

MINUTES
SPECIAL COMMISSION MEETING OF THE STUART CITY COMMISSION
FORM BASED CODE
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

ROLL CALL

4:01 PM

PRESENT: Mayor McDonald, Vice Mayor Bruner, Commissioner Clarke, Commissioner Collins, Commissioner Rich

*** Clerk's Note - City Attorney Mike Mortell was present via ZOOM

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Mayor McDonald

- Commented that he is happy with the Florida Cabinet ruling in favor of the City. He stated that the City did follow the rules and thanked City Attorney Mike Mortell and all the staff who worked hard.

Commissioner Clarke

- Echoes the Mayor's words.
- Requested the status on the legal cases in the City and an update on the Ridges situation
- Stated it was a great Martin Luther King weekend and spoke briefly about the shooting

in the MLK Parade in Ft Pierce.

Vice Mayor Bruner

- Commented on how nice the MLK parade was.
- Stated she was happy to hear the ruling from our Governor about the Costco case and said the Commission did nothing wrong in voting how they did.

COMMENTS BY CITY MANAGER

City Manager David Dyess

- Confirmed with Paul Sandstrom, Information Specialist Tech, if the City Attorney was on ZOOM as a participant in the meeting.

APPROVAL OF AGENDA

4:09 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

1.) Helen McBride - Flamingo Ave; Commented on the recent public comments that are coming from residents outside the City and wonders if residents should be made to state whether they live inside or outside the City. She stated that she is concerned that people are chipping away at our constitution. She also stated that she wants to know how Commissioners can record the public up from the dais due to a video that was made by a Commissioner.

City Manager responded by stating that the cameras in the room are for recording the meeting.

Commissioner Clarke spoke about a book by Diane Feeney, Politics of Place.

Commissioner Rich commented that perhaps we can put a notice or disclaimer on the agenda or in the civility notes notifying citizens that they are being recorded.

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.

Pinal Gandhi-Savdas, CRA Executive Director, presented a brief introduction of the East Stuart Neighborhood Small-Scale Future Land Use Maps Amendment and read Ordinance No. 2500-2023 for the record.

City Attorney, Mike Mortell, reported via ZOOM, that Commissioners are to be sworn in on all Future Land Use items.

4:28 PM Mary Kindel, City Clerk, swore in (2) people Pinal Gandhi-Savdas and Jessica Seymour, Treasure Coast Regional Planning.

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

4:34 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Becky Bruner

Motion approved unanimously.

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.

Ms. Seymour presented the East Stuart Neighborhood Zoning Map Amendment updates to Ordinance No. 2499-2023 and reviewed with the Commission the changes made since the Local Planning Agency (LPA) Meeting, which included a demonstration of the color coded map, showing the code updated in removing the commercial component, which provides more flexibility and single-family homes in the area, thoroughfare types, density, and timeline.

Ms. Seymour listed top 3 takeaways:

1. Allowing residential on BMU
2. Reflecting lot sizes and historic building in setbacks
3. Additional opportunities for community input.

Commissioners had discussions and asked Ms. Seymour questions about the below:

- Sidewalks
- Code Updates
- Dwelling Units
- Historic Preservation

- Building Types
- Neighborhood Open Space
- Stemwalls

PUBLIC COMMENT:

1. Frank McChrystal - Stated that he hopes that the accessory dwelling unit rule will be used throughout the City and not just East Stuart.
2. Jimmy Smith - SE Apache Ave; Thanked the Commission for what they're doing and caring for the historic community, stated that East Stuart is a special community.
3. Joseph Cooper - 9th St; Stated that it was important to create an overlay for East Stuart and thanked the Commission for doing this.

5:50 PM MOTION: Approve
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

* Clerks Note - Attorney Mortell physically arrived to the meeting at 5:55 PM.

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.

5:57 PM MOTION: Approve.
MOVED BY: Christopher Collins
SECONDED BY: Eula Clarke
Motion approved unanimously.

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.

Ms. Seymour continued with her presentation on Ordinance No. 2502-2023 on the Creek District, Small-Scale Future Land Use Amendment with a proposed map, reviewing the

details and recommended action.

Commissioner Collins asked if we were creating 3 new sub-districts, in which Ms. Seymour answered it was creating 3 new zoning designations.

6:01 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Becky Bruner

Motion approved unanimously.

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.

Ms. Seymour presented briefly on the proposed land development regulations, comments from LPA and CRB, proposed regulating plan, proposed development standards, uses, density, proposed frontage types, existing and proposed parking standards, proposed thoroughfare plan, proposed low impact development standards, and neighborhood open space.

Commissioners are in consensus about changing the language that refers to the subdistrict for second reading of items.

Commissioners had a discussion about formula retail and corporate advertising, and would like to have staff come back with more information and review the language.

Commissioners continued discussion with Ms. Seymour about the Ordinance and The Creek District.

6:51 PM MOTION: Approve.

MOVED BY: Christopher Collins

SECONDED BY: Becky Bruner

Motion approved unanimously.

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.

6:51 PM MOTION: Approve with conditions, staff bringing back changes: square footage on formula business, footnote regarding percentage of subdistrict in Creek District, and compliance based.
MOVED BY: Christopher Collins
SECONDED BY: Eula Clarke
Motion approved unanimously.

DISCUSSION AND DELIBERATION

The City Attorney commented that the governor's attorney is giving the order to be signed at the Cabinet Meeting in March. Attorney Mortell gave a brief synopsis of what happened during the Cabinet Hearing.

ADJOURNMENT

6:59 PM

Mary R. Kindel, City Clerk

Troy McDonald, Mayor

Minutes to be approved at the Regular Commission Meeting this 13th day of February, 2023.