

City of Stuart Comprehensive Plan

Element 1, Goal Statement C

The goal of the City of Stuart is to maintain and strengthen the beauty, economic vitality, cultural resources, and social resources of the area. This shall be accomplished by preservation of historic buildings, innovative zoning, land use regulations, demolition, and renovation of existing buildings.

The City has implemented the Stuart Urban Code Overlay Zone which provides adequate parking and encourages the ability for people to live, walk, and shop without need of a car. The City will promote construction that fits with the existing architectural heritage of the community through architectural regulations. For example, building size, height, orientation, color, materials, conceal of parking lots, landscaping, and the promotion of modes of transportation to create an interesting and harmonious community.

Historic Resources

The City of Stuart has a wealth of historic resources and shall continue to encourage their preservation. The City has adopted policies to preserve these resources by designating and maintaining an inventory of historic and archeological resources such as buildings, sites, and landmarks. The City also will continue to eliminate zoning and other conflicts that hamper preservation and support public/private efforts to protect historic resources.

The City's Main Street Program shall inventory and analyze the preservation needs in the downtown area to encourage building reuse and historical integrity. In addition, if a potential historic or archaeological site is located during construction, the developer shall notify the City of Stuart and the State Division of Historic Resources before continuing construction.

City of Stuart Code of Ordinances

For a structure to officially be designated *Historic*, it must adhere at least one of the following: Ordinance No. 2210-2010

- A. The structure or site must be listed on the National Historic Register (maintained by the US Department of Interior) or directly determined by the Secretary of the Interior.
- B. The structure or site is listed on the Florida inventory of historic places, individually listed by local historic preservation programs that are approved by state or directly by Secretary on the Interior.
- C. The structure or site is listed on the City of Stuart's 2013 update of the "1991 Historic Properties Survey" completed by Historic Properties, INC, St. Augustine, Florida, maintained by the City Development Director.

Historic Structure or Site Compliance

Sec. 10-57

A historic structure or site shall be maintained in compliance with the City of Stuart Property Maintenance Code, (Ordinance No. 2156-08), unless the required maintenance will alter the historical character of the building.

The determination by the Development Director regarding compliance with the above article may be appealed to the City Magistrate within 30 days of such a determination. The appeal is to be filed in writing with the City Clerk. No historic building is to be occupied which is not safe as required by the City Property Maintenance Code.

City of Stuart Land Development Code

Historic Preservation

Sec. 5.09.00

Demolition of Historic Structure

Sec.5.09.01

A permit to demolish a historic structure shall not be issued within 30 days of filing the application and payment of any fee. If the building is zoned other than R-1 or R-2, a permit to demolish shall not be issued within 90 days of filing the application and payment of any fee.

During the 30 or 90 day waiting period, the City and applicant shall explore one or more of the following possibilities:

1. Preserve the structure;
2. Relocate the structure on existing site;
3. Donate the structure to the city or other preservation organization for the purpose of relocating to another site.

Upon the determination by a building official that a historic building poses an immediate or imminent risk to public health, safety, and welfare; the required waiting period for demolishing a historic structure may be waived by the City Manager.

Demolition by Neglect; prohibited

Sec.5.09.04

Every owner of a historic structure as of December 11, 2006, shall maintain and keep in good repair all exterior and interior portions of the building; interior portions being structural, electrical, plumbing,

and mechanical (HVAC) systems. If these systems are not maintained, it may cause buildings or structures to deteriorate or fall into a state of disrepair. Failure to maintain a historic structure is in violation of the City's Land Development Code.

A building official or designee will evaluate the structure to determine if neglect is to be the most significant cause of the overall deterioration. Factors also taken into consideration are the effects of wear and tear caused by natural elements such as oxidation and weather. Upon a determination of demolition by neglect the City may remedy the violation, provided by law, which includes code enforcement and repairs performed by or on behalf of the City.

Magistrate Hearing Sec.5.09.06

If a demolition application is denied or the applicant disputes a development order made by the City, the applicant has 30 days to appeal the order and seek a hearing with the City Magistrate. The appeal must be filed with the City Clerk and state why the denial or order is being challenged.

Tax Exemptions for Certain Historic Structures **Sec.5.09.05**

A historic structure with in the City of Stuart may qualify for a ten year ad valorem tax exemption for the assessed value of improvements resulting from restoration or rehabilitation made to the structure. If the improvements are in accordance with the Martin Country Preservation Board provisions, the board shall grant the exemption and likewise the City of Stuart Commission.

Parking Credit Sec.5.09.00

Historic buildings shall receive a parking credit for the existing use and shall provide at least 50 percent of the required parking for 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 Chapter VI of the City of Stuart Land Development Code.

City of Stuart Community Redevelopment Plan

The Historic Preservation Program was created with the belief that historic downtowns and neighborhoods possess elements that create livable and viable communities by encouraging compact, mix-use development, and historic districts. The program's intent is to educate the public on the benefits of historic preservation and generate support for CRA (Community Redevelopment Agency) preservation activities. The goal is to preserve the heritage of Stuart by utilizing historic preservation, combat blight, encourage the compatibility of historic structures with new construction, provide incentives to businesses, increase property value, and use preservation as a tool for economic growth.

The City of Stuart has many examples of public/private historic preservation projects that have successfully retained the character of the community. For instance, the Stuart Feed Store, Woodman Hall, The Arcade Building, Flagler Recreation Center, and the Lyric Theater. Additionally, the program has established historical neighborhoods such as Potsdam, Frazier, Downtown, and Porters Addition.

The program supports building renovation, acquisition of historic buildings, building façade preservation or improvement, and foundation & structural improvement. In addition, land can also be acquired for the purpose of relocating a historic structure that is threatened by demolition. Funds for preservation projects are provided in the form of grants, loans, and donations.

Furthermore, architectural, engineering, and planning assistance is provided to public and private projects by reviewing and recommending changes to building codes, zoning codes, and regulations for adaptive reuse and renovation that reflect the historical architectural styles of the City.

The City and CRA administrate the program and many other organizations may participate such as Stuart Heritage, Stuart Main Street, Martin County, residents, organizations, businesses, lending institutions, and state and federal governments. The Preservation Program is funded by both the City of Stuart and CRA as well as County, State and Federal governments. Other potential sources of funding are banks, builders, foundations, and homebuyers.