



**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, any right-of-way improvements depicted in the plan are not programmed to be built by the city and the inclusions in the plan does not obligate the city to build the same; and

WHEREAS, it has never been the intension of the city to allow more than the 30 du/ac and the density calculation will be limited to parcel (s) in the application; 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SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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.

Ordinance No. 2507-2023;
East Stuart LDC Amendment

PASSED on first reading this 17th day of January, 2023.

Commissioner BRUNER offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner CLARKE 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
Y			
Y			
Y			
Y			
Y			

ADOPTED on second reading this 13th day of February, 2023.

ATTEST:



MARY R. KINDEL
CITY CLERK



TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:



MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

