BEFORE THE CITY COMMISSION

CITY OF STUART, FLORIDA

ORDINANCE NUMBER 2442-2020

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) FOR THE COMPREHENSIVE PLAN OF THE CITY OF STUART; STATING THE INTENT OF THE CITY COMMISSION TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING THE TRANSMITTAL OF THE EAR TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) AND OTHER INTERESTED GOVERNMENTAL ENTITY; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, the Local Government Comprehensive Planning and Land Development Regulations Act, Section 163.3161 Florida Statutes require that each local government prepare and submit a comprehensive plan of the type set out in that Act, and

WHEREAS, the City Commission of the City of Stuart, Florida adopted its last EAR on September 14, 2009; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to periodically access the success or failure of the adopted plan to adequately address changing conditions and state policies and rules, and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for growth and development; and

WHEREAS, the City of Stuart completed and adopted its Evaluation and Appraisal (EAR) Report on June 22, 2020; and

WHEREAS, the Department of Economic Opportunity issued a sufficiency determination on _____, and found the City of Stuart EAR sufficient; and

WHEREAS, all EAR-based amendments must be completed within 18 months of the date the EAR is found sufficient in accordance with Chapter 163.3191(10), Florida Statutes; and

WHEREAS, the Local Planning Agency of the City of Stuart reviewed the proposed amendments to the Comprehensive Plan at a public hearing on June 4, 2020; and

WHEREAS, the City Commission has considered the coordination and consistency of this amendment with the entirety of elements of the Comprehensive Plan; and

WHEREAS, on June 22, 2020, at a duly advertised public hearing, the City Commission considered the proposed EAR Report, attached hereto as Attachment "A", and the Comprehensive Plan amendments, attached hereto as Attachment "B", and approved such amendments for transmittal to the Florida Department of Economic Opportunity; and

WHEREAS, the City Commission has provided for full public participation in the comprehensive planning and amendment process and has considered and responded to public comments.

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

SECTION 1: The City Commission does hereby approve the proposed EAR Report and Comprehensive Plan amendments, hereto attached and incorporated herein as Attachments "A" and "B", consisting of the following:

I. Attachment A – The City's Evaluation and Appraisal Report 2020

II. Attachment B – Revised Elements of the City's Comprehensive Plan

- **a.** Future Land Use Element
- **b.** Transportation Element
- **c. Housing Element**
- **d. Infrastructure Element**
- **e. Conservation Element**
- **f. Recreation and Open Space Element**
- **g. Intergovernmental Coordination Element**
- **h. Capital Improvements Element**
- **i. Coastal Management Element**
- **j. Public School Facilities Element**

SECTION 2: The City does hereby approve transmittal of the EAR Report and incorporated text amendments and documents to the Department of Economic Opportunity (DEO) and other interested entities for the purpose of a sufficiency review.

SECTION 4: All ordinances or parts of ordinances herewith are herby repealed to the extent of such conflict.

SECTION 5: If any word, clause, 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 6: The provisions of this ordinance shall be codified.

SECTION 7: This ordinance shall take effect upon adoption.

Passed on first reading the ____ day of _____, 2020.

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:

	YES	NO	ABSENT	ABSTAIN
MICHAEL J. MEIER, MAYOR				
EULA R. CLARKE, VICE MAYOR				
BECKY BRUNER, COMMISSIONER				
MERRITT MATHESON, COMMISSIONER				

ADOPTED this ___ day of _____, 2020.

ATTEST:

_____ _____

MARY R. KINDEL MICHAEL J. MEIER

CITY CLERK MAYOR

APPROVED AS TO FORM

AND CORRECTNESS:

_____

MICHAEL J. MORTELL

CITY ATTORNEY