



City of Stuart

AGENDA

SPECIAL COMMISSION MEETING OF THE STUART CITY COMMISSION

JANUARY 17, 2023

AT 4:00 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

CITY COMMISSION

Mayor Troy McDonald

Vice Mayor 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

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

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

ORDINANCE SECOND READING

ORDINANCE FIRST READING

1. EAST STUART NEIGHBORHOOD - SMALL-SCALE FUTURE LAND USE MAP AMENDMENT (RC):
(THIS IS A SINGLE READING ITEM)

ORDINANCE No. 2500-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "LOW DENSITY" TO "EAST STUART" FOR 8.60 ACRES OF LAND; "OFFICE-RESIDENTIAL" TO "EAST STUART" FOR 1.93 ACRES OF LAND; "MULTI-FAMILY" TO "EAST STUART" FOR 4.50 ACRES OF LAND; "PUBLIC" TO "EAST STUART" FOR .53 ACRES OF LAND; AND "EAST STUART" TO "PUBLIC" FOR 5.16 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

2. EAST STUART NEIGHBORHOOD - ZONING MAP AMENDMENT (RC):

ORDINANCE No. 2499-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "EAST STUART NEIGHBORHOOD" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

3. EAST STUART NEIGHBORHOOD - LAND DEVELOPMENT CODE AMENDMENT (RC):

ORDINANCE No. 2507-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER III SPECIAL ZONING CODES FOR THE "EAST STUART NEIGHBORHOOD"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

4. THE CREEK DISTRICT - SMALL-SCALE FUTURE LAND USE AMENDMENT (RC):
(THIS IS A SINGLE READING ITEM)

ORDINANCE No. 2502-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND DESIGNATION FROM "COMMERCIAL" TO "DOWNTOWN" FOR 20.07 ACRES OF LAND AND "DOWNTOWN" TO "RECREATION" FOR .25 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

5. THE CREEK DISTRICT - ZONING MAP AMENDMENT (RC):

ORDINANCE No. 2501-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "THE CREEK DISTRICT" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH THE FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

6. THE CREEK DISTRICT - LAND DEVELOPMENT CODE AMENDMENT (RC):

ORDINANCE No. 2498-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER II ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY; CHAPTER III SPECIAL ZONING CODES FOR "THE CREEK DISTRICT"; AND CHAPTER XII DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

DISCUSSION AND DELIBERATION

ADJOURNMENT

CITY OF STUART, FLORIDA

AGENDA ITEM REQUEST

City Commission

Meeting Date: 1/17/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

EAST STUART NEIGHBORHOOD - SMALL-SCALE FUTURE LAND USE MAP AMENDMENT (RC):
(THIS IS A SINGLE READING ITEM)

ORDINANCE No. 2500-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "LOW DENSITY" TO "EAST STUART" FOR 8.60 ACRES OF LAND; "OFFICE-RESIDENTIAL" TO "EAST STUART" FOR 1.93 ACRES OF LAND; "MULTI-FAMILY" TO "EAST STUART" FOR 4.50 ACRES OF LAND; "PUBLIC" TO "EAST STUART" FOR .53 ACRES OF LAND; AND "EAST STUART" TO "PUBLIC" FOR 5.16 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

This is a city-initiated Small-Scale Future Land Use Amendment for the "East Stuart Neighborhood". If adopted, this ordinance will amend the city's Official Future Land Use Map (FLUM) to reflect the following Future Land Use Map changes within the "East Stuart Neighborhood":

- "Low Density" to "East Stuart" for 8.60 acres of land
- "Office-Residential" to "East Stuart" for 1.93 acres of land
- "Multi-Family" to "East Stuart" for 4.50 acres of land
- "Public" to "East Stuart" for .53 acres of land
- "East Stuart" to "Public" for 5.16 acres of land

The Future Land Use Map Amendment is compatible with the surrounding land uses and in compliance with the goals, objectives, and policies of the city's Comprehensive Plan. The proposed future land use map amendment is in compliance with FS 163.3177 and FS 163.3184.

On December 8, 2022, the Local Planning Agency reviewed the request and the board unanimously recommended approval of this ordinance to the City Commission.

ATTACHMENTS:

1. A. Staff Report
2. B. Ordinance No. 2500-2023 FLUM East Stuart and Map Exhibits
3. C. Service Capacity Letters and Analysis
4. D. Public Notification
5. E. Presentation

Funding Source:

N/A

Recommended Action:

Motion to approve Ordinance No. 2500-2023, amending the city's Official Future Land Use Map to include and reflect the changes from "Low Density" to "East Stuart"; "Office-Residential" to "East Stuart"; "Multi-Family" to "East Stuart"; "Public" to "East Stuart"; "East Stuart" to "Public" on certain lands within the "East Stuart Neighborhood".

ATTACHMENTS:

1. Staff Report
2. Ordinance 2500-2023 - FLUM East Stuart and Map Exhibits
3. Service Capacity Letters and Analysis
4. Public Notification - East Stuart
5. Presentation



Staff Report

A. Application

East Stuart Neighborhood Future Land Use Amendment and Rezoning

Applicant	City of Stuart
Property Owner	City of Stuart
Agent for Applicant	Treasure Coast Regional Planning Council
Date of Report	October 27, 2022

B. Executive Summary and Background

Executive Summary

The intent of this application is to change the Future Land Use for certain parcels within the “East Stuart Neighborhood” as follows:

- “Low Density” to “East Stuart” for 8.60 acres of land
- “Office-Residential” to “East Stuart” for 1.93 acres of land
- “Multi-Family” to “East Stuart” for 4.50 acres of land
- “Public” to “East Stuart” for .53 acres of land
- “East Stuart” to “Public” for 5.16 acres of land

This request has a companion item to rezone certain parcels within the neighborhood, which will be consistent with the Future Land Use of either “East Stuart” or “Public”.

C. Site Location and Information

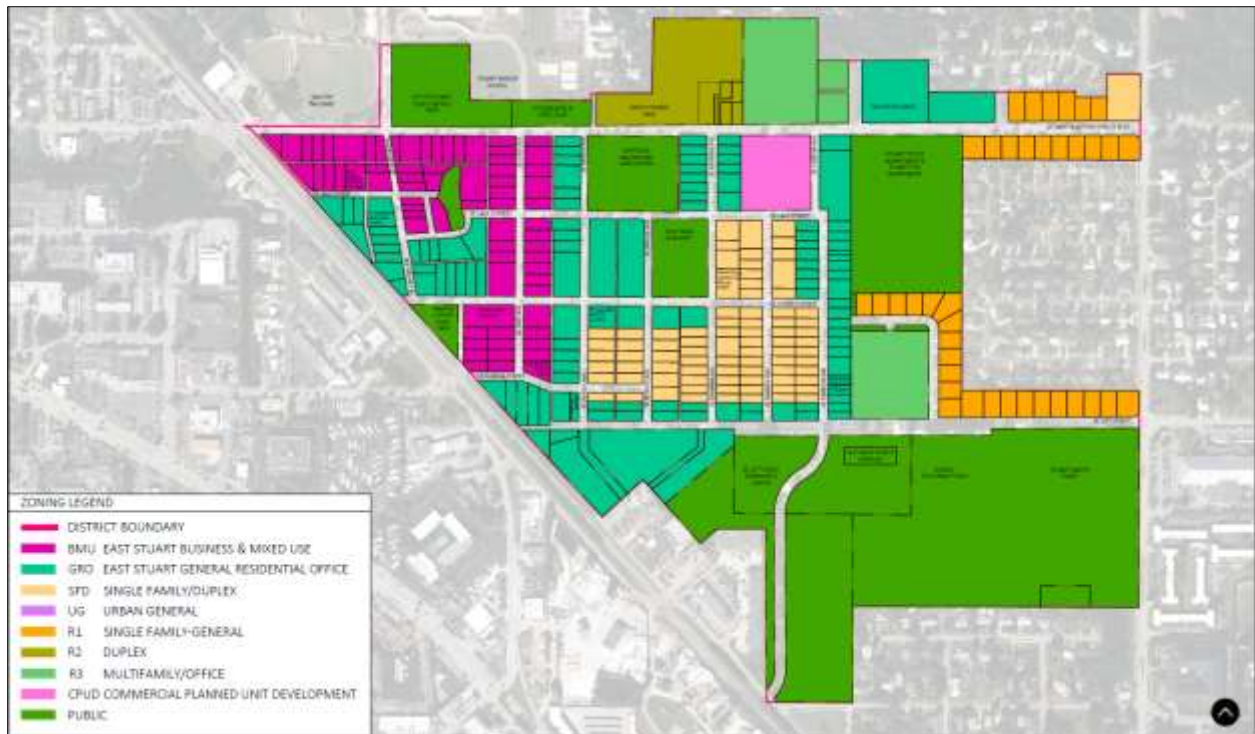
Existing Future Land Use Map



Proposed Future Land Use Map



Existing Zoning Map



Proposed Zoning Map



D. Determination of compliance with Comprehensive Plan

The proposal complies with the following Objectives and Policies of the City of Stuart Comprehensive Plan:

Policy 1.A3.2. The City's Future Land Use Map and land development regulations shall direct development to areas where adequate utilities, services and schools exist or are planned in order to protect natural resources.

Staff Analysis: City Utilities & Engineering Department has drafted a letter stating that water and wastewater plant capacity exists to serve the maximum buildout for the East Stuart Neighborhood and The Creek District. City staff has received a school capacity determination that states, "...the existing school capacities within the North and South CSA's, appears to be able to handle the impacts of the proposed additional residential units."

Policy 1.A7.1. The City of Stuart has designated the following land use categories and allowed uses for all land within the City of Stuart:

East Stuart Neighborhood Land Use Changes - (K) East Stuart District: General uses permitted include low density residential, multi-family residential, office, commercial, recreation and mixed-use projects. Also, public facilities and electric distribution substations are allowed. (F) Public: Public facilities and uses such as schools, government offices, recreation, cellular telephone towers, utilities, historic structures with public or private uses therein, and City sponsored or approved economic development or redevelopment projects. Additionally, uses which are determined to contribute to the overall community welfare such as vending or entertainment uses directly in support of the primary public use associated with a park, plaza, or community center, or City sponsored or approved community festival, fair, concert, parade, exhibition, farmers or craft market, or similar events are allowed. "Public" uses shall include those uses that are permitted in the "Recreation" and "Conservation" land use categories. Also, electric distribution substations are allowed.

Staff Analysis: The property owner will comply with requirements of the future land use designation on the property subject to the adoption of the land use change.

Objective 1.B1. - Compact Urban Form: Discourage urban sprawl by facilitating urban redevelopment and infill development of properties and planning for urban infill and redevelopment of lands located within Stuart in order to achieve a compact urban form.

Staff Analysis: This study areas are in close proximity to downtown Stuart, thus providing a mixed-use option close to the urban core of the city aids in the discouragement of urban sprawl and helps to achieve a compact urban form.

Policy 1.B3.2. All development shall be compatible with and complementary to surrounding land uses and shall not unduly affect existing approved activities.

*Staff Analysis: **East Stuart Neighborhood** - The study area is surrounded on the north by public uses and residential, west boundaries by the railroad track, and residential to the south and east. Thus, the future land use is compatible with and complementary to the surrounding land uses.*

E. Service Capacity

Maximum Buildout Analysis

Comprehensive Plan: Element 1, Table of Land Use Densities and Intensities

FLU		Residential		
		<i>General</i>	<i>Not ALF</i>	<i>ALF</i>
	<i>In/Out CRA</i>		<i>UPUD, RPUD, or Major UCE</i>	
Low Density (existing)	NA	8.72 du/ac for SF units to 11.62 du/ac for duplex units	8.72 du/ac for SF units to 11.62 du/ac for duplex units	None
Office Residential (existing)	In	15 du/ac	30 du/ac	None
Multi Family (existing)	In	15 du/ac	30 du/ac	None
Public (existing)	NA	None	None	None
East Stuart (proposed)	NA	<17 du/ac	<30 du/ac	<30 du/ac
Public (proposed)	NA	None	None	None

Gross Site Area:

Low Density to East Stuart – 8.60 Acres
Office/Residential to East Stuart – 1.93 Acres
Multi Family to East Stuart – 4.50 Acres
Public to East Stuart – 0.53 Acres
East Stuart to Public – 5.16 Acres

Maximum Buildout for Future Land Use Map (FLUM) Changes:

The difference between existing Future Land Use and the proposed is 20 density units

<i>Existing FLU</i>	<i>Proposed FLU</i>	<i>Existing Units</i>	<i>Proposed Units</i>
Low Density	East Stuart	99 units	258 units
Office Residential	East Stuart	57 units	57 units
Multi Family	East Stuart	135 units	135 units
Public	East Stuart	0 units	15 units
East Stuart	Public	154 units	0 units

Level of Service Capacity Letters

On September 12, 2022, the Martin County School District issued a letter stating that sufficient school capacity exists to serve the proposed Land Use Map change in residential dwelling units to meet the school concurrency requirements under Florida Statute 163.3180.

On September 6, 2022, the Utilities & Engineering Department issued a letter stating that the City of Stuart has water and wastewater plant capacity to serve the maximum buildout for the East Neighborhood and The Creek District.

On August 31, 2022, the Police Department issued a letter stating that the City of Stuart Police Department can serve the proposed maximum buildout of Future Land Use Map amendment and will not negatively affect the level of service the Stuart Police Department offers to the City of Stuart.

On August 11, 2022, the Fire Rescue Department stated that the City of Stuart Fire Rescue can serve the proposed maximum buildout of Future Land Use Map amendment and can be served without any negative impacts to levels of service at this time.

E. Conclusion

City staff and the City's consultants have determined that the proposed amendment of the Future Land Use Map and Zoning Map meets the requirements of the City of Stuart Comprehensive Plan. The Future Land Use Map Amendment and Rezoning is compatible with the surrounding land uses and in compliance with the goals, objectives, and policies of the city's Comprehensive Plan.



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

ORDINANCE NUMBER 2500-2023

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "LOW DENSITY" TO "EAST STUART" FOR 8.60 ACRES OF LAND; "OFFICE-RESIDENTIAL" TO "EAST STUART" FOR 1.93 ACRES OF LAND; "MULTI-FAMILY" TO "EAST STUART" FOR 4.50 ACRES OF LAND; "PUBLIC" TO "EAST STUART" FOR .53 ACRES OF LAND; AND "EAST STUART" TO "PUBLIC" FOR 5.16 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, on December 11, 1989, the City of Stuart City Commission adopted Ordinance Number 1174-89, adopting a comprehensive growth management plan as mandated by the local government comprehensive planning and land development regulation act, Chapter 163, Part II, Florida State Statutes, also known as the City of Stuart Comprehensive Plan; and

WHEREAS, the City Commission, has considered the city-initiated request for land use map changes; and

WHEREAS, on December 8, 2022, the Local Planning Agency held duly noticed public hearing to consider this ordinance; and

WHEREAS, the City Commission held duly noticed public hearing on January 17, 2023 to consider this ordinance; and

WHEREAS, the City Commission has determined the need to change the Future Land Use for said lands; and

WHEREAS, the City Commission has reviewed the criteria set forth in Florida Statute 163.3177 and has evaluated the data testimony, evidence, public comments, and totality of the circumstances. The City Commission has determined which data is professionally acceptable and has reacted accordingly. Pursuant to the data available at the time, the Commission has found that the character of the land is appropriate and that adequate public facilities exist to support the land use.

WHEREAS, the City Commission finds that the Future Land Use Map amendment is compatible with the surrounding land uses and in compliance with the city's Comprehensive Plan.

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

SECTION 1: Attached hereto as **Exhibit "A"** is a map depicting the following land use map changes:

- a. **"LOW DENSITY" TO "EAST STUART" FOR 8.60 ACRES OF LAND**
- b. **"OFFICE-RESIDENTIAL" TO "EAST STUART" FOR 1.93 ACRES OF LAND**
- c. **"MULTI-FAMILY" TO "EAST STUART" FOR 4.50 ACRES OF LAND**
- d. **"PUBLIC" TO "EAST STUART" FOR .53 ACRES OF LAND**
- e. **"EAST STUART" TO "PUBLIC" FOR 5.16 ACRES OF LAND**

SECTION 2: The City Commission hereby amends the city's Official Future Land Use Map to include and reflect those changes as shown in **Exhibit "B"**.

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

SECTION 4: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5: This ordinance shall take effect upon adoption.

PASSED AND ADOPTED the ____ day of _____, 2023.

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

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

YES	NO	ABSENT	ABSTAIN

ATTEST:

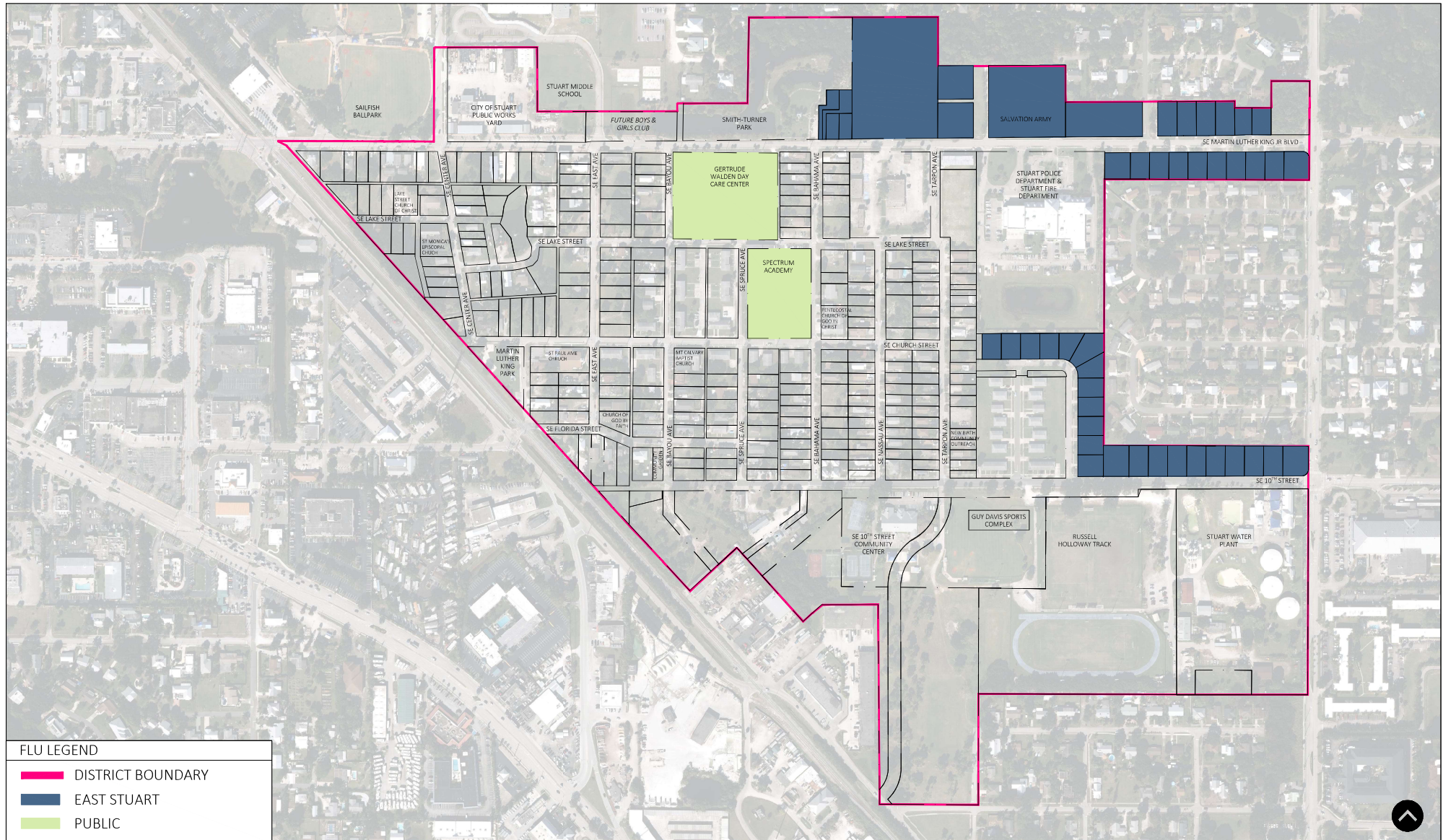
MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

EXHIBIT "A"

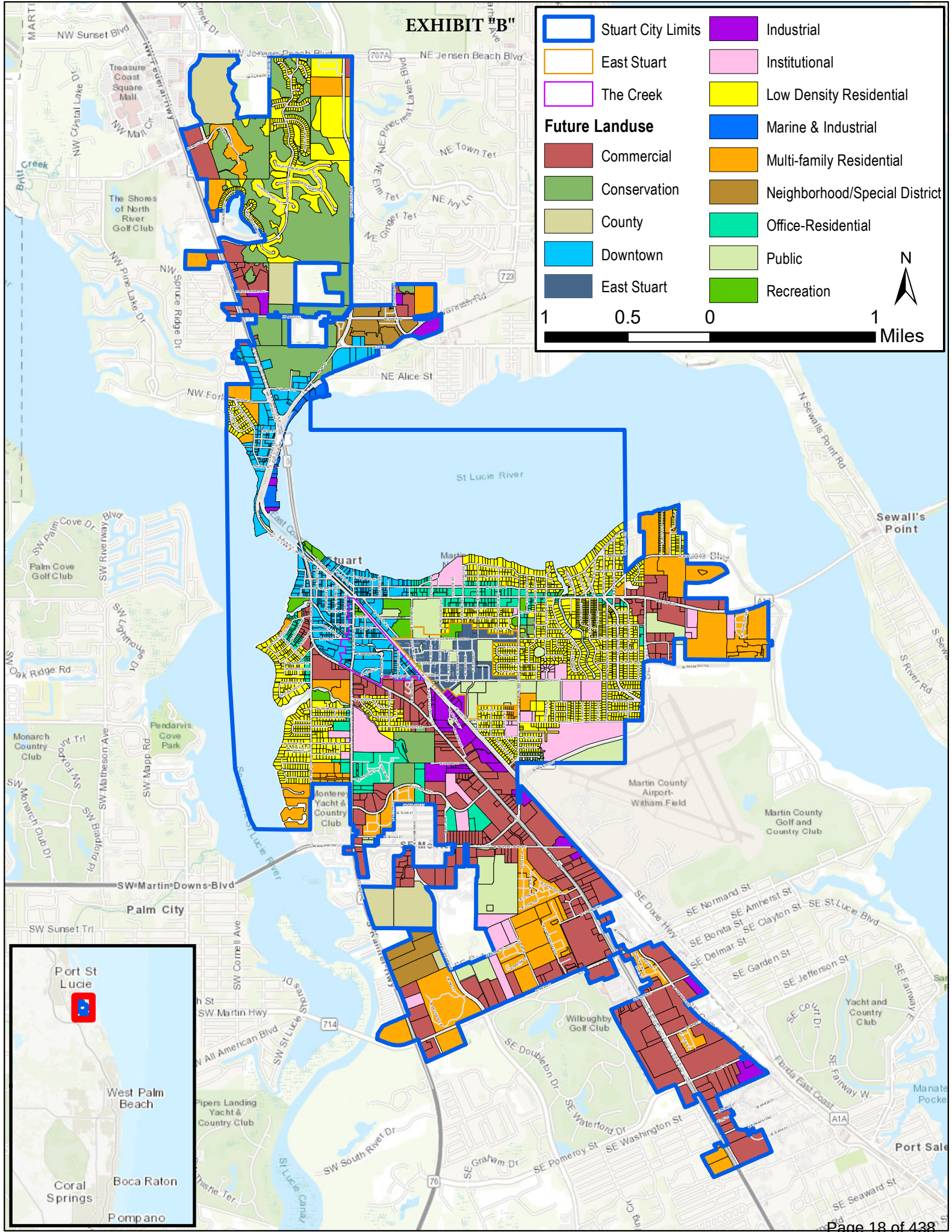
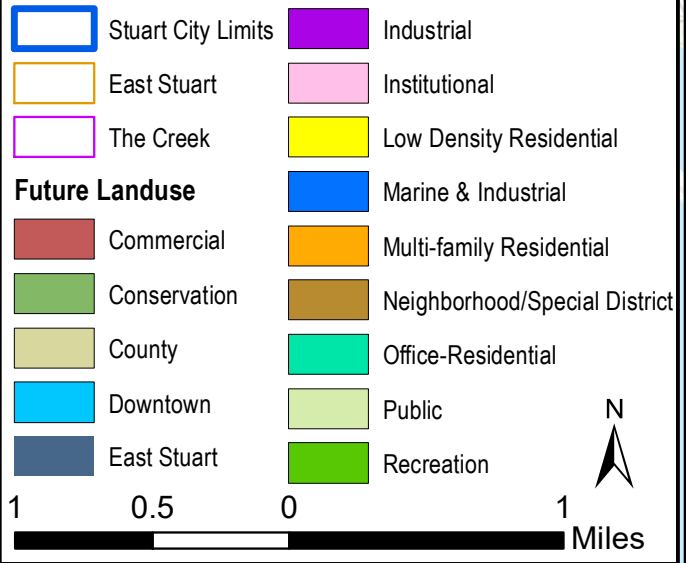


EAST STUART Community Redevelopment Area

PROPOSED FUTURE LAND USE MAP PARCELS WITH PROPOSED CHANGE ONLY

10/19/2022

EXHIBIT "B"





City of Stuart Fire Rescue

800 SE Martin Luther King Blvd, Stuart, FL 34994

Vincent Felicione, Fire Chief, CFEI, CVFI

vfelicione@ci.stuart.fl.us

772-600-1287

ISO CLASS 1 DEPARTMENT

August 11, 2022

Pinal Gandhi-Savdas
City of Stuart CRA Director
121 SW Flagler Ave
Stuart, FL 34994

Re: East Stuart and Creek District future land use

Ms. Gandhi-Savdas,

The City of Stuart has sufficient Fire Rescue capacity to serve the proposed land use changes and any net increase in residential and non-residential uses in both areas, without any negative impact to levels of service. This is with the understanding that development review of actual projects changes the realistic build out and Fire Rescue reserves the right to further address at that time.

This letter should not be construed as a commitment on behalf of the City to provide such additional service to the property until such time final design plans have been reviewed and approved.

Please contact me with any questions,

Respectfully,

Vince Felicione
Fire Chief



STUART POLICE DEPARTMENT

Joseph Tumminelli, Chief of Police
830 SE Martin L. King Blvd. Stuart, FL 34994
Telephone 772-287-1122 Fax 772-220-5986

We are S.P.D.!

Selfless ♦ Proud ♦ Dedicated

August 31, 2022

Pinal Gandhi-Savdas
City of Stuart CRA Director
121 SW FL Flagler 34994 Ave

Re: East Stuart and Creek District Future Land Use

Ms. Gandhi-Savdas,

The proposed maximum buildout of the proposed Future Land Use Map Amendment has been considered. At the present time we have sufficient capacity. However, we understand this could change during site planning and we will need to fully assess the impact of the actual buildout of the site based on Land Development Code constraints at the time of approval.

This letter should not be construed as a commitment on behalf of the City to provide such additional service to the property until such time final design plans have been reviewed and approved.

Respectfully,

Heather Rothe
Support Division Commander



City of Stuart

Tim Voelker P.E. | Utilities & Engineering Director
121 SW Flagler Ave. Stuart FL 34994
Phone: 772.288-5332

September 6, 2022

Pinal Gandhi-Savdas | Executive Director
Community Redevelopment Agency
121 SW Flagler Avenue
Stuart, Florida 34994

Re: Development Dept./CRA Future Land Use Map Changes
(East Stuart District, Creek District)

Dear Ms. Gandhi-Savdas:

The City of Stuart has sufficient water and wastewater plant capacity to serve the maximum buildout for the East Stuart and the Creek Districts in Stuart, Florida.

This letter should not be construed as a commitment on behalf of the City to provide water and sewer service to the property until such time final design plans have been approved and all water and sewer availability fees have been paid.

Should you have any questions or require any additional information please contact Marc Rogolino at (772) 221-4700.

Sincerely,
City of Stuart

Tim Voelker, P.E.
Utilities & Engineering Director

cc: M. Rogolino, Capital Projects



THE SCHOOL BOARD OF MARTIN COUNTY, FLORIDA

1939 NE Federal Hwy. • Stuart, Florida 34994 • Telephone (772) 219-1200



Pinal Gandhi-Savdas, Executive Director
Community Redevelopment Agency
City of Stuart
121 SW Flagler Ave,
Stuart, Florida 34994

9/12/2022

RE: Code Amendments to FLUM/Density for Creek District & East Stuart - Prelim MCSD review

We have performed a preliminary review of the proposed Future Land Use Map changes and affects to density as requested. With these new amendments, the Creek District will have a net increase of 138 residential units and the East Stuart will net increase by 369 students within the boundary lines indicated. This would be an overall increase of 507 net units, affecting both the North & Stuart Concurrency Service Areas (CSA's)

Our current Student Generation Rate (SGR) is .1987 per unit which yields an estimated 100 students for these areas. Below is the general service review of the impacted schools:

Generation Calculation:

Residential Unit addition	100
Current Student Generation Rate	.1987
Elementary	44
Middle	24
High	32
Total Forecasted	100

School Zone Enrollment & Permanent Capacity:

CSA	2022-2023 August 11 day Enrollment Count	2024-2025 COFTE Projected Enrollment	2024-2025 Perm. FISH Capacity	2024-2025 Concurrency LOS
Stuart Zone – Elementary (Pinewood, JD Parker -Z, Port Salerno)	1955	1969	2328	2203
Stuart Zone – Middle Stuart Middle	871	826	1170	1314
North Zone – High School Jensen Beach High	1586	1548	1554	1914

Note: Current Enrollment reported from FOCUS, Projections from MCSD Concurrency database

District Summary noted on next page.

Dr. John Millay, Superintendent

School Board Members: Victoria Defenthaler • Michael DiTerlizzi • Anthony Anderson • Marsha Powers • Christia Li Roberts

"An Equal Opportunity Agency"

District Staff Analysis:

The existing school capacities within the North and Stuart CSA's, appears to be able to handle the impacts of the proposed additional residential units.

As always, concurrency data analysis is based on timing of the submittals and intended build-out. Although we understand the changes proposed may not occur for several years out, we emphasize the comments are based on 2022 current enrollment and outlook.

We appreciate the opportunity to provide comments regarding this proposed Flu Map/Density changes, and hope the School District will have the ability to provide input as proposed projects submittals come in for these areas.

We look forward to a continued collaborative effort with the City and Redevelopment team.

Sincerely,

Kimberly Everman
Capital Projects/Planning Specialist
Martin County School District
772-219-1200 x30220

cc: Mark Sechrist - MCSD

Dr. John Millay, Superintendent

School Board Members: Victoria Defenthaler • Michael DiTerlizzi • Anthony Anderson • Marsha Powers • Christia Li Roberts

"An Equal Opportunity Agency"

December 1, 2022

City of Stuart
121 SW Flagler Avenue
Stuart, FL 34994
772-215-9602

Reference: **East Stuart District Future Land Use Amendment
Environmental Assessment**
Stuart, Martin County, FL

Dear City of Stuart,

EDC, Inc. (EDC) has completed this Environmental Assessment (EA) for the above referenced properties within the proposed East Stuart District. The purpose of this evaluation was to conduct a review by means of a site visit, review of available aerial photography, listed species review, review of soil resources, and review of environmental regulations pertaining to this parcel. Further, City of Stuart land development regulations were considered in the formulation of this report as was Florida Statutes Chapter 163 Sections 3177 and 3184.

Please contact the undersigned if you have any questions regarding this report.

Respectfully submitted,
EDC, Inc.



Tobin R. Overdorf, MS, MBA
Vice President



**East Stuart District
ENVIRONMENTAL ASSESSMENT**

East Stuart
Stuart, Martin County, FL

Date: December 1, 2022
Project # 19-499

Prepared For:
City of Stuart
121 SW Flagler Avenue
Stuart, FL 34994
772-215-9602

Prepared By:
EDC, Inc.
10250 SW Village Parkway
Port St Lucie, Florida 34987
(772) 223-5200

Although the proposed East Stuart District boundary includes approximately 152 acres, EDC evaluated forty-six (46) tax parcels comprised of 18.38 acres. The parcels noted are identified on the attached figures as well as the proposed future land use map provided to EDC by the City of Stuart. The parcels are located northeast of SE Dixie Highway, and bound by SE Palm Beach Road to the west. According to the City of Stuart Development Web Map, the subject property consists of the following Land Use(s): Public, R-1 Single Family General, B-2 GRO: East Stuart General Residential and Office, R-3 Multi-family and office, and R-2 Duplex.

This environmental assessment was completed as a precursor to the modification of the current land use on the parcels. Furthermore, the review is conducted in compliance with Florida Statutes Chapter 163 Sections 3177 and 3184. EDC, Inc. staff visited the property on November 10, 2022 in order to ascertain the status and composition of any critical habitats, such as wetlands and native uplands that may or may not be on the properties.

VEGETATION:

It is the opinion of EDC that there is no native upland habitat associations located within the parcels investigated as part of the East Stuart District proposed future land use amendment. The habitat consisted of the following FLUCCS (Florida Land Use & Cover Classification System) code; 18225 – Institutional; this is defined as: educational, religious, health and military facilities are typical components of this category. Included within a particular institutional unit are all buildings, grounds and parking lots that compose the facility. Those areas not specifically related to the purposes of the institution should be excluded. 18221 – Residential, Med-Density 2-5 units per-acre; this is defined as: Rural and recreational types of subdivisions will be included in the Residential category since this land is almost entirely committed to residential use even though forest or open areas may be present also. The following vegetation was observed within the areas investigated. However, the vegetative associations did not comprise a cohesive habitat.

Common Name	Species Name
Saw Palmetto	<i>Serenoa repens</i>
Wax Myrtle	<i>Myrica cerifera</i>
Slash Pine	<i>Pinus elliotii var. densa</i>
Live Oak	<i>Quercus virginiana</i>
Gallberry	<i>Ilex glabra</i>
Grapevine	<i>Vitis rotundifolia*</i>
Umbrella Tree**	<i>Schefflera actinophylla</i>
Bahia Grass**	<i>Paspalum notatum</i>

*Nuisance Vegetation

**Exotic/Invasive Vegetation

Table 1: This table lists a representative sample of vegetative species observed during the site visit.

WETLAND DELINEATION:

According to aerial photographs and site visit, it appears that there are no State jurisdictional wetlands within the area investigated. Based on the State definition, a wetland consists of three components: 1) hydric soils, 2) wetland plants, and 3) hydrologic indicators. None of these components were found during the field reconnaissance on the property. It should be noted there are “other surface waters” (OSW), or man made water bodies within the boundary of the East Stuart District, but neither wetlands nor OSW’s were observed within the 46 tax parcels.

Please refer to the attached Florida Land Use and Cover Classification System (FLUCCS) map for the approximate location of the habitat(s) identified onsite.

WILDLIFE EVALUATION:

EDC, Inc. conducted a pedestrian survey throughout the property to investigate for the presence of any plant or animal listed species. No evidence of gopher tortoise (*Gopherus polyphemus*) presence (scat or tracks) or their burrows were observed at the time of the site visit. No other state/federally listed plant or animal species were observed on site.

SOIL COMPOSITION:

Based on a review of the U.S. Department of Agriculture (USDA) Web Soil Survey, the site is composed of:

Arents, 0 to 2 percent slopes- Arents are nearly level and ranges from somewhat poorly drained to moderately well drained. The soil consists of fill material that were excavated and spread over the surface of wet mineral soils. The mixed fill layer is typically 20 to 50 inches thick. The water table is below a depth of 30 inches for most of the year. Organic matter and thus the agricultural potential for this soil is low.

Jonathan sand, 0 to 5 percent slopes- This soil is a nearly level to gently sloping, moderately drained soil in elevated ridges in the flatwoods. It is often located within the eastern portion of Martin County. The water table is typically at a depth of 40 to 60 inches for 1 to 4 months during wet seasons, and below a depth of 60 inches for most of the rest of the year. The surface layer is typically dark gray sand about 5 inches thick. Natural vegetation includes slash pine, saw palmetto, scrub oak, gallberry, fetterbush, running oak, gopher apple, grass leaf, gold astor, cacti and scattered sprigs of pineland threeawn and other grasses. This soil is not suitable for cultivated crops due to the droughtiness and sandy texture. The soil is suitable to citrus and low for the commercial production of pine trees.

Paola and St. Lucie Sands, 8 to 20 percent slopes- This deep, strongly sloping to moderately steep sandy soil is excessively drained and found on the coastal ridge. Typically the surface layer is gray sand about 3 inches thick. Underlying this is white sand to a depth of 80 inches or more. The water table is below a depth of 72 inches at all times. Natural vegetation includes sand pine, scrub oak, with an understory of saw palmetto, rosemary, deer moss, lichens, cacti and pineland threeawn grass. This soil is not suited to cultivated crops, citrus or improved pasture due to the low natural fertility, droughtiness and moderately steep slopes.

Pomello sand- This nearly level to gently sloping soil is moderately well drained. The surficial layer is gray sand about 3 inches thick. The water table is at a depth of 24 to 40 inches for about 2 to 4 months during the wet season. Improved pasture grasses are fairly well suited for this soil type.

The Pomello series consists of deep, moderately well drained, moderately rapidly permeable soils that formed in thick deposits of sand marine sediment. These sandy and siliceous soils are found on low ridges and knolls in the flatwoods. The surficial layer is dark gray fine sand about 3 inches thick. The water table is at a depth of 30 to 40 inches for 1 to 4 months during the wet season and at a depth of 40 to 60 inches in the drier season. Natural vegetation includes slash pine, varieties of scrub oak, saw palmetto, fetterbush, running oak pineland threeawn and other grasses. This soil is not suited to cultivated crops. This soil type is fairly well suited to improved pasture grasses.

St. Lucie-Paola Urban Land complex- consists of small areas of nearly level to sloping, excessively drained St. Lucie-Paola sands and urban land that are so intermingled they could not be separated at the scale used in mapping. Areas of the complex are rectangular or elongated and range from 10 to 160 acres. The St. Lucie and Paola soils make up about 45-60 percent of this complex. Typically, the surface layer is gray sand about 3 inches thick. Urban land makes up about 25-35 percent of this complex and is occupied by shopping centers, parking lots, sidewalks, streets, houses, etc. The water table is below a depth of 72 inches at all times. Natural vegetation includes sand pine, scrub oak, with an understory of saw palmetto, rosemary, deer moss, lichens, cacti and pineland threeawn grass. This soil is not suited to cultivated crops, citrus or improved pasture due to the low natural fertility, droughtiness and moderately steep slopes.

Urban land- This miscellaneous area is where the natural soil cannot be readily observed. The soils have been generally altered by grading and shaping, or have been covered with 5 to 12 inches of sandy fill material.

Waveland sand- This is a nearly level, poorly drained soil found in broad open areas of the flatwoods. The natural vegetation associated with this soil type is slash pine and an understory of saw palmetto, gallberry, fetterbush, running oak, and dwarf huckleberry. Grasses are pineland threeawn, bluestem and panicum. Typically, the surface layer is dark gray sand with a light gray and grayish brown subsurface layer. Under natural conditions, this soil is not suited to cultivate crops or for pasture because of ponding. However, if intensive management, soil improving measures and a good water control system are implemented, the soil is suitable for vegetable crops and pasture.

SITE HISTORY:

EDC reviewed aerial images provided by the Martin County Property Appraiser and Google Earth to obtain further information on the history of the subject property. According to aerial images, the majority of development occurred between 1970 and 1995. Continued development can be observed intermittently until present day.

CITY OF STUART REGULATIONS:

The following lists the City of Stuart Land Development Codes (LDC) as they pertain to the subject property. As part of the local approval process, the applicant will be required to comply with the below items.

Section 5.05.02: *Specimen trees located within the development site shall be protected or replaced. No specimen tree shall be removed without a tree removal permit. Specimen tree refers to a slash pine with a DBH of ten inches, any tree listed on the City of Stuart tree list which has achieved a DBH of 4.5 inches, or any tree listed on the City of Stuart flowering tree list which has achieved a DBH of 6 inches.*

Specimen trees were observed onsite. If specimen trees are to be removed, relocated, or replaced, a tree removal permit will be required. Several options are available to preserve and/or mitigate for the impact of specimen trees located within the development site. A tree survey will be necessary to locate all specimen trees in order to provide the site development plan and associated tree mitigation plan as required by the City of Stuart Land Development Code.

SUMMARY:

According to the Martin County Property Appraiser and the previously provided City of Stuart Future Land Use Map, the subject properties consist of forty-six (46) tax parcels comprised of

18.38 acres. The parcels are located northeast of SE Dixie Highway, and bound by SE Palm Beach Road to the west. According to the City of Stuart Development Web Map, the subject properties consist of the following Land Use(s): Public, R-1 Single Family General, B-2 GRO: East Stuart General Residential and Office, R-3 multi-family and office, and R-2 Duplex.

According to the City of Stuart Land Development Code (LDC), lands less than one acre do not require the establishment of a preserve area for native upland habitat. Several of the parcels investigated are less than one acre. However, the subject properties do contain specimen trees of which the City of Stuart does require the protection of on any lands located within the city. There are several options available for the preservation and/or mitigation of impacted specimen trees located within the development site. A tree survey will be necessary to locate all specimen trees in order to provide the optimal site development plan.

No evidence of gopher tortoise (*Gopherus polyphemus*) presence (scat or tracks) or their burrows were observed at the time of the site visit. No other state/federally listed plant or animal species were observed on site.

Based on the above and the attached, the proposed East Stuart Future Land Use modification will not have a deleterious effect on the natural environment within the City of Stuart.

Environmental Assessment

East Stuart – Community Redevelopment

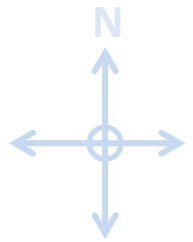
Stuart, FL

Location Map

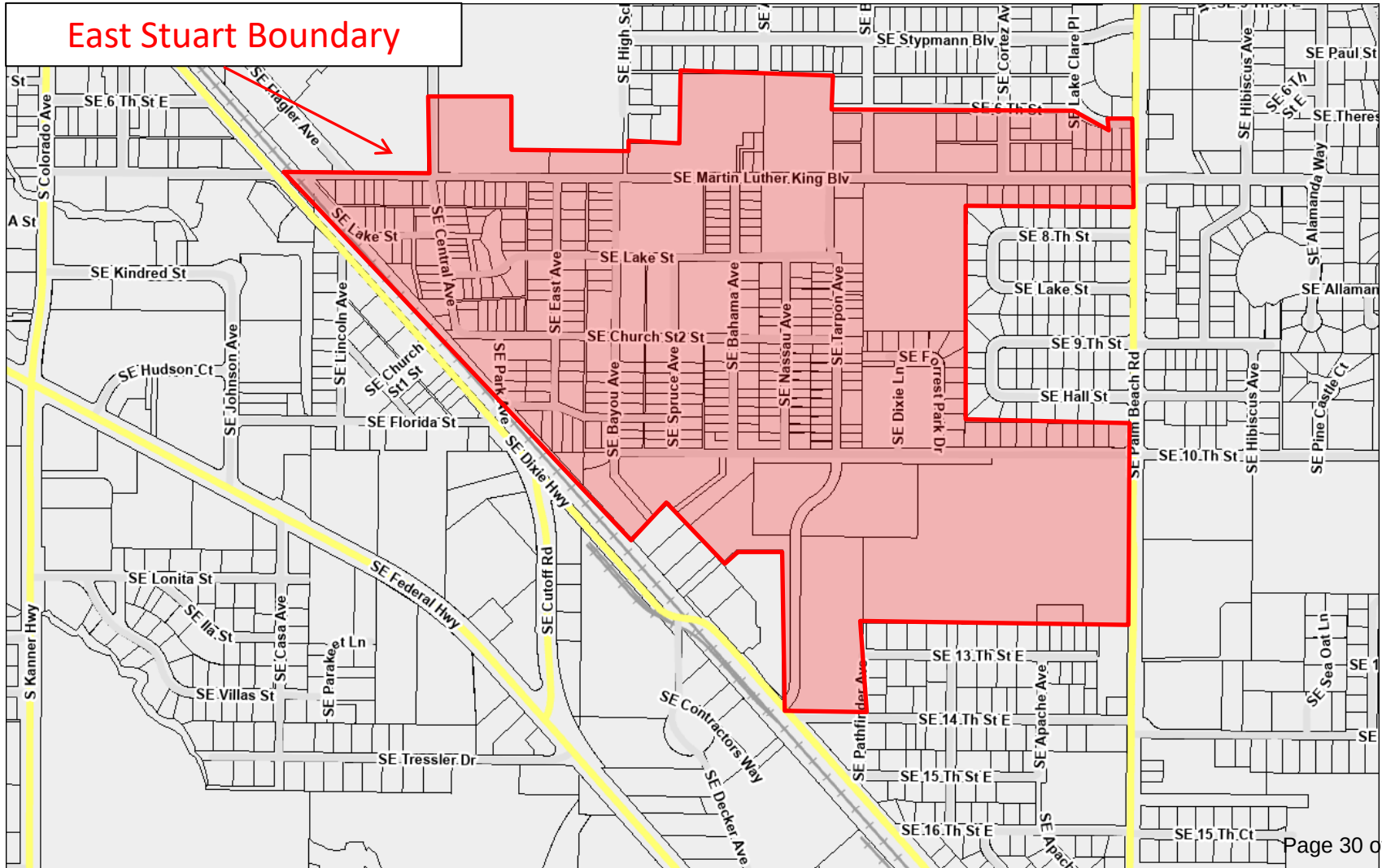
Project: 19-499

City of Stuart

11/12/2022



East Stuart Boundary

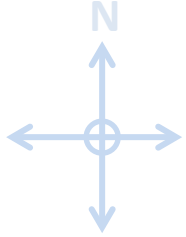


Environmental Assessment

East Stuart – Community Redevelopment

Stuart, FL

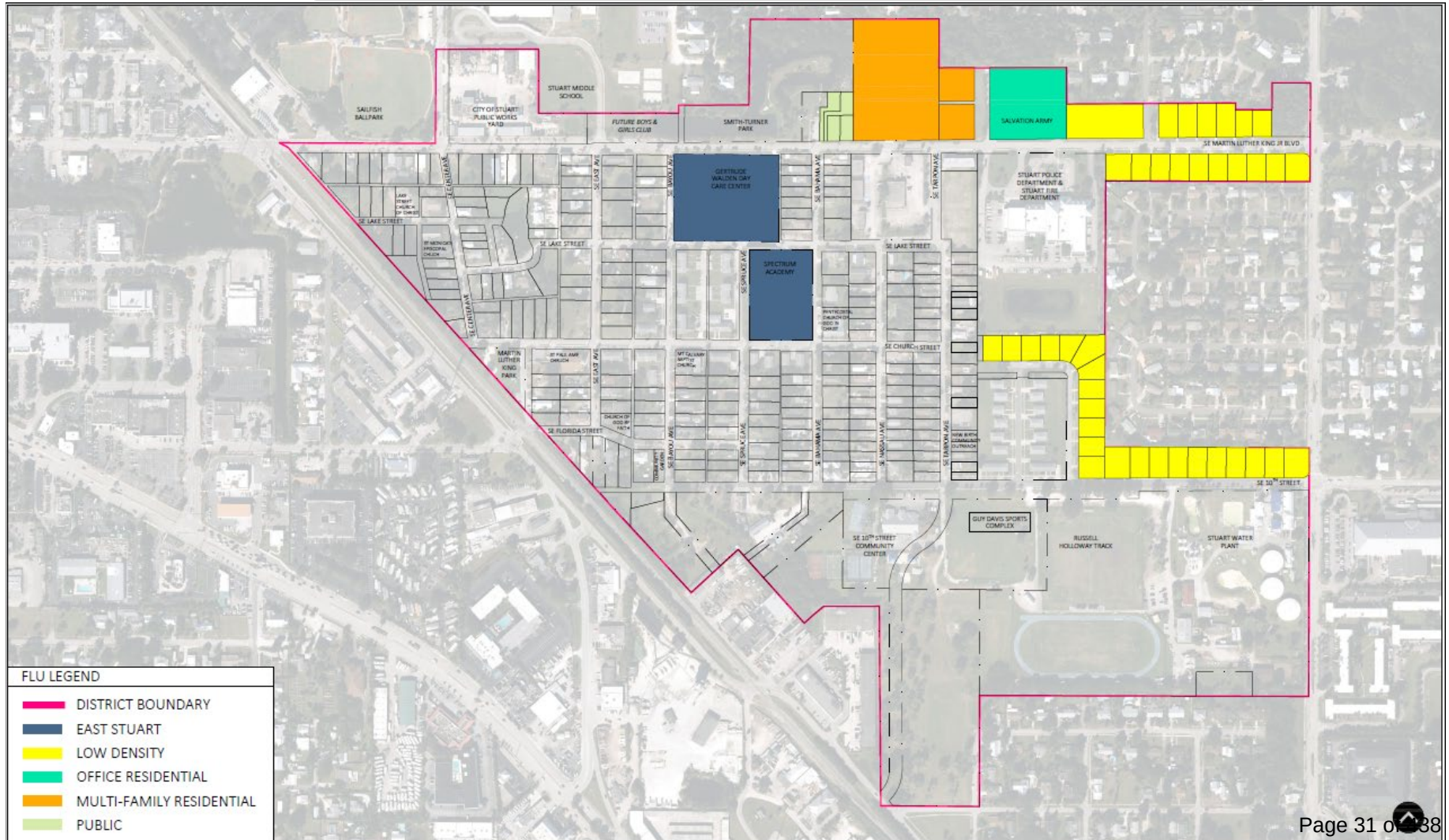
Current Land Use Map



Project: 19-499

City of Stuart

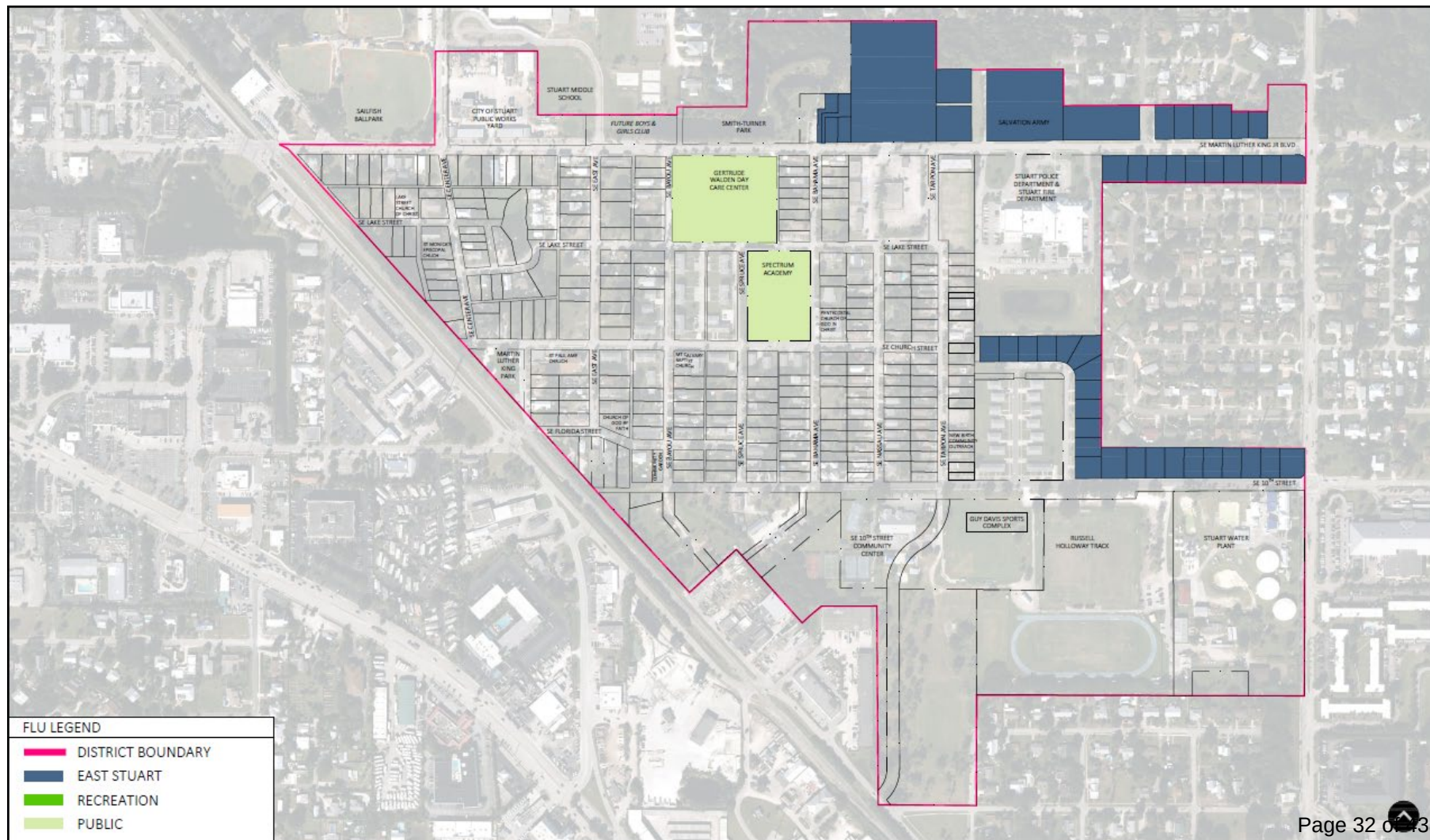
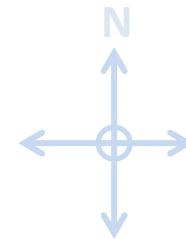
11/12/2022





Proposed Future Land Use Map

11/12/2022





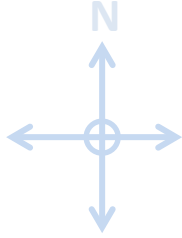
ENGINEERS • SURVEYORS • ENVIRONMENTAL

Environmental Assessment

East Stuart – Community Redevelopment

Stuart, FL

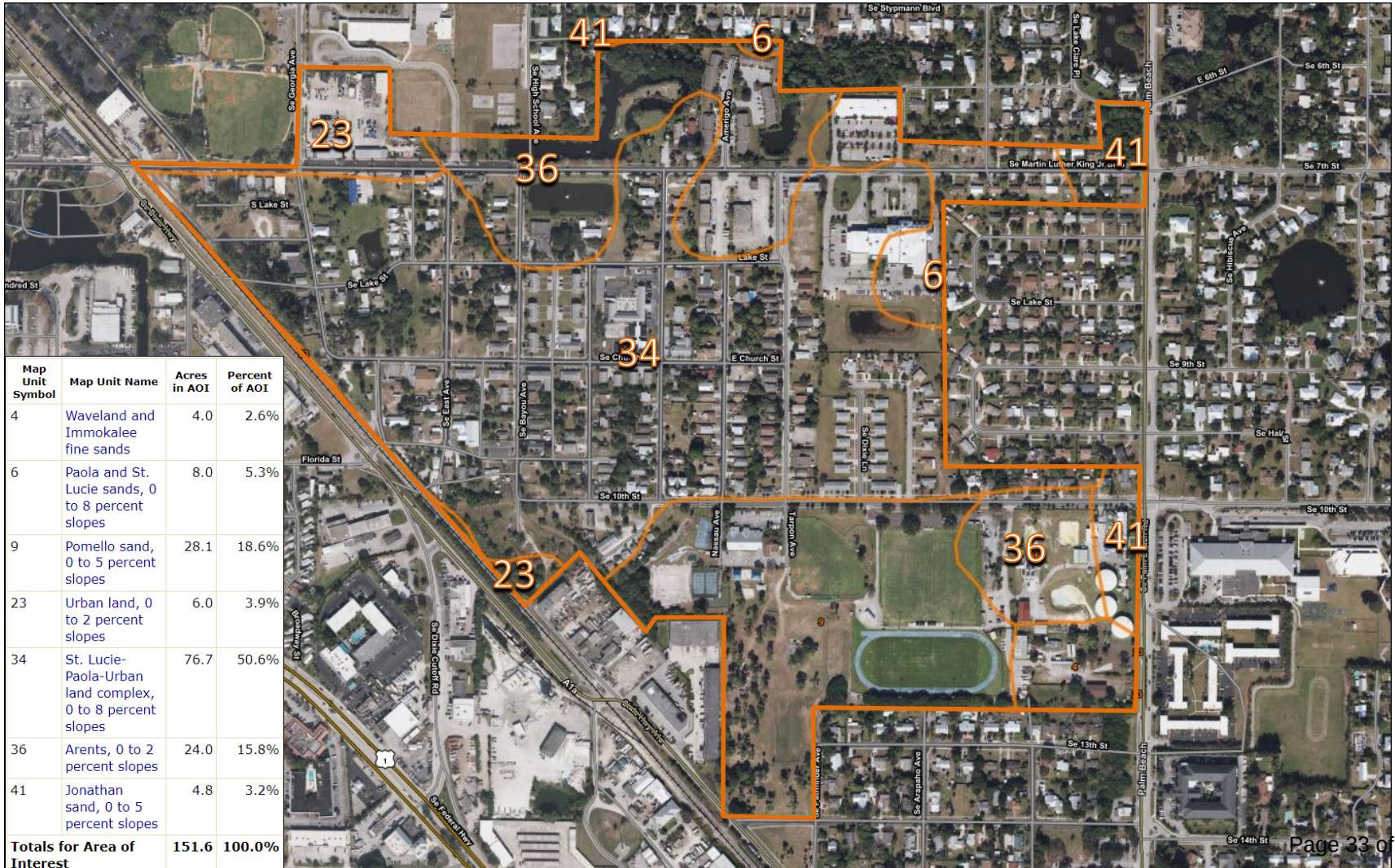
Soil Map



Project: 19-499

City of Stuart

11/12/2022



Environmental Assessment

East Stuart – Community Redevelopment

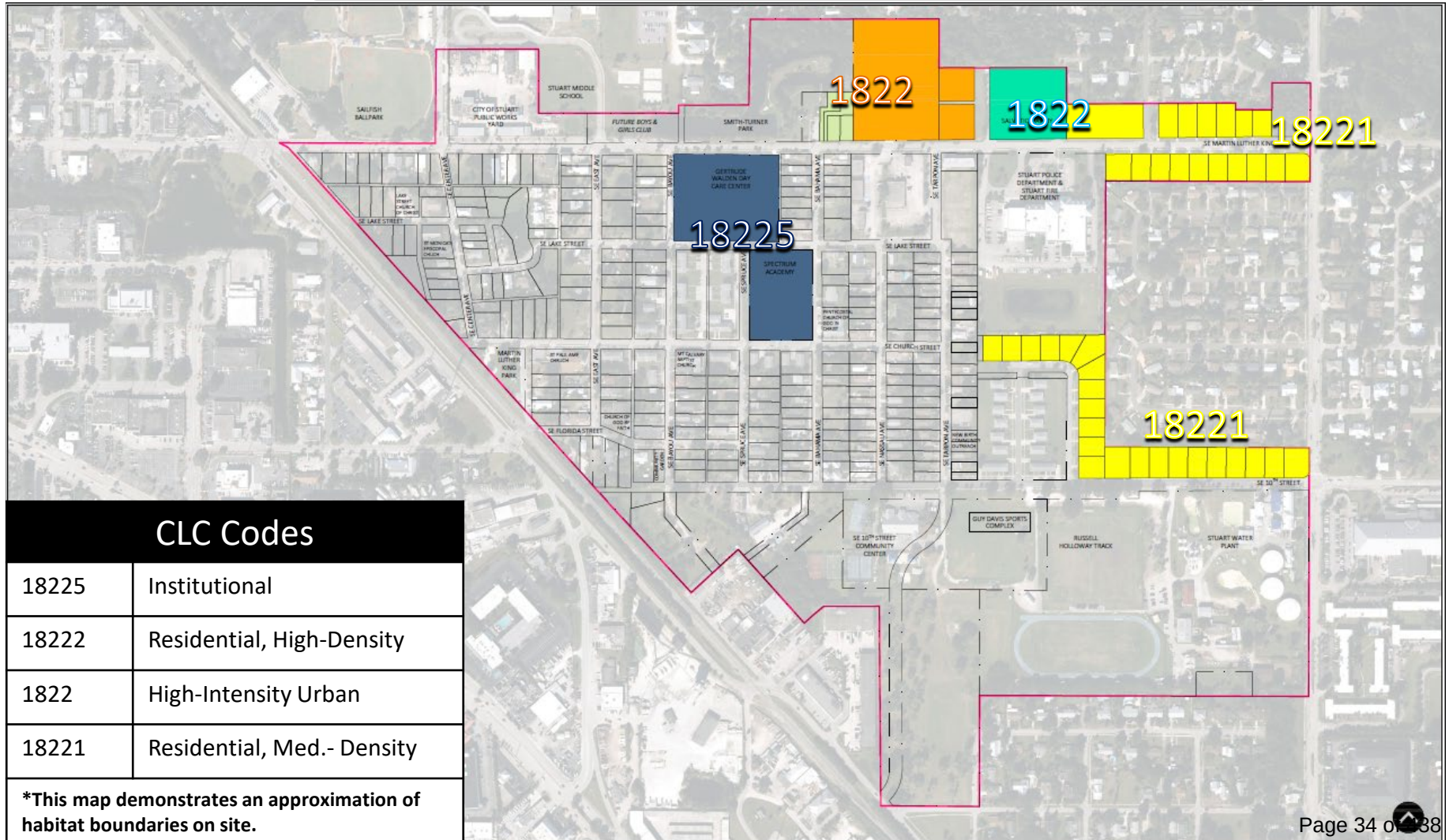
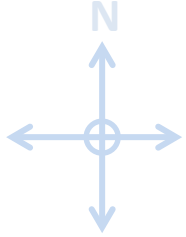
Stuart, FL

Florida Land Use, Cover and Forms Classification System (FLUCCS) Map

Project: 19-499

City of Stuart

11/12/2022



Environmental Assessment

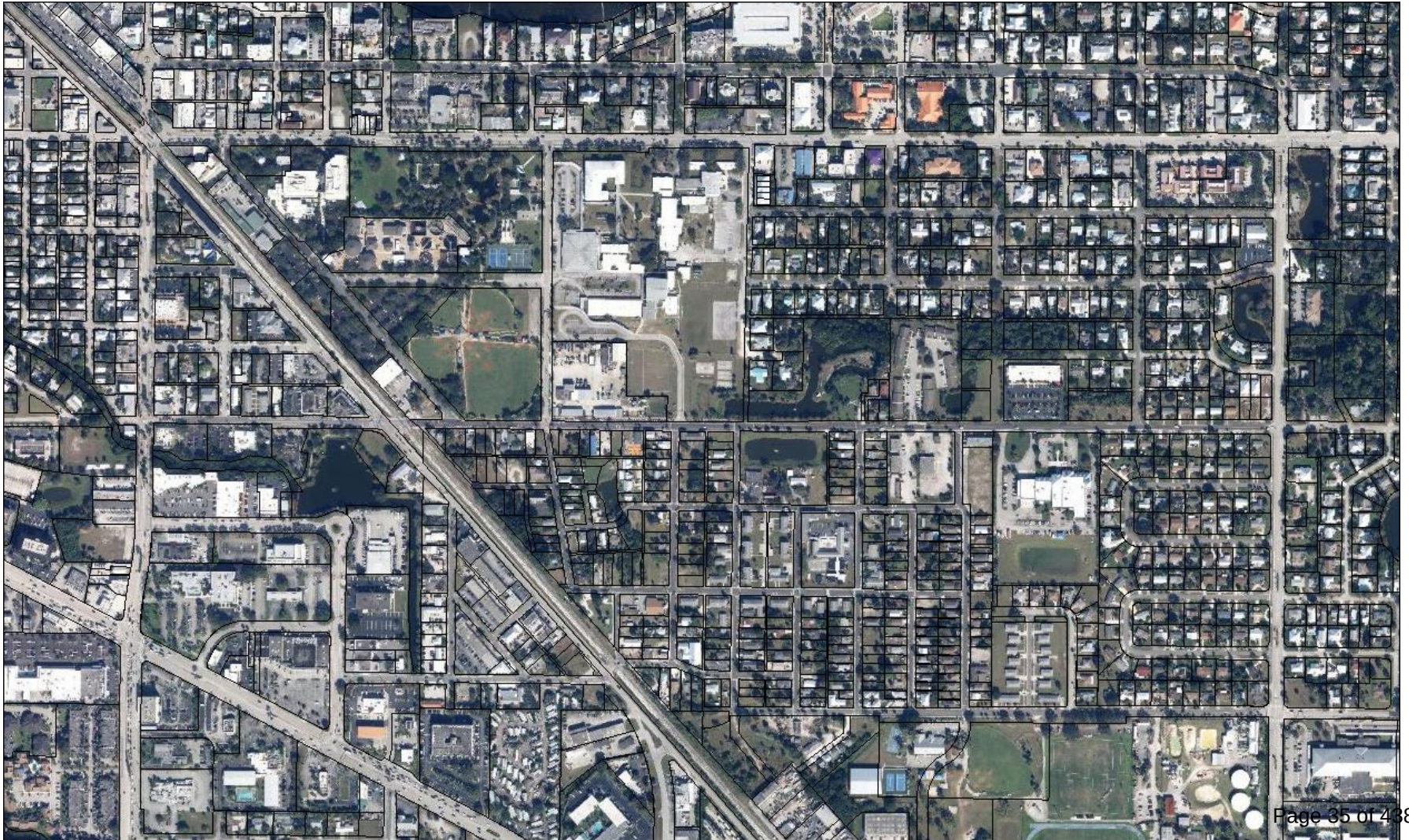
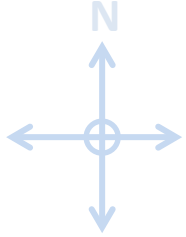
East Stuart – Community Redevelopment
Stuart, FL

2022 Martin County Property Appraiser Aerial Image

Project: 19-499

City of Stuart

11/12/2022



TECHNICAL MEMORANDUM

TO: CITY OF STUART
FROM: EDC, INC. ENGINEERING DIVISION
SUBJECT: 19-499 East Stuart – Drainage Evaluation
DATE: DECEMBER 8, 2022

Introduction

The purpose of this technical memorandum is to analyze the drainage impacts associated with a future land use change for East Stuart, located in the Community Redevelopment Area. Various parcels within the Community Redevelopment Area (CRA) are proposing a future land use change that will affect the density and maximum build out conditions for each respective parcel. The subject parcels have a current land use designation of low density, office residential, multi-family, public and east stuart. The subject parcels are proposing a future land use change to east stuart, except that the existing east stuart land use proposes a future land use change to public.

Analysis

In order to analyze the possible drainage impacts due to the future land use change on the subject parcels, a comparison of the currently allowed impervious areas to the proposed impervious areas was completed. An increase in the proposed impervious area above the allowable impervious area signifies a possible adverse impact to the drainage system within the CRA. The following Table 1 summarizes the change in future land use along with the maximum impervious areas allowed.

Even though zoning designations within a land use category have restrictions on the percentage of impervious area, the Stuart Comprehensive Plan allows for properties outside of the urban district to achieve a maximum of 75% impervious area according to Element 1, Objective 1.A8.1.d.

Table 1-Land Use Change

Existing Land Use	Proposed Land Use	Size (Ac.)	Existing Maximum Impervious Area	Proposed Maximum Impervious Area	Change in Impervious Area
Low Density	East Stuart	8.60	75% 6.45 acres	75% 6.45 acres	None
Office Residential	East Stuart	1.93	75% 1.45 acres	75% 1.45 acres	None
Multi Family	East Stuart	4.50	75% 3.38 acres	75% 3.38 acres	None
Public	East Stuart	0.53	75% 0.40 acres	75% 0.40 acres	None
East Stuart	Public	5.16	75% 3.87 acres	75% 3.87 acres	None

In order to achieve the maximum allowable impervious area of 75% for each project, the developer must demonstrate that the project does not cause adverse stormwater impacts to the surrounding properties. The developer can reference the City of Stuart Stormwater Master Plan Update 2022 and the LDC Section 6.03.01 in order to meet local water quality/quantity standards.

Conclusion

After reviewing the City of Stuart Land Development Code and Comprehensive Plan, the proposed change in future land use will not adversely affect the surrounding drainage systems. The maximum impervious area for the proposed land use does not exceed the maximum impervious area for the existing land use. As such, no adverse drainage impacts are anticipated due to the proposed future land use changes. The developer must provide assurances that any project proposed will not cause adverse stormwater impacts to surrounding properties in accordance with the Stuart Land Development Code Section 6.03.01. Review and approval of such projects will be required by the City of Stuart application process.



October 11, 2022

RE: Notice of Public Hearings for proposed amendment of the Future Land Use Map and Zoning Map for the “East Stuart Neighborhood Study Area” and adoption of the “East Stuart Neighborhood Code” in the Land Development Code (LDC).

Dear Property Owner:

You are receiving this notice because you are the owner of property within 300 feet of the “East Stuart Neighborhood Study Area” boundary.

Please be advised that the land within “East Stuart Neighborhood Study Area” is the subject of an application to change the future land use designation:

From: East Stuart, Low Density, Office/Residential, Multi-Family Residential or Public future land use designation.

To: East Stuart, Recreation or Public future land use designation.

The application also will consider changing the current zoning designation:

From: East Stuart General Residential Office (GRO), R-1 Single Family - General, R-2 Duplex, R-3 Multi-Family/Office or Public zoning districts.

To: East Stuart Business & Mixed Use (BMU), East Stuart General Residential Office (GRO), East Stuart Single Family/Duplex (SFD) or Recreation zoning districts.

No changes are proposed for properties outside of the “East Stuart Neighborhood Study Area” boundary as shown on the enclosed map. Owners of properties outside of the “East Stuart Neighborhood Study Area” boundary are being notified of the proposed changes because of its proximity to the neighborhood.

Public Hearings for adoption of any proposed amendments to the Future Land Use Map, the Zoning Map or amendments to the Land Development Code for the “East Stuart Neighborhood Study Area” are scheduled for:



Public Hearing: Local Planning Agency

Topic: Future Land Use Map, Zoning Map and Land Development Code
Date: Thursday, November 10, 2022
Time: 5:30 PM, or as soon thereafter as the items can be heard.
Location: Stuart City Hall, 121 SW Flagler Avenue, Stuart, FL

Public Hearing: City Commission

Topic: Future Land Use Map, Zoning Map and Land Development Code
Date: Monday, November 14, 2022
Time: 4:00 PM, or as soon thereafter as the items can be heard.
Location: Stuart City Hall, 121 SW Flagler Avenue, Stuart, FL

The hearings are open to the public, and comments will be accepted on all matters pertinent to the request.

A copy of the proposed Land Use Map amendment, Zoning Map and Land Development Code amendments are available for inspection at the office of the City's Development Department located at 121 SW Flagler Avenue in Stuart. You can also access the information by using the QR code provided below or go to the website www.cityofstuart.us/cra.

Please see enclosed map and "Frequently asked Questions" for more information.

For more information, contact Pinal Gandhi-Savdas, CRA Executive Director, Community Redevelopment Agency, at (772) 283-2532 or by email at eaststuart@ci.stuart.fl.us.

Sincerely,

Pinal Gandhi-Savdas

Pinal Gandhi-Savdas
CRA Executive Director
City of Stuart

Attachments: Maps, "Frequently asked Questions"

TO ACCESS THE CODE & MORE INFORMATION, SCAN THE QR CODE BELOW



Frequently Asked Questions

1. What is a CRA?

A Community Redevelopment Area (CRA) is a special geographic area where the community has determined that redevelopment of public and private facilities should occur according to a redevelopment plan. The City of Stuart CRA contains 692.7 acres of land, which comprises approximately 20% of the city. As redevelopment occurs in the CRA, a portion of the additional tax increment collected by the City, based on the increased property valuation, is reinvested in the CRA to promote economic growth, sustainable development and improved quality of life.

2. What is the Future Land Use Map?

The Future Land Use Map designates the type of development allowed pursuant to the Comprehensive Plan. The Future Land Use designations in “East Stuart Neighborhood Study Area” are East Stuart, Low Density, Office/Residential, Multi-Family Residential, Recreation and Public.

3. What is the Zoning Map?

While the future land use designations establish the general type of development allowed such as residential or commercial, the zoning districts provide more detailed standards regarding permitted uses, such a single-family dwelling or mixed-use, and development standards, such as setbacks and building height. The Zoning is the map of the city’s zoning district.

4. What changes are proposed?

Future Land Use Map – Some of the future land use designations in the “East Stuart Neighborhood Study Area” will be replaced with future land use designations of East Stuart, Recreation and Public. In some instances, future land use changes are proposed to make the existing uses consistent with the future land use designation. For example, there are three parcels with single-family residences which have a “Public” future land use designation. The proposed future land use change to “East Stuart” will make it consistent with the existing use because single-family homes are not permitted on “Public” future land use.

5. What is the Process?

A change to the Future Land Use Map requires three public hearings as detailed below.

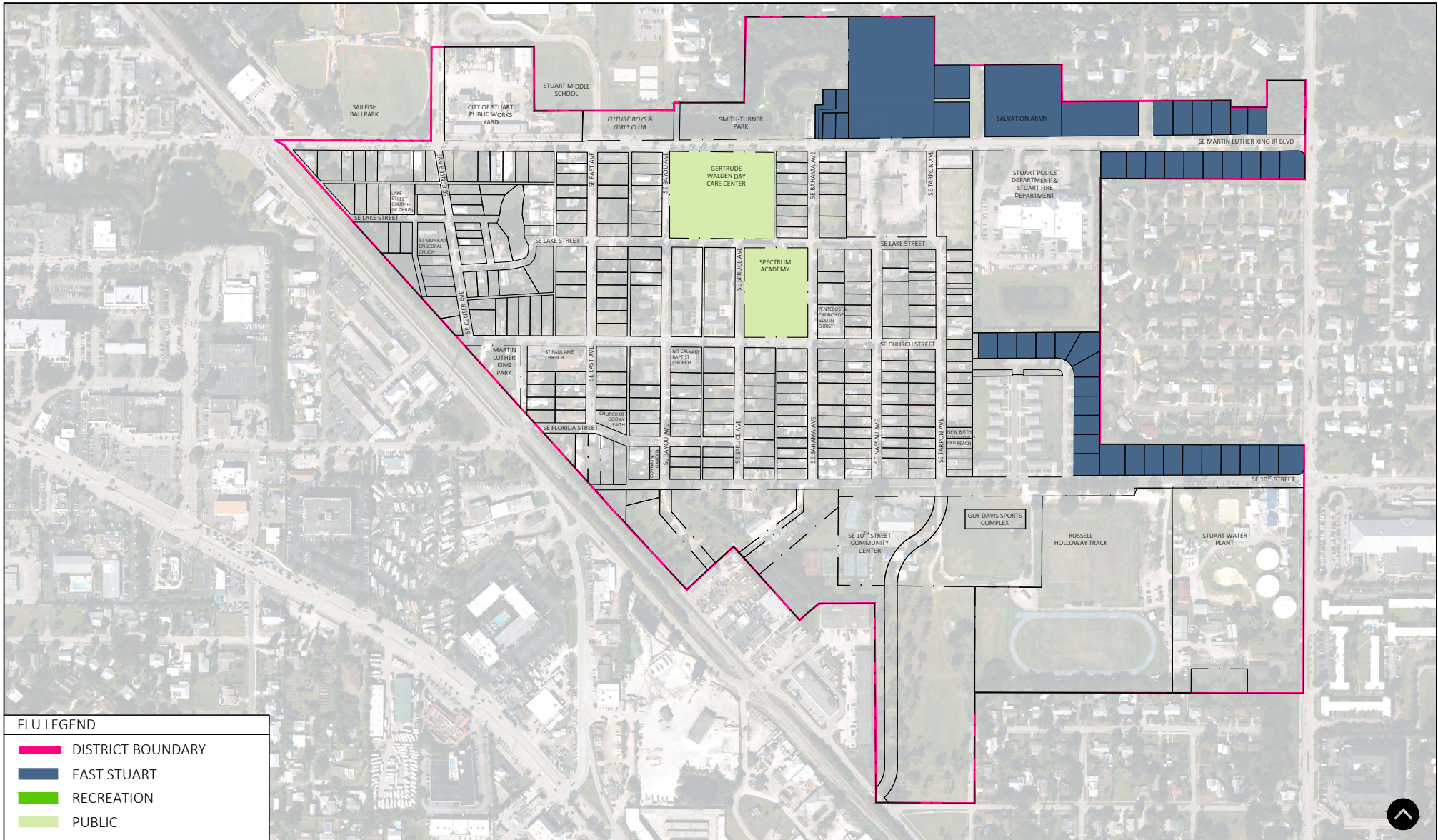
- a. Local Planning Agency (LPA) will hold a public hearing and provide a recommendation to the City Commission.
- b. City Commission will hold two public hearings to consider the proposals.

6. How will the proposed amendments affect me if I own property in “East Stuart Neighborhood Study Area”?

Based upon the workshops previously held, the City believes that the proposed amendments will ensure predictability of future development while preserving and enhancing the existing character of a district. The intent of the proposed amendments is to provide user-friendly process pertaining to redevelopment. It is the intension to maintain the study area as the historic neighborhood.

7. How can I learn more about the proposed changes?

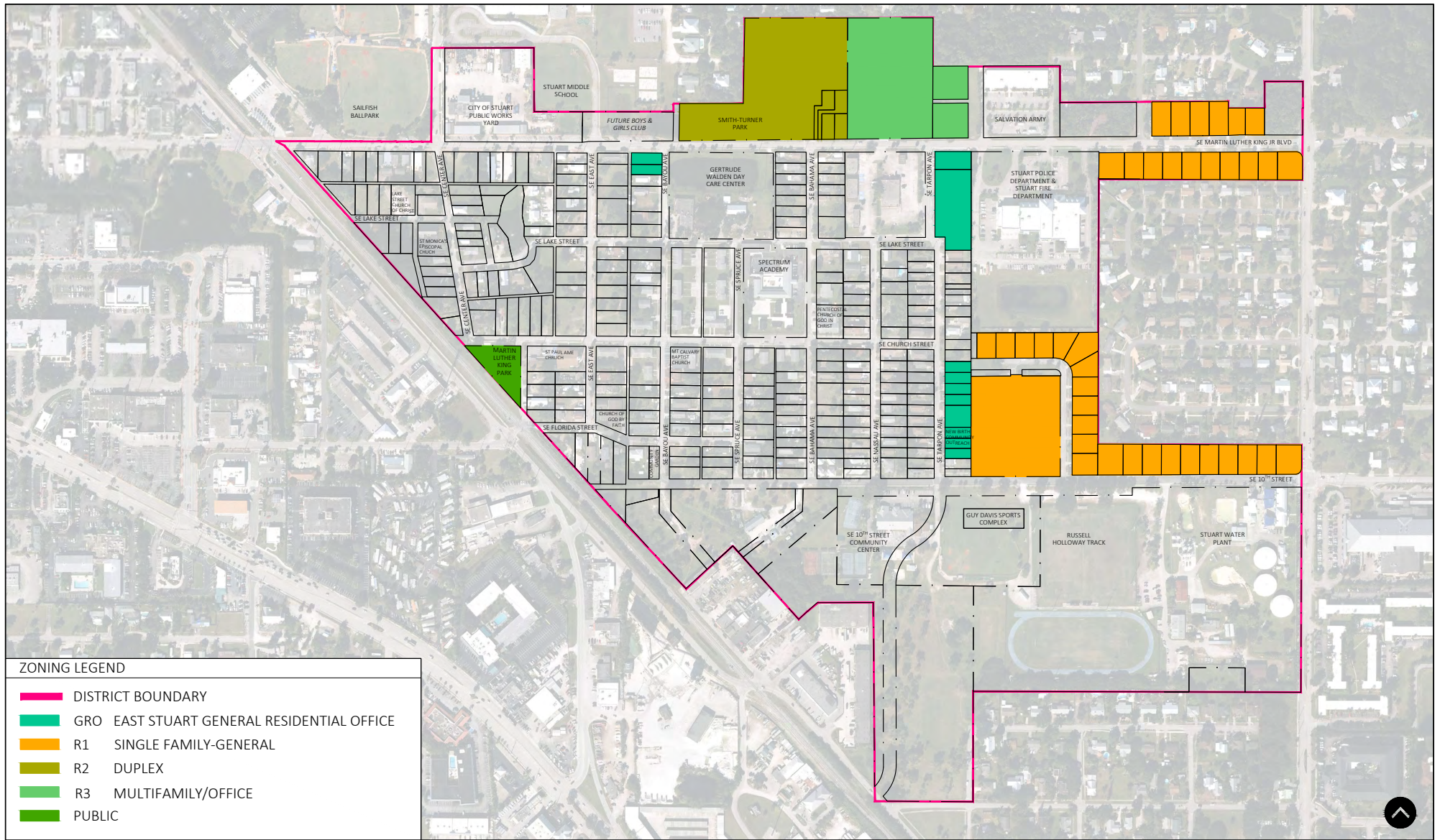
- a. Go to the website www.cityofstuart.us/cra, click on “Form Based Code Updates” to learn more.
- b. WATCH on Zoom or ATTEND, the presentation of the proposed changes made at these public meetings:
 - The September 6, 2022, meeting of the Community Redevelopment Board.
 - The September 8, 2022, meeting of the Local Planning Agency.
 - The September 26, 2022, meeting of the City Commission.
 - The November 10, 2022, meeting of the Local Planning Agency.
 - The November 14, 2022, meeting of the City Commission.
- c. Call or Email Pinal Gandhi-Savdas, CRA Executive Director, Community Redevelopment Agency at 772-283-2532 or eaststuart@ci.stuart.fl.us with your questions.



EAST STUART Community Redevelopment Area

PROPOSED FUTURE LAND USE MAP PARCELS WITH PROPOSED CHANGE ONLY

7/25/2022



EAST STUART Community Redevelopment Area

EXISTING ZONING

PARCELS WITH PROPOSED CHANGE ONLY

7/25/2022



Bureau of Direct Mail Inc.

2809 SE Monroe St.

Stuart, FL 34997

Phone: (772) 283-8850

Toll Free: (800) 368-0004

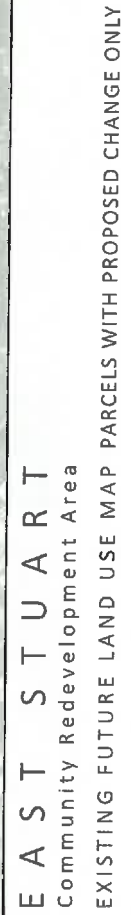
October 11, 2022

Jordan Pinkston
Executive Assistant to the Development Director
CRA Program Specialist | City of Stuart
121 SW Flagler Ave. Stuart FL 34994

RE: East Stuart CRA mailing - Notice of Form Based Code

I hereby certify that the Bureau of Direct Mail Inc., has prepared and mailed notification letters, frequently asked questions notices and the corresponding maps as provided by the City of Stuart CRA to the recipients on the clients supplied mailing list. There was a total of 1,143 records on the mailing list. There were 8 records removed that were verified to be City of Stuart properties on the Martin County Property Appraisers website. The mailing was delivered to the West Palm Beach Post office on Summit Blvd. October 10, 2022. There was a total of 1,135 pieces mailed. Attached is the Postage Statement from the US Postal Service verifying the amount of the mailing, date the mailing was processed and the total postage of the mailing.

Bonnie Arnold
Bureau of Direct Mail Inc.
Bonnie.Arnold@bureauinc.com
(772) 283-8850



NOTICE OF FUTURE LAND USE AND ZONING CHANGE

ALL LAND IN THE EAST STUART STUDY AREA IS THE SUBJECT OF AN
INITIATIVE TO ASSIGN FUTURE LAND USE DESIGNATION AND ZONING

STUART LOCAL PLANNING AGENCY
NOVEMBER 10, 2022 AT 5:30 P.M.

STUART CITY COMMISSION
NOVEMBER 14, 2022 AT 4:00 P.M.
NOVEMBER 28, 2022 AT 5:30 P.M.

CONTACT COMMUNITY REDEVELOPMENT AGENCY
STUART CITY HALL 121 SW FLAGLER AVE. 772-283-2532 8:30 AM-4:00 PM
EMAIL: EASTSTUART@CLSTUART.FL.US
VISIT WWW.CITYOFSTUART.FL /CRA FOR MORE INFORMATION



D-Signs, LLC
911 S.E. Hillcrest Ave.
Stuart, FL 34994

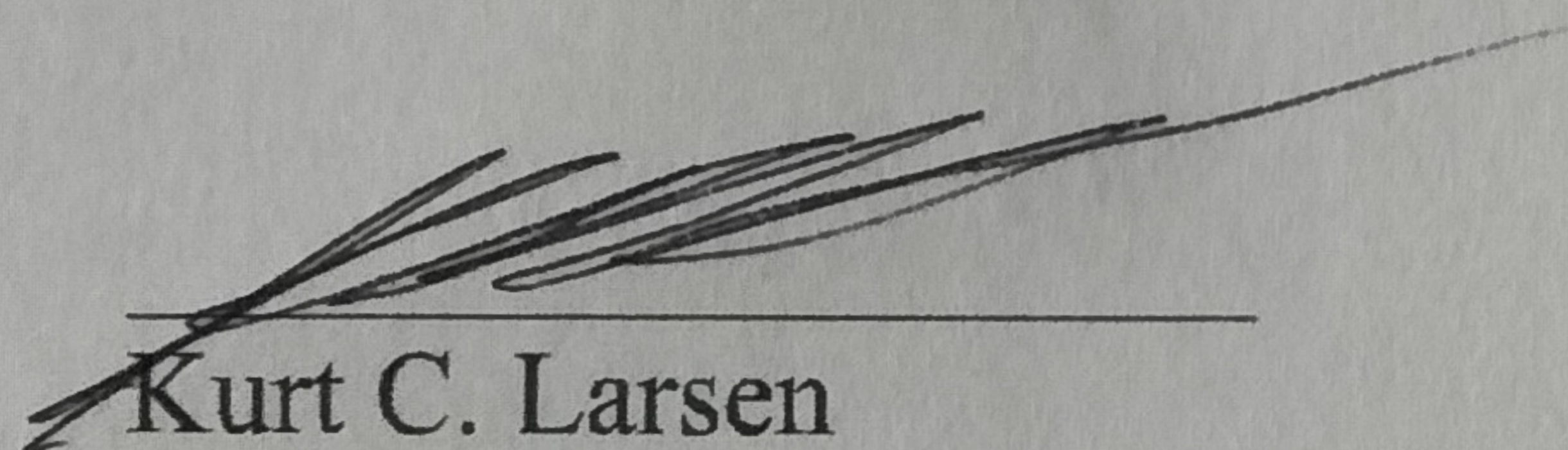
Sept. 26, 2022

CRA Program
City of Stuart
121 SW Flagler Ave
Stuart, FL 34994

REF: CRA The Creek District Study & The East Stuart Study

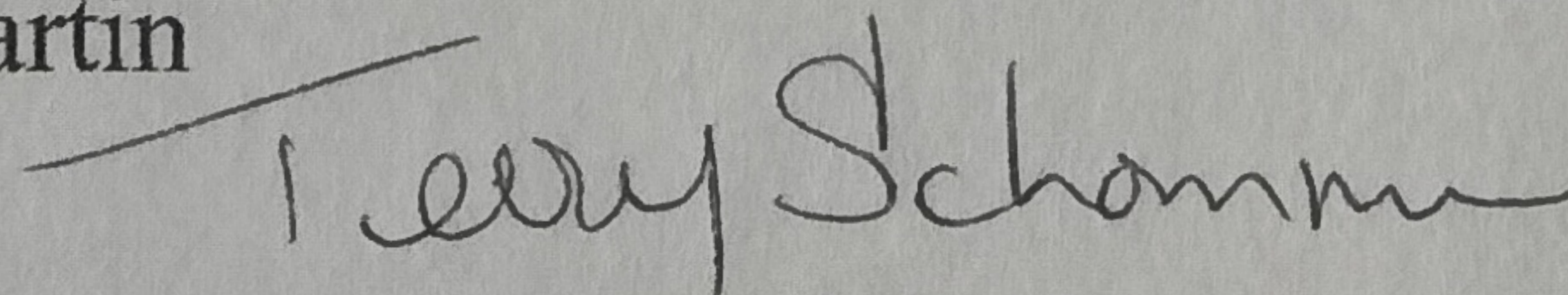
Attn:

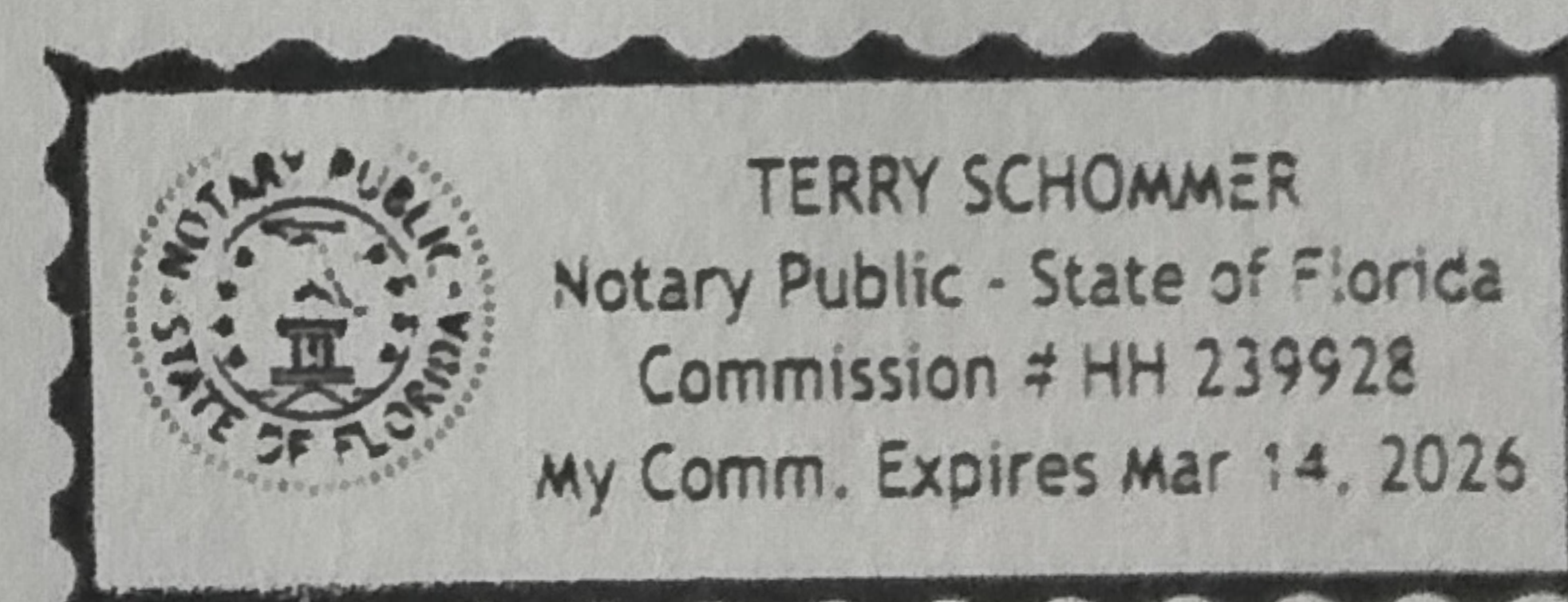
This Letter is to Certify that the above referenced sign was installed per City of Stuart requirements. This sign was posted according to and complies with the standards of the notice provisions of Article 10, Section 10:6 Development Review Procedures.
12 Signs Installed at specified Location.


Kurt C. Larsen

10/24/22
Date

State of Florida
County of Martin





Kurt C. Larsen, who is personally known to me, who did not take an oath, acknowledged the foregoing instrument before me on 10-24-22.

Please advertise the requested ad below. The required advertisements shall be no less than 2 columns wide by 10 inches long in a standard size or a tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear.

The Display Advertisement shall be in substantially the following form:

**CITY OF STUART
NOTICE OF PUBLIC MEETING
LOCAL PLANNING AGENCY AND CITY COMMISSION**

NOTICE: The City of Stuart Local Planning Agency will meet on Thursday, November 10, 2022, at 5:30 PM and the City Commission will meet on Monday, November 14, 2022, at 4:00 PM, in the City Commission Chambers at City Hall, 121 SW Flagler Avenue, Stuart, Florida.

The following item is scheduled on the agenda:

ORDINANCE NUMBER 2498-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY’S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER II ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY; CHAPTER III SPECIAL ZONING CODES FOR “THE CREEK DISTRICT”; AND CHAPTER XII DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

ORDINANCE NUMBER 2507-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY’S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER III SPECIAL ZONING CODES FOR THE “EAST STUART NEIGHBORHOOD”; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

The public is encouraged to attend and participate in the public meeting. Any questions regarding the meeting may be addressed by calling the City Development Department at (772) 288-5375 from 8:30 a.m. to 4:00 p.m. Monday through Friday.

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the City’s ADA coordinator at (772) 288-5306 or TDD at (772) 288-5302 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

Mary Kindel, City Clerk

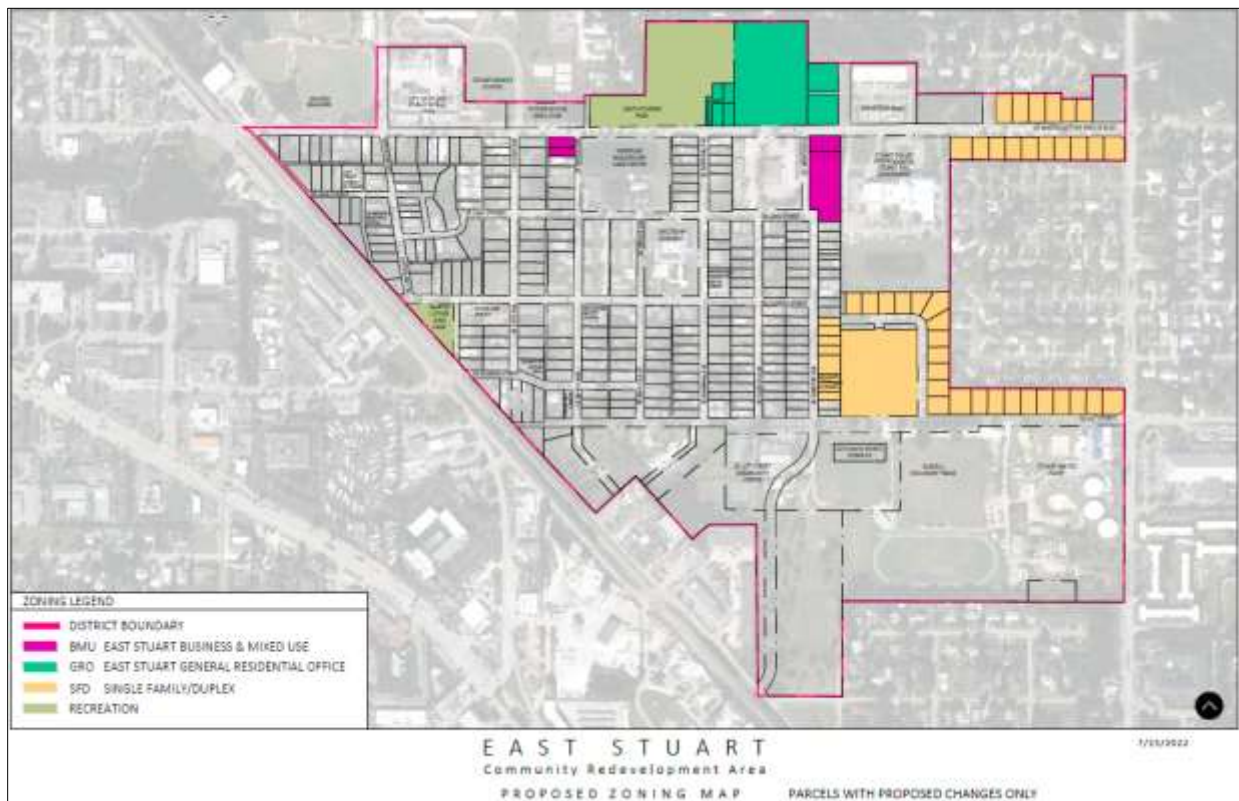
Publish November 3, 2022 / Local Display Ad / Affidavit Required (at least 7 prior to LPA and CC Hearings)

CITY OF STUART
NOTICE OF PUBLIC MEETING
LOCAL PLANNING AGENCY AND CITY COMMISSION

NOTICE: The City of Stuart Local Planning Agency will meet on Thursday, November 10, 2022, at 5:30 PM and the City Commission will meet on Monday, November 14, 2022, at 4:00 PM, in the City Commission Chambers at City Hall, 121 SW Flagler Avenue, Stuart, Florida.

The following item is scheduled on the agenda:

ORDINANCE NUMBER 2499-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "EAST STUART NEIGHBORHOOD" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.



The public is encouraged to attend and participate in the public meeting. Any questions regarding the meeting may be addressed by calling the City Development Department at (772) 288-5375 from 8:30 a.m. to 4:00 p.m. Monday through Friday.

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for 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.

Mary Kindel, City Clerk

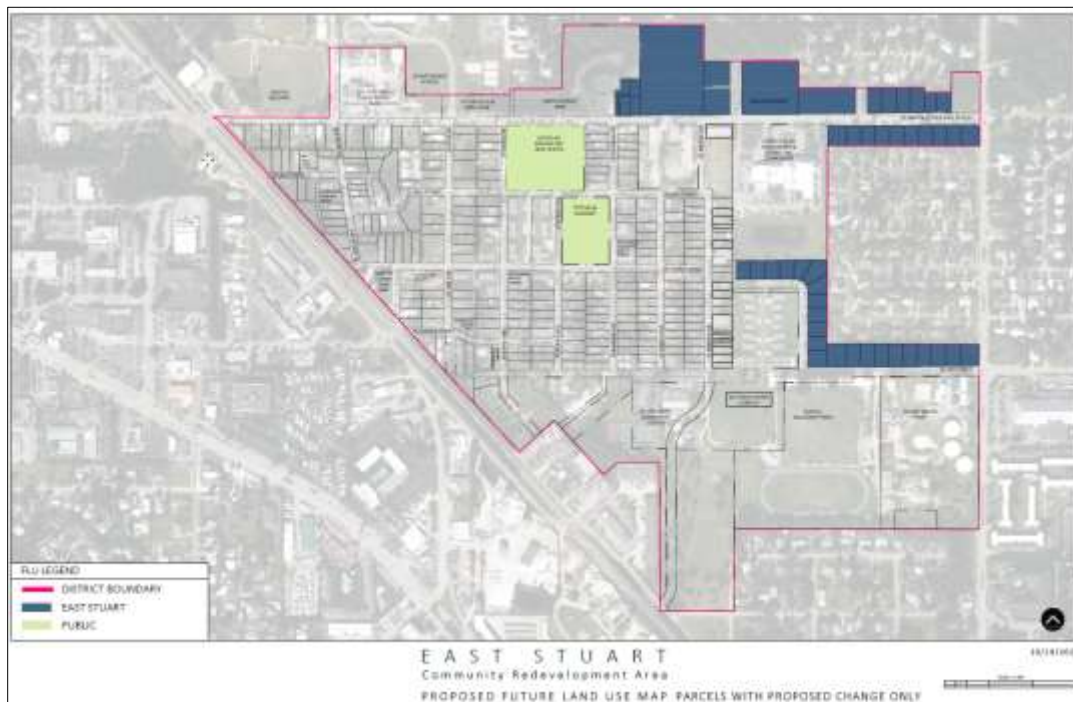
Publish November 3, 2022 / Local Display Ad /Affidavit Required (at least 7 prior to LPA and CC Hearings)

**CITY OF STUART
NOTICE OF PUBLIC MEETING
LOCAL PLANNING AGENCY AND CITY COMMISSION**

NOTICE: The City of Stuart Local Planning Agency will meet on Thursday, November 10, 2022, at 5:30 PM and the City Commission will meet on Monday, November 14, 2022, at 4:00 PM, in the City Commission Chambers at City Hall, 121 SW Flagler Avenue, Stuart, Florida.

The following item is scheduled on the agenda:

ORDINANCE NUMBER 2500-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "LOW DENSITY" TO "EAST STUART" FOR 8.60 ACRES OF LAND; "OFFICE-RESIDENTIAL" TO "EAST STUART" FOR 1.93 ACRES OF LAND; "MULTI-FAMILY" TO "EAST STUART" FOR 4.50 ACRES OF LAND; "PUBLIC" TO "EAST STUART" FOR .53 ACRES OF LAND; AND "EAST STUART" TO "PUBLIC" FOR 5.16 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.



The public is encouraged to attend and participate in the public meeting. Any questions regarding the meeting may be addressed by calling the City Development Department at (772) 288-5375 from 8:30 a.m. to 4:00 p.m. Monday through Friday.

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for 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.

Mary Kindel, City Clerk

Publish November 3, 2022 / Local Display Ad / Affidavit Required (at least 7 prior to LPA and CC Hearings)



Bureau of Direct Mail Inc.

2809 SE Monroe St.

Stuart, FL 34997

Phone: (772) 283-8850

Toll Free: (800) 368-0004

October 11, 2022

Jordan Pinkston
Executive Assistant to the Development Director
CRA Program Specialist | City of Stuart
121 SW Flagler Ave. Stuart FL 34994

RE: The Creek CRA mailing - Notice of Form Based Code

I hereby certify that the Bureau of Direct Mail Inc., has prepared and mailed notification letters, frequently asked questions notices and the corresponding maps as provided by the City of Stuart CRA to the recipients on the clients supplied mailing list. There was a total of 664 records on the mailing list. There were 2 records removed that were verified to be City of Stuart properties on the Martin County Property Appraisers website. The mailing was delivered to the West Palm Beach Post office on Summit Blvd. October 10, 2022. There was a total of 662 pieces mailed. Attached is the Postage Statement from the US Postal Service verifying the amount of the mailing, date the mailing was processed and the total postage of the mailing.

Bonnie Arnold
Bureau of Direct Mail Inc.
Bonnie.Arnold@bureauinc.com
(772) 283-8850

D-Signs, LLC
911 S.E. Hillcrest Ave.
Stuart, FL 34994

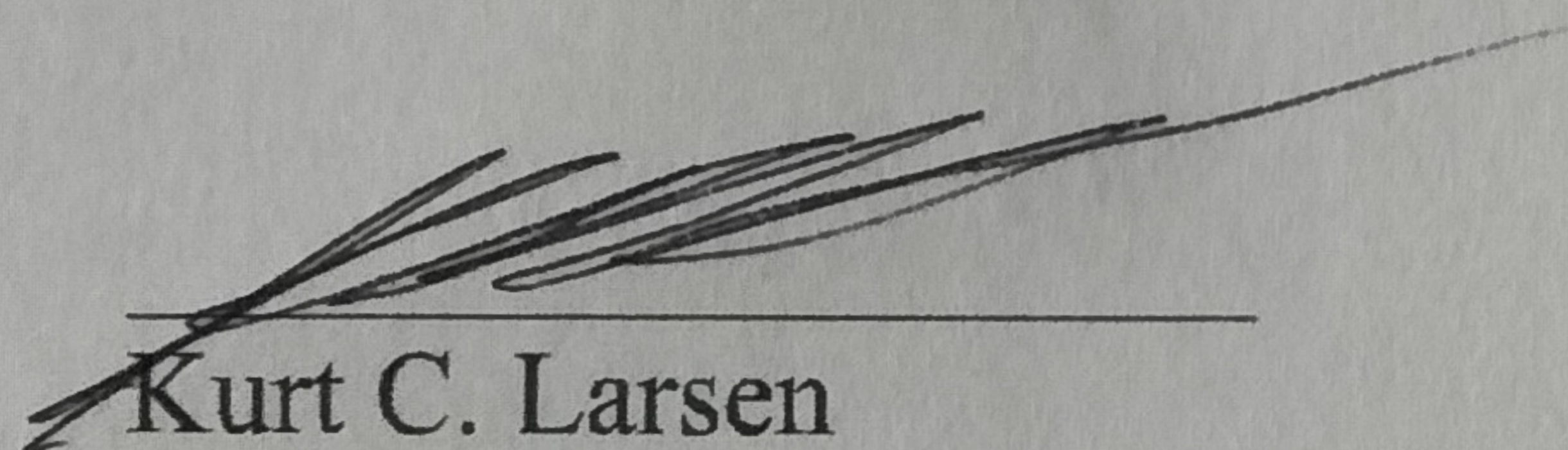
Sept. 26, 2022

CRA Program
City of Stuart
121 SW Flagler Ave
Stuart, FL 34994

REF: CRA The Creek District Study & The East Stuart Study

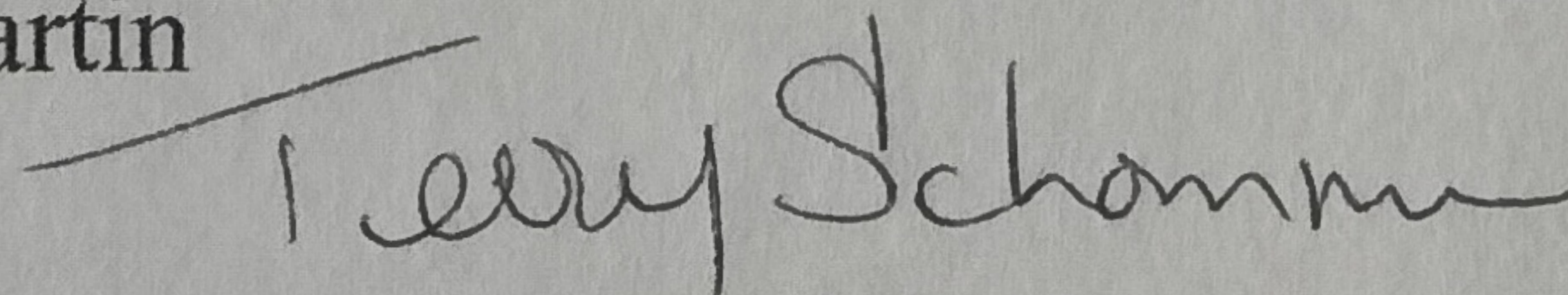
Attn:

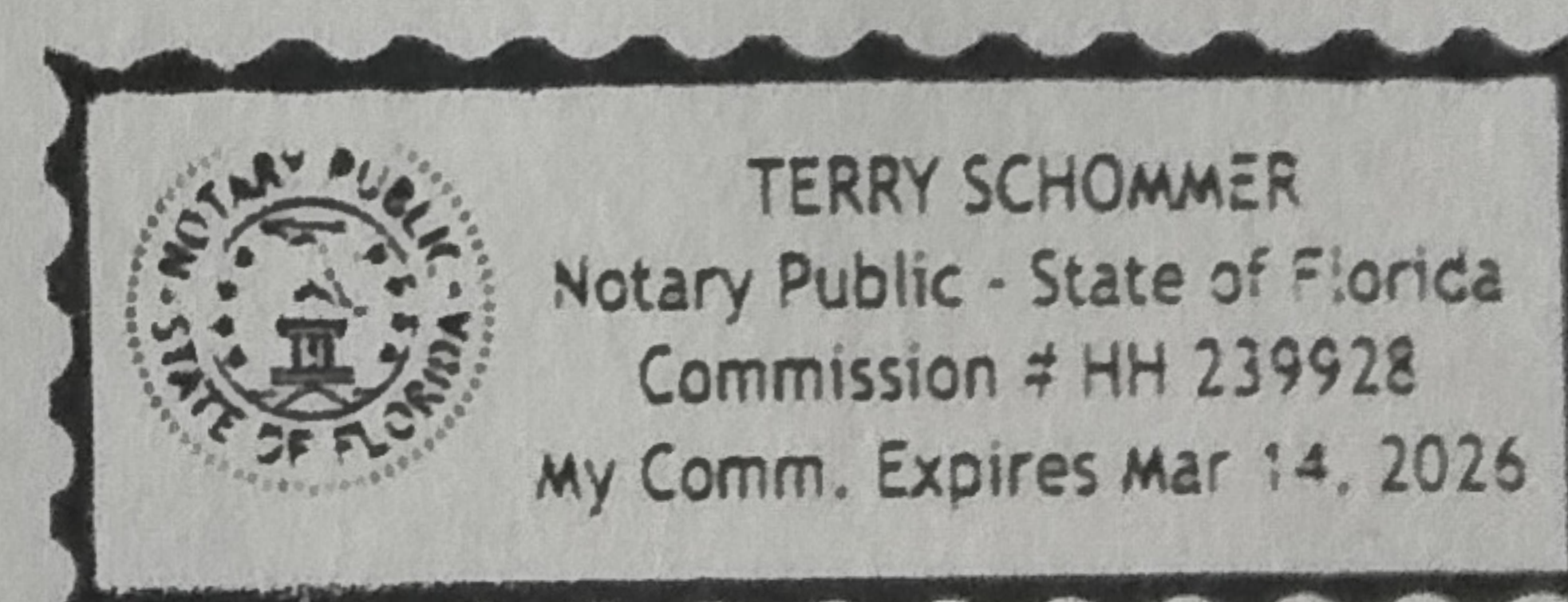
This Letter is to Certify that the above referenced sign was installed per City of Stuart requirements. This sign was posted according to and complies with the standards of the notice provisions of Article 10, Section 10:6 Development Review Procedures.
12 Signs Installed at specified Location.


Kurt C. Larsen

10/24/22
Date

State of Florida
County of Martin





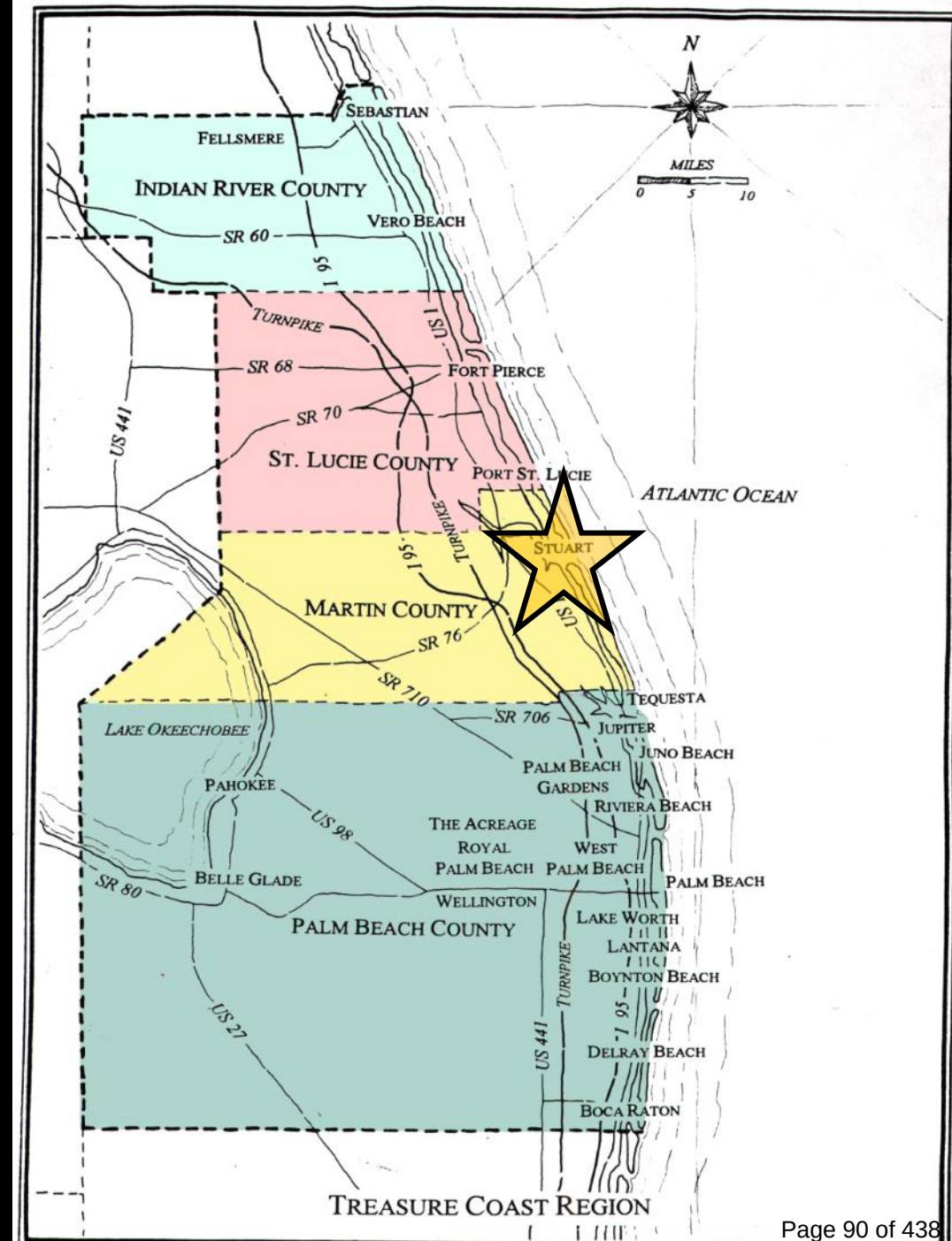
Kurt C. Larsen, who is personally known to me, who did not take an oath, acknowledged the foregoing instrument before me on 10-24-22.

EAST STUART NEIGHBORHOOD
FUTURE LAND USE
PUBLIC HEARING PRESENTATION

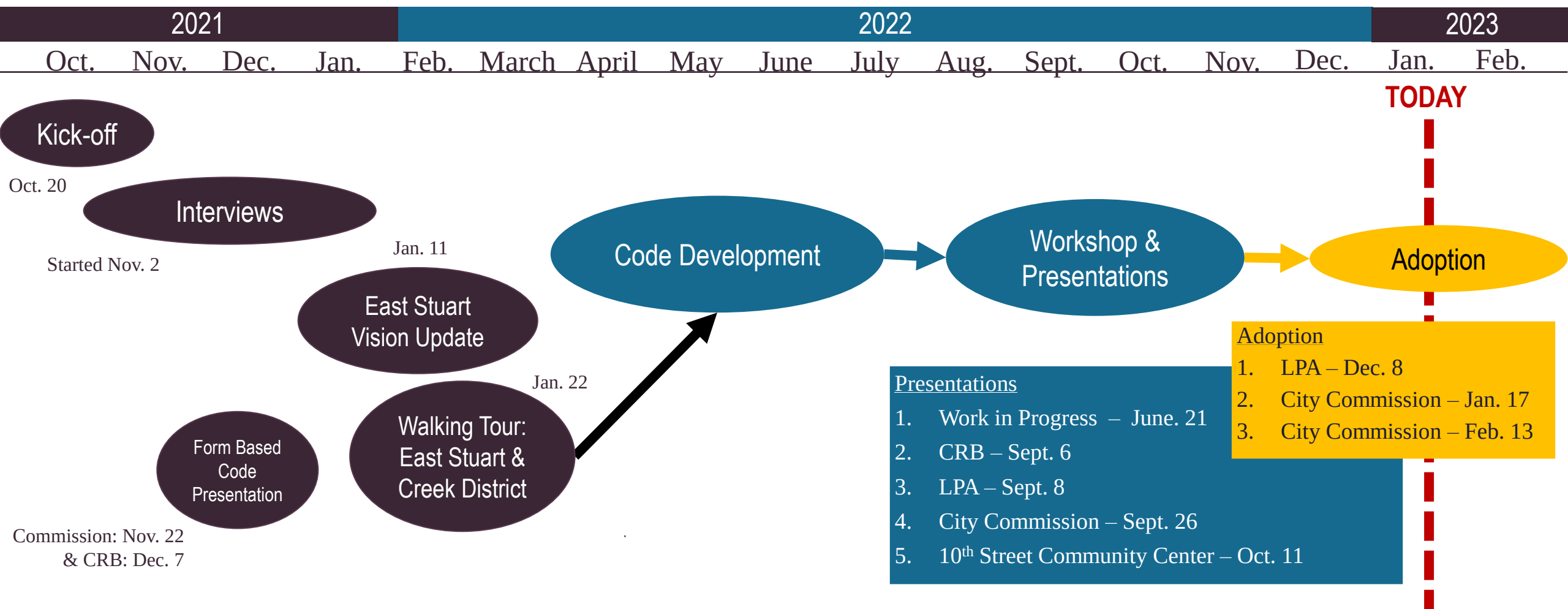
City Commission 1st Reading - January 17, 2023

TREASURE COAST REGIONAL PLANNING COUNCIL

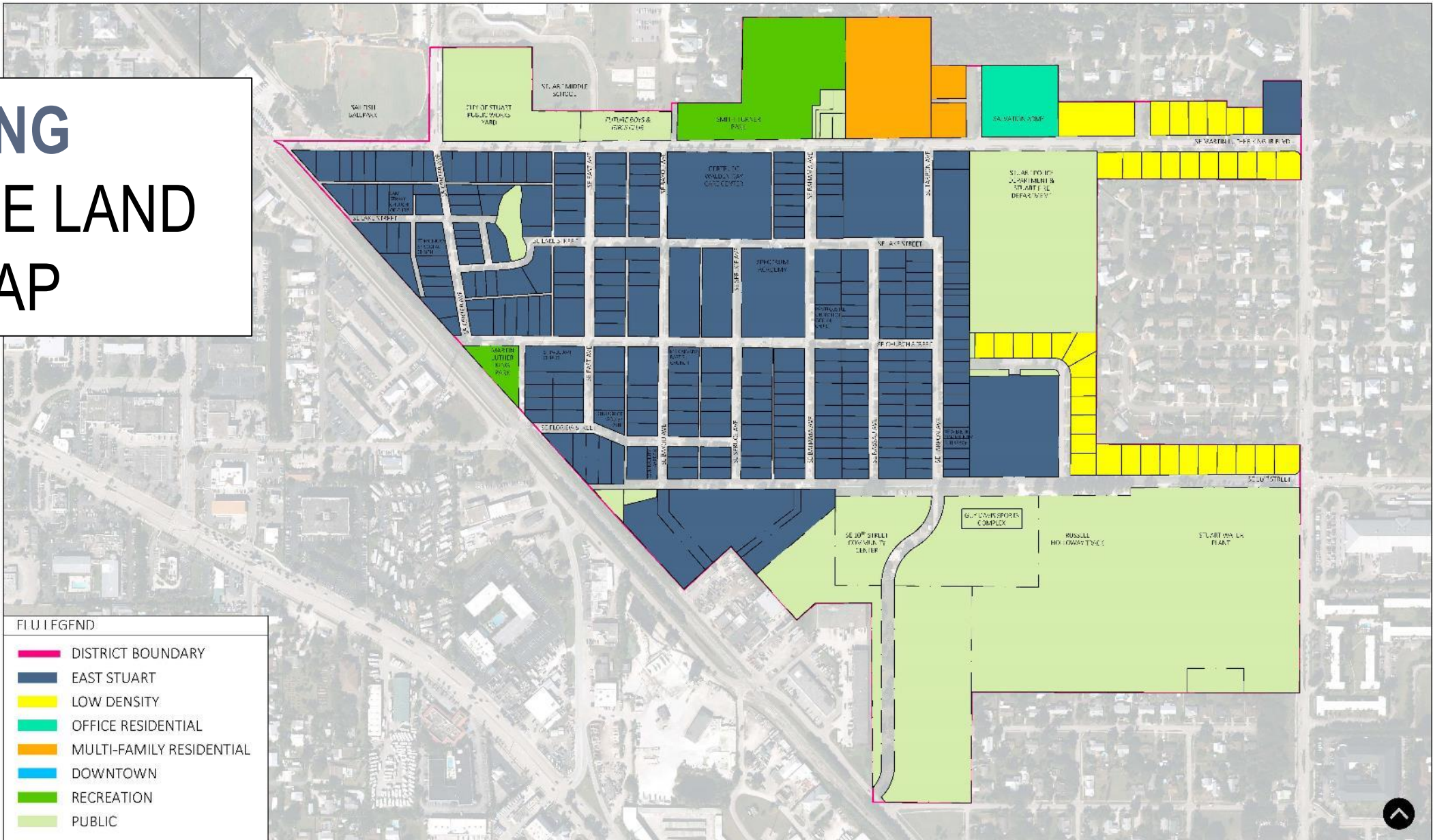
- Public Agency
- One of 10 RPC's Statewide
- Four counties
- 52 Municipalities
- 2 million people
- 3,700 square miles
- **Provide Technical Assistance to Local Governments**



TIMELINE



EXISTING FUTURE LAND USE MAP



E A S T S T U A R T
Community Redevelopment Area
EXISTING FUTURE LAND USE MAP

7/25/2022

ACRES	EXISTING FUTURE LAND USE DESIGNATION	PROPOSED FUTURE LAND USE DESIGNATION
0.53	Public Public Density: 0 du/ac 0 DU	East Stuart Density of 17 dua / 30 dua by CU (9 DU/15 du)



ACRES

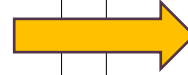
EXISTING
FUTURE LAND USE
DESIGNATION

PROPOSED
FUTURE LAND USE DESIGNATION

1.93

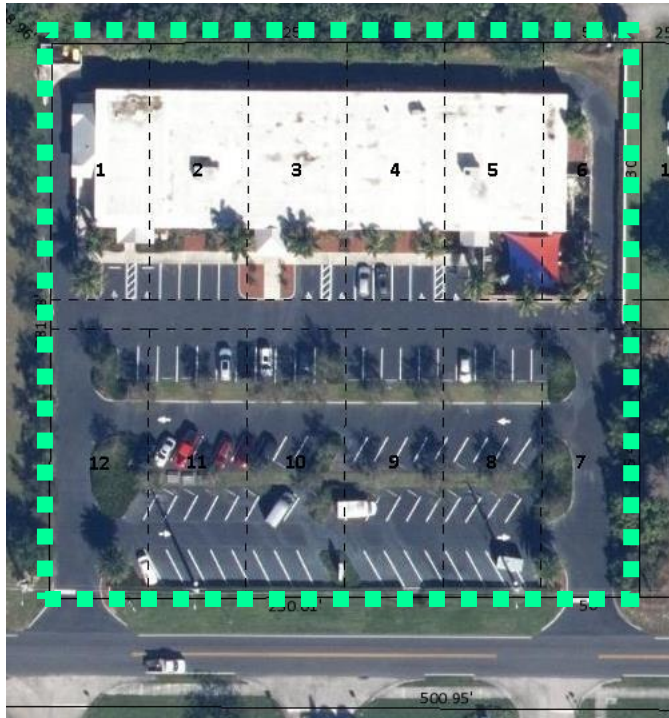
Office-Residential

Max density: 30 du/ac
(57 du)

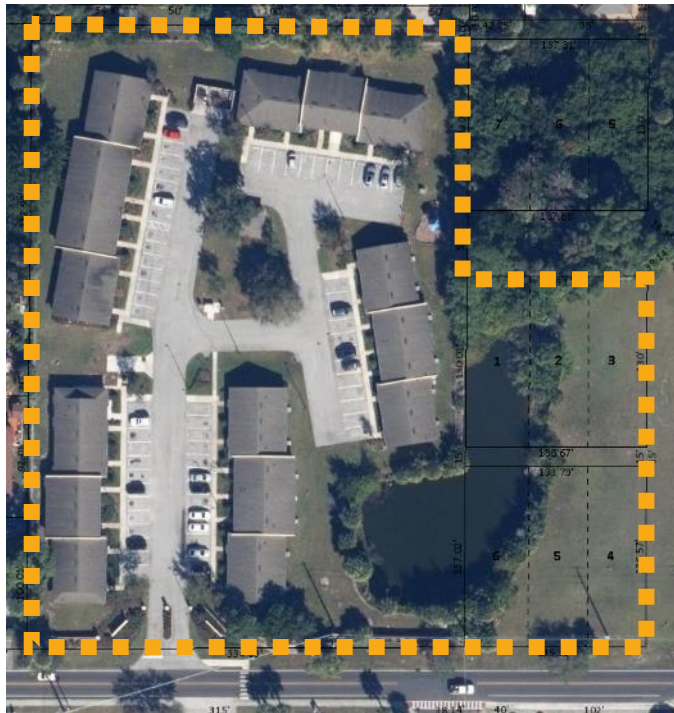


East Stuart

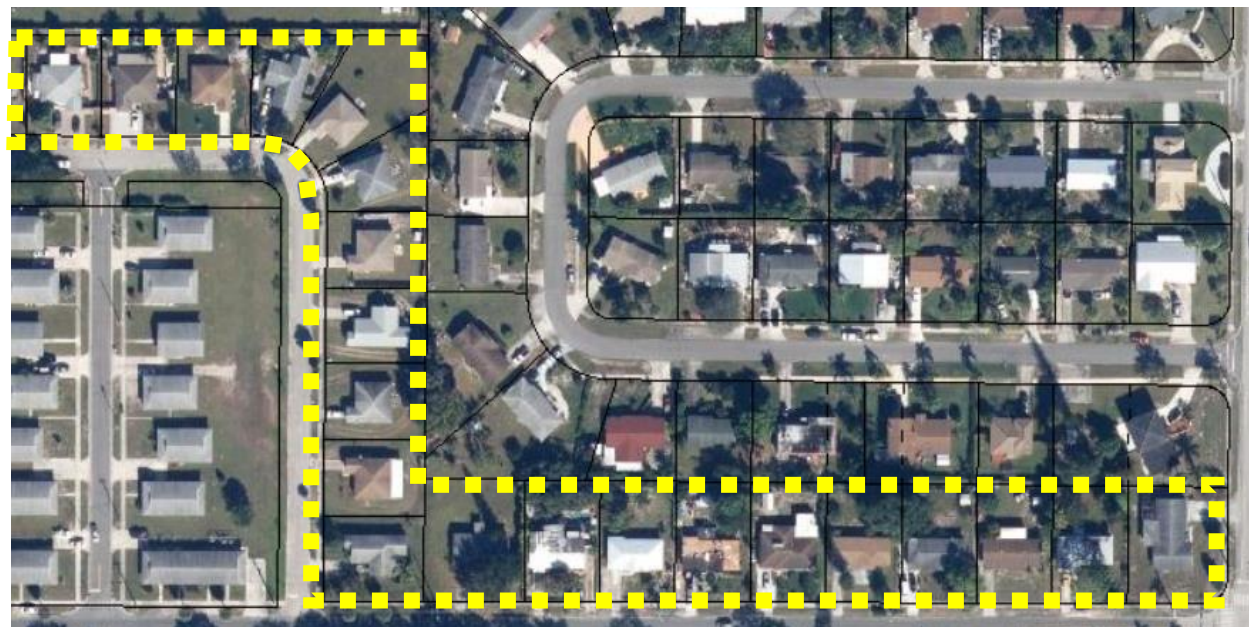
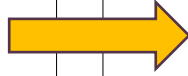
Density of 17 dua / 30 dua by CU
(32 du/57 du)



ACRES	EXISTING FUTURE LAND USE DESIGNATION	PROPOSED FUTURE LAND USE DESIGNATION
4.5	Multifamily Max density: 30 dua (135 du)	East Stuart Density of 17 dua / 30 dua by CU (76 du /135 du)



ACRES	EXISTING FUTURE LAND USE DESIGNATION	PROPOSED FUTURE LAND USE DESIGNATION
8.6	Low Density Max density: 11.62 du/ac (99 du)	East Stuart Density of 17 dua / 30 dua by CU (149 du/258 du)



East Stuart

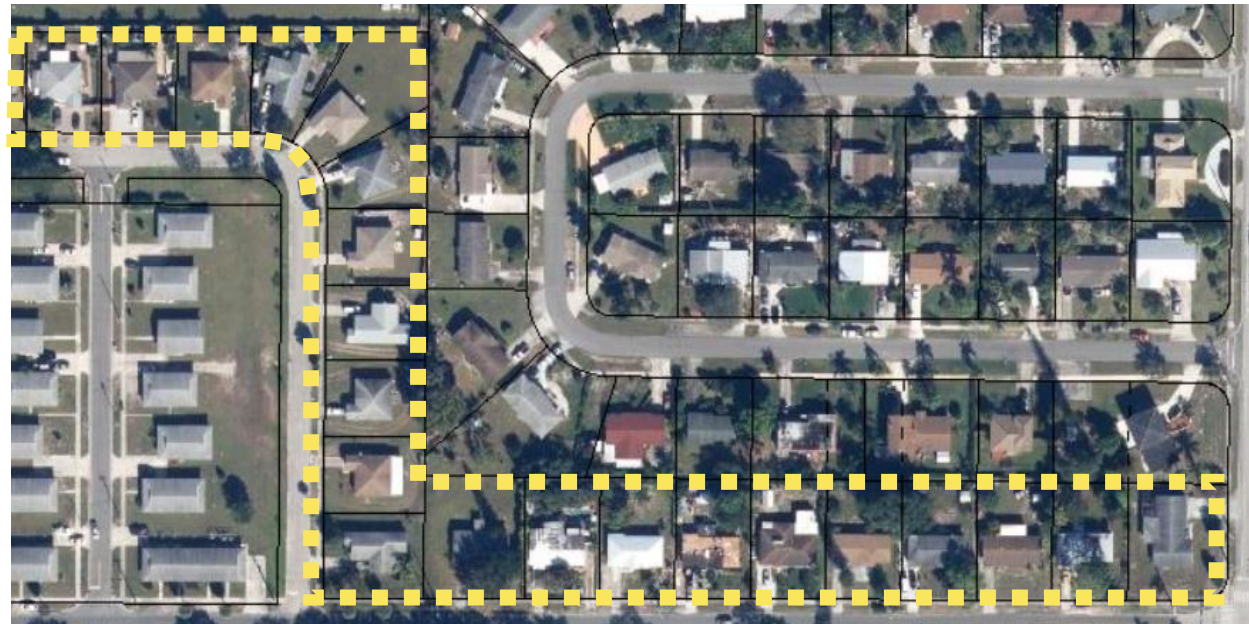
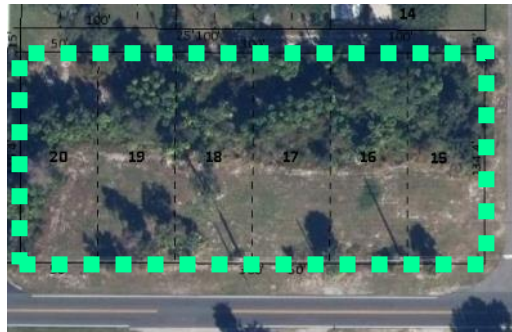
Density of 17 dua / 30 dua by Conditional Use

Zoning
GRO

Approved Site
Plan

Zoning
SFD

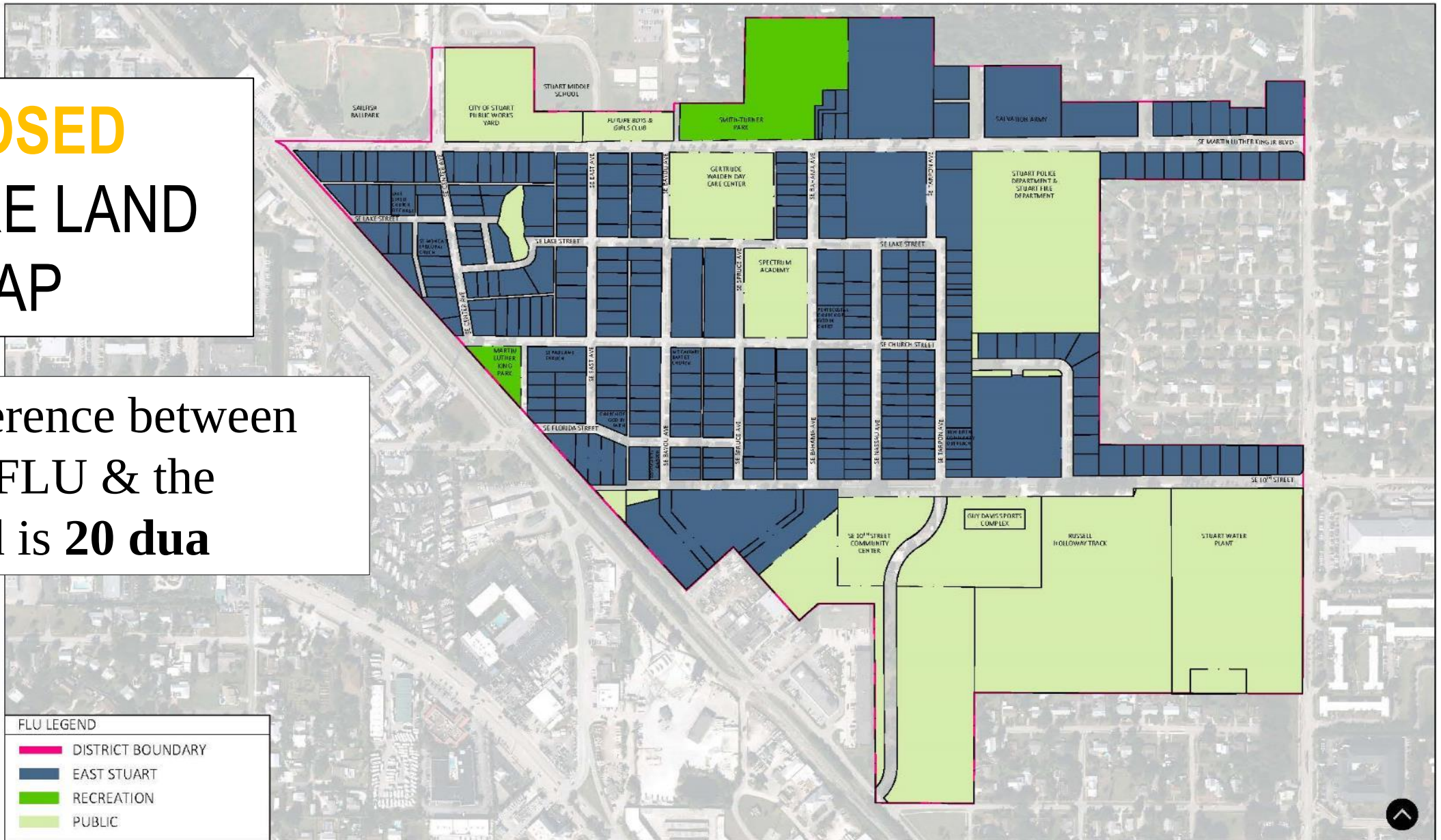
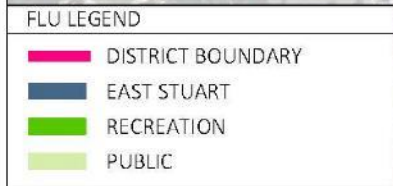
Density of 17 dua



PROPOSED FUTURE LAND USE MAP

The difference between existing FLU & the proposed is **20 dua**

99	258
57	57
135	135
154	15
445	465



EAST STUART
Community Redevelopment Area
PROPOSED FUTURE LAND USE MAP

7/25/2022



RECOMMENDED ACTION

Motion to approve Ord. No. 2500-2023, amending the city's Official Future Land Use Map to include and reflect the changes from "Low Density" to "East Stuart"; "Office-Residential" to "East Stuart"; "Multi-Family" to "East Stuart"; "Public" to "East Stuart; and "East Stuart" to "Public" on certain lands within the "East Stuart Neighborhood".

THANK YOU

Jessica Cortor Seymour

Principal Program Coordinator

Treasure Coast Regional Planning Council

jseymour@tcrpc.org

NEXT STEPS

Feb 13. City Commission Meeting - 2nd Reading

CITY OF STUART, FLORIDA

AGENDA ITEM REQUEST

City Commission

Meeting Date: 1/17/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

EAST STUART NEIGHBORHOOD - ZONING MAP AMENDMENT (RC):

ORDINANCE No. 2499-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "EAST STUART NEIGHBORHOOD" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The subject parcels are located within the "East Stuart Neighborhood" and have been assigned a future land use of either "East Stuart" or "Public". The prior zoning designation of "East Stuart General Residential Office (GRO)"; "R-1 Single Family – General"; "R-2 Duplex"; "R-3 Multi-Family/Office"; or "Public" on certain lands are no longer appropriate and require amendment. The rezoning of the depicted parcels will bring them into compliance with the Future Land Use. The rezoning is in compliance with the Comprehensive Plan and is compatible with the surrounding zoning. If the board denies the request, it is necessary to assign zoning that is in compliance with the currently assigned future land use.

On December 8, 2022, the Local Planning Agency reviewed the request and the board unanimously recommended approval of this ordinance to the City Commission.

ATTACHMENTS:

1. A. Ordinance No. 2499-2023 Zoning East Stuart and Map Exhibits
2. B. Public Notification - Certified Letters

Funding Source:

N/A

Recommended Action:

Motion to approve Ord. No. 2499-2023, amending the city's official Zoning Map to include changes on certain lands within the "East Stuart Neighborhood" to be consistent with the Future Land Use Map.

ATTACHMENTS:

1. Ordinance 2499-2023 - Zoning East Stuart and Map Exhibits
2. Public Notification - Certified Letters



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

ORDINANCE NUMBER 2499-2023

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY’S OFFICIAL ZONING MAP TO ASSIGN “EAST STUART NEIGHBORHOOD” ZONING AND MAKE CHANGES FOR CONSISTENCY WITH FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, the City Commission has adopted the City’s Comprehensive Plan within which are included goals, objectives and policies related to zoning and land development.

WHEREAS, on December 8, 2022, the Local Planning Agency held duly noticed public hearing to consider amending the city’s Official Zoning Map and recommended approval of the rezoning within the “East Stuart Neighborhood”; and

WHEREAS, the City Commission held duly noticed public hearings on January 17, 2023 and February 13, 2023 to consider this ordinance and provide for full public participation on the proposed amendment to the Zoning Map.

WHEREAS, the City Commission finds the proposed amendment of the Zoning Map consistent with the goals, objectives and policies of the Comprehensive Plan; and

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

SECTION 1: A map depicting the rezoning is attached hereto as **Exhibit “A”** and made a part hereof by reference.

SECTION 2: The City Commission hereby amends the city’s Official Zoning Map, to include the “East Stuart Neighborhood” as shown in **Exhibit “B”**.

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

SECTION 4: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5: This ordinance shall take effect upon adoption.

PASSED on first reading this _____ day of _____, 2023.

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

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

YES	NO	ABSENT	ABSTAIN

ADOPTED on second reading this _____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

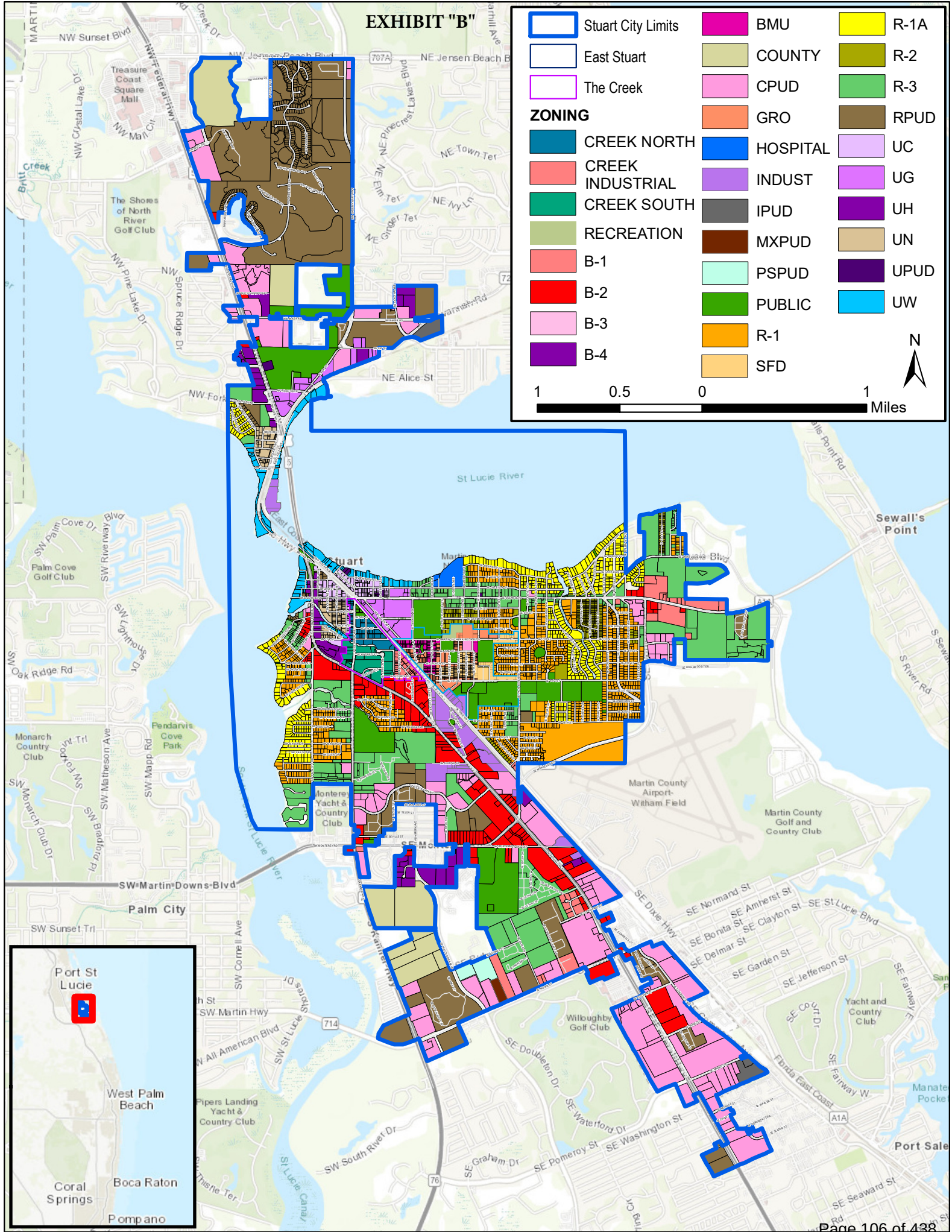
ZONING LEGEND

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

7/25/2022

PARCELS WITH PROPOSED CHANGES ONLY

EXHIBIT "B"





Bureau of Direct Mail Inc.

2809 SE Monroe St.

Stuart, FL 34997

Phone: (772) 283-8850

Toll Free: (800) 368-0004

October 11, 2022

Jordan Pinkston
Executive Assistant to the Development Director
CRA Program Specialist | City of Stuart
121 SW Flagler Ave. Stuart FL 34994

RE: East Stuart CRA mailing - Notice of Form Based Code

I hereby certify that the Bureau of Direct Mail Inc., has prepared and mailed notification letters, frequently asked questions notices and the corresponding maps as provided by the City of Stuart CRA to the recipients on the clients supplied mailing list. There was a total of 1,143 records on the mailing list. There were 8 records removed that were verified to be City of Stuart properties on the Martin County Property Appraisers website. The mailing was delivered to the West Palm Beach Post office on Summit Blvd. October 10, 2022. There was a total of 1,135 pieces mailed. Attached is the Postage Statement from the US Postal Service verifying the amount of the mailing, date the mailing was processed and the total postage of the mailing.

Bonnie Arnold
Bureau of Direct Mail Inc.
Bonnie.Arnold@bureauinc.com
(772) 283-8850

D-Signs, LLC
911 S.E. Hillcrest Ave.
Stuart, FL 34994

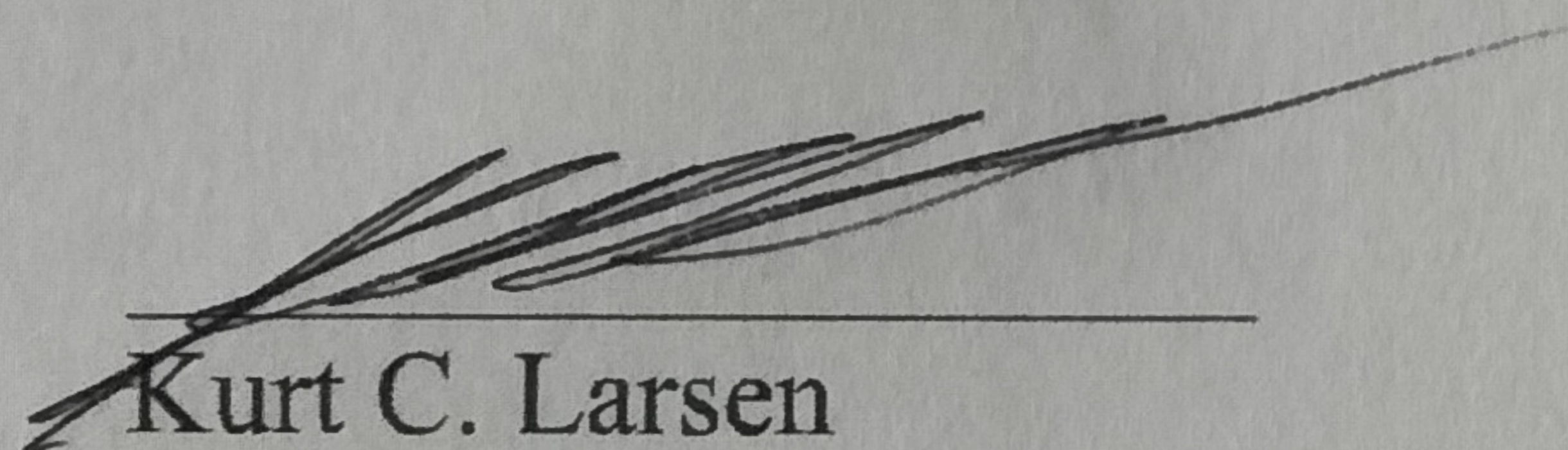
Sept. 26, 2022

CRA Program
City of Stuart
121 SW Flagler Ave
Stuart, FL 34994

REF: CRA The Creek District Study & The East Stuart Study

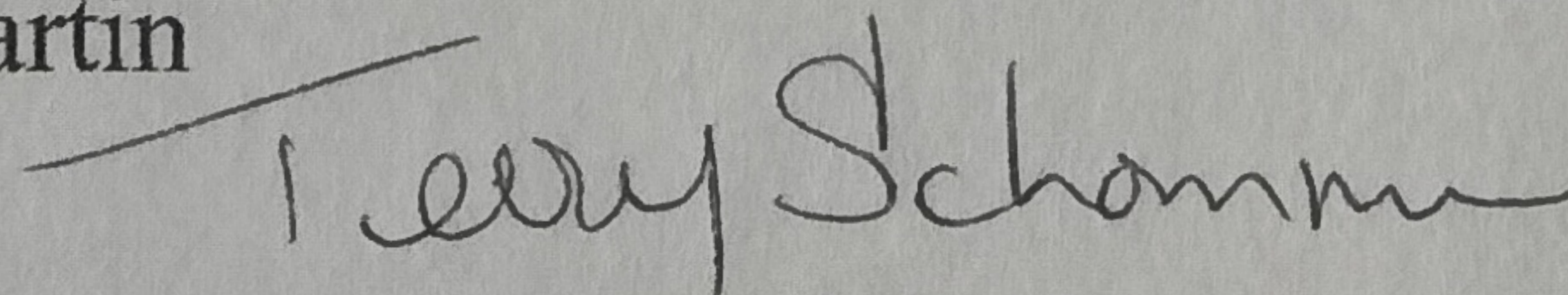
Attn:

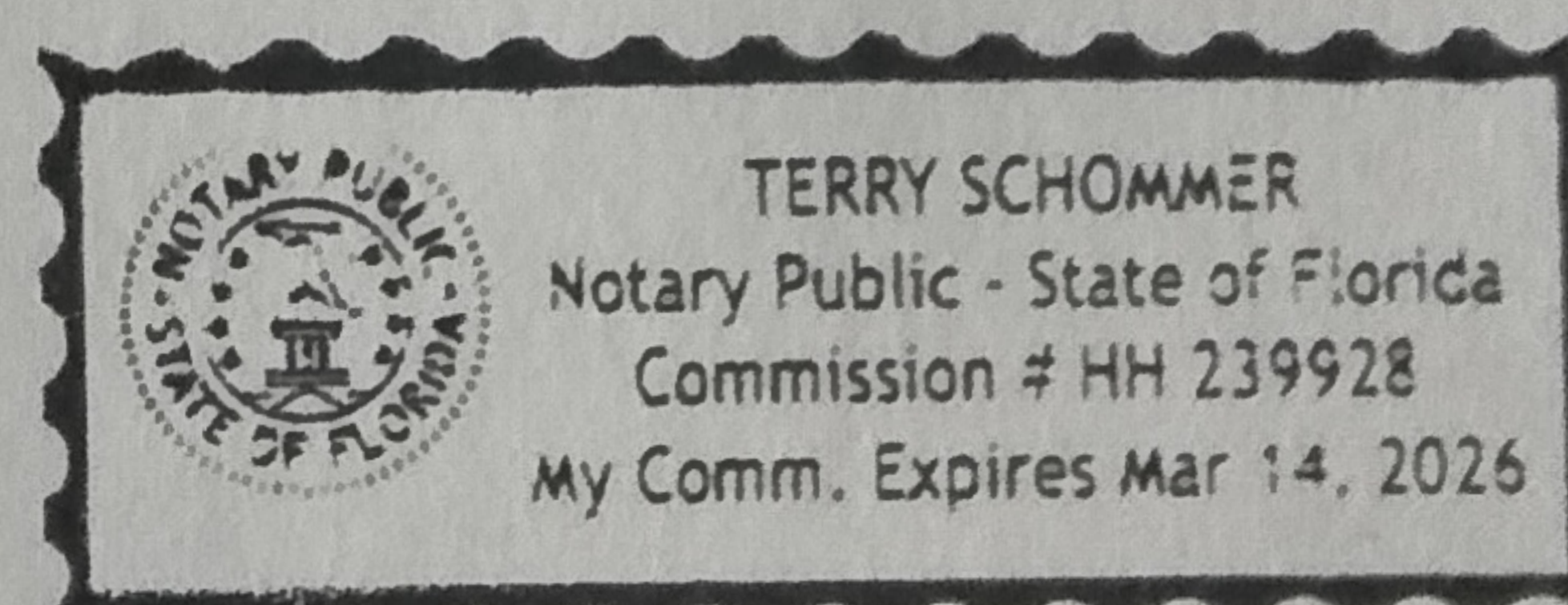
This Letter is to Certify that the above referenced sign was installed per City of Stuart requirements. This sign was posted according to and complies with the standards of the notice provisions of Article 10, Section 10:6 Development Review Procedures.
12 Signs Installed at specified Location.


Kurt C. Larsen

10/24/22
Date

State of Florida
County of Martin





Kurt C. Larsen, who is personally known to me, who did not take an oath, acknowledged the foregoing instrument before me on 10-24-22.

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST City Commission

Meeting Date: 1/17/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

EAST STUART NEIGHBORHOOD - LAND DEVELOPMENT CODE AMENDMENT (RC):

ORDINANCE No. 2507-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER III SPECIAL ZONING CODES FOR THE "EAST STUART NEIGHBORHOOD"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The proposed amendment to the Land Development Code, a was presented to the Community Redevelopment Board, Local Planning Agency, and the City Commission in September 2022.

East Stuart Neighborhood is a new section in Chapter III, Special Zoning Codes, of the Land Development Code. In places where there is no underline, the language or policy is similar to an existing policy. The underline text is where policies are new or modified. The existing zoning code for this area is presented as strike through.

The proposed code is intended to reflect the unique and historical character of the East Stuart Neighborhood and create harmonious infill development which allows a variety of housing options.

Jessica Seymour, Principal Program Coordinator, TCRPC has drafted proposed amendments to the city's LDC for the "East Stuart Neighborhood." TCRPC worked with the Community Redevelopment Board, Community Redevelopment Agency, the Development Department, the Public Works Department, interviews with members of the public, property owners, developers, land planners/professionals working in the area, American Institute of Architect (AIA), and conducted peer review of the proposed code as recommended by the Community Redevelopment Board. Interviews and public meetings have reached over 110 individuals. The CRA/City has mailed 3,500 postcards, dropped off over 1,500 flyers, 500 doorhangers and communicated through the city's webpage, newsletter, and social media to advertise meetings.

Treasure Coast Regional Planning Council staff will present the proposed Chapter III, Section 3.02.00, at the public hearing, assisted by staff as appropriate.

On December 8, 2022, the Local Planning Agency reviewed the request and the board unanimously recommended approval of this ordinance with the following comments:

- a. Add notations in the text and zoning map indicating areas east of SE Forrest Park Drive on SE 10th Street and MLK Jr Blvd as detached housing types only (duplexes and townhouses are not permitted as part of LPA recommendations based on public comments).
- b. Remove redundant language on impervious area in Neighborhood Open Space.

ATTACHMENT:

1. A. Ordinance No. 2507-2023 LDC Amendment East Stuart Neighborhood
2. B. Presentation
3. C. LPA Minutes

Funding Source:

N/A

Recommended Action:

Move approval of Ordinance No. 2507-2023, amending Chapter III of the Land Development Code to include form-based land development regulations for the “East Stuart Neighborhood”.

ATTACHMENTS:

1. Ordinance 2507-2023 - LDC Amendment East Stuart
2. Presentation
3. LPA Minutes



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

ORDINANCE NUMBER 2507-2023

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER III SPECIAL ZONING CODES FOR THE "EAST STUART NEIGHBORHOOD"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, the Community Redevelopment Agency and City Commission has determined that an analysis of existing code for the East Stuart Neighborhood in the CRA would benefit the residents and businesses of Stuart; and

WHEREAS, on September 27, 2021, by Resolution No. 09-2021, the Community Redevelopment Agency approved to enter to an Interlocal Agreement with the Treasure Coast Regional Planning Council to conduct a public input process and develop a Form Based Code for the East Stuart Neighborhood; and

WHEREAS, the Treasure Coast Regional Planning County and the Community Redevelopment Agency held the Vision Workshop, Walking Tour, interviews with residents and property owners, several public outreach meetings/presentations, and work in progress workshops to get input to develop a Form Based Code for the East Stuart Neighborhood; and

WHEREAS, on December 8, 2023, the Local Planning Agency held duly noticed public hearing to consider this ordinance; and

WHEREAS, the City Commission held duly noticed public hearings on January 17, 2023 and February 13, 2023 to consider this ordinance and provide for full public participation on the Land Development Code amendment process.

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

SECTION 1: The provisions of the Land Development Code as amended are hereby adopted as provided in the attached Exhibit “A” which is incorporated herein as set forth below.

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

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

SECTION 4: The provisions of this ordinance shall be codified into the City’s Land Development Code.

SECTION 5: This ordinance shall take effect upon adoption.

Passed on first reading the ____ day of _____, 2023.

Commissioner _____ offered the foregoing Ordinance and moved its adoption.

The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

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

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this ____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

EAST STUART NEIGHBORHOOD CODE

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.00

Sec. 03.02.00. East Stuart Neighborhood Code

Sec. 03.02.01. 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 only apply to development within the East Stuart Neighborhood and only properties within the East Stuart Neighborhood may utilize the Business & Mixed Use (BMU), General Residential & Office (GRO), and Single Family & Duplex (SFD) designations. The standards and regulations set forth in **Sec. 3.02.00** shall apply to *new development*, amendments to *planned unit developments*, *substantial improvement*, and *substantial renovation*. Incremental compliance with this code shall be required Incremental compliance with this code shall be required with a proposed change which includes increased impervious area, new signage, or which would constitute a change of use. Incremental compliance shall include landscape, and site standards, and sign standards.
- D. Consistency with Comprehensive Plan. Applicable Future Land Use designations are listed in **Figure ESN-01 Future Land Use & Zoning Consistency.**

FIGURE ESN-01 FUTURE LAND USE & ZONING CONSISTENCY

FUTURE LAND USES IN THE EAST STUART NEIGHBORHOOD			
East Stuart FLU		Recreation FLU	Public FLU
ZONING CATEGORIES	BMU <i>Business & Mixed Use</i>	-	-
	GRO <i>General Residential & Office</i>	-	-
	SFD <i>Single Family & Duplex</i>	-	-
	MXPUD <i>Mixed-Use Planned Unit Development</i>	-	-
	CPUD <i>Commercial Planned Unit Development</i>	-	-
	-	PSPUD <i>Public Service Planned Unit Development</i>	PSPUD <i>Public Service Planned Unit Development</i>
	-	Recreation	Recreation
	-	-	Public

- E. Effective date. This Code shall be effective at adoption and as amended from time to time.
- F. Form-based code. The East Stuart Neighborhood Code is a form-based code that fosters 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.
- G. How to Use this Code. See **Figure 02 How to Use this Code.**

FIGURE ESN-02 HOW TO USE THIS CODE



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](#).

PROCEDURE & PROCESS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.01

- H.** 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. Pre-application conference is not required for interior renovations Development Director.
 - 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, floor plans, and elevations.
 - b.** At a pre-application conference, the applicant and Development Department will discuss relevant procedures from **Chapter XI** and required board presentation(s) as outlined in **Figure 03 Required Board Presentations**.
 - c.** The 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 notify City staff in advance of the meeting shall submit minutes and sign-in sheets from the community workshop as part of the application.

FIGURE ESN-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	✓	✓					✓
Major 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**. Completed applications shall include **Figure ESN-05 Major Development Projects Matrix** and a completed Pre-Application Form from the Development Department.

FIGURE ESN-04 APPLICATION REQUIREMENTS

APPLICATION REQUIREMENTS
A general vicinity or location map & legal description
Proposed <u>permitted uses</u> , development activities & design
<u>Conceptual</u> building plans
Front, rear, & side architectural elevations <u>with required Frontage Types identified</u>
<u>Finished</u> floor elevation, <u>base flood elevation</u> and <u>crown of road</u>
Documentation related to streets, parking, loading <u>and connections to existing sidewalks</u>
Landscaping <u>including existing tree protection and planned shade trees</u>
<u>Identify any existing historic buildings as defined by Sec. 5.09.00. - Historic preservation.</u>
Signage
<u>Conceptual stormwater management plan</u>
Any other documentation as required by the Development Director in order to demonstrate compliance with this Code

- I. *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 as defined in **Figure CD-05 Major Development Projects Matrix**. In addition to the requirements of **Sec. 11.01.02**, a presentation to the CRB shall be required.

FIGURE ESN-05 MAJOR DEVELOPMENT PROJECTS MATRIX

MAJOR DEVELOPMENT IN EAST STUART NEIGHBORHOOD
A residential project which exceeds <u>20</u> total dwelling units
A non-residential development over <u>20,000</u> square feet in <u>floor</u> area.
A mixed-use development over <u>20,000</u> square feet in <u>floor</u> 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.

- J. *Conditional use.* The review of a *conditional use* shall follow the procedures set forth in **Sec. 11.01.10** for a *major conditional use* and *minor conditional use* review. A conditional use shall be granted if the applicant can demonstrate that the request:
- Is consistent this Code and the City's comprehensive plan;
 - Will further the implementation of the CRA redevelopment plan;
 - Will measurably improve the form and function of traditional neighborhood characteristics; and
 - Satisfied site qualitative design development standards set forth in **Sec. 6.00.04**.
- K. *Planned unit development project.* Applications or amendments to *planned unit development projects* shall outline any deviations from the East Stuart Neighborhood Code. A *planned unit development projects* shall only be granted if the applicant can demonstrate the same standards set forth for *conditional uses*.

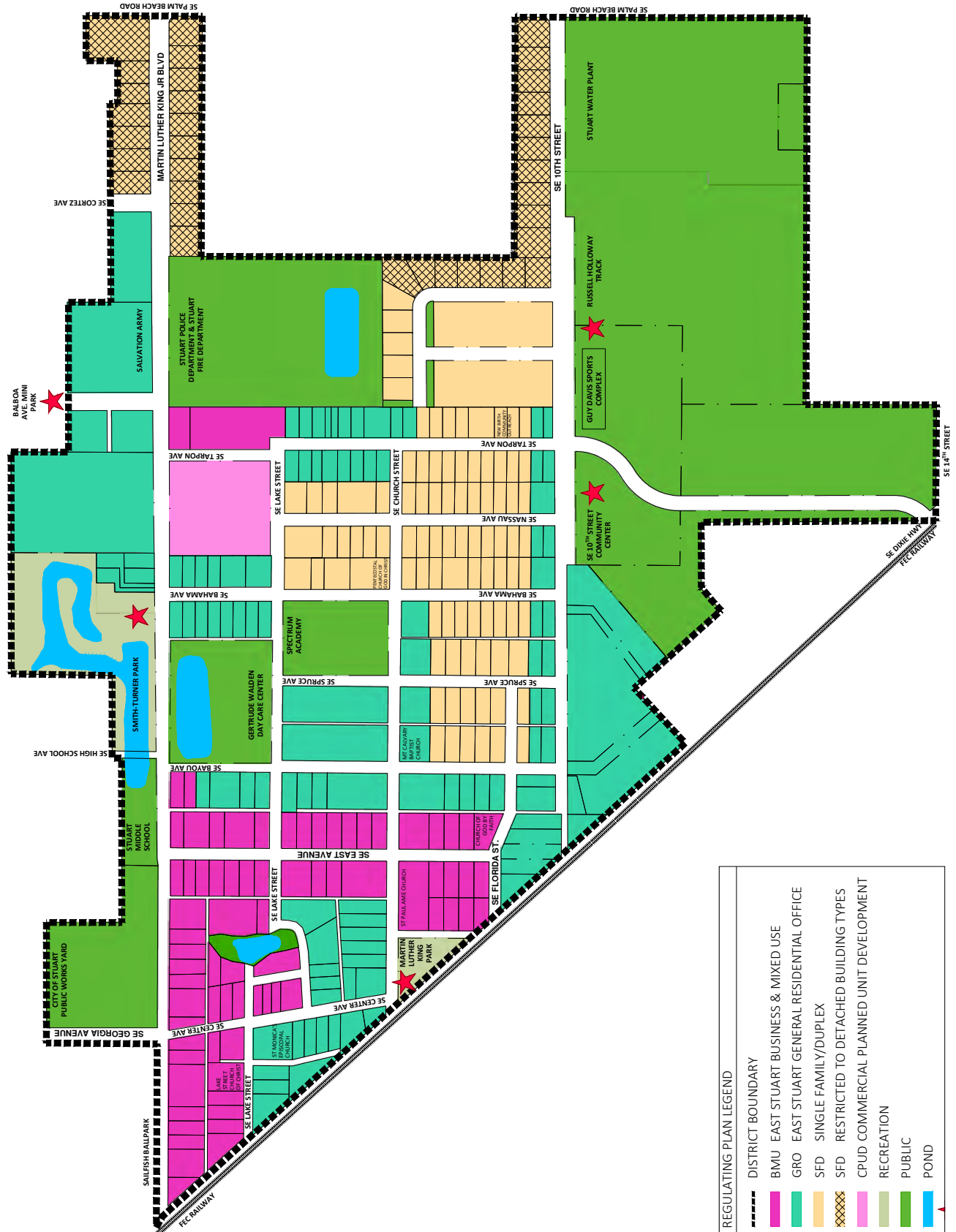
Sec. 03.02.02. Regulating Plan.

- 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. A portion of the zoning district is restricted to detached dwelling units and does not permit duplexes or townhouses. The area is identified on the regulating plan with a crosshatch.
- B.** Regulating plan. **Figure ESN-06 Regulating Plan** and **Figure ESN-07 Thoroughfare Plan** are the Regulating Plans that apply to the East Stuart Neighborhood.
- 1.** Recommended Connections. Potential future street and alley connections are illustrated on the Thoroughfare Regulating Plan. 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.
 - 2.** Improved Alley Candidates. An improved alley candidate is a existing alley right-of-way which has not yet been improved to the standards in **Figure ESN-34 Improved Alley** . New development adjacent to alley candidates shall dedicate for improvement of alley. The dedication of land for an improved alley allows development to use rear setback with alley setback and may still be included for the purpose of calculating density.

REGULATING PLAN

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.02

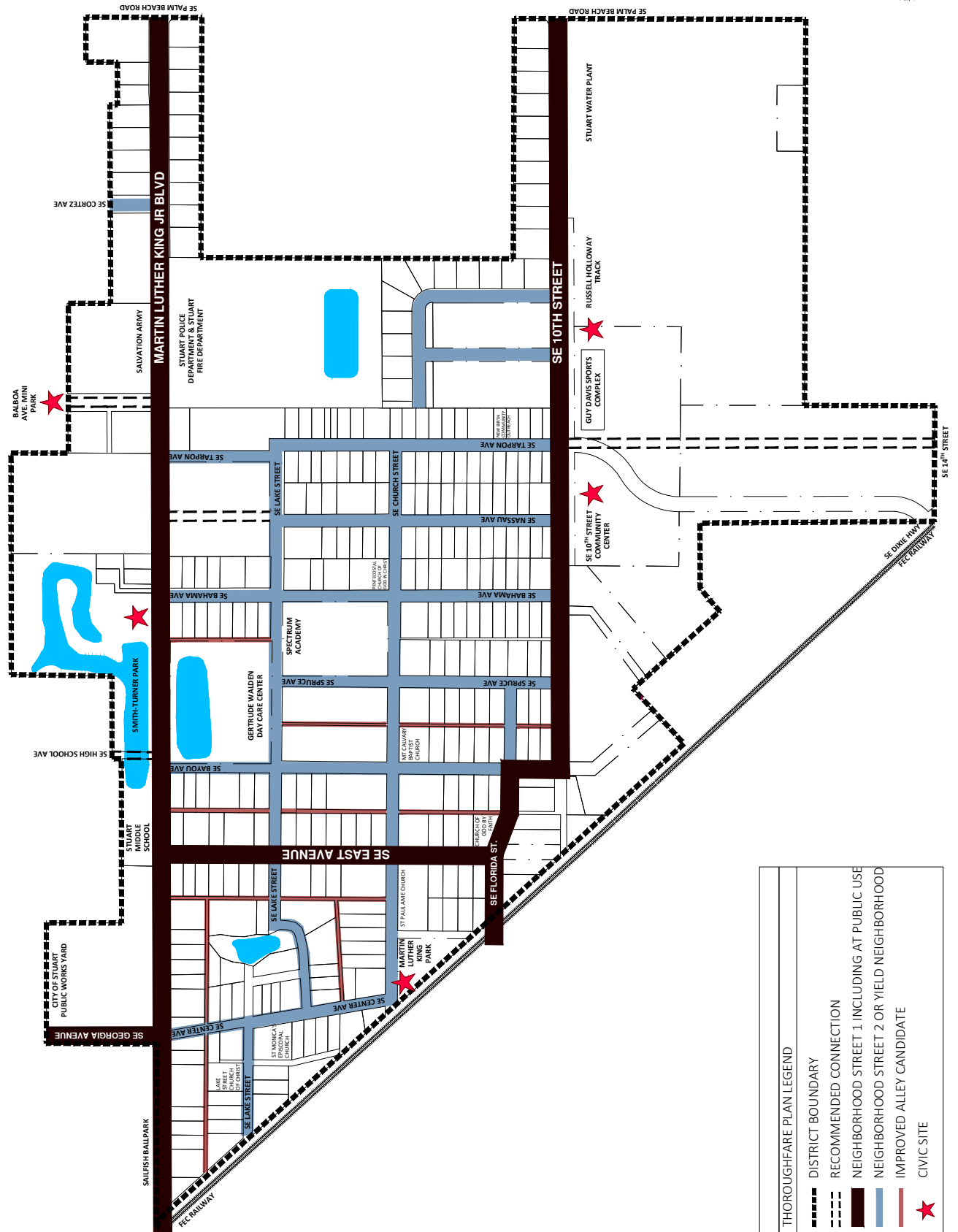
FIGURE ESN-06 REGULATING PLAN



REGULATING PLAN

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.02

FIGURE ESN-07 THOROUGHFARE PLAN



PERMITTED USES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.03

Sec. 03.02.03. Permitted Uses.

A. Figure ESN-08 identifies permitted uses in East Stuart Neighborhood.

1. Consideration of uses not specifically listed. If a use is not listed within a zoning district, then the use is not allowed. A proposed use that is not listed within a zoning district, but which is determined by the Development Director to have a similar character, nature, and impact to a permitted use in that district may be approved through a determination of comparability by the Development Director. Conditions may be placed on the decision. A determination by the Development Director that a proposed use is not similar to a permitted use may be appealed according to procedures in **Sec.08.07.01**.
2. *Conditional Use*. Uses which require a *conditional use* (CU) approval are marked with "CU."
3. Non-conforming uses. Non-conforming uses created by virtue of the adoption of this Code shall be deemed legal non-conforming uses subject to the provisions of **Sec. 8.03.00**.

FIGURE ESN-08 PERMITTED USES IN THE EAST STUART NEIGHBORHOOD

	Standards for Specific Use	BMU	GRO	SFD	Public	Rec.
Residential Uses						
Single-family dwelling unit		✓	✓	✓	-	-
Duplex dwellings units	Sec. 03.02.03.B.1	✓	✓	✓	-	-
Multi-family dwelling units		✓	✓	-	-	-
Accessory dwelling unit	Sec. 03.02.04.G.04	✓	✓	✓	-	-
Mixed-use		✓	✓			
Family day care home in a residence		✓	✓	✓	-	-
Group home of six or fewer residents		-	-	✓	-	-
Home occupation	Sec. 03.02.03.B.3	✓	✓	✓	-	-
Transient Residential & Overnight Accommodations						
Hotels/motels		✓	-	-	-	-
Rooming & boarding houses		✓	✓	-	-	-
Bed & breakfast inn		✓	✓	-	-	-
Institutional Uses						
Adult day care centers (< three acres)		✓ CU	✓	-	-	-
Child care centers (< three acres)	Sec. 02.04.03.B.2	✓ CU	✓	-	-	-
Community centers		✓	✓	-	✓	✓
Funeral homes without crematoriums		✓ CU	-	-	-	-
Governmental buildings		✓	✓	-	✓	-
Libraries		✓	✓	-	✓	-
Museums		✓	-	-	✓	-
Assisted living facilities (< three acres)		✓	✓	-	-	-
Religious institutions (< three acres)		✓	✓	✓	-	-
Schools—public, private, parochial or technical		✓ CU	✓ CU	-	✓	-
Commercial Uses						
Art shops/galleries		✓	-	-	-	-
Banks/financial institutions, <u>excluding drive-in</u>		✓	-	-	-	-

PERMITTED USES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.03

	Standards for Specific Use	BMU	GRO	SFD	Public	Rec.
Barbershop, beauty salons, specialty salons		✓	-	-	-	-
Bars		✓ <u>CU</u>	-	-	-	-
Catering shop		✓	-	-	-	-
<u>Clubs, lodges, & fraternal organizations</u>		✓ <u>CU</u>	-	-	-	-
Massage therapy establishment		✓	-	-	-	-
Microbreweries & craft distilleries		✓ <u>CU</u>	-	-	-	-
Office, business, professional, medical or veterinary		✓	✓	-	-	-
Restaurants, convenience & general, excluding drive-in/through	Sec. 2.06.13	✓	-	-	-	-
Retail sales & service		✓	-	-	-	-
Rooftop dining	Sec. 2.06.19	✓ <u>CU</u>	-	-	-	-
Studios, art, dance, music, or exercise		✓	-	-	-	-
Theater, excluding drive-in theaters		✓	-	-	-	-
Recreational Uses						
Public parks		✓	✓	✓	✓	✓
Utility & Service Uses						
Public facilities & services		✓	✓	✓	✓	✓
Public utility		✓	✓	✓	✓	✓
Telecommunication Uses						
Camouflage 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 & lots		✓	-	-	✓	✓
Private parking garages & lots		✓ <u>CU</u>	-	-	-	-

- B.** 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.** *Duplex.* A portion of the SFD zoning district is restricted to detached dwelling units and does not permit duplexes or townhouses. The area is identified on **Figure ESN-07 Thoroughfare Plan** with a crosshatch.
 - 2.** *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, any certificate of occupancy or business tax receipt may be issued for such facility.
- 3.** *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.** One non-illuminated sign may be permitted to identify the home occupation. 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, and shall not exceed one square foot.
 - 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. 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.

DEVELOPMENT STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.04

Sec. 03.02.04. Development Standards

- A. All *new development, substantial improvement, and substantial renovation* shall comply with the Development Standards in **Figure ESN-09 Development Standards in the East Stuart Neighborhood**. Development Standards which require a *conditional use* (CU) approval are marked with “CU.”

FIGURE ESN-09 DEVELOPMENT STANDARDS IN THE EAST STUART NEIGHBORHOOD

	BMU	GRO	SFD	Public	Recreation
Lot Size					
Lot area in sf min./max. ¹	None	None	None	None	None
Lot width in feet min./max. ¹	None	None	None	None	None
Building Placement					
Front Build-to-Zone	5'-15'	10'-20'	10'-20'	10'-20'	10'-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'
Building Height					
Building height, max. in stories	3 ²	3 ²	2	3	3
Building height, max. in feet	40' ²	35' ²	35'	40'	40'
Ground story height, min. in feet	12'	Not Applicable	Not Applicable	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 %	75%	65%	65%	65%	65%
Frontage Types					
Porch	✓	✓	✓	✓	✓
Stoop	✓	✓	✓	✓	✓
Bracketed Balcony	✓	✓	✗	✓	✓
Forecourt	✓	✓	✗	✓	✓
Arcade	✓	✗	✗	✓	✓
Storefront	✓	✗	✗	✓	✓
Parking Placement, see Sec. 03.02.07. Access & Parking Standards					
Footnote:					
¹ For existing parcels with assigned parcel ID numbers at the effective date of this Code. The newly platted lots have a minimum lot size of 4,365-sf.					
² Four stories and up to 45' requires a PUD and Community Workshop & Outreach as described in Sec.3.04.01.J.1.c					

B. Building Placement.

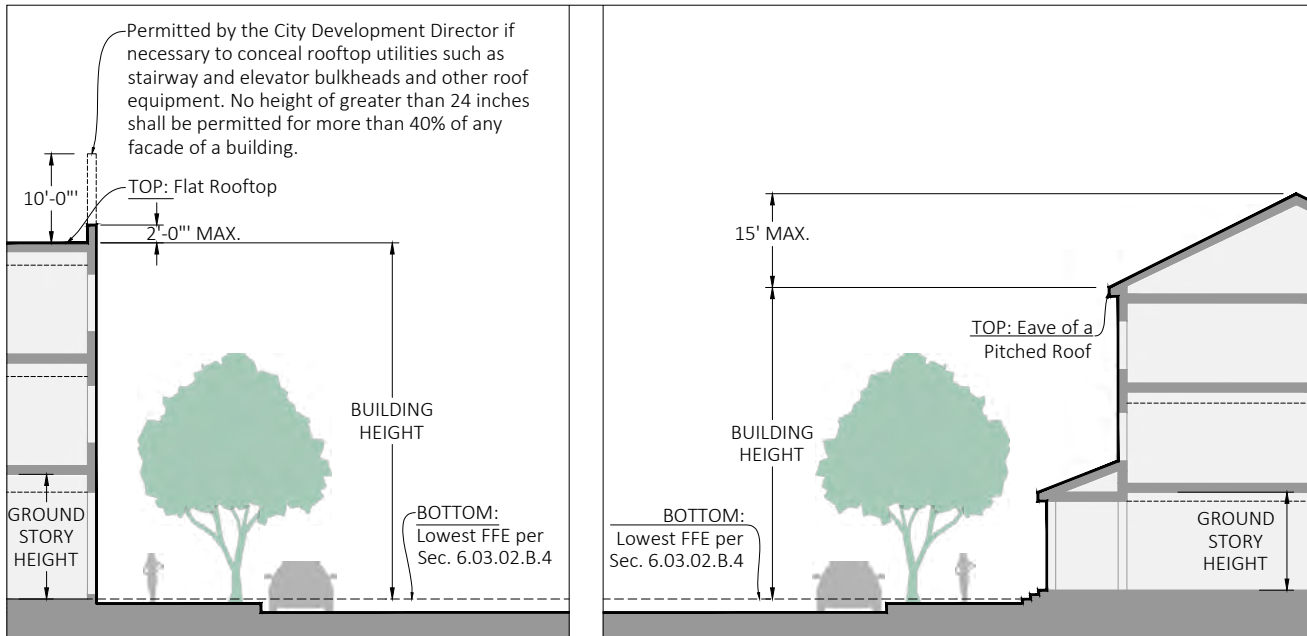
- 1. Build-to-Zone (BTZ).** Setbacks are measured from the property line and are defined in **Chapter XII**.
- 2. Setbacks.** Setbacks are measured from the property line and are defined in **Chapter XII. Sec. 2.04.04. - Supplemental building setback requirements**.
- 3. Primary Facade.** Main entries shall be prominent and orientated to the street.
 - a.** The primary façade shall be generally parallel to the right-of-way, located in accordance with the build-to-zone of the zoning district.

DEVELOPMENT STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.04

- b. The primary façade shall face existing roadway(s).
 - 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, respective of all required setbacks and visibility triangles, or a *neighborhood open space* shall be provided.
- C. **Building Height.** Building height is measured in accordance with **Sec. 2.04.07. - Supplemental building height.** See **Figure ESN-10** for illustration.

FIGURE ESN-10 ILLUSTRATION OF MEASURING HEIGHT



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.
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. 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 the building perimeter. Minor grading not to exceed 2% directing water away from building to established drainage is allowed. **Sec. 6.03.01.G.2** and **Sec. 6.03.02.B.4** apply for all habitable spaces. They do not apply for non-habitable spaces such as garages and storage. See illustrated examples in **Figure ESN-11 Alternatives to Foundations on Fill.**

FIGURE ESN-11 ALTERNATIVES TO FOUNDATIONS ON FILL

Stem wall, extended footers, thickened monolithic foundation, stem pier wall foundation, or other means of construction that do not include mounding.



DEVELOPMENT STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.04

- D. Building Massing. Buildings shall not have a horizontal length or width of 150' or greater. No horizontal length or uninterrupted curve of a primary facade shall exceed 100 linear feet.
- E. Coverage.
1. *Impervious surface.* See **Sec. 2.04.03. - Supplemental impervious surface coverage requirements.**
 2. *Neighborhood Open Space.* Neighborhood open space is an outdoor space accessible by the general public, improves the pedestrian environment, and serves as an amenity for the neighborhood. Neighborhood open space shall provide low impact development strategies to promote improved stormwater treatment. Examples of neighborhood open space which can be implemented are shown in **Figure ESN-12 Neighborhood Open Space Types.**

FIGURE ESN-12 NEIGHBORHOOD 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.	
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.	
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 ESN-18 Forecourt.	

DEVELOPMENT STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.04

- F.** *Accessory Structures.* Accessory structures shall comply with the Development Standards applicable in the zoning district except where modified herein.
- 1.** Accessory structures shall not be established on a lot prior to the issuance of all permits required for the development of the principal structure to which it is accessory.
 - 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* may include detached garages and carports, greenhouses, slat houses, cabanas, detached garage, and *Accessory Dwelling Units* (ADU). *Outbuildings* shall conform to the standards in **Figure ESN-30**.
 - 4.** *Accessory Dwelling Units (ADU).*
 - a.** One ADU may be permitted on a lot on which a detached single-family dwelling is located.
 - b.** Either the primary dwelling unit or ADU shall be owner occupied. The ADU shall not be sold or title thereto transferred separate and apart from the rest of the property.
 - c.** An ADU shall not count as a separate unit for purposes of calculating density.
 - d.** An ADU shall not exceed a footprint of 700 square feet or the footprint of the principal structure, whichever is less. If a unit exceeds the 700 square feet, it shall be used in density calculations.
- G.** *Frontage Types.* Each new development, substantial improvement, and substantial renovation, constructed must meet the standards for one of the Frontage Types permitted in the zoning district where it is located. See **Sec. 03.02.05**.
- H.** *Historic preservation.* Structures identified as historically and architecturally contributing shall be candidates for historic preservation as set forth in **Sec. 05.09.00**.
- 1.** The requirements of this Code may be adjusted by variance for the purposes of preserving a historic building.
 - 2.** *Replication of historic buildings.* Historical buildings 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. Reconstructions shall be supported by drawings, images, and review by the Stuart Historic Preservation Board. The following historic buildings are eligible for reconstruction:
 - a.** McHardy Building
 - b.** Taylor's Grocery Store, 610 East 10th Street
- I.** *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.

FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

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 ESN-14 Permitted Frontage Types Matrix** is required. Standards for *frontage types* are found in **Figure ESN-15** through **Figure ESN-20**.
1. Frontage types shall be located on the *primary facade*.
 2. Frontage Type diagrams do not prescribe use or architectural style and are illustrative. Dimensions provided in tables control for regulatory requirements.
- 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.
 2. Building façades facing street and *neighborhood open spaces* shall meet or exceed the minimum percentage of transparent glazing. The required percentage is determined by the frontage type.
 3. Above the ground level, building façades shall meet or exceed the minimum percentage of transparent glazing at each story as measured between finished floors. The required percentage is determined by the frontage type.

FIGURE ESN-13 FRONTAGE TYPES MATRIX

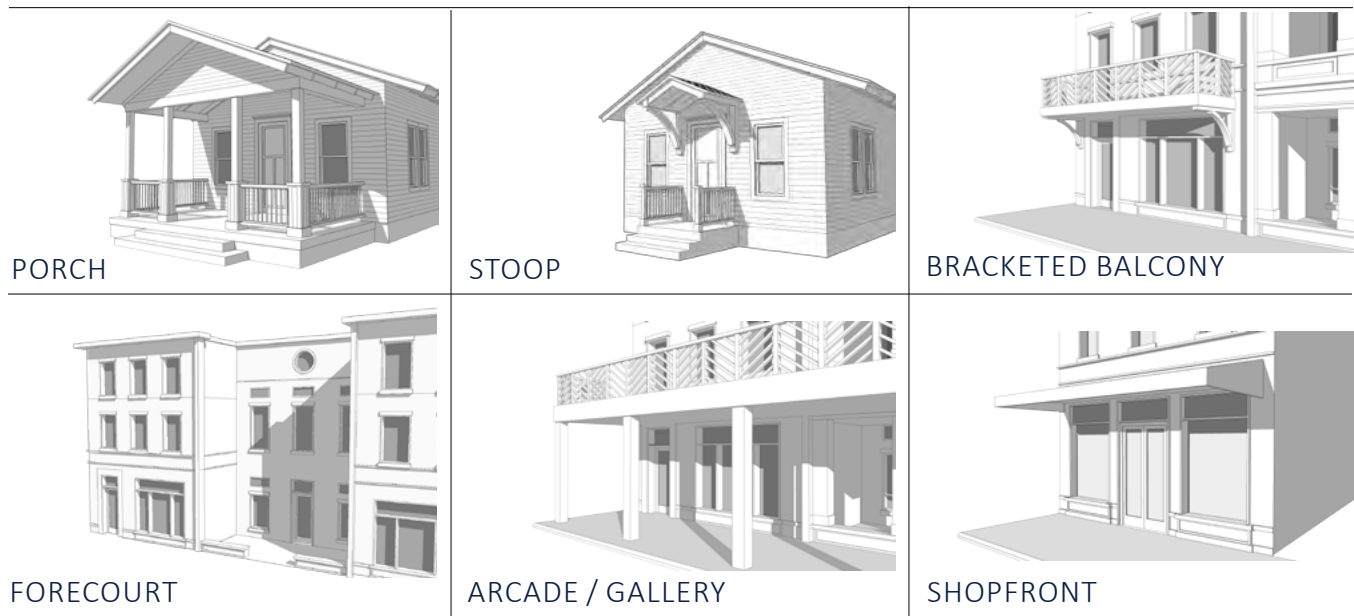


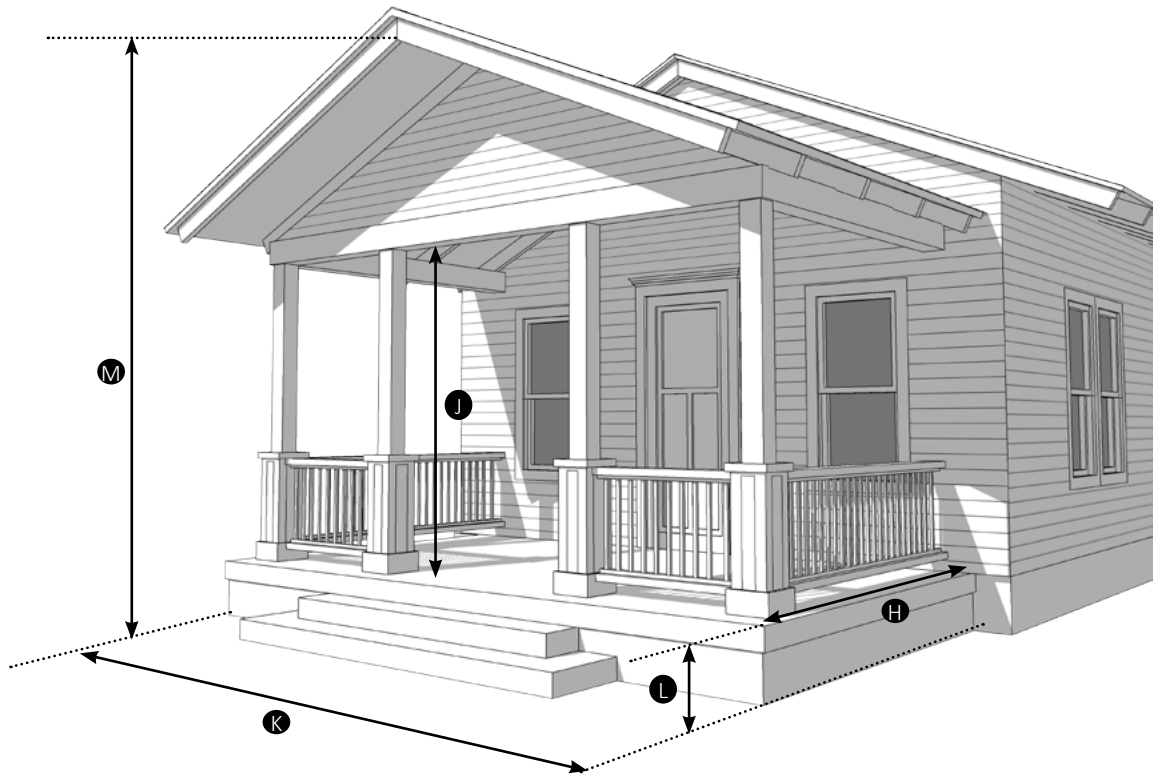
FIGURE ESN-14 PERMITTED FRONTAGE TYPES MATRIX

	Cottage	Duplex	Town-house	Cottage Court	Apartment House	Court-yard	Live-Work
Frontage Types							
Porch	✓	✓	✓	✓	✓		
Stoop	✓	✓	✓	✓	✓		
Bracketed Balcony			✓		✓		
Forecourt					✓	✓	✓
Arcade / Gallery					✓	✓	✓
Shopfront						✓	✓

FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-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. Porches shall have direct access to sidewalks where they exist. Front porches may be screened.

Dimensions

Depth	6 feet min., 8 feet recommended	H
Height, clear	8 feet min.	J
Width, length of facade	50% min.	K
Finish level above crown of road	18 inches min., ± 30 inches recommended	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



FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-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. Stoops shall have direct access to sidewalks where they exist.

Dimensions

Depth	5 feet min.	H
Height, clear	8 feet min.	J
Width, clear	4 feet min.	K
Finish level above crown of road	18 inches min., ± 30 inches recommended	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



FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-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

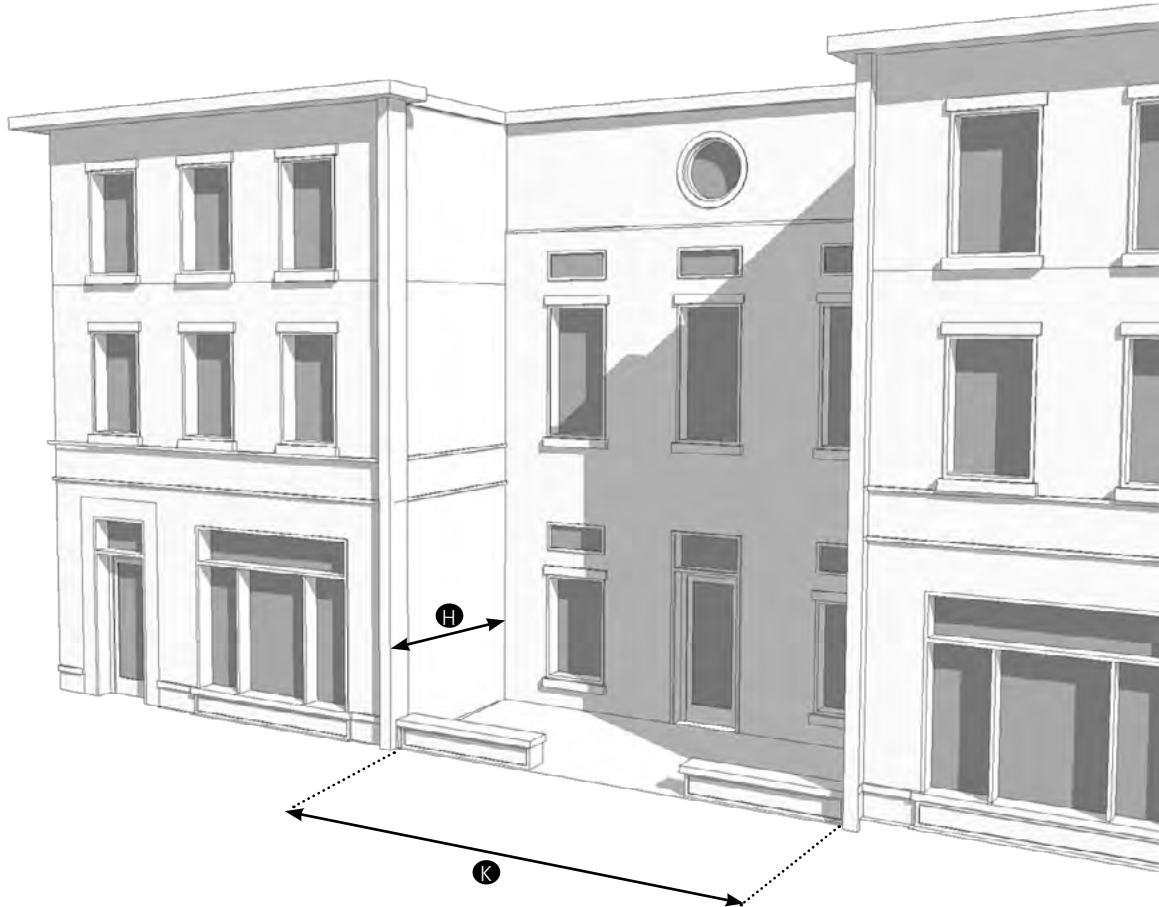
BMU



FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-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

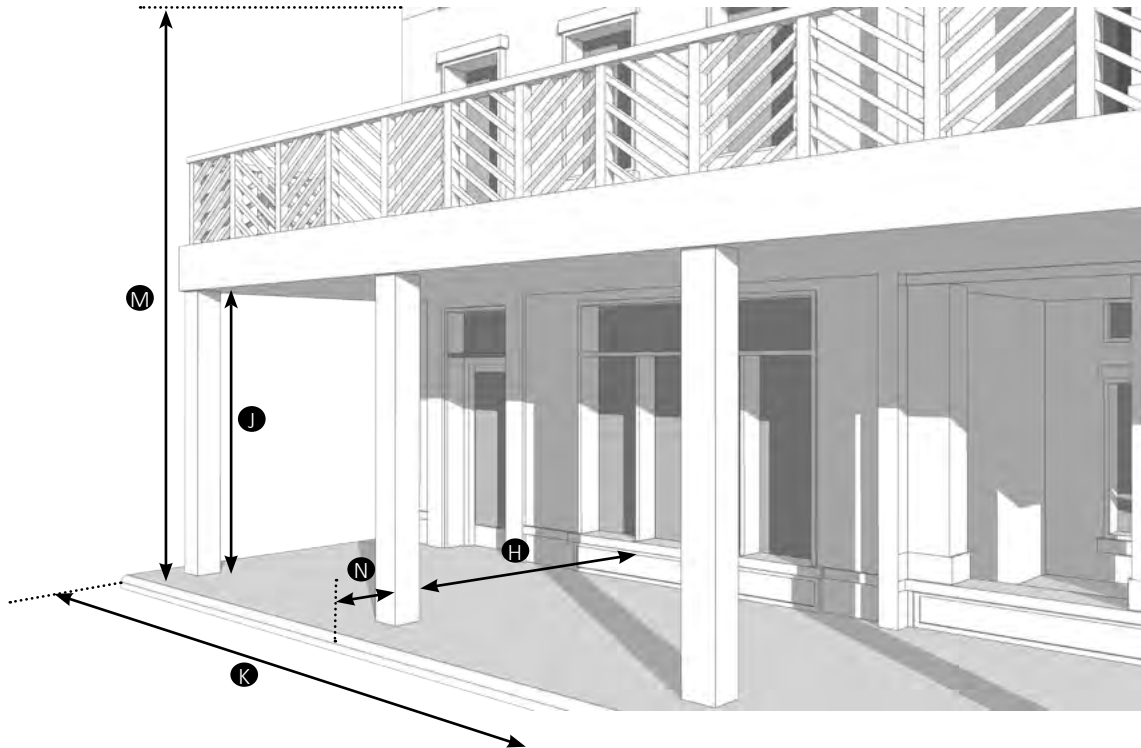
BMU



FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-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

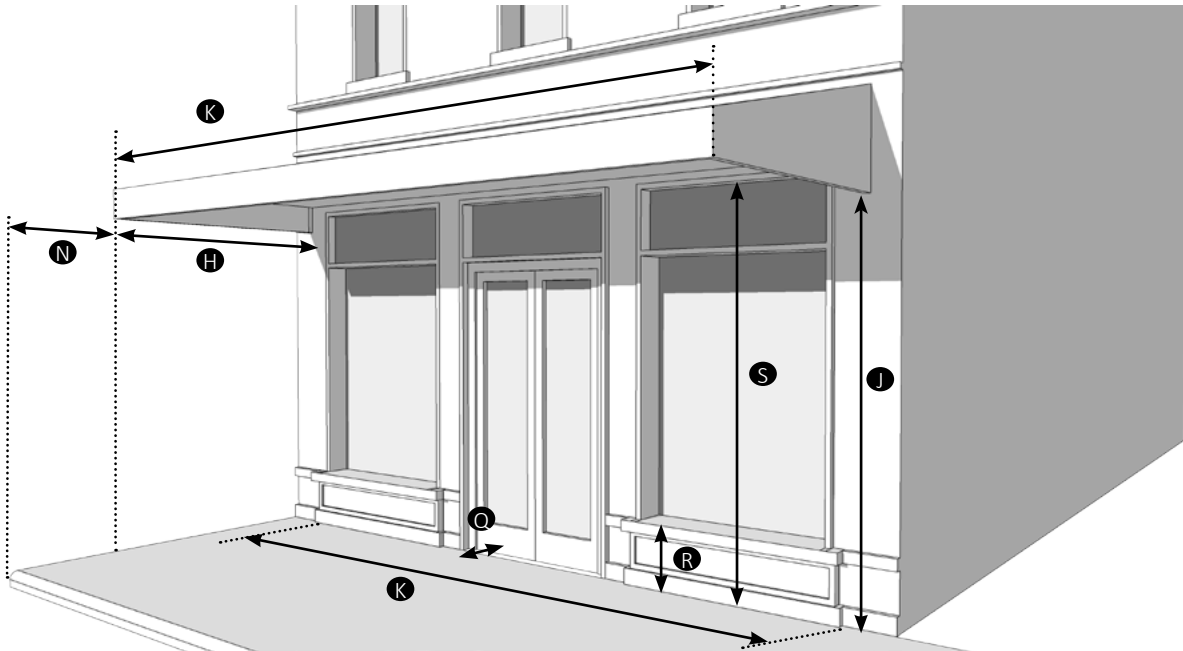
BMU



FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-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. Quarterballs and waterfall type awnings are not permitted.

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



FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

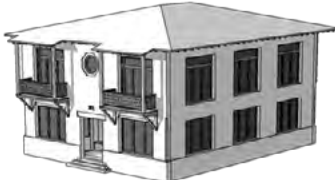
- C. Accessibility. An applicant may request reasonable accommodation from this Code though **Sec.08.07.07**. See **Figure ESN-22** for examples of front and side ramp entries. Strategies for accommodating ramps accessibility may include:
1. Combined access for multiple buildings within site plan
 2. Utilizing 2% slope at alleys and rear access
 3. Combining ramps and stair entrances

FIGURE ESN-22 ACCESSIBLE ROUTES



- D. Building Types. The following Building Types listed in in **Figure ESN-21** are illustrative examples of appropriate building types. Building Types do not prescribe use or architectural style. New development shall identify the building type provided. **Figure ESN-09 Development Standards in the East Stuart Neighborhood** provides additional Development Standards.

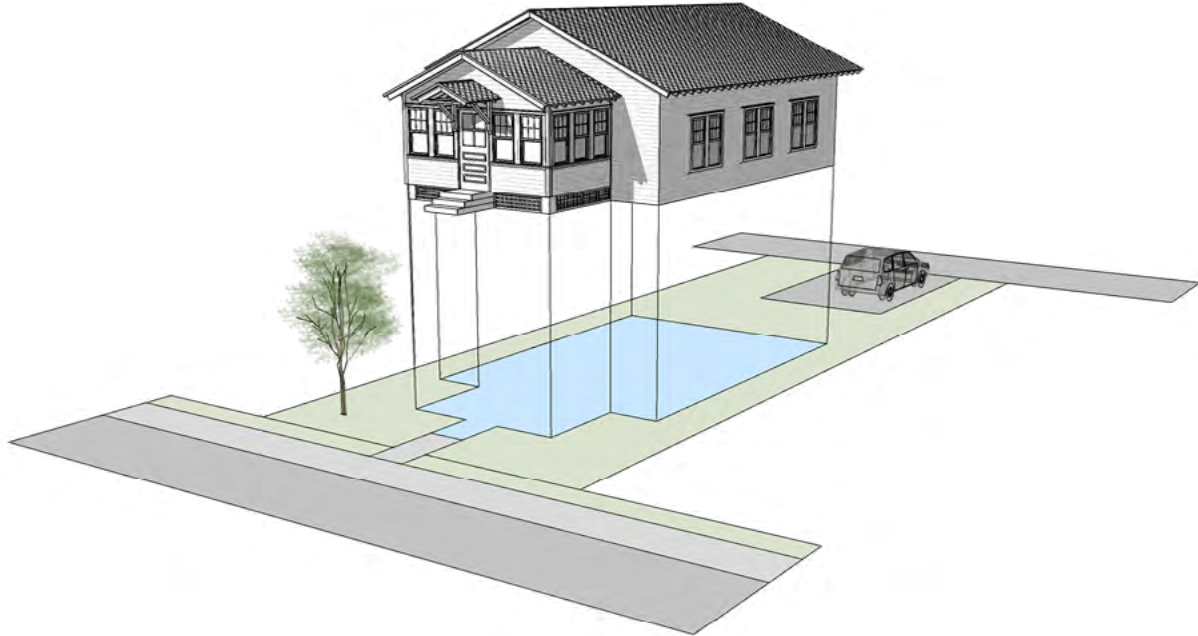
FIGURE ESN-21 BUILDING TYPES MATRIX

COTTAGE 	DUPLEX 
COTTAGE COURT 	TOWNHOUSE 
APARTMENT HOUSE 	COURTYARD BUILDING 
LIVE/WORK BUILDING 	OUTBUILDING 

FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-23 COTTAGE



KEY

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

Permitted Zoning District

SFD	GRO	BMU
-----	-----	-----

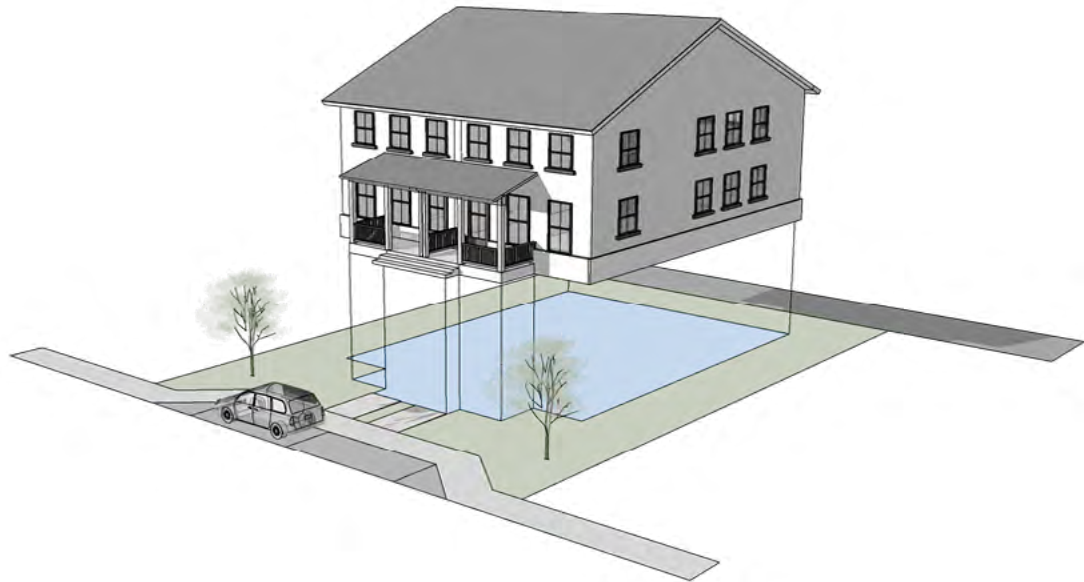
Permitted Frontage Types

Porch	✓
Stoop	✓

FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-24 DUPLEX



KEY

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

¹A portion of the zoning district is restricted to detached dwelling units and does not permit duplexes or townhouses. The area is identified on the **Figure ESN-06 Regulating Plan** with a crosshatch.

Permitted Zoning District

Permitted Frontage Types

SFD ¹	GRO	BMU	Porch	✓
			Stoop	✓

FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-25 TOWNHOUSE



KEY

	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 separation 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 Property Line Setback is 10 feet minimum from the property line.

¹A portion of the zoning district is restricted to detached dwelling units and does not permit duplexes or townhouses. The area is identified on the **Figure ESN-06 Regulating Plan** with a crosshatch.

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

Permitted Zoning District

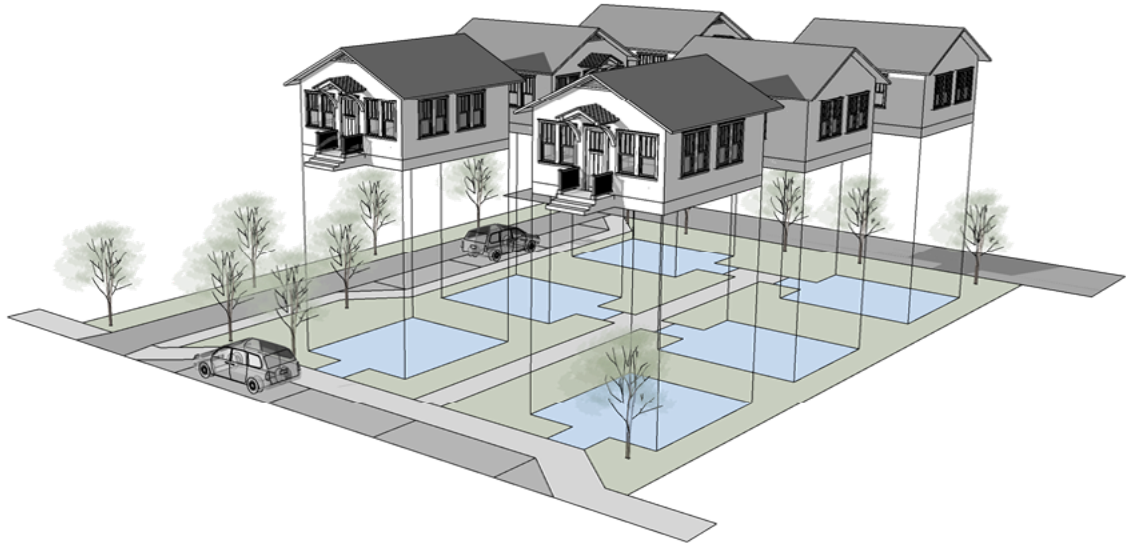
Permitted Frontage Types

SFD ¹	GRO	BMU	Porch	✓
			Stoop	✓
			Bracketed Balcony	✓

FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-26 COTTAGE COURT



KEY

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

Permitted Zoning District

Permitted Frontage Types

GRO

BMU

Porch



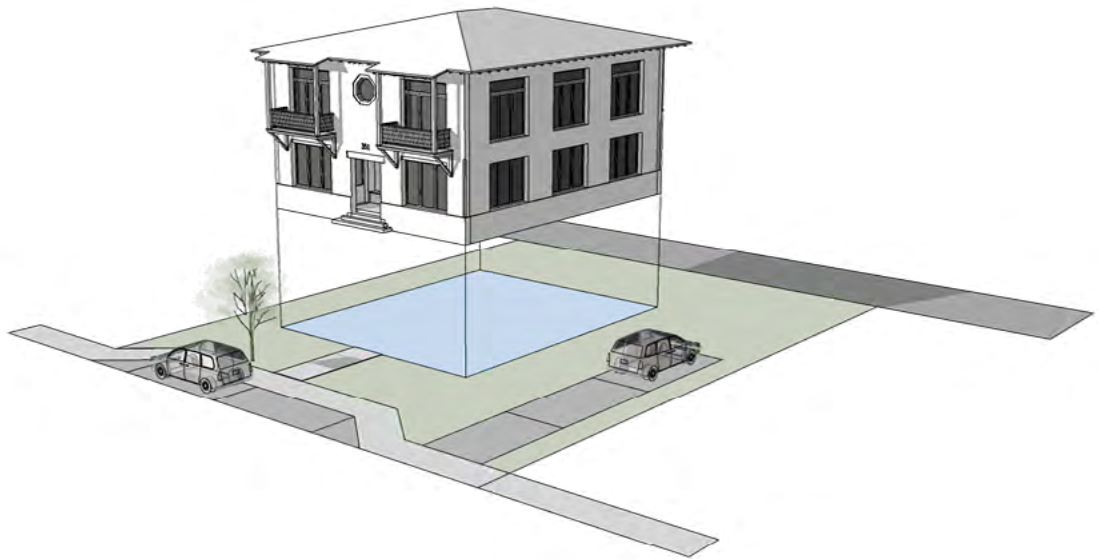
Stoop



FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-27 APARTMENT HOUSE



KEY

	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 ESN-09 Development Standards in the East Stuart Neighborhood.**

Permitted Zoning District

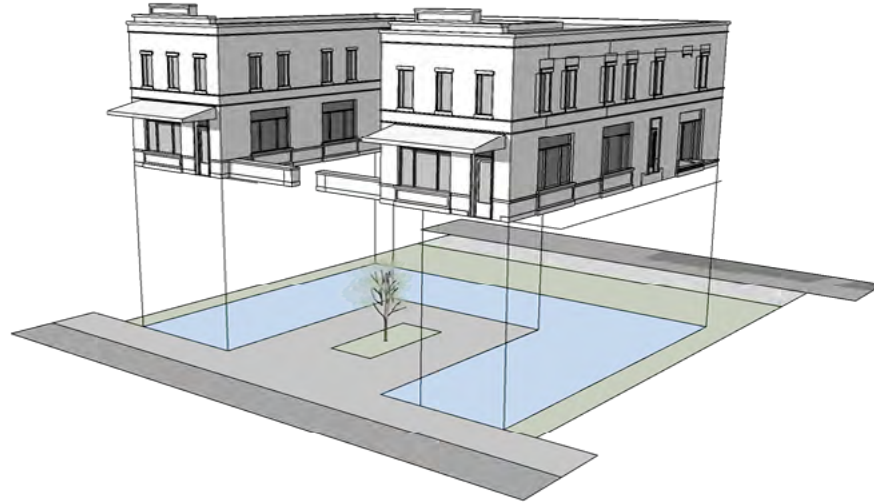
Permitted Frontage Types

GRO BMU	Porch	✓
	Stoop	✓
	Bracketed Balcony	✓
	Forecourt	✓
	Arcade / Gallery	✓

FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-28 COURTYARD BUILDING



KEY

	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 ESN-09 Development Standards in the East Stuart Neighborhood**.

Permitted Zoning District

Permitted Frontage Types

GRO

BMU

Forecourt



Arcade / Gallery



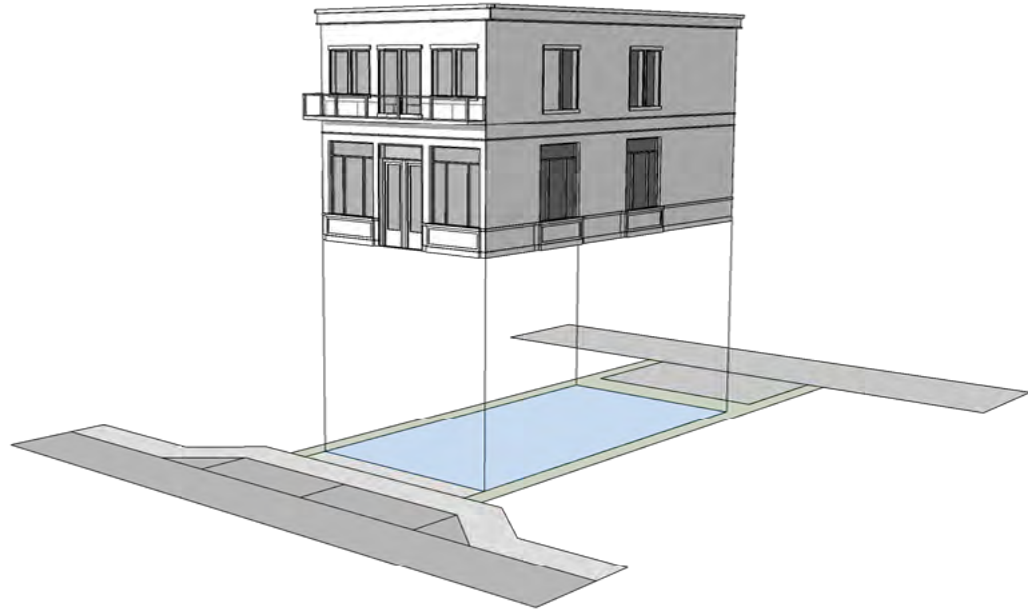
Shopfront



FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-29 LIVE/WORK BUILDING



KEY

	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 ESN-09 Development Standards in the East Stuart Neighborhood**.

Permitted Zoning District

GRO

BMU

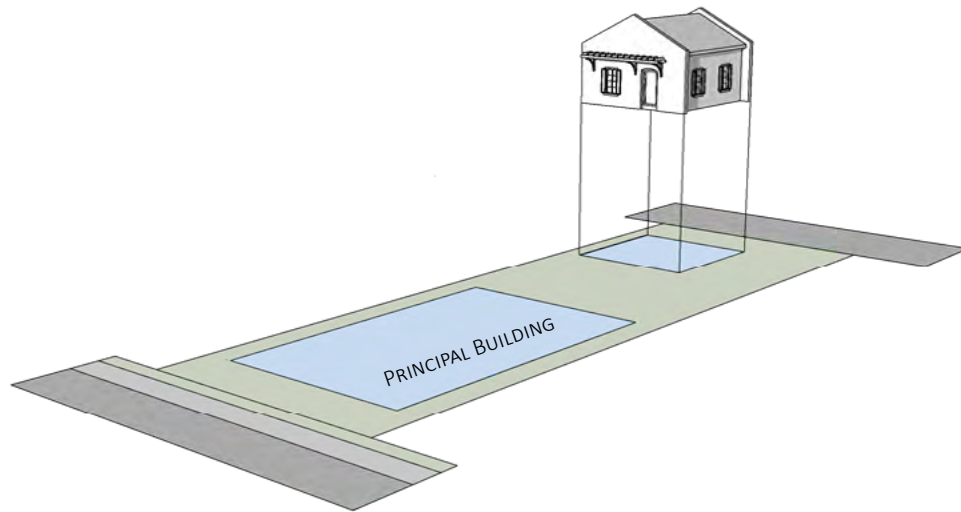
Permitted Frontage Types

Forecourt	✓
Arcade / Gallery	✓
Shopfront	✓

FRONTAGE TYPES & BUILDING TYPES

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.05

FIGURE ESN-30 OUTBUILDING



KEY

	BUILDING FOOTPRINT
	PARKING AREA

Description

An Outbuilding is an accessory building, located toward the rear of the same lot as a Principal Building. An Outbuilding may detached garages and carports, greenhouses, slat houses, cabanas, detached garage, and Accessory Dwelling Units (ADU).

Notes

- There shall not be less than five feet separation between an outbuilding and a principal building.
- Outbuildings* shall be constructed of the same materials used in the principal building. Canvas outbuildings are not permitted.
- Only two outbuildings per principle building are permitted.
- Outbuildings shall not exceed a maximum building footprint of 700 square feet, each.
- 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 a *privacy buffer* as defined in **Figure ESN-50**.
- Outbuildings may be detached or connected to the principal building by a covered walkway element, trellis, or other structural link.
- Residential Recreational Facilities such as swimming pools, tennis, basketball or volleyball courts, and other similar private outdoor recreational uses shall have setbacks consistent with *outbuildings*.
- For additional development standards, see **Figure ESN-09 Development Standards in the East Stuart Neighborhood**.

Permitted Zoning District

SFD	GRO	BMU
-----	-----	-----

Permitted Frontage Types

Porch	✓
Stoop	✓
Bracketed Balcony	✓

Outbuilding Placement

Front setback	rear half of lot or behind the rear facade of the principal building
Side setback at property line, min. in feet	5'
Side setback at street, min. in feet	10'
Rear setback, min. in feet	5'

Outbuilding Height

Building height, max. in stories	2
Building height, max. in feet	25'
Ground story height, min. in feet	Not applicable

THOROUGHFARE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.06

Sec. 03.02.06. Thoroughfare Standards.

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

FIGURE ESN-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 ESN-42
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. 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 East Stuart Neighborhood in **Figure ESN-07 Thoroughfare Plan** in **Sec. 03.02.02. Regulating Plan**.
- D. Description of Thoroughfare Types. **Figure ESN-32 Description of Thoroughfare Types** describes street types that are appropriate for the East Stuart Neighborhood.

THOROUGHFARE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.06

1. New Thoroughfare. When new streets and alleys are developed or an existing street or alley is extended, the street types in **Figure ESN-32 Description of Thoroughfare Types** and illustrated in **Figure ESN-34** through **Figure ESN-41** shall be used. The selection of the particular street type shall be determined through consultation the Development Director .
2. Existing Thoroughfare. Excluding a single-family dwelling unit, all new development, substantial improvement, and substantial renovation to commercial and major development projects shall incorporate into the 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 ESN-32 DESCRIPTION OF THOROUGHFARE TYPES

Type	Description	Preferred ROW, min	Design Speed
Alley	A roadway which provides a secondary means of access to abutting properties, and not intended for general traffic circulation.	15'	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. It may include pedestrian scale lighting, bulb-outs for trees, and on-street parking.	40'	15 mph
Neighborhood Street 1	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'	25 mph
Neighborhood Street 2	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. It may include pedestrian scale lighting, bulb-outs for trees, and on-street parking.	40'	15 mph
Neighborhood Street between public parks	A local street with two travel lanes, and a wide pedestrian and furnishing zone.	46'	25 mph
Neighborhood 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'	25 mph
Shared-use path	The shared use path connects important thoroughfares in the City. They shall allow access by pedestrians, cyclist, scooters, skateboards, golf carts and other forms of micro-mobility.	Varies	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'	Not Applicable

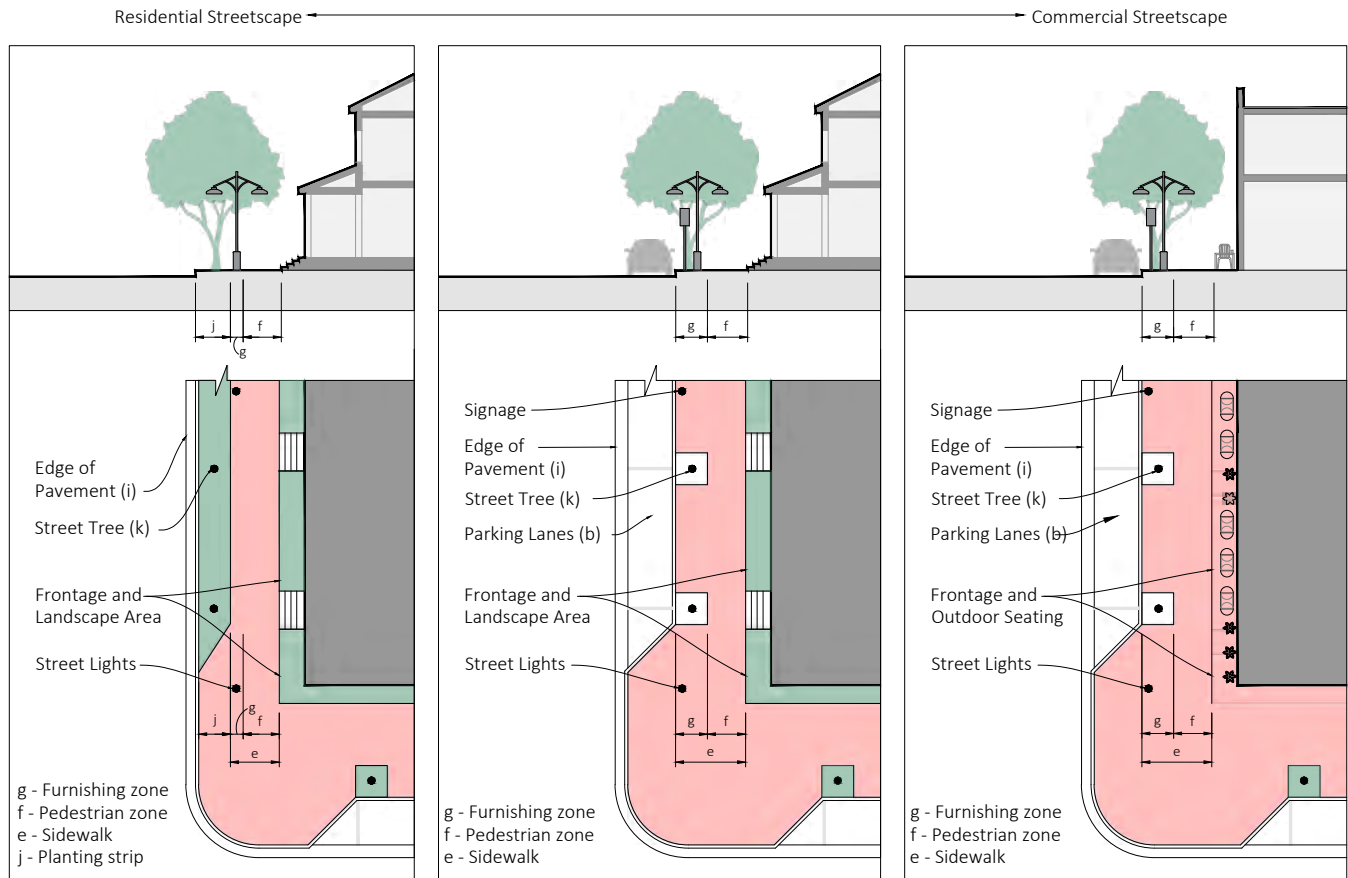
- E. Thoroughfare Elements.** See elements illustrated in **Figure ESN-33 Streetscapes Diagrams**. The illustrative street designs address the street elements:
1. *Vehicular travel lanes* are primarily for vehicular circulation and shall be no greater than 11', and may include a marked sharrow for posted speed of 25 mph or less.
 2. *Parking lanes* may include on-street parking, may be parallel or reverse angled parking.
 3. *A bike facility* may be a marked sharrow, a separate bicycle lane, or shared used path.
 4. *Pavement width* is the 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.

THOROUGHFARE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.06

5. A *sidewalk* shall be at least six feet wide and be provided on both sides of the streetscapes. Sidewalks may be part of a shared use path.
6. A *pedestrian zone* is free of any street furnishings or above ground utilities and allows the clear passage of pedestrians. A pedestrian zone shall be no less than 5 feet wide. 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.
7. The *furnishing zone* is a 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.
8. *Median* is a vegetated area between travel lanes of opposing direction. Medians, when present, should be used to integrate stormwater management.
9. *Edge of pavement* may be a 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.
10. *Planting strip or planting area* is a vegetated area between a sidewalk and vehicles. Planting strips are encouraged to integrate low impact development.
11. *Street trees* are often required. Street designs shall prioritize maintaining existing shade trees.
12. *Low Impact Development* is a decentralized stormwater management strategy that provides on-site water quantity and water quality treatment. Examples include pervious paving, pervious pavers, pervious concrete, bio-retention systems, rain gardens, bioswales, and stormwater planters. These techniques are encouraged to slow and treat stormwater runoff while providing additional community benefits.

FIGURE ESN-33 STREETSCAPES DIAGRAMS

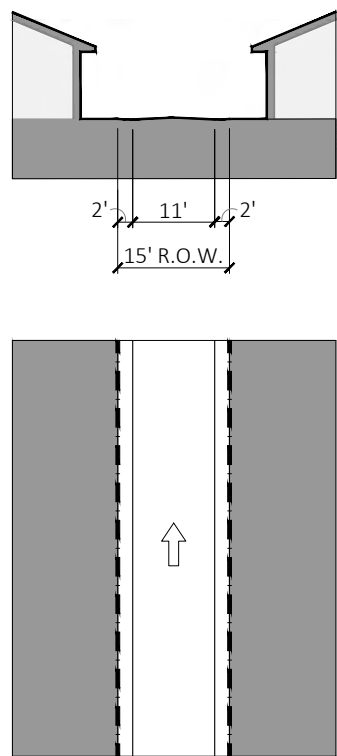


- F. Visibility triangles.** In visibility triangles, no building, structure, or improvement, including landscape, shall be erected, placed, planted, or maintained so as to interfere with a clear sight area located between the heights of 3 feet and 9 feet above the crown of a street, driveway, or alley. A clear sight area shall be established for all streets, whether public or private.
- The clear sight area is the triangular area formed by the street right-of-way line; another street right-of-way line, alley right-of-way line, or driveway surface edge; and a line connecting points 10 feet from the intersection of said lines. In the case of a round or corner-cut right-of-way, the measurement shall be taken from the intersection of the right-of-way lines extended.
 - The Engineering Director and Public Works Director may require a larger clear sight area, as provided by Florida Department of Transportation Design Manual standards, when necessary to provide for the safe movement of pedestrians and vehicles.
- G. Deviation from Street Design Standards.** The Development Director may allow deviations from the standards contained in **Figure ESN-34** through **Figure ESN-41** 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.

THOROUGHFARE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.06

FIGURE ESN-34 IMPROVED ALLEY

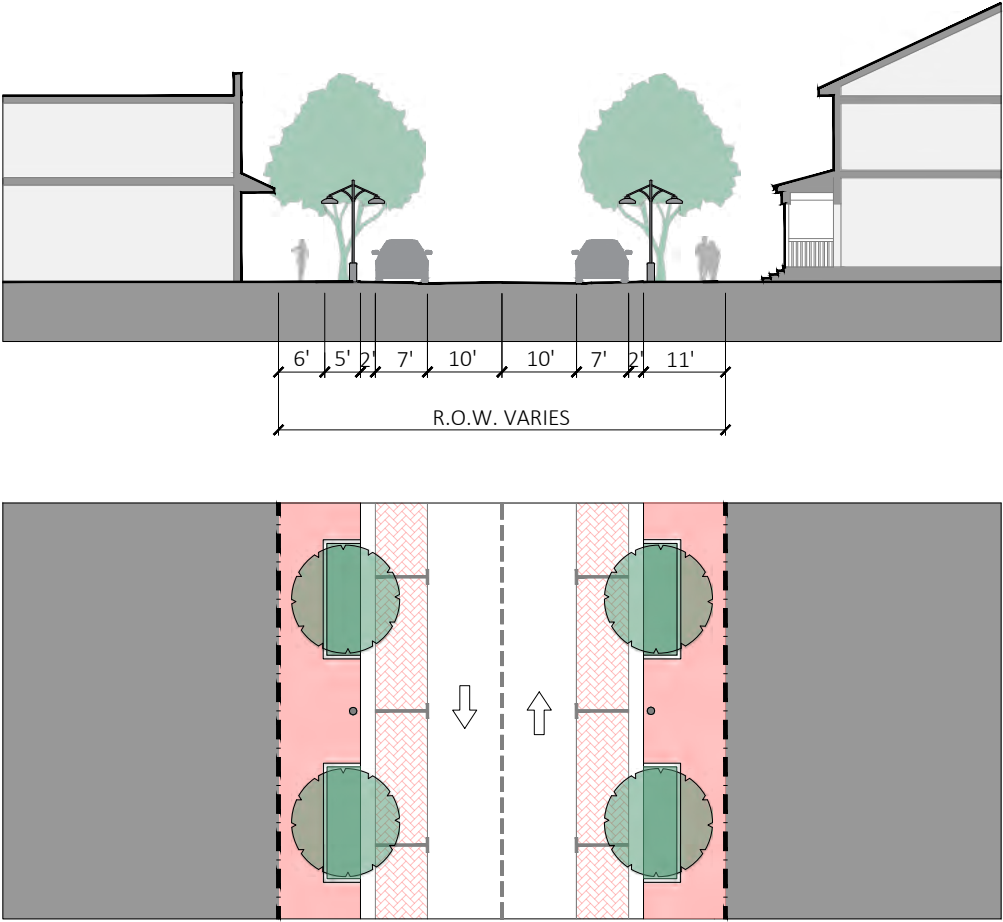


Type	
Vehicular travel lanes	11 feet paved 1-way traffic
Preferred R.O.W.	15 feet
Pavement Width	11 feet
Road Edge Treatment	Valley gutter
Low Impact Development	Permeable surface

THOROUGHFARE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.06

FIGURE ESN-35 NEIGHBORHOOD STREET 1

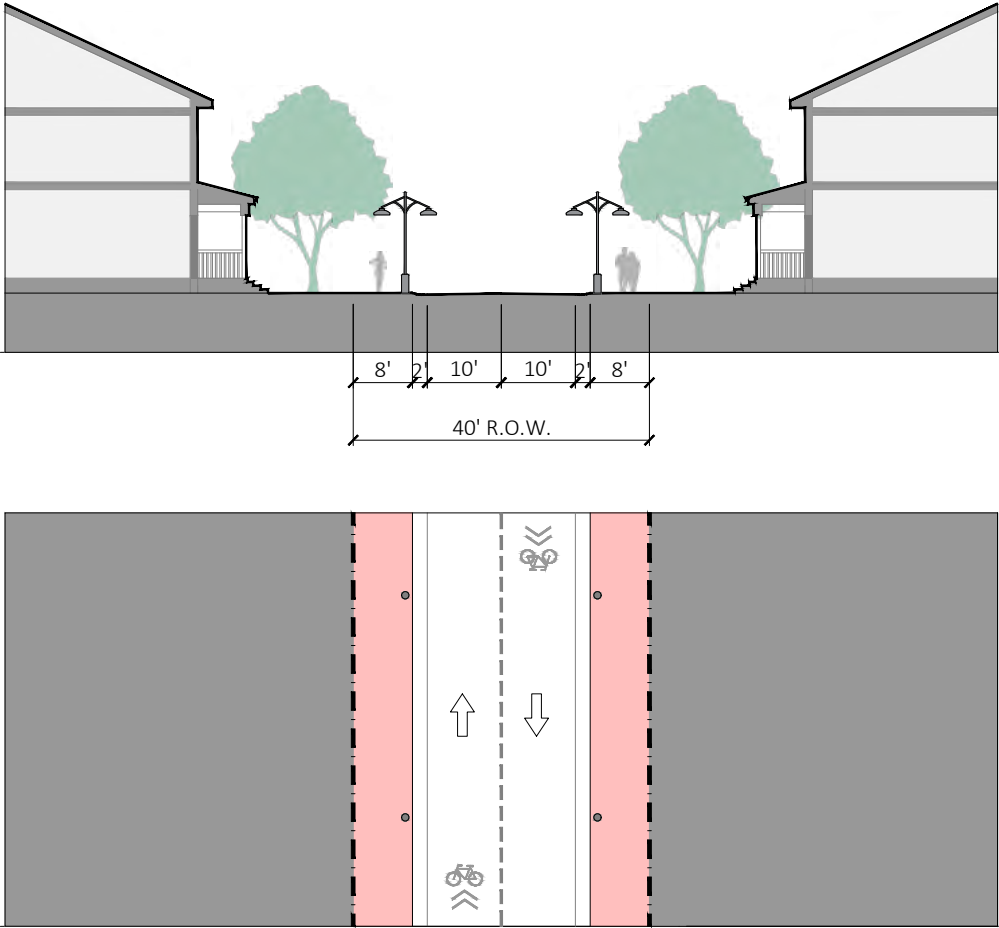


Type	
Vehicular travel lanes	10 feet
Parking Lanes	7 feet parallel on both sides
Bike Facility	Shared-use path
Preferred R.O.W.	60 feet
Pavement Width	36 feet
Sidewalk	11 feet
Median	Not required
Road Edge Treatment	Curb & gutter
Planting	Shade trees 30 feet on center, may occur in the tree wells within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

THOROUGHFARE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.06

FIGURE ESN-36 NEIGHBORHOOD STREET 2

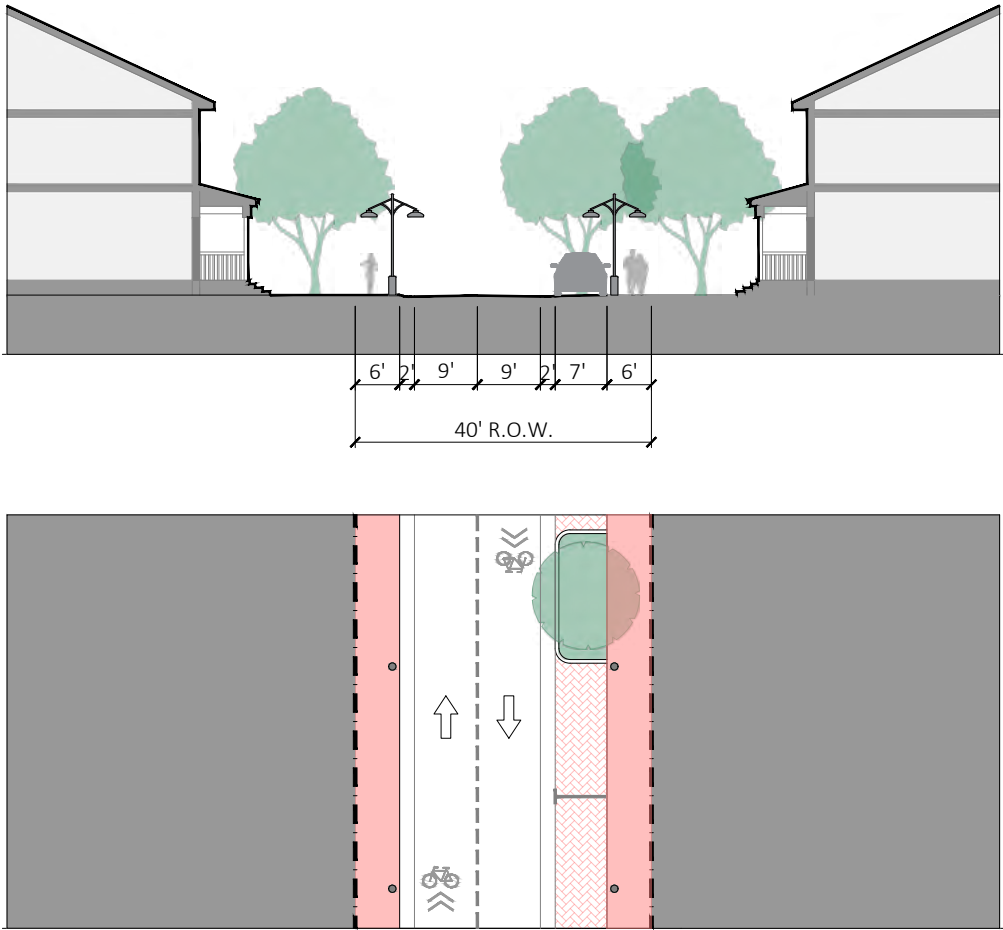


Type	
Vehicular travel lanes	10 feet
Parking Lanes	Not required
Bike Facility	Marked sharrow
Preferred R.O.W.	40 feet
Pavement Width	24 feet
Sidewalk	8 feet
Median	Not required
Road Edge Treatment	Valley gutter
Planting	Not required
Low Impact Development	Not required

THOROUGHFARE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.06

FIGURE ESN-37 NEIGHBORHOOD YIELD STREET

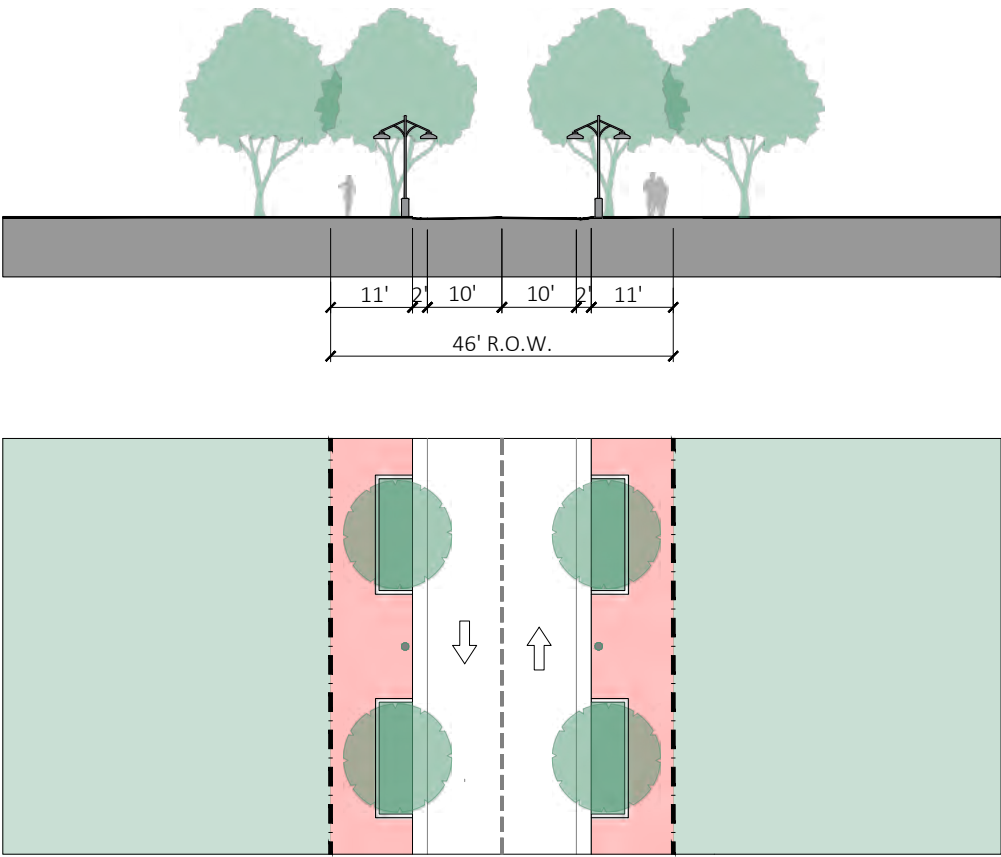


Type	
Vehicular travel lanes	9 feet
Parking Lanes	7 feet parallel one side
Bike Facility	Marked sharrow
Preferred R.O.W.	40 feet
Pavement Width	22 feet
Sidewalk	6 feet
Median	Not required
Road Edge Treatment	Valley gutter
Planting	Shade trees within bulb-outs
Low Impact Development	Tree box filter, permeable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

THOROUGHFARE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.06

FIGURE ESN-38 NEIGHBORHOOD STREET AT PUBLIC PARK

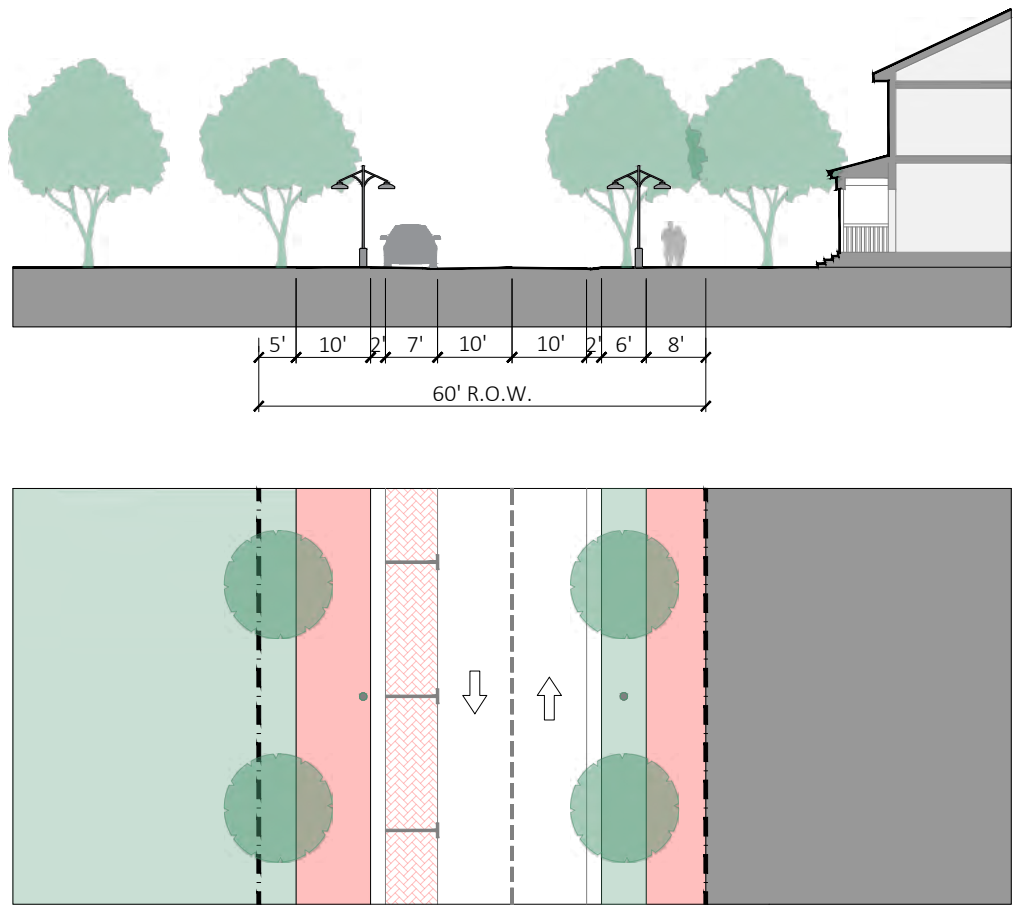


Type	
Vehicular travel lanes	10 feet
Parking Lanes	Not required
Bike Facility	Shared-use path
Preferred R.O.W.	46 feet
Pavement Width	20 feet
Sidewalk	11 feet
Median	Not required
Road Edge Treatment	Curb & gutter
Planting	Tree well with shade trees 30 feet on center
Low Impact Development	Tree Box Filter

THOROUGHFARE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.06

FIGURE ESN-39 NEIGHBORHOOD STREET AT PUBLIC USE

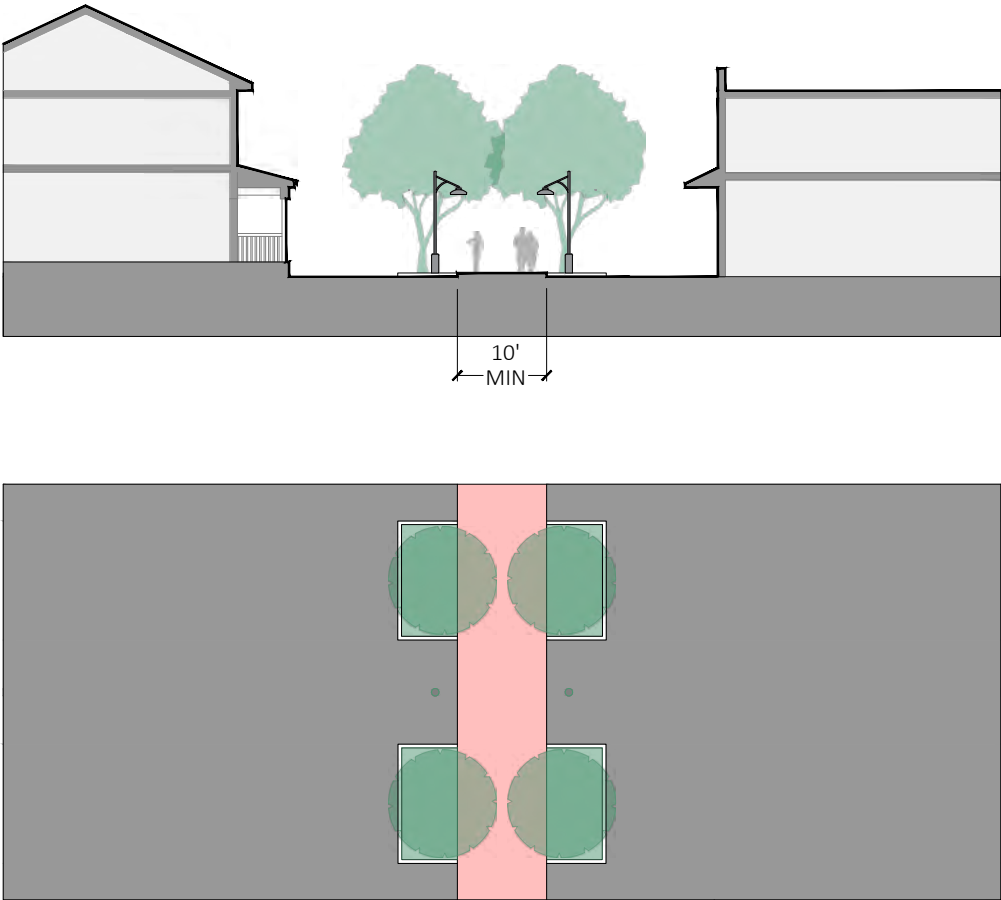


Type	
Vehicular travel lanes	10 feet
Parking Lanes	7 feet parallel on one side
Bike Facility	Shared-use path
Preferred R.O.W.	60 feet
Pavement Width	36 feet
Sidewalk	8-10 feet
Median	Not required
Road Edge Treatment	Curb & gutter
Planting	6 feet planting strip with shade trees 30 feet on center and maintaining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

THOROUGHFARE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.06

FIGURE ESN-40 SHARED-USE PATH

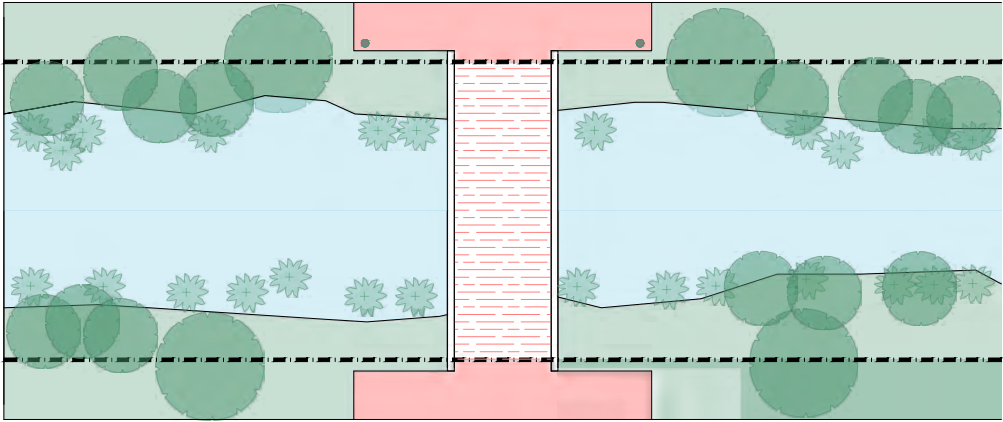
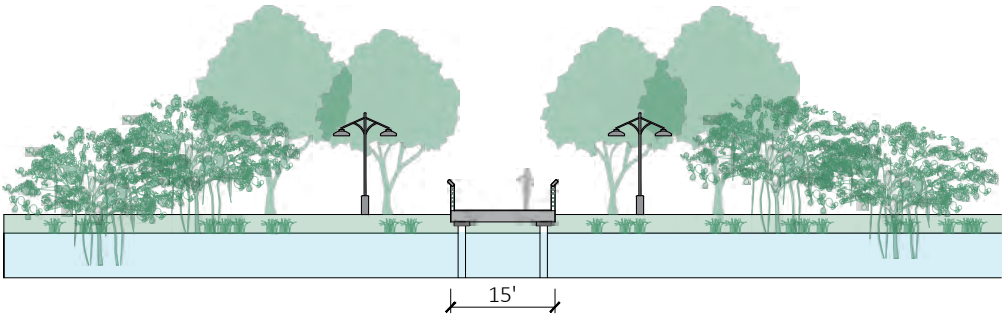


Type	
Vehicular travel lanes	Prohibited
Parking Lanes	Prohibited
Bike Facility	Shared-use path, see sidewalk
Preferred R.O.W.	Not required
Pavement Width	Not required
Sidewalk	10' min. shared-use path with pedestrian lighting
Median	Prohibited
Road Edge Treatment	Prohibited
Planting	Shade trees 30 feet on center, may occur in the tree wells within a furnishing zone
Low Impact Development	Tree box filter, permeable surfaces

THOROUGHFARE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.06

FIGURE ESN-41 SHARED-USE BRIDGE



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

ACCESS & PARKING STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.07

Sec. 03.02.07. Access & Parking Standards

- A. Applicability. **Sec. 6.01.00** shall apply except where modified in **Figure ESN-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(s) 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 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 5' pedestrian zone shall not be reduced by the placement of bicycle parking.
- D. Vehicle Access & Parking.
 1. The required minimum on-site parking is listed in **Figure ESN-42 Minimum Provided Parking Schedule**.

FIGURE ESN-42 MINIMUM PROVIDED PARKING SCHEDULE

Uses	Required Minimum Parking
Residential Uses	
All residential uses, <u>including ADUs</u>	1 per unit
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

ACCESS & PARKING STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.07

Uses	Required Minimum Parking
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

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 new development.
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**.
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. (2) motorcycle or scooter spaces shall count as one (1) parking space
 - b. (2) golf cart spaces shall count as one (1) parking space
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 due to 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 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 greater than 5,000 square feet of gross floor area 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**.
7. Parking Placement. See **Figure ESN-43 Parking Placement**.
 - a. All parking areas shall be located as shown in **Figure ESN-44 Parking Placement Diagram** behind the rear facade of the principal building and screened from public rights-of-way by a street-wall, other screening approved by the Development Director, or landscape buffer as described in **Sec. 3.02.09**, Landscaping and Site Design Standards, of this Code.
 - b. Boats, campers, and recreational trailers may only be parked in rear yard setbacks.

ACCESS & PARKING STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.07

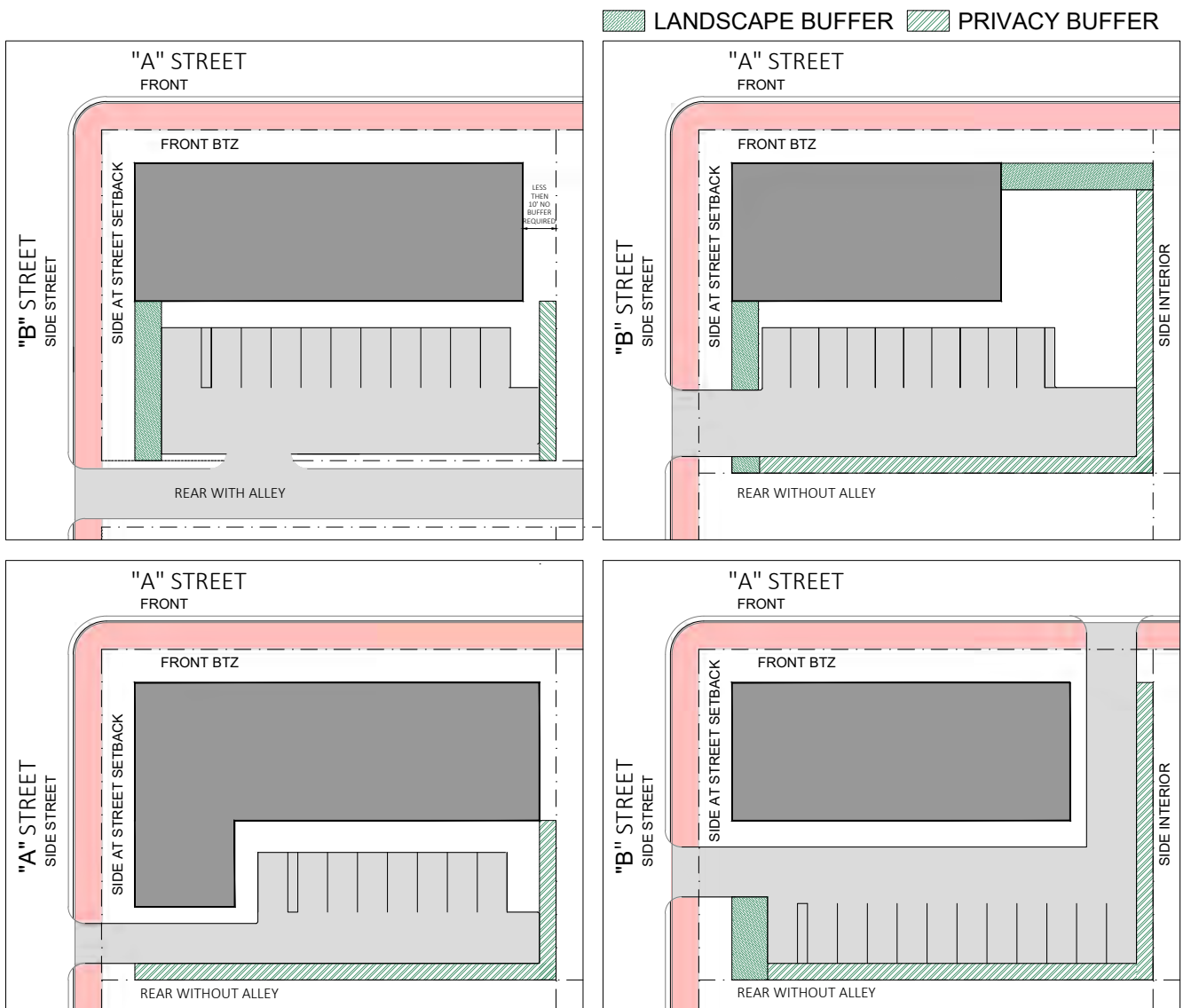
FIGURE ESN-43 PARKING PLACEMENT

	Distance from Lot Line	Landscaping Requirement in Parking Lots
Front	10' or 5' behind building facade	Landscape buffer
Side street	10' or 5' behind building facade	Landscape buffer
Side interior	5'	Privacy buffer
Side with alley	0'	Not applicable
Rear without alley	5'	Privacy buffer
Rear with alley	0'	Not applicable

Curb Cut Notes

- For properties with access to an improved alley, no street curb cuts are permitted.
- Where buildings do not have alleys in the rear of the property, curb cuts shall be no closer than 75' along the *lot 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.
- Excluding parcels in Public zoning district, the total driveway width at the property line shall not exceed 20 feet.

FIGURE ESN-44 PARKING PLACEMENT DIAGRAM



ACCESS & PARKING STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.07

8. Parking Design Standards.
 - a. See **Figure ESN-45 Parking Lot Design Dimensions**.
 - b. Where an improved alley is located along the side or rear property lines, improved alleyway may be used as part of the required back-up/drive aisle 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.

FIGURE ESN-45 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.					

9. Garages, structured parking and parking located within a building envelope.
 - a. Garages shall not be the principal element of the front facade.
 - b. Structured parking. Structured parking may be permitted through a conditional use approval, and shall:
 - i. Be screened by a liner building with active commercial or residential use provided for a depth of no less than 20 feet measured from the building facade.
 - ii. Provide shade on at least 30% of any exposed parking on the roof with an aged Solar Reflectance Index (SRI) of at least 32, be a vegetated roof, or be covered by energy generation systems.
 - c. For detached *single-family dwelling unit* and *duplexes* the following shall apply:
 - i. Attached garages shall be set back from the front facade as described in **Figure ESN-46 Front Loaded Attached Garage** or configured with a side entry, shown in **Figure ESN-47 Front Loaded-Side Entry Attached Garage**.
 - ii. Detached garages are permitted provided they comply with the Outbuilding Building Type and building coverage requirements.

ACCESS & PARKING STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.07

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

FIGURE ESN-46 FRONT LOADED ATTACHED GARAGE

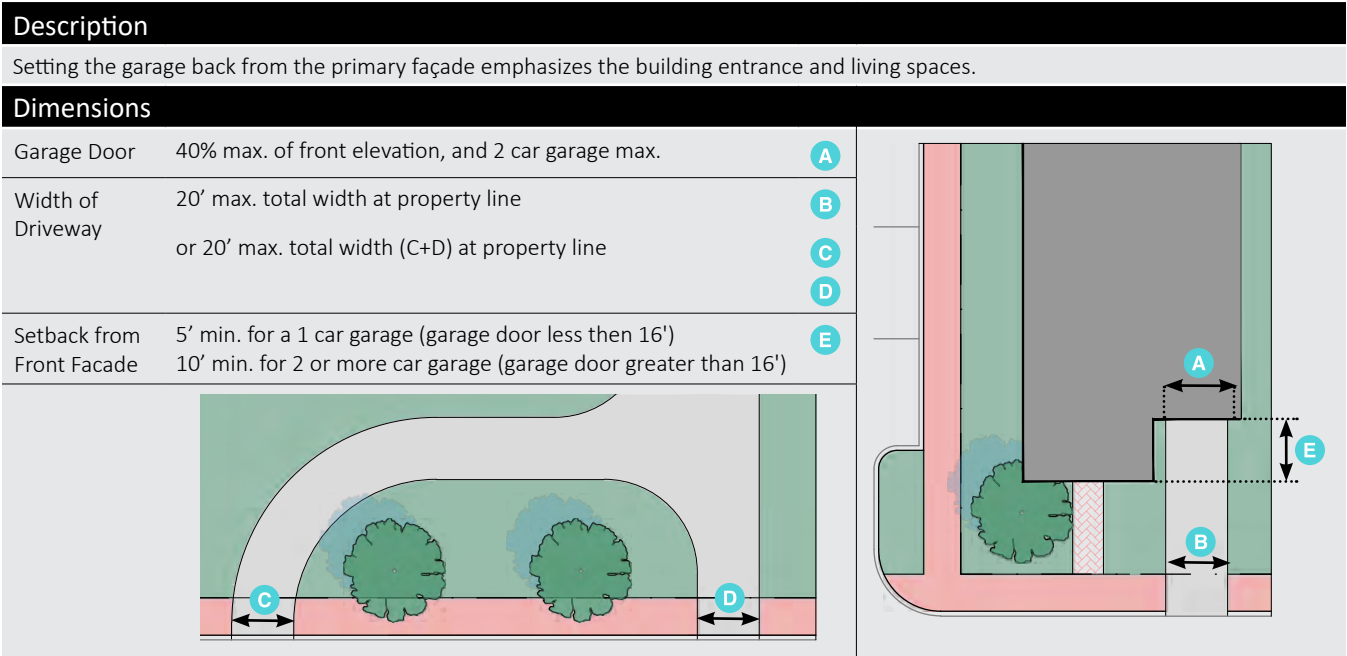
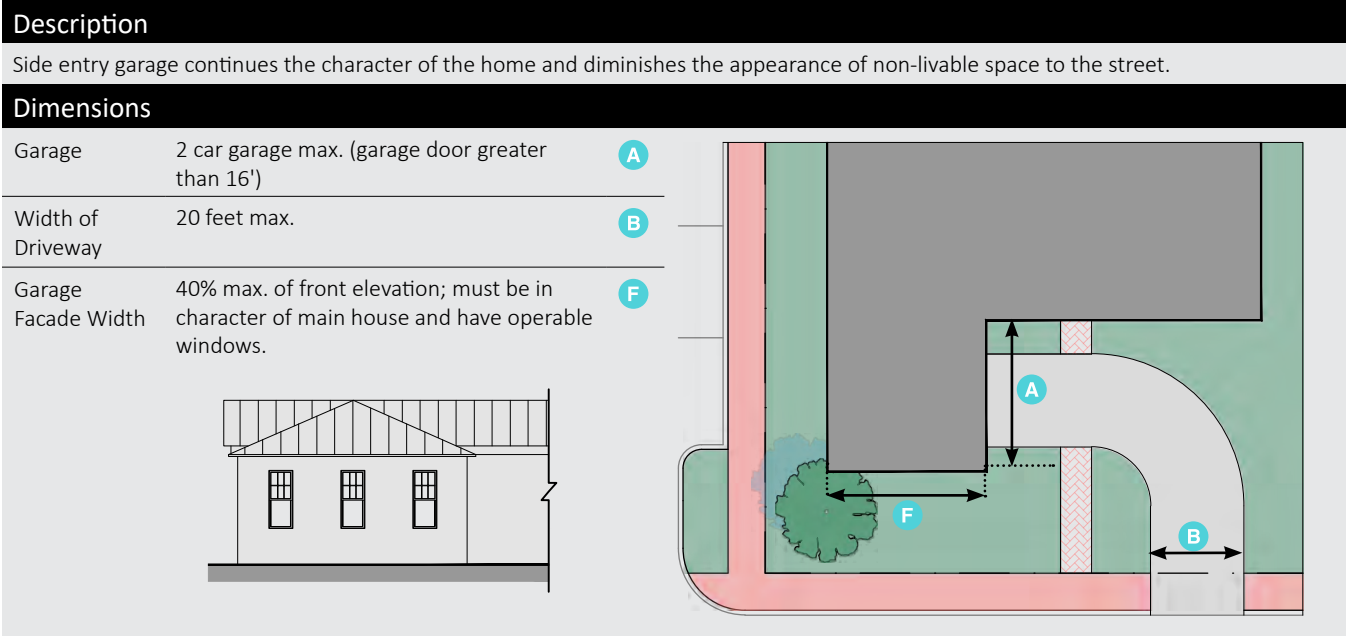


FIGURE ESN-47 FRONT LOADED-SIDE ENTRY ATTACHED GARAGE



- E. Heat Island Effect. In order to reduce urban heat islands the following recommendations are provided for site design:
1. Provide shade on at least 30% of non roof impervious surface on the site, including parking lots, walkways, plazas, etc.
 2. Use light-colored/high-albedo materials (reflectance of at least .3) for 30% of the site's non-roofed impervious surfaces

STORMWATER STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.08

Sec. 03.02.08. Stormwater Standards

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

LANDSCAPE & SITE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.09

Sec. 03.02.09. Landscape Standards

- A. **Figure ESN-48** identifies which of the landscaping, buffering, tree protection standards in **Sec. 6.04.00** apply in the East Stuart Neighborhood and which standards are modified, replaced, or do

FIGURE ESN-48 LANDSCAPE & SITE 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. 03.02.09.B
Sec. 6.04.04	Maintenance	✓	-
Sec. 6.04.05	Xeriscape landscape	✓	--
Sec. 6.04.06	Land use transitions & landscape buffers	➔	Sec. 03.02.09.C
Sec. 6.04.07	Parking areas for multi-family & all non-residential developments	➔	Sec. 03.02.09.C
Sec. 6.04.08	Developments landscape requirements	➔	Sec. 03.02.09.B
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	➔	Sec. 03.02.09.F
Additional Site Standards			
Sec. 6.07.00	Lighting	➔	Sec. 03.02.09.E
Sec. 6.08.00	Solid Waste & Recycling Container Standards	➔	Sec. 03.02.09.F

not apply.

- B. Landscape Design. For all 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.

FIGURE ESN-49 REQUIRED LANDSCAPE AREA & TREE PLANTING

Zoning	Minimum Percentage	Number of Trees per Site
BMU	Not applicable	<u>1 within build-to-zone</u>
GRO	20% of site	<u>1 within build-to-zone</u>
SFD	20% of site	<u>1 within build-to-zone</u>
Public	Not applicable	<u>1 per 30 linear feet at lot frontage</u>
Recreation	Not applicable	<u>1 per 30 linear feet at lot frontage</u>

- Required landscape area & tree planting. **Figure ESN-49 Required Landscape Area & Tree Planting** indicates the minimum number of trees and landscape area that must be planted.
- 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**. The Development Director may grant a reduction in required trees to be planted for existing trees to remain.
- 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.
- Where the location of required landscaping is precluded by existing buildings or permanent

LANDSCAPE & SITE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.09

site improvements, the placement of landscaping may occur off-site in right-of-way or other nearby public space, in openings within paved areas, or in other locations as determined by the Development Director or designee or designee.

5. Yards shall be sodded or otherwise landscaped in accordance with **Sec. 03.02.09**.
6. Impervious surfaces shall not be placed within five feet of the base of an existing tree to be preserved.
7. Mulch shall be designed and installed in all planting areas to a depth of 3 inches. The type of mulch shall be [Florida Friendly mulch](#) and be specified on the landscape plan.
8. *Visibility triangles*. All landscaping within a visibility triangle shall provide unobstructed cross-visibility at a level between three feet and six feet and shall comply with **Sec.**

FIGURE ESN-50 MINIMUM BUFFER TYPES

Type	Name	Min. Width	Wall or Fence, see Sec. 03.02.10	Tree or Palm	Landscaping
Landscape buffers	Shade tree buffer	8'	May include fence	<i>Shade tree</i> , every 30' o/c	A hedge planted 24 to 30 inches on-center, and grass, ground cover, or other landscape treatment not less than <u>50%</u> , <u>LID is encouraged</u>
	Garden wall buffer 1	10'	Finished masonry wall, 4' max. height	<i>Shade tree</i> , every 30' o/c	A hedge, grass, ground cover, or other landscape treatment or <u>pervious landscaping material</u> , <u>LID is encouraged</u>
	Garden wall buffer 2	5'	Finished masonry wall, 4' max. height	Tree or palm, every 20' o/c	A hedge, grass, ground cover, or other landscape treatment or <u>pervious landscaping material</u>
Privacy buffers	Landscape privacy buffer	5'	May include fence	Tree or palm, every 20' o/c	A hedge planted 24 to 30 inches on-center or other landscape treatment to create a <u>6' tall continuous landscape screen</u>
	Privacy wall buffer 1	5'	Finished masonry wall, 6' tall	Tree or palm, every 20' o/c	A hedge, grass, ground cover, or other landscape treatment or <u>pervious landscaping material</u>
	Privacy wall buffer 2	10'	Finished masonry wall, 6' tall	<i>Shade tree</i> , every 30' o/c	A hedge, grass, ground cover, or other landscape treatment or <u>pervious landscaping material</u> , <u>LID is encouraged</u>

LANDSCAPE & SITE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.09

03.02.06.F

- C. Landscape and privacy buffers. See **Figure ESN-50 Minimum Buffer Types** for descriptions of required buffers.
- D. Parking lot standards.
1. Parking lot perimeter landscaping. A *parking lot* not entirely screened visually by an intervening building from abutting rights of way or private property, and with 6 or more parking spaces shall include landscape and privacy buffers. See **Figure ESN-43 Parking Placement** and **Figure ESN-44 Parking Placement Diagram in Sec. 03.02.07.**
 2. Parking lot interior landscaping.
 - a. Interior landscaping shall include not less than 1 shade tree for every 500 square feet or fraction thereof of interior landscaped area.
 - b. Any hedge materials located within an interior landscaped island shall be maintained at a height of not more than 2 feet.
 - c. Not less than 80 percent of trees used in parking area interior landscaping shall be *shade trees*.
 - d. Interior landscaped islands shall be provided between every 10 parking spaces. Each interior island shall be not less than 8 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. Terminal landscaped islands shall not be less than 10 feet in width and the length of the parking space. Each terminal island shall contain not less than 1 *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 6 feet in width. Interior medians shall be landscaped with not less than one shade tree every 30 linear feet and a combination of shrubs, ground cover, grass and mulch.
 - g. Parking lot interior landscaping shall utilize low-impact development strategies.
 - i. If curbs are to be used, their number, placement and design should be carefully considered to allow percolation of stormwater. An openings shall be no less than 18 inches wide is to reduce the potential for clogging.
 - ii. A minimum 2" drop is required between the pavement and the vegetated area. A gravel area may be required to dissipate energy and prevent erosion at entry points to rain gardens or parking lot islands.
 - iii. The street profile shall match the intended drainage; i.e., a crowned street will drain to both sides, or a side shed profile will drain to only one side.
 3. Excess parking lot spaces. Where the number of parking spaces installed in a surface lot exceeds the minimum number of on-site parking spaces required by this Code,
 - a. Landscape buffers shall not be less than 8' and shall include shade trees.
 - b. For every additional five spaces, one shade tree shall be provided on site.
 - c. All excess parking spaces shall be made of pervious hardscape such as pavement, concrete and/or pavers.
- E. Lighting. All development shall be designed to provide safe, convenient and efficient lighting for pedestrians and vehicles. Lighting shall be designed in a consistent and coordinated manner for the

LANDSCAPE & SITE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.09

entire site. Light fixtures shall be designed as an integral design element that complements the design of the project through style, material or color.

1. The use of exposed neon or LED rope lighting on any property is prohibited.
2. Fixture height. Except for in the Public zoning district, lighting fixtures shall be a maximum of 15 feet in height.
3. Light pollution and spillage. Lighting shall be designed so as to prevent direct glare, light spillage and hazardous interference with automotive and pedestrian traffic on adjacent streets and all adjacent properties. Lighting shall be designed and installed so the light source does not shine directly onto adjacent residential uses or a residential zoning district.
 - a. The applicant is encouraged to minimize light spillage from building and site and to reduce urban-glow. Dark Sky Approved lighting is encouraged.
 - b. For perimeter exterior lighting, only full cutoff luminaries shall be approved.
 - c. For commercial and major development projects the maximum allowable illumination at the property line of any adjoining parcel or public right-of-way is 0.2 horizontal and vertical foot-candles measured at 6 feet above grade level.

F. Solid waste & recycling.

FIGURE ESN-51 SOLID WASTE & RECYCLING WEEKLY GENERATION RATES

Use	Recycling (min)	Garbage (min)	Cardboard
Residential, 4 units or less, per unit	(1) 65-gallon blue cart	(1) 95-gallon green cart	Not required
Residential, 5 units or more, per unit	0.17 cubic yards per unit	0.17 cubic yards per unit	Not required
Commercial less than 5,000-sf	(2) 95-gallon blue carts	(2) 95-gallon green carts	Not required

1. Solid waste & recycling generation rates. Generation rates in **Sec. 6.08.01** are weekly and apply except where modified below in **Figure ESN-51 Solid Waste & Recycling Weekly Generation Rates**. Generation rates shall be calculated or reassessed with new development, substantial renovation, substantial improvement, or change of use.
2. Location of solid waste & recycling storage and/or enclosures. All new development, substantial renovation, or change of use must provide sufficient on-site space and maintenance for the placement and collection of solid waste and recycling storage and/or enclosures. Excluding improved alleys, all solid waste & recycling storage shall be screened from view from public rights of way.
 - a. Screening may be achieved by with a buffer as described in **Figure ESN-50 Minimum Buffer Types**, a freestanding enclosure, or an enclosure within the building footprint. Where more than 6 roll-out carts are required an enclosure shall be provided.
 - b. The location of solid waste & recycling storage and/or enclosures:
 - i. Shall be accessed from the alley if an improved alley is present.
 - ii. Prohibited on Neighborhood Main Street as shown in **Figure ESN-07 Thoroughfare Plan**.
 - iii. Where an alley is not present, solid waste & recycling storage and/or enclosures shall be located to prevent conflict with pedestrians, minimize the quantity and length of curb cuts, and promote a high quality, livable public realm.

LANDSCAPE & SITE STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.09

- c. The Utilities & Engineering Director encourages businesses under the same ownership or within the same block to share enclosures to meet required enclosure standards.
- d. Design of freestanding solid waste & recycling storage enclosures shall have:
 - i. A 6 feet tall finished concrete wall on three sides. Use of chain link or wooden fencing to meet this requirement is prohibited.
 - ii. Closable, lockable opaque gates. Gates may be opaque inserts within a chain link gate.
 - iii. Landscaping around the enclosure is not required.
 - iv. Bollards are required to be located at the rear of enclosure only.
 - v. Enclosure size shall be a minimum 10 feet by 10 feet (interior dimensions). Larger enclosures shall be provided as necessary to house larger proposed or required containers.

FENCE & WALL STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.10

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 than a half acre shall install with a temporary 6 feet 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 ESN-52 Fence & Wall Materials.**

FIGURE ESN-52 FENCE & WALL MATERIALS

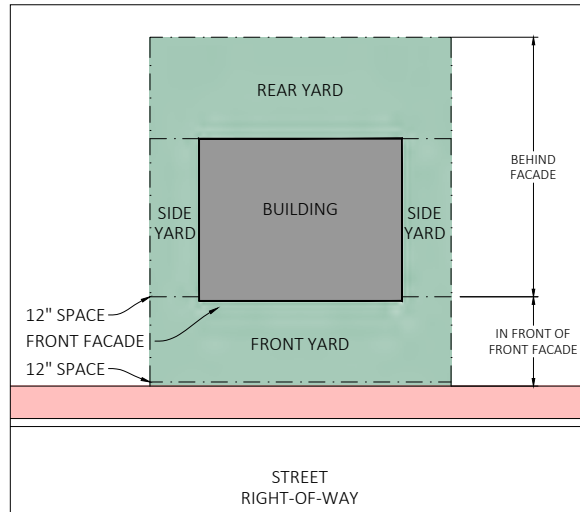
Fence Materials			
Aluminum or Steel	Stone or pre-cast concrete	Wrought iron	Painted stucco
Brick	Wood	Vinyl	Split-face masonry block

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.
- 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 no more than 6 feet in height. See **Figure ESN-53 Wall & Fence Locations** for an illustration of front, rear, and side yards.
 2. The height of fences and walls shall be measured from existing natural elevation of a lot, prior to any construction or alteration.
 3. 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.

FENCE & WALL STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.10

FIGURE ESN-53 WALL & FENCE LOCATIONS



SIGN STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.11

Sec. 03.02.11. Sign Standards

- A. **Figure ESN-54 Sign Standards** identifies which of the sign standards in **Sec. 6.11.00** apply in The East Stuart Neighborhood and which standards are modified, replaced, or do not apply. Permanent signs are only permitted in the BMU Zoning District. For GRO and SFD refer to **Sec. 03.02.03.B Standards for Specific Uses** for exceptions.

FIGURE ESN-54 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	✓	
Sec. 6.11.06	Code applicability	✓	
Sec. 6.11.07	Sign area, dimensioning, lighting and colors	➔	Modified by Sec. 3.04.11.B
Sec. 6.11.08	Design requirements and restrictions	✓	
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	✓	
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.H
Sec. 6.11.17	Design standards matrix	✓	

- B. Illumination. In addition to **Sec. 6.11.07** applies except where modified in **Figure ESN-55 Sign Lighting Standards**.

FIGURE ESN-55 SIGN LIGHTING STANDARDS

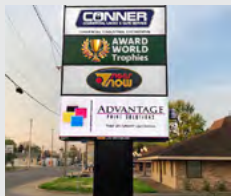
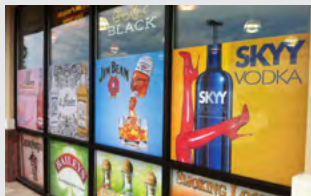
	PERMITTED	PERMITTED	PROHIBITED
POWER SOURCE & ILLUMINATION	Sign lighting should be integrated into the architectural features of the building. Power sources, raceways and conduits shall not be visible.	Sign lighting should be integrated into the architectural features of the building. Power sources, raceways and conduits shall not be visible.	Sign lighting should be integrated into the architectural features of the building. Power sources, raceways and conduits shall not be visible.
			
	Gooseneck lighting	Front-lit LED channel letters with translucent acrylic faces, or Reverse channel LED halo-lit letters	Face illuminated channel letters mounted on exposed raceway. Florescent lighting, exposed neon, LED rope or similar perimeter lighting, electronic changeable copy sign

SIGN STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.11

- C. *Prohibited signs.* **Sec. 6.11.16** applies except where modified in Figure ESN-56 Types of Signs Prohibited.

FIGURE ESN-56 TYPES OF SIGNS PROHIBITED

PROHIBITED			
			
Advertising flags including feather flags and tear drop flags	Murals which are advertising or painted wall signage which exceed permitted dimensions	Face illuminated cabinet sign, back-lit sign panels	Vinyl banners hung from awnings, roof fascia or arcade
			
Billboards, single pole & pylon signs	Electronic changeable copy signs	Window signs exceeding 40% of glazing area. It can be perceived as visual clutter.	
PROHIBITED SIGNAGE ILLUSTRATED			
<u>Activity inside is obscured by banners and window coverings. The materials such as plastic face-lit cabinets and banners are not durable and long lasting. The pole sign is too high, contributes to signage clutter, and does not address the pedestrian.</u>			

ARCHITECTURAL STANDARDS

EAST STUART NEIGHBORHOOD CODE - SEC. 03.02.12

Sec. 03.02.12. Architectural Standards

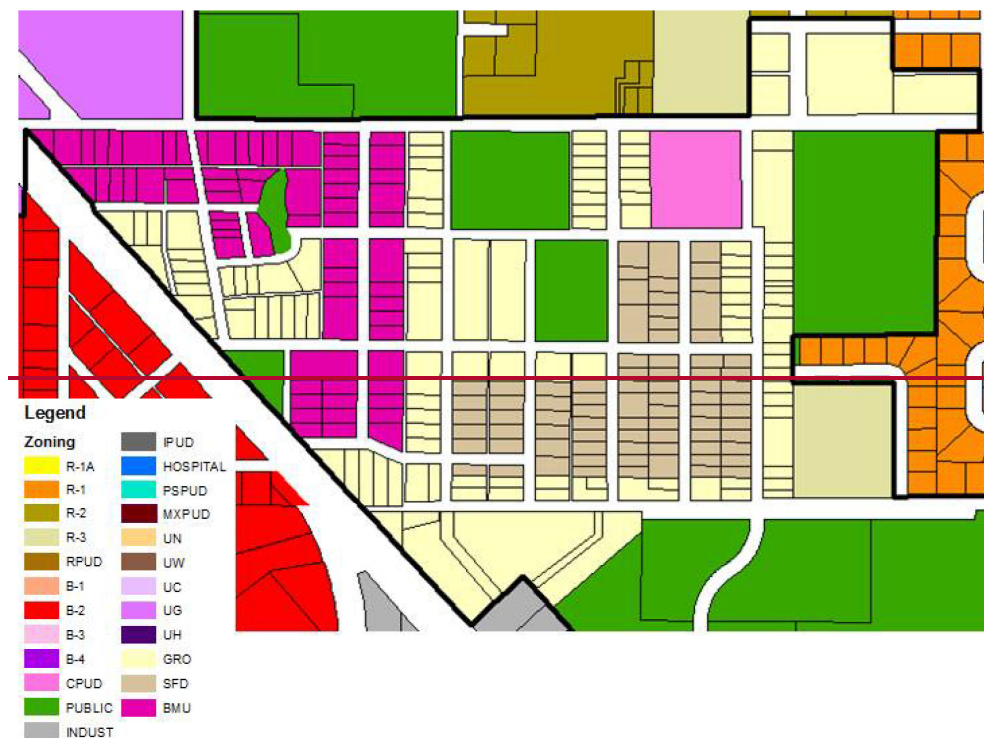
- A. Historic Preservation. Structures identified as historically and architecturally contributing shall be candidates for historic protection as set forth in **Sec. 5.09.00.**
- B. Building Additions. The exterior appearance of additions to an existing building should be compatible with the existing building. For example, exterior walls should be of the same or compatible materials and finished in the same manner as the existing structure. Windows should also be of the same type or be complementary with the existing windows.
- C. 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 cottages, Bahamian cottage, dog-trot, camelbacks, conch house, 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.
 - 1. Roofs and gutters.
 - a. For buildings which are located not more than five feet from the front property line, gutters must be shielded and shall not drain onto hardscape. Downspouts may be enclosed within a column or other architectural feature. Rain-barrels, cisterns, and other low impact development strategies are encouraged.
 - b. Heat Island Effect. In order to reduce urban heat islands 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.
 - 2. Building colors and finishes. Exterior building wall colors for all new development and substantial renovation within the East Stuart Neighborhood shall be neutral shades, white, or Bahamian pastel-color exteriors including but not limited to pinks, blues, yellows, and greens to reflect the historic neighborhood. The use of black or florescent colors is prohibited as exterior wall or accent colors. Building trim color shall complement the predominant exterior building color.

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 3³
Maximum building height	Up to 35 feet (except as otherwise provided)
Outbuildings	Outbuildings may be one or two stories, shall be located behind the rear facade of the principal building and shall be subject to a minimum 5-foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than 5-foot 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
<i>Residential Land Uses</i>	
Home occupations, as approved by the city development director. Refer to section 2.06.09, Supplemental Use Standards	N/A
Residential units combined with non-residential uses provided all applicable standards for each use are met. Refer to chapter VI, On-Site and Off-Site Development Standards. Not less than 20 percent of the project's total floor space shall be a non-residential use.	1 per residential unit; plus required spaces for the applicable permitted non-residential uses.
<i>Transient Residential Land Uses and Overnight Accommodations</i>	
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)
<i>Institutional Uses</i>	

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.
<i>Health Care Uses</i>	
Nursing homes.	1 per 4 beds, plus 1 space per 2 employees
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
<i>Recreational Uses</i>	
Public parks	Dependent upon type of recreational activities provided
<i>Utility and Service Uses</i>	
Public facilities and services	Dependent upon type of facility and service
Public utility	Dependent upon type of utility and any required buildings and employees
<i>Telecommunication Uses</i>	
Stealth telecommunications facilities which do not exceed 45 feet in height or which are constructed as part of an existing architectural feature or structure provided its total height does not exceed 120 percent of the height of the architectural feature or structure	1 per tower
<i>Storage, Transportation and Logistics Uses</i>	
Government provided public parking garages and lots.	
Private parking garages and lots by East Stuart Code District conditional use	N/A
<i>Agricultural Uses</i>	
Community gardens pursuant to section 2.06.08 of this Code	0
Urban farms pursuant to section 2.06.08 of this 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 buildings⁴
Minimum building setback—Rear	20 feet
Maximum impervious surface coverage	Up to 65%⁵ (See note 1. below)
Maximum number of stories	Up to 3⁶
Maximum building height	Up to 35 feet (except as otherwise provided)
Outbuildings	Outbuildings may be one or two stories, shall be located behind the rear facade of the principal building and shall be subject to a minimum 5 foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than 5 feet separation between an outbuilding and a principal building. One story outbuildings shall not exceed 12 feet in height. Two story outbuildings shall not exceed 25 feet in height.
	An outbuilding may be used for a single detached accessory dwelling unit providing the following requirements are met:
	1. It is located on the same lot as a single family detached home.
	2. A detached accessory dwelling unit shall not exceed one story in height. The unit may be located on a second story if the first story is utilized as a garage or storage facility.
	3. An accessory dwelling unit to be located on the second story of a detached garage or storage facility shall be set back a minimum of 10 feet from the rear property line.
	4. The accessory dwelling unit shall contain one full bath and kitchen facilities.
	5. An accessory dwelling unit and the primary dwelling unit shall be occupied by members of a single family as that term is defined in this Code. The accessory dwelling unit shall use the same street address.

~~Note 1. The applicant must show either that the soils of the site can be proven to accommodate the additional runoff via soil boring tests by a registered professional engineer, or~~

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

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

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

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

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

Land Use Type	Number of Parking Spaces Required
<i>Residential Land Uses</i>	
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
<i>Transient Residential Land Uses and Overnight Accommodations</i>	
Rooming and boardinghouses and bed and breakfast inns	0.5 per unit (minimum of one space)
<i>Institutional Uses</i>	

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.
<i>Health Care Uses</i>	
Nursing homes	1 per 4 beds, plus 1 space per 2 employees
<i>Commercial Uses</i>	
Office, business or professional, medical, and veterinary.	1 per 350 square feet (professional) 1 per 200 square feet (medical and veterinary)
<i>Recreational Uses</i>	
Public parks	Dependent upon type of recreational activities provided
<i>Utility and Service Uses</i>	
Public facilities and services	Dependent upon type of facility and service
Public utility	Dependent upon type of utility and any required buildings and employees
<i>Telecommunication Uses</i>	
Stealth telecommunications facilities which do not exceed 45 feet in height or which are	1 per tower

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	
<i>Agricultural Uses</i>	
Community gardens pursuant to section 2.06.08 of this Code	0
Urban farms pursuant to section 2.06.08 of this 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 buildings⁷
Minimum building setback — Rear	20 feet
Maximum impervious surface coverage	Up to 65%⁸ (See note 1. below)
Maximum number of stories	Up to 2
Maximum building height	Up to 25 feet
Outbuildings	Outbuildings may be one or two stories, shall be located behind the rear facade of the principal building and shall be subject to a minimum 5 foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than 5 feet separation between an outbuilding and a principal building. One story outbuildings shall not exceed 12 feet in height. Two story outbuildings shall not exceed 25 feet in height.
	An outbuilding may be used for a single detached accessory dwelling unit providing the following requirements are met:
	1. It is located on the same lot as a single-family detached home.
	2. A detached accessory dwelling unit shall not exceed one story in height. The unit may be located on a second story if the first story is utilized as a garage or storage facility.

	3. An accessory dwelling unit to be located on the second story of a detached garage or storage facility shall be set back a minimum of 10 feet from the rear property line.
	4. The accessory dwelling unit shall contain one full bath and kitchen facilities.
	5. An accessory dwelling unit and the primary dwelling unit shall be occupied by members of a single family as that term is defined in this Code. The accessory dwelling unit shall use the same street address.
Note 1. The applicant must show either that the soils of the site can be proven to accommodate the additional runoff via soil boring tests by a registered professional engineer, or	
	(a) The runoff created by the additional coverage will be retained on site via retention facilities for a ten year, three-day storm event for lots which are not more than one acre and for a 25 year, three-day event for lots which are one acre or greater in area; and
	(b) Retention areas will not be located above drain fields; and
	(c) Retention areas shall be not more than two feet deep unless a professional engineer certifies the appropriate plans and installation; and
	(d) All improvements will show compliance with section 6.05.00, Stormwater Management of this Code.
	7. One-story buildings shall not exceed 12 feet in height. Two story buildings shall not exceed 25 feet in height.
	8. May exceed 65% by East Stuart Code District conditional use. Permitted uses. The following uses shall be permitted in the in the SFD sub-district:
Land Use Type	Number of Required Parking Spaces Residential Land Uses
Detached accessory dwelling unit, ancillary to a primary single-family structure, as defined in this Code. Refer to section 6.09.02, General standards and requirements	N/A
Detached single-family dwelling unit	1 per unit
Duplexes	1 per unit
Family day care home in a residence	2 per dwelling unit plus adequate space for pick up and drop-off
Group home of six or fewer residents which otherwise	1 per 4 beds, plus 1 space per employee

meets the definition of a community residential home as defined in chapter XII	
Home occupations, as approved by the city development director. Refer to section 2.06.09, Supplemental Use Standards	N/A 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 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

(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 about 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)~~

EAST STUART NEIGHBORHOOD CODE

PUBLIC HEARING PRESENTATION

City Commission 1st Reading - January 17, 2023

PROPOSED LAND DEVELOPMENT REGULATIONS

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.

PROPOSED LAND DEVELOPMENT REGULATIONS

CRA Specific Land Development Regulations **Chapter III - SPECIAL ZONING CODES**

Neighborhoods

East Stuart Neighborhood Code

Section 3.02.00

COMMENTS AT CRB

1. Landscaping & Buffers

- Updated landscape and site standards along with added figures to describe landscape and wall buffers

2. Legibility of Figure Text

- Made recommended changes to Figure Text

3. Importance of outreach to Property Owners

- Held additional meetings, interviews and presentations with property owners. We now have made contact with over 110 individuals.

4. Importance gathering input from Planners & Architects working in the community

- Workshopped with local AIA members
- Contracted with local planner to do peer review

COMMENTS AT LPA

1. Civic Open Space concerns
 - Clarifying this is not applicable for single family homes
 - Concern the ½ acre provision too far reaching
 - Concern 7% too restrictive

COMMENTS AT CITY COMMISSION

1. Civic Open Space concerns echoed
 - Will be addressed in the presentation
2. Additional analysis and concern on the 17 dua as a different standard from the 15 dua in through most of the City
 - Will be addressed in the presentation

COMMENTS AT LPA

1. Duplexes and proximity to R1 – updated code to show restriction of detached housing types (duplexes, townhouses) along 10th Street & Martin Luther King Jr Blvd.
2. Neighborhood open space – removed unclear language around impervious & pervious

PROPOSED PROCESS

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.

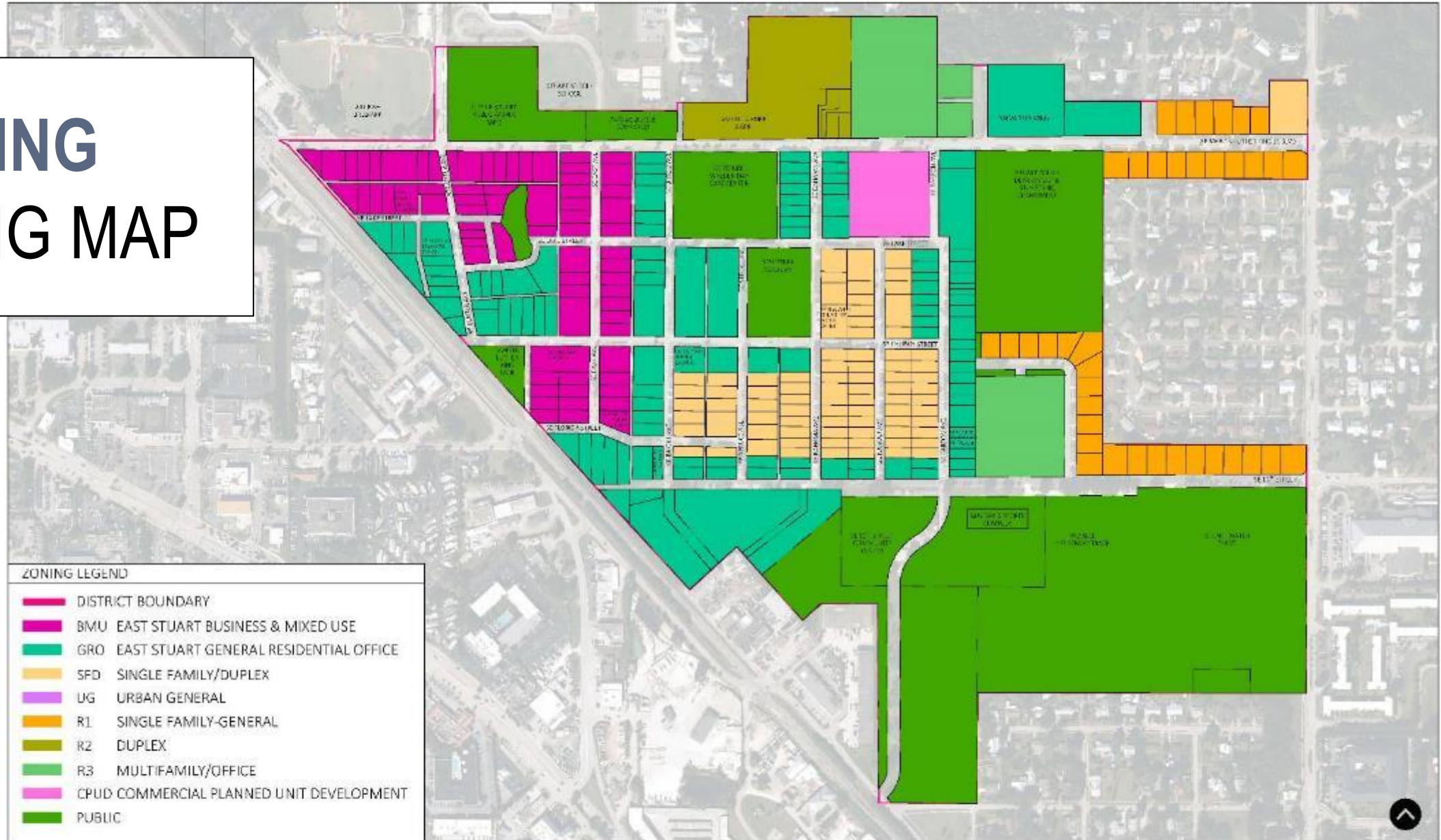


c. Development Director may request an applicant host a community workshop including any active neighborhood association(s) or business associations before submitting an application. A community workshop will be required of all *major development projects*. Applicant shall submit minutes and sign-in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

EXISTING ZONING MAP



EAST STUART
Community Redevelopment Area

EXISTING ZONING

6/27/2022

PROPOSED REGULATING PLAN

REGULATING PLAN LEGEND

- █ DISTRICT BOUNDARY
- █ BMU EAST STUART BUSINESS & MIXED USE
- █ GRO EAST STUART GENERAL RESIDENTIAL OFFICE
- █ SFD SINGLE FAMILY/DUPLEX
- █ CPUD COMMERCIAL PLANNED UNIT DEVELOPMENT
- █ RECREATION
- █ PUBLIC
- █ POND
- ★ CIVIC SITE



EAST STUART
Community Redevelopment Area
PROPOSED REGULATING PLAN

7/25/2022

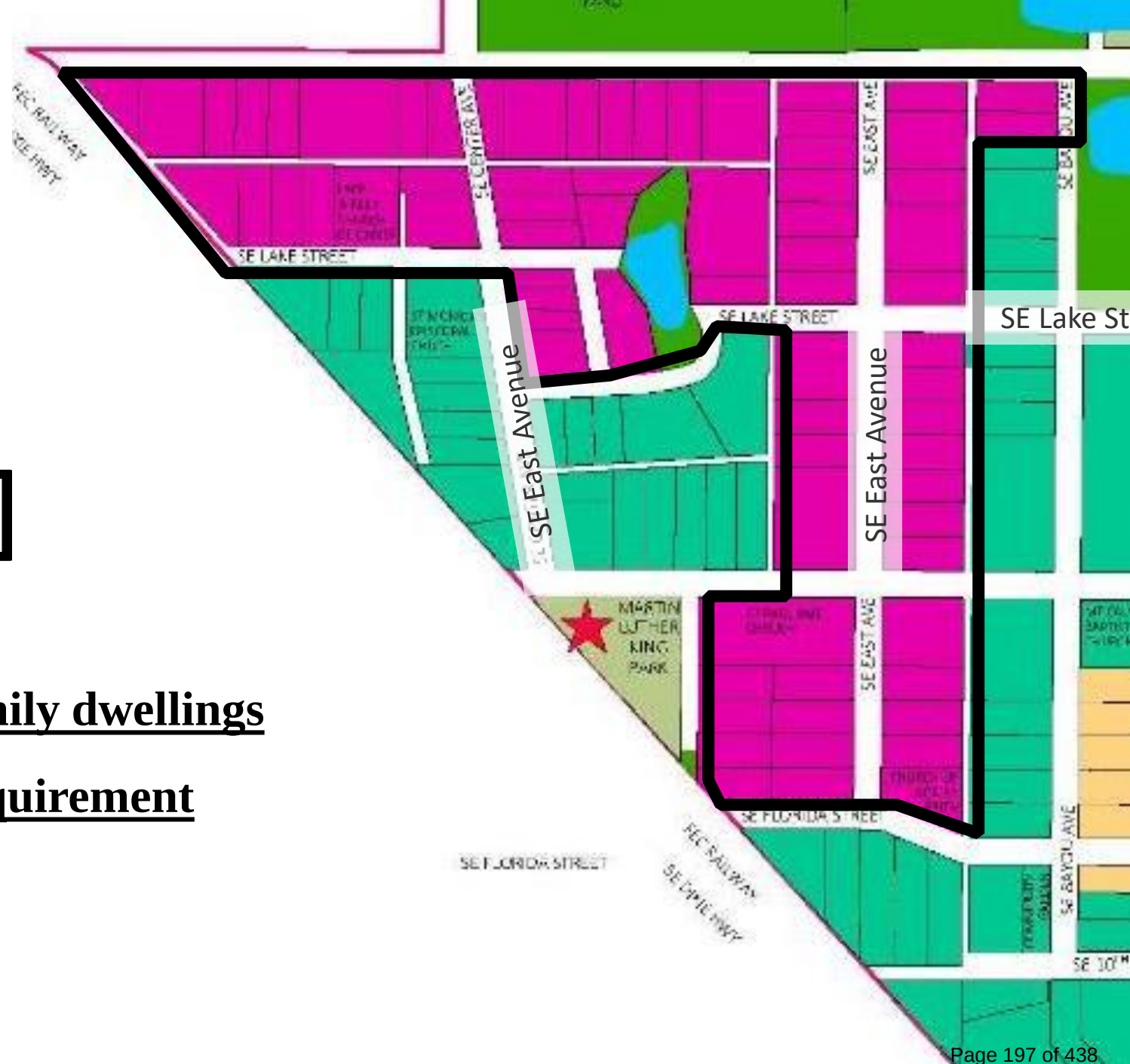
PROPOSED REGULATING PLAN



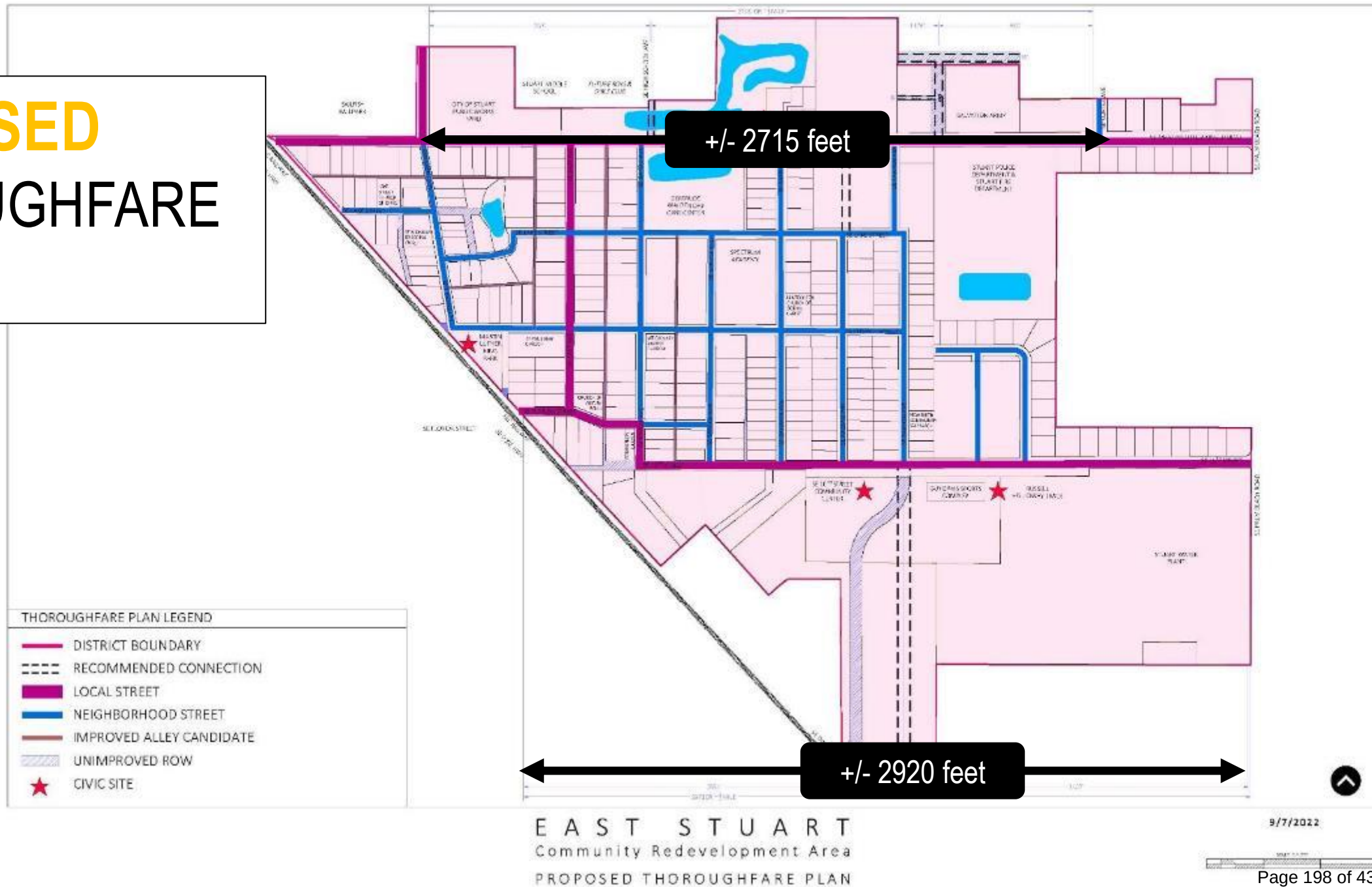
BMU: East Stuart Business and Mixed Use

Permitted Uses

- ADDING Duplexes, & single-family dwellings
- REMOVING the commercial requirement



PROPOSED THOROUGHFARE PLAN



DEVELOPMENT STANDARDS – TYPICAL LOT SIZES

36' x
100'

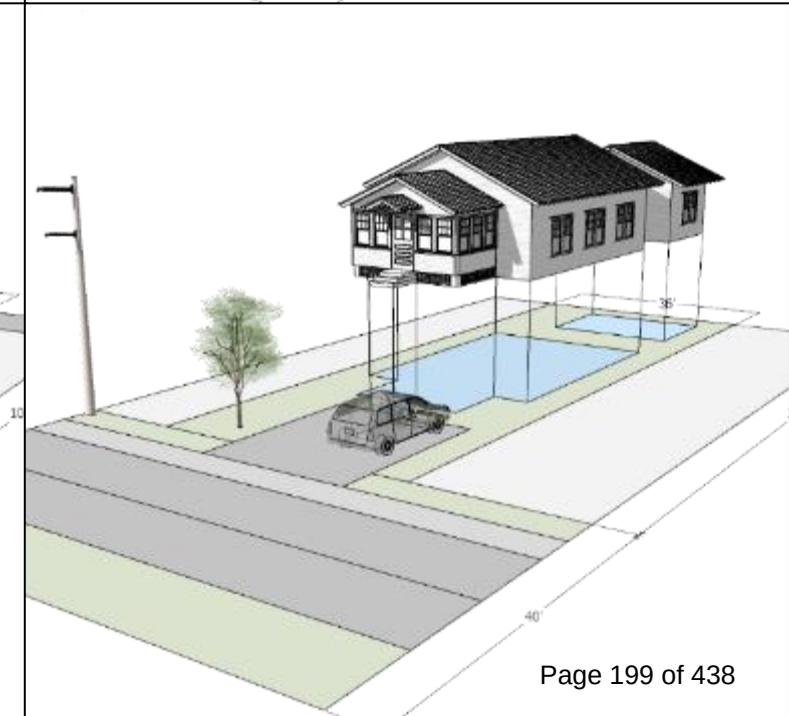
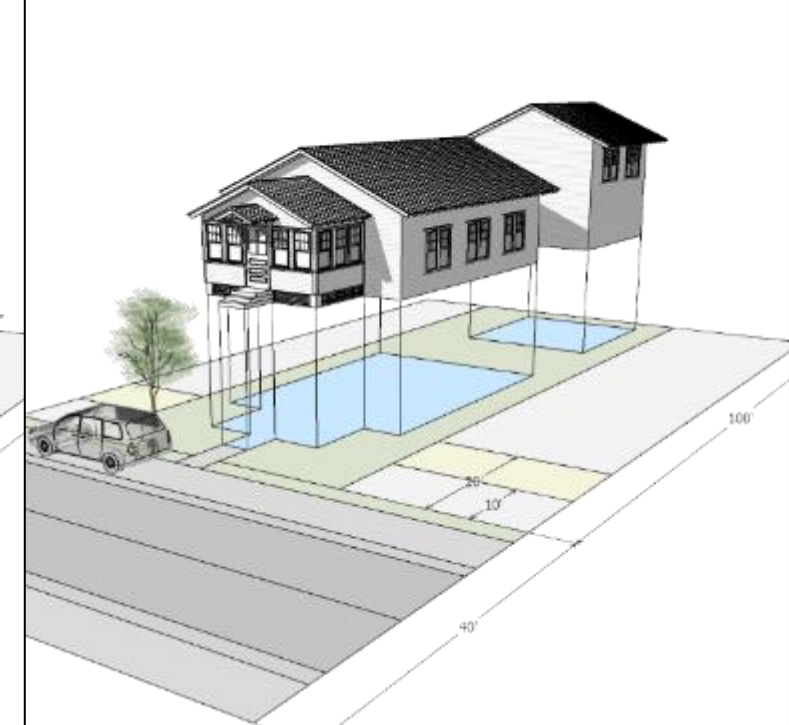
(mostly
in the
SFD)

50' x
100'

(mostly
in GRO
& SFD)

50' x 120'

(mostly in
BMU)



PROPOSED ZONING

- Height made more consistent with vision, context, & modern building
- Density is the remains the same for SFD
- Simplify setbacks
- Allow for ADUs more easily



	Existing SFD	Existing R-1	Proposed SFD
Lot Size			
Lot area, minimum in sf	None	7500-sf	None
Lot width, minimum in feet	None	75'	None
Height			
Building height, maximum in stories	2	3	2
Building height, maximum in feet	25'	35'	35'
Ground story height, minimum in feet	Not Applicable	Not Applicable	Not Applicable
Density			
Residential density, max in units/acre	17	7	17
Non-Residential, maximum FAR	Not Applicable	<0.75 FAR	Not Applicable
Coverage			
Impervious surface, maximum in %	65% ¹	50%	65%
Building & Parking Placement			
Front setback	15'	25'	10'-20' BTZ
Side setback at property line	5'	7.5'	5'
Side setback at street	5'	7.5'	10'
Rear setbacks	20'	15'	10'
Building Types			
Outbuilding	 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		 2-stories/25' & 5' rear/side setback

PROPOSED ZONING

- Height made more consistent with vision, context, & modern building
- Added additional community outreach as part of process for four stories
- Density is brought from 15 to 17 to be consistent with historically platted lots & SFD



	Existing GRO	Existing R-3/Office	Proposed GRO
Lot Size			
Lot area, minimum in sf	None	10,000-sf	None
Lot width, minimum in feet	None	100'	None
Height			
Building height, maximum in stories	3 / CU 4	3-4	3 ¹
Building height, maximum in feet	35' / CU 45'	35'-45'	35'
Ground story height, minimum in feet	Not applicable	Not applicable	Not applicable
Density			
Residential density, max in units/acre	15 / CU 30	10	17 / CU 30
Non-Residential, maximum FAR	Not applicable	<3.0 FAR 1 / <1.5 FAR 2	Not applicable
Coverage			
Impervious surface, maximum in %	65%	40%-50%	65%
Building & Parking Placement			
Front setback	15'	25'	10-20'
Side setback at property line	5' 2-stories / 10' 3-stories	5'-25' dependent on number of stories	5'
Side setback at street	5' 2-stories / 10' 3-stories	5'-25' dependent on number of stories	10'
Rear setbacks	20'	20'	10'
Building Types			
Outbuilding	2-stories/25' & 5' rear/side setback	Not applicable	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	Not applicable	2-stories/25' & 5' rear/side setback
Footnote:			
¹ Four stories in height shall only be achieved through PUD and requires Community Workshop & Outreach as described in Sec.3.02.01.J.1.c.			



PROPOSED ZONING

- Height made more consistent with vision, context, & modern building
- Added additional community outreach as part of process for four stories
- Density is brought from 15 to 17 to be consistent with historically platted lots & SFD

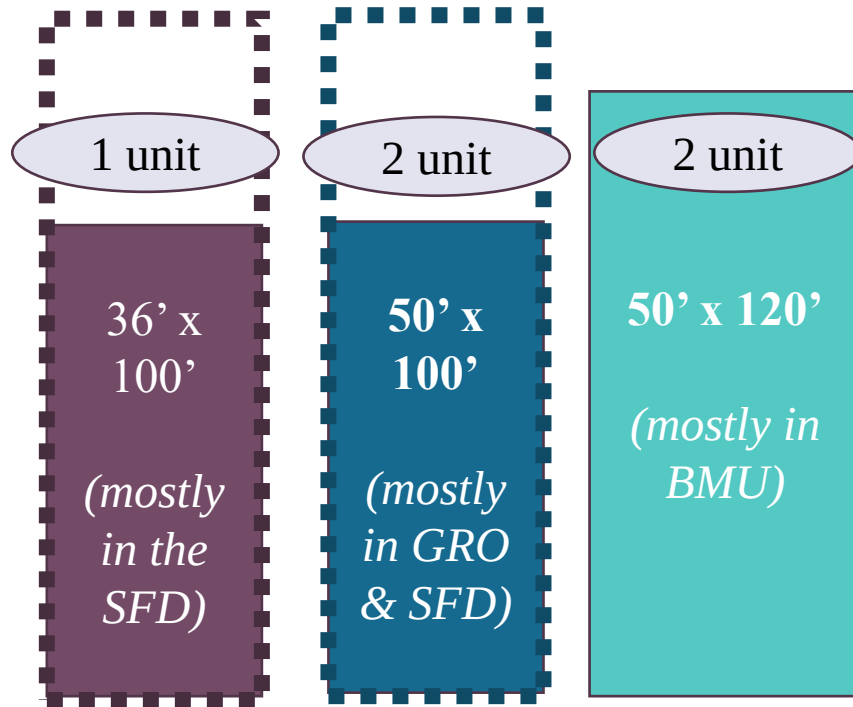


	Existing BMU	Proposed BMU
Lot Size		
Lot area, minimum in sf	None	None
Lot width, minimum in feet	None	None
Height		
Building height, maximum in stories	3 / CU 4	3 ¹
Building height, maximum in feet	35' / CU 45'	40'
Ground story height, minimum in feet	Not Applicable	Not Applicable
Density		
Residential density, max in units/acre	15 / CU 30	17 / 30 cu
Non-Residential, maximum FAR	Not Applicable	Not Applicable
Coverage		
Impervious surface, maximum in %	See Sec. 6.03	See Sec. 6.03
Building & Parking Placement		
Front setback	0' on MLK, East, Central /15'	5'-20'
Side setback at property line	5' 2-stories 10' 3-stories	5'
Side setback at street	5' 2-stories 10' 3-stories	10'
Rear setback	20'	10'
Building Types		
Outbuilding	2-stories/25' & 5' rear/side setback	2-stories/25' & 5' rear/side setback
Accessory Dwelling Unit (ADU)		2-stories/25' & 5' rear/side setback
Footnote:		
¹ Four stories in height shall only be achieved through PUD and requires Community Workshop & Outreach as described in Sec.3.02.01.J.1.c.		



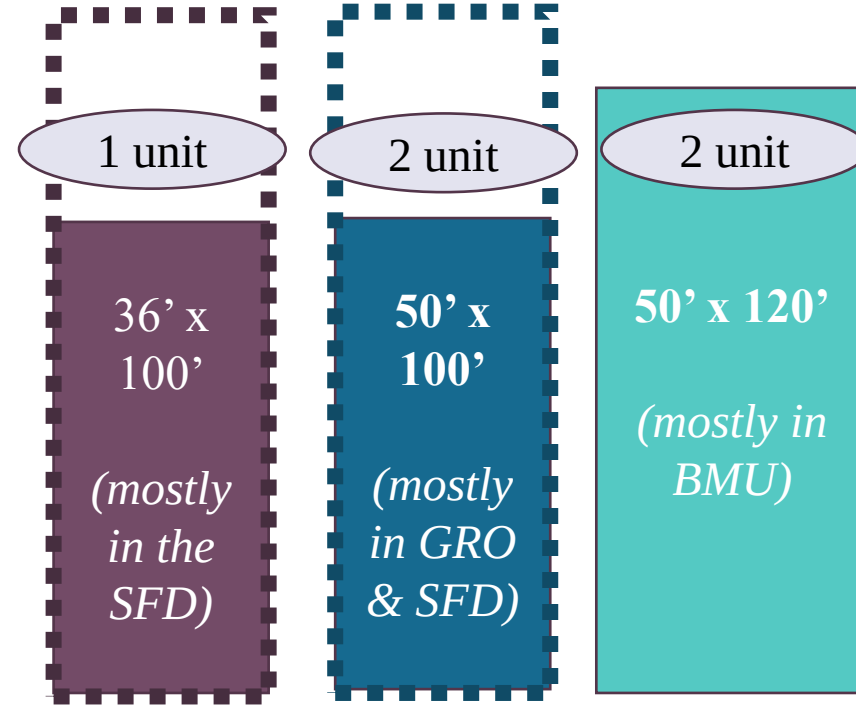
AT 15

DWELLING UNITS PER ACRE



AT 17

DWELLING UNITS PER ACRE



AT 15

DWELLING UNITS PER ACRE

71 unit

4.7 acre site

AT 17

DWELLING UNITS PER ACRE

80 unit

4.7 acre site

FRONTAGE TYPES

FIGURE 13 FRONTAGE TYPES MATRIX

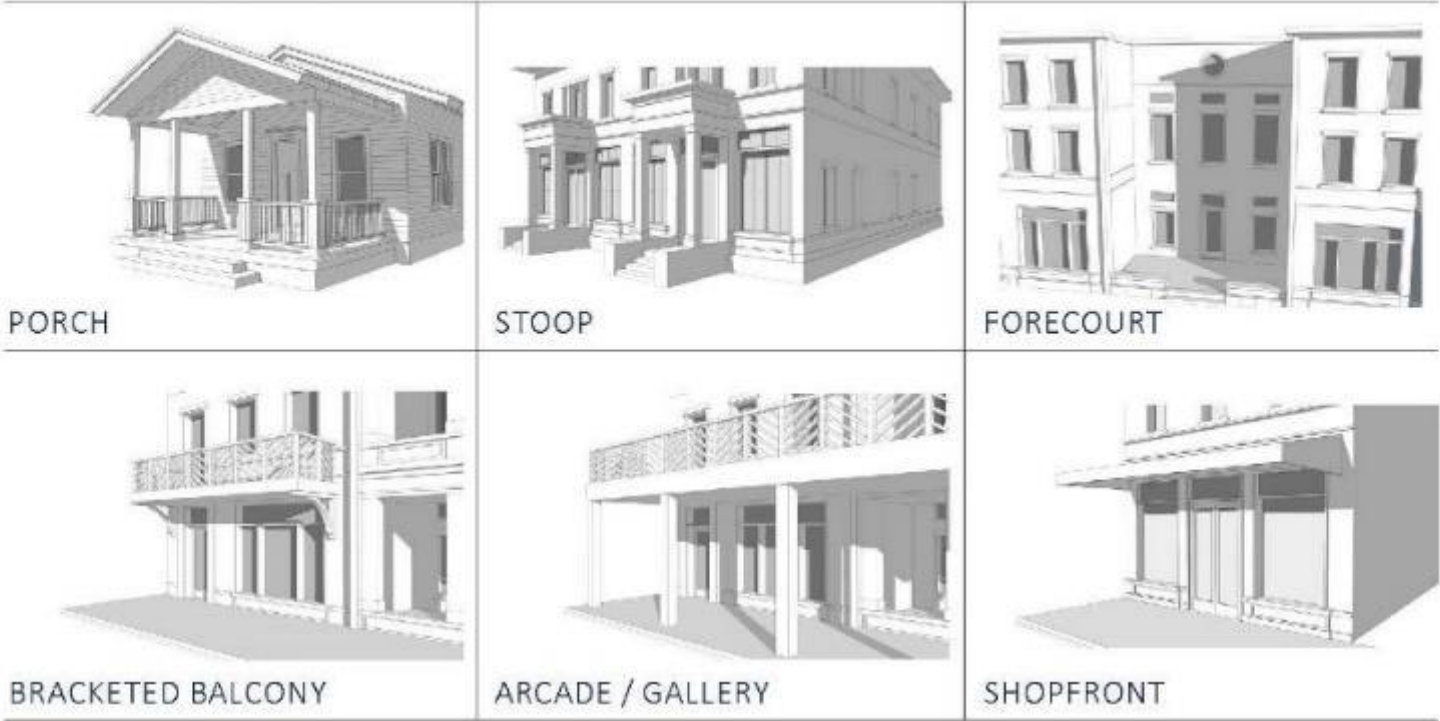


FIGURE 14 PERMITTED FRONTAGE TYPES MATRIX

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

PUBLIC COMMENTS

1. Concern regarding porches & stoops required to be 18" above finished grade and how universal design is addressed.

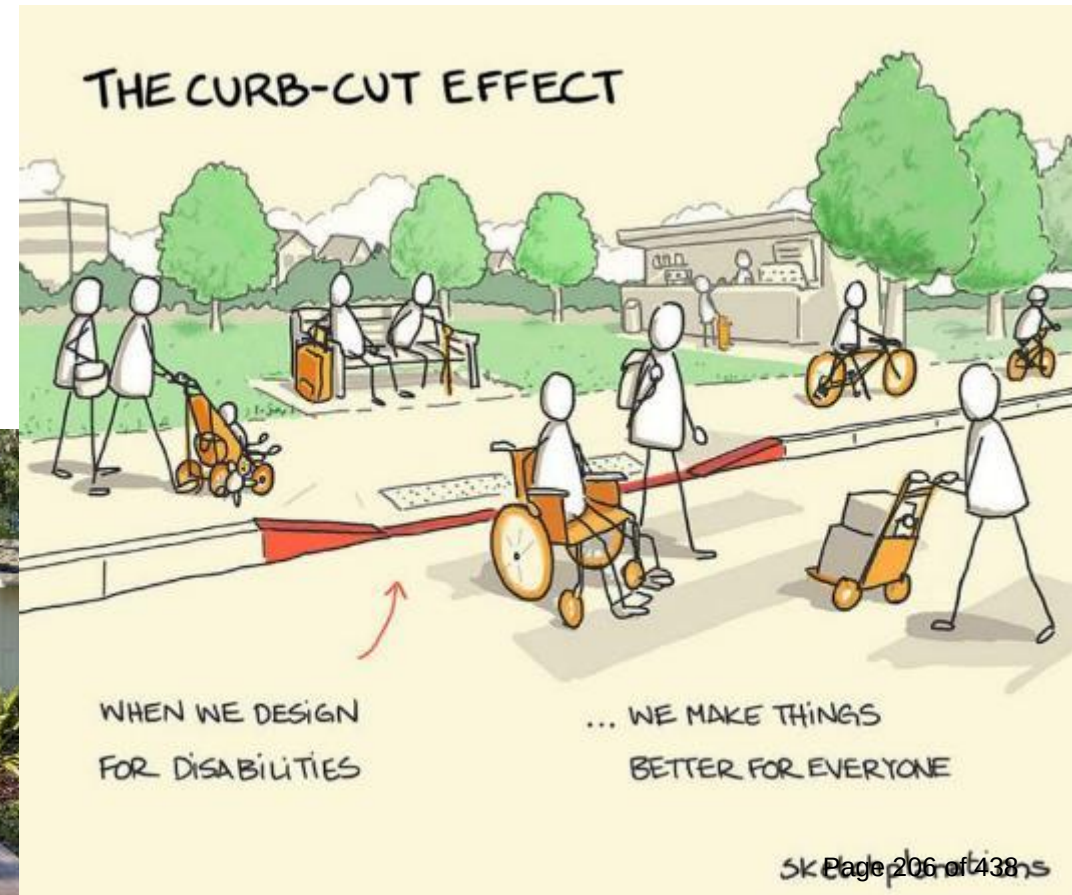
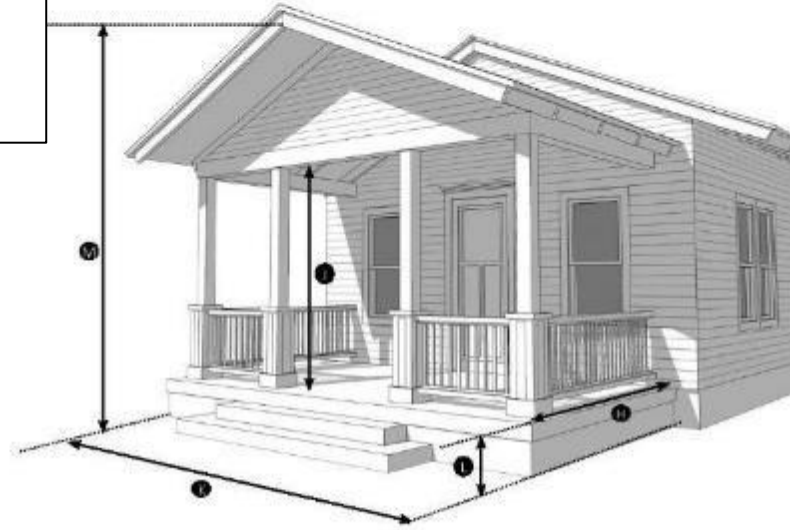


FIGURE 15 PORCH

FRONTAGE TYPES



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. Porches shall have direct access to sidewalks where they exist. Front porches may be screened.

Dimensions

Depth	6 feet min. - 8 feet recommended	H
Height, clear	8 feet min.	J
Width, length of facade	50% min.	K
Finish level above crown of road	18 inches min. - 30 inches recommended	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. Stoops shall have direct access to sidewalks where they exist.

Dimensions

Depth	5 feet min.	H
Height, clear	8 feet min.	J
Width, clear	4 feet min.	K
Finish level above crown of road	18 inches min. - 30 inches recommended	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
-----	-----	-----



BUILDING TYPES



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

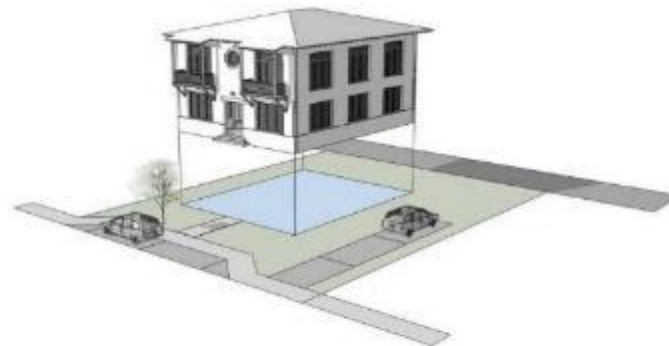
Cottages shall not exceed a footprint of 2,000 square feet.

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

SFD	GRO	BMU	Permitted Frontage Types
			Porch
			Scoop



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

SFD	GRO	BMU	Permitted Frontage Types
			Porch
			Scoop
			Bracketed Balcony
			Forecourt
			Arcade / Gallery



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**.

Permitted Zoning District

SFD	GRO	BMU	Permitted Frontage Types
			Porch
			Scoop



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**.

Permitted Zoning District

SFD	GRO	BMU	Permitted Frontage Types
			Porch
			Scoop

COMMENTS AT LPA

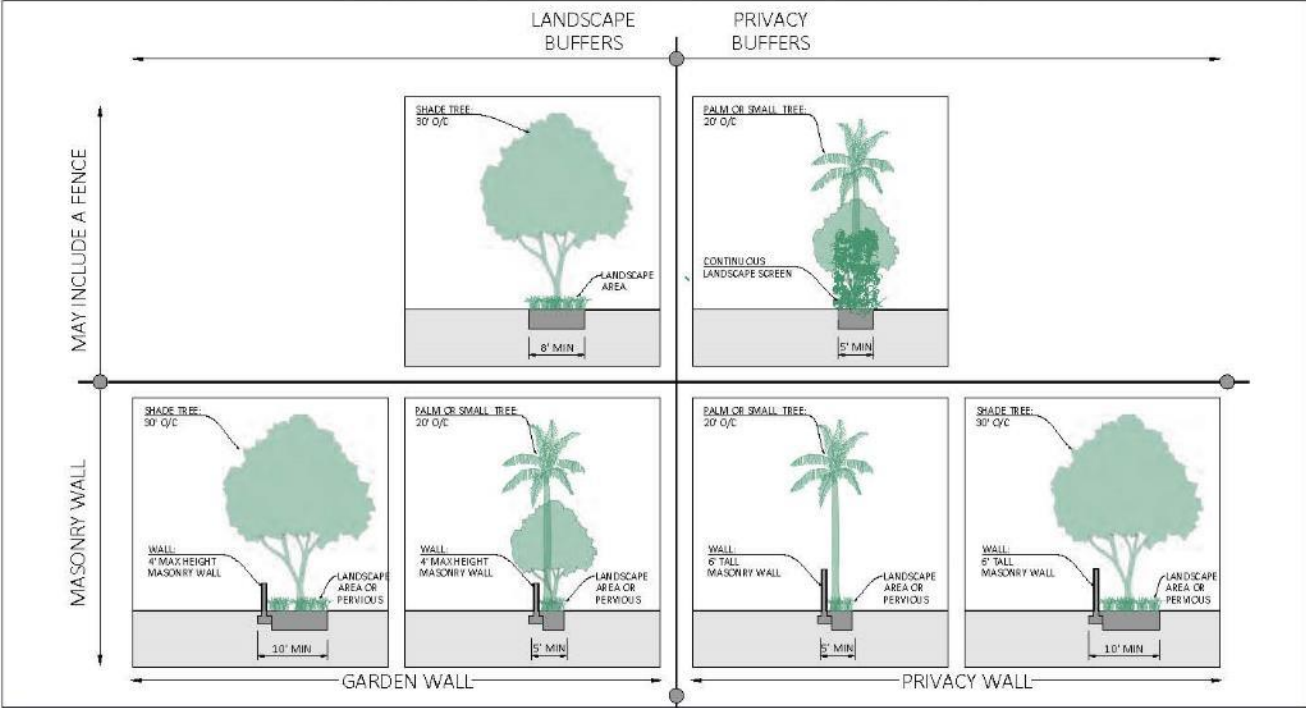


COMMENTS AT CRB

FIGURE 50 MINIMUM BUFFER TYPES

Type	Name	Min. Width	Wall or Fence, see Sec. 03.02.10	Tree or Palm	Landscaping
Landscape buffers	Shade tree buffer	8'	May include fence	Shade tree , every 30' o/c	A hedge planted 24 to 30 inches on-center, and grass, ground cover, or other landscape treatment not less than <u>50%</u>
	Garden wall buffer 1	10'	Finished masonry wall, 4' max. height	Shade tree , every 30' o/c	A hedge, grass, ground cover, or other landscape treatment or <u>pervious landscaping material</u>
	Garden wall buffer 2	5'	Finished masonry wall, 4' max. height	Tree or palm, every 20' o/c	A hedge, grass, ground cover, or other landscape treatment or <u>pervious landscaping material</u>
Privacy buffers	Landscape privacy buffer	5'	May include fence	Tree or palm, every 20' o/c	A hedge planted 24 to 30 inches on-center or other landscape treatment to create a <u>6' tall continuous landscape screen</u>
	Privacy wall buffer 1	5'	Finished masonry wall, 6' tall	Tree or palm, every 20' o/c	A hedge, grass, ground cover, or other landscape treatment or <u>pervious landscaping material</u>
	Privacy wall buffer 2	10'	Finished masonry wall, 6' tall	Shade tree , every 30' o/c	A hedge, grass, ground cover, or other landscape treatment or <u>pervious landscaping material</u>

FIGURE 51 MINIMUM BUFFER TYPES ILLUSTRATED



NEIGHBORHOOD OPEN SPACE PROPOSED

Neighborhood open space is an outdoor space accessible by the general public, improves the pedestrian environment, and serves as an amenity for the neighborhood. Neighborhood open space may provide low impact infrastructure elements to promote improved stormwater treatment. Where neighborhood open space is pervious, the area does not count towards impervious coverage.

FIGURE 12 NEIGHBORHOOD 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.	
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.	
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.	

COMMENTS AT LPA & CITY COMMISSION

Civic Open Space

- Clarifying this is not applicable for single family homes
- Concern too restrictive to mandate for parcels based on size

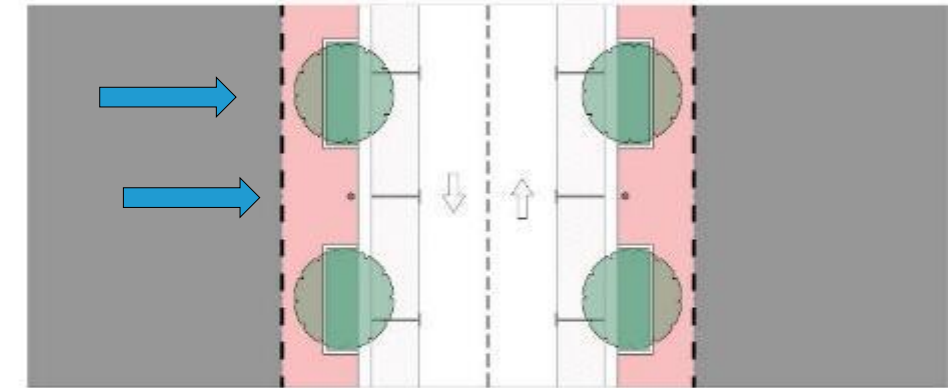
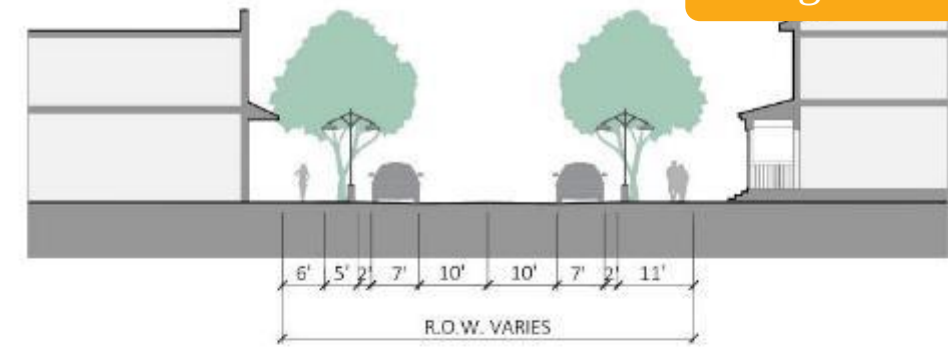
Updated Language:

- Updated language and name
- Removed the requirement based on site size
- Still there as a recommendation for sites
- Can be referred to as a design objective for conditional uses

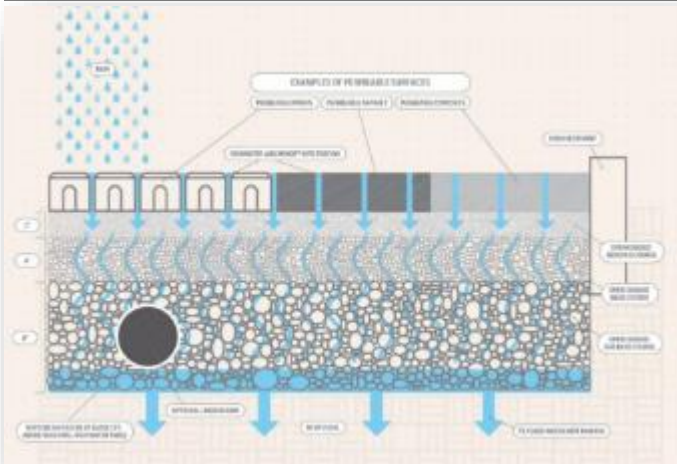
LOW IMPACT DEVELOPMENT STANDARDS **PROPOSED**

“GET THE GREEN BACK”

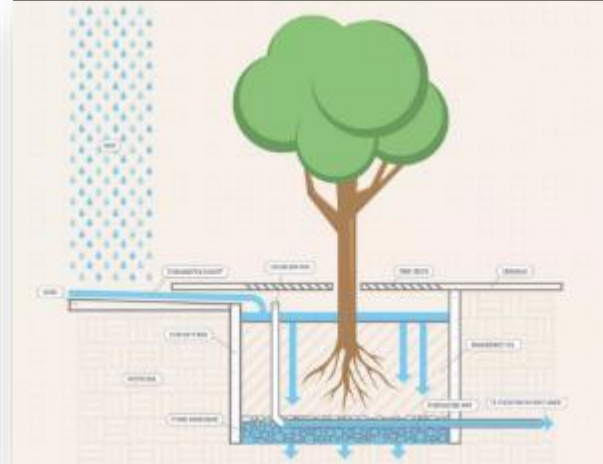
- Thoroughfare Standards
- Civic Open Space
- Parking Lot Standards
- Landscape Standards



Permeable Surfaces



Tree Boxes



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



MASTER PLAN UPDATE

How to better connect East Street?

- 10th Street to Drive

Celebrate Heritage

- Historical Site Markers / Rebuild historic bridges
- Diverse
- MLK Blvd improvements
- Pride in homes
- Build the Museum

GRANTS / \$ -

- ① Fence / Applications Assist
- ② More than Paint
 - Structural (Ref. etc.)
 - Elect / Plumbing etc.

Additional Uses on Commercial Corridor?

- Don't mandate Residential + Commercial
- OK to be next to each other
- Scale matters
- Structure is OK

Existing East Street Walkway

- E. AVE = Future = 3P Home -

→ Multi-unit, Vacant lots + active sidewalk
→ this to

- Will CRA # BE SHIFTED FROM EAST STREET TO THE "Creek"
- Comparisons of East Street to Downtown + Osceola + JPS NOT APPROPRIATE
- Semivac Allegiance Cut to 1M - CRA Deline.
- Don't try to move to MLK Look like Channels.

OPPORTUNITIES

- income-generating accessory units
- businesses w/ heritage requirement + parking in the rear
- on-street parking along Church St. / traffic calming on MLK
- multi-tenant buildings for businesses or Georgia Prep (restaurants, retail, parking)
- income-generating businesses (local!!)
- connection between High School Ave. Spot Mill
- multi-family + townhomes w/ less maintenance responsibility (yards)
- single-family spaced further apart
- MLK to still be main business corridor
- mixed-use at corner property (w/ 3rd floor) + local businesses
- 10th Street west to E. Street connection
- residential porches
- commercial owners + arcades for shade
- shade trees for pedestrian management + shade (look in residential + commercial)
- preservation of heritage + character

Strengths

- enrich heritage
- affordable housing

Weaknesses

- houses close together

- Opportunities - multi-family + townhomes w/ less maintenance responsibilities
- mixed-use at corner + on-street (single family, retail, apartments, mix of uses and types)
- MLK to stay as main business corridor
- water setback - greater separation between residential
- threats - gentrification, changing character through properties changing hands

HOUSING

SF w/ ACCESSORY UNITS
TOWNHOUSE
TINY HOUSE / COTTAGE COURT

→ CONSIDER LAND BEHIND 10TH ST.
PER OK FOR 2-3 STORY RESIDENTIAL
(SF / TOWNHOUSE)

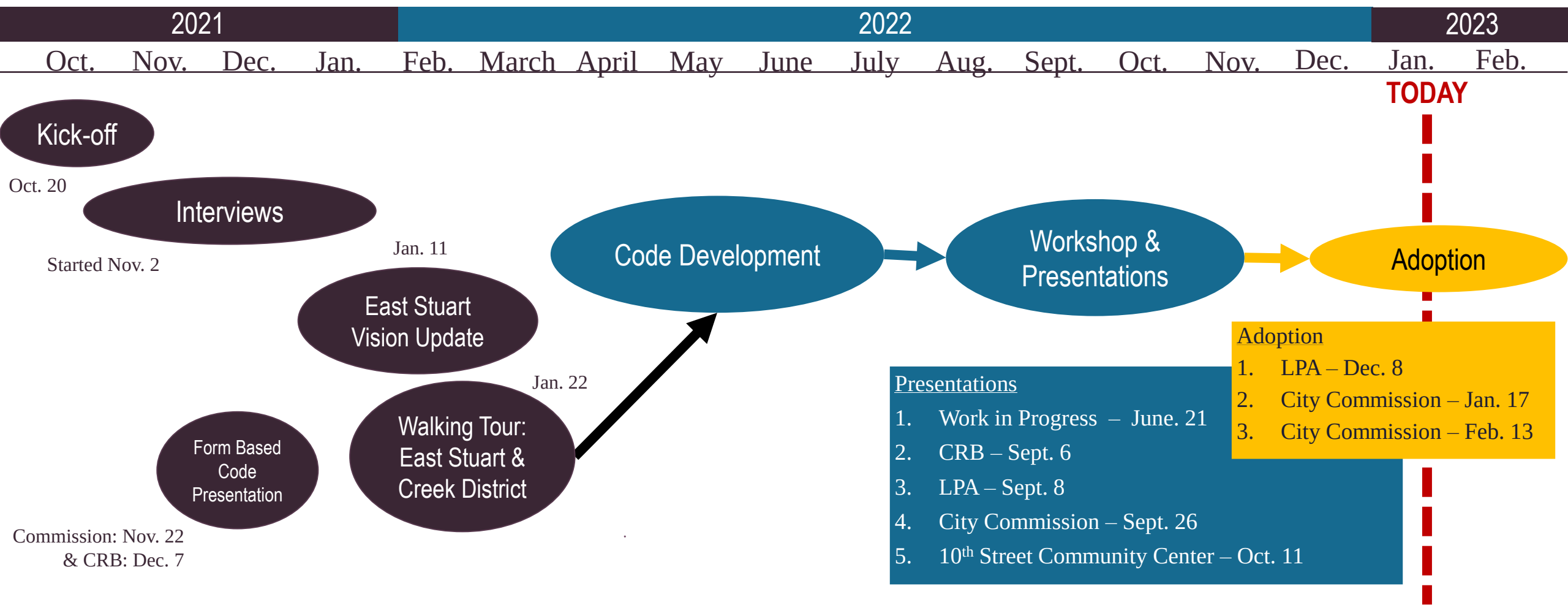
MLK → 3-STORIES IS OK
USES CAN BE RES OR NON-RES.
OK IF ALL RESIDENTIAL OR MIXED-USE.
GARY PROPERTY - 3-STORIES + OK W/ MIXED USE
AUS
EAST AVE - MORE RESIDENTIAL THAN COMMERCIAL

TOP THREE

TAKE AWAYS FROM FOR THE EAST STUART NEIGHBORHOOD CODE

- Allowing residential on “BMU”
- Reflecting lot sizes and historic building in setbacks
- Additional opportunities for community input

TIMELINE



RECOMMENDED ACTION

Motion to approve Ord. No. 2499-2023, amending the city's official Zoning Map to include changes on certain lands within the "East Stuart Neighborhood" to be consistent with the Future Land Use Map.

Motion to approve Ord. No. 2507-2023, amending Chapter III of the Land Development Code to include form-based land development regulations for the "East Stuart Neighborhood".

THANK YOU

Jessica Cortor Seymour

Principal Program Coordinator

Treasure Coast Regional Planning Council

jseymour@tcrpc.org

NEXT STEPS

Feb. 13 City Commission Meeting 2nd Reading

MINUTES
LOCAL PLANNING AGENCY OF THE CITY OF STUART
DECEMBER 8, 2022
AT 5:30 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

LOCAL PLANNING AGENCY

Chairperson - Kelly Laurine
Vice Chairperson - Margaret Bromfield
Board Member - Bill Mathers
Board Member - Ryan Strom
Board Member - Jackie Vitale
Board Member - VACANT
Board Member - VACANT
Ex Officio Board Member - Mark Sechrist

ADMINISTRATIVE

Development Director, Jodi Nentwick-Kugler
City Clerk, Mary R. Kindel

CALL TO ORDER

5:34 PM

ROLL CALL

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

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Pinal Gandhi Savdas, CRA Executive Director, explained the rearrangement of the items in the agenda.

- Item #5 was read third.
- Item #7 was read fourth.
- Item #3 was read fifth.
- Item #6 was read sixth.
- Item #4 was read seventh.

5:36 PM MOTION: Approve with rearrangements of items.

MOVED BY: Jackie Vitale

SECONDED BY: Ryan Strom

Motion approved unanimously.

APPROVAL OF MINUTES

1. APPROVAL OF OCTOBER 13, 2022 MINUTES

5:37 PM MOTION: Approve.

MOVED BY: Ryan Strom

SECONDED BY: William Mathers

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

None.

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

Michael Mortell, City Attorney, spoke on the passing of Board Member Larry Massing.

ACTION ITEMS

2. EAST STUART NEIGHBORHOOD - SMALL-SCALE FUTURE LAND USE MAP AMENDMENT (RC): (THIS IS A SINGLE READING ITEM)

ORDINANCE No. 2500-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "LOW DENSITY" TO "EAST STUART" FOR 8.60 ACRES OF LAND; "OFFICE-RESIDENTIAL" TO "EAST STUART" FOR 1.93 ACRES OF LAND; "MULTI-FAMILY" TO "EAST STUART" FOR 4.50 ACRES OF LAND; "PUBLIC" TO "EAST STUART" FOR .53 ACRES OF LAND; AND "EAST STUART" TO "PUBLIC" FOR 5.16 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

5:39 PM

Ms. Gandhi Savdas presented the item and stated all the notices that were sent out to the neighbors within the project area, spoke about the workshops and walking tours that took place, and all the community engagements.

Jessica Seymour, Treasure Coast Regional Planning Council presented the timeline, future land use map and their changes, and the proposed future land use map.

PUBLIC COMMENT:

1.) Brooks Dubois - SE 6th St; Spoke about a larger parcel and is in opposition of the duplexes possibly going in that parcel.

2.) Laura Giobbi - Questioned where the parking is in the multi-dwelling units.

6:00 PM MOTION: Approve.
MOVED BY: Ryan Strom
SECONDED BY: William Mathers
Motion approved unanimously.

****Clerks Note** - Ordinance No. 2499-2023 and 2507-2023 were presented together in one presentation. Discussion happened at the same time and a motion was first made on the Land Development Code and then on Zoning Map Amendment.**

5. EAST STUART NEIGHBORHOOD - ZONING MAP AMENDMENT (RC):

ORDINANCE No. 2499-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "EAST STUART NEIGHBORHOOD" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Ms. Seymour presented the proposed land use and zoning, showed comments from CRB Board Members and City Commissioners, the proposed process, regulating plan, thoroughfare plan, development standard typical lot sizes, zoning, dwelling units per acre, frontage types, building types, proposed neighborhood open space, low-impact development standards, vision update on the master plan, and top three take-aways.

Board Members and Ms. Seymour had a discussion about accessory dwelling unit's (ADU), facades, porches, store fronts, and building height requirements.

6:41 PM Board Member Mathers made a motion seconded by Board Member Strom.

Board Members had a discussion about ADU's and whether or not to include it in the motion.

PUBLIC COMMENT:

1.) Brooks Dubois - SE 6th St; Stated he is okay with ADU's but not the duplexes.

6:49 PM MOTION: Approve.
MOVED BY: William Mathers
SECONDED BY: Ryan Strom
Motion approved unanimously.

7. EAST STUART NEIGHBORHOOD - LAND DEVELOPMENT CODE AMENDMENT (RC):

ORDINANCE No. 2507-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER III SPECIAL ZONING CODES FOR THE "EAST STUART NEIGHBORHOOD"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

6:48 PM MOTION: Approve, with the restriction on the Duplex but not ADU, and ensure that the language states "Non-pervious does not count towards the impervious count".

MOVED BY: William Mathers

SECONDED BY: Jackie Vitale

Motion approved unanimously.

**3. THE CREEK DISTRICT - SMALL-SCALE FUTURE LAND USE AMENDMENT
(THIS IS A SINGLE READING ITEM)**

ORDINANCE No. 2502-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND DESIGNATION FROM "COMMERCIAL" TO "DOWNTOWN" FOR 20.07 ACRES OF LAND AND "DOWNTOWN" TO "RECREATION" FOR .25 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Ms. Seymour presented the existing future land use map and the future land use element.

PUBLIC COMMENT:

1.) Mark Brechbill - SE Osceola St; Asked if the gym property will be grandfathered in and questioned how it will supply to the sound ordinance?

Board Members had a discussion with Ms. Seymour about their concerns in The Creek District.

7:05 PM MOTION: Approve.

MOVED BY: Jackie Vitale

SECONDED BY: Ryan Strom

Motion approved unanimously.

****Clerks Note** - Ordinance No. 2498-2023 and 2501-2023 were presented together in one presentation. Discussion happened at the same time and two motions were made on each Ordinance.**

6. THE CREEK DISTRICT - ZONING MAP AMENDMENT (RC):

ORDINANCE No. 2501-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "THE CREEK DISTRICT" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH THE FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Ms. Seymour presented the comments received from CRB, LPA, and City Commission, proposed process, proposed regulating plan, proposed development standards, creek industrial uses, creek industrial density, proposed frontage types, proposed parking

standards, proposed thoroughfare plan, proposed low impact development standards, and proposed neighborhood open space.

Board Members had a discussion with Ms. Seymour in regards bulkheads, how you measure height.

7:29 PM MOTION: Approve.

MOVED BY: Ryan Strom

SECONDED BY: Jackie Vitale

Motion approved unanimously.

4. THE CREEK DISTRICT - LAND DEVELOPMENT CODE AMENDMENT (RC):

ORDINANCE No. 2498-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER II ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY; CHAPTER III SPECIAL ZONING CODES FOR "THE CREEK DISTRICT"; AND CHAPTER XII DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

7:31 PM MOTION: Approve, adding language for bulkheads in emergency situations.

MOVED BY: Jackie Vitale

SECONDED BY: William Mathers

Motion approved unanimously.

STAFF UPDATE

Susej Meleqi, Deputy City Clerk, stated that the Clerk's Department would be taking over the advisory board meetings.

ADJOURNMENT

7:32 PM

Mary R. Kindel, City Clerk

Kelly Laurine, Chairperson

**Minutes to be approved at the Local Planning Agency
Meeting this 12th day of January, 2023.**

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST City Commission

Meeting Date: 1/17/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

THE CREEK DISTRICT - SMALL-SCALE FUTURE LAND USE AMENDMENT (RC):
(THIS IS A SINGLE READING ITEM)

ORDINANCE No. 2502-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND DESIGNATION FROM "COMMERCIAL" TO "DOWNTOWN" FOR 20.07 ACRES OF LAND AND "DOWNTOWN" TO "RECREATION" FOR .25 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

This is a city-initiated Small-Scale Future Land Use Amendment for "The Creek District". If adopted, this ordinance will amend the city's Official Future Land Use Map (FLUM) to reflect the following Future Land Use Map changes within "The Creek District": The proposed amendment is based on surveys, studies, community goals and vision, and other data available provided by professionally accepted sources.

- "Commercial" to "Downtown" for 20.07 acres of land
- "Downtown" to "Recreation" for .25 acres of land

The Future Land Use Map Amendment is compatible with the surrounding land uses and in compliance with the goals, objectives, and policies of the city's Comprehensive Plan. The proposed future land use map amendment is in compliance with FS 163.3177 and FS 163.3184. It should be noted that the total acres being changed from Commercial to Downtown is 20.07 acres. This is not changing a single 20 acre parcel.

On December 8, 2022, the Local Planning Agency reviewed the request and the board unanimously recommended approval of this ordinance to the City Commission.

ATTACHMENTS:

1. A. Staff Report
2. B. Ordinance No. 2502-2023 FLUM Creek District and Map Exhibits
3. C. Service Capacity Letters and Analysis
4. D. Public Notification
5. E. Presentation

Funding Source:

N/A

Recommended Action:

Motion to approve Ordinance No. 2502-2023, amending the city's Official Future Land Use Map to include and reflect the changes from "Commercial" to "Downtown" and "Downtown" to "Recreation" on certain

lands within the “The Creek District”.

ATTACHMENTS:

1. Staff Report
2. Ordinance 2502-2023 - FLUM Creek District and Map Exhibits
3. Service Capacity Letters and Analysis
4. Public Notification - Creek District
5. Presentation



Staff Report

A. Application

The Creek District Future Land Use Amendment and Rezoning

Applicant	City of Stuart
Property Owner	City of Stuart
Agent for Applicant	Treasure Coast Regional Planning Council
Date of Report	October 27, 2022

B. Executive Summary and Background

Executive Summary

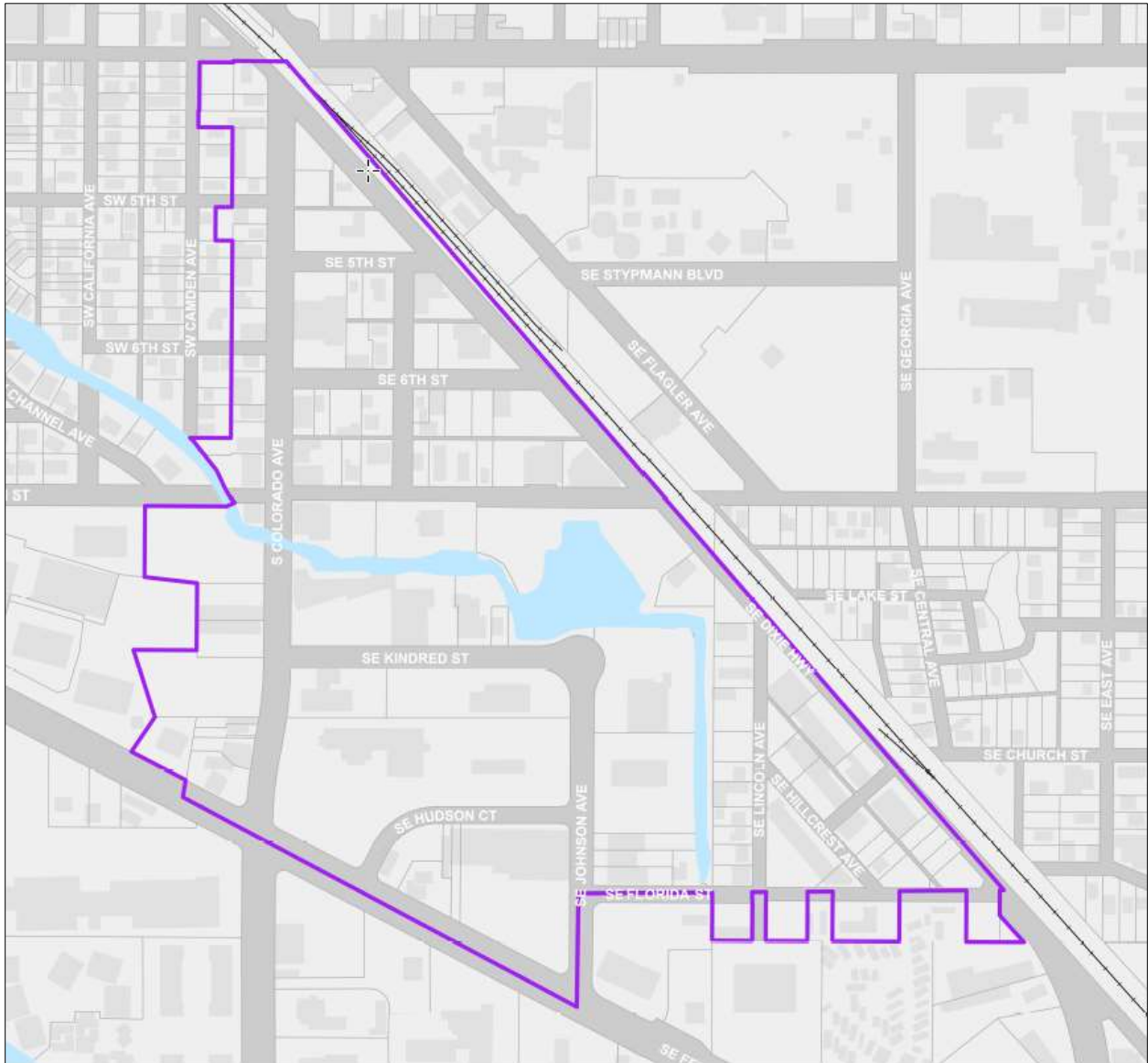
The intent of this application is to change the Future Land Use for certain parcels within the “The Creek District” as follows:

- “Commercial” to “Downtown” for 20.07 acres of land
- “Downtown” to “Recreation” for .25 acres of land

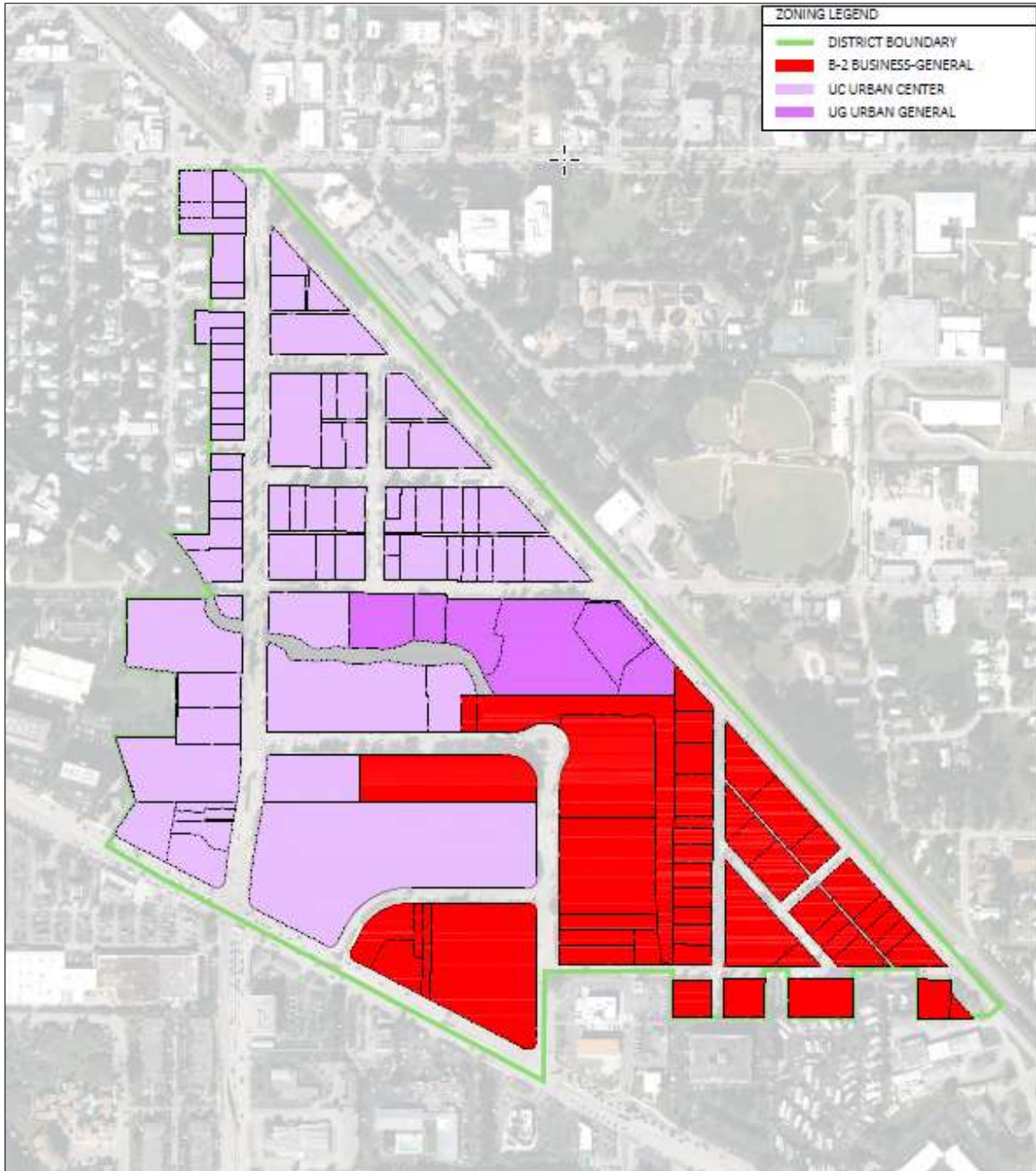
This request has a companion item to rezone all the parcels within the district, which will be consistent with the Future Land Use of either “Downtown” or “Recreation”.

C. Site Location and Information

Location Map



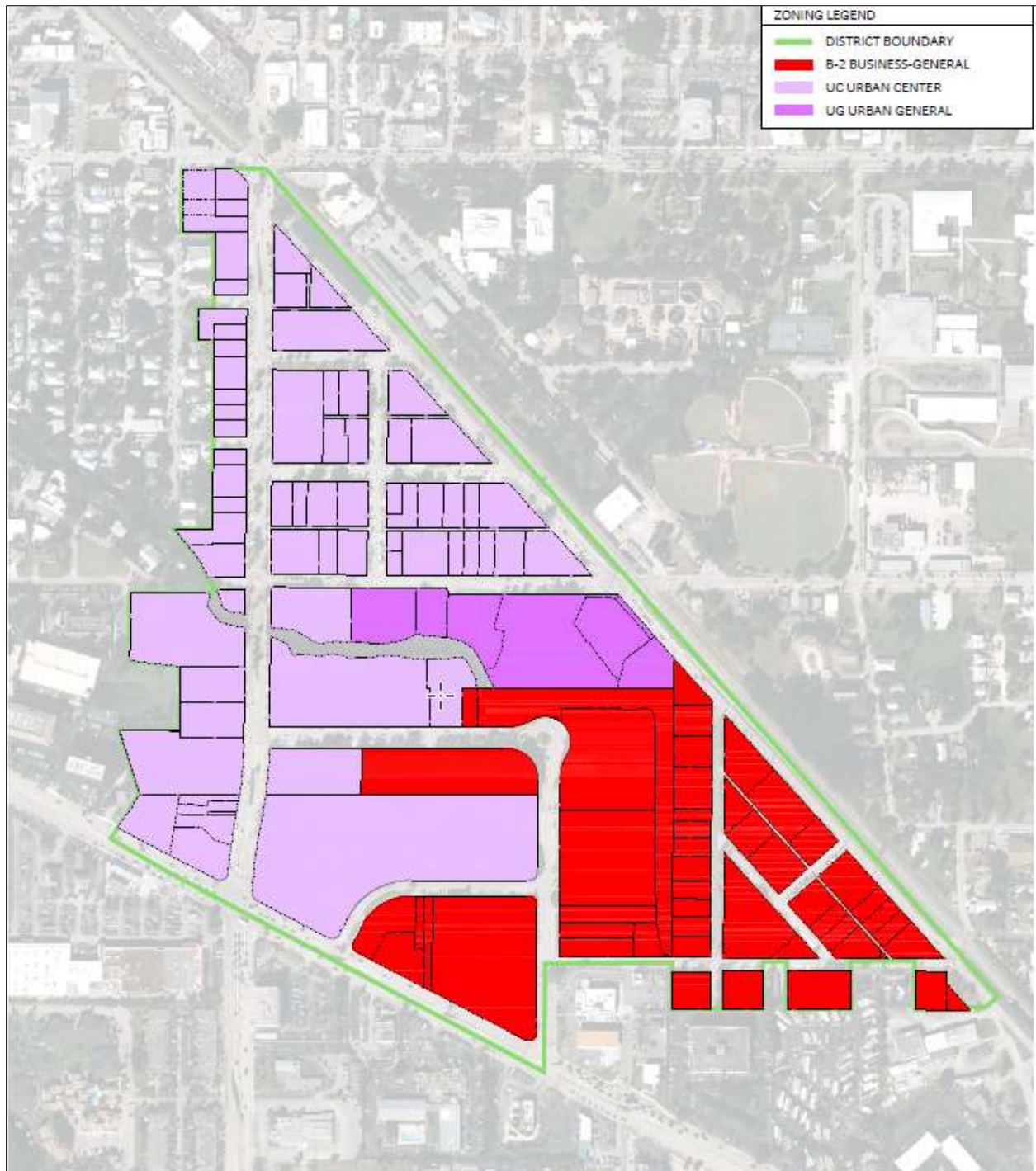
Existing Future Land Use Map



Proposed Future Land Use Map



Existing Zoning Map



Proposed Zoning Map



D. Determination of compliance with Comprehensive Plan

The proposal complies with the following Objectives and Policies of the City of Stuart Comprehensive Plan:

Policy 1.A3.2. The City's Future Land Use Map and land development regulations shall direct development to areas where adequate utilities, services and schools exist or are planned in order to protect natural resources.

Staff Analysis: City Utilities & Engineering Department has drafted a letter stating that water and wastewater plant capacity exists to serve the maximum buildout for the East Stuart Neighborhood and The Creek District. City staff has received a school capacity determination that states, "...the existing school capacities within the North and South CSA's, appears to be able to handle the impacts of the proposed additional residential units."

Policy 1.A7.1. The City of Stuart has designated the following land use categories and allowed uses for all land within the City of Stuart:

The Creek District Land Use Changes – (I) Downtown Redevelopment: Includes the land area within the Stuart Community Redevelopment Agency. General uses permitted include low density residential, multi-family residential, office, commercial, recreation, lodging, public facilities, conservation, and mixed-use projects. Individual projects and sites may consist of single uses. However, a mix of residential uses and non-residential uses shall be required within this designation as a whole. Also, electric distribution substations are allowed. (H) Recreation: Lands and public facilities, including public recreational uses that are both "active" and "passive" in nature. These include, but not limited to, neighborhood and community parks, golf courses, and spectator sport facilities, and open space areas. Additionally, vending or entertainment uses directly in support of the primary recreational use are allowed. Cellular telephone towers are allowed. "Recreation" uses shall include those uses that are permitted in the "Conservation" and "Public" land use categories. Also, electric distribution substations are allowed.

Staff Analysis: The property owner will comply with requirements of the future land use designation on the property subject to the adoption of the land use change.

Objective 1.B1. - Compact Urban Form: Discourage urban sprawl by facilitating urban redevelopment and infill development of properties and planning for urban infill and redevelopment of lands located within Stuart in order to achieve a compact urban form.

Staff Analysis: This study areas are in close proximity to downtown Stuart, thus providing a mixed-use option close to the urban core of the city aids in the discouragement of urban sprawl and helps to achieve a compact urban form.

Policy 1.B3.2. All development shall be compatible with and complementary to surrounding land uses and shall not unduly affect existing approved activities.

*Staff Analysis: **The Creek District** – The study area is surrounded on the north and west by mixed uses and on the south by Federal Highway and commercial uses and western boundary by Dixie Highway/Railroad track. Thus, the future land use is compatible with and complementary to the surrounding land uses.*

E. Service Capacity

Maximum Buildout Analysis

Comprehensive Plan: Element 1, Table of Land Use Densities and Intensities

FLU		Residential		
		<i>General</i>	<i>Not ALF</i>	<i>ALF</i>
	<i>In/Out CRA</i>		<i>UPUD, RPUD, or Major UCE</i>	
Commercial (existing)	In	15 du/ac	15 du/ac	30 du/ac
Downtown Redevelopment (existing and proposed)	In	15 du/ac	30 du/ac	30 du/ac
Recreation (proposed)	In	None	None	None

Gross Site Area:

Commercial to Downtown – 20.07 Acres

Downtown to Recreation – .25 Acres

Maximum Buildout for Future Land Use Map (FLUM) Changes:

The difference between existing Future Land Use and the proposed is 294 density units

<i>Existing FLU</i>	<i>Proposed FLU</i>	<i>Existing Units</i>	<i>Proposed Units</i>
Commercial	Downtown	301 units	602 units
Downtown	Recreation	7 units	None

Level of Service Capacity Letters

On September 12, 2022, the Martin County School District issued a letter stating that sufficient school capacity exists to serve the proposed Land Use Map change in residential dwelling units to meet the school concurrency requirements under Florida Statute 163.3180.

On September 6, 2022, the Utilities & Engineering Department issued a letter stating that the City of Stuart has water and wastewater plant capacity to serve the maximum buildout for the East Neighborhood and The Creek District.

On August 31, 2022, the Police Department issued a letter stating that the City of Stuart Police Department can serve the proposed maximum buildout of Future Land Use Map amendment and

will not negatively affect the level of service the Stuart Police Department offers to the City of Stuart.

On August 11, 2022, the Fire Rescue Department stated that the City of Stuart Fire Rescue can serve the proposed maximum buildout of Future Land Use Map amendment and can be served without any negative impacts to levels of service at this time.

F. Conclusion

City staff and the City's consultants have determined that the proposed amendment of the Future Land Use Map and Zoning Map meets the requirements of the City of Stuart Comprehensive Plan. The Future Land Use Map Amendment and Rezoning is compatible with the surrounding land uses and in compliance with the goals, objectives, and policies of the city's Comprehensive Plan.



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

ORDINANCE NUMBER 2502-2023

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND DESIGNATION FROM "COMMERCIAL" TO "DOWNTOWN" FOR 20.07 ACRES OF LAND AND "DOWNTOWN" TO "RECREATION" FOR .25 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, on December 11, 1989, the City of Stuart City Commission adopted Ordinance Number 1174-89, adopting a comprehensive growth management plan as mandated by the local government comprehensive planning and land development regulation act, Chapter 163, Part II, Florida State Statutes, also known as the City of Stuart Comprehensive Plan; and

WHEREAS, the City Commission, has considered the city-initiated request for land use map changes; and

WHEREAS, on December 8, 2022, the Local Planning Agency held duly noticed public hearing to consider this ordinance; and

WHEREAS, the City Commission held duly noticed public hearing on January 17, 2023 to consider this ordinance; and

WHEREAS, the City Commission has determined the need to change the Future Land Use for said lands; and

WHEREAS, the City Commission has reviewed the criteria set forth in Florida Statute 153.3177 and has evaluated the data testimony, evidence, public comments, and totality of the circumstances. The City Commission has determined which data is professionally acceptable and has reacted accordingly. Pursuant to the data available at the time, the Commission has found that the character of the land is appropriate and that adequate public facilities exist to support the land use.

WHEREAS, the City Commission finds that the Future Land Use Map amendment is compatible with the surrounding land uses and in compliance with the city's Comprehensive Plan.

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

SECTION 1: Attached hereto as **Exhibit "A"** is a map depicting the following land use map changes:

- a. **"COMMERCIAL" TO "DOWNTOWN" FOR 20.07 ACRES OF LAND**
- b. **"DOWNTOWN" TO "RECREATION" FOR .25 ACRES OF LAND**

SECTION 2: The City Commission hereby amends the city's Official Future Land Use Map to include and reflect those changes as shown in **Exhibit "B"**.

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

SECTION 4: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5: This ordinance shall take effect upon adoption.

PASSED AND ADOPTED the ____ day of_____, 2023.

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

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

YES	NO	ABSENT	ABSTAIN

ATTEST:

 MARY R. KINDEL
 CITY CLERK

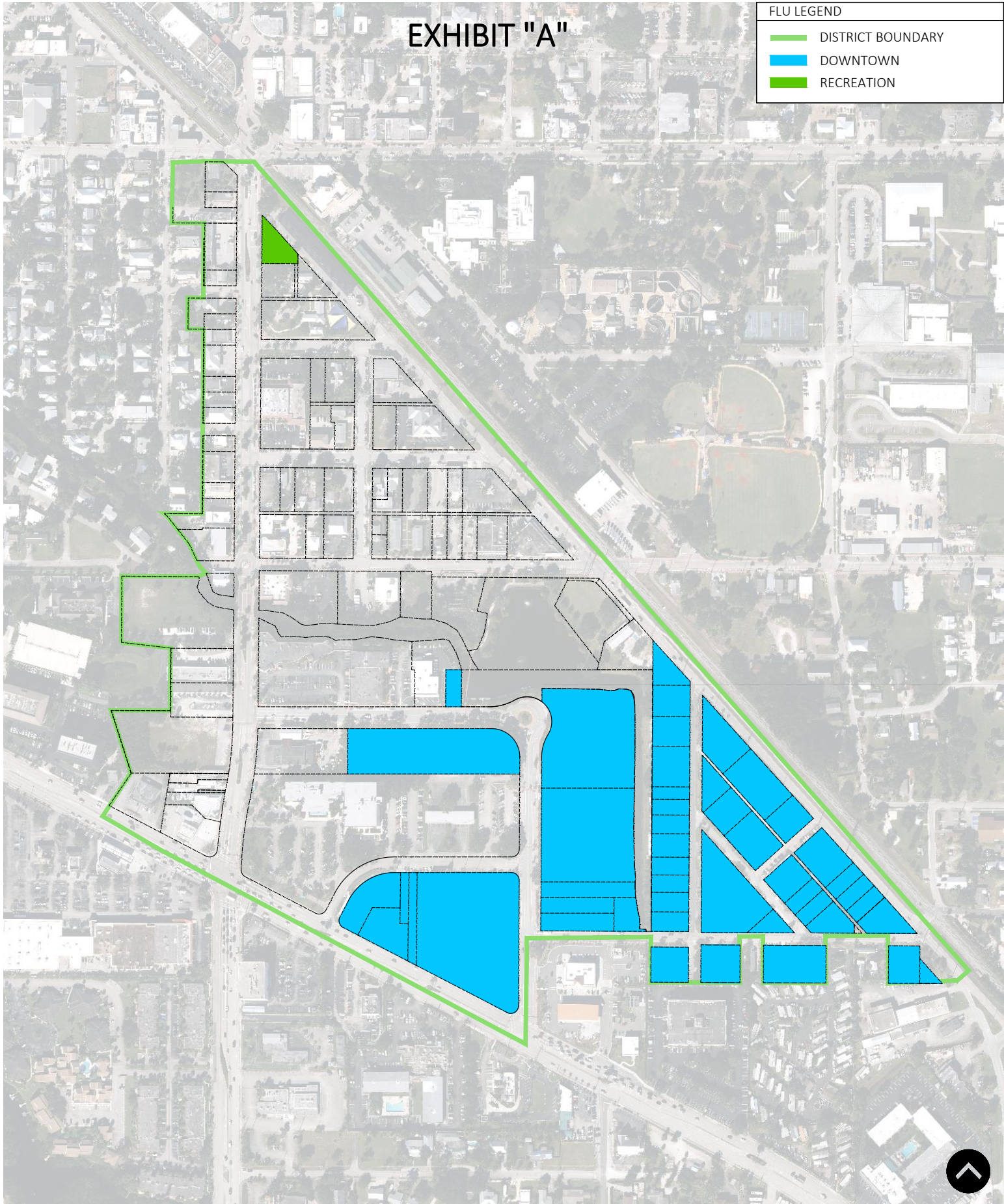
 TROY MCDONALD
 MAYOR

APPROVED AS TO FORM
 AND CORRECTNESS:

 MICHAEL J. MORTELL, ESQ.
 CITY ATTORNEY

EXHIBIT "A"

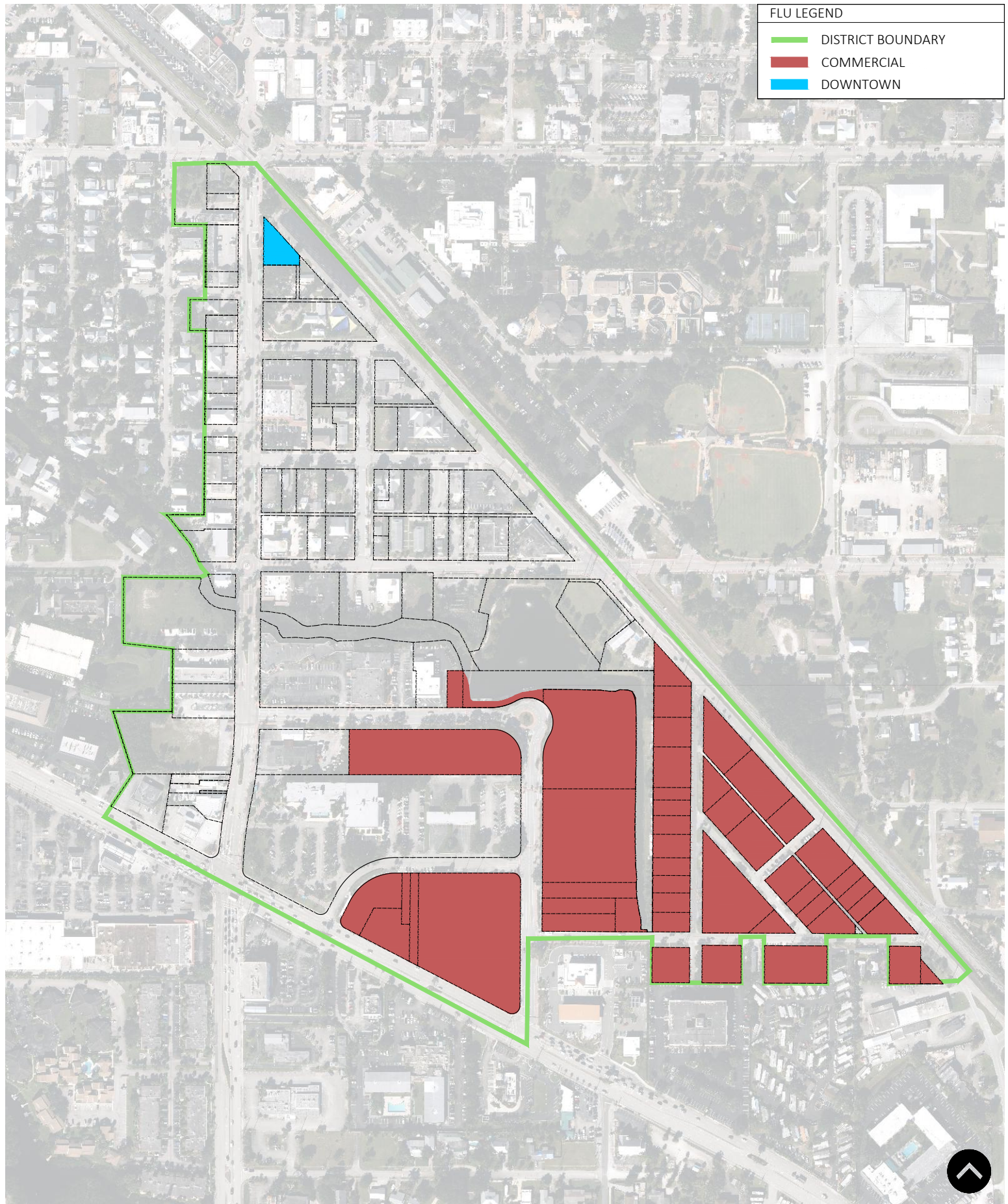
FLU LEGEND	
	DISTRICT BOUNDARY
	DOWNTOWN
	RECREATION



THE CREEK DISTRICT
Community Redevelopment Area

PROPOSED FUTURE LAND USE MAP

PARCELS WITH A PROPOSED CHANGE ONLY



THE CREEK DISTRICT

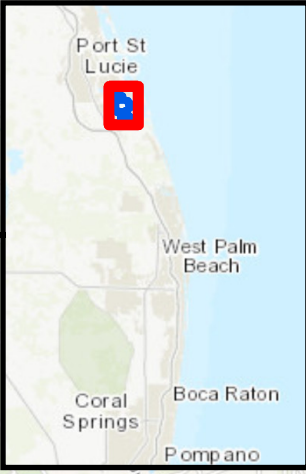
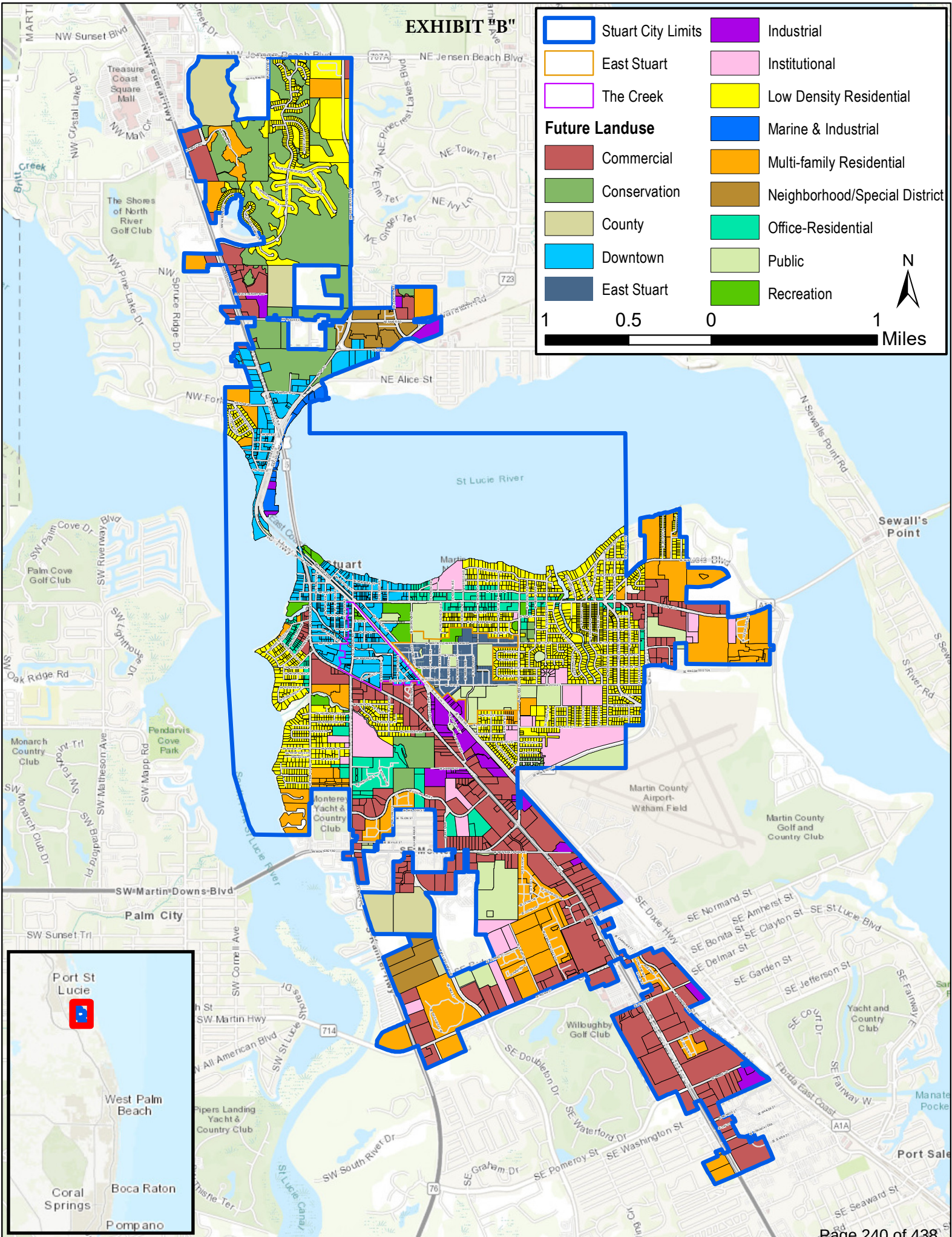
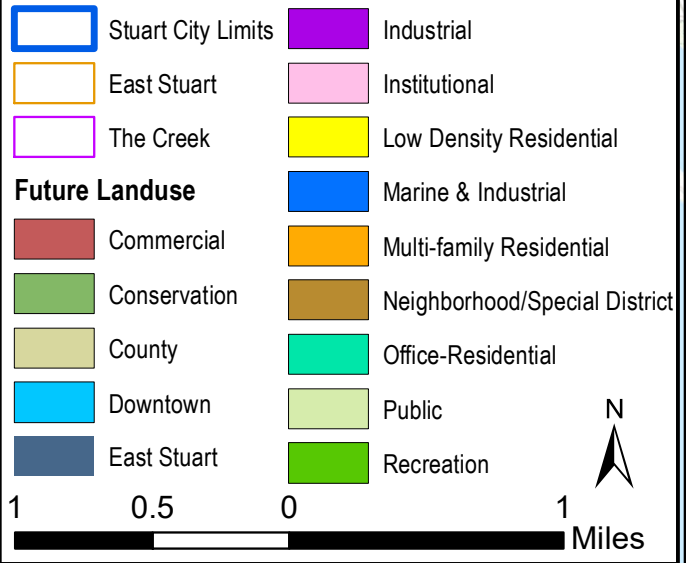
Community Redevelopment Area

7/28/2022
SCALE: 1 = 400

EXISTING FUTURE LAND USE MAP

PARCELS WITH A PROPOSED CHANGE ONLY

EXHIBIT "B"





City of Stuart Fire Rescue

800 SE Martin Luther King Blvd, Stuart, FL 34994

Vincent Felicione, Fire Chief, CFEI, CVFI

vfelicione@ci.stuart.fl.us

772-600-1287

ISO CLASS 1 DEPARTMENT

August 11, 2022

Pinal Gandhi-Savdas
City of Stuart CRA Director
121 SW Flagler Ave
Stuart, FL 34994

Re: East Stuart and Creek District future land use

Ms. Gandhi-Savdas,

The City of Stuart has sufficient Fire Rescue capacity to serve the proposed land use changes and any net increase in residential and non-residential uses in both areas, without any negative impact to levels of service. This is with the understanding that development review of actual projects changes the realistic build out and Fire Rescue reserves the right to further address at that time.

This letter should not be construed as a commitment on behalf of the City to provide such additional service to the property until such time final design plans have been reviewed and approved.

Please contact me with any questions,

Respectfully,

Vince Felicione
Fire Chief



STUART POLICE DEPARTMENT

Joseph Tumminelli, Chief of Police
830 SE Martin L. King Blvd. Stuart, FL 34994
Telephone 772-287-1122 Fax 772-220-5986

We are S.P.D.!

Selfless ♦ Proud ♦ Dedicated

August 31, 2022

Pinal Gandhi-Savdas
City of Stuart CRA Director
121 SW FL Flagler 34994 Ave

Re: East Stuart and Creek District Future Land Use

Ms. Gandhi-Savdas,

The proposed maximum buildout of the proposed Future Land Use Map Amendment has been considered. At the present time we have sufficient capacity. However, we understand this could change during site planning and we will need to fully assess the impact of the actual buildout of the site based on Land Development Code constraints at the time of approval.

This letter should not be construed as a commitment on behalf of the City to provide such additional service to the property until such time final design plans have been reviewed and approved.

Respectfully,

Heather Rothe
Support Division Commander



City of Stuart

Tim Voelker P.E. | Utilities & Engineering Director
121 SW Flagler Ave. Stuart Fl. 34994
Phone: 772.288-5332

September 6, 2022

Pinal Gandhi-Savdas | Executive Director
Community Redevelopment Agency
121 SW Flagler Avenue
Stuart, Florida 34994

Re: Development Dept./CRA Future Land Use Map Changes
(East Stuart District, Creek District)

Dear Ms. Gandhi-Savdas:

The City of Stuart has sufficient water and wastewater plant capacity to serve the maximum buildout for the East Stuart and the Creek Districts in Stuart, Florida.

This letter should not be construed as a commitment on behalf of the City to provide water and sewer service to the property until such time final design plans have been approved and all water and sewer availability fees have been paid.

Should you have any questions or require any additional information please contact Marc Rogolino at (772) 221-4700.

Sincerely,
City of Stuart

Tim Voelker, P.E.
Utilities & Engineering Director

cc: M. Rogolino, Capital Projects



THE SCHOOL BOARD OF MARTIN COUNTY, FLORIDA

1939 NE Federal Hwy. • Stuart, Florida 34994 • Telephone (772) 219-1200



Pinal Gandhi-Savdas, Executive Director
Community Redevelopment Agency
City of Stuart
121 SW Flagler Ave,
Stuart, Florida 34994

9/12/2022

RE: Code Amendments to FLUM/Density for Creek District & East Stuart - Prelim MCSD review

We have performed a preliminary review of the proposed Future Land Use Map changes and affects to density as requested. With these new amendments, the Creek District will have a net increase of 138 residential units and the East Stuart will net increase by 369 students within the boundary lines indicated. This would be an overall increase of 507 net units, affecting both the North & Stuart Concurrency Service Areas (CSA's)

Our current Student Generation Rate (SGR) is .1987 per unit which yields an estimated 100 students for these areas. Below is the general service review of the impacted schools:

Generation Calculation:

Residential Unit addition	100
Current Student Generation Rate	.1987
Elementary	44
Middle	24
High	32
Total Forecasted	100

School Zone Enrollment & Permanent Capacity:

CSA	2022-2023 August 11 day Enrollment Count	2024-2025 COFTE Projected Enrollment	2024-2025 Perm. FISH Capacity	2024-2025 Concurrency LOS
Stuart Zone – Elementary (Pinewood, JD Parker -Z, Port Salerno)	1955	1969	2328	2203
Stuart Zone – Middle Stuart Middle	871	826	1170	1314
North Zone – High School Jensen Beach High	1586	1548	1554	1914

Note: Current Enrollment reported from FOCUS, Projections from MCSD Concurrency database

District Summary noted on next page.

Dr. John Millay, Superintendent

School Board Members: Victoria Defenthaler • Michael DiTerlizzi • Anthony Anderson • Marsha Powers • Christia Li Roberts

"An Equal Opportunity Agency"

District Staff Analysis:

The existing school capacities within the North and Stuart CSA's, appears to be able to handle the impacts of the proposed additional residential units.

As always, concurrency data analysis is based on timing of the submittals and intended build-out. Although we understand the changes proposed may not occur for several years out, we emphasize the comments are based on 2022 current enrollment and outlook.

We appreciate the opportunity to provide comments regarding this proposed Flu Map/Density changes, and hope the School District will have the ability to provide input as proposed projects submittals come in for these areas.

We look forward to a continued collaborative effort with the City and Redevelopment team.

Sincerely,

Kimberly Everman
Capital Projects/Planning Specialist
Martin County School District
772-219-1200 x30220

cc: Mark Sechrist - MCSD

Dr. John Millay, Superintendent

School Board Members: Victoria Defenthaler • Michael DiTerlizzi • Anthony Anderson • Marsha Powers • Christia Li Roberts

"An Equal Opportunity Agency"

November 30, 2022

City of Stuart
121 SW Flagler Avenue
Stuart, FL 34994
772-215-9602

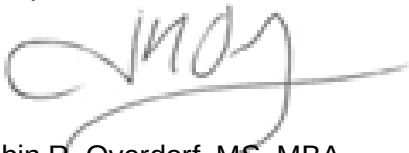
Reference: **Creek District Future Land Use
Environmental Assessment**
Stuart, Martin County, FL

Dear City of Stuart,

EDC, Inc. (EDC) has completed this Environmental Assessment (EA) for the above referenced properties within the proposed Creek District. The purpose of this evaluation was to conduct a review by means of a site visit, review of available aerial photography, listed species review, review of soil resources, and review of environmental regulations pertaining to this parcel. Further, City of Stuart land development regulations were considered in the formulation of this report as was Florida Statutes Chapter 163 Sections 3177 and 3184.

Please contact the undersigned if you have any questions regarding this report.

Respectfully submitted,
EDC, Inc.



Tobin R. Overdorf, MS, MBA
Vice President



The Creek District ENVIRONMENTAL ASSESSMENT

Creek District
Stuart, Martin County, FL

Date: December 1, 2022
Project # 19-499

Prepared For:
City of Stuart
121 SW Flagler Avenue
Stuart, FL 34994
772-215-9602

Prepared By:
EDC, Inc.
10250 SW Village Parkway
Port St Lucie, Florida 34987
(772) 223-5200

Although the proposed Creek District boundary includes approximately 80 acres, EDC evaluated forty-nine (49) tax parcels comprised of 20.05 acres. The parcels noted are identified on the attached figures as well as the proposed future land use map provided to EDC by the City of Stuart. The parcels are located southwest of SE Dixie Highway, and bound by SE Florida Street, SE Federal Highway, and S Colorado Ave. According to the City of Stuart Development Web Map, the subject properties currently include the following Land Use(s): Urban Center and B-2 Business General.

This environmental assessment was completed as a precursor to the modification of the current land use on the parcels. Furthermore, the review is conducted in compliance with Florida Statutes Chapter 163 Sections 3177 and 3184. EDC, Inc. staff visited the property on November 10, 2022 in order to ascertain the status and composition of any critical habitats, such as wetlands and native uplands that may or may not be on the properties.

VEGETATION:

It is the opinion of EDC that there is no native upland habitat located within the Creek District Redevelopment Area. The upland habitat consisted of the following FLUCCS (Florida Land Use & Cover Classification System) code; 18223 – Commercial and Services. This is defined by commercial areas predominantly associated with distribution of products and services. This category is composed of a large number of individual types of commercial land used which often occur in complex mixtures in an urban environment such as City of Stuart. The following table includes vegetation that was observed during the site visit(s).

Common Name	Species Name
Saw Palmetto	<i>Serenoa repens</i>
Wax Myrtle	<i>Myrica cerifera</i>
Slash Pine	<i>Pinus elliottii var. densa</i>
Live Oak	<i>Quercus virginiana</i>
Gallberry	<i>Ilex glabra</i>
Grapevine	<i>Vitis rotundifolia*</i>
Umbrella Tree**	<i>Schefflera actinophylla</i>
Bahia Grass**	<i>Paspalum notatum</i>
*Nuisance Vegetation	
**Exotic/Invasive Vegetation	

Table 1: This table lists a representative sample of vegetative species observed during the site visit.

EDC did observe native vegetation within the parcels, however, there were no native associations and thus no overall native habitat.

WETLAND DELINEATION:

According to aerial photographs and site visit, it appears that there are no State jurisdictional wetlands within the 20.05 acre investigative site. Based on the State definition, a wetland consists of three components: 1) hydric soils, 2) wetland plants, and 3) hydrologic indicators. None of these components were found during the field reconnaissance on the property. It should be noted that within the Creek District, there is a mangrove/estuarine system that is directly connected to the St. Lucie River. This system is State and Federally jurisdictional, but it appears that the entirety of the system is not within the specific area of investigation for the proposed future land use change.

Please refer to the attached Florida Land Use and Cover Classification System (FLUCCS) map for the approximate location of the habitat(s) identified onsite.

WILDLIFE EVALUATION:

EDC, Inc. conducted a pedestrian survey throughout the property to investigate for the presence of any plant or animal listed species. No evidence of gopher tortoise (*Gopherus polyphemus*) presence (scat or tracks) or their burrows were observed at the time of the site visit. No other state/federally listed plant or animal species were observed on site.

SOIL COMPOSITION:

Based on a review of the U.S. Department of Agriculture (USDA) Web Soil Survey, the sites are composed of:

St. Lucie-Paola Urban Land complex- consists of small areas of nearly level to sloping, excessively drained St. Lucie-Paola sands and urban land that are so intermingled they could not be separated at the scale used in mapping. Areas of the complex are rectangular or elongated and range from 10 to 160 acres. The St. Lucie and Paola soils make up about 45-60 percent of this complex. Typically, the surface layer is gray sand about 3 inches thick. Urban land makes up about 25-35 percent of this complex and is occupied by shopping centers, parking lots, sidewalks, streets, houses, etc. The water table is below a depth of 72 inches at all times. Natural vegetation includes sand pine, scrub oak, with an understory of saw palmetto, rosemary, deer moss, lichens, cacti and pineland threeawn grass. This soil is not suited to cultivated crops, citrus or improved pasture due to the low natural fertility, droughtiness and moderately steep slopes.

Urban land- This miscellaneous area is where the natural soil cannot be readily observed. The soils have been generally altered by grading and shaping, or have been covered with 5 to 12 inches of sandy fill material.

SITE HISTORY:

EDC reviewed aerial images provided by the Martin County Property Appraiser and Google Earth to obtain further information on the history of the subject property. According to aerial images, the majority of development occurred between 1970 and 1995. Continued development can be observed intermittently until present day.

CITY OF STUART REGULATIONS:

The following lists the City of Stuart Land Development Codes (LDC) as they pertain to the subject property. As part of the local approval process, the applicant will be required to comply with the below items.

Section 5.05.02: *Specimen trees located within the development site shall be protected or replaced. No specimen tree shall be removed without a tree removal permit. Specimen tree refers to a slash pine with a DBH of ten inches, any tree listed on the City of Stuart tree list which has achieved a DBH of 4.5 inches, or any tree listed on the City of Stuart flowering tree list which has achieved a DBH of 6 inches.*

Specimen trees were observed within the area of investigation. If specimen trees are to be removed, relocated, or replaced, a tree removal permit will be required. Several options are available to preserve and/or mitigate for the impact of specimen trees located within the development site. In compliance with current City of Stuart Land Development Regulations, a tree

survey will be necessary to locate all specimen trees in order to provide the optimal site development plan and associated tree mitigation plan, if necessary.

SUMMARY:

According to the Martin County Property Appraiser and the City of Stuart Proposed Future Land Use Map, the Creek District properties consists of forty-nine (49) tax parcels comprised of 20.05 acres of commercial property. The parcels are located southwest of SE Dixie Highway, and bound by SE Florida Street, SE Federal Highway, and S Colorado Ave. According to the City of Stuart Development Web Map, the subject property consists of the following Land Use(s): Urban Center and B-2 Business General.

According to the City of Stuart Land Development Code (LDC), lands less than one acre do not require the establishment of a preserve area for native upland habitat. A majority of the parcels are less than one acre. However, the subject property does consist of specimen trees of which the City of Stuart does require the protection of on any lands located within the city. There are several options available for the preservation and/or mitigation of impacted specimen trees located within the development site. A tree survey will be necessary to locate all specimen trees in order to provide the optimal site development plan.

No evidence of gopher tortoise (*Gopherus polyphemus*) presence (scat or tracks) or their burrows were observed at the time of the site visit. No other state/federally listed plant or animal species were observed on site.

Based on the above and the attached, the proposed Creek District Future Land Use modification will not have a deleterious effect on the natural environment within the City of Stuart.

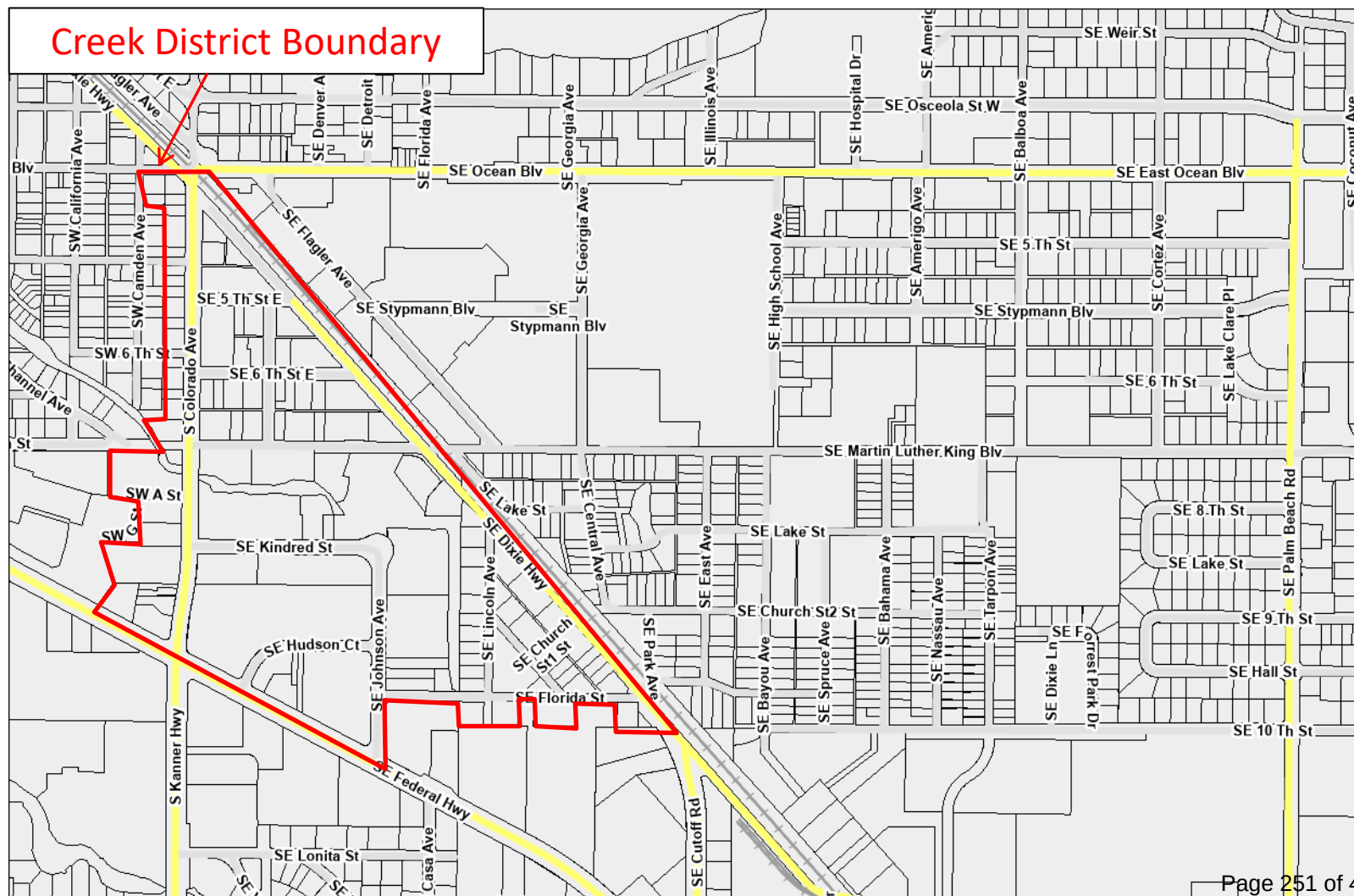
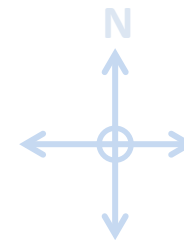


The Creek District – Community Redevelopment
Stuart, FL

Project: 19-499

City of Stuart

11/12/2022



Environmental Assessment

The Creek District – Community Redevelopment

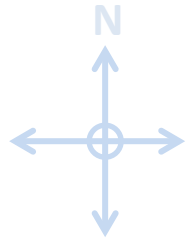
Stuart, FL

Address Point Map

Project: 19-499

City of Stuart

11/12/2022



Environmental Assessment

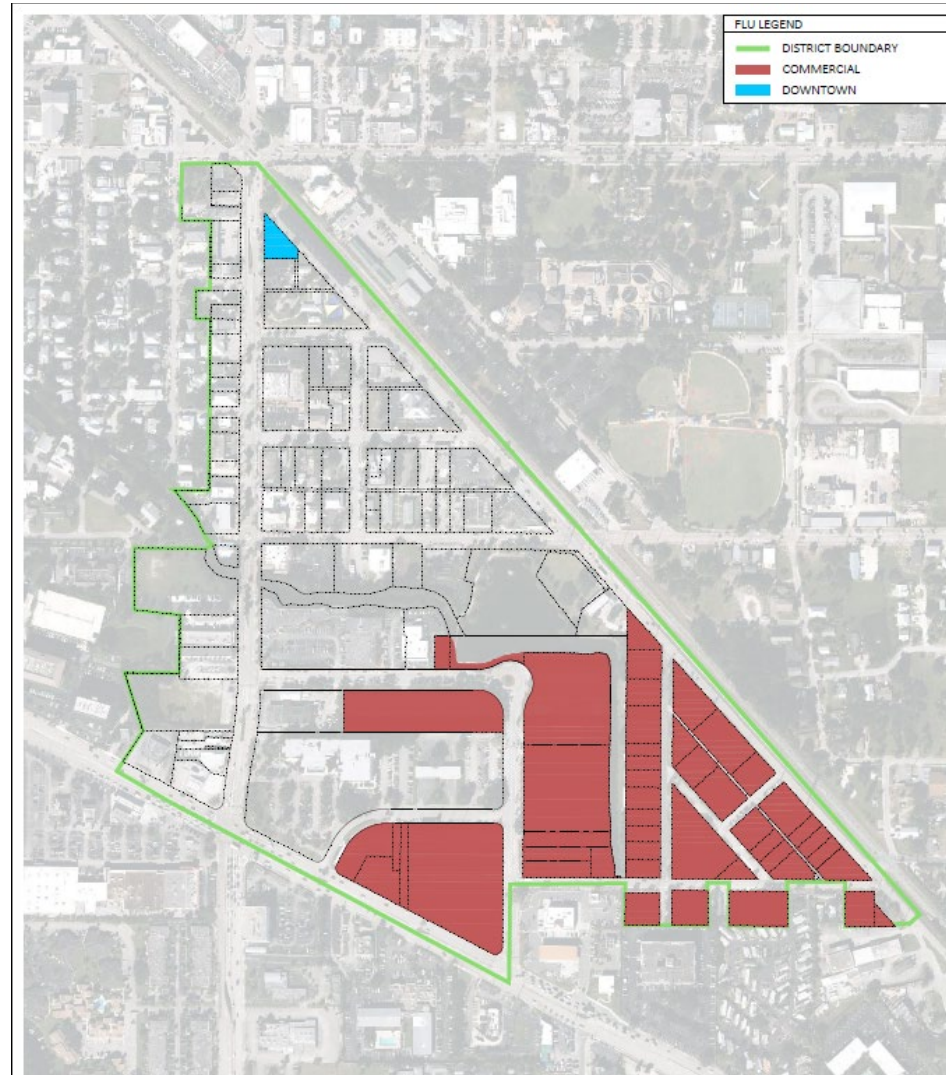
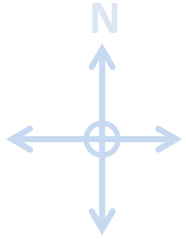
The Creek District – Community Redevelopment
Stuart, FL

Current Land Use Map

Project: 19-499

City of Stuart

11/12/2022



Environmental Assessment

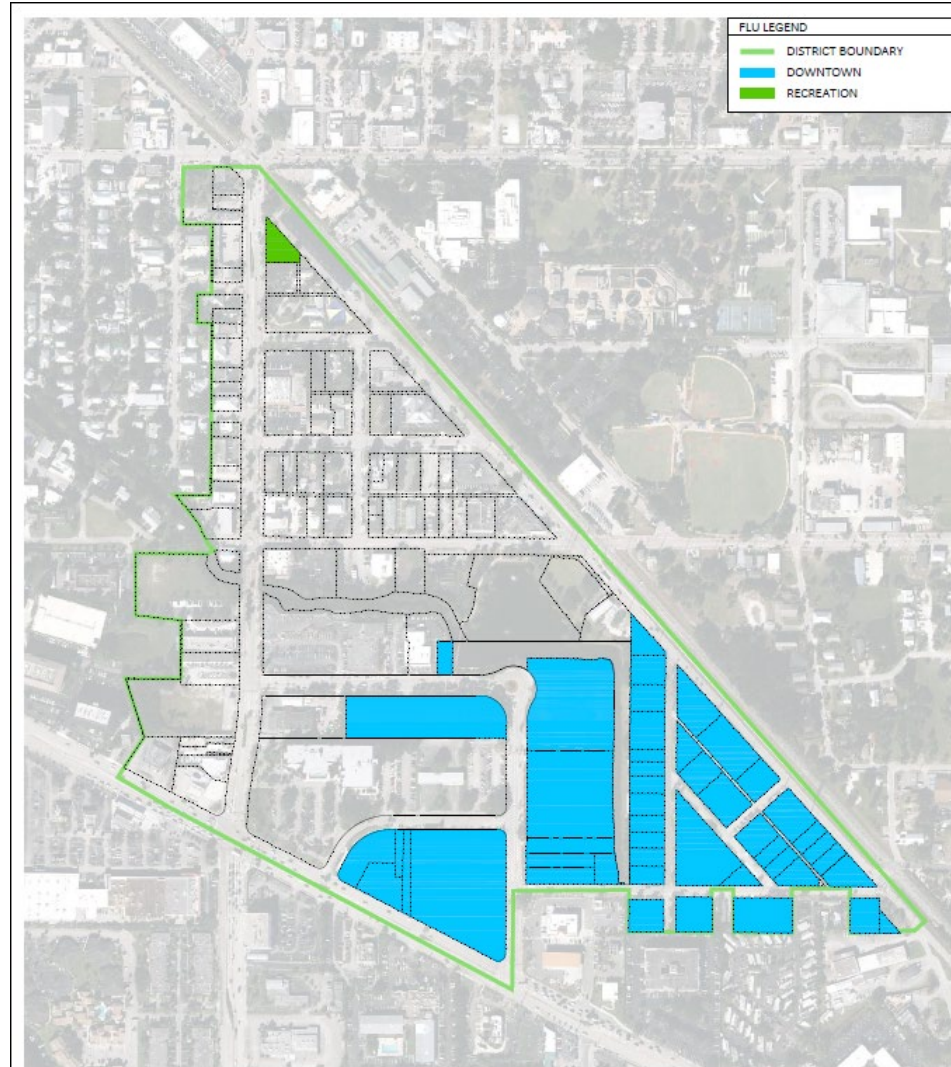
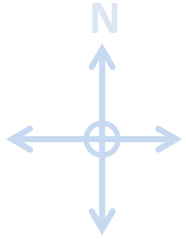
The Creek District – Community Redevelopment
Stuart, FL

Proposed Future Land Use Map

Project: 19-499

City of Stuart

11/12/2022





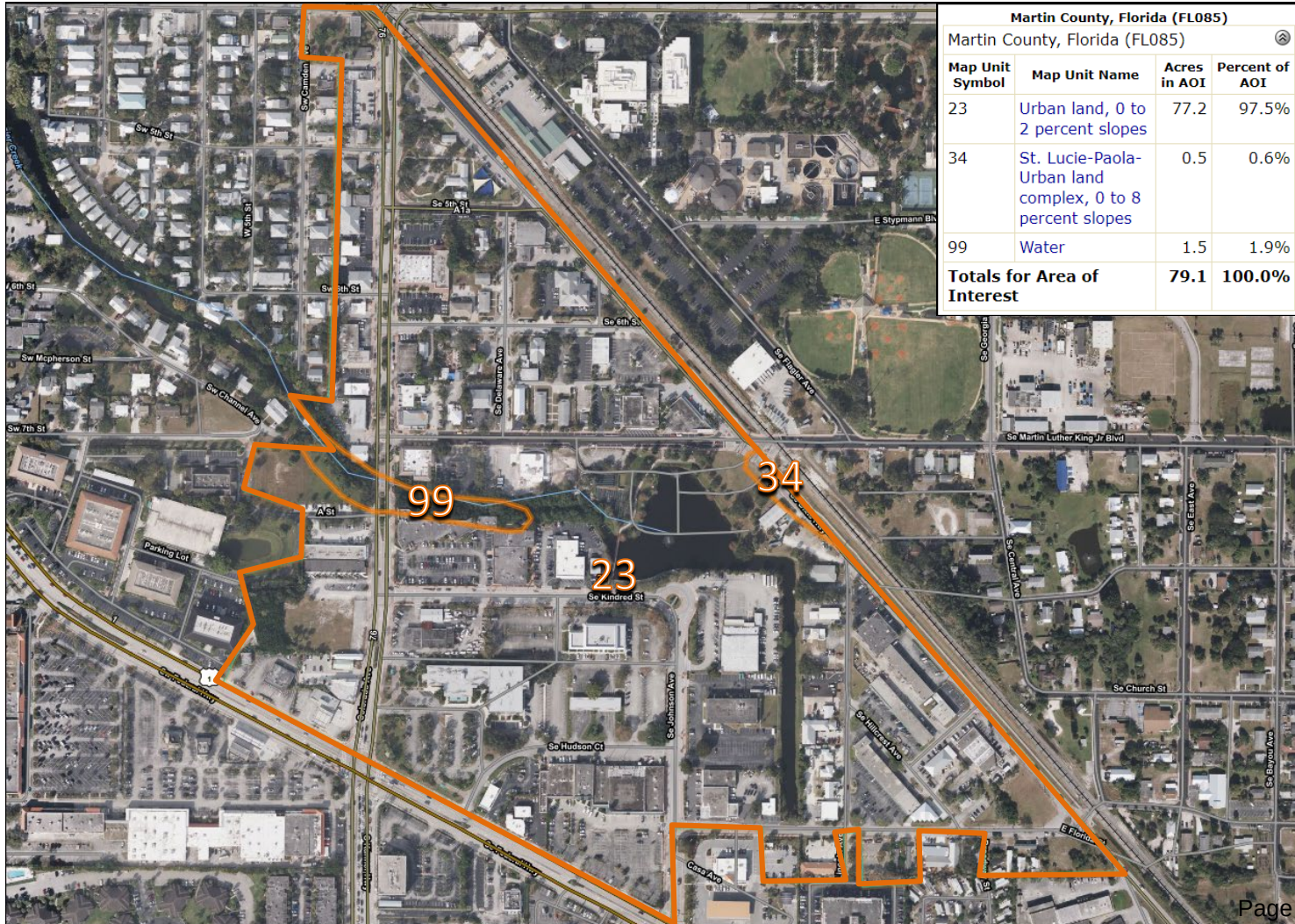
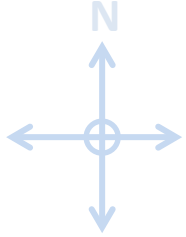
The Creek District – Community Redevelopment
Stuart, FL

Soil Map

Project: 19-499

City of Stuart

11/12/2022



Environmental Assessment

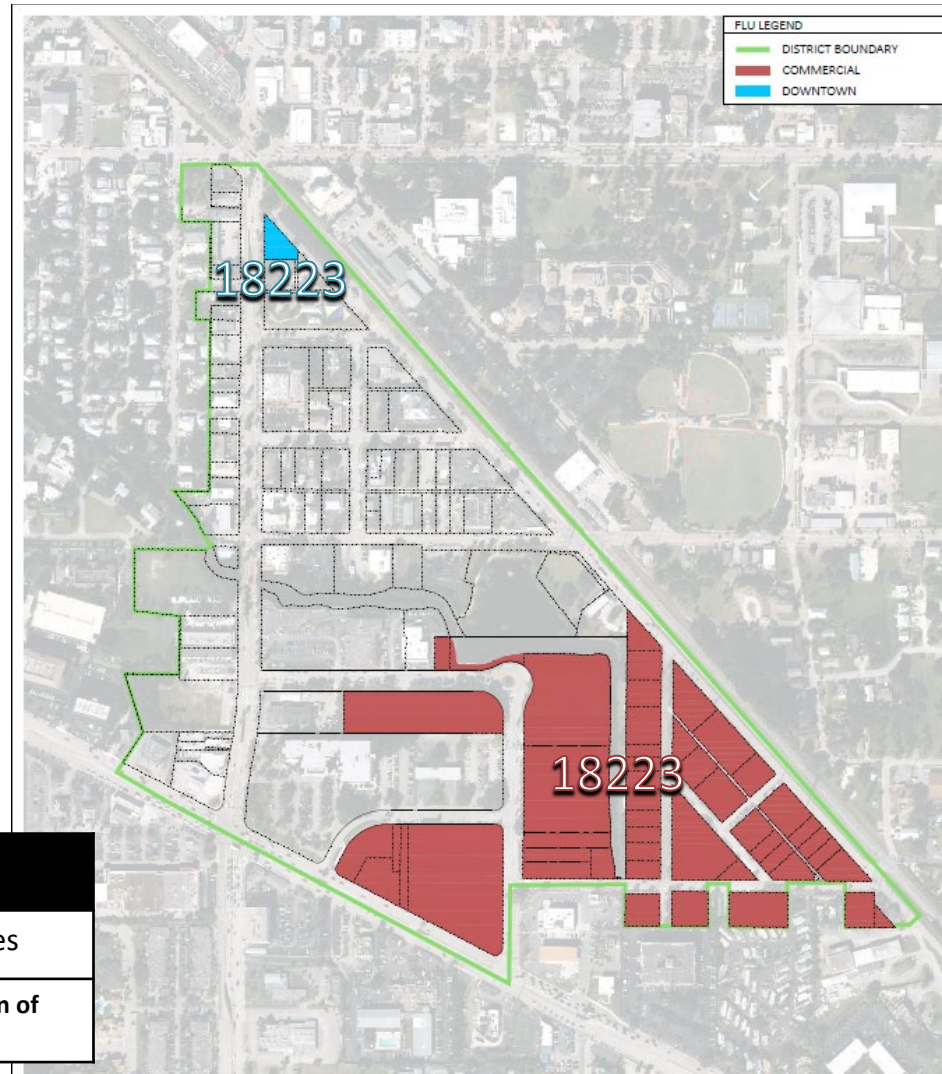
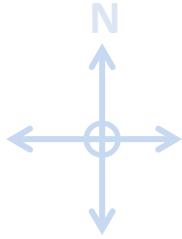
The Creek District – Community Redevelopment
Stuart, FL

Florida Land Use, Cover and Forms Classification System (FLUCCS) Map

Project: 19-499

City of Stuart

11/12/2022



CLC Codes

18223	Commercial and Services
-------	-------------------------

***This map demonstrates an approximation of habitat boundaries on site.**

TECHNICAL MEMORANDUM

TO: CITY OF STUART
FROM: EDC, INC. ENGINEERING DIVISION
SUBJECT: 19-499 The Creek – Drainage Evaluation
DATE: DECEMBER 8, 2022

Introduction

The purpose of this technical memorandum is to analyze the drainage impacts associated with a future land use change for The Creek District, located in the Community Redevelopment Area. Various parcels within the Community Redevelopment Area (CRA) are proposing a future land use change that will affect the density and maximum build out conditions for each respective parcel. The subject parcels have a current land use designation of commercial or downtown. The subject parcels are proposing a future land use change to either downtown or recreation. Approximately 8.68 acres of existing Commercial land use will be limited to a zoning designation of Industrial, which carries a maximum impervious area of 65%.

Analysis

In order to analyze the possible drainage impacts due to the future land use change on the subject parcels, a comparison of the currently allowed impervious areas to the proposed impervious areas was completed. An increase in the proposed impervious area above the allowable impervious area signifies a possible adverse impact to the drainage system within the CRA. The following Table 1 summarizes the change in future land use along with the maximum impervious areas allowed.

Even though zoning designations within a land use category have restrictions on the percentage of impervious area, the Stuart Comprehensive Plan allows for properties within the recreation and commercial land uses a maximum impervious area of 75%. Properties within the downtown district have a maximum impervious area of 100%.

Table 1-Land Use Change

Existing Land Use	Proposed Land Use	Size (Ac.)	Existing Maximum Impervious Area	Proposed Maximum Impervious Area	Change in Impervious Area
Commercial	Downtown (Non-Industrial Zoning)	11.42	75% 8.57 acres	100% 11.42 acres	+25% +2.85 acres
Commercial	Downtown (Industrial Zoning)	8.65	75% 6.49 acres	65% 5.62 acres	-10% -0.87 acres
Downtown	Recreation	0.25	100% 0.25 acres	75% 0.19 acres	-25% -0.06 acres

The change in future land use from downtown to recreation proposes a decrease in impervious area of 25% which equates to a reduction in impervious area of 0.06 acres. The change in future land use from commercial to downtown results in an increase in impervious area of 25%, which is 2.85 acres. Since the proposed land use change from commercial to downtown results in an impervious increase of 2.85 acres, the developer must provide assurance that the proposed project will not cause adverse stormwater impacts to surrounding properties. The developer may demonstrate stormwater compliance by incorporating structural or non-structural Best Management Practices (BMP's) such as retention/detention systems, exfiltration trenches, baffle boxes, and maintenance of stormwater management systems. The City of Stuart Stormwater Master Plan Update 2022 and the LDC Section 6.03.01 provides the developer with guidance on how to meet local water quality/quantity standards.

Approximately 8.65 acres of the proposed downtown future land use is reserved for industrial zoning. The industrial zoning area will limit the maximum impervious area to 65%. As such, the change in the future land use from commercial to downtown for the industrial properties will reduce the maximum impervious area by approximately 0.87 acres.

The total increase in impervious area due to the future land use changes is 1.92 acres. Even though there will be a net increase in impervious area, the public can benefit from a localized downtown setting that will compartmentalize stormwater impacts. The added benefit of a localized downtown setting will inhibit urban sprawl. A centralized downtown district promotes walkability, which reduces traffic impacts and ultimately may reduce nutrient loadings to adjacent Outstanding Florida Waters (OFW).

Conclusion

After reviewing the City of Stuart Land Development Code and Comprehensive Plan, the proposed land use change from downtown to recreation will not adversely affect the surrounding drainage systems. However, the proposed future land use change from commercial to downtown results in an increase in impervious area of 25%. The development of parcels within the proposed downtown future land use must not cause adverse impacts to surrounding properties in accordance with the Stuart Land Development Code Section 6.03.01. The developer must demonstrate through the City of Stuart application process that the development will not cause water quality/quantity impacts to the surrounding properties.



October 11, 2022

RE: Notice of Public Hearings for proposed amendment of the Future Land Use Map and Zoning Map for “The Creek” District Study Area” and adoption of “The Creek District Code” in the Land Development Code (LDC).

Dear Property Owner:

You are receiving this notice because you are the owner of property within 300 feet of the “The Creek District Study Area” boundary.

Please be advised that the land within “The Creek District Study Area” is the subject of an application to change the future land use designation:

From: Downtown or Commercial future land use designation.

To: Recreation or Downtown future land use designation.

The application also will consider changing the current zoning designation:

From: Urban Center, Urban General or B-2 Business General zoning districts.

To: Creek North, Creek South, Creek Industrial, or Public zoning districts.

No changes are proposed for properties outside of “The Creek District Study Area” boundary as shown on the enclosed map. Owners of properties outside of “The Creek District Study Area” boundary are being notified of the proposed changes because of its proximity to the district.

Public Hearings for adoption of any proposed amendments to the Future Land Use Map, the Zoning Map or amendments to the Land Development Code for “The Creek District Study Area” are scheduled for:

Public Hearing: Local Planning Agency

Topic: Future Land Use Map, Zoning Map and Land Development Code

Date: Thursday, November 10, 2022

Time: 5:30 PM, or as soon thereafter as the items can be heard.

Location: Stuart City Hall, 121 SW Flagler Avenue, Stuart, FL



Public Hearing: City Commission

Topic: Future Land Use Map, Zoning Map and Land Development Code
Date: Monday, November 14, 2022
Time: 4:00 PM, or as soon thereafter as the items can be heard.
Location: Stuart City Hall, 121 SW Flagler Avenue, Stuart, FL

The hearings are open to the public, and comments will be accepted on all matters pertinent to the request.

A copy of the proposed Land Use Map amendment, Zoning Map amendment and Land Development Code amendments are available for inspection at the office of the City's Development Department located at 121 SW Flagler Avenue in Stuart. You can also access the information by using the QR code provided below or go to the website www.cityofstuart.us/cra.

Please see enclosed maps and "Frequently asked Questions" for more information.

For more information, contact Pinal Gandhi-Savdas, CRA Executive Director, Community Redevelopment Agency, at (772) 283-2532 or by email at thecreek@ci.stuart.fl.us.

Sincerely,

Pinal Gandhi-Savdas

Pinal Gandhi-Savdas
CRA Executive Director
City of Stuart

Attachments: Maps, "Frequently asked Questions"

TO ACCESS THE CODE & MORE INFORMATION, USE THE QR CODE



Frequently Asked Questions

1. What is a CRA?

A Community Redevelopment Area (CRA) is a special geographic area where the community has determined that redevelopment of public and private facilities should occur according to a redevelopment plan. The City of Stuart CRA contains 692.7 acres of land, which comprises approximately 20% of the city. As redevelopment occurs in the CRA, a portion of the additional tax increment collected by the City, based on the increased property valuation, is reinvested in the CRA to promote economic growth, sustainable development and improved quality of life.

2. What is the Future Land Use Map?

The Future Land Use Map designates the type of development allowed pursuant to the Comprehensive Plan. The Future Land Use designations in “The Creek District Study Area” are Downtown, Commercial and Recreation.

3. What is the Zoning Map?

While the future land use designations establish the general type of development allowed such as residential or commercial, the zoning districts provide more detailed standards regarding permitted uses, such a single-family dwelling or mixed-use, and development standards, such as setbacks and building height. The Zoning Map depicts areas regulated by specific zoning requirements set forth in the Land Development Code.

4. What changes are proposed?

Future Land Use Map – Some of the future land use designation in the “The Creek District Study Area” will be replaced with future land use designation of Downtown to provide consistency within the district. A portion of city-owned land is currently shown as Downtown (Kiwaniis Park), and it will be replaced with Recreation as the future land use designation. The remainder of park will retain the Recreation future land Use designation.

5. What is the Process?

A change to the Future Land Use Map requires three public hearings as detailed below.

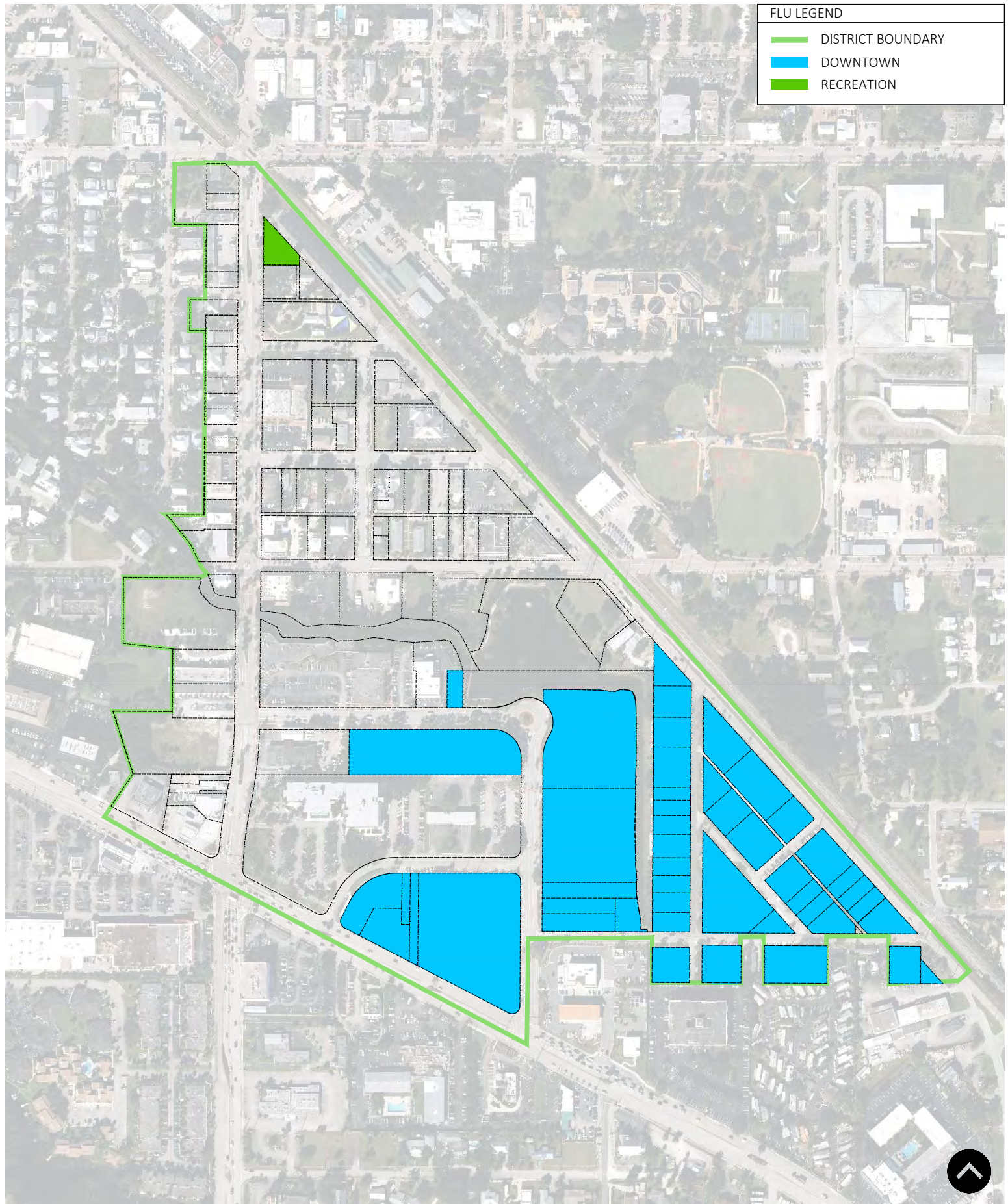
1. Local Planning Agency (LPA) will hold a public hearing and provide a recommendation to the City Commission.
2. City Commission will hold two public hearings to consider the proposals.

6. How will the proposed amendments affect me if I own property in “The Creek District Study Area”?

All existing uses will be permitted to remain. The City believes that the proposed amendments will ensure predictability of future development while preserving and enhancing the existing character of a district. The intent of the proposed amendments is to provide transparency and consistency related to the permitted uses or development standards applicable within “The Creek District Study Area.”

7. How can I learn more about the proposed changes?

- a. Go to the website www.cityofstuart.us/cra, click on “Form Based Code Updates” to learn more.
- b. WATCH on Zoom or ATTEND, the presentation of the proposed changes made at these public meetings:
 - The September 6, 2022, meeting of the Community Redevelopment Board.
 - The September 8, 2022, meeting of the Local Planning Agency.
 - The September 26, 2022, meeting of the City Commission.
 - The November 10, 2022, meeting of the Local Planning Agency.
 - The November 14, 2022, meeting of the City Commission.
- c. Call or Email Pinal Gandhi-Savdas, CRA Executive Director, Community Redevelopment Agency at 772-283-2532 or thecreek@ci.stuart.fl.us with your questions.



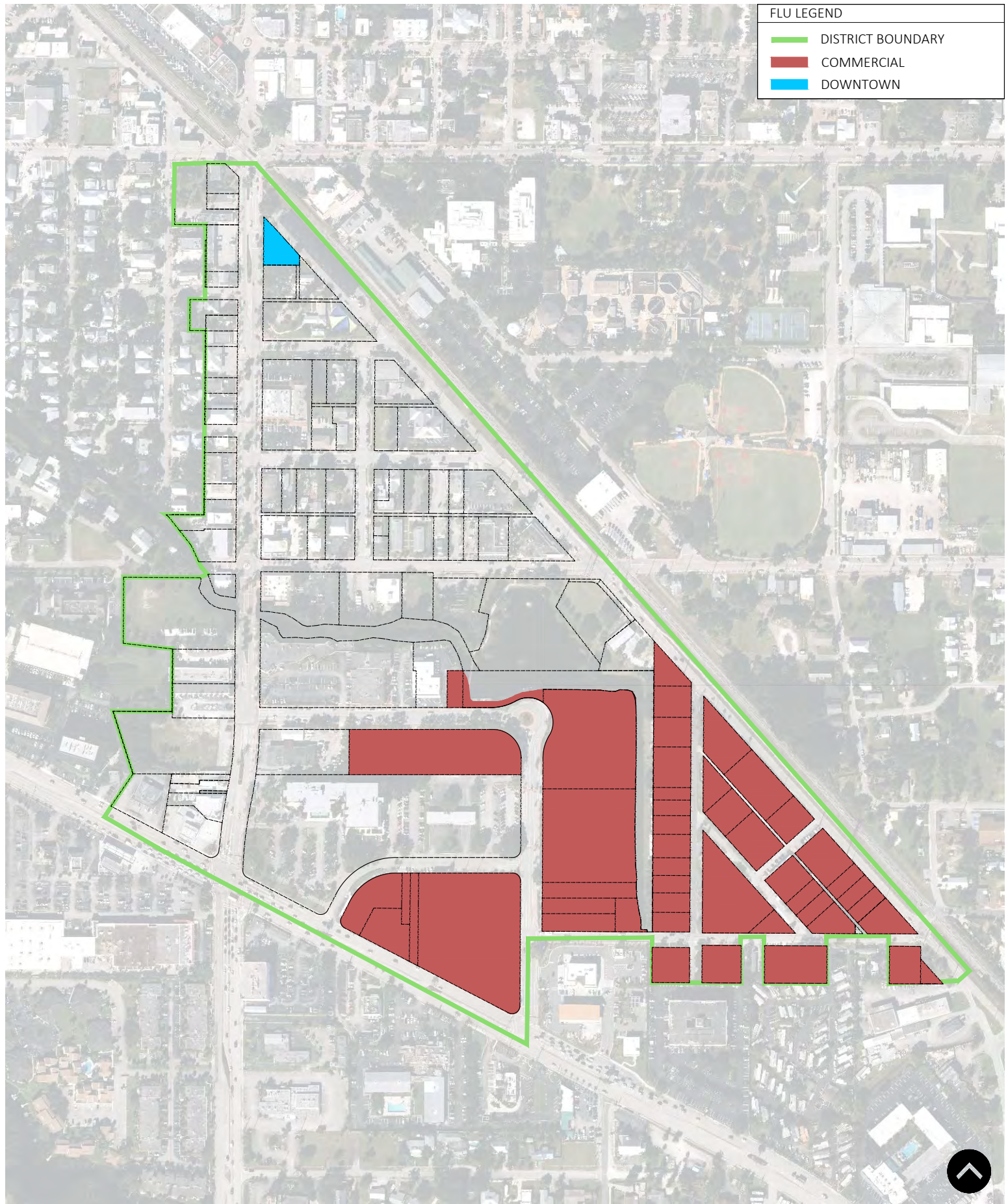
THE CREEK DISTRICT

Community Redevelopment Area

7/28/2022
SCALE: 1 = 400

PROPOSED FUTURE LAND USE MAP

PARCELS WITH A PROPOSED CHANGE ONLY

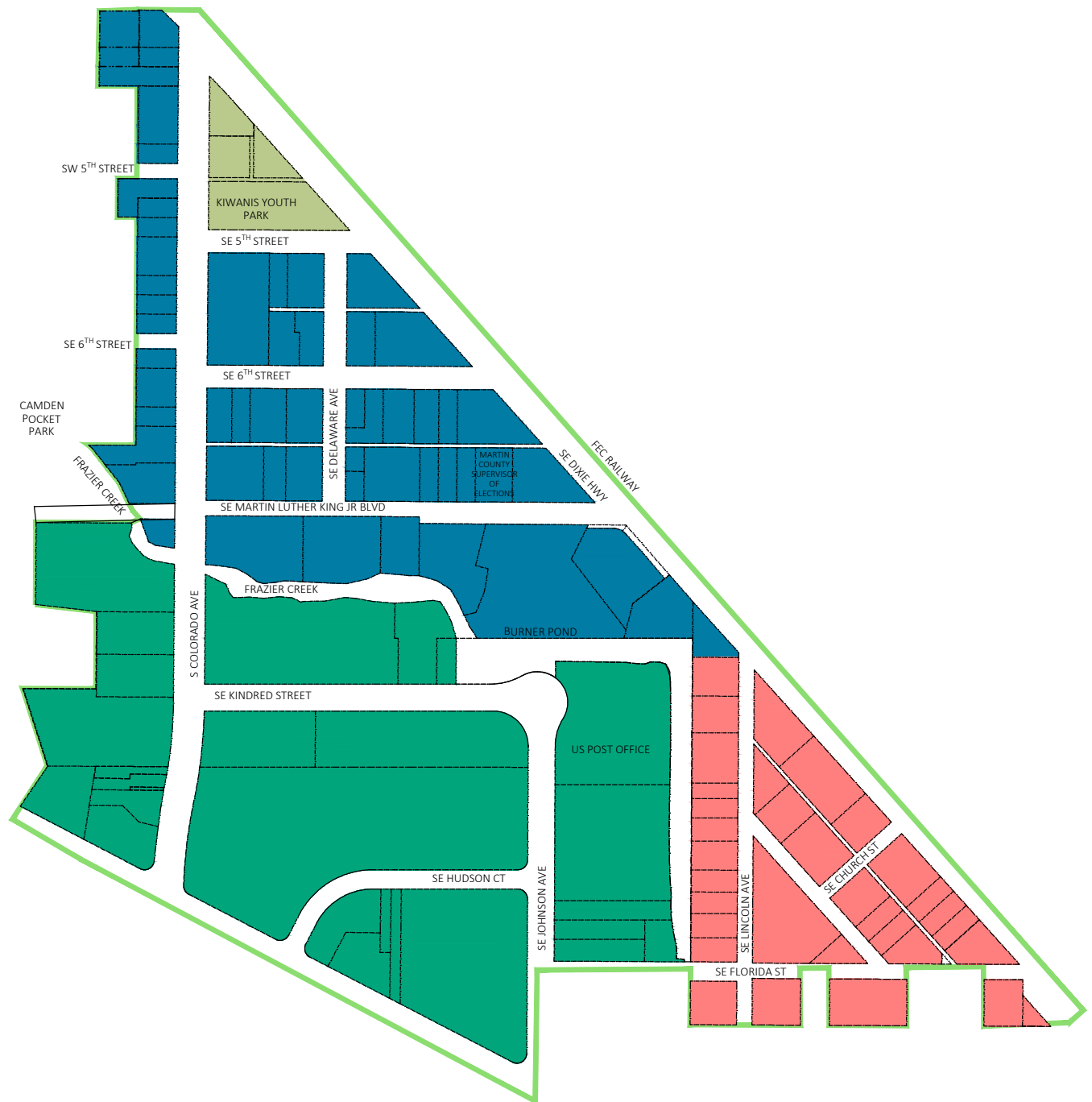


THE CREEK DISTRICT

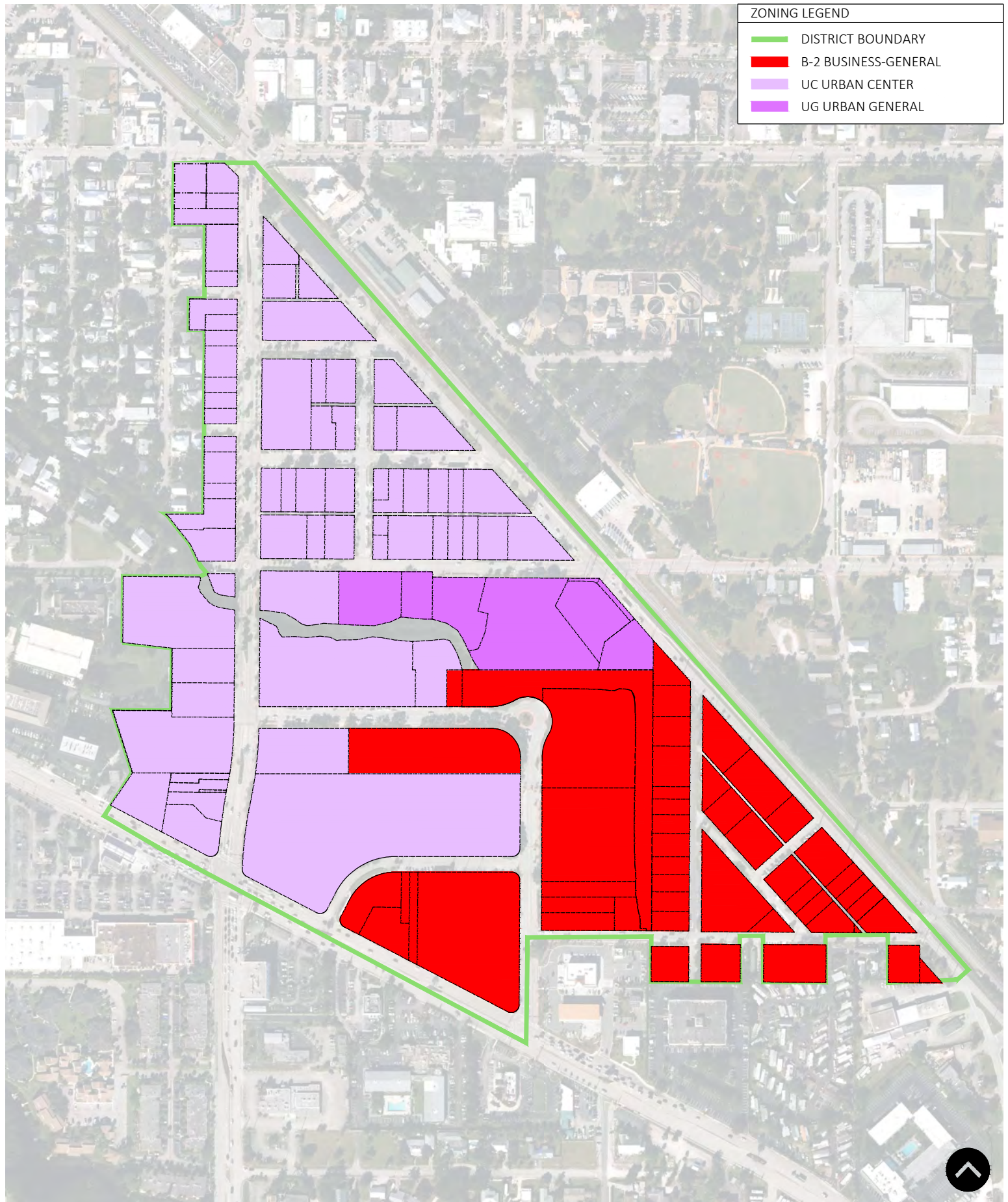
Community Redevelopment Area

7/28/2022
SCALE: 1 = 400

 DISTRICT BOUNDARY
 CREEK INDUSTRIAL
 CREEK NORTH
 CREEK SOUTH
 PUBLIC



9/27/2022
SCALE: 1 = 400



THE CREEK DISTRICT

Community Redevelopment Area

E X I S T I N G Z O N I N G

9/13/2022
SCALE: 1" = 400'



Bureau of Direct Mail Inc.

2809 SE Monroe St.

Stuart, FL 34997

Phone: (772) 283-8850

Toll Free: (800) 368-0004

October 11, 2022

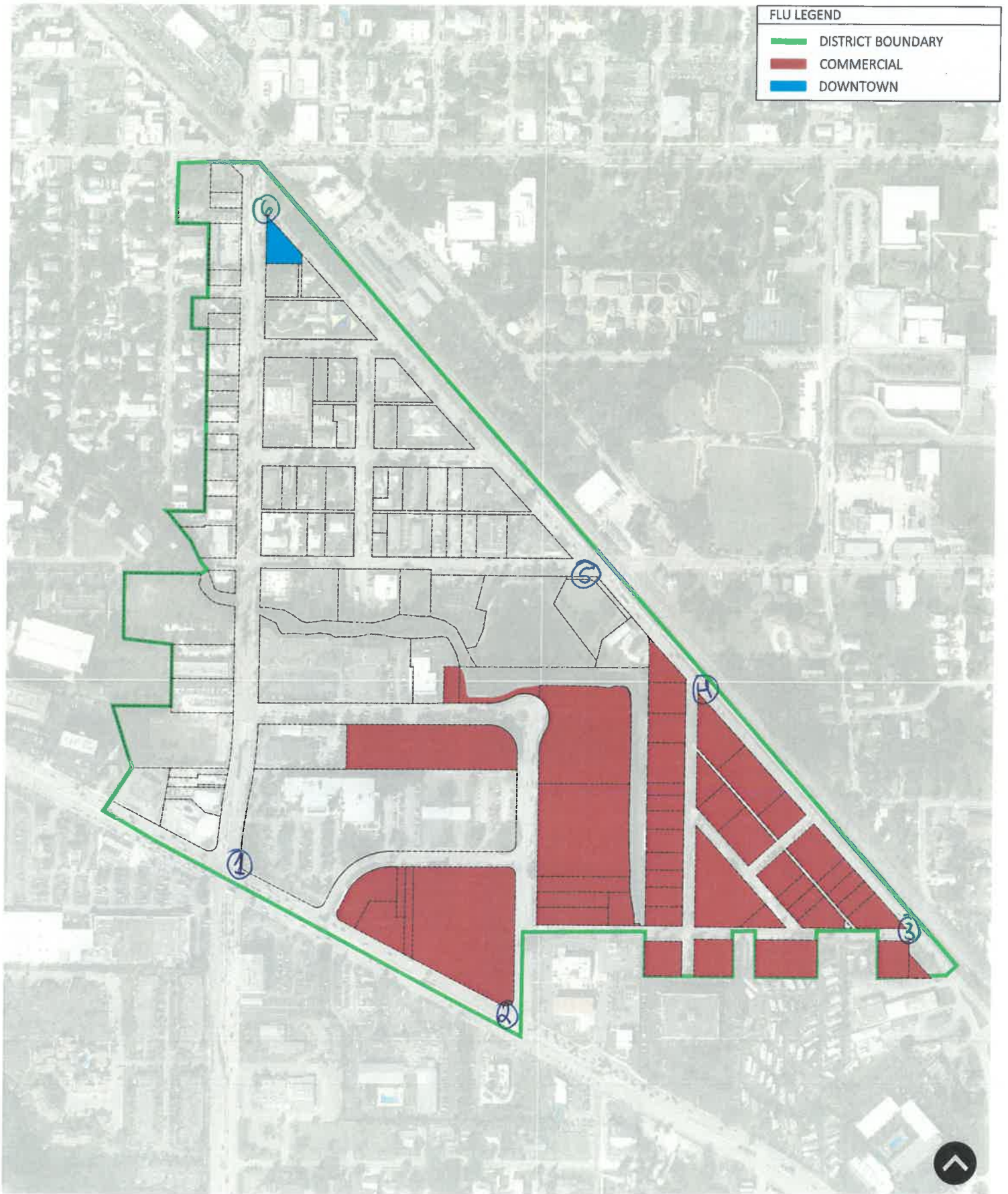
Jordan Pinkston
Executive Assistant to the Development Director
CRA Program Specialist | City of Stuart
121 SW Flagler Ave. Stuart FL 34994

RE: The Creek CRA mailing - Notice of Form Based Code

I hereby certify that the Bureau of Direct Mail Inc., has prepared and mailed notification letters, frequently asked questions notices and the corresponding maps as provided by the City of Stuart CRA to the recipients on the clients supplied mailing list. There was a total of 664 records on the mailing list. There were 2 records removed that were verified to be City of Stuart properties on the Martin County Property Appraisers website. The mailing was delivered to the West Palm Beach Post office on Summit Blvd. October 10, 2022. There was a total of 662 pieces mailed. Attached is the Postage Statement from the US Postal Service verifying the amount of the mailing, date the mailing was processed and the total postage of the mailing.

Bonnie Arnold
Bureau of Direct Mail Inc.
Bonnie.Arnold@bureauinc.com
(772) 283-8850

SIGN PLACEMENT LOCATION MAP



THE CREEK DISTRICT

Community Redevelopment Area

EXISTING FUTURE LAND USE MAP

PARCELS WITH A PROPOSED CHANGE ONLY

7/28/2022

SCALE: 1" = 400'

NOTICE OF FUTURE LAND USE AND ZONING CHANGE

ALL LAND IN THE CREEK DISTRICT STUDY AREA IS THE SUBJECT OF AN INITIATIVE TO ASSIGN FUTURE LAND USE DESIGNATION AND ZONING

STUART LOCAL PLANNING AGENCY
NOVEMBER 10, 2022 AT 5:30 P.M.

STUART CITY COMMISSION
NOVEMBER 14, 2022 AT 4:00 P.M.
NOVEMBER 28, 2022 AT 5:30 P.M.

CONTACT COMMUNITY REDEVELOPMENT AGENCY
STUART CITY HALL 121 SW FLAGLER AVE. 772-283-2532 8:30 AM-4:00 PM
EMAIL: THECREEK@CLSTUART.FL.US
VISIT WWW.CITYOFSTUART.US/CRA FOR MORE INFORMATION



D-Signs, LLC
911 S.E. Hillcrest Ave.
Stuart, FL 34994

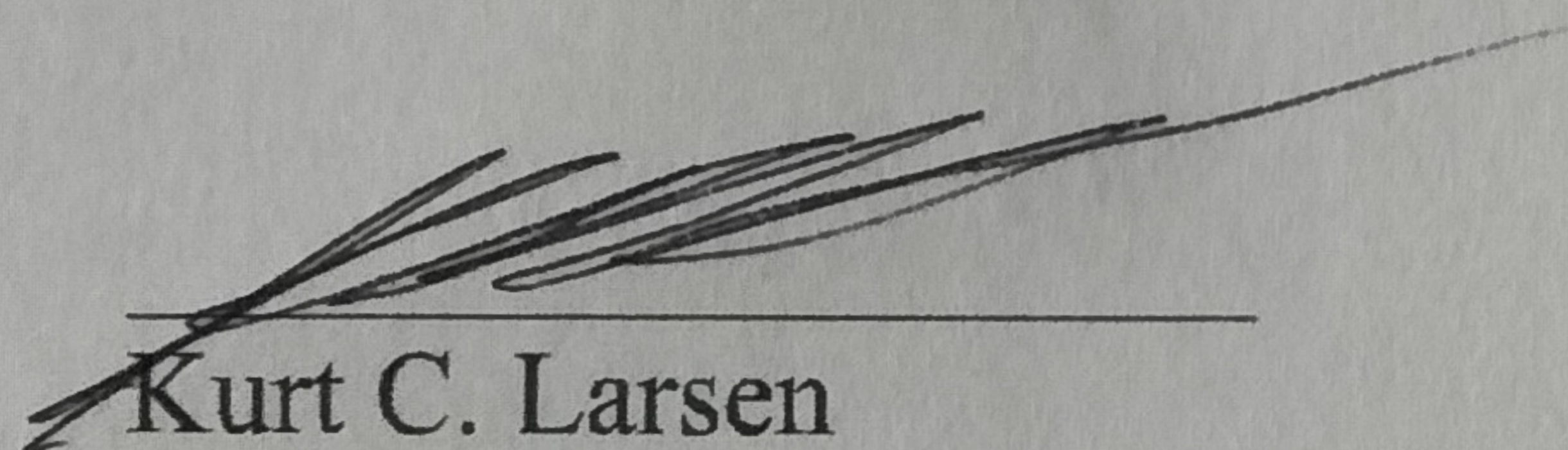
Sept. 26, 2022

CRA Program
City of Stuart
121 SW Flagler Ave
Stuart, FL 34994

REF: CRA The Creek District Study & The East Stuart Study

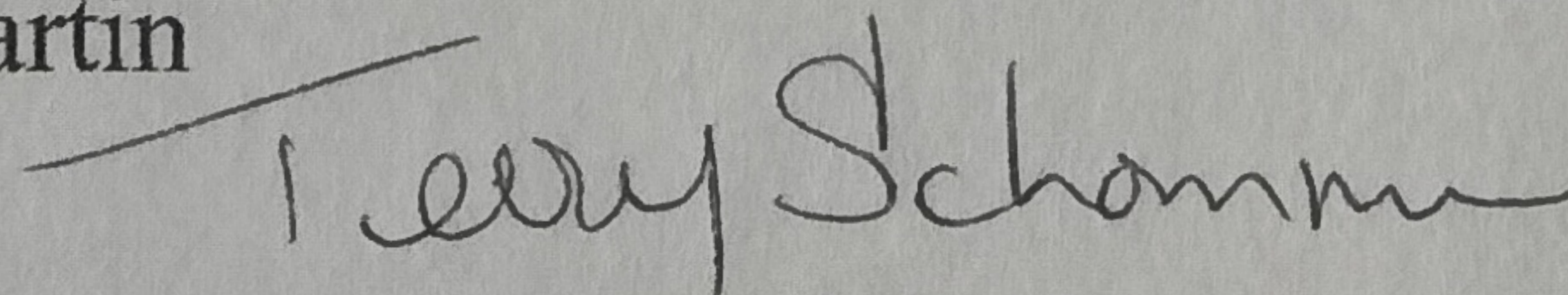
Attn:

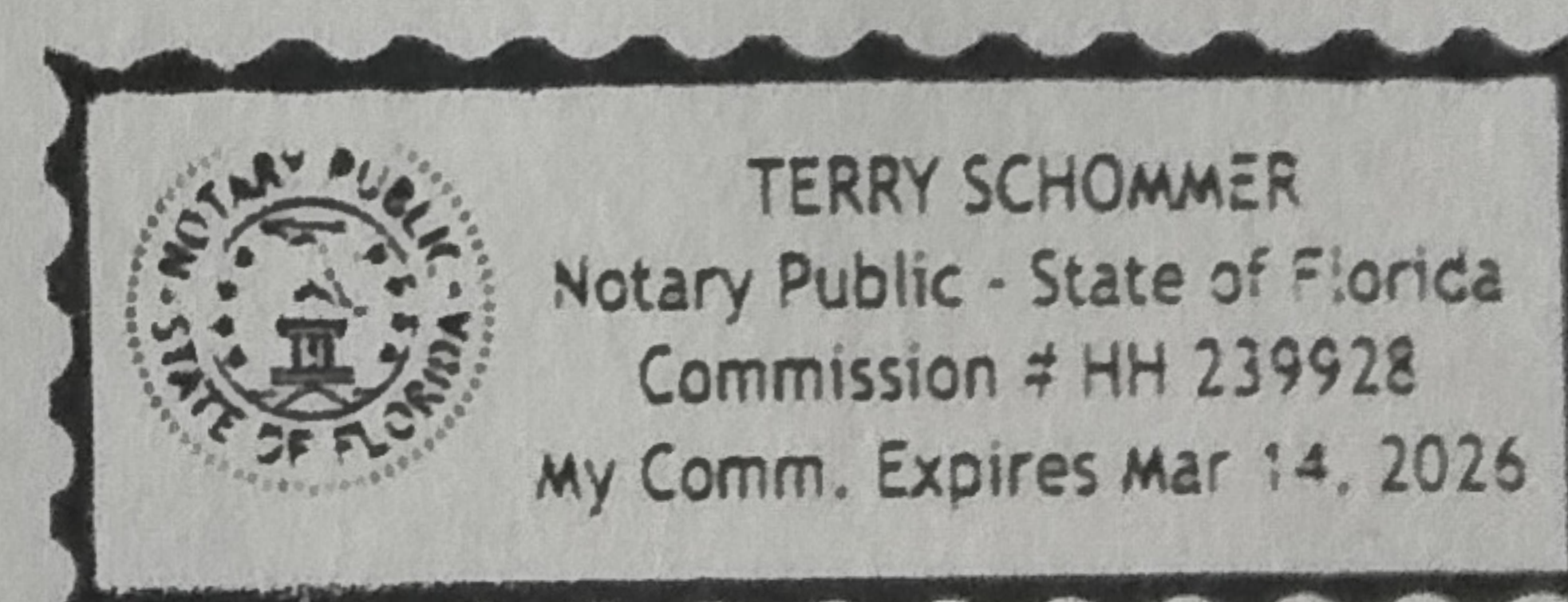
This Letter is to Certify that the above referenced sign was installed per City of Stuart requirements. This sign was posted according to and complies with the standards of the notice provisions of Article 10, Section 10:6 Development Review Procedures.
12 Signs Installed at specified Location.


Kurt C. Larsen

10/24/22
Date

State of Florida
County of Martin





Kurt C. Larsen, who is personally known to me, who did not take an oath, acknowledged the foregoing instrument before me on 10-24-22.

TREASURE COAST INVESTMENT
THE CREEK COMPANY LLC

PO BOX 990

STUART

FL 34995-0990

Please advertise the requested ad below. The required advertisements shall be no less than 2 columns wide by 10 inches long in a standard size or a tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear.

The Display Advertisement shall be in substantially the following form:

**CITY OF STUART
NOTICE OF PUBLIC MEETING
LOCAL PLANNING AGENCY AND CITY COMMISSION**

NOTICE: The City of Stuart Local Planning Agency will meet on Thursday, November 10, 2022, at 5:30 PM and the City Commission will meet on Monday, November 14, 2022, at 4:00 PM, in the City Commission Chambers at City Hall, 121 SW Flagler Avenue, Stuart, Florida.

The following item is scheduled on the agenda:

ORDINANCE NUMBER 2498-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY’S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER II ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY; CHAPTER III SPECIAL ZONING CODES FOR “THE CREEK DISTRICT”; AND CHAPTER XII DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

ORDINANCE NUMBER 2507-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY’S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER III SPECIAL ZONING CODES FOR THE “EAST STUART NEIGHBORHOOD”; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

The public is encouraged to attend and participate in the public meeting. Any questions regarding the meeting may be addressed by calling the City Development Department at (772) 288-5375 from 8:30 a.m. to 4:00 p.m. Monday through Friday.

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the City’s ADA coordinator at (772) 288-5306 or TDD at (772) 288-5302 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

Mary Kindel, City Clerk

Publish November 3, 2022 / Local Display Ad / Affidavit Required (at least 7 prior to LPA and CC Hearings)

CITY OF STUART
NOTICE OF PUBLIC MEETING
LOCAL PLANNING AGENCY AND CITY COMMISSION

NOTICE: The City of Stuart Local Planning Agency will meet on Thursday, November 10, 2022, at 5:30 PM and the City Commission will meet on Monday, November 14, 2022, at 4:00 PM, in the City Commission Chambers at City Hall, 121 SW Flagler Avenue, Stuart, Florida.

The following item is scheduled on the agenda:

ORDINANCE NUMBER 2501-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "THE CREEK DISTRICT" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH THE FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.



The public is encouraged to attend and participate in the public meeting. Any questions regarding the meeting may be addressed by calling the City Development Department at (772) 288-5375 from 8:30 a.m. to 4:00 p.m. Monday through Friday.

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for 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.

Mary Kindel, City Clerk

Publish November 3, 2022 / Local Display Ad /Affidavit Required (at least 7 prior to LPA and CC Hearings)

**CITY OF STUART
NOTICE OF PUBLIC MEETING
LOCAL PLANNING AGENCY AND CITY COMMISSION**

NOTICE: The City of Stuart Local Planning Agency will meet on Thursday, November 10, 2022, at 5:30 PM and the City Commission will meet on Monday, November 14, 2022, at 4:00 PM, in the City Commission Chambers at City Hall, 121 SW Flagler Avenue, Stuart, Florida.

The following item is scheduled on the agenda:

ORDINANCE NUMBER 2502-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND DESIGNATION FROM "COMMERCIAL" TO "DOWNTOWN" FOR 20.07 ACRES OF LAND AND "DOWNTOWN" TO "RECREATION" FOR .25 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.



The public is encouraged to attend and participate in the public meeting. Any questions regarding the meeting may be addressed by calling the City Development Department at (772) 288-5375 from 8:30 a.m. to 4:00 p.m. Monday through Friday.

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for 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.

Mary Kindel, City Clerk

Publish November 3, 2022 / Local Display Ad /Affidavit Required



Bureau of Direct Mail Inc.

2809 SE Monroe St.

Stuart, FL 34997

Phone: (772) 283-8850

Toll Free: (800) 368-0004

October 11, 2022

Jordan Pinkston
Executive Assistant to the Development Director
CRA Program Specialist | City of Stuart
121 SW Flagler Ave. Stuart FL 34994

RE: The Creek CRA mailing - Notice of Form Based Code

I hereby certify that the Bureau of Direct Mail Inc., has prepared and mailed notification letters, frequently asked questions notices and the corresponding maps as provided by the City of Stuart CRA to the recipients on the clients supplied mailing list. There was a total of 664 records on the mailing list. There were 2 records removed that were verified to be City of Stuart properties on the Martin County Property Appraisers website. The mailing was delivered to the West Palm Beach Post office on Summit Blvd. October 10, 2022. There was a total of 662 pieces mailed. Attached is the Postage Statement from the US Postal Service verifying the amount of the mailing, date the mailing was processed and the total postage of the mailing.

Bonnie Arnold
Bureau of Direct Mail Inc.
Bonnie.Arnold@bureauinc.com
(772) 283-8850

D-Signs, LLC
911 S.E. Hillcrest Ave.
Stuart, FL 34994

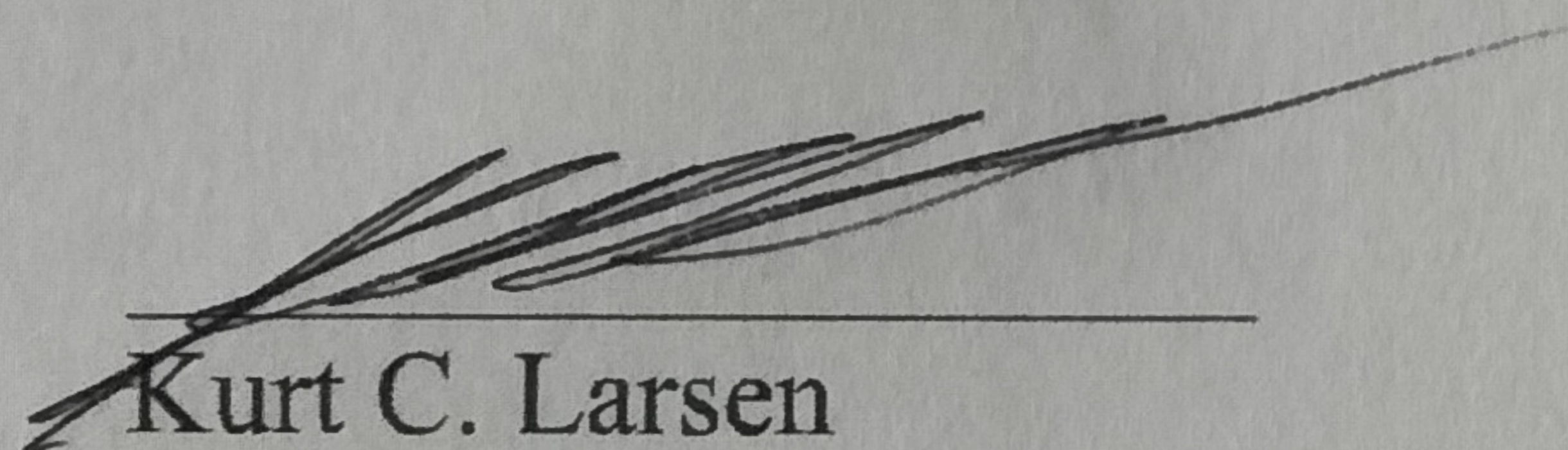
Sept. 26, 2022

CRA Program
City of Stuart
121 SW Flagler Ave
Stuart, FL 34994

REF: CRA The Creek District Study & The East Stuart Study

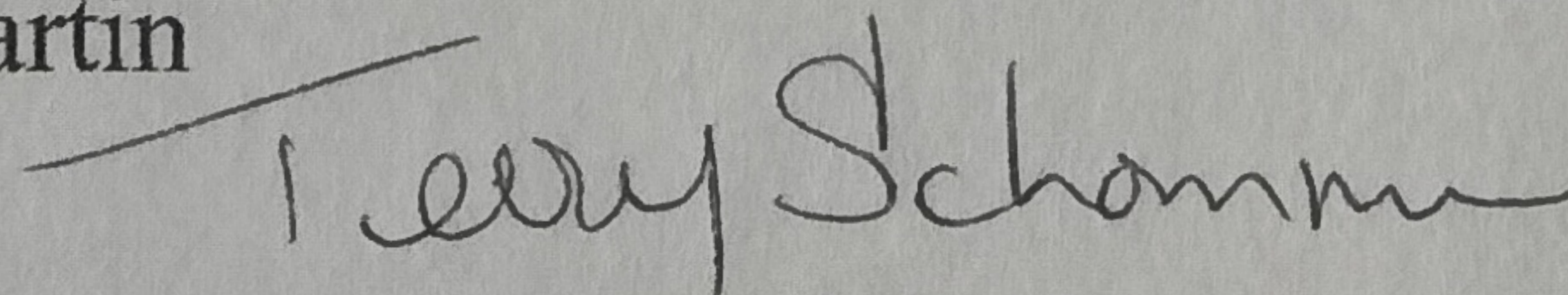
Attn:

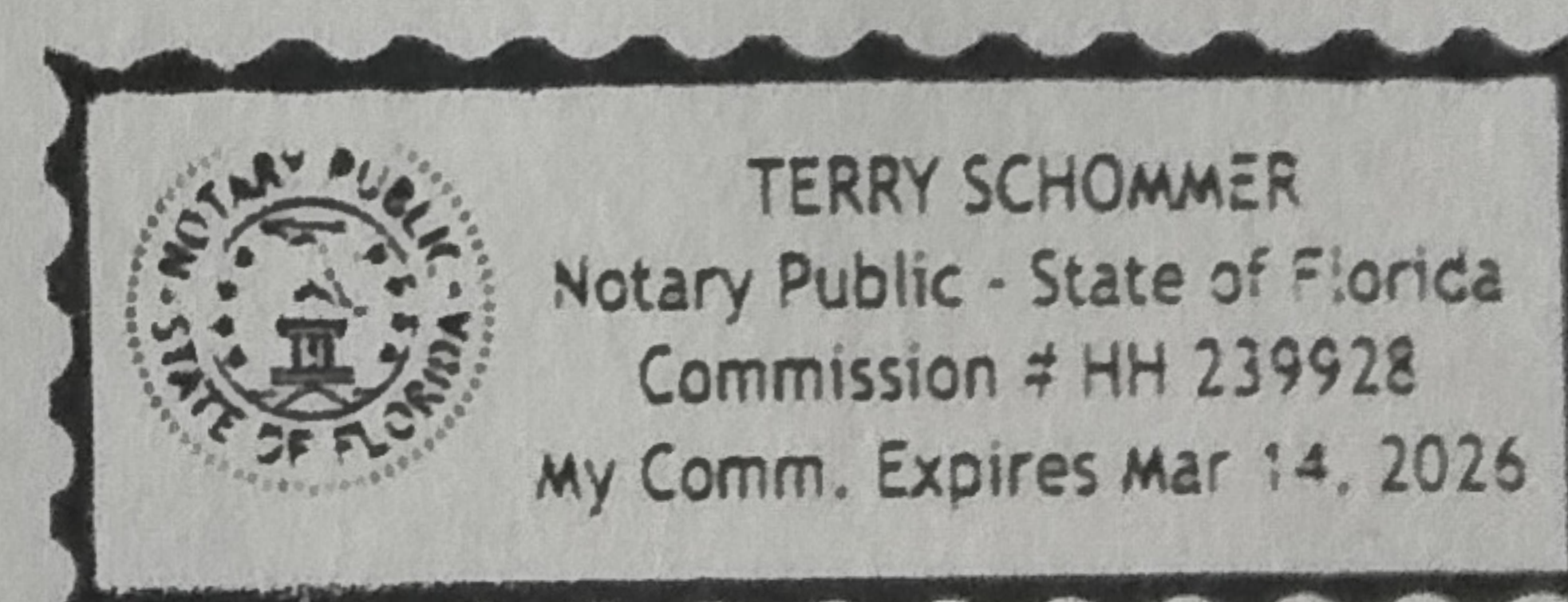
This Letter is to Certify that the above referenced sign was installed per City of Stuart requirements. This sign was posted according to and complies with the standards of the notice provisions of Article 10, Section 10:6 Development Review Procedures.
12 Signs Installed at specified Location.


Kurt C. Larsen

10/24/22
Date

State of Florida
County of Martin





Kurt C. Larsen, who is personally known to me, who did not take an oath, acknowledged the foregoing instrument before me on 10-24-22.

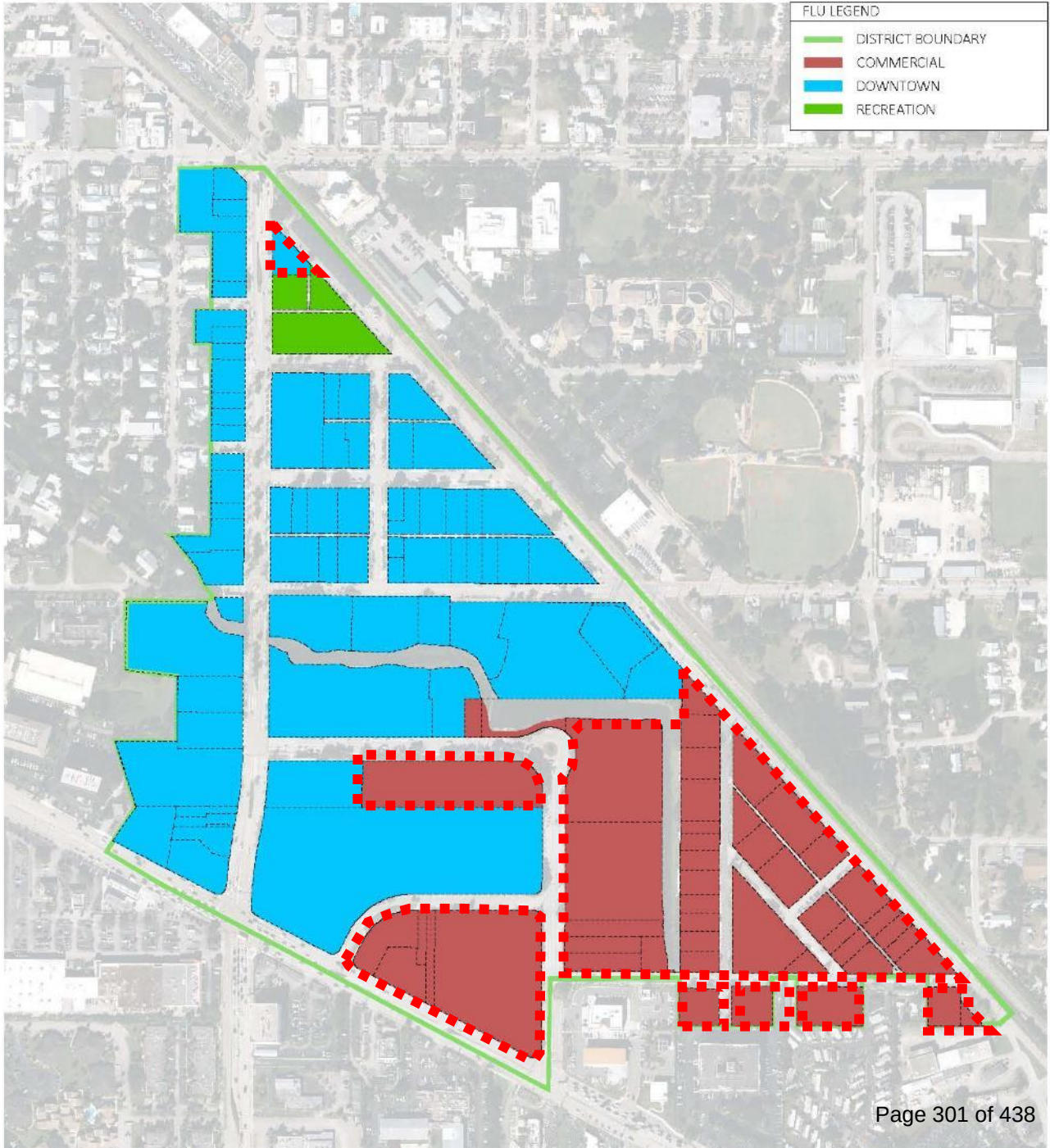
THE CREEK DISTRICT FUTURE LAND USE **PUBLIC HEARING PRESENTATION**

City Commission 1st Reading - January 17, 2023

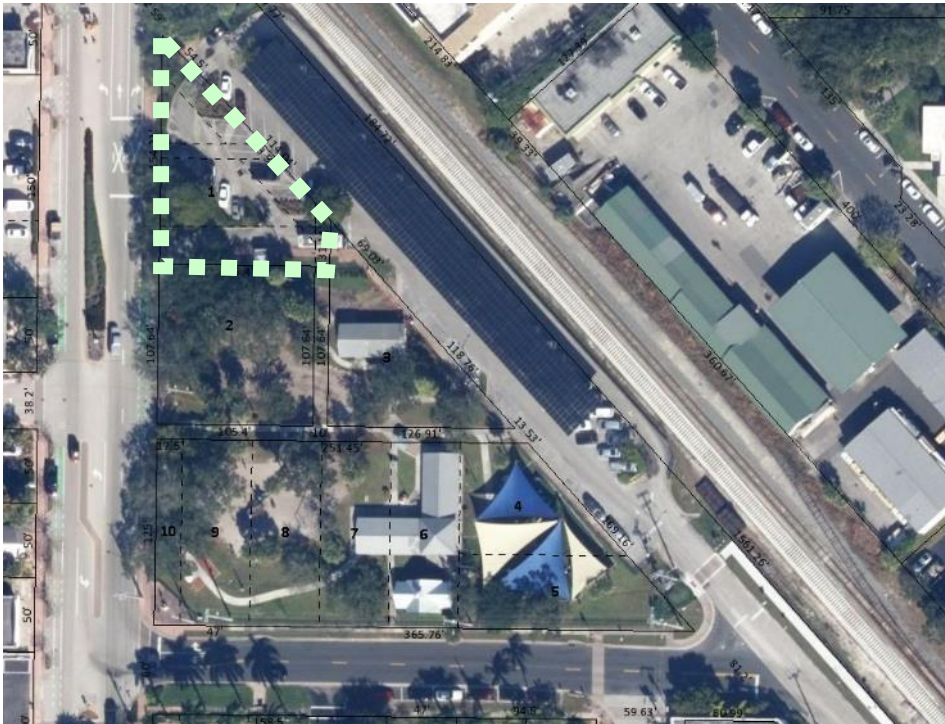
EXISTING FUTURE LAND USE MAP

FLU LEGEND

- DISTRICT BOUNDARY
- COMMERCIAL
- DOWNTOWN
- RECREATION



ACRES	EXISTING FUTURE LAND USE DESIGNATION	PROPOSED FUTURE LAND USE DESIGNATION
0.25	Downtown Max density: 30 du (3 du/7 du)	Recreation Density of 0 (0 du)



ACRES

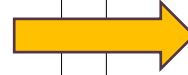
EXISTING
FUTURE LAND USE
DESIGNATION

PROPOSED
FUTURE LAND USE DESIGNATION

20.07

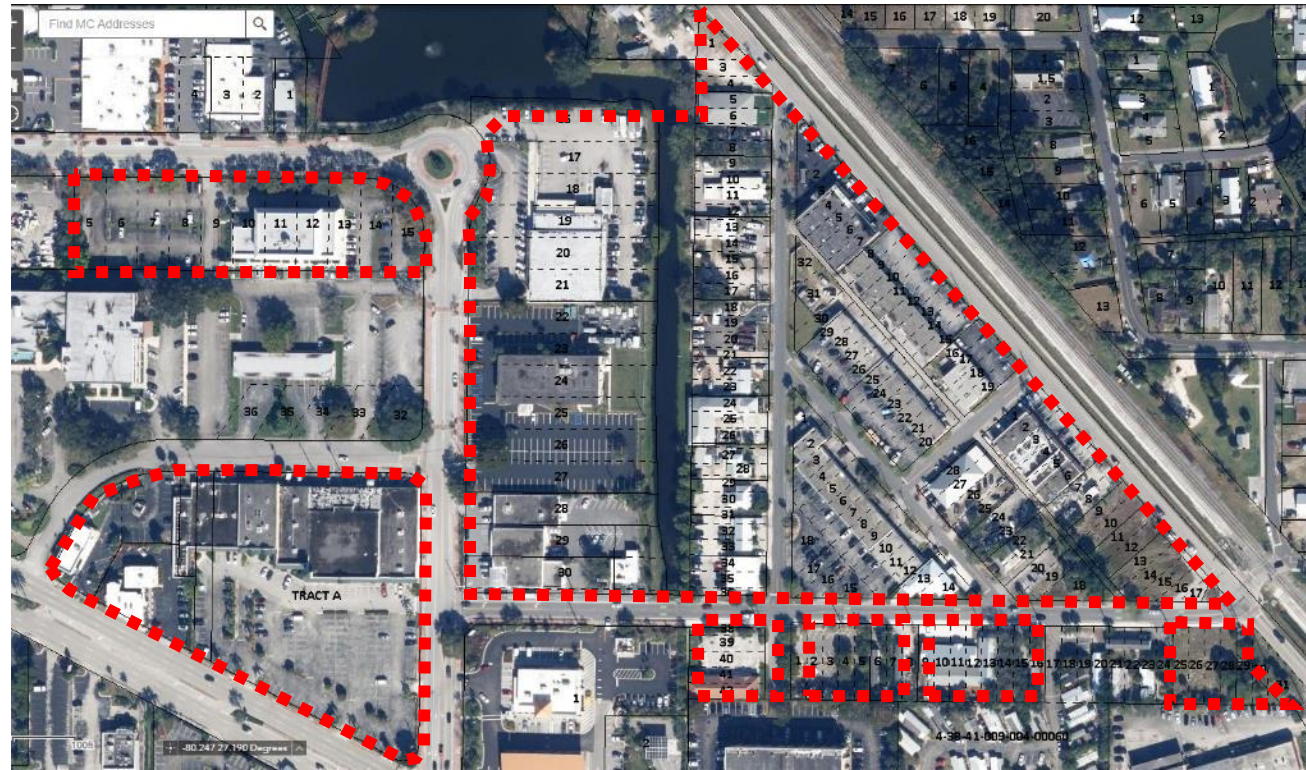
Commercial

Max density: 30 dua
(301 du)



Downtown

Density of 15 dua / 30 dua by CU
(301 du /602 du)





FUTURE LAND USE ELEMENT

Commercial:

Land uses and activities predominately connected with the sale, rental, and distribution of products or performance of professional and non-professional services. Includes retail sales, service establishments, business, professional and other offices, shopping centers, financial institutions, restaurants, entertainment, hotels, motels and other temporary lodging. A limited amount of Multi-Family Residential and indoor industrial uses are allowed. Mixed-use projects are allowed.

Downtown Redevelopment:

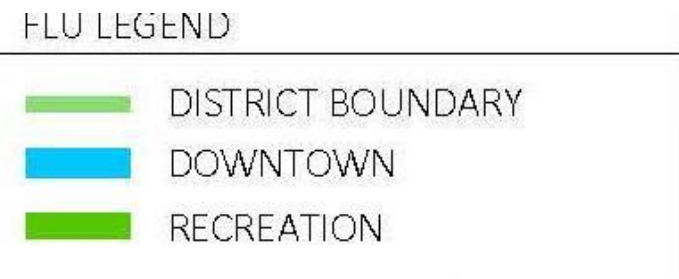
Includes the land area within the Stuart Community Redevelopment Agency. General uses permitted include low density residential, multi-family residential, office, commercial, recreation, lodging, public facilities, conservation, and mixed-use projects. Individual projects and sites may consist of single uses. However, a mix of residential uses and non-residential uses shall be required within this designation as a whole.

FUTURE LAND USE ELEMENT

GUIDE TO THE LDCS

- The City shall implement the Stuart Urban Code Overlay Zone in the CRA which provides for adequate parking; encourages the ability of people to live, work, and shop without need of a car; defines urban spaces with buildings; creates interesting and pleasant itineraries along sidewalks; conceals parking lots; promotes alternative modes of transportation; and provides for harmony of architectural style.
- Policy 1.C1.1.* The City of Stuart shall continue to implement the Architectural Regulations and the Stuart Urban Code in the CRA to regulate building size, height, and orientation.
- Policy 1.C1.2.* The City of Stuart shall continue to implement the Stuart Architectural Regulations which have been adopted based on the Stuart Urban Code for the CRA to regulate materials, colors, and landscaping for buildings. These regulations shall encourage traditional, durable construction with materials that age well and fit with the existing architectural heritage of Stuart.

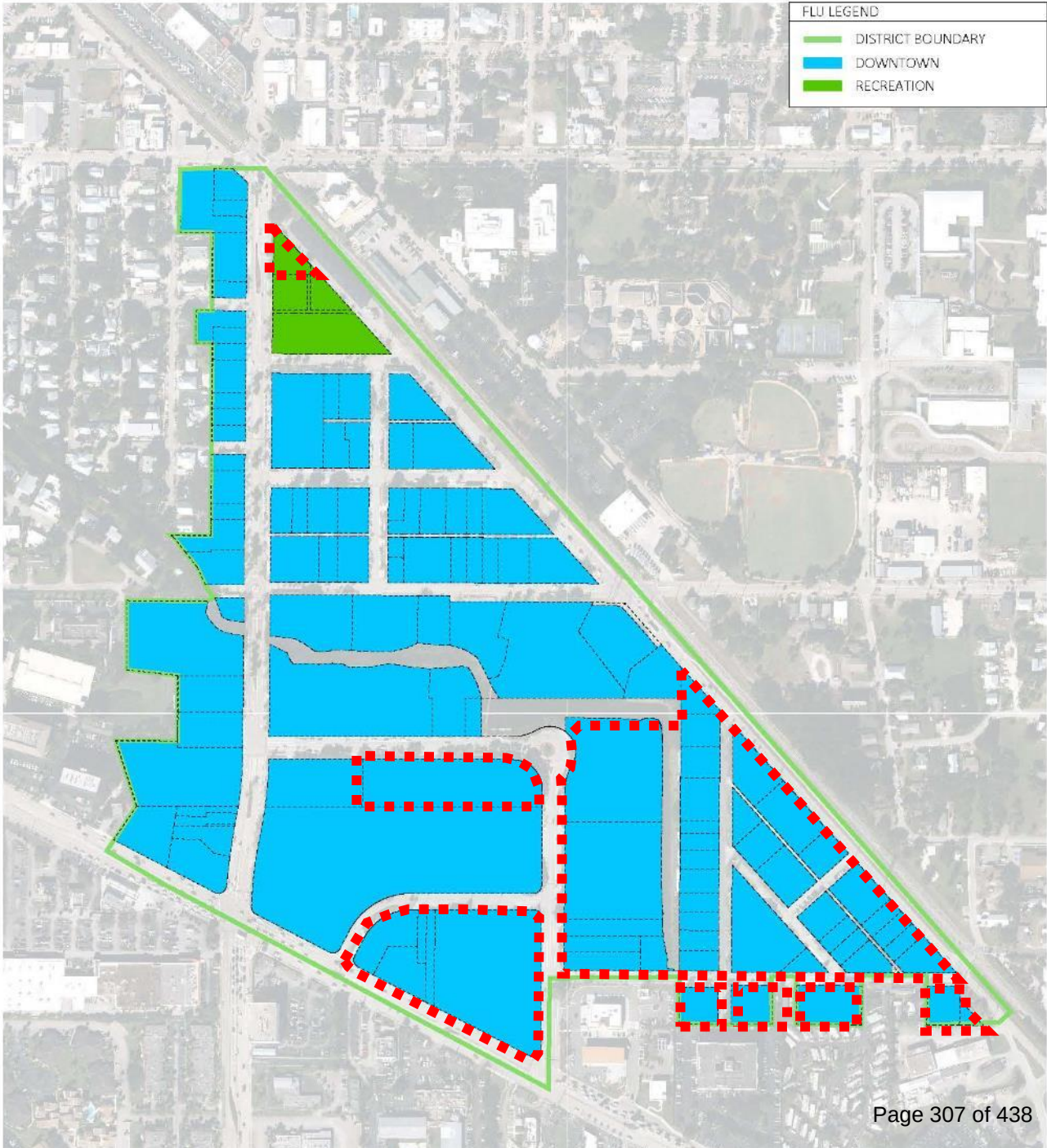
PROPOSED FUTURE LAND USE MAP



Land use change to be consistent with landownership, CRA, & community vision

7	0
301	602
308	602

The difference between existing FLU & the proposed is **294 dua**



RECOMMENDED ACTION

Motion to approve Ord. No. 2502-2023, amending the city's Official Future Land Use Map to include and reflect the changes from "Commercial" to "Downtown" and "Downtown" to "Recreation" on certain lands within the "The Creek District".

THANK YOU

Jessica Cortor Seymour

Principal Program Coordinator

Treasure Coast Regional Planning Council

jseymour@tcrpc.org

NEXT STEPS

Feb. 13 City Commission Meeting - 2nd Reading

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

Meeting Date: 1/17/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

THE CREEK DISTRICT - ZONING MAP AMENDMENT (RC):

ORDINANCE No. 2501-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "THE CREEK DISTRICT" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH THE FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The subject parcels are located within "The Creek District" and have recently been assigned a future land use designation of either "Downtown" or "Recreation". The prior zoning designations of "Urban Center"; "Urban General"; and "B-2 Business General" on parcels within "The Creek District" are no longer appropriate and require amendment. This ordinance will rezone all the parcels within the district, which will bring them into compliance with the Future Land Use. The rezoning is in compliance with the Comprehensive Plan and is compatible with the surrounding zoning.

On December 8, 2022, the Local Planning Agency reviewed the request and the board unanimously recommended approval of this ordinance to the City Commission.

ATTACHMENTS:

1. A. Ordinance No. 2501-2023 Zoning Creek District and Map Exhibits
2. B. Public Notification – Certified Letters

Funding Source:

N/A

Recommended Action:

Motion to approve Ord. No. 2501-2023, amending the city's official Zoning Map to include a new zoning on parcels within "The Creek District" to be consistent with the Future Land Use Map.

ATTACHMENTS:

1. Ordinance 2501-2023 - Zoning Creek District and Map Exhibits
2. Public Notification - Certified Letters



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

ORDINANCE NUMBER 2501-2023

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "THE CREEK DISTRICT" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH THE FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, the City Commission has adopted the City's Comprehensive Plan within which are included goals, objectives and policies related to zoning and land development.

WHEREAS, on December 8, 2022, the Local Planning Agency held duly noticed public hearing to consider amending the city's Official Zoning Map and recommended approval of the rezoning within "The Creek District"; and

WHEREAS, the City Commission held duly noticed public hearings on January 17, 2023 and February 13, 2023 to consider this ordinance and provide for full public participation on the proposed amendment to the Zoning Map.

WHEREAS, the City Commission finds the proposed amendment of the Zoning Map consistent with the goals, objectives and policies of the Comprehensive Plan; and

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

SECTION 1: A map depicting the rezoning is attached hereto as **Exhibit "A"** and made a part hereof by reference.

SECTION 2: The City Commission hereby amends the city’s Official Zoning Map, to include the “The Creek District” as shown in **Exhibit “B”**.

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

SECTION 4: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5: This ordinance shall take effect upon adoption.

PASSED on first reading this _____ day of _____, 2023.

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

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

YES	NO	ABSENT	ABSTAIN

ADOPTED on second reading this _____ day of _____, 2023.

ATTEST:

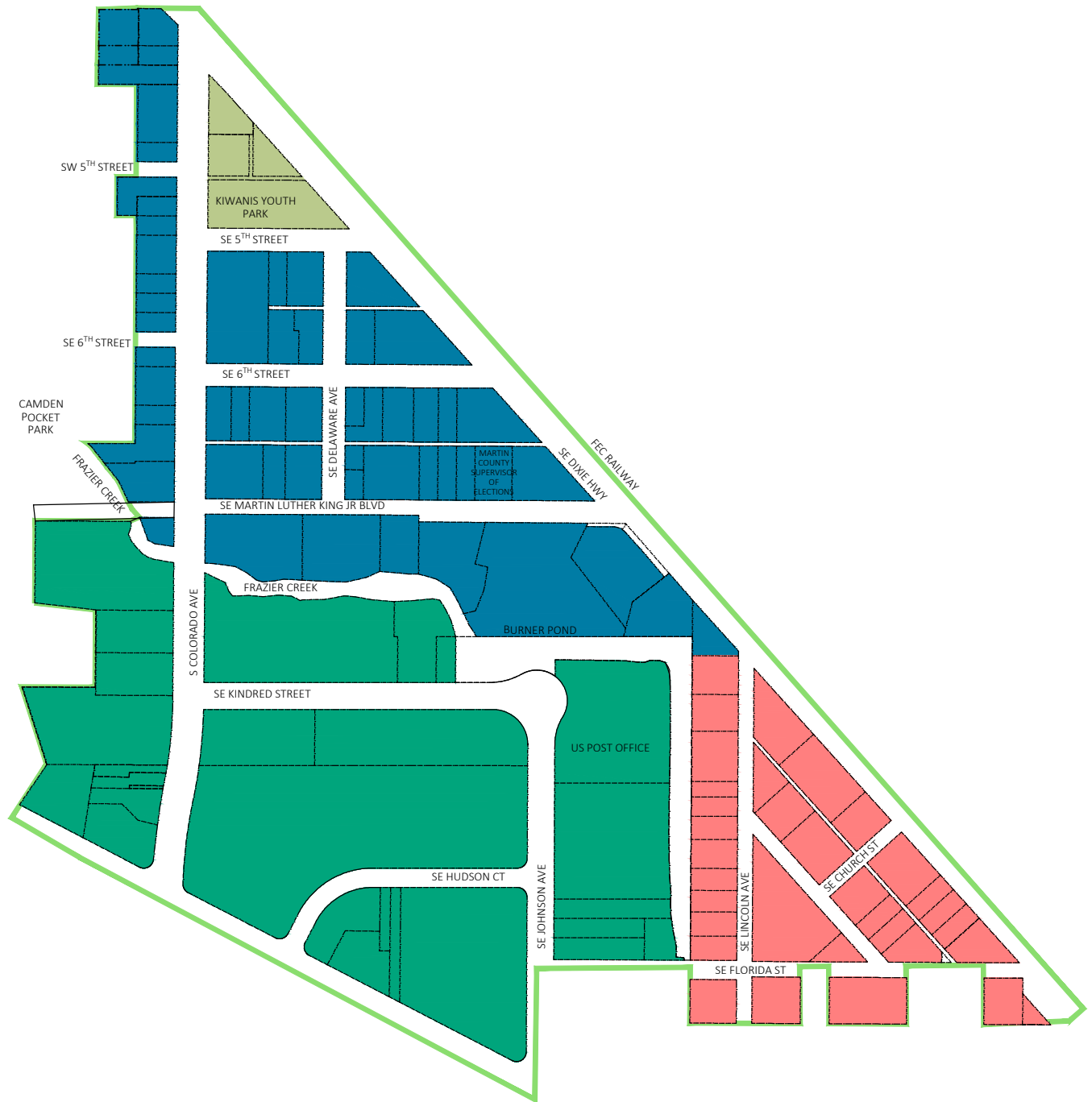
MARY R. KINDEL
CITY CLERK

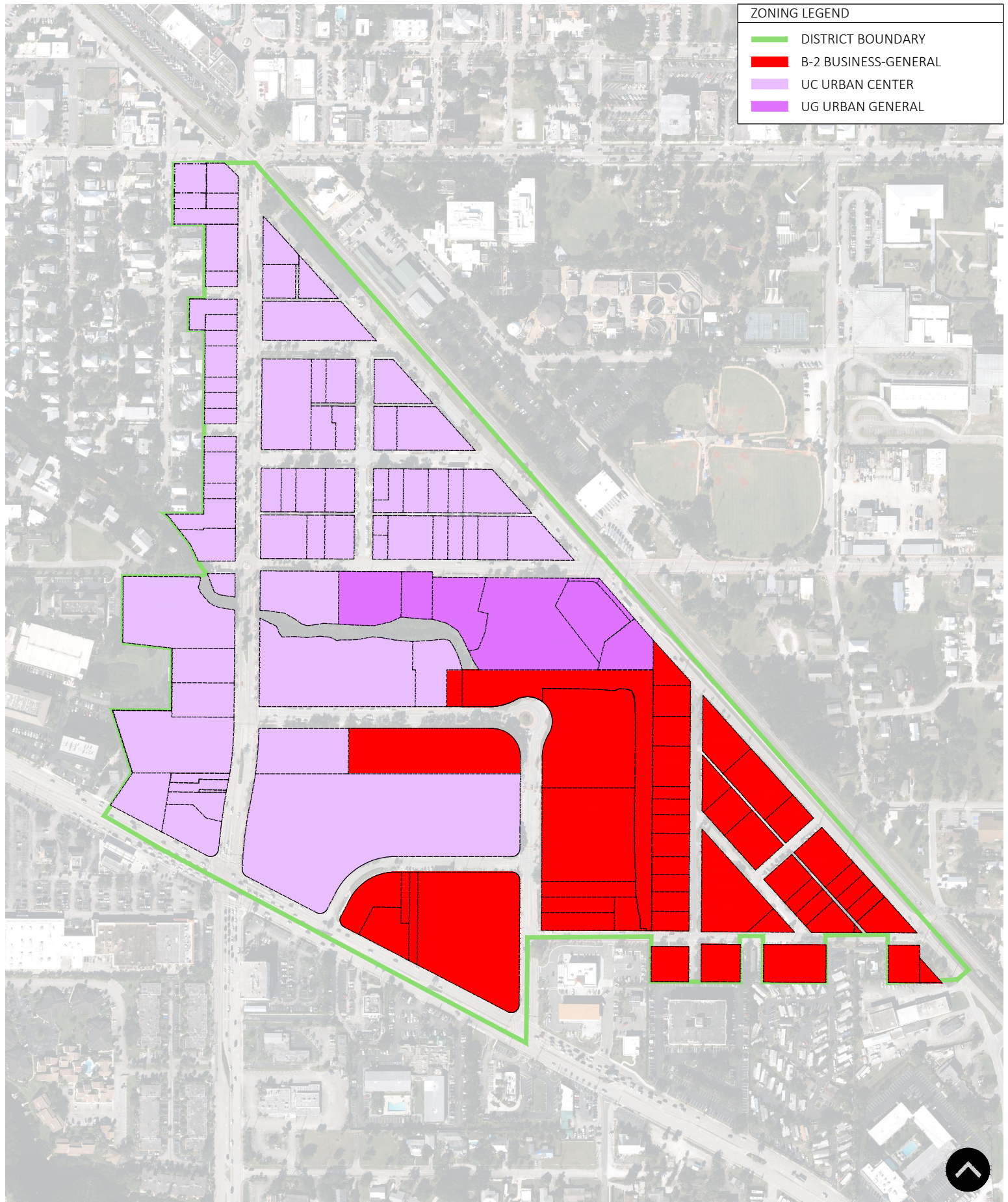
TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

ZONING LEGEND	
	DISTRICT BOUNDARY
	CREEK INDUSTRIAL
	CREEK NORTH
	CREEK SOUTH
	PUBLIC





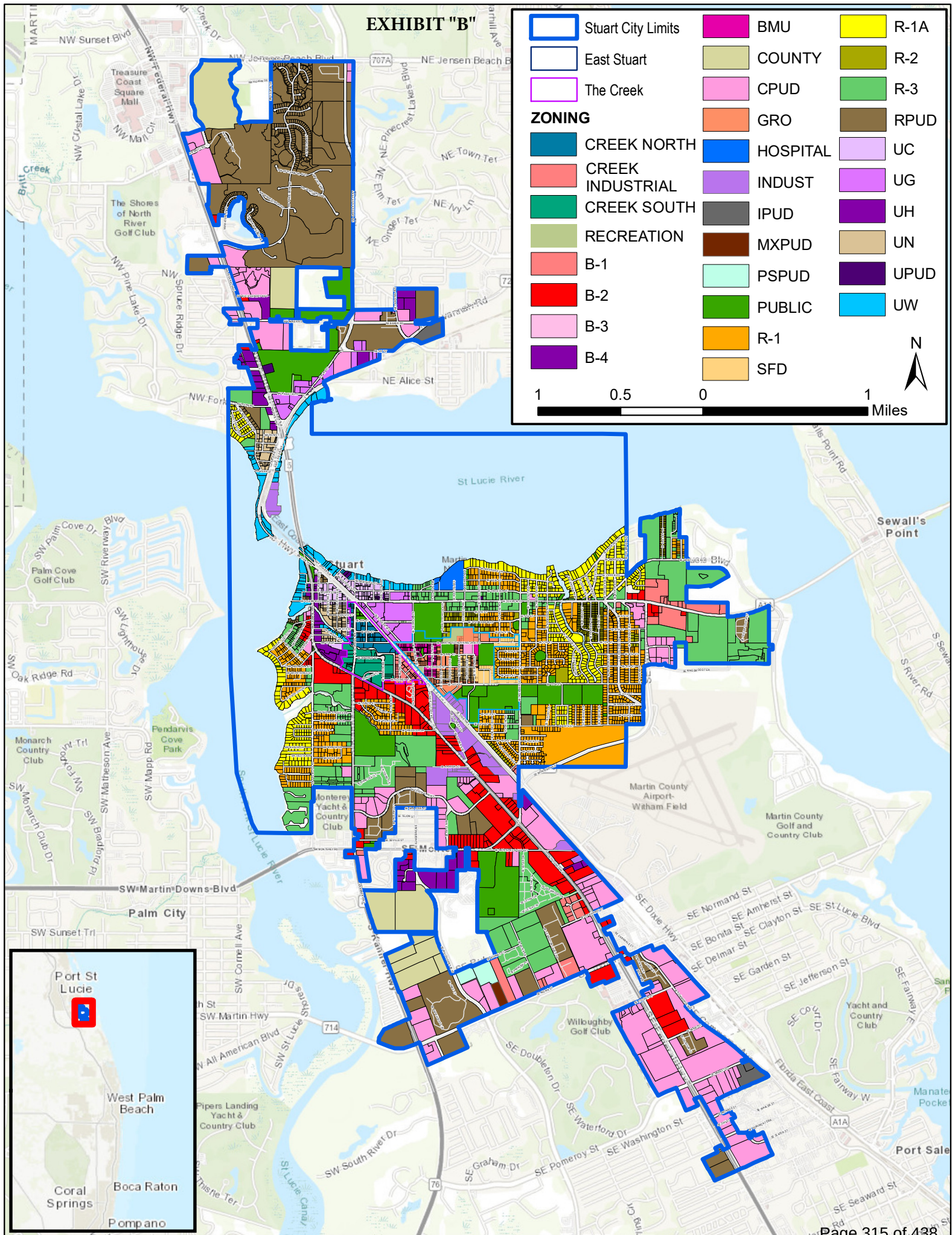
THE CREEK DISTRICT

Community Redevelopment Area

E X I S T I N G Z O N I N G

9/13/2022
SCALE: 1 = 400

EXHIBIT "B"





Bureau of Direct Mail Inc.

2809 SE Monroe St.

Stuart, FL 34997

Phone: (772) 283-8850

Toll Free: (800) 368-0004

October 11, 2022

Jordan Pinkston
Executive Assistant to the Development Director
CRA Program Specialist | City of Stuart
121 SW Flagler Ave. Stuart FL 34994

RE: The Creek CRA mailing - Notice of Form Based Code

I hereby certify that the Bureau of Direct Mail Inc., has prepared and mailed notification letters, frequently asked questions notices and the corresponding maps as provided by the City of Stuart CRA to the recipients on the clients supplied mailing list. There was a total of 664 records on the mailing list. There were 2 records removed that were verified to be City of Stuart properties on the Martin County Property Appraisers website. The mailing was delivered to the West Palm Beach Post office on Summit Blvd. October 10, 2022. There was a total of 662 pieces mailed. Attached is the Postage Statement from the US Postal Service verifying the amount of the mailing, date the mailing was processed and the total postage of the mailing.

Bonnie Arnold
Bureau of Direct Mail Inc.
Bonnie.Arnold@bureauinc.com
(772) 283-8850

D-Signs, LLC
911 S.E. Hillcrest Ave.
Stuart, FL 34994

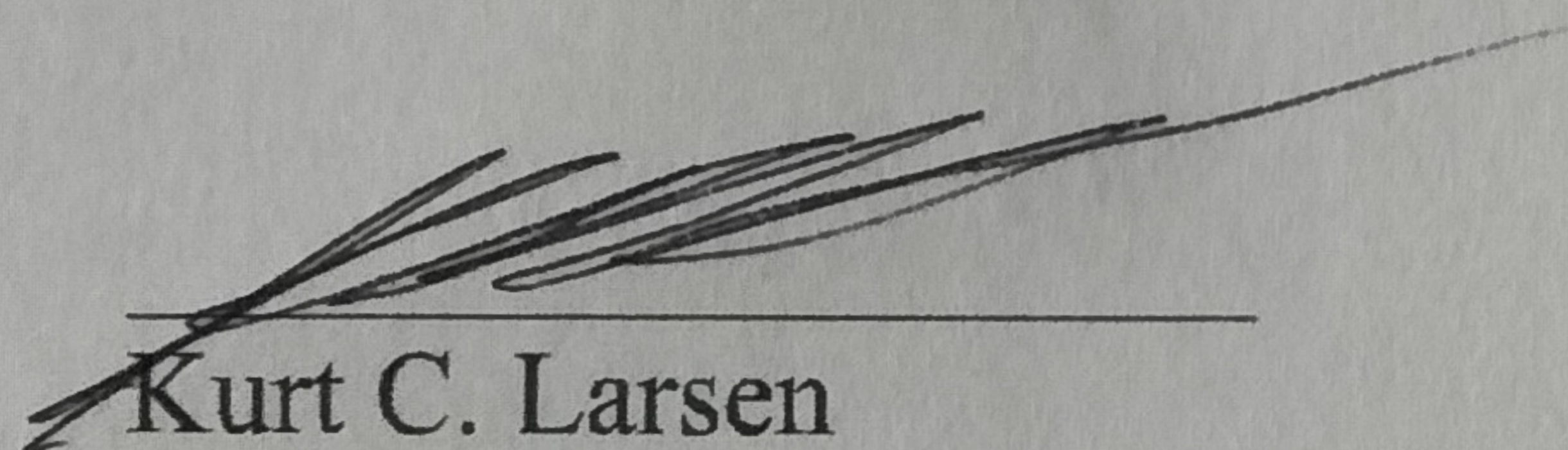
Sept. 26, 2022

CRA Program
City of Stuart
121 SW Flagler Ave
Stuart, FL 34994

REF: CRA The Creek District Study & The East Stuart Study

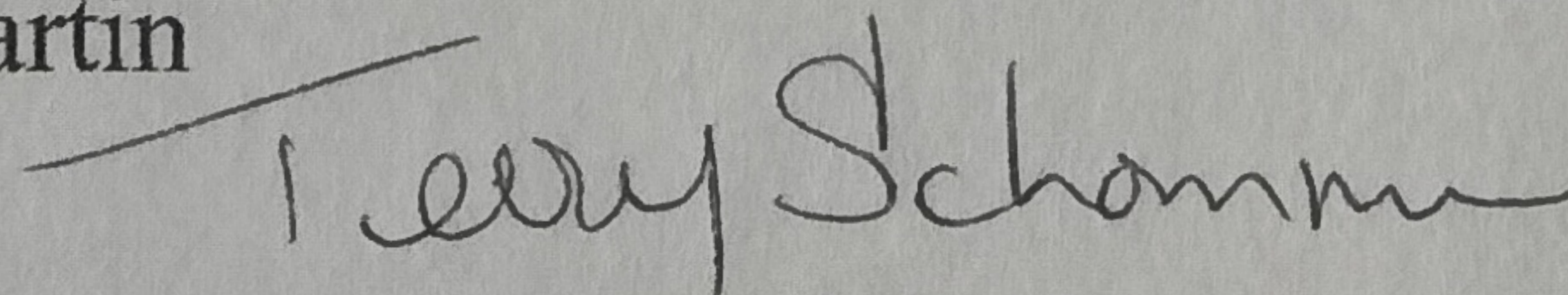
Attn:

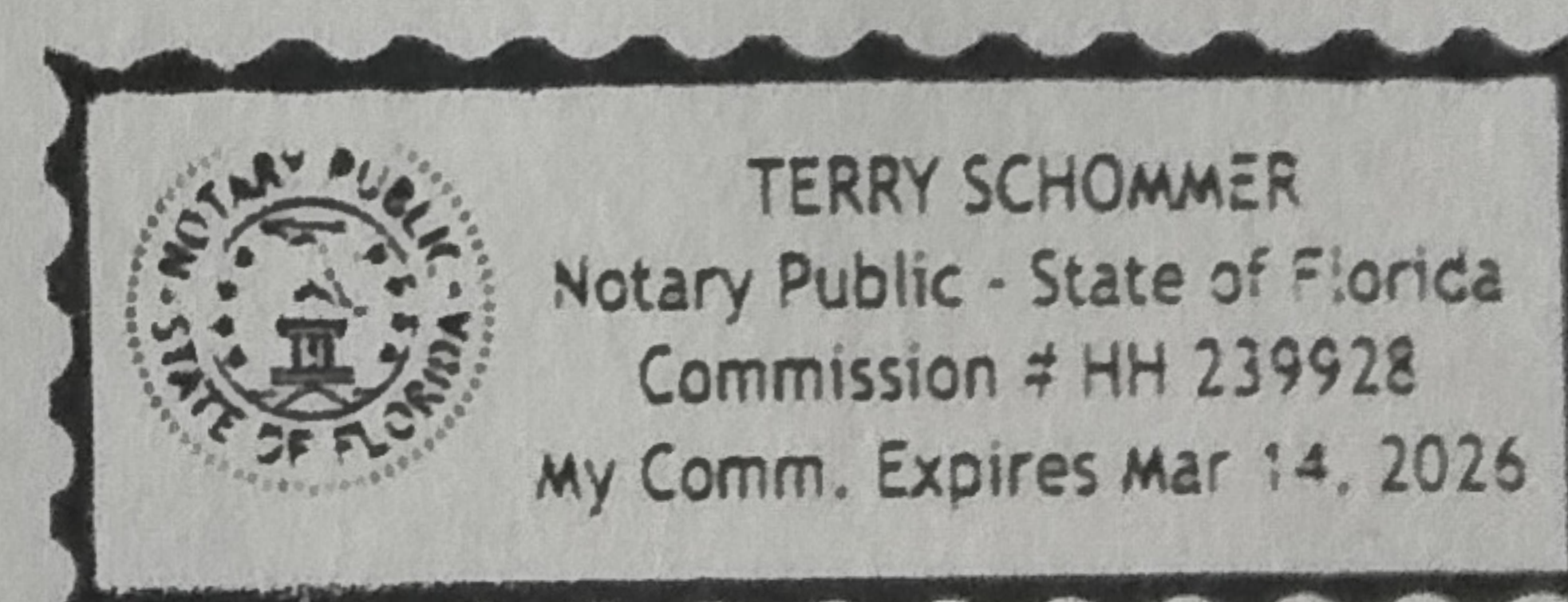
This Letter is to Certify that the above referenced sign was installed per City of Stuart requirements. This sign was posted according to and complies with the standards of the notice provisions of Article 10, Section 10:6 Development Review Procedures.
12 Signs Installed at specified Location.


Kurt C. Larsen

10/24/22
Date

State of Florida
County of Martin





Kurt C. Larsen, who is personally known to me, who did not take an oath, acknowledged the foregoing instrument before me on 10-24-22.

CITY OF STUART, FLORIDA

AGENDA ITEM REQUEST

City Commission

Meeting Date: 1/17/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

THE CREEK DISTRICT - LAND DEVELOPMENT CODE AMENDMENT (RC):

ORDINANCE No. 2498-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER II ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY; CHAPTER III SPECIAL ZONING CODES FOR "THE CREEK DISTRICT"; AND CHAPTER XII DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The proposed amendment to the Land Development Code was presented to the Community Redevelopment Board, Local Planning Agency, and the City Commission in September 2022. The Creek District Code is a new section in Chapter III, Special Zoning Codes, of the Land Development Code. It is not presented as underline. In places where there is no underline, the language or policy is similar to an existing policy. The underline text is where policies are new or modified. The existing zoning code for this area is presented as strike through. The proposed changes to Chapter III enacted the proposed changes to Chapter II - Zoning Districts Uses Allowed, Density, Intensity and Chapter XII - Definitions of the Land Development Code.

The proposed code is intended to: reflect the unique character of The Creek District of the Arts & Entertainment District, promote low-impact infrastructure, and promote infill development within the urban center while maintaining Stuart's unique character.

Jessica Seymour, Principal Program Coordinator, TCRPC has drafted proposed amendments to the city's LDC for the "East Stuart Neighborhood." TCRPC worked with the Community Redevelopment Board, Community Redevelopment Agency, the Development Department, the Public Works Department, interviews with members of the public, property owners, developers, land planners/professionals working in the area, American Institute of Architect (AIA), and conducted peer review of the proposed code as recommended by the Community Redevelopment Board. Interviews and public meetings have reached over 110 individuals. The CRA/City has mailed 3,500 postcards, dropped off over 1,500 flyers, 500 doorhangers and communicated through the city's webpage, newsletter, and social media to advertise meetings.

Treasure Coast Regional Planning Council staff will present the proposed Chapter III, Section 3.04.00, and related changes to Chapter II and Chapter XII, at the public hearing, assisted by staff as appropriate.

A copy of the proposed code is included in the agenda item. A few edits were made to the proposed code between the presentations and the first public hearing:

1. Solid waste and dumpster language
2. Landscape buffers and parking lot landscaping standards
3. Ramps and ADA accessibility
4. Architectural standards

5. Sign standards

On December 8, 2022, the Local Planning Agency reviewed the request and the board unanimously recommended approval of this ordinance with the following comments:

- a. Add language acknowledging emergency protection of structures in the case of a natural hazard event.
- b. Remove redundant language on impervious area in Neighborhood Open Space.

ATTACHMENTS:

1. A. Ordinance No. 2498-2023 LDC Amendment Creek District and other sections of the code
2. B. Presentation
3. C. Letter of Support - The Creek District Board
4. D. LPA Minutes

Funding Source:

N/A

Recommended Action:

Motion to approve Ord. No. 2498-2023, amending the city's Land Development Code, Chapter III to include form-based land development regulations for "The Creek District"; Chapter II Zoning Districts Uses Allowed, Density, Intensity; and Chapter XII Definitions.

ATTACHMENTS:

1. Ordinance 2498-2023 - LDC Amendment Creek District and Other Sections of the Code
2. Presentation
3. Letter of Support - The Creek District Board
4. LPA Minutes



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

ORDINANCE NUMBER 2498-2023

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER II ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY; CHAPTER III SPECIAL ZONING CODES FOR "THE CREEK DISTRICT"; AND CHAPTER XII DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, the Community Redevelopment Agency and City Commission has determined that an analysis of existing code for "The Creek District of Arts & Entertainment" in the CRA would benefit the residents and businesses of Stuart; and

WHEREAS, on September 27, 2021, by Resolution No. 09-2021, the Community Redevelopment Agency approved to enter to an Interlocal Agreement with the Treasure Coast Regional Planning Council to conduct a public input process and develop a Form Based Code for "The Creek District"; and

WHEREAS, the Treasure Coast Regional Planning County and the Community Redevelopment Agency held the Vision Workshop, Walking Tour, interviews with residents and property owners, several public outreach meetings/presentations, and work in progress workshops to get input to develop a Form Based Code for "The Creek District"; and

WHEREAS, on December 8, 2022, the Local Planning Agency held duly noticed public hearing to consider this ordinance; and

WHEREAS, the City Commission held duly noticed public hearings on January 17, 2023 and February 13, 2023 to consider this ordinance and provide for full public participation on the Land Development Code amendment process.

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

SECTION 1: The provisions of the Land Development Code as amended are hereby adopted as provided in the attached Exhibit “A” which is incorporated herein as set forth below.

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

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

SECTION 4: The provisions of this ordinance shall be codified into the City’s Land Development Code.

SECTION 5: This ordinance shall take effect upon adoption.

Passed on first reading the ____ day of _____, 2023.

Commissioner _____ offered the foregoing Ordinance and moved its adoption.

The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

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

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this _____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

Sec. 2.01.02. Designation of districts.

The designated zoning districts within the city are:

- A. R-1A residential - single family estate; R-1 residential - single family general;
- B. R-2 residential - duplex;
- C. R-3 residential - multi-family/office;
- D. B-1 business limited;
- E. B-2 business general;
- F. B-3 business restricted;
- G. B-4 limited business/manufacturing;
- H. P public service;
- I. I industrial;
- J. H hospital;
- K. Planned unit development (PUD):
 - 1. Residential (RPUD);
 - 2. Commercial (CPUD);
 - 3. Public service (PSPUD);
 - 4. Industrial (IPUD);
 - 5. Mixed use (MXPUD);
 - 6. Urban (UPUD);
- L. Urban district:
 - 1. Urban general (UG);
 - 2. Urban center (UC);
 - 3. Urban neighborhood (UN);
 - 4. Urban highway (UH);
 - 5. Urban waterfront (UW);
 - 6. Creek North (CN);
 - 7. Creek South (CS);
 - 8. Creek Industrial (CI)
- M. East Stuart Neighborhood-district:
 - 1. Business and mixed use (BMU);
 - 2. General residential and office (GRO);
 - 3. Single-family and duplex (SFD);
- N. S.E. Ocean Boulevard overlay.

(Ord. No. 2401-2019, § 1, 4-8-19)

Sec. 2.01.03. Table 1.

ZONING DISTRICT/FUTURE LAND USE CATEGORY COMPATIBILITY

		Implementing Zoning Districts														
		R-1A	R-1	R-2	R-3	B-1	B-2	B-3	B-4	P	I	H	PUD	Urban District Overlay	East Stuart <u>Neighborhood</u>	S.E. Ocean Blvd
Future Land Use Categories	Low density residential	X	X	X									RPUD UPUD			X
	Multi-family residential				X								RPUD CPUD MXPUD UPUD			X
	Office/residential				X								RPUD CPUD MXPUD UPUD			X
	Commercial					X	X	X	X				CPUD IPUD MXPUD UPUD			X
	Industrial		X						X		X		CPUD IPUD MXPUD UPUD			
	Public					X	X	X	X	X	X	X	CPUD PSPUD MXPUD UPUD	X	X	X
	Institutional			X	X	X	X	X		X		X	RPUD MXPUD UPUD	X		X
	Recreation	X	X	X	X	X	X	X		X			PSPUD MXPUD UPUD	X		X
	Downtown re-development	X	X	X	X	X	X	X	X	X			RPUD CPUD PSPUD MXPUD UPUD	X		

Created: 2022-02-23 12:05:22 [EST]

(Supp. No. 11)

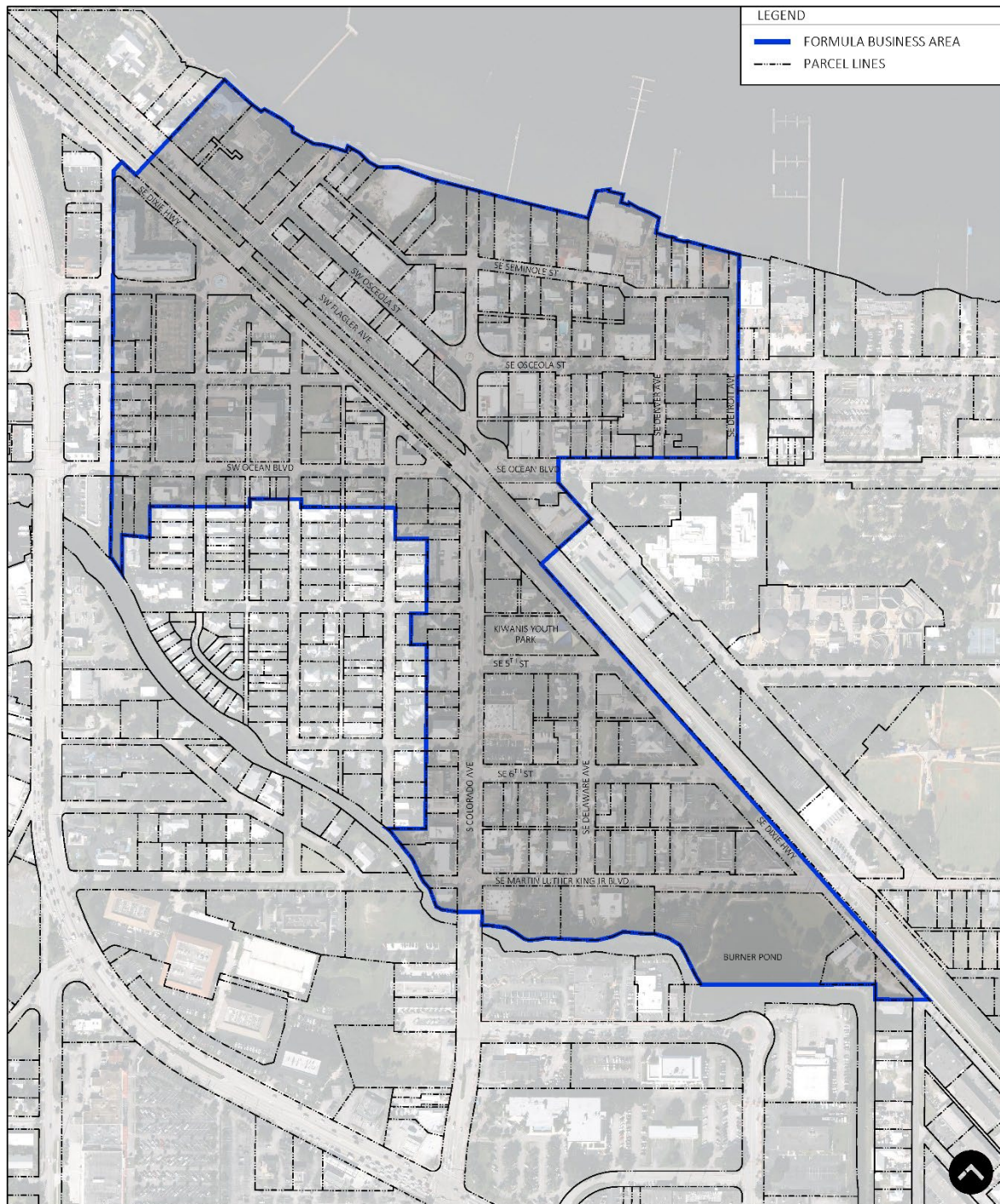
	Neighborhood Special District													RPUD CPUD MXPUD PSPUD	X		
	East Stuart <u>Neighborhood</u>	X	X	X	X	X	X	X	X	X				RPUD CPUD MXPUD PSPUD	X	X	
	Conservation	X	X	X	X	X	X	X	X	X	X	X		PSPUD	X		
	Marine											X		RPUD	X		
Industrial														CPUD PSPUD IPUD MXPUD UPUD			

(Ord. No. 2401-2019, § 1, 4-8-19)

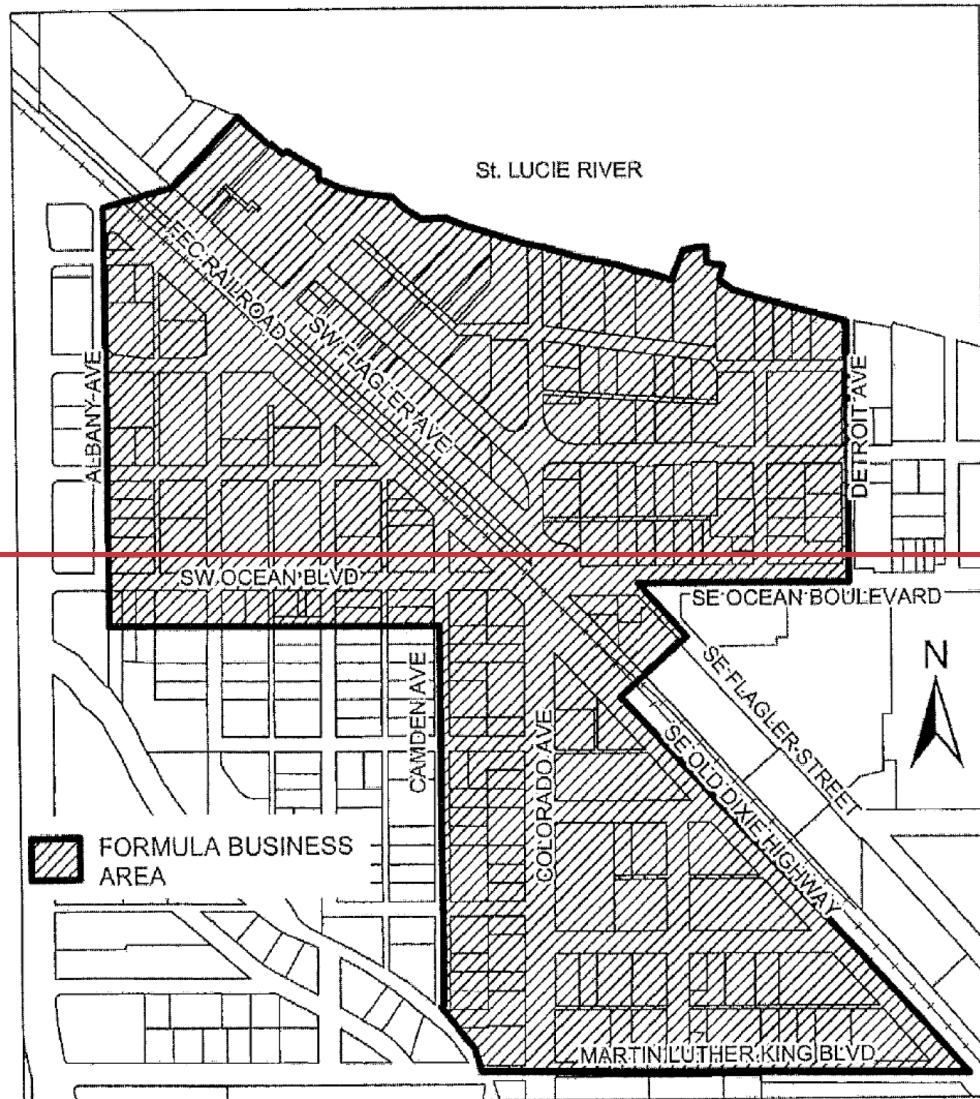
Sec. 2.06.12. Formula businesses.

- A. *Procedure.* Review of an application to locate a formula business within the formula business area described below shall follow the procedures set forth in section 3.01.06 for a major Urban Code conditional use.
- B. *Formula business area.* A formula business may be located in the area within the following boundaries only by major Urban Code conditional use. Commence at the northernmost point of Lot 10 Danforths Addition, thence along the St. Lucie River to Detroit Avenue, thence south along Detroit Avenue to East Ocean Boulevard, thence west along East Ocean Boulevard to the intersection with S.E. Flagler Street, thence south along S.E. Flagler Street to the easternmost point of Lot C of Lainhart and Potter addition and southwest across the F.E.C. Railroad right-of-way to S.E. Old Dixie Highway, thence southeast along S.E. Old Dixie Highway to Martin Luther King Jr. Boulevard, thence west along Martin Luther King Jr. Boulevard to the southerly extension of Camden Avenue, thence north along Camden Avenue to a point directly west of the northernmost point of lot 14, Block 15 Frazier Addition, thence west to the southerly extension of S.W. Albany Avenue, thence north along S.W. Albany Avenue to the F.E.C. Railroad right-of-way, thence across the F.E.C. Railroad right-of-way to the westernmost point of Lot 10 Danforths Addition, thence northeasterly along the west boundary of Lot 10 Danforths Addition to the point of beginning. The following graphic depicts this area.

EXHIBIT A: FORMULA BUSINESS AREA



FORMULA BUSINESS AREA

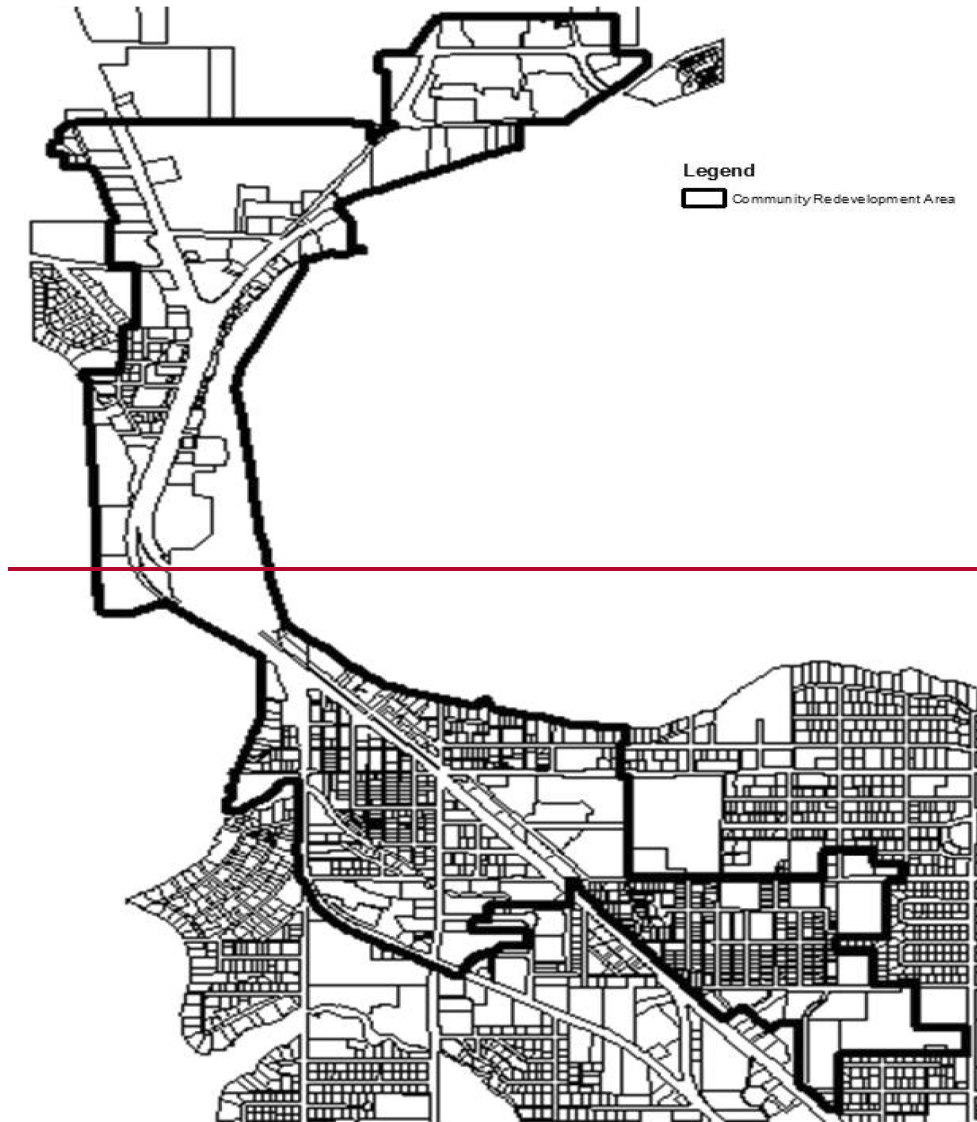


- C. *Standards.* The following specific standards shall apply to formula businesses in the Urban Center, Urban Neighborhood, Urban General, ~~and the Urban Waterfront~~ sub-districts of the Urban District, and Creek North Zoning.
- (1) The proposed formula business will not alter the identity of the urban district in a way which detracts from its uniqueness or contributes to a nationwide trend of standardized downtown offerings.
 - (2) The proposed formula business will contribute to a diverse and appropriate blend of businesses in the urban district.
 - (3) The proposed formula business will complement those businesses already in the urban district and help promote and foster the local economic base as a whole.
 - (4) The proposed formula business will be compatible with existing surrounding uses.
 - (5) The proposed formula business has been designed and will be operated in a nonobtrusive manner to preserve the community's character and ambiance and the proposed intensity of uses on the site is appropriate given the uses permitted on the site and on adjoining sites.

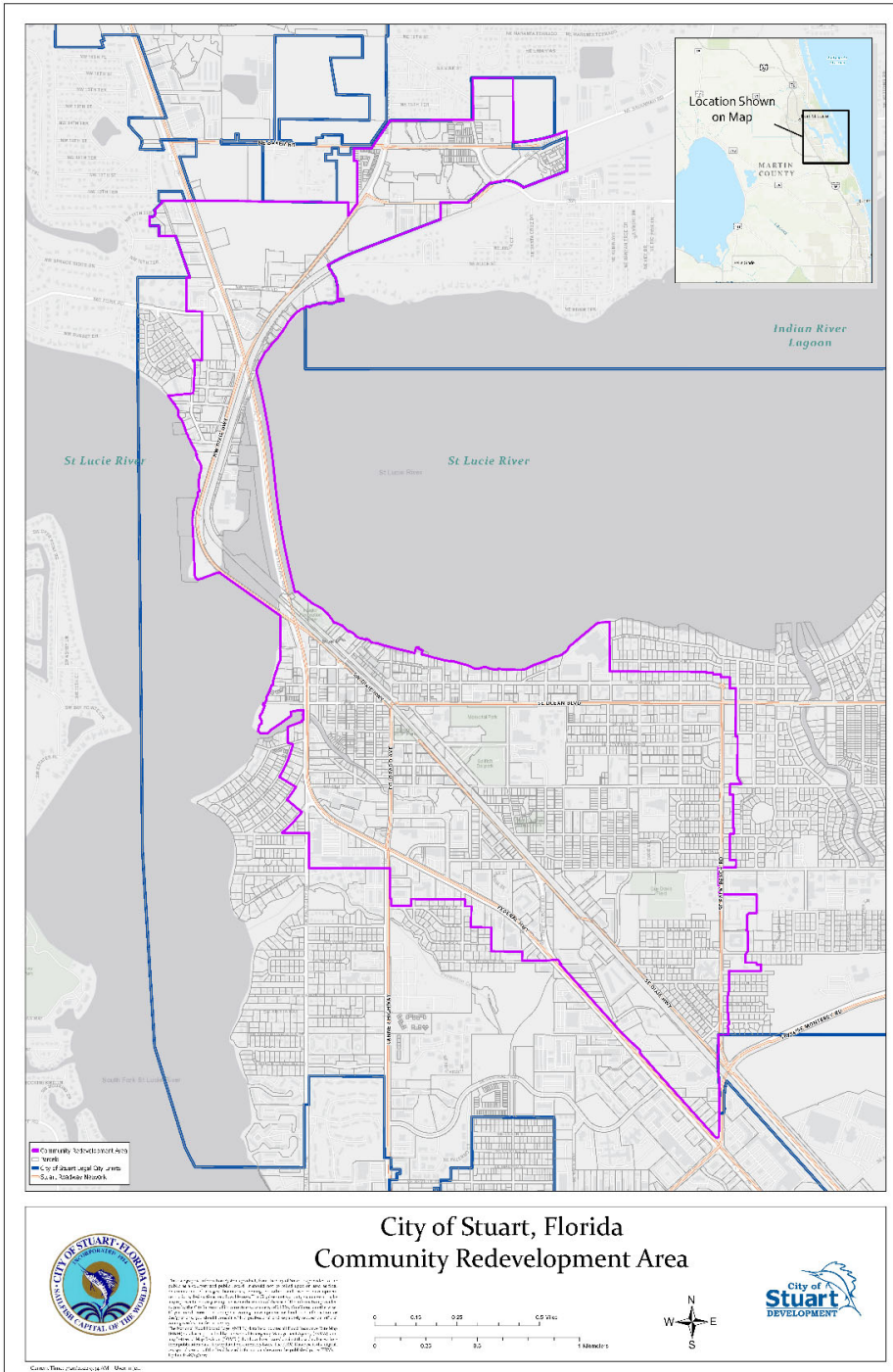
-
- (6) The proposed formula business meets all of the following fixed criteria:
- a. The size of the business shall not exceed 1,500 square feet of gross floor area.
 - b. The first floor street frontage of the business shall not exceed 35 feet in width.
 - c. Corporate advertising shall not be used which is visible from the exterior of the premises.
 - d. Exterior facade colors shall comply with the requirements of the Urban Code.
 - e. Corporate structural elements and signage will be designed to be in harmony with architectural features and elements of the building as approved by the city development director.
 - f. Signage colors shall be muted to minimize visual intrusion as approved by the city development director.
 - g. No drive thru windows shall be used.
- D. *Distance requirements.* A formula business shall not locate within 300 feet of an existing formula business establishment.
- E. *Existing formula business.* A business may be a formula business that exists on the 14th day of February, 2005, the effective date of this ordinance. Any such business, and any business that becomes a formula business by virtue of the creation of six or more other such businesses, shall be deemed a legal nonconforming use of a building subject to the provisions of section 8.03.00 of this Code.

3.00.00. PURPOSE

The purpose of this section is to describe specific designated areas with special development regulations. The locations of these areas are established by the City of Stuart based on the need for special protective measures, additional design standards, and redevelopment incentives. At present, the Urban Code District and East Stuart ~~Neighborhood District~~ are located within the City of Stuart Community Redevelopment Area. The boundaries of the Community Redevelopment Area are illustrated in the map below.



Chapter III - SPECIAL ZONING CODES
3.00.00. PURPOSE



Sec. 3.00.01. - Administration. The provisions of this Code shall be administered and enforced by the Development Director whose duties shall include receiving and reviewing building permits and other land development permit applications, assisting applicants in procedures required hereunder, making decisions regarding the application of this Code to particular properties, inspecting premises, and issuing permits and certificates of occupancy.

Chapter III - SPECIAL ZONING CODES

3.00.00. PURPOSE

Sec. 3.00.02. - 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, and regulating plan(s). All such amendments shall follow the procedures in Chapter XI.

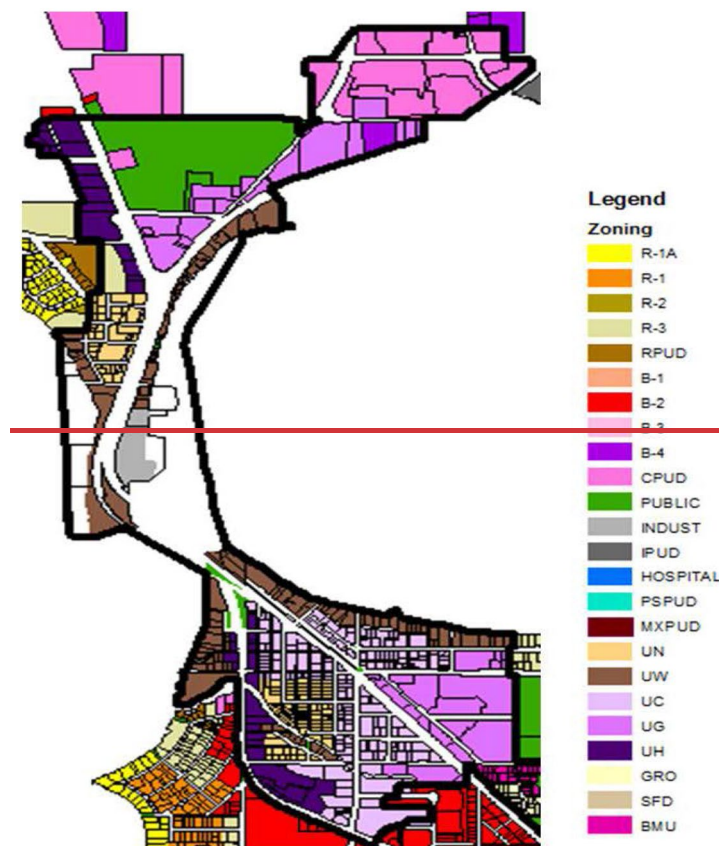
Sec. 3.00.03. - Violations and remedies. It shall be unlawful and a violation of this Code for any person to construct, renovate or remodel a building within the Special Zoning Codes except in compliance with the provisions of this Code. A violation of this Code shall be deemed a zoning violation.

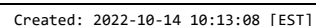
(Ord. 1872-02, § 1, 10-10-02; Ord. No. 1978-04, § 1, 6-28-04; Ord. No. 2062-05, § 1, 1-9-06)

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. 3.01.03. 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).

Urban highway ("UH"), occurs along both sides of SE Federal Highway as it traverses the Urban Code District. This area allows large front setbacks and highway-oriented commercial or high density residential uses with generous parking lots. In the North Point, UH is generally located along the western side of SE Federal Highway and along the western side of the proposed Green River Parkway. In the South Point, UH is generally located along both sides of SE Federal Highway.

Urban waterfront ("UW"), refers to special waterfront-oriented uses, including marinas, restaurants, entertainment, hotels, and higher-density residential. Existing "marine industrial" uses are conditionally permitted. In both the North and South Points, UW is generally located along all waterfront properties throughout the CRA with the exception of those waterfront properties on the north side of Frazier Creek and on the east side of the "North Point" peninsula south of Fern Street.

(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).*

Created: 2022-02-23 12:05:24 [EST]

(Supp. No. 11)

-
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)

D. *Urban highway ("UH").*

1. *Principal building placement.*

- a. The front building facade shall be constructed parallel to the street along the front property line with a minimum setback of 15 feet and a maximum setback of 20 feet for properties fronting on U.S. 1. If a property does not front on U.S. 1, then the minimum setback shall be zero feet and the maximum setback shall be not more than ten feet.
- b. The side setbacks may be zero feet on each side.
- c. The rear setback is not less than 15 feet.
- d. For lots fronting SE Federal Highway, the front street façade width of the principal building shall not be less than 40 percent of the lot width. For other lots, the width of the principal building shall be not less than 70 percent of the lot width.

2. *Principal building height.*

- a. The maximum building height is three stories and 35 feet. For lots fronting on SE Federal Highway a fourth story is permitted if all off-street parking is located at the rear of building. The maximum building height for a four story building is 45 feet. The minimum building height is two stories or 26 feet.

3. *Parking.*

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

this Code. The parking shall be setback from the front public right-of-way a minimum distance equal to 40 percent of the lot depth.

4. *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 the principal building.

5. *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 100 feet of frontage.

(Ord. No. 1978-04, § 1, 6-28-04)

E. *Urban waterfront ("UW").*

1. *Principal building placement.*

- a. The front building facade shall be constructed parallel to the street along the front property line with a minimum setback of not less than ten feet except for waterfront properties on SW Channel Avenue, Seminole Street, and SW Atlanta Avenue which shall be not less than five feet.
- b. The side setbacks shall not be less than ten feet on each side except for waterfront properties on SW Channel Avenue, Seminole Street, and SW Atlanta Avenue which shall not be less than five feet.
- c. The rear setback for all structures shall not be less than ten feet from the mean high water line or the water-side of a seawall or bulkhead.
- d. A vista shall be a designated area along the side of a property that provides an unobstructed view from any public right-of-way to the St. Lucie River or its tributaries, and shall be the same width as the required side setback. Only ten-foot clear trunk plant material and decorative fencing shall be located within the vista. Any equipment such as air conditioning units within a vista shall be not more than three feet in height, unless required by any applicable flood zone regulations.
- e. The maximum cumulative front building facade width is 160 feet measured parallel to the nearest body of water.
- f. If a building facade is 100 feet or more in width, measured parallel to the nearest body of water, an additional vista shall be provided within the building's facade which is not less than 12 feet in width, not less than 12 feet in height, and which allows a visual corridor from the public right-of-way to the St. Lucie River or its tributaries.
- g. Any fencing included within a vista shall have a minimum width of three inches and a maximum width of five inches for all vertical members and shall have a minimum spacing of three inches between the vertical members. Said fences shall be a minimum height of three feet and a maximum height of four feet.
- h. In order to create additional vistas, a minimum separation of 15 feet shall be provided between multiple buildings on the same lot.

2. *Principal building height.*

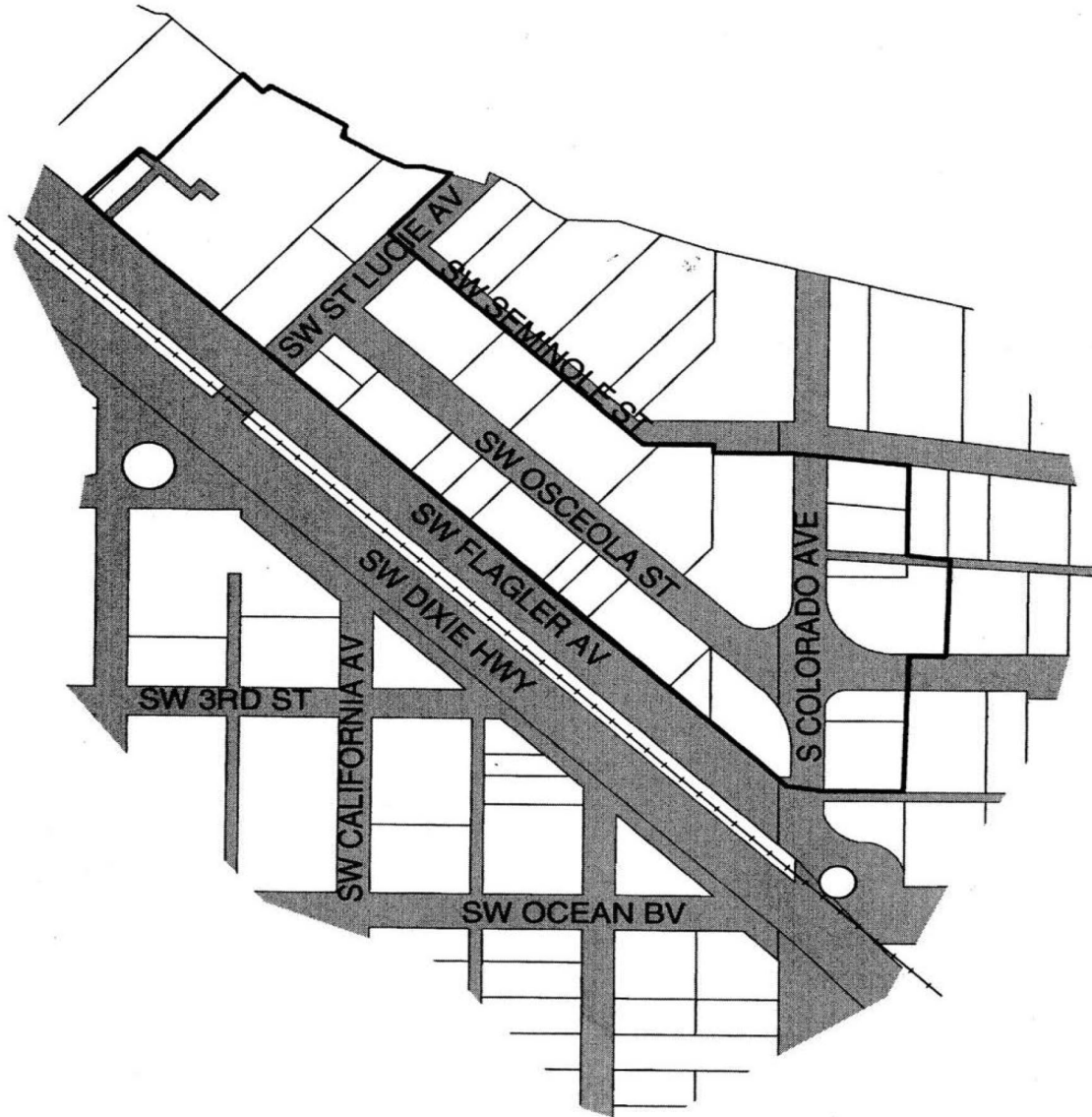
-
- a. The maximum building height is three stories and 35 feet. If 50 percent or more of the building is residential or hotel, a fourth story shall be permitted. The maximum building height for a four story building is 45 feet.
 - b. Four story buildings in the Old Downtown District (as described in Section 3.01.03.F.1.a.i.a.) 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. Parking shall not be located within ten feet of the front and side property lines and shall not be located between the rear building facade and the water.
 - b. Parking shall be screened in the front and the sides 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.
4. *Architectural requirements.*
- a. Reserved.
 - b. Balconies and balcony rails are required on the waterfront side of a building for a minimum of 50 percent of the fenestration.
 - c. Reserved.
 - d. Porches may project five feet into the front setback.
5. *Outbuildings.*
- a. One outbuilding is permitted behind the rear facade of a principal building or in the rear one-half of the lot and one outbuilding is permitted in the front of the lot. Outbuildings shall be set back not less than five feet from the side and front property lines, not less than ten feet from the rear property lines, not be less than five feet separation between an outbuilding and the principal building and shall not be located within a vista.
 - b. Outbuildings may have marina or waterfront accessory uses.
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 65 feet of frontage.

(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) Reserved.
- ~~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
<i>Residential Land Uses</i>	
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
<i>Transient Residential Land Uses and Overnight Accommodations</i>	
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
<i>Institutional Uses</i>	
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
<i>Commercial Uses</i>	
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
<i>Recreational Uses</i>	
Public parks	Dependent upon type of recreational activities provided
<i>Utility and Service Uses</i>	
Public facilities and services	Dependent upon type of facility and service
Public utility stations	Dependent upon type of utility and any required buildings and employees
<i>Industrial Uses</i>	

Created: 2022-02-23 12:05:24 [EST]

(Supp. No. 11)

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
<i>Telecommunication Uses</i>	
Stealth telecommunications facilities which do not exceed 45 feet in height or which are constructed as part of an existing architectural feature or tower structure provided its total height does not exceed 120 percent of the height of the architectural feature or structure	1 space per tower
<i>Storage, Transportation and Logistics Uses</i>	
Government provided public parking lots or garages	N/A
<i>Agricultural Uses</i>	
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
<i>Miscellaneous</i>	
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
<i>Commercial Uses</i>	
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

Created: 2022-02-23 12:05:24 [EST]

	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
<i>Industrial Uses</i>	
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
<i>Telecommunication Uses</i>	
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
<i>Storage, Transportation and Logistics Uses</i>	
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)

THE CREEK DISTRICT CODE

THE CREEK DISTRICT - SEC. 03.04.00

Sec. 3.04.00. The Creek District Code

Sec. 3.04.01. Procedure & Process

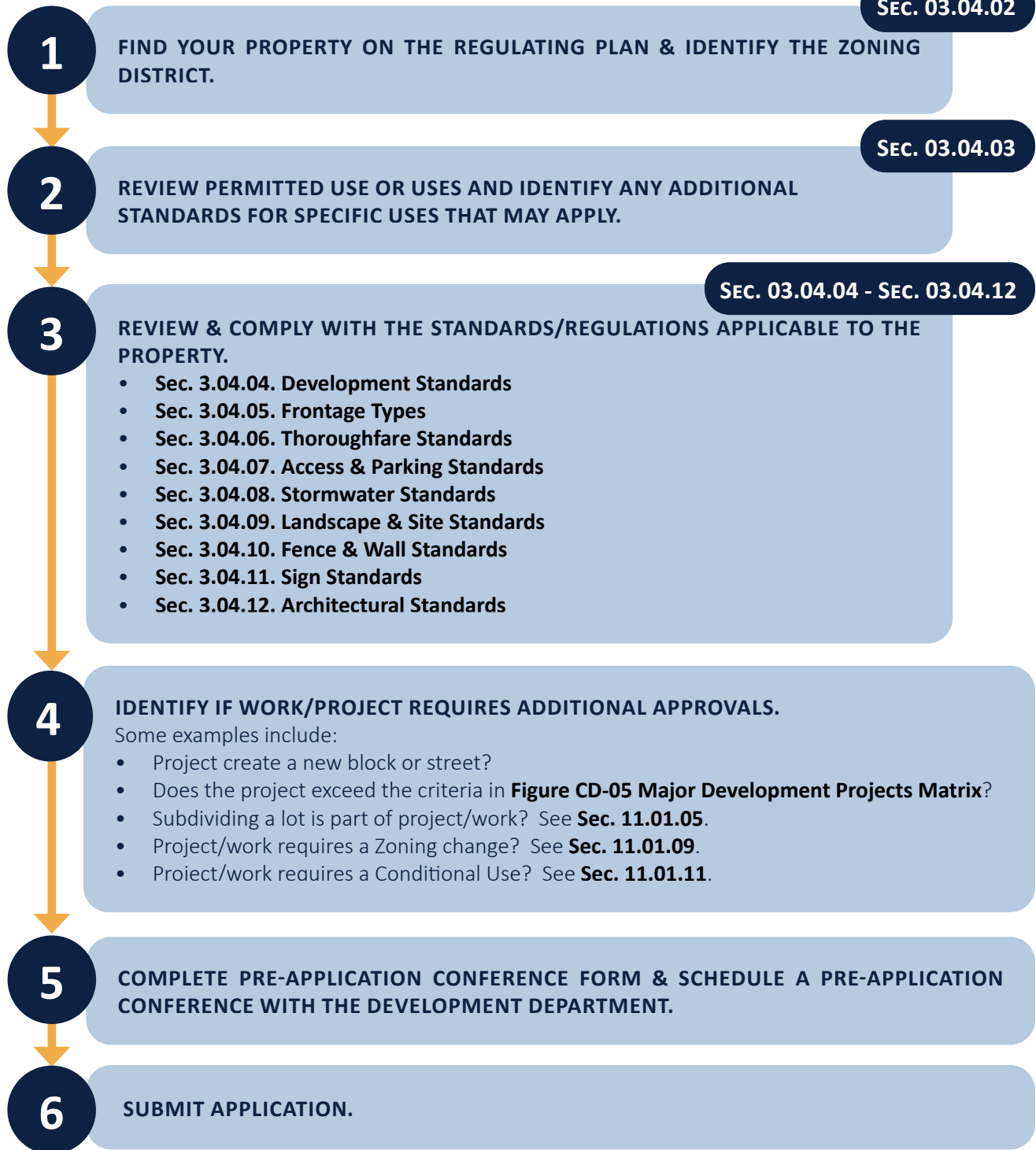
- A.** Intent. The purpose of The Creek District Code is to encourage infill redevelopment, historic preservation, and promote the rich arts and entertainment community with appropriate standards. These regulations reflect traditional building with arcades, balconies, porches, and the enabling of social interaction on downtown streets. This Creek District Code defines coherent streetscapes, the visual protection of the streetscape, and the historically relevant architectural heritage of downtown Stuart.
- B.** Boundary. The boundaries of the neighborhood are set forth in **Sec. 03.04.02. Regulating Plan.**
- C.** Applicability. The provisions of this code shall only apply to development within The Creek District and only properties within The Creek District may utilize the Creek North (CN), Creek South (CS), and Creek Industrial (CI) designations. The standards and regulations set forth in **Sec. 3.04.00** shall apply to *new development*, amendments to *planned unit developments*, *substantial improvement*, and *substantial renovation*. Incremental compliance with this code shall be required with a proposed change which includes increased impervious area, new signage, or which would constitute a change of use. Incremental compliance shall include landscape and site standards, sign standards, and minimum sidewalk widths.
- D.** Consistency with Comprehensive Plan. Zoning categories in The Creek District shall be interpreted as Urban Subdistricts. Applicable Future Land Use designations are listed in **Figure CD-01 Future Land Use & Zoning Consistency.**

FIGURE CD-01 FUTURE LAND USE & ZONING CONSISTENCY

		FUTURE LAND USES IN THE CREEK DISTRICT	
		Downtown FLU	Recreation FLU
Urban Subdistricts	ZONING CATEGORIES	CN Creek North	-
		CS Creek South	-
		CI Creek Industrial	-
		MXPU Mixed-Use Planned Unit Development	
		UPUD Urban Planned Unit Development	
			Recreation
			PSPUD Public Service Planned Unit Development

- E.** Effective date. This Code shall be effective at adoption and as amended from time to time.
- F.** Form-based code. The Creek District Code is a form-based code that fosters 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.
- G.** How to Use this Code. See **Figure CD-02 How to Use this Code.**

FIGURE CD-02 HOW TO USE THIS CODE



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](#).

PROCEDURE & PROCESS

THE CREEK DISTRICT - SEC. 03.04.01

- H.** 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, or demolition* on private or public land, applicants are required to schedule a pre-application conference with the Development Department. Pre-application conference is not required for interior renovations Development Director.
 - 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, floor plans, and elevations.
 - b.** At a pre-application conference, the applicant and Development Department will discuss relevant procedures from **Chapter XI** and required board presentation(s) as outlined in **Figure CD-03 Required Board Presentations.**
 - c.** The 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 notify City staff in advance of the meeting shall submit minutes and sign-in sheets from the community workshop as part of the application.

FIGURE CD-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							
Minor Conditional Use Sec. 11.01.11							
Major 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**. Completed applications shall include **Figure CD-04 Application Requirements**.

FIGURE CD-04 APPLICATION REQUIREMENTS

APPLICATION REQUIREMENTS
A general vicinity or location map & legal description
Proposed <u>permitted uses</u> , development activities & design
<u>Conceptual</u> building plans
Front, rear, & side architectural elevations <u>with required Frontage Types identified</u>
<u>Finished</u> floor elevation, <u>base flood elevation</u> and crown of road
Documentation related to streets, parking, loading <u>and connections to existing sidewalks</u>
Landscaping <u>including existing tree protection and planned shade trees</u>
<u>Identify any existing historic buildings as defined by Sec. 5.09.00. - Historic preservation.</u>
Signage
<u>Conceptual stormwater management plan</u>
Any other documentation as required by the Development Director in order to demonstrate compliance with this Code

- I. *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 as defined in **Figure CD-05 Major Development Projects Matrix**. In addition to the requirements of **Sec. 11.01.02**, a presentation to the CRB shall be required.

FIGURE CD-05 MAJOR DEVELOPMENT PROJECTS MATRIX

MAJOR DEVELOPMENT IN THE CREEK DISTRICT
A residential project which exceeds 35 total dwelling units.
A non-residential development over <u>35,000</u> square feet in <u>floor</u> area.
A mixed-use development over <u>35,000</u> square feet in <u>floor</u> 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.

- J. *Conditional use.* The review of a *conditional use* shall follow the procedures set forth in **Sec. 11.01.10** for a *major conditional use* and *minor conditional use* review. A conditional use shall be granted if the applicant can demonstrate that the request:
- Is consistent this Code and the City's comprehensive plan;
 - Will further the implementation of the CRA redevelopment plan;
 - Will measurably improve the form and function of traditional neighborhood characteristics; and
 - Satisfied site qualitative design development standards set forth in **Sec. 6.00.04**.
- A *major conditional use* or *minor conditional use* shall be distinguished by the following:
1. *Minor conditional use.* A minor conditional use process shall be required for: public art and public murals. A minor conditional use shall be granted by the Community Redevelopment Board (CRB).
 2. *Major conditional use.* A major conditional use process shall be required where a conditional use is requested for: permitted uses, density, structured parking, and location of a formula business.
 - a. Review. Unless a longer timetable is granted by City Commission, a building permit shall be obtained no later than 12 months from the approval date of a major conditional use. A certificate of occupancy shall be obtained no later than 30 months from the issuance of a building permit.

PROCEDURE & PROCESS

THE CREEK DISTRICT - SEC. 03.04.01

- b. Design objectives. The City Commission may impose development conditions and operational requirements in order to satisfy the design objectives. Design objectives may include:
 - i. Additional building setbacks
 - ii. Pedestrian amenities. Pedestrian amenities in the form of benches, courtyards, shared use-paths, pedestrian lighting, or other acceptable forms of amenities located adjacent to a public sidewalk and/or right-of-way.
 - iii. Green Development. On-site renewable energy generation, indoor and outdoor water use reduction or Green Development as outlined in **Sec. 6.06.00**.
 - iv. Enhanced landscaping. Planting over and above code requirements with respect to size, quantity, and quality.
 - v. Improvements to the surrounding neighborhood. The applicant proposes to make improvements such as; burying utility lines, replacing existing sidewalks with integral color concrete or pavers in the surrounding neighborhood.
 - vi. *Neighborhood open space.* *Neighborhood open space* as provided by as described in **Sec. 03.04.04.F.2**.
 - vii. Historic preservation. Preservation, relocation or A monetary contribution is made to the relocation of historic buildings fund for historic structure as defined within **Sec. 5.09.00.A**.

- K. Planned Unit Development project. Applications or amendments to planned unit development projects shall outline any deviations from the Creek District Code. A planned unit development projects shall only be granted if the applicant can demonstrate the same standards set forth for in conditional uses.

Sec. 3.04.02. 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 (CN) 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 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 area.
 2. Creek South (CS) lies south of Frazier Creek and extends the pedestrian-oriented 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 (CI) lies where the Hillcrest plat from 1913 was located. The area was historically platted as a segregated area for Black residents. Today the Creek Industrial is home to small scale industrial and maker spaces. The Creek Industrial allows for a broad range of uses including live-work units, restaurants, retail, and trade industries.
- B. Regulating plan. **Figure CD-06 Regulating Plan** and **Figure CD-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" Streets.
 2. Required Commercial Frontage. A portion of the street network held to stricter standards regarding allowable frontage types and uses located at the sidewalk level. Areas where Required Commercial Frontage applies are indicated on the Regulating Plan. Required Commercial Frontage shall be at the ground level, non-residential, and open to the public for business. 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 met with neighborhood open space as defined in **Figure CD-12 Neighborhood Open Space Types** .
 3. Recommended Connections. Potential future street or alley connections are illustrated on the Thoroughfare Regulating Plan. 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.
 4. Improved Alley Candidates. An improved alley candidate is a existing alley right-of-way which has not yet been improved to the standards in **Figure CD-26 Alley** . New development adjacent to alley candidates shall dedicate for improvement of alley. The dedication of land for an improved alley allows development to use rear setback with alley setback and may still be included for the purpose of calculating density.

REGULATING PLAN

THE CREEK DISTRICT - SEC. 03.04.02

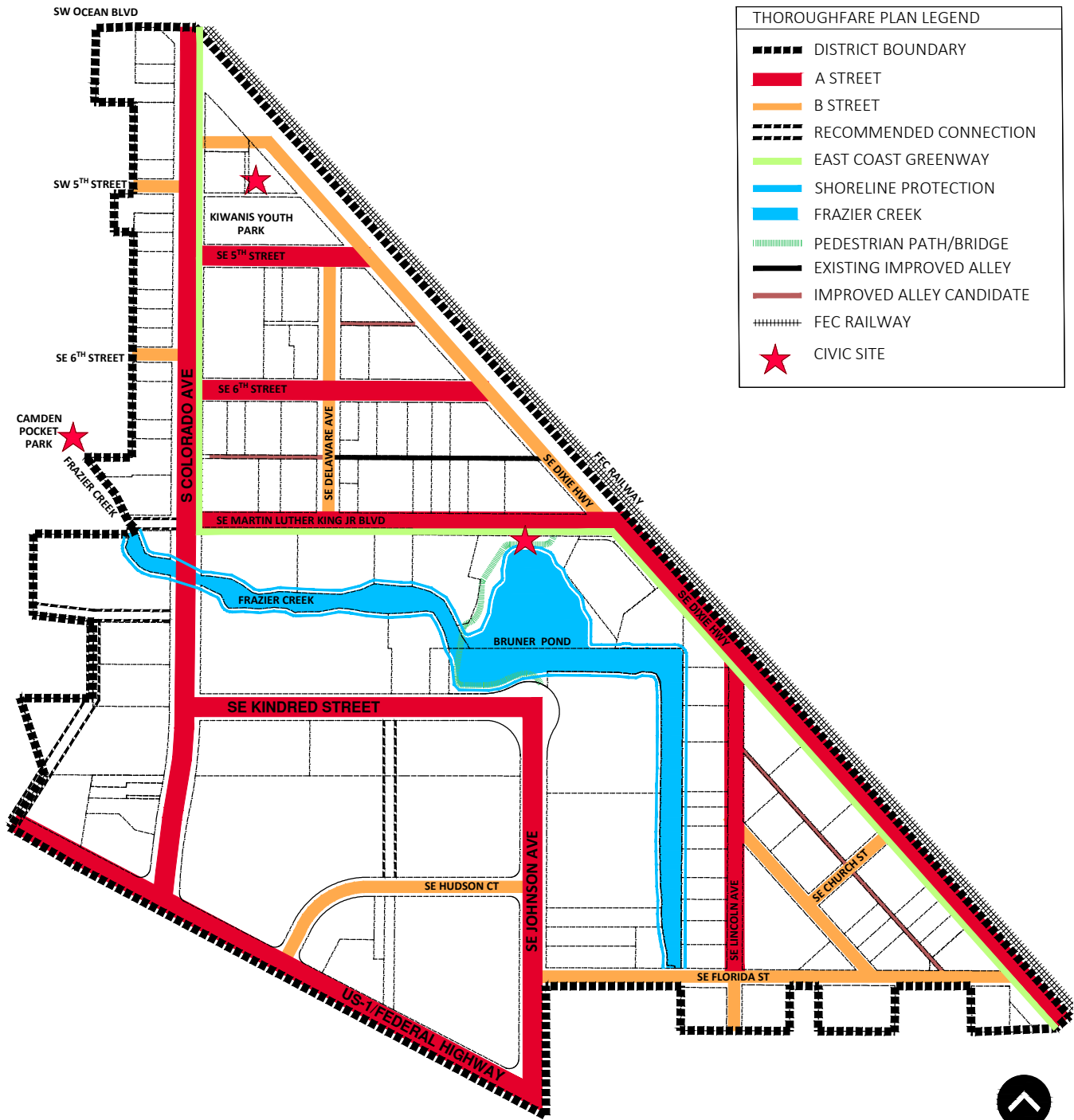
FIGURE CD-06 REGULATING PLAN



REGULATING PLAN

THE CREEK DISTRICT - SEC. 03.04.02

FIGURE CD-07 THOROUGHFARE PLAN



PERMITTED USES

THE CREEK DISTRICT - SEC. 03.04.03

Sec. 3.04.03. Permitted Uses.

A. Figure CD-08 identifies permitted uses in The Creek District.

1. Consideration of uses not specifically listed. If a use is not listed within a zoning district, then the use is not allowed. A proposed use that is not listed within a zoning district, but which is determined by the Development Director to have a similar character, nature, and impact to a permitted use in that district may be approved through a determination of comparability by the Development Director. Conditions may be placed on the decision. A determination by the Development Director that a proposed use is not similar to a permitted use may be appealed according to procedures in **Chapter VIII**.
2. *Conditional Use*. Uses which require a *conditional use* (CU) approval are marked with "CU."
3. Non-conforming uses. Non-conforming uses created by virtue of the adoption of this Code shall be deemed legal non-conforming uses subject to the provisions of **Sec. 8.03.00**.

FIGURE CD-08 PERMITTED USES IN THE CREEK DISTRICT

	Standards for Specific Use	Creek North	Creek South	Creek Ind.	Rec.
Residential Uses					
Single-family dwelling unit		✓	✓	-	-
Duplex dwellings units		✓	✓	-	-
Multi-family dwelling units		✓	✓	✓ CU	-
Accessory dwelling units	Sec. 03.04.04.G.04	✓	✓	✓	-
Mixed-use		✓	✓	✓	-
Family day care home in a residence		✓	✓	✓	-
Home occupation	Sec. 03.04.03.B.2	✓	✓	✓	-
Transient Residential & Overnight Accommodations					
Hotels or motels		✓	✓	✓	-
Rooming & boarding houses		✓	✓		-
Bed & breakfast inn		✓	✓		-
Institutional Uses					
Adult day care centers		✓	✓	✓	-
Child care centers	Sec. 02.06.04	✓	✓	✓	-
Community centers		✓	✓	-	✓
Governmental buildings		✓	✓	-	-
Libraries		✓	✓	✓	-
Museums		✓	✓	✓	-
Religious institutions		✓	✓	✓	-
Schools—public, private, parochial or technical		-	-	✓	-
Commercial Uses					
Automobile repair service, within an enclosed building	Sec. 02.06.05	-	-	✓	-
Automobile repair service, within an enclosed building along US-1/ Federal Highway or SE Florida Street	Sec. 02.06.05	-	✓ CU	✓	-
Art shops or galleries		✓	✓	✓	-

PERMITTED USES

THE CREEK DISTRICT - SEC. 03.04.03

	Standards for Specific Use	Creek North	Creek South	Creek Ind.	Rec.
Bakery, retail		✓	✓	✓	-
Banks or financial institutions		✓	✓	✓	-
Barbershop, beauty salons, specialty salons		✓	✓	✓	-
Bars		✓	✓	✓	-
Boat building, sales, service & storage, within an enclosed building		-	-	✓ CU	-
Catering shop		✓	✓	✓	-
Formula business	Sec. 2.06.12	✓ CU	✓	✓	
Clubs, lodges, and fraternal organizations		✓	✓	-	-
Dry cleaning establishment, provided that all cleaning is conducted off-premises		✓	✓	✓	-
Health clubs & health spas		✓	✓	✓	
Kennels		-	-	✓	
Massage therapy establishment		✓	✓	✓	-
Microbreweries & craft distilleries		✓	✓	✓	-
Office, business, professional, medical, or veterinary		✓	✓	✓	-
Outdoor storage	Sec. 6.10.00	-	-	✓	-
Pharmacies, 2,000-sf or less		✓	✓	-	-
Restaurants, convenience & general, <u>excluding drive-in/through</u>	Sec. 2.06.13	✓	✓	✓	-
Retail sales & service		✓	✓	✓	-
Retail manufacturing, provided such manufacturing is incidental to sales and occupies less than 75% of the total gross floor area		✓	✓	✓	-
Repair services		-	-	✓	
Rooftop dining	Sec. 2.06.19	✓ CU	✓ CU	✓ CU	-
Studios, art, dance, music, or exercise		✓	✓	✓	-
Theater, <u>excluding drive-in theaters</u>		✓	✓	✓	-
Recreational Uses					
Public parks		✓	✓	✓	✓
Utility & Service Uses					
Public facilities & services		✓	✓	✓	✓
Public utility		✓	✓	✓	✓
Telecommunication Uses					
Camouflage 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	✓	✓	✓	-

PERMITTED USES

THE CREEK DISTRICT - SEC. 03.04.03

	Standards for Specific Use	Creek North	Creek South	Creek Ind.	Rec.
Storage, Transportation & Logistics Uses					
Government provided public parking garages & lots		✓	✓	✓	-
Private parking garages & lots		±	✓ CU	✓ CU	-
Passenger train station		✓	✓	✓	

B. 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.** One non-illuminated sign may be permitted to identify the home occupation. 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 and shall not exceed one square foot.
- 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.

DEVELOPMENT STANDARDS

THE CREEK DISTRICT - SEC. 03.04.04

Sec. 3.04.04. Development Standards

- A. All *new development, substantial improvement, and substantial renovation* shall comply with the Development Standards in **Figure CD-09 Development Standards in The Creek District**. Development Standards which require a *conditional use* (CU) approval are marked with “CU.”

FIGURE CD-09 DEVELOPMENT STANDARDS IN THE CREEK DISTRICT

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

Parking Placement, see Sec. 03.04.07. Access & Parking Standards

Footnote:

¹ For existing parcels with assigned parcel ID numbers at the effective date of this Code. The areas of newly platted lots cannot result in a density greater than 17 du/a.

² Four stories and up to 45' in height shall may be achieved through an approved PUD and requires Community Workshop & Outreach as described in Sec.3.04.01.J.1.c.

- 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 Façade.* Main entries shall be prominent, well lit, 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. Main entries shall be articulated with pediments, pilasters, columns, porticoes, porches, overhangs, railings, or other architecturally compatible elements.
 - c. The primary façade shall face "A" Street or existing roadway.
 - d. The location of the primary façade is not changed by the projection of architectural elements such as cornices, bay windows, awnings, balconies, or stoops.
 - e. On corner lots, the primary façade shall extend to the corner, respective of all required setbacks and visibility triangles, or a neighborhood open space shall be provided.
 4. *Shoreline protection zone for Frazier Creek.* **Sec. 5.06.02 Shoreline protection zone delineations** applies in The Creek District except where modified herein. Any development shall protect wetlands, seagrass, oyster beds, shoreline mangroves, and ensure no shoreline erosion. The following types of development shall be permitted, when implemented with low impact development practices:
 - a. Living shorelines
 - b. Rain gardens
 - c. Riprap
 - d. Pervious walkways, docks, kayak launches 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 and are permitted by the State of Florida.
 - e. New bulkheads, seawalls, and parking shall not be permitted. Bulkheads may be permitted if established prior to the effective date of this Code. In the case of a natural hazard event, measures to preserve a structure may be use. A permanent structures shall be permit through South Florida Water Management District.
- C. Building Height.** Building height is measured in accordance with **Sec. 2.04.07. - Supplemental building height.** See **Figure CD-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.
 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 a new structure. 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 the building perimeter. Minor grading not to exceed 2% directing water away from building to established drainage is allowed. Sec. 6.03.01.G.2 and Sec. 6.03.02.B.4 apply for all habitable spaces. They do not apply for non-habitable spaces

DEVELOPMENT STANDARDS

THE CREEK DISTRICT - SEC. 03.04.04

such as garages and storage. See illustrated examples in **Figure ESN-11 Alternatives to Foundations on Fill**.

3. *Residential rooftop use occupancy.* Occupancy of a flat rooftop ancillary to residential occupancies shall be limited to uses which are ancillary to the 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 features.* 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 front façade built with a zero setback, cornices, parapets, and bay windows at upper stories may project a maximum of three feet.

FIGURE CD-10 ILLUSTRATION BUILDING HEIGHT

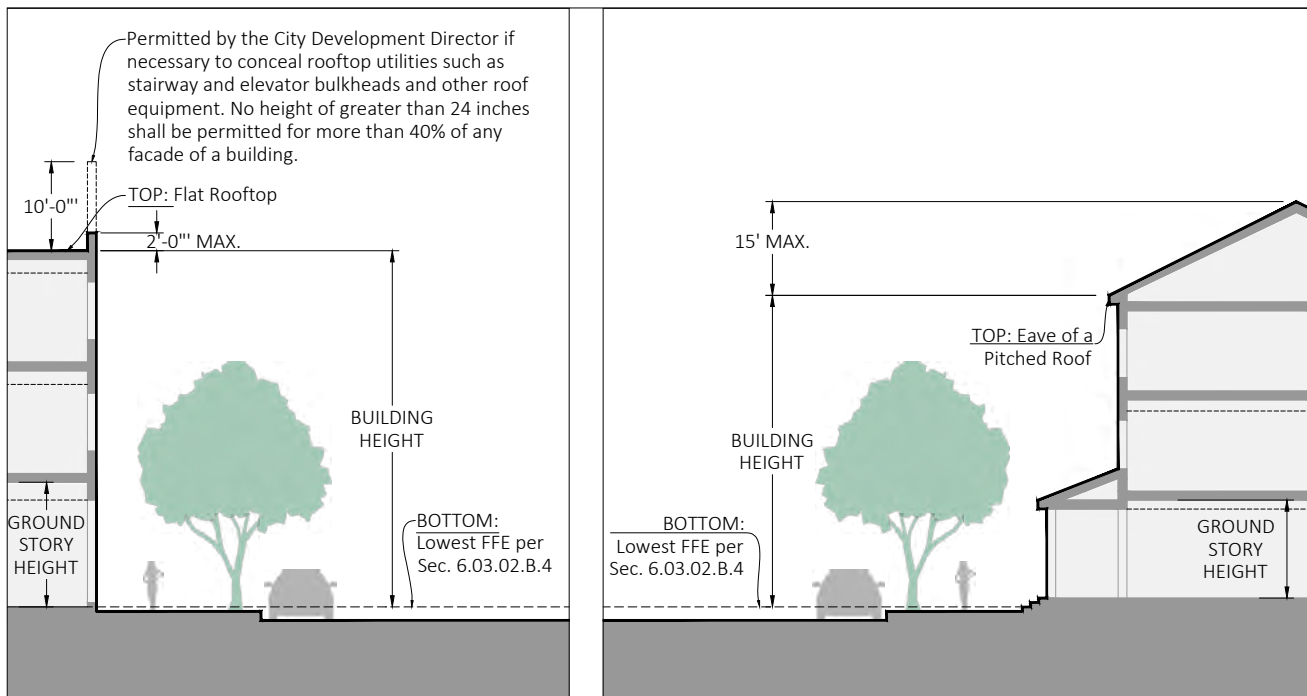


FIGURE CD-11 ALTERNATIVES TO FOUNDATIONS ON FILL

Stem wall, extended footers, thickened monolithic foundation, stem pier wall foundation, or other means of construction that does not include mounding or fill.



- D. *Building Massing.* Buildings shall not have a horizontal length or width of 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 than 10' in height, open to the public, and illuminated at night. Except in residential building vias, the building face shall have transparent windows covering at least 50% of the wall area, and incorporation of storefront standards is encouraged. No horizontal length or uninterrupted curve of a primary facade shall exceed 100 linear feet.

DEVELOPMENT STANDARDS

THE CREEK DISTRICT - SEC. 03.04.04

E. Coverage.

1. *Impervious surface.* See **Sec. 2.04.03. - Supplemental impervious surface coverage requirements.**
2. *Neighborhood Open Space.* Neighborhood open space is an outdoor space accessible by the general public, improves the pedestrian environment, and serves as an amenity for the City as a whole. Neighborhood open space shall provide low impact development strategies to promote improved stormwater treatment. Examples of Neighborhood open space which can be implemented are shown in **Figure CD-12 Neighborhood Open Space Types.**

FIGURE CD-12 NEIGHBORHOOD 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.	
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 CD-32 Waterway Promenade at Frazier Creek.	

	SIZE	DESCRIPTION	ILLUSTRATION
FORE-COURT	250 to 1,500 sf	Buildings shall utilize standards from Forecourt frontage type, see Figure CD-18 Forecourt .	

- F. Accessory Structures.** Accessory structures shall comply with the Development Standards applicable in the zoning district except where modified herein.
1. Accessory structures shall not be established on a lot prior to the issuance of all permits required for the development of the principal structure to which it is accessory.
 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, detached garage, 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 minimum five-foot side and rear yard setbacks from the property line. On corner lots, the side corner setback shall be ten feet. There shall not be less than five feet separation between an outbuilding and a principal building.
 - c. *Outbuildings* shall be constructed of the same materials used in the principal building. Canvas outbuildings are not permitted.
 - d. *Outbuildings* shall not exceed a maximum building footprint of 1,000 square feet, each.
 - e. *Outbuildings* may not exceed the height of the principal building.
 - f. *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 *privacy buffer* as defined in **Figure CD-41**.
 - g. *Outbuildings* may be detached or connected to the principal building by a covered walkway element, trellis, or other structural link.
 4. **Accessory Dwelling Units (ADU).**
 - a. One ADU may be permitted on a lot on which a detached single-family dwelling is located.
 - b. Either the primary dwelling unit or ADU shall be owner occupied. The ADU shall not be sold or title thereto transfered separate and apart form the rest of the property.
 - c. An ADU shall not count as a separate unit for purposes of calculating density.
 - d. An ADU shall not exceed a footprint of 700 square feet or the footprint of the principal structure, whichever is less. If a unit exceeds the 700 square feet, it shall be used in density calculations.

DEVELOPMENT STANDARDS

THE CREEK DISTRICT - SEC. 03.04.04

- G. 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. See **Sec. 3.04.05.**
- H. Historic preservation. Structures identified as historically and architecturally contributing shall be candidates for historic preservation as set forth in **Sec. 05.09.00.** The requirements of this Code may be adjusted by variance for the purposes of preserving a historic building.
- I. Public 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 right-of-way, public via, or public land, murals shall require approval by *minor conditional use*.
- J. 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.

FRONTAGE TYPES

THE CREEK DISTRICT - SEC. 03.04.05

Sec. 3.04.05. Frontage Types

- A.** *Frontage Types* are required by zoning district. Using one or more of the permitted *frontage types* indicated in **Figure CD-14 Permitted Frontage Types Matrix** is required. Standards for *frontage types* are found in **Figure CD-15** through **Figure CD-21**.
- Frontage types shall be located on the *primary facade*. Primary facades shall be located on an "A" Street when identified in the **Figure CD-07 Thoroughfare Plan**.
 - Frontage Type diagrams do not prescribe use or architectural style and are illustrative. Dimensions provided in tables control for regulatory requirements.
- B.** *Façade Transparency*.
- 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.
 - Building façades facing "A" Streets and *neighborhood open spaces* shall meet or exceed the a minimum percentage of transparent glazing. The required percentage is determined by the frontage type.
 - Above the ground level, building façades shall meet or exceed the minimum percentage of transparent glazing at each story as measured between finished floors. The required percentage is determined by the frontage type.

FIGURE CD-13 FRONTAGE TYPES MATRIX

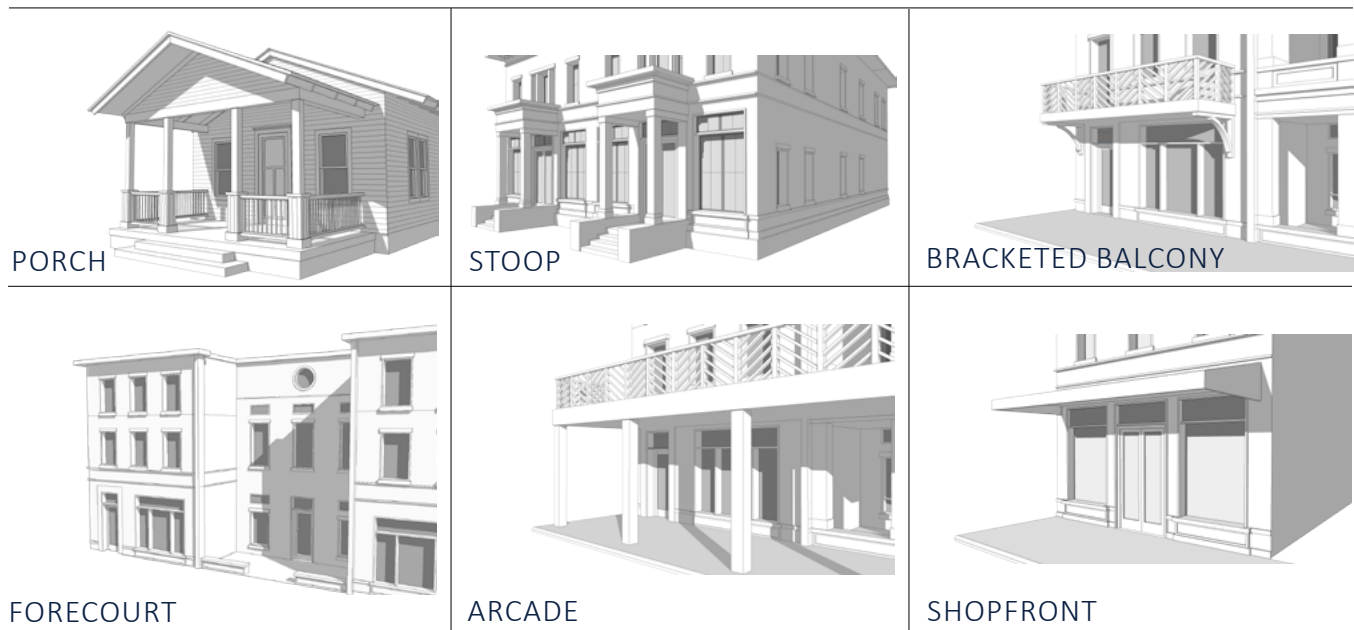
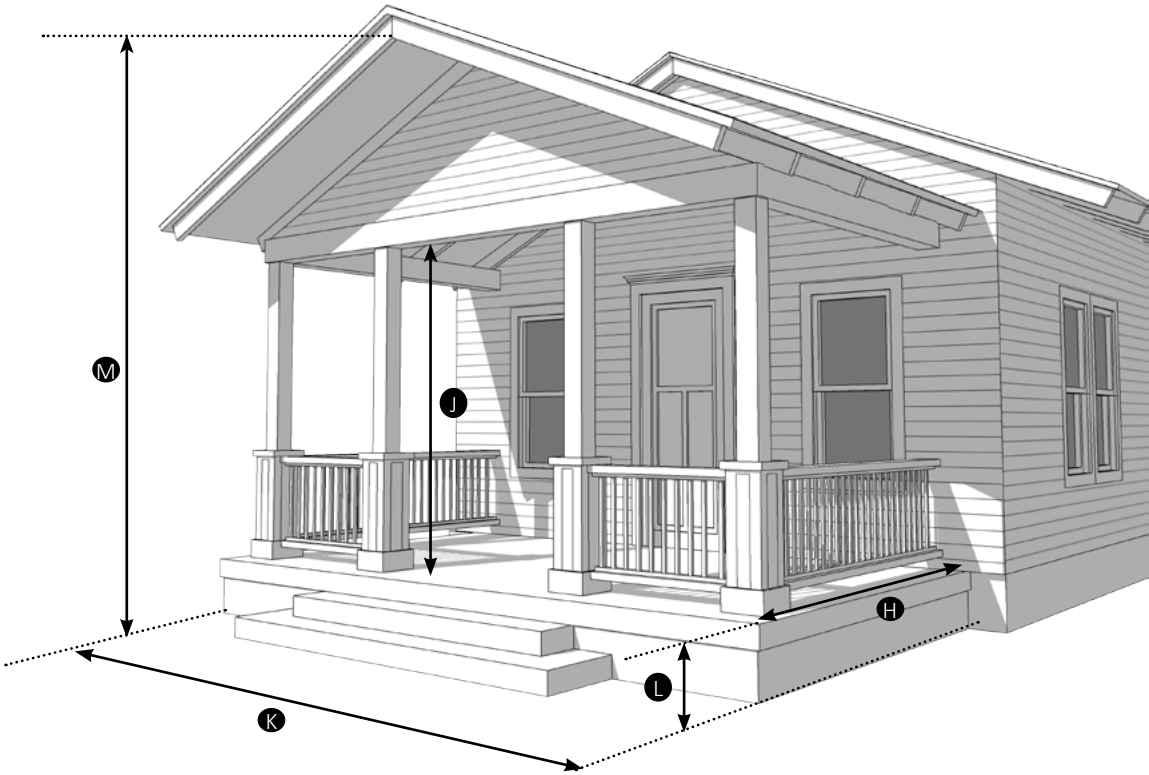


FIGURE CD-14 PERMITTED FRONTAGE TYPES MATRIX

Frontage Types	CN	CS	CI	Rec.
Porch	✓	✓	✓	✓
Stoop	✓	✓	✓	✓
Bracketed Balcony	✓	✓	✓	✓
Forecourt	✓	✓	✓	✓
Arcade	✓	✓	✗	✓
Shopfront	✓	✓	✓	✓
Garage Storefront	✗	✗	✓	✓

FIGURE CD-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. Porches shall have direct access to sidewalks where they exist. Front porches may be screened.		
Dimensions		
Depth	6 feet min., 8 feet recommended	H
Height, clear	8 feet min.	J
Width, length of facade	50% min.	K
Finish level above crown of road	18 inches min., ±30 inches recommended	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 CD-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. Stoops shall have direct access to sidewalks where they exist.

Dimensions

Depth	5 feet min.	H
Height, clear	8 feet min.	J
Width, clear	4 feet min.	K
Finish level above crown of road	18 inches min., ±30 inches recommended	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 CD-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

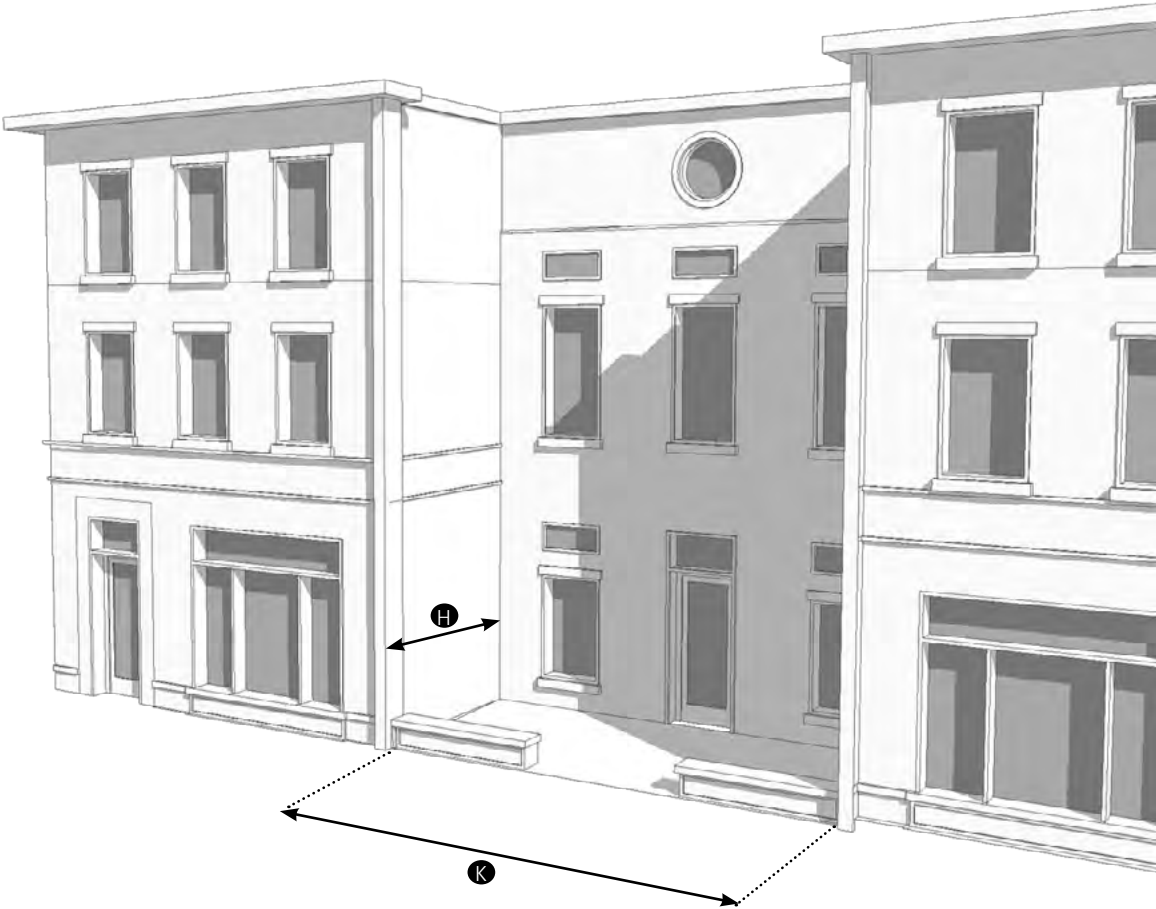
CN

CS

CI



FIGURE CD-18 FORECOURT

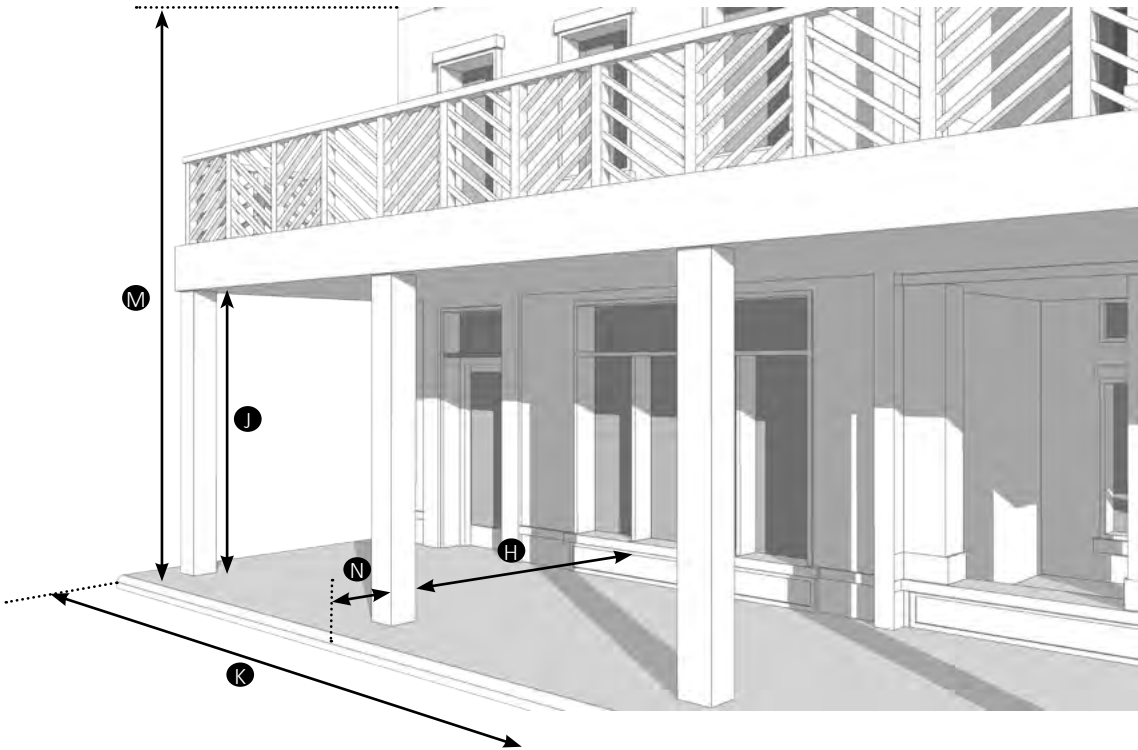


Description		
A forecourt is an open area in front of the main building entrance(s) designed as a small garden or plaza. Low walls or balustrades no higher than three feet six inches in height when solid may enclose the forecourt. Forecourt walls are constructed of similar material as the principal building 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

A photograph of a real-world example of a forecourt. It features a low, light-colored wall with a black metal fence on top. Behind the wall is an outdoor seating area with tables and chairs. The background shows a building with a yellow facade and palm trees.

FIGURE CD-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., Not permitted at US-1/Federal Hwy	N

Façade Transparency

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

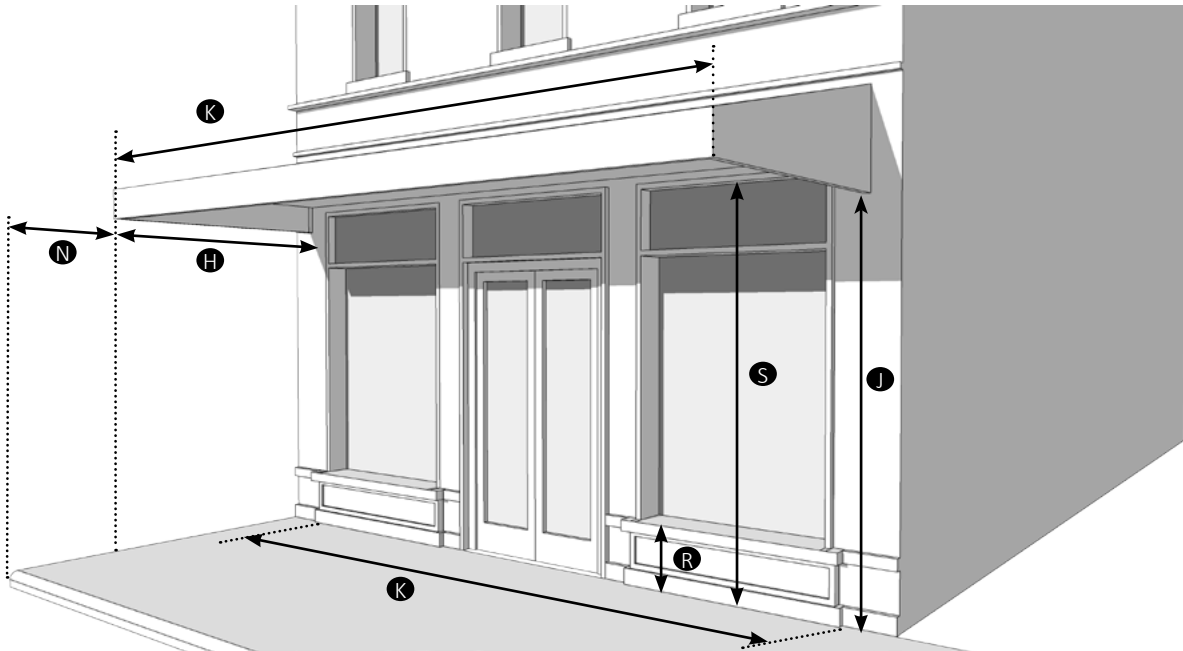
Permitted Zoning District

CN

CS



FIGURE CD-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. Quarterballs and waterfall type awnings are not permitted.

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

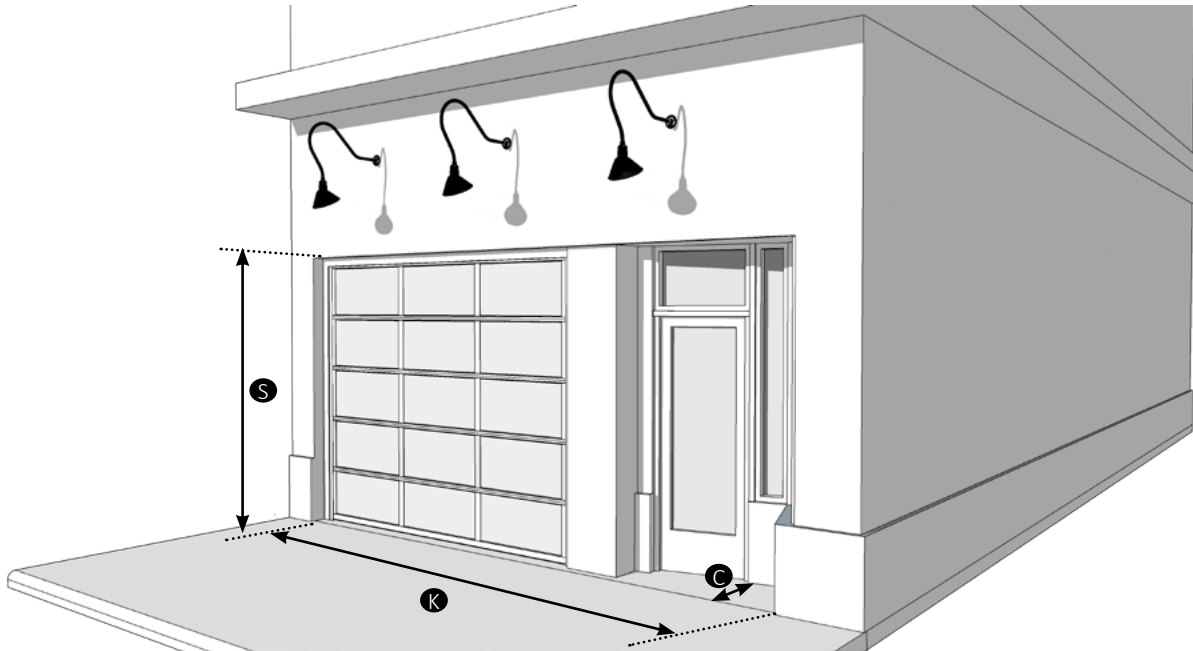
CN

CS

CI



FIGURE CD-21 GARAGE STOREFRONT



Description		
Garage Storefront provides a large opening necessary for light industrial, maker space or commercial uses. Garage doors may be overhead or bi-folding, but must include glazing to promotes 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



FRONTAGE TYPES

THE CREEK DISTRICT - SEC. 03.04.05

- C. Accessibility. An applicant may request reasonable accommodation from this Code though **Sec.08.07.07**. See **Figure CD-22** for examples of front and side ramp entries. Strategies for accommodating ramps accessibility may include:
1. Combined access for multiple buildings within site plan
 2. Utilizing 2% slope at alleys and rear access
 3. Combining ramps and stair entrances

FIGURE CD-22 ACCESSIBLE ROUTES



THOROUGHFARE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.06

Sec. 3.04.06. Thoroughfare Standards

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

FIGURE CD-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.	➔	Applicable for banks only
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 ESN-42
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 CD-07 Thoroughfare Plan** in **Sec. 3.04.02. Regulating Plan**.

- D. Description of Thoroughfare Types. **Figure CD-24 Description of Thoroughfare Types** describes street types that are appropriate for The Creek District.

THOROUGHFARE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.06

1. New Thoroughfare. When new streets and alleys are developed or an existing street or alley is extended, the street types in **Figure CD-24 Description of Thoroughfare Types** and illustrated in **Figure CD-26** through **Figure CD-33** shall be used. The selection of the particular street type shall be determined through consultation the Development Director.
2. Existing Thoroughfare. All new development, substantial improvement, and substantial renovation and major development projects shall incorporate into the 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 CD-24 DESCRIPTION OF THOROUGHFARE TYPES

Type	Description	Preferred ROW	Design Speed
Alley	A roadway which provides a secondary means of access to abutting properties, and not intended for general traffic circulation.	15'	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 the frequent movement of commercial work trucks.	40'	15 mph
Urban 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'	25 mph
Urban Street with bike lane	A local street similar to the above which includes a dedicated bike lane. Design speeds greater than 25 mph require a protected bike lane.	70'	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'	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 safe mobility.	140'	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	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'	Not Applicable

- E. Thoroughfare Elements.** See elements illustrated in **Figure CD-25 Streetscapes Diagrams**. The illustrative street designs address the street elements:
1. *Vehicular travel lanes* are primarily for vehicular circulation and shall be no greater than 11', and may include a marked sharrow for posted speed of 25 mph or less.
 2. *Parking lanes* may include on-street parking, may be parallel or reverse angled parking.
 3. *A bike facility* may be a marked sharrow, a separate bicycle lane, or shared used path.
 4. *Pavement width* is the 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.
 5. 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. 3.04.04. Development Standards** for minimum width of a sidewalk.
 6. A pedestrian zone is free of any street furnishings or above ground utilities and allows the clear passage of pedestrians. A pedestrian zone shall be no less than 6 feet wide. 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,

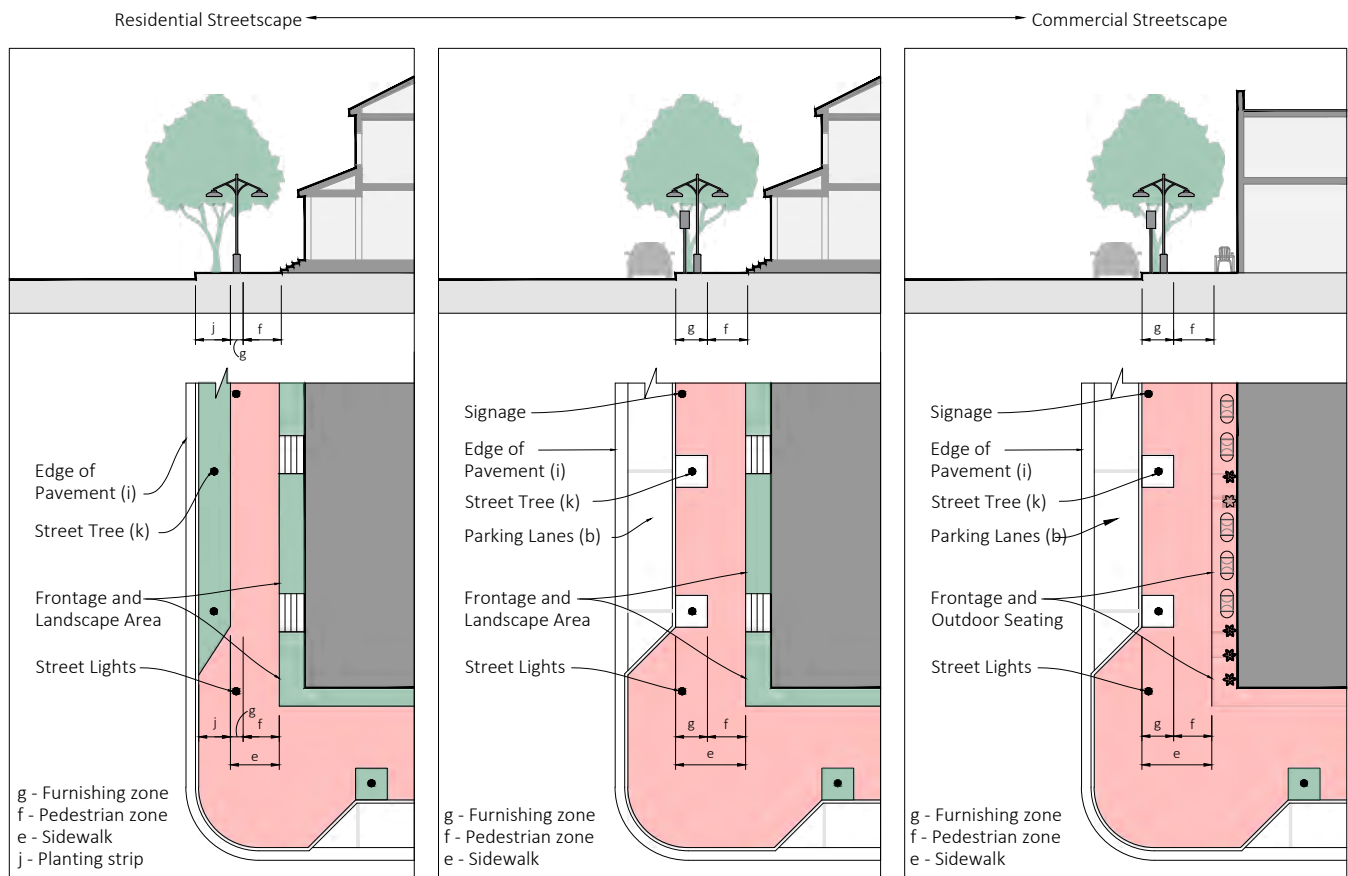
THOROUGHFARE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.06

providing a seamless physical transition.

7. The *furnishing zone* is 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.
8. *Median* is a vegetated area between travel lanes of opposing direction. Medians, when present, should be used to integrate stormwater management.
9. *Edge of pavement* may be 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.
10. *Planting strip or planting area* – vegetated area between a sidewalk and vehicles. Planting strips are encouraged to integrate low impact development.
11. *Street trees* are often required. Street designs shall prioritize maintaining existing shade trees.
12. *Low Impact Development* is a decentralized stormwater management strategy that provides on-site water quantity and water quality treatment. Examples include pervious paving, pervious pavers, pervious concrete, bio-retention systems, rain gardens, bioswales, and stormwater planters. These techniques are encouraged to slow and treat stormwater runoff while providing additional community benefits.

FIGURE CD-25 STREETSCAPES DIAGRAMS

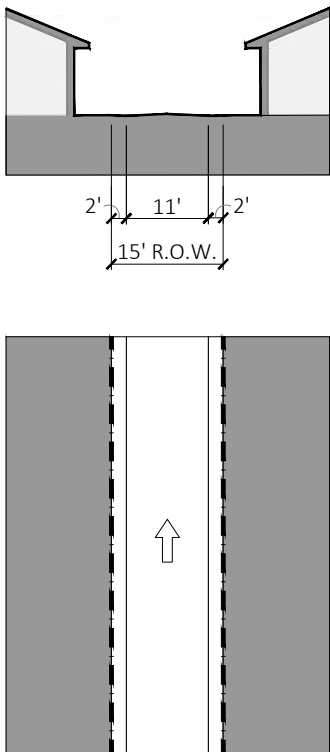


THOROUGHFARE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.06

- F.** *Visibility triangles.* In visibility triangles, no building, structure, or improvement, including landscape, shall be erected, placed, planted, or maintained so as to interfere with a clear sight area located between the heights of 3 feet and 9 feet above the crown of a street, driveway, or alley. A clear sight area shall be established for all streets, whether public or private.
1. The clear sight area is the triangular area formed by the street right-of-way line; another street right-of-way line, alley right-of-way line, or driveway surface edge; and a line connecting points 10 feet from the intersection of said lines. In the case of a round or corner-cut right-of-way, the measurement shall be taken from the intersection of the right-of-way lines extended.
 2. The Engineering Director and Public Works Director may require a larger clear sight area, as provided by Florida Department of Transportation Design Manual standards, when necessary to provide for the safe movement of pedestrians and vehicles.
- G.** Deviation from Street Design Standards. The Development Director may allow deviations from the standards contained in **Figure CD-24** 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 CD-26 ALLEY

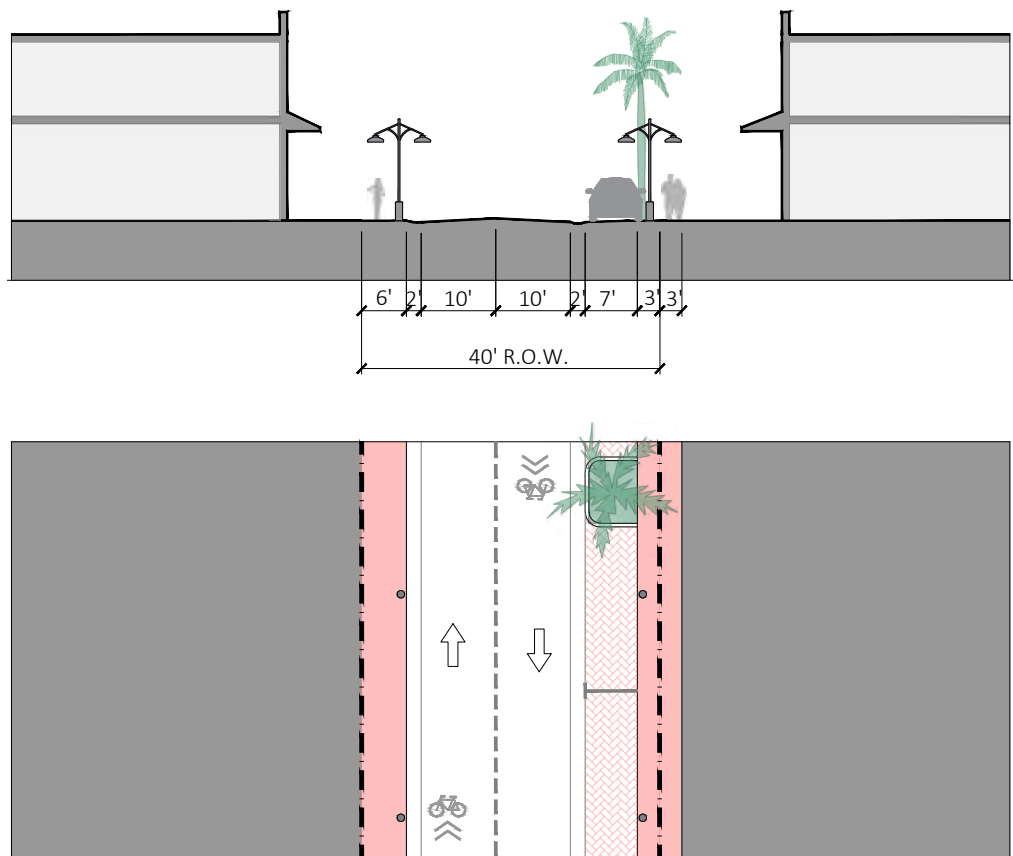


Type	
Vehicular travel lanes	11 feet paved 1-way traffic
Preferred R.O.W.	15 feet
Pavement Width	11 feet
Road Edge Treatment	Valley gutter
Low Impact Development	Permeable surface

THOROUGHFARE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.06

FIGURE CD-27 INDUSTRIAL STREET

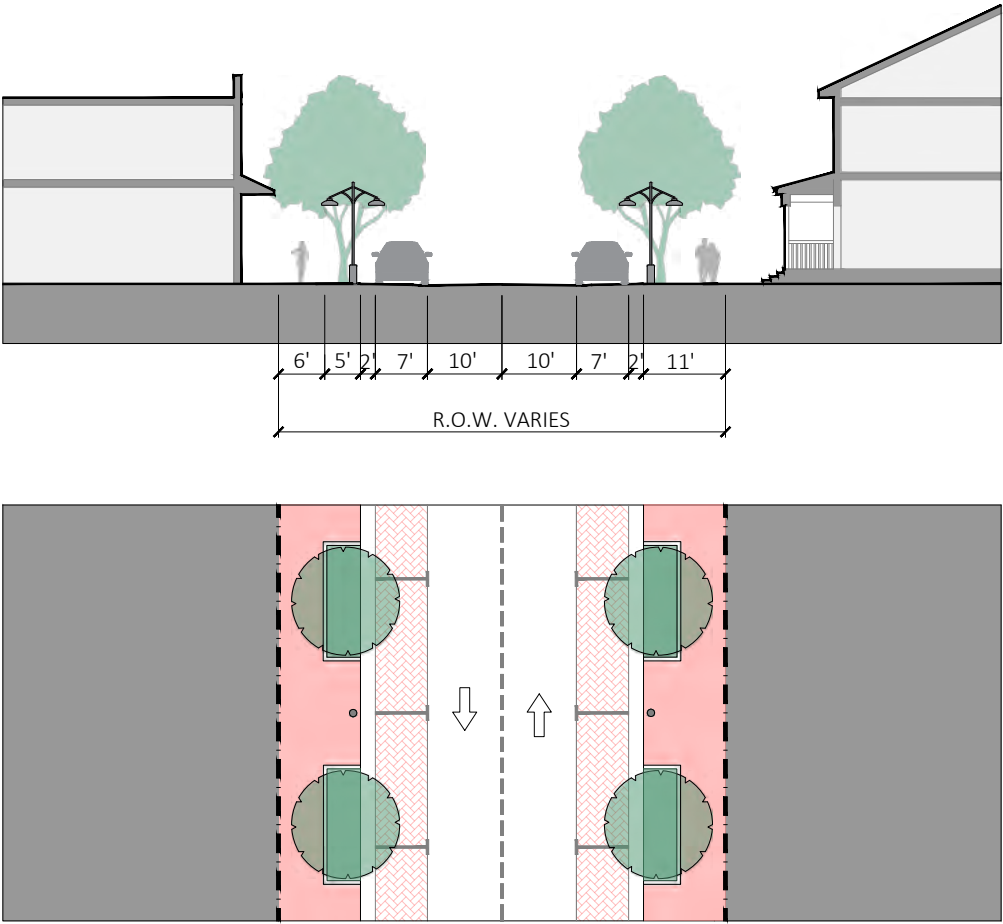


Type	
Vehicular travel lanes	10 feet
Parking Lanes	7 feet parallel one side
Bike Facility	Marked sharrow
Preferred R.O.W.	40 feet
Pavement Width	29 feet
Sidewalk	6 feet
Median	Not required
Road Edge Treatment	Valley gutter or curb & gutter
Planting	Not required
Low Impact Development	Permeable surface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

THOROUGHFARE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.06

FIGURE CD-28 URBAN STREET

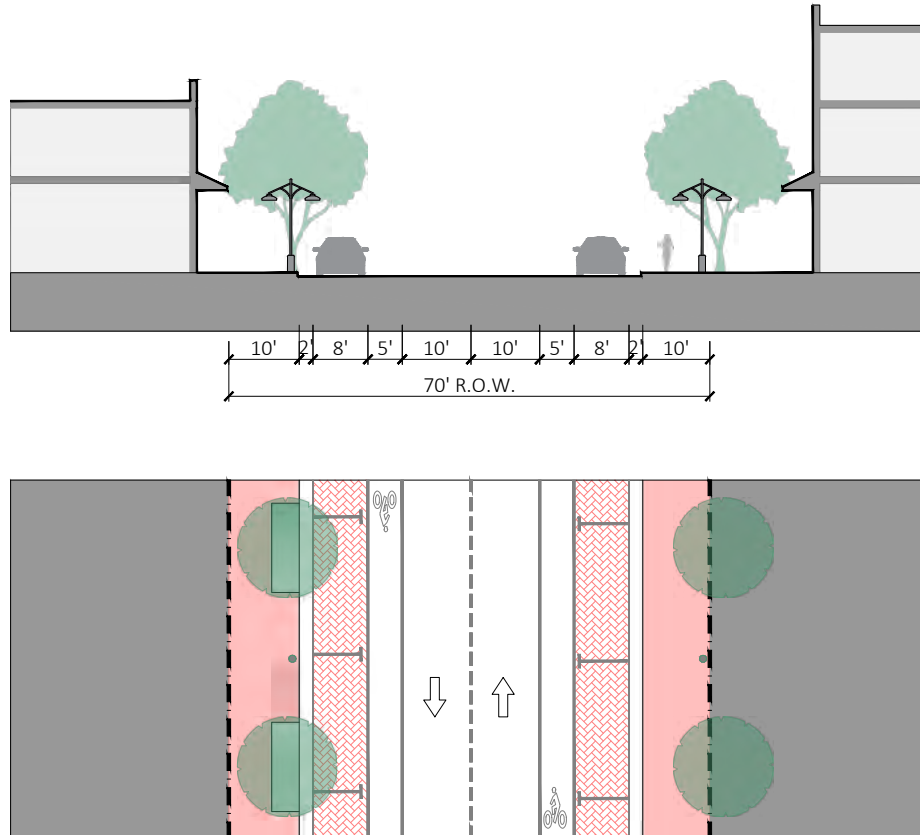


Type	
Vehicular travel lanes	10 feet
Parking Lanes	7 feet parallel on both sides
Bike Facility	Shared-use path
Preferred R.O.W.	60 feet
Pavement Width	34 feet
Sidewalk	10 feet
Median	Not required
Road Edge Treatment	Curb & gutter or valley gutter
Planting	Shade trees 30 feet on center, may occur in the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

THOROUGHFARE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.06

FIGURE CD-29 URBAN STREET WITH BIKE LANE

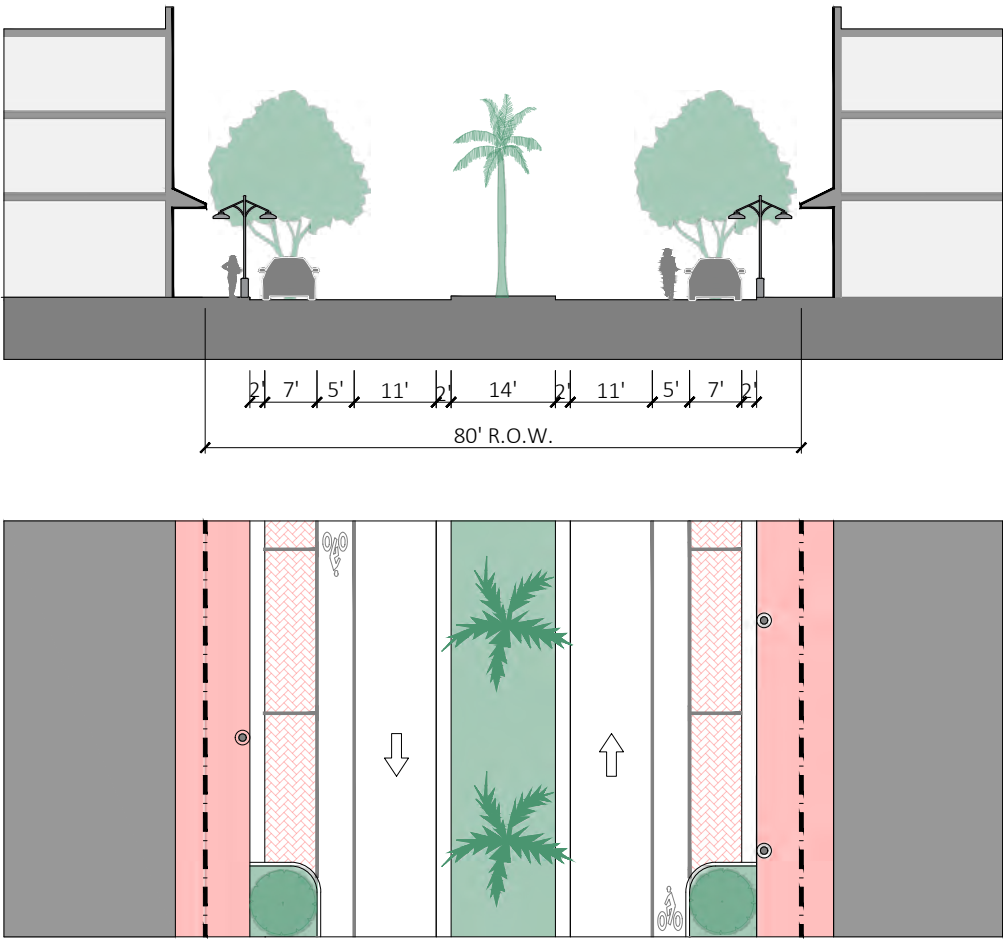


Type	
Vehicular travel lanes	10 feet
Parking Lanes	7 feet parallel on both sides
Bike Facility	5' bike lane
Preferred R.O.W.	70 feet
Pavement Width	46 feet
Sidewalk	11 feet
Median	Not required
Road Edge Treatment	Curb & gutter
Planting	Shade trees 30 feet on center, may occur in the tree wells within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

THOROUGHFARE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.06

FIGURE CD-30 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 Development	Tree box filter, permeable surface at on-street parking & bike facilities, open curbs a median to allow for stormwater percolation

FIGURE CD-31 BOULEVARD SETBACK FOR US-1 FEDERAL HIGHWAY
ILLUSTRATED EXAMPLES

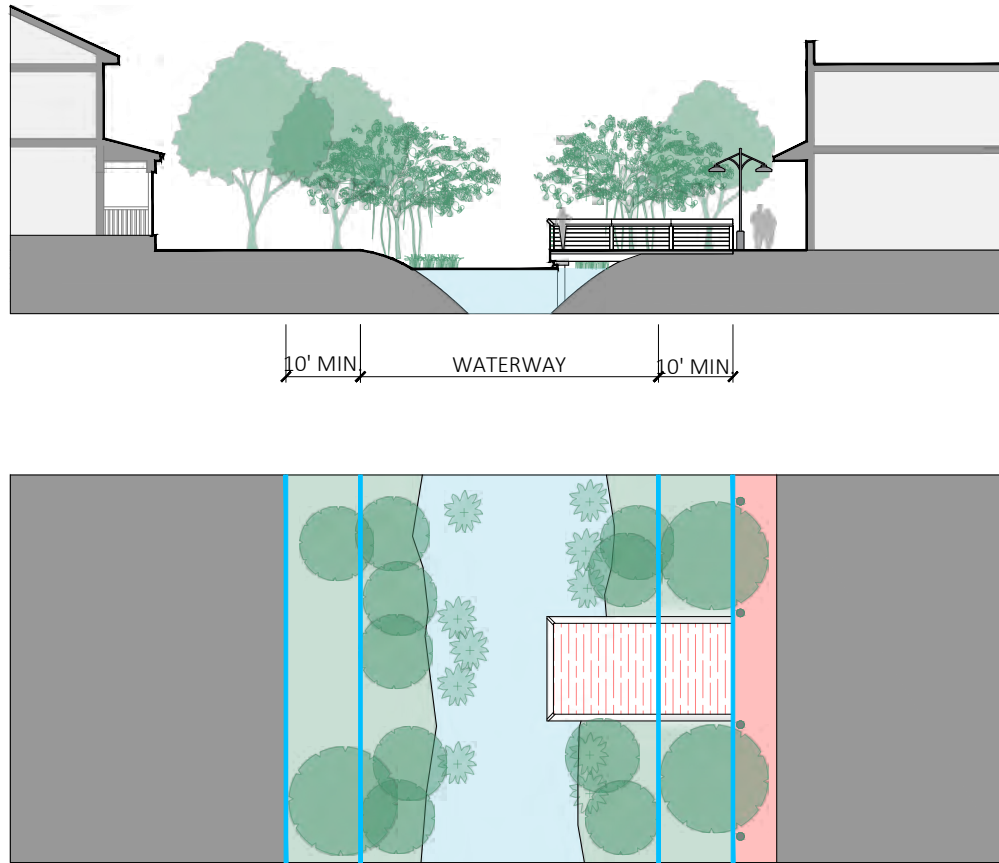


Type	
Vehicular travel lanes	10 to 12 feet
Parking Lanes	Prohibited
Bike Facility	Shared use path
Preferred R.O.W.	120 feet
Pavement Width	30 to 100 feet
Sidewalk	10 feet min shared use path
Median	18 feet preferred
Road Edge Treatment	Curb & gutter
Planting	Shade trees 30 feet on center, may occur in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

THOROUGHFARE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.06

FIGURE CD-32 WATERWAY PROMENADE AT FRAZIER CREEK

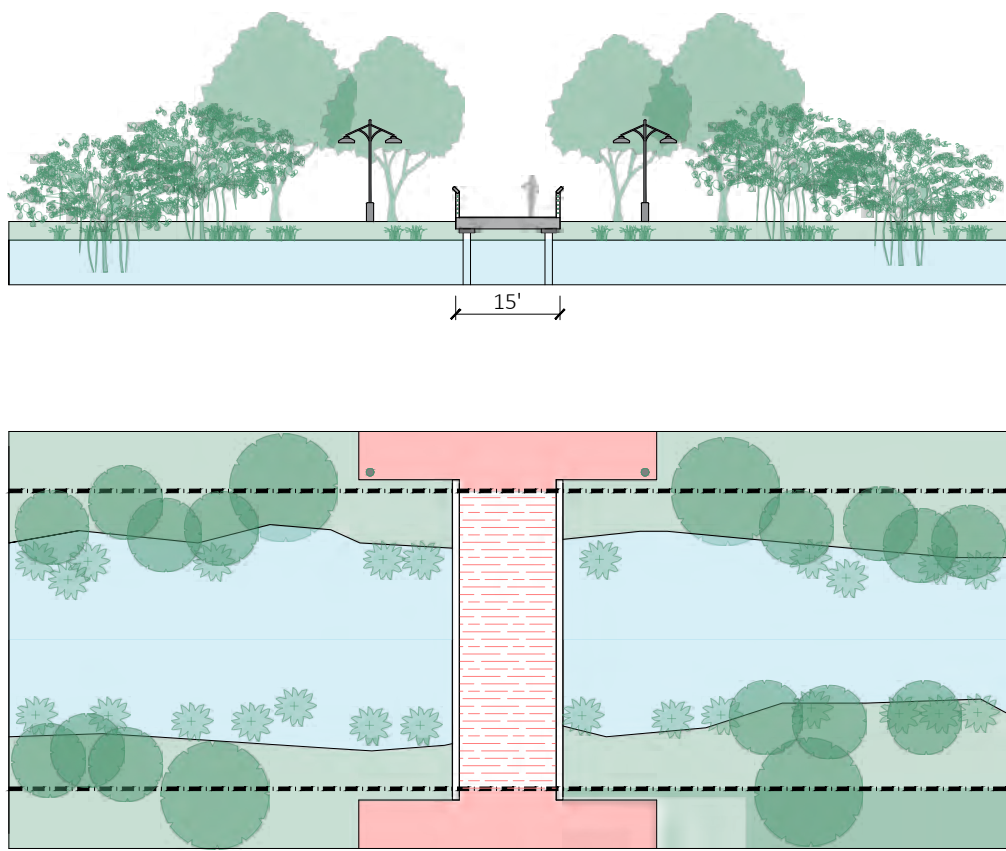


Type	
Vehicular travel lanes	Prohibited
Parking Lanes	Prohibited
Bike Facility	Not required
Preferred R.O.W.	15 feet
Pavement Width	Not required
Sidewalk	8 feet
Median	Prohibited
Road Edge Treatment	Prohibited
Planting	Maintain existing mangroves and littoral plantings
Low Impact Development	Bio-retention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

THOROUGHFARE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.06

FIGURE CD-33 SHARED-USE BRIDGE AT FRAZIER CREEK



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

ACCESS & PARKING STANDARDS

THE CREEK DISTRICT - SEC. 03.04.07

Sec. 3.04.07. Access & Parking Standards

- A.** Applicability. **Sec. 6.01.00** shall apply except where modified in **Figure CD-23 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(s) 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 integral color concrete.
- C.** Bicycle Access & Parking.
1. **Sec. 6.01.20. Bicycle Parking** applies within The Creek District, and the minimum 6' pedestrian zone shall not be reduced due to the placement of bicycle parking.
- D.** Vehicle Access & Parking.
1. The required minimum on-site parking is listed in **Figure CD-34 Minimum On-site Parking Schedule**.

FIGURE CD-34 MINIMUM ON-SITE PARKING SCHEDULE

Uses	Required Minimum Parking
Residential Uses	
All residential uses, <u>including ADUs</u>	<u>1 per unit</u>
Transient Residential & Overnight Accommodations	
All Transient Residential & Overnight Accommodations	<u>0.75 per room</u>
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	<u>1 per 300-sf</u>

ACCESS & PARKING STANDARDS

THE CREEK DISTRICT - SEC. 03.04.07

Uses	Required Minimum Parking
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

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. (2) motorcycle and/or scooter spaces shall count as one (1) parking space
 - b. (2) golf cart spaces shall count as one (1) parking space
 - c. (1) transit vehicle pull-off shall count as four (4) parking space, eligible only by approval Development Director and coordination with City of Stuart Tram or Martin County Public Transit, MARTY.
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 due to 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 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 greater than 5,000 square feet of gross floor area 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.**
7. Parking Placement. See **Figure CD-35 Parking Placement** dimensions.
 - a. All parking areas shall be located as shown in **Figure CD-36 Parking Placement Diagram** behind the rear facade of the principal building and screened from rights-of-way by a privacy buffer or landscape buffer described in **Figure CD-41 Minimum Buffer Types**, or other screening approved by the Development Director.
 - 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 only be parked in the rear yard.

ACCESS & PARKING STANDARDS

THE CREEK DISTRICT - SEC. 03.04.07

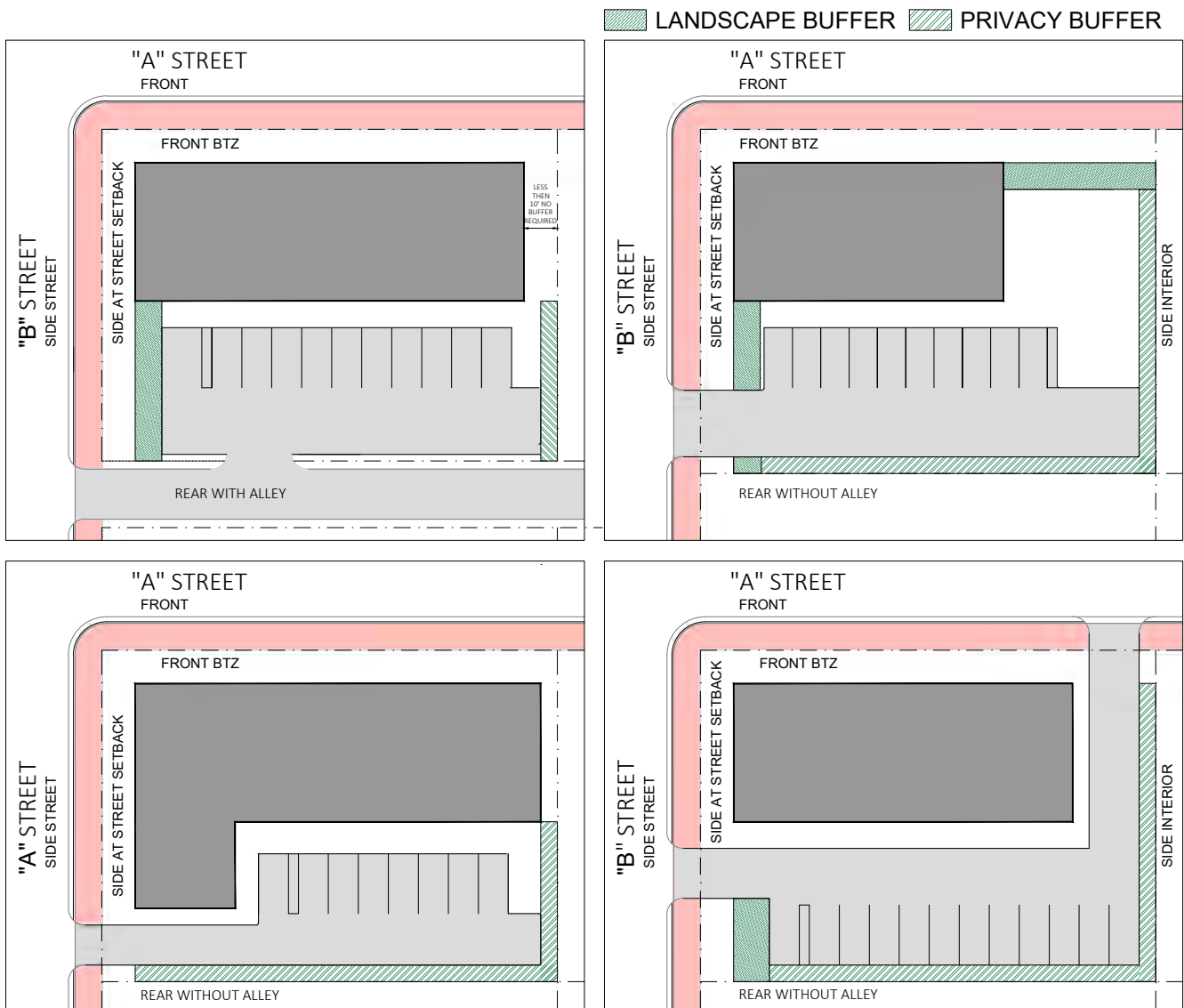
FIGURE CD-35 PARKING PLACEMENT

	Distance from Lot Line	Buffer Requirements, see in Sec.03.04.09 Figure CD-41
Front, min.	10' or 5' behind building facade	Landscape buffer
Side street, min.	10' or 5' behind building facade	Landscape buffer
Side interior, min.	5'	Privacy buffer
Side with alley, min.	0'	Not applicable
Rear without alley, min.	5'	Privacy buffer
Rear with alley, min.	0'	Not applicable

Curb Cut Notes

- For properties with access to an improved alley, no street curb cuts are permitted.
- Where buildings do not have alleys in the rear of the property, curb cuts shall be no closer than 75' along the *lot frontage*. Distance between curb cuts shall be measured from the centerlines of each curb cut.
- The total driveway width at the property line shall not exceed 20 feet.

FIGURE CD-36 PARKING PLACEMENT DIAGRAM



ACCESS & PARKING STANDARDS

THE CREEK DISTRICT - SEC. 03.04.07

8. Parking Design Standards.
 - a. See **Figure CD-37 Parking Design Dimensions**.
 - b. Where an improved alley is located along the side or rear property lines, improved alleyways may be used as part of the required back-up/drive aisle 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, or other similar material approved by the Development Director.

FIGURE CD-37 PARKING 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"

¹May 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.

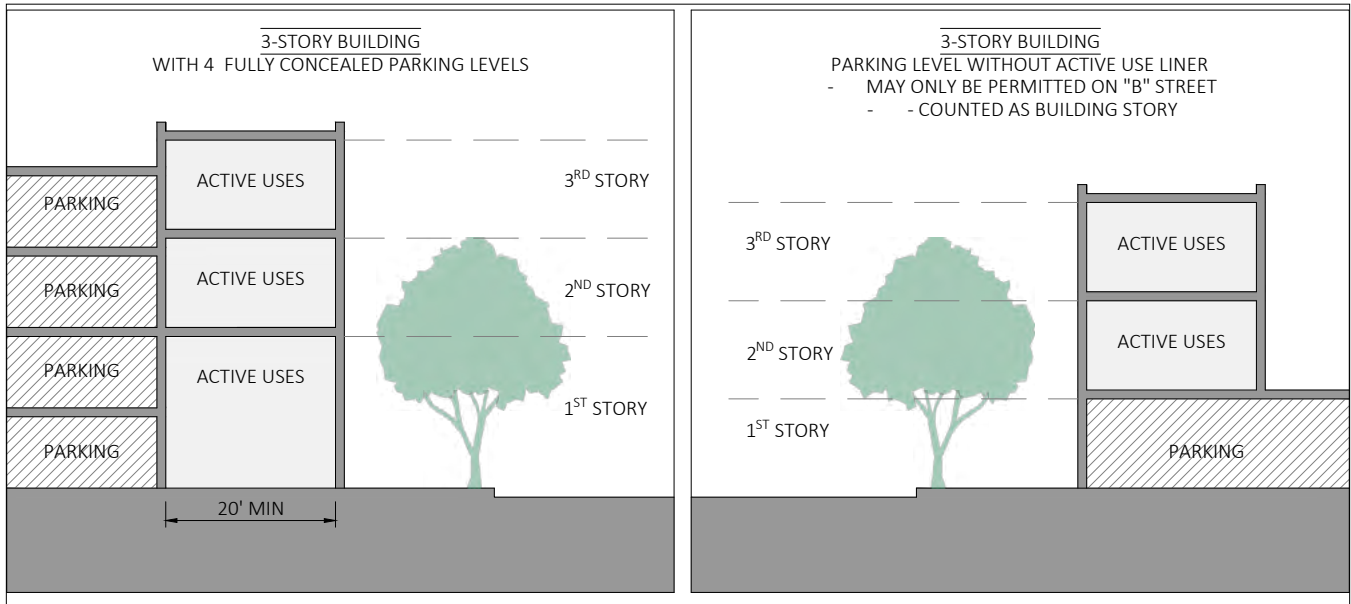
9. Garages, structured parking and parking located within a building envelope.
 - a. Garages shall not be the principal element of the front facade.
 - b. Structured parking may be permitted through conditional use approval and shall provide shade on at least 30% of any exposed parking on the roof with an aged Solar Reflectance Index (SRI) of at least 32, be a vegetated roof, or be covered by energy generation systems.
 - c. 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. Buildings which have parking located within the envelope shall be consistent with the design of the facades and be entirely screened. On "A" Streets structured parking shall be screened by a liner building with active commercial or residential use provided for a depth of no less than 20 feet measured from the building facade. Landscaping shall be installed along the ground floor facade, within the public sidewalk or within on-street landscape islands. The visual impact of structured parking garage doors shall be minimized through architectural design and are not permitted on "A" Streets.
 - d. 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 linear feet in width.

ACCESS & PARKING STANDARDS

THE CREEK DISTRICT - SEC. 03.04.07

- e. Where maximum building heights are established in stories, all levels devoted to parking are considered as individual stories except when screened by a liner building with active use provided for a depth of no less than 20 feet measured from the front of the building. See **Figure CD-38 Structured Parking & Active Uses** for illustration. Under all circumstances the 4-story height limit shall not be exceeded.

FIGURE CD-38 STRUCTURED PARKING & ACTIVE USES



- E. Heat Island Effect. In order to reduce urban heat islands the following recommendations are provided for site design:
1. Provide shade on at least 30% of non roof impervious surface on the site, including parking lots, walkways, plazas, etc.
 2. Use light-colored/high-albedo materials (reflectance of at least 0.3) for 30% of the site's non-roofed impervious surface

STORMWATER STANDARDS

THE CREEK DISTRICT - SEC. 03.04.08

Sec. 3.04.08. Stormwater Standards

- A. **Sec 6.03.00 Stormwater Management** applies as written. The Urban District is inclusive of the Creek District zoning districts

LANDSCAPE & SITE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.09

Sec. 3.04.09. Landscape & Site Standards

- A. **Figure CD-39** identifies which of the landscaping, buffering, tree protection, and site standards in **Sec. 6.04.00** apply in The Creek District and which standards are replaced, or do not apply.

FIGURE CD-39 LANDSCAPE & SITE 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	→	Sec. 3.04.09.D
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	→	Sec. 3.04.09.E
Additional Site Standards			
Sec. 6.07.00	Lighting	→	Sec. 3.04.09.G
Sec. 6.08.00	Solid Waste & Recycling Container Standards	→	Sec. 3.04.09.G

- B. Landscape Design. For all 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. **Figure CD-40 Required Landscape Area & Tree Planting** indicates the minimum number of trees and landscape area that must be planted.

FIGURE CD-40 REQUIRED LANDSCAPE AREA & TREE PLANTING

Zoning	Min. Percentage	Number of Trees per Site
Creek North	<u>10% of the site</u>	<u>1 per 30 linear feet of lot frontage</u>
Creek South	20% of the site	<u>1 per 30 linear feet of lot frontage</u>
Creek Industrial	<u>Not applicable</u>	<u>1 per 30 linear feet of lot frontage</u>
Recreation	Not applicable	<u>1 per 30 linear feet of lot frontage</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**. The Development Director may grant a reduction in required trees to be planted for existing trees to remain.
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. Where the location of required landscaping is precluded by existing buildings or permanent site improvements, the placement of landscaping may occur off-site in a right-of-way or other nearby public space, in openings within paved areas, or in other locations as determined by the Development Director or designee.

LANDSCAPE & SITE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.09

5. Yards shall be sodded or otherwise landscaped in accordance with **Sec. 03.04.09**.
6. Impervious surfaces shall not be placed within five feet of the base of an existing tree to be preserved.
7. Mulch shall be designed and installed in all planting areas to a depth of 3 inches. The type of mulch shall be Florida Friendly mulch and be specified on the landscape plan.
8. *Visibility triangles*. All landscaping within a visibility triangle shall provide unobstructed cross-visibility at a level between three feet and six feet and shall comply with **Sec. 03.04.06.F**

- C. *Landscape and privacy buffers*. See **Figure CD-41 Minimum Buffer Types** for descriptions of required buffers.

FIGURE CD-41 MINIMUM BUFFER TYPES

Type	Name	Min. Width	Wall or Fence, see Sec. 03.02.10	Tree or Palm	Landscaping
Landscape buffers	Shade tree buffer	8'	May include fence	Shade tree, every 30' o/c	A hedge planted 24 to 30 inches on-center, and grass, ground cover, or other landscape treatment not less than <u>50%</u> , <u>LID is encouraged</u>
	Garden wall buffer 1	10'	Finished masonry wall, 4' max. height	Shade tree, every 30' o/c	A hedge, grass, ground cover, or other landscape treatment or <u>pervious landscaping material</u> , <u>LID is encouraged</u>
	Garden wall buffer 2	5'	Finished masonry wall, 4' max. height	Tree or palm, every 20' o/c	A hedge, grass, ground cover, or other landscape treatment or <u>pervious landscaping material</u>
Privacy buffers	Landscape privacy buffer	5'	May include fence	Tree or palm, every 20' o/c	A hedge planted 24 to 30 inches on-center or other landscape treatment to create a <u>6' tall continuous landscape screen</u>
	Privacy wall buffer 1	5'	Finished masonry wall, 6' tall	Tree or palm, every 20' o/c	A hedge, grass, ground cover, or other landscape treatment or <u>pervious landscaping material</u>
	Privacy wall buffer 2	10'	Finished masonry wall, 6' tall	Shade tree, every 30' o/c	A hedge, grass, ground cover, or other landscape treatment or <u>pervious landscaping material</u> , <u>LID is encouraged</u>

LANDSCAPE & SITE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.09

D. *Parking lot standards.*

1. Parking lot perimeter landscaping. Landscaping and privacy buffer requirements shall apply for any parking lot not entirely screened visually by an intervening building from abutting rights of way or private property. See **Figure CD-35 Parking Placement** and **Figure CD-36 Parking Placement Diagram in Sec. 3.04.07. Access & Parking Standards.**
2. *Parking lot interior landscaping.*
 - a. Interior landscaping shall include not less than 1 shade tree for every 500 square feet or fraction thereof of interior landscaped area.
 - b. Any hedge materials located within an interior landscaped island shall be maintained at a height of not more than 2 feet.
 - c. Not less than 80 percent of trees used in parking area interior landscaping shall be shade trees.
 - d. Interior landscaped islands shall be provided between every ten parking spaces. Each interior island shall be not less than 8 feet in width. Each interior island shall contain not less than 1 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. Terminal landscaped islands shall not be less than ten feet in width and the length of the parking space. 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 6 feet in width. Interior medians shall be landscaped with not less than 1 shade tree every 30 linear feet and a combination of shrubs, ground cover, grass and mulch.
 - g. Parking lot interior landscaping shall utilize low-impact development strategies.
 - i. If curbs are to be used, their number, placement and design should be carefully considered to allow percolation of stormwater. An openings shall be no less than 18 inches wide is to reduce the potential for clogging.
 - ii. A minimum 2" drop is required between the pavement and the vegetated area. A gravel area may be required to dissipate energy and prevent erosion at entry points to rain gardens or parking lot islands.
 - iii. The street profile shall match the intended drainage; i.e., a crowned street will drain to both sides, or a side shed profile will drain to only one side.
3. Excess parking lot spaces. Where the number of parking spaces installed in a surface lot exceeds the minimum number of on-site parking spaces required by this Code,
 - a. Landscape buffers shall not be less than 8' and shall include shade trees.
 - b. For every additional five spaces, one shade tree shall be provided on site.
 - c. All excess parking spaces shall be made of pervious hardscape such as pavement, concrete and/or pavers.

E. Lighting. All development shall be designed to provide safe, convenient and efficient lighting for pedestrians and vehicles. Lighting shall be designed in a consistent and coordinated manner for the entire site. Light fixtures shall be designed as an integral design element that complements the design of the project through style, material or color.

1. The use of exposed neon or LED rope lighting on any property is prohibited.

LANDSCAPE & SITE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.09

2. Fixture height. Lighting fixtures shall be a maximum of 15 feet in height.
 3. Light pollution and spillage. Lighting shall be designed so as to prevent direct glare, light spillage and hazardous interference with automotive and pedestrian traffic on adjacent streets and all adjacent properties. Lighting shall be designed and installed so the light source does not shine directly onto adjacent residential uses or a residential zoning district.
 - a. The applicant is encouraged to minimize light spillage from building and site and to reduce urban-glow. [Dark Sky Approved](#) lighting is encouraged.
 - b. For perimeter exterior lighting, only full cutoff luminaries shall be approved.
 - c. For commercial and *major development projects* the maximum allowable illumination at the property line of any adjoining parcel or public right-of-way is 0.2 horizontal and vertical foot-candles measured at 6 feet above grade level.
- F. Solid waste & recycling.
1. Solid waste & recycling generation rates. Generation rates in **Sec. 6.08.01** are weekly and apply except where modified below in **Figure CD-42 Solid Waste & Recycling Weekly Generation Rates**. Generation rates shall be calculated or reassessed with *new development, substantial renovation, substantial improvement, or change of use.*

FIGURE CD-42 SOLID WASTE & RECYCLING WEEKLY GENERATION RATES

Use	Recycling (min)	Garbage (min)	Cardboard
Residential, 4 units or less, per unit	(1) 65-gallon blue cart	(1) 95-gallon green cart	Not required
Residential, 5 units or more, per unit	0.17 cubic yards per unit	0.17 cubic yards per unit	Not required
Commercial less than 5,000-sf	(2) 95-gallon blue carts	(2) 95-gallon green carts	Not required

2. Location of solid waste & recycling storage and/or enclosures. All *new development, substantial renovation, or change of use* must provide sufficient on-site space and maintenance for the placement and collection of solid waste and recycling storage and/or enclosures. Excluding improved alleys, all solid waste & recycling storage shall be screened from view from public rights of way.
 - a. Screening may be achieved by with a buffer as described in **Figure CD-41 Minimum Buffer Types**, a freestanding enclosure, or an enclosure within the building footprint. Where more than 6 roll-out carts are required an enclosure shall be provided.
 - b. The location of solid waste & recycling storage and/or enclosures:
 - i. Shall be accessed from the alley if an improved alley is present.
 - ii. Prohibited on "**A**" *Streets* as shown in **Figure CD-07 Thoroughfare Plan**.
 - iii. Where an alley is not present, solid waste & recycling storage and/or enclosures shall be located to prevent conflict with pedestrians, minimize the quantity and length of curb cuts, and promote a high quality, livable public realm.
 - c. The Utilities & Engineering Director encourages businesses under the same ownership or within the same block to share enclosures to meet required enclosure standards.
 - d. Design of freestanding solid waste & recycling storage enclosures shall have:
 - i. A 6 feet tall finished concrete wall on three sides. Use of chain link or wooden fencing to meet this requirement is prohibited.

LANDSCAPE & SITE STANDARDS

THE CREEK DISTRICT - SEC. 03.04.09

- ii. Closable, lockable opaque gates. Gates may be opaque inserts within a chain link gate.
- iii. Landscaping around the enclosure is not required.
- iv. Bollards are required to be located at the rear of enclosure only.
- v. Enclosure size shall be a minimum 10 feet by 10 feet (interior dimensions). Larger enclosures shall be provided as necessary to house larger proposed or required containers.

FENCE & WALL STANDARDS

THE CREEK DISTRICT - SEC. 03.04.09

Sec. 3.04.010. 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**.
 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 than a half acre shall install with a temporary 6 feet 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 CD-43 Fence & Wall Materials**.

FIGURE CD-43 FENCE & WALL MATERIALS

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

2. Metal fences shall be minimum of 11 gauge non-corrodible metal or galvanized wire fabric. Chain link fences shall be vinyl coated in 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.

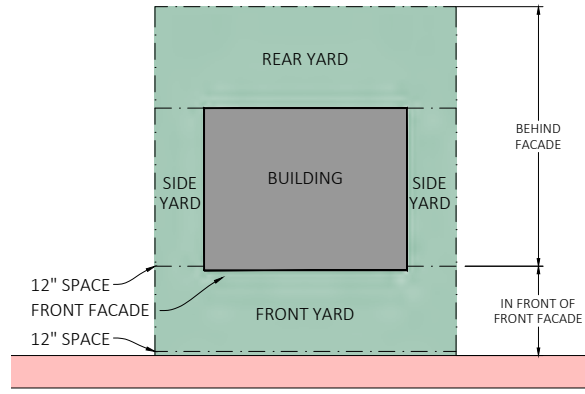
D. Height

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 no more than 6 feet in height. See **Figure CD-44 Wall & Fence Locations** for an illustration of front, rear, and side yards.
2. The height of fences and walls shall be measured from existing natural elevation of a lot, prior to any construction or alteration.
3. 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.

FENCE & WALL STANDARDS

THE CREEK DISTRICT - SEC. 03.04.09

FIGURE CD-44 WALL & FENCE LOCATIONS



SIGN STANDARDS

THE CREEK DISTRICT - SEC. 03.04.11

Sec. 3.04.011. Sign Standards

- A. **Figure CD-45 sign Standards** 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 CD-45 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.B
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	➔	Modified by Sec. 3.04.11.F
Sec. 6.11.15	Exempt signs (not requiring a permit)	➔	Modified by Sec. 3.04.11.G
Sec. 6.11.16	Prohibited signs	➔	Modified by Sec. 3.04.11.H
Sec. 6.11.17	Design standards matrix	✓	

- B. Aesthetic attributes. In addition to **Sec. 6.11.05** signage within The Creek District shall follow the material standards set forth in **Figure CD-46 Sign Material Standards**.

FIGURE CD-46 SIGN MATERIAL STANDARDS

	PERMITTED	PERMITTED	PROHIBITED
MATERIALS	Sign materials shall be high quality, durable and easy to maintain.  Metals, wood, & wood-like materials like high-density-urethane	 Well maintained painted signs	 Vinyl banners, acrylic and plexiglas

- C. Illumination. In addition to **Sec. 6.11.07** signage within The Creek District shall follow the material standards set forth in **Figure CD-47 Sign Lighting Standards**.

FIGURE CD-47 SIGN LIGHTING STANDARDS

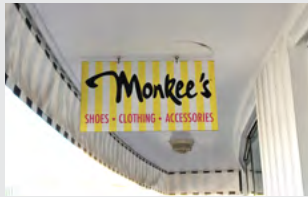
		PERMITTED	PERMITTED	PROHIBITED
POWER SOURCE	Sign lighting should be integrated into the architectural features of the building. Power sources, raceways and conduits shall not be visible.	 Gooseneck lighting	 Face illuminated channel letters mounted on wireway	 Face illuminated channel letters mounted on exposed raceway
ILLUMINATION	Signs shall be lit to encourage continuous activity and advertise the business at night. Halo-lit or reverse channel lit consist of aluminum faces and sides mounted away from the wall	 Reverse channel LED halo-lit letters	 Front-lit LED channel letters with translucent acrylic faces	 Fluorescent lighting, exposed neon, LED rope or similar perimeter lighting, electronic changeable copy sign

- D. Building outline. **Sec. 6.11.08** applies except building outline perimeter lighting of neon, LED rope lighting, or similar is prohibited.
- E. Permitted signs. **Sec. 6.11.12** applies except where modified in Figure CD-48 Types of Signs Permitted.

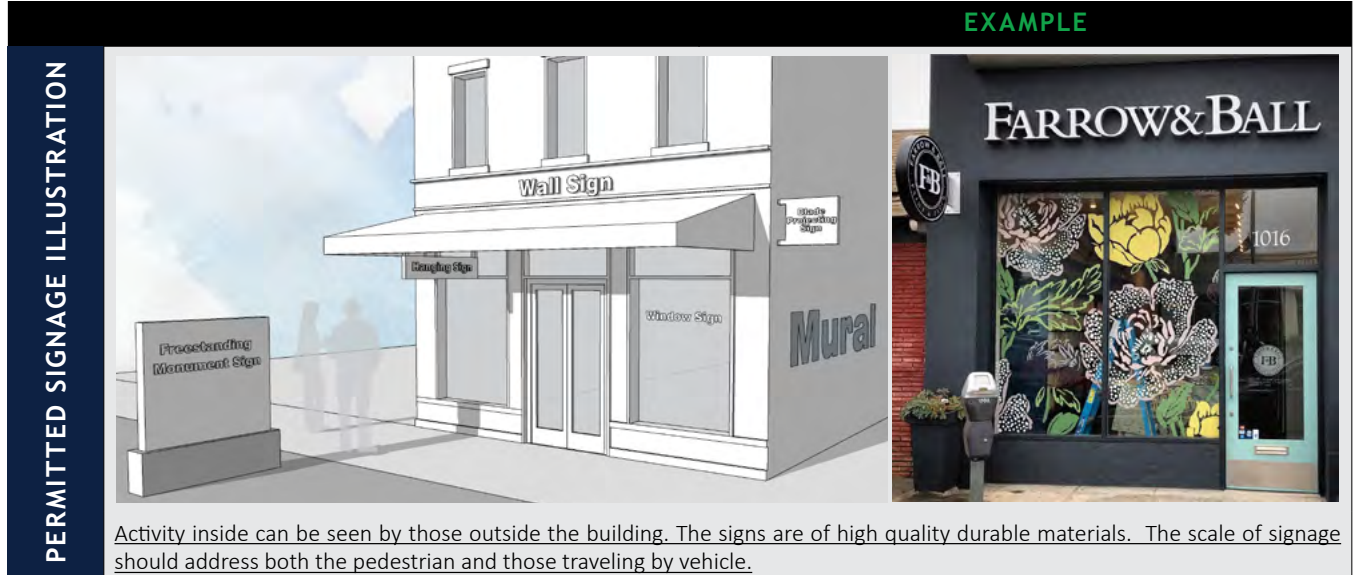
FIGURE CD-48 TYPES OF SIGNS PERMITTED

		EXAMPLE
A-FRAME	Sandwich or A-frame sign provided the signs do not exceed 6 square feet per face, are located on private property, do not obstruct pedestrian or vehicular movement, <u>and are removed by 9:00 PM daily.</u>	 
AWNING	Signs consisting of one line of letters not exceeding nine inches in height may be painted, placed or installed upon the hanging border. A graphic or other similar feature not exceeding an area of eight square feet, may be painted, placed, or installed elsewhere on any awning provided that any such graphic shall comply with all other sign standards.	 Winter Park, Florida by Boogich on Getty Images
GROUND SIGNS: FREESTANDING	Freestanding signs shall be wood or composite material supported by 2 wood or composite posts, with the top edge of the sign no higher than 6 feet above the finished grade, and shall not exceed six feet in width. Each post shall have ornamental post caps or covers. A freestanding sign shall not be used as a frame for a cabinet sign. Freestanding signs shall be lit with integrated lighting, externally lit by concealed lighting or gooseneck lighting	  

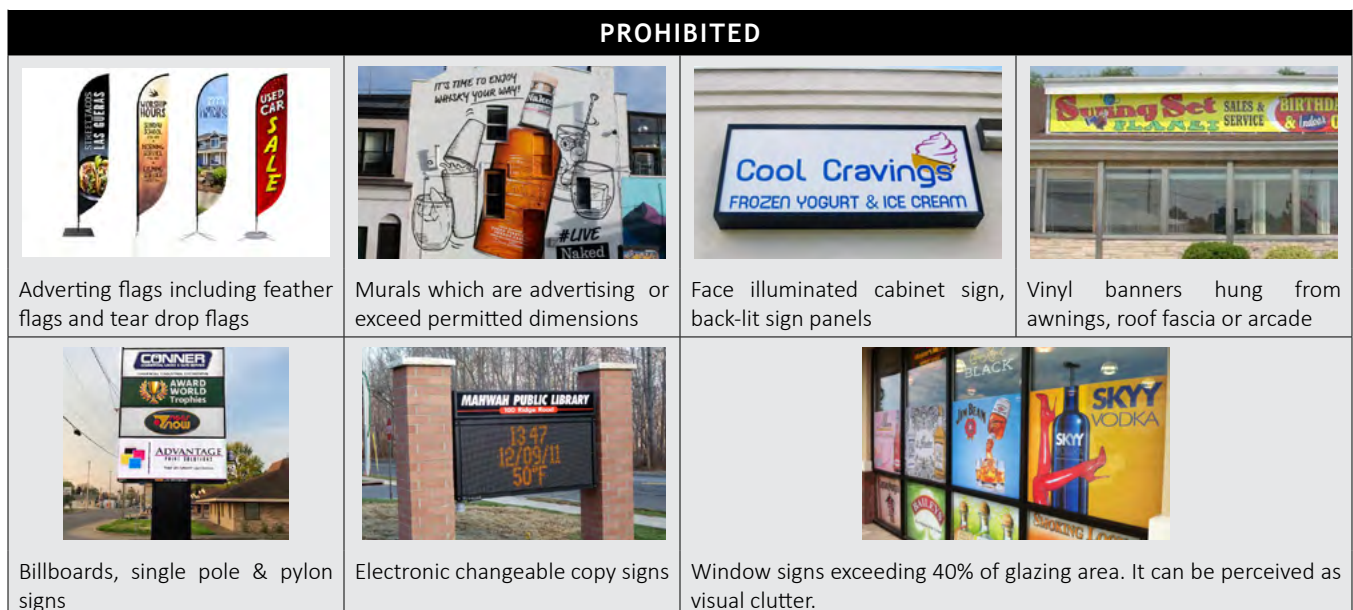
TYPES OF SIGNS PERMITTED CONTINUED

		EXAMPLE	
GROUND SIGNS: MONUMENT	Monument signs shall be composed of metal frame, textured brick, concrete block, or other masonry, and finished with stucco or other textured material, and having a solid base. The top edge of the sign shall be no higher than elsewhere permitted in Sec. 6.11.17 , and the skirt and base shall be no smaller than 80 percent of the sign width nor greater than 120 percent of the sign width. A monument sign shall not be used as a frame for a cabinet sign.		
		Metal monument sign with individual letters	Metal monument sign with push through or routed copy
PROJECTING	Projecting signs. A projecting sign is affixed to a structure and extends at a right angle from the structure. 1. A projecting sign shall not have more than two sign faces. Projecting signs may project into the public right-of-way. Projecting signs shall have clear height of no less than 9 feet and be no closer than 2 feet from the curb. 2. Signs must not project more than six feet from the wall face of a building. 3. The permitted size of a fixed projecting sign shall not exceed 16 square feet.		
		Supported by metal brackets. These signs can come in all shapes and sizes and are sometimes made in the likeness of objects and symbols associated with an actual type of business.	
UNDER CANOPY	A sign hung from the underside of an awning, canopy, ceiling of an arcade, covered walkway, or portico. It may be rigid or it may swing. Any swinging sign shall be removed during a major storm event. Sign shall not have more than two sign faces. No portion of any sign projecting over a public sidewalk shall be less than nine feet above the grade of the sidewalk. Any sign projecting over private property and located where motor trucks may be required to pass beneath it shall be erected and maintained at a height of not less than 14 feet.		
		Under canopy	Under arcade or roof
WINDOW	Window sign shall not cover more than 40% of the window. Window signs are very helpful at a pedestrian scale and often tell patrons the business name, operating hours, or additional details about the business or promotions.		
WALL SIGN	A wall sign shall be flush mounted, raised channel, or individual letters and may be applied to the building face. Plastic face box or cabinet signs shall not be allowed.		
		Cabinet side with push through or routed copy	Individual letters
WALL SIGN: PAINTED	Mural signs shall be counted as wall signs for the portion which includes any message, logo or which depicts a product or service, and shall be of such a design as to compliment the architectural style of the subject building and shall be in keeping with the general character of the district. There shall be a maximum of only one mural sign per building. The sign portion of a mural sign, if any, shall comply with the dimensional requirements of a wall sign.		
		A wall sign shall be professionally hand-painted on building face.	

TYPES OF SIGNS PERMITTED CONTINUED



- F. *Mural.* **Sec. 6.11.14.D. Mural** applies except when a mural is interior to development and not visible to public right of way, parks, public land or vista, the approval of CRA is not required.
- G. *Non-residential and multi-family residential real estate signs.* **Sec. 6.11.15.G** applies except when the duration of sign posting exceeds that of a *temporary sign*, six months per year or less, the sign shall require a permit and conform to permitted sign standards.
- H. *Prohibited signs.* **Sec. 6.11.16** applies except where modified in **Figure CD-49 Types of Signs Prohibited**.

FIGURE CD-49 TYPES OF SIGNS PROHIBITED

Sec. 3.04.012. Architectural Standards

- A. Historic Preservation. Structures identified as historically and architecturally contributing shall be candidates for historic protection as set forth in Sec. 5.09.00.
- B. Building Additions. The exterior appearance of additions to an existing building shall be compatible with the overall building type. For example, exterior walls should be of the same or compatible materials and finished in the same manner as the existing structure. Windows should also be of the same type or be complementary with the existing windows.
- C. Architectural Character.
 - 1. Building colors and finishes. All exterior building wall colors used within The Creek District shall be restricted to muted pastel, whites, neutrals tones, 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 Development Director.
 - 2. Architectural features. 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. Architectural treatments on the principal facade shall extend to all faces of the building adjacent to a public right of way, with the exclusion of alleys.
 - 3. Blank walls. Long, windowless, uninterrupted walls are not permitted. Blank wall areas shall not exceed 20 feet in horizontal direction of any facade adjacent to a public right-of-way, with the exclusion of alleys.
 - 4. Roofs and gutters.
 - a. Exposed gutters shall be half-round metal gutters.
 - b. For buildings which are located not more than five feet from the front property line, gutters must be shielded and shall not drain onto hardscape. Downspouts may be enclosed within a column or other architectural feature. Rain-barrels, cisterns, and other low impact development strategies are encouraged.
 - c. Clay or cement barrel, s-shaped, flat cement, or mission tiles shall be 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.
 - d. Flat roofs shall have a parapet.
 - e. Pitch roofs shall not have a ratio less than 3-12.
 - f. Aluminum fascia and soffits are not permitted.
 - g. Heat Island Effect. In order to reduce urban heat islands for roofed areas, it is recommended to 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.
 - 5. Windows and Doors. The following window and door types are encouraged:
 - a. Operable windows
 - b. Operable shutters which are sized to match openings
 - c. Bahama shutters
 - d. Operable Paris balconies
 - e. Bird friendly glazing for structures 3 stories and greater

Chapter XII

Build-to zone means that a building must be built to the specified zone.

Community redevelopment agency (CRA) means a public agency that was created by the city commission on May 12, 1986 in accordance with the provisions of Florida statutes and encompasses approximately 700 acres of land, including those areas with an Urban Code, The Creek District, and ~~or~~ East Stuart Neighborhood zoning ~~district~~ designations.

East Stuart Neighborhood Code-District conditional use means the granting of relief from the provisions of this Code relating to permitted uses, density, setbacks, building height, location of parking, location of buildings and structures, conflicts with utilities, historic buildings, and architectural requirements within the East Stuart Neighborhood Code-District ~~[zone]~~.

Substantial damage means damage of any origin sustained by a ~~building or~~ structure whereby the cost of restoring the ~~building or~~ structure to its before-damaged condition would equal or exceed 50 percent of the market value of the ~~building or~~ structure before the damage occurred. ~~[Also defined in FBC, B, section 1612.2.] (As referenced in chapter 5 – Floodplain Management.)~~

Substantial improvement means any repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the ~~building or~~ structure before the improvement or repair is started. If the structure has ~~incurred sustained "substantial damage,"~~ any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: ~~[Also defined in FBC, B, Section 1612.2.]~~

(1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions. ~~(As referenced in chapter 5 – Floodplain Management.)~~

~~(1)(2)~~ Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Substantial renovation means a development that includes one of the following:

1. Improvements to existing buildings, and site improvements consisting of any combination of repairs, reconstruction and alteration to a building or site the cumulative costs of which, according

to the latest edition of the Marshall and Swift Cost Estimator, equal or exceed 50 percent of the assessed value from the Martin County property appraiser. Cumulative cost includes improvement during the previous three years.~~market value of the buildings on the site and site improvements, not including the market value of the land, prior to improvement; or~~

2. _____ Additions to existing buildings or structures totaling 50 percent or more of the gross floor area of all existing buildings or structures on the site inclusive of any additions made during the previous three years. ~~(As referenced in chapter 3.)~~

Townhouse means an attached dwelling unit not exceeding three stories in height constructed in a group of three or more attached units with property lines separating such units in which each unit extends from the foundation to roof and with a yard or public way on not less than two sides.

THE CREEK DISTRICT CODE

PUBLIC HEARING PRESENTATION

City Commission 1st Reading - January 17, 2023

PROPOSED LAND DEVELOPMENT REGULATIONS

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.

PROPOSED LAND DEVELOPMENT REGULATIONS

CRA Specific Land Development Regulations **Chapter III - SPECIAL ZONING CODES**

Districts

Creek District Code

Section 3.04.00

COMMENTS AT CRB

1. Landscaping & Buffers
2. Legibility of Figure Text
3. Importance of outreach to Property Owners
4. Importance gathering input from Planners & Architects working in the community

COMMENTS AT LPA

1. Civic Open Space concerns
2. Identifying nonconformities: avoiding where possible & clarifying when substantial improvement is required
 - B-2 Uses in Creek Industrial
 - Shoreline Protection Zone

Will be addressed in the presentation

COMMENTS AT CITY COMMISSION

1. Civic Open Space concerns echoed

Will be addressed in the presentation

COMMENTS AT LPA

1. Shoreline protection zone – clarify that in the case of an emergency or weather event bulkheads or riprap would be permitted to save a structure
2. Neighborhood open space – removed unclear language around impervious & pervious

PROPOSED PROCESS

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.

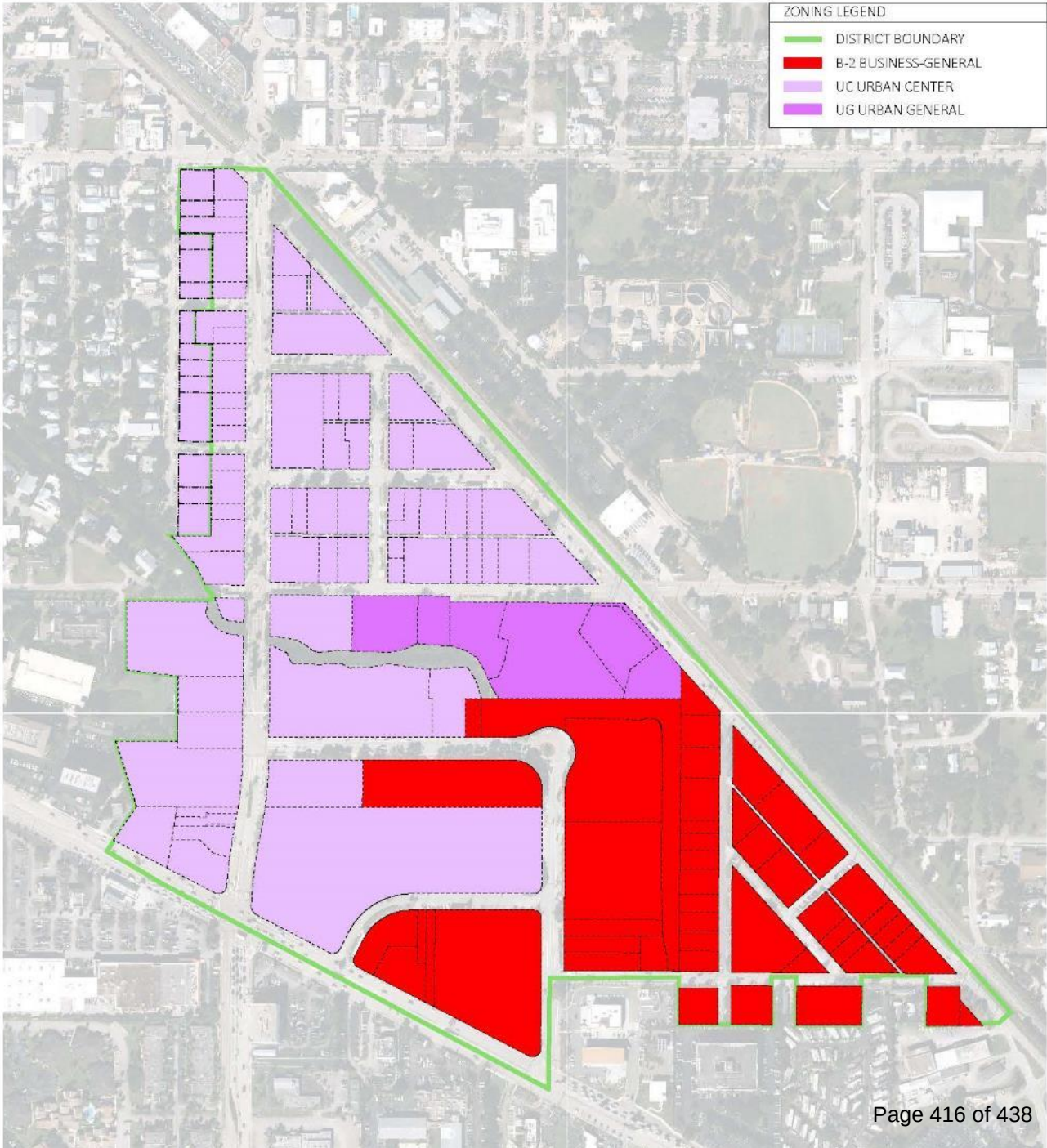
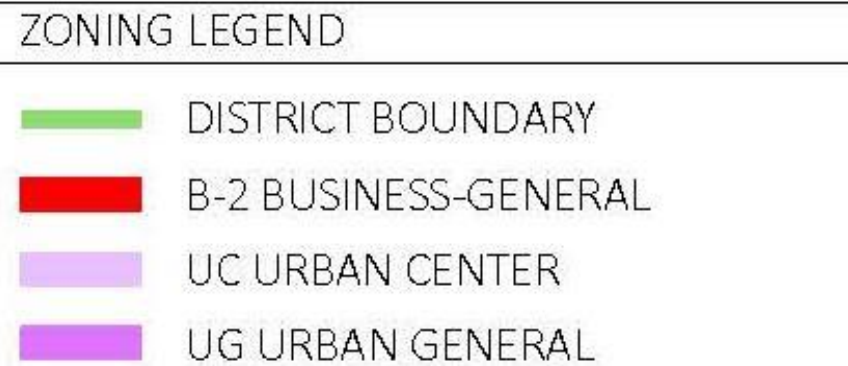


c. Development Director may request an applicant host a community workshop including any active neighborhood association(s) or business associations before submitting an application. A community workshop will be required of all *major development projects*. Applicant shall submit minutes and sign-in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

EXISTING ZONING MAP



PROPOSED REGULATING PLAN



DEVELOPMENT STANDARDS PROPOSED

- Height remains the same
- Density remains the same
- Modified setbacks to context
- Allow for more frontage types

	UC Urban Center	UG Urban General	Creek North
Lot Size			
Lot area, minimum in sf	None	None	None
Lot width, minimum in feet	None	None	None
Height			
Building height, maximum in stories	3 / 4 MU	3 / 4 MU	<u>3 / 4 CU</u>
Building height, maximum in feet	35' / 45' mu	35' / 45' mu	<u>40' / 45' CU</u>
Ground story height, min.	-	-	12'
Density			
Residential density, max in units/acre	15 / 30 CU	15 / 30 CU	15 / 30 CU
Non-Residential, maximum FAR	<3.0 FAR 1 / <1.5 FAR 2	<3.0 FAR 1 / <1.5 FAR 2	12'
Coverage			
Impervious surface, maximum in %	Sec. 6.03	Sec. 6.03	See Sec. 6.03
Building & Parking Placement			
Front setback	0' build to line	10'	0-10'
Side setback at property line, min.	0'	5'	0' or 5' ≥
Side setback at street, min.	0'	5'	5'
Rear setback with alley, min.	0'	15'	0'
Rear setback without alley, min.	0'	15'	10'
**Shoreline protection zone within a CRA	10' Setback at Frazier Creek	10' Setback at Frazier Creek	10' Setback at Frazier Creek
Frontage Buildout, minimum %	80% ex. 10' driveway/courtyard	60%	60%
Frontage Types			
Storefront	✓ Required		✓ Permitted
Arcade	✓ Required		✓ Permitted
Balconies	✓ Required		✓ Permitted
Forecourt			✓ Permitted
Stoop			✓ Permitted
Porch		✓ Required	✓ Permitted

DEVELOPMENT STANDARDS PROPOSED

- Height remains the same
- Density remains the same
- Modified setbacks to context
- Allow for more frontage types

	UC Urban Center	B-2 Business General	Creek South
Lot Size			
Lot area, minimum in sf	None	10,000	None
Lot width, minimum in feet	None	100'	None
Height			
Building height, maximum in stories	3 / 4 MU	4	4
Building height, maximum in feet	35' / 45' mu	45'	45'
Ground story height, min.	Not Applicable	Not Applicable	12'
Density			
Residential density, max in units/acre	15 / 30 CU	Up to 15 in PUD	15 / 30 CU
Non-Residential, maximum FAR	<3.0 FAR 1 / <1.5 FAR 2	<3.0 FAR 1 / <1.5 FAR 2	Not Applicable
Coverage			
Impervious surface, maximum in %	Sec. 6.03	65%	Sec. 6.03
Building & Parking Placement			
Front setback	0' build to line	30'	0'-20'
**2.04.06 US-1 20' from ROW	20' setback at US1	20' setback at US1	20' -40' Build-to- Zone
Side setback at property line, min.	0'	5'	0' or 5' ≥
Side setback at street, min.	0'	5'	10'
Rear setback with alley, min.	0'	20'	0'
Rear setback without alley, min.	0'	20'	10'
**Shoreline protection zone within a CRA	10' Setback at Frazier Creek	10' Setback at Frazier Creek	10' Setback at Frazier Creek
Frontage Buildout, minimum %	80% ex. 10' driveway/ courtyard	-	80% ex. 10' driveway/ courtyard
Frontage Types			
Storefront	✓ Required		✓ Permitted
Arcade	✓ Required		✓ Permitted
Balconies	✓ Required		✓ Permitted
Forecourt			✓ Permitted
Stoop			✓ Permitted

DEVELOPMENT STANDARDS PROPOSED

- Height remains the same
- Density remains the same
- Modified setbacks to context
- Added Frontage Types

	B-2 Business General	Creek Industrial
Lot Size		
Lot area, minimum in sf	10,000	None
Lot width, minimum in feet	100'	None
Height		
Building height, maximum in stories	4	4
Building height, maximum in feet	45'	45'
Ground story height, min.	Not Applicable	12'
Density		
Residential density, max in units/acre	Up to 15 in PUD	15
Non-Residential, maximum FAR	<3.0 FAR 1 /<1.5 FAR 2	Not Applicable
Coverage		
Impervious surface, maximum in %	65%	65%
Building & Parking Placement		
Front setback	30'	10'-30'
Side setback at property line, min.	5'	5'
Side setback at street, min.	5'	10'
Rear setback with alley, min.	20'	5'
Rear setback without alley, min.	20'	10'
**Shoreline protection zone within a CRA	10' Setback at Frazier Creek	10' Setback at Frazier Creek
Frontage Buildout, minimum %	Not Applicable	Not Applicable
Frontage Types		
Storefront		✓ Permitted
Balconies		✓ Permitted
Forecourt		✓ Permitted
Stoop		✓ Permitted
Porch		✓ Permitted

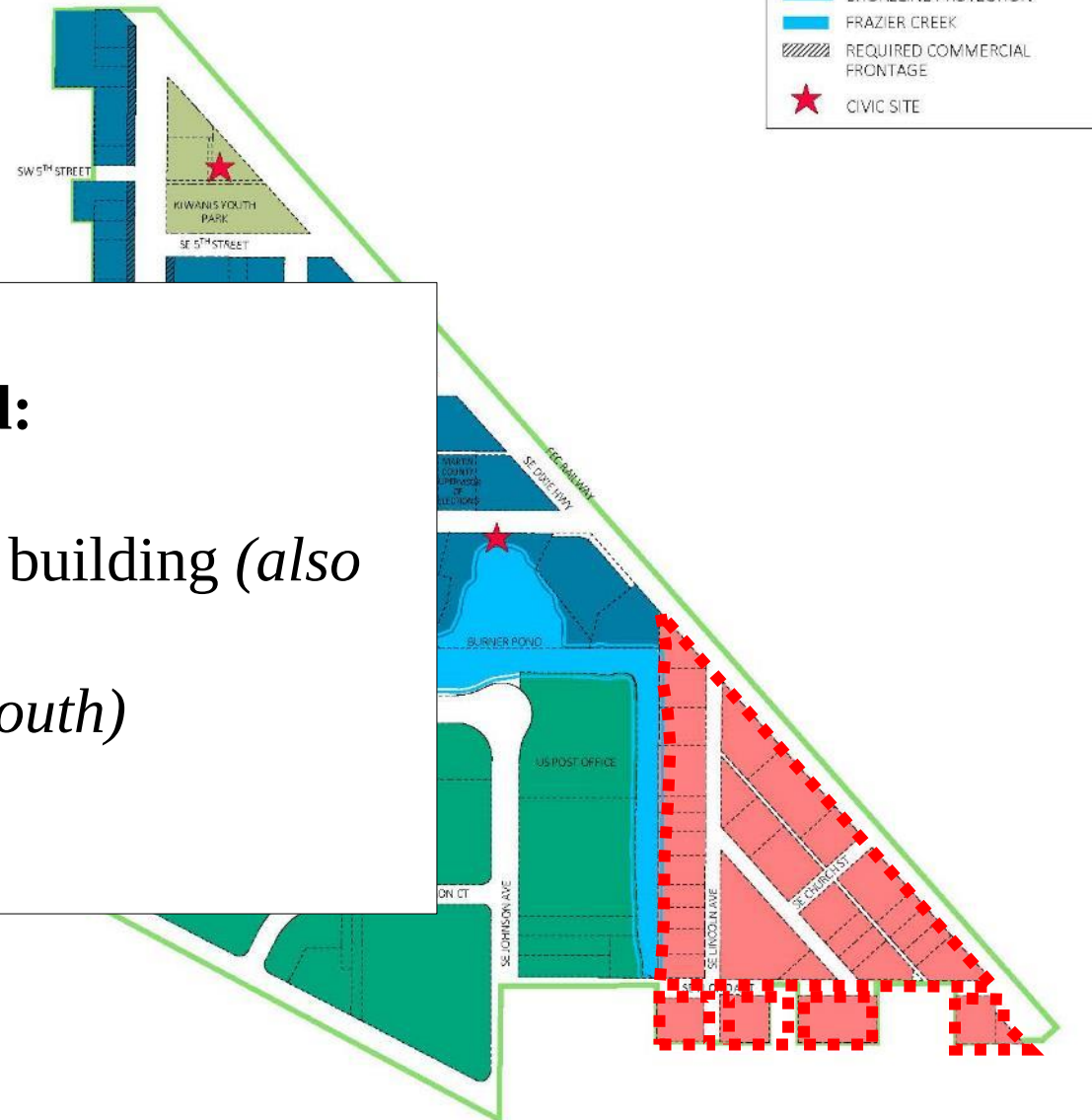
USES

CREEK INDUSTRIAL

Permitted Uses

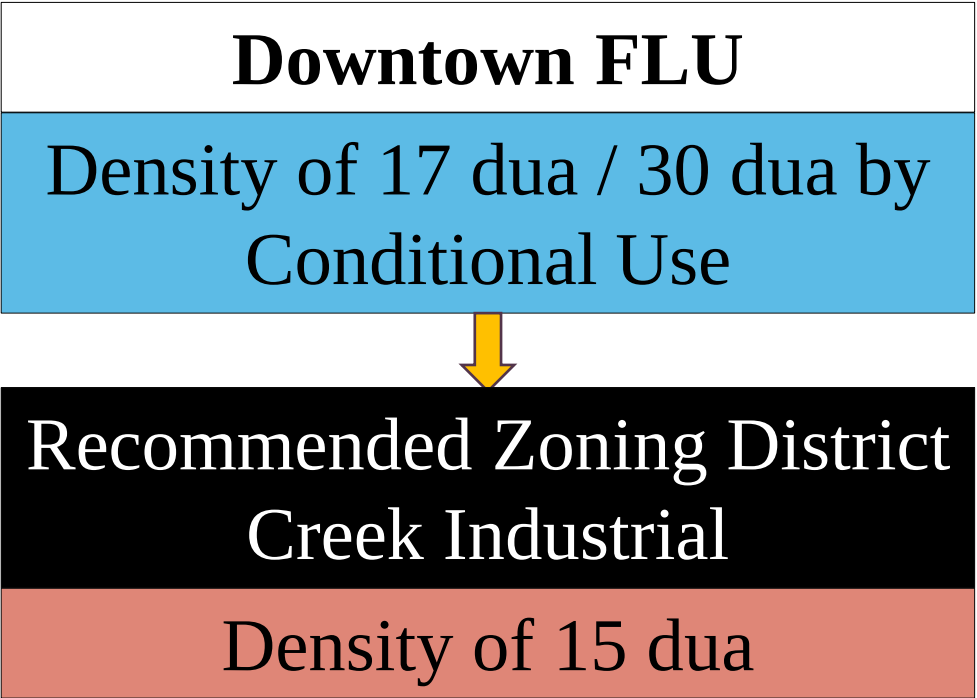
Consistent with B-2 (existing zoning) included:

- Banks & Financial Institutions
- Automobile repair service within an enclosed building (*also along Florida Street & US-1 in Creek South*)
- Health Clubs (*also added to Creek North & South*)
- Kennels
- Repair Services



DENSITY

CREEK INDUSTRIAL



PROPOSED FRONTAGE TYPES

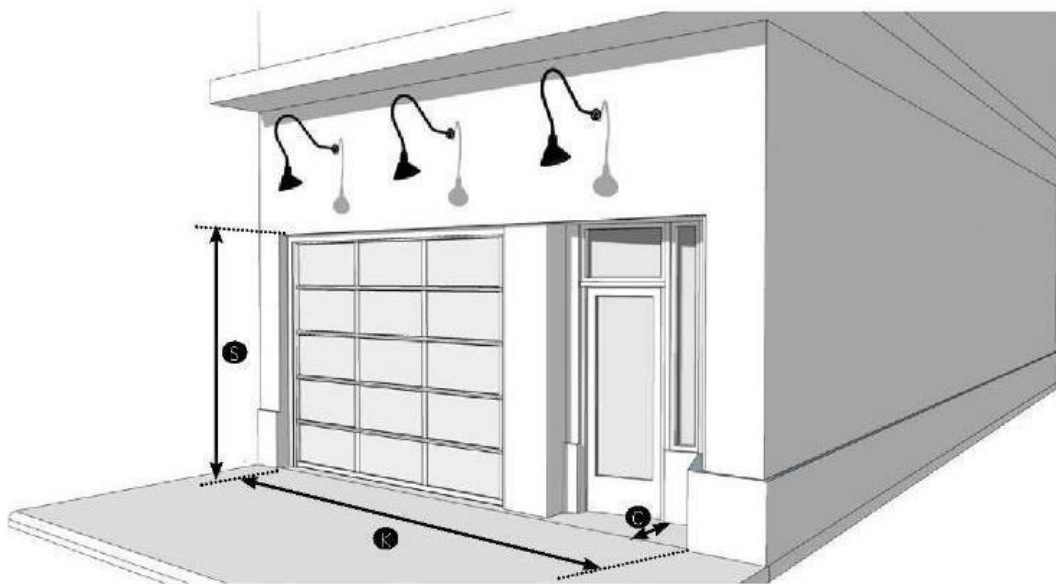
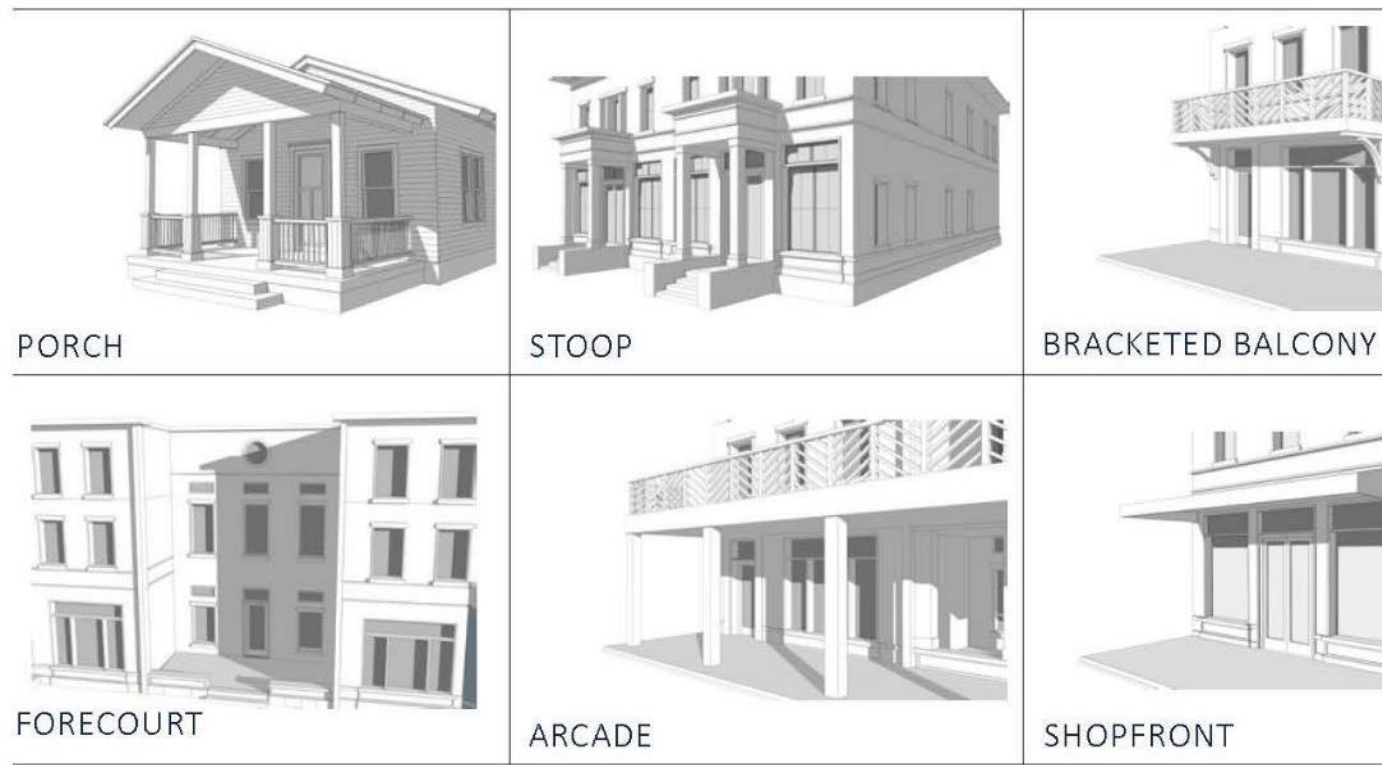


FIGURE 14 PERMITTED FRONTAGE TYPES MATRIX

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

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



PARKING STANDARDS EXISTING

- Limits change of use and responsiveness to market
- Too often connected to seats and number of employees which are difficult to regulate

	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-bedroom
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		

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	-	-

PARKING
STANDARDS
PROPOSED

1,200-sf Retail

1 per 300-sf

=

4 parking spaces

4 parking
spaces

810-sf
parking
spaces

1,200-sf Restaurant
5,100-sf site



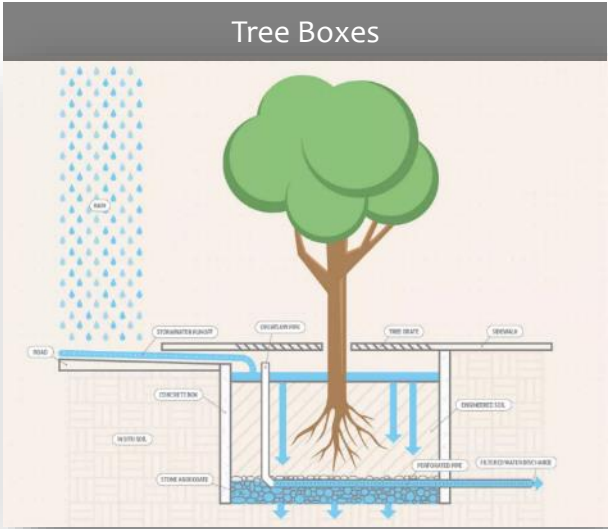
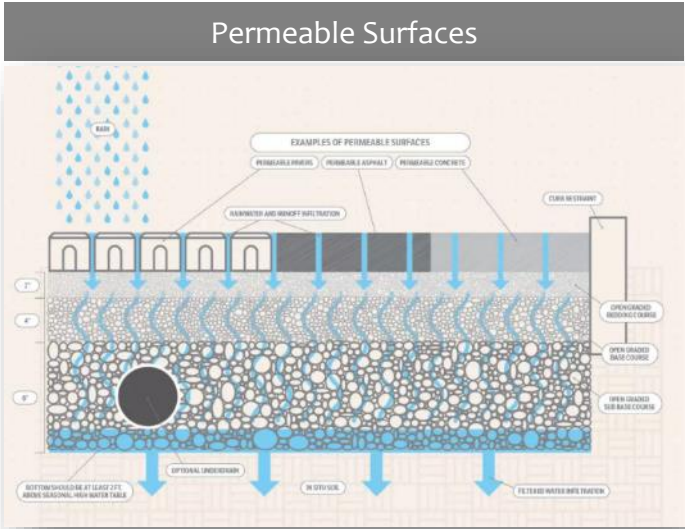
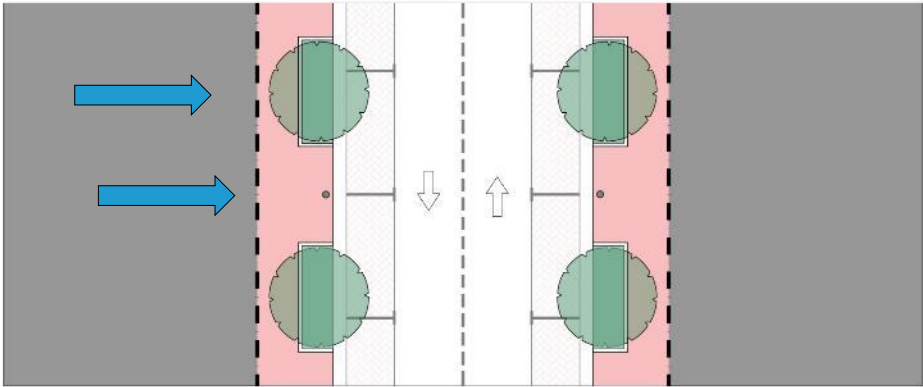
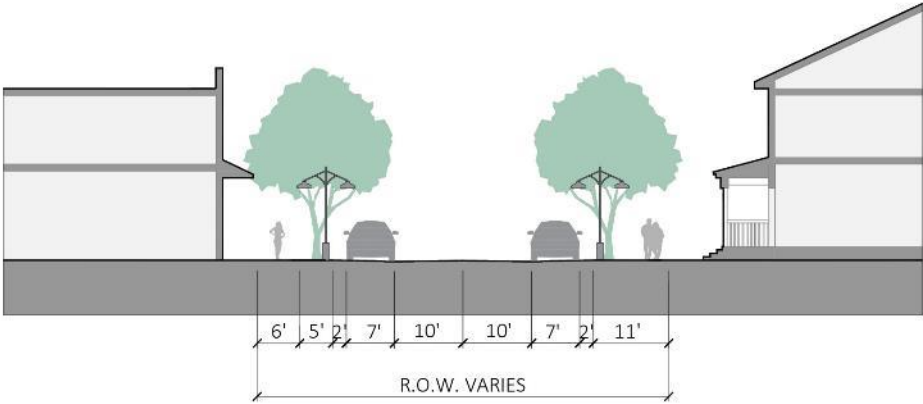
PROPOSED THOROUGHFARE PLAN



LOW IMPACT DEVELOPMENT STANDARDS **PROPOSED**

“GET THE GREEN BACK”

- Thoroughfare Standards
- Civic Open Space
- Parking Lot Standards
- Landscape Standards



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

LOW IMPACT DEVELOPMENT STANDARDS **PROPOSED**

SHORELINE PROTECTION ZONE

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:

- Living shorelines;
- Rain gardens;
- Riprap and,
- Pervious walkways, docks, kayak launches 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 and are permitted by the State of Florida.
- Any development shall protect wetlands, seagrass, oyster beds, shoreline mangroves, and ensure no shoreline erosion.
- Bulkheads, seawalls, and parking shall not be permitted.

LOW IMPACT DEVELOPMENT STANDARDS **PROPOSED**

SHORELINE PROTECTION ZONE – LPA COMMENT

Identifying nonconformities: avoiding where possible & clarifying when substantial improvement is required

- Bulkheads – two properties have existing bulkheads

Updated Language:

- Bulkheads, seawalls, and parking shall not be permitted. Bulkheads and seawalls shall be permitted if established prior to the effective date of this ordinance.

NEIGHBORHOOD OPEN SPACE PROPOSED

Neighborhood open space is an outdoor space accessible by the general public, improves the pedestrian environment, and serves as an amenity for the neighborhood. Neighborhood open space may provide low impact infrastructure elements to promote improved stormwater treatment. Where neighborhood open space is pervious, the area does not count towards impervious coverage.

	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.	
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 .	

COMMENTS AT LPA & CITY COMMISSION

Civic Open Space

- Clarifying this is not applicable for single family homes
- Concern too restrictive to mandate for parcels based on size

Updated Language:

- Updated language and name
- Removed the requirement based on site size
- Still there as a recommendation for sites
- Can be referred to as a design objective for conditional uses



Highlands, NC

RECOMMENDED ACTION

Motion to approve Ord. No. 2501-2023, amending the city's official Zoning Map to a new zoning on parcels within "The Creek District" to be consistent with the Future Land Use Map.

Motion to approve Ord. No. 2498-2023, amending the city's Land Development Code, Chapter III to include form-based land development regulations for "The Creek District"; Chapter II Zoning Districts Uses Allowed, Density, Intensity; and Chapter XII Definitions

THANK YOU

Jessica Cortor Seymour

Principal Program Coordinator

Treasure Coast Regional Planning Council

jseymour@tcrpc.org

NEXT STEPS

Feb. 13 City Commission Meeting 2nd Reading

THE CREEK DISTRICT

of Arts & Entertainment
STUART, FLORIDA

October 20, 2022

Dear City of Stuart Commissioners:

I am writing on behalf of the Board of Directors of The Creek District of Arts and Entertainment, Inc., a not-for-profit organization created with the mission of establishing and promoting a vibrant arts and entertainment district in downtown Stuart, in support of the proposed code revisions before you as they affect The Creek District.

The Creek District has evolved from a sleepy gateway to historical downtown to a destination in its own right, with retail stores, restaurants, entertainment venues and other businesses that attract visitors and shoppers from throughout Martin County and beyond. These revisions to the City Code will help to foster a more walkable area that will draw visitors and investors alike. In particular, we are encouraged by the proposals for mixed uses of property, the ability to move storefronts and active uses closer to sidewalks and streets, and the reduction in parking space requirements.

We encourage you to approve these proposed revisions as a means of supporting our vision to attract and encourage artistic expression throughout The Creek District, which will, in turn, benefit both the businesses and the residents of the area.

Most sincerely,



Duncan Hurd, President
Board of Directors

MINUTES
LOCAL PLANNING AGENCY OF THE CITY OF STUART
DECEMBER 8, 2022
AT 5:30 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

LOCAL PLANNING AGENCY

Chairperson - Kelly Laurine
Vice Chairperson - Margaret Bromfield
Board Member - Bill Mathers
Board Member - Ryan Strom
Board Member - Jackie Vitale
Board Member - VACANT
Board Member - VACANT
Ex Officio Board Member - Mark Sechrist

ADMINISTRATIVE

Development Director, Jodi Nentwick-Kugler
City Clerk, Mary R. Kindel

CALL TO ORDER

5:34 PM

ROLL CALL

PRESENT: Chairperson Laurine, Board Member Mathers, Board Member Strom, Board Member Vitale

ABSENT: Vice Chairperson Bromfield

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Pinal Gandhi Savdas, CRA Executive Director, explained the rearrangement of the items in the agenda.

- Item #5 was read third.
- Item #7 was read fourth.
- Item #3 was read fifth.
- Item #6 was read sixth.
- Item #4 was read seventh.

5:36 PM MOTION: Approve with rearrangements of items.

MOVED BY: Jackie Vitale

SECONDED BY: Ryan Strom

Motion approved unanimously.

APPROVAL OF MINUTES

1. APPROVAL OF OCTOBER 13, 2022 MINUTES

5:37 PM MOTION: Approve.

MOVED BY: Ryan Strom

SECONDED BY: William Mathers

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

None.

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

Michael Mortell, City Attorney, spoke on the passing of Board Member Larry Massing.

ACTION ITEMS

2. EAST STUART NEIGHBORHOOD - SMALL-SCALE FUTURE LAND USE MAP AMENDMENT (RC): (THIS IS A SINGLE READING ITEM)

ORDINANCE No. 2500-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "LOW DENSITY" TO "EAST STUART" FOR 8.60 ACRES OF LAND; "OFFICE-RESIDENTIAL" TO "EAST STUART" FOR 1.93 ACRES OF LAND; "MULTI-FAMILY" TO "EAST STUART" FOR 4.50 ACRES OF LAND; "PUBLIC" TO "EAST STUART" FOR .53 ACRES OF LAND; AND "EAST STUART" TO "PUBLIC" FOR 5.16 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

5:39 PM

Ms. Gandhi Savdas presented the item and stated all the notices that were sent out to the neighbors within the project area, spoke about the workshops and walking tours that took place, and all the community engagements.

Jessica Seymour, Treasure Coast Regional Planning Council presented the timeline, future land use map and their changes, and the proposed future land use map.

PUBLIC COMMENT:

1.) Brooks Dubois - SE 6th St; Spoke about a larger parcel and is in opposition of the duplexes possibly going in that parcel.

2.) Laura Giobbi - Questioned where the parking is in the multi-dwelling units.

6:00 PM MOTION: Approve.
MOVED BY: Ryan Strom
SECONDED BY: William Mathers
Motion approved unanimously.

****Clerks Note** - Ordinance No. 2499-2023 and 2507-2023 were presented together in one presentation. Discussion happened at the same time and a motion was first made on the Land Development Code and then on Zoning Map Amendment.**

5. EAST STUART NEIGHBORHOOD - ZONING MAP AMENDMENT (RC):

ORDINANCE No. 2499-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "EAST STUART NEIGHBORHOOD" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Ms. Seymour presented the proposed land use and zoning, showed comments from CRB Board Members and City Commissioners, the proposed process, regulating plan, thoroughfare plan, development standard typical lot sizes, zoning, dwelling units per acre, frontage types, building types, proposed neighborhood open space, low-impact development standards, vision update on the master plan, and top three take-aways.

Board Members and Ms. Seymour had a discussion about accessory dwelling unit's (ADU), facades, porches, store fronts, and building height requirements.

6:41 PM Board Member Mathers made a motion seconded by Board Member Strom.

Board Members had a discussion about ADU's and whether or not to include it in the motion.

PUBLIC COMMENT:

1.) Brooks Dubois - SE 6th St; Stated he is okay with ADU's but not the duplexes.

6:49 PM MOTION: Approve.
MOVED BY: William Mathers
SECONDED BY: Ryan Strom
Motion approved unanimously.

7. EAST STUART NEIGHBORHOOD - LAND DEVELOPMENT CODE AMENDMENT (RC):

ORDINANCE No. 2507-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER III SPECIAL ZONING CODES FOR THE "EAST STUART NEIGHBORHOOD"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

6:48 PM MOTION: Approve, with the restriction on the Duplex but not ADU, and ensure that the language states "Non-pervious does not count towards the impervious count".

MOVED BY: William Mathers

SECONDED BY: Jackie Vitale

Motion approved unanimously.

**3. THE CREEK DISTRICT - SMALL-SCALE FUTURE LAND USE AMENDMENT
(THIS IS A SINGLE READING ITEM)**

ORDINANCE No. 2502-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND DESIGNATION FROM "COMMERCIAL" TO "DOWNTOWN" FOR 20.07 ACRES OF LAND AND "DOWNTOWN" TO "RECREATION" FOR .25 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Ms. Seymour presented the existing future land use map and the future land use element.

PUBLIC COMMENT:

1.) Mark Brechbill - SE Osceola St; Asked if the gym property will be grandfathered in and questioned how it will supply to the sound ordinance?

Board Members had a discussion with Ms. Seymour about their concerns in The Creek District.

7:05 PM MOTION: Approve.

MOVED BY: Jackie Vitale

SECONDED BY: Ryan Strom

Motion approved unanimously.

****Clerks Note** - Ordinance No. 2498-2023 and 2501-2023 were presented together in one presentation. Discussion happened at the same time and two motions were made on each Ordinance.**

6. THE CREEK DISTRICT - ZONING MAP AMENDMENT (RC):

ORDINANCE No. 2501-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "THE CREEK DISTRICT" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH THE FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Ms. Seymour presented the comments received from CRB, LPA, and City Commission, proposed process, proposed regulating plan, proposed development standards, creek industrial uses, creek industrial density, proposed frontage types, proposed parking

standards, proposed thoroughfare plan, proposed low impact development standards, and proposed neighborhood open space.

Board Members had a discussion with Ms. Seymour in regards bulkheads, how you measure height.

7:29 PM MOTION: Approve.

MOVED BY: Ryan Strom

SECONDED BY: Jackie Vitale

Motion approved unanimously.

4. THE CREEK DISTRICT - LAND DEVELOPMENT CODE AMENDMENT (RC):

ORDINANCE No. 2498-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER II ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY; CHAPTER III SPECIAL ZONING CODES FOR "THE CREEK DISTRICT"; AND CHAPTER XII DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

7:31 PM MOTION: Approve, adding language for bulkheads in emergency situations.

MOVED BY: Jackie Vitale

SECONDED BY: William Mathers

Motion approved unanimously.

STAFF UPDATE

Susej Meleqi, Deputy City Clerk, stated that the Clerk's Department would be taking over the advisory board meetings.

ADJOURNMENT

7:32 PM

Mary R. Kindel, City Clerk

Kelly Laurine, Chairperson

**Minutes to be approved at the Local Planning Agency
Meeting this 12th day of January, 2023.**