation and information on the current density code as it relates to the zoning in progress.

**Funding Source:**

N/A

**Recommended Action:**

N/A

**ATTACHMENTS:**

1. Development Department Community Planning

# Special Commission Meeting

## Zoning In Progress Workshop Meeting

**November 2, 2022**

# Zoning In Progress

The purpose of zoning in progress is to allow the city to make a text amendment or district map change to the Stuart Land Development Code and apply that change to development applications submitted following the declaration of zoning in progress.

Additionally, zoning in progress allows a temporary hold on permits, licenses and other development orders already in progress, if there is a pending change in the Land Development Code that would affect the permit, license or other development order.



1. Special Commission Meeting Zoning In Progress Workshop Meeting
2. Staff/City Commission to evaluate recommendations
3. Prepare Text Amendments
4. Public Hearing – Recommendation by the Local Planning Agency (LPA)
5. Public Hearings – Adoption by City Commission

# Community Planning

The broad goals of community planning are to protect human, environmental, social, and economic resources; and, through orderly growth, to maintain the character and stability of present and future land use and development. Community planning identifies a community's resources, and the long-range community needs and goals. It provides a process for developing community consensus and for local governments to adopt their comprehensive plans.

**“If the plan doesn't work change  
the plan but **never** the goal”**

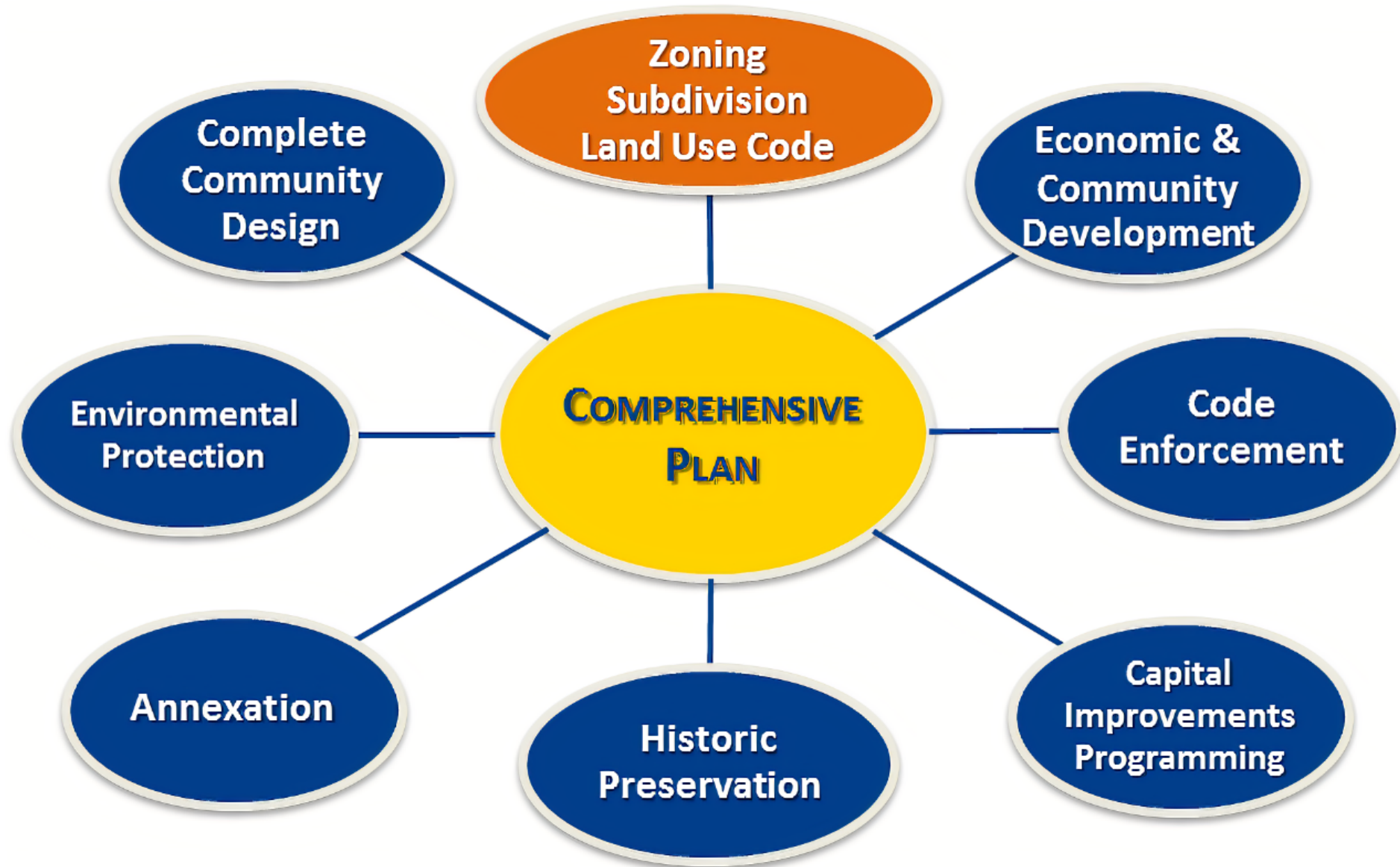
*~Unknown*



# What is the Purpose of the Comprehensive Plan

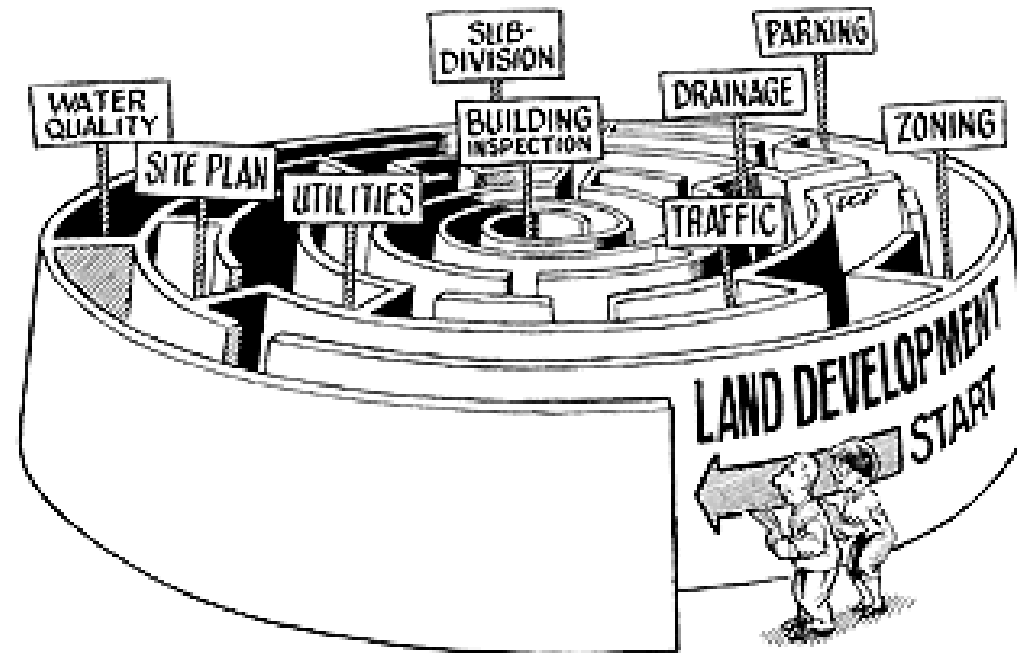
The Comprehensive Plan serves as a blueprint for future commercial and residential land uses, housing, and conservation, as well as cultural and recreational amenities. An important component of the comprehensive plan is identifying the new infrastructure and growth demands needed to support the future physical and economic development of the community.

Strategic investments made now in infrastructure, housing, recreational amenities, and education will create communities where families will want to live, where companies will want to do business, where jobs will be available, and where people will come to work and play.



# Land Development Code

Florida Statute, Chapter 163 requires each Florida local government to enact a single land development code which implements, is consistent with the local comprehensive plan, and which contains all land development regulations for the jurisdiction.



# RESOLUTION NUMBER 93-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, DIRECTING STAFF TO PREPARE AN ORDINANCE TO ADOPT A TEXT AMENDMENT TO THE LAND DEVELOPMENT CODE REGULATIONS ADDRESSING SECTION 2.07.00(I), DENSITY AND PARKING CALCULATION WITHIN THE URBAN PLANNED UNIT DEVELOPMENT, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PROPERTIES.

# Urban Planned Unit Development (UPUD) Districts Definition

A UPUD *shall not exceed the Density outlined in Policy A7.2 of the City of Stuart Comprehensive Plan* relating to gross densities of the underlying future land use designation as defined and described "low-density residential," "office/residential," "multi-family residential," "commercial," "industrial," "institutional," "marine-industrial," "recreation," "downtown redevelopment," or "public," by the future land use element of the City of Stuart Comprehensive Plan, and which is of suitable character and compatible with surrounding uses as determined by the City Commission.

# Urban Planned Unit Development (UPUD) Districts

## Comprehensive Plan Policy A7.2

Gross densities, gross intensities and proportional use amounts for each land use category are established in the "*Table of Land Use Densities and Intensities*" that is adopted as part of this element. In order to promote the efficient use of land and to provide an affordable housing stock (Policy 3.A2.6. Housing opportunities), the City's Land Development code shall provide adjustment, through the Urban Planned Unit Development process, to ***accommodate smaller residential units and allow smaller housing units to be calculated at 0.5 density per unit for units less than 900 sq. ft and 0.75 density per units for units less than 1,100 sq. ft.***

# Urban Planned Unit Development (UPUD) Districts Residential Density and Parking Space Calculations

*Table 2.07.A.*

Maximum Unit Size	Maximum Bedrooms	Unit Density	Parking Space per Unit
900 square feet	1	0.5	1.25
1,100 square feet	2	0.75	1.4
No maximum	No maximum	1	1.5



# RESOLUTION NUMBER 95-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, DIRECTING STAFF TO PREPARE AN ORDINANCE TO ADOPT A TEXT AMENDMENT TO THE LAND DEVELOPMENT CODE REGULATIONS ADDRESSING SECTION 2.03.03 ADDRESSING THE DENSITY ALLOWED BY RIGHT WITHOUT COMMISSION APPROVAL, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

# Planned Unit Development (PUD) Definition

Is land under unified control, planned and development as a whole, a single development operation or an approved programmed series of development operations by multiple developers.

Includes principal and accessory uses and structures substantially related to the character of the development itself and the surrounding area of which it is a part.

Is ultimately developed according to comprehensive and detailed plans which include not only streets, utilities, lots, or building sites and the like, but also site plans, floor plans, an elevation for all buildings as intended to be located, constructed, used and related to each other, and detailed plans for other uses and improvements on the land as related to the buildings.

Is ultimately developed according to an officially approved final development plan which does not necessarily correspond to property zoning district in which the property was previously or would otherwise be placed.

# **Planned Unit Development (PUD) Density**

## **Land Development Code Section 2.03.03**

The density for a planned unit development shall not exceed those densities set forth in table 3b – maximum dwelling units per acre for planned unit development (PUD), such density will only be granted by the city commission as part of a planned unit development zoning agreement.

## Table 3b.

### Maximum Dwelling Units Per Acre for Planned Unit Development (PUD)

Comprehensive Plan Land Use Designation	RPUD		CPUD		MXPUD <sup>2</sup>		IPUD		UPUD	
	Out CRA	In CRA	Out CRA	In CRA	Out CRA	In CRA	Out CRA	In CRA	Out CRA	In CRA
Low density residential <sup>1</sup>	8.72 to 11.62	8.72 to 11.62	-	-	-	-	-	-	-	8.72 to 11.62
Multi-family residential	30	30	30	30	15	15	-	-	-	30
Office/residential	30	30	30	30	15	15	-	-	-	30
Commercial	10	15	10	15	10	15	-	-	-	15
Downtown redevelopment	30	30	30	30	15	15	-	-	-	30
Neighborhood/special dist.	15	15	15	15	15	15	-	-	-	15
Industrial	-	-	-	-	-	-	-	-	-	-
East Stuart	-	17	-	17	-	15	-	-	-	-
Marine/industrial	15	15	15	15	15	15	-	-	-	15
Public	-	-					-	-	-	-
Recreation	-	-	-	-	-	-	-	-	-	-
Institutional	30	30							-	30



**CITY OF STUART, FLORIDA  
AGENDA ITEM REQUEST  
City Commission**

**Meeting Date:** 11/2/2022

**Prepared by:** Jim Chrulski

**Title of Item:**

CHRISTMAS PARADE ROAD CLOSURE (RC):

RESOLUTION No. 103-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A ROAD CLOSURE FOR THE ANNUAL VISITING NURSE ASSOCIATION'S STUART CHRISTMAS PARADE ON FRIDAY, DECEMBER 2, 2022, BEGINNING AT S. E. MONTEREY ROAD TRAVELING WEST ON S.E. OCEAN BLVD. TO CONFUSION CORNER INTERSECTION; AUTHORIZING THE CITY MANAGER OF THE CITY OF STUART TO SIGN THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMIT FOR THE TEMPORARY CLOSING OF A STATE ROAD; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

Road closure for the 2022 VNA Christmas Parade.

**Funding Source:**

N/A

**Recommended Action:**

Motion to approve Resolution No. 103-2022.

**ATTACHMENTS:**

1. R103-2022 Approving a road closure for the VNA Christmas Parade
2. Site Plan
3. Parade Route



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

**RESOLUTION NUMBER 103-2022**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A ROAD CLOSURE FOR THE ANNUAL VISITING NURSE ASSOCIATION'S STUART CHRISTMAS PARADE ON FRIDAY, DECEMBER 2, 2022, BEGINNING AT S. E. MONTEREY ROAD TRAVELING WEST ON S.E. OCEAN BLVD. TO CONFUSION CORNER INTERSECTION; AUTHORIZING THE CITY MANAGER OF THE CITY OF STUART TO SIGN THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMIT FOR THE TEMPORARY CLOSING OF A STATE ROAD; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

\* \* \* \* \*

**WHEREAS**, the Visiting Nurses Association has over 40 years of experience of providing health care in patient's homes with skilled nursing, physical therapy, occupational therapy, speech therapy, dietetics services and home health aides; and

**WHEREAS**, the Visiting Nurse Association produces the Stuart Christmas Parade for the City of Stuart and the residents of Martin County. and

**WHEREAS**, the City Commission of the City of Stuart recognizes the Visiting Nurse Association as one of its large-scale traditional community events and is resolved to provide a road closure for the period mentioned herein as sufficient time and space allocation to safely and efficiently conduct the event.

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

**SECTION 1:** The City Manager is hereby authorized to execute a request from the Florida Department of Transportation seeking approval of a road closure permit for the “2022 Visiting Nurse Association Christmas Parade” from Friday, December 2<sup>nd</sup>, along S.E. Ocean Blvd. from Monterey Road to Confusion Corner Intersection subject to the approval of the Florida Department of Transportation.

**SECTION 2:** This Resolution shall become effective upon its adoption.

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

TROY MCDONALD, MAYOR  
BECKY BRUNER, COMMISSIONER  
EULA R. CLARKE, COMMISSIONER  
CHRISTOPHER COLLINS, COMMISSIONER  
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this \_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
MARY R. KINDEL  
CITY CLERK

\_\_\_\_\_  
TROY MCDONALD  
MAYOR

APPROVED AS TO FORM  
AND CORRECTNESS:

\_\_\_\_\_  
MICHAEL J. MORTELL, ESQ.  
CITY ATTORNEY



MATCH LINE A



MATCH LINE B

SE MONTEREY RD.

MATCH LINE B



MATCH LINE C

SE MONTEREY RD. @ SE KINGSWOOD TER.

MATCH LINE C



DATE	2021
DRAWN BY	SET
CHECKED BY	UNT
PROJECT NO.	12020
DATE PLOTTED	06/23/2021
SCALE	AS SHOWN
DATE	06/23/2021

NO.	DATE	BY	REVISIONS

SCALE VERIFICATION  
 1" = 100'  
 ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

2021 CHRISTMAS PARADE  
 TRAFFIC CONTROL  
 MARTIN COUNTY, FLORIDA  
 BARRICADE AND SIGN DETAILS



Joseph W. Capra, P.E.  
 201 NW Highway 17, Suite 100  
 Fort Lauderdale, Florida 33304  
 P.E. No. 37638

JUN 23 2021

JWH-1763.22  
 SHEET  
 4 of 4



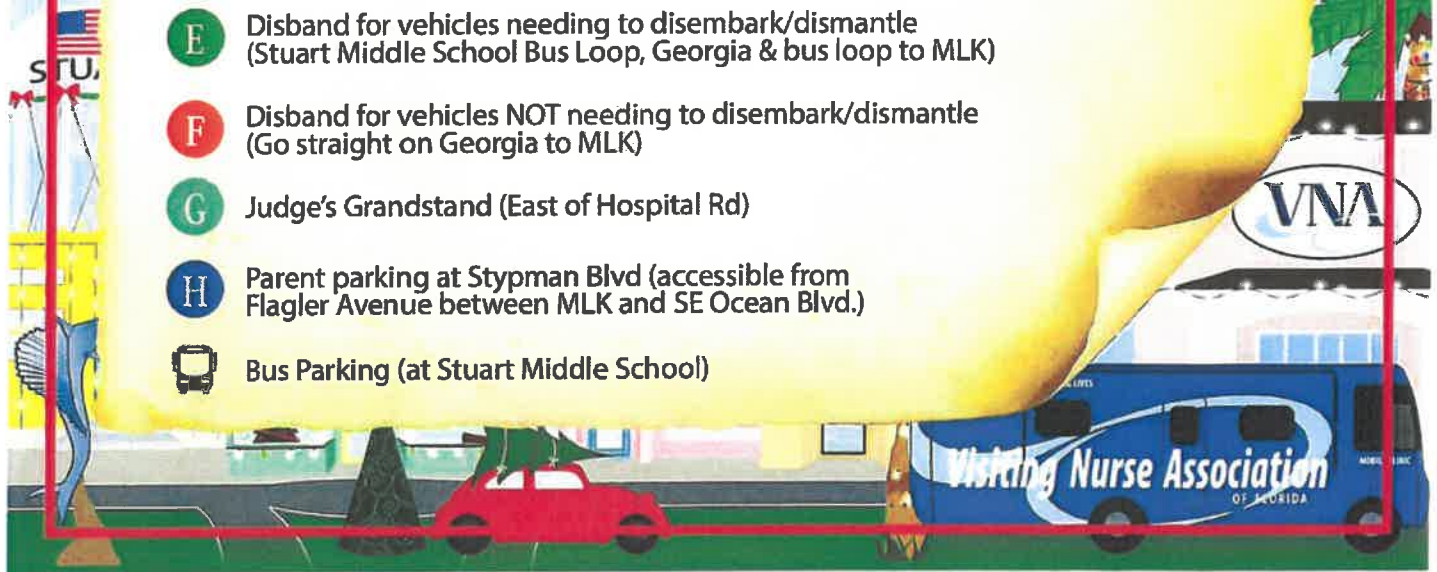
60TH ANNUAL  
**VISITING NURSE ASSOCIATION**  
 PRESENTS *Stuart*  
**CHRISTMAS**  
*Parade*

2021

**STUART**  
**Parade**  
**ROUTE**



- A** Drop off/Line Up for Marchers
- B** Drop off routes to Smithfield Plaza
- C** Vehicle Line Up
- D** Parade Route
- E** Disband for vehicles needing to disembark/dismantle (Stuart Middle School Bus Loop, Georgia & bus loop to MLK)
- F** Disband for vehicles NOT needing to disembark/dismantle (Go straight on Georgia to MLK)
- G** Judge's Grandstand (East of Hospital Rd)
- H** Parent parking at Stypman Blvd (accessible from Flagler Avenue between MLK and SE Ocean Blvd.)
- Bus Parking (at Stuart Middle School)



**CITY OF STUART, FLORIDA  
AGENDA ITEM REQUEST  
City Commission**

**Meeting Date:** 11/2/2022

**Prepared by:** David Dyess

**Title of Item:**

DISCUSS THE TOPICS FROM THE PRESENTATIONS AND DELIBERATE THE POLICIES THAT THE COMMISSION WANT TO SEE IMPLEMENTED.

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

**Funding Source:**

**Recommended Action:**

**ATTACHMENTS:**