

MINUTES OF THE REGULAR MEETING OF THE CITY OF LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD HELD IN CITY HALL, 121 SOUTHWEST FLAGLER AVENUE, STUART, FLORIDA ON THURSDAY, FEBRUARY 19, 2009.

Those present: Dr. Edward Geary, Chairman
Li Roberts, Vice Chair
Xavier Blatch
Michael Herbach
Ryan Strom
Larry Massing
J. Lisle Bozeman Ex Officio

Those absent: William Mathers

Also present: Doug James, Development Director
Terry O'Neil, Consultant

I. CALL TO ORDER: Chairman

Chairman Geary called the meeting to order at 5:30PM

II. ROLL CALL: Secretary

Those answering roll call and others present are referenced above.

III. APPROVAL OF MINUTES: November 20, 2008

MOTION: Xavier Blatch

SECOND: Michael Herbach

Motion carried 6/0

Public Comments: None

Board Comments: None

1. Public School Concurrency Management Ordinance Number _____. An Ordinance of the City of Stuart, Florida amending Chapters 4 and 12 of the Stuart Land Development Code to implement Public School Concurrency Management; repealing all ordinances in conflict herewith; providing a severability clause; providing an effective date; and providing for directions to the City Clerk.

Presentation: Terry O'Neil

Public Comments: None

Board Comments:

Chairman Geary asked on Page 77 where it says “the School Board shall” if they have the right to tell them they shall review it.

Terry O’Neil said yes, it follows the County’s language.

J. Lisle Bozeman said the language follows the inter-local agreement which has been adopted by City, County and School Board.

Li Roberts asked if on Page 11 the level of services should match.

Terry O’Neil said not during this exercise.

Larry Massing clarified that when they cleaned up the language associated with the overall portions of this code, that would be the opportunity to clean up any inconsistencies.

Doug James said they recently adopted the CIE and are working on the LDC, Code of Ordinances which are full of inconsistencies and would rather they concentrate on the school concurrency.

J. Lisle Bozeman asked whether or not there should be some reference for school level of service in that section.

Terry O’Neil said that was a good point and he would add the reference to it.

J. Lisle Bozeman had a question on section 4.11.05 where he has residential uses exempt and she didn’t find that in the inter-local agreement and wondered where it originated.

Terry O’Neil said the language originated from the County Ordinance.

Li Roberts asked where he is calculating school capacity if they are counting the exempt?

Terry O’Neil said if it is exempt from concurrency it does not go through the review process.

Chairman Geary said on page 18 if someone builds a condo and the condo docs are changed from 55 and over will it be re-evaluated?

J. Lisle Bozeman said it would.

Li Roberts asked on 19E if it means they don’t get a permit.

Terry O’Neill said they don’t give them a permit until they give the ok.

MOTION: Larry Massing move to approve the Public School Concurrency Management Ordinance Number _____. An Ordinance of the City of Stuart, Florida amending Chapters 4 and 12 of the Stuart Land Development Code to implement Public School Concurrency

Management; repealing all ordinances in conflict herewith; providing a severability clause; providing an effective date; and providing for directions to the City Clerk.

SECOND: Ryan Strom

Motion carried 6/1 with Li Roberts dissenting

Li Roberts said she didn't think it was appropriate to approve ordinances that they know have inconsistencies.

Xavier Roberts agreed and said once they pass it on they don't know if the corrections have been made as they don't see the finished product.

Chairman Geary said he is just bringing it up to concurrency.

Li Roberts said he is changing it by adding things to it and doesn't think it's appropriate.

Terry O'Neil said if they were to make the changes now when a process of review is going on and there haven't been final decisions made they would be changing it yet again conceivably because there is an extensive rewrite of the code going on.

IV: COMMENTS FROM THE PUBLIC:

V. NEXT LPA MEETING: March 19, 2009

VI. ADJOURN:

MOTION: Michael Herbach

SECOND: Ryan Strom

Motion carried 6/0

Chairman Geary, there being no further business before the Board the meeting is adjourned at 6:40PM.

APPROVED

RESPECTFULLY SUBMITTED

Dr. Edward Geary, Chairman

Michelle Vicat, Board Secretary