

**MINUTES OF THE REGULAR MEETING OF THE CITY OF STUART LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD HELD IN CITY HALL, 121 SOUTHWEST FLAGLER AVENUE, STUART, FLORIDA ON THURSDAY, NOVEMBER 15, 2012**

**Those present:** Li Roberts, Chair  
Dr. Edward Geary  
Ryan Strom  
Larry Massing  
Michael Herbach  
William Mathers, Vice Chair

**Those absent:** Avron Rifkin

**Also present:** Paul Nicoletti, City Manager  
Terry O'Neil, Development Director  
Carly Aubrey, Project Planner II

**I. CALL TO ORDER: Chairman**

Chair Roberts 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: August 16, 2012**

**MOTION:** Larry Massing

**SECOND:** Ryan Strom

**Motion carried 5/0**

**Public Comments:** None

**Board Comments:** None

1. Request for a Major Amendment to the Wallace Commercial Planned Unit Development (CPUD), to approve a proposal to accommodate a 135 foot high telecommunications tower located at SE Commerce Avenue, Stuart, FL

**Presentation:** Carly Aubrey, Project Planner II  
Paul Scott of PJ Development, Applicant

**Public Comments:** None

**Board Comments:**

Larry Massing declared a conflict due to his position with Martin County and his work with the FEC tower and recused himself.

Paul Nicoletti, City Manager said that Mr. Massing's employer would be the one conflicted out and this doesn't have anything to do with the decision rendered.

Ryan Strom questioned the Captec engineering requirement on elevation and the fact that the elevation on the plan was different.

Paul Scott said the crown of Commerce Avenue is at 15½ feet and they are setting their foundations on the property at a foot and a half higher than the crown at Commerce.

Ryan Strom asked staff why condition 12 and 14 are almost identical.

Carly Aubrey said that was a mistake and one will be removed. She said they will also be adding a condition that the applicant obtains any and all applicable local, state and federal permits that may be required.

Li Roberts said the paperwork refers to a first reading on two different dates, development condition #5 refers to an FAA determination letter and on page 61 it was issued on September 24<sup>th</sup>, on page 19 items 10 and 11, there isn't a date and asked them to be specific instead of 2012, they need to clarify that the structure has changed from 120 to 135 feet and she questioned the use from the City of Stuart.

**MOTION:** Ryan Strom moved to approve the request for a Major Amendment to the Wallace Commercial Planned Unit Development (CPUD), to approve a proposal to accommodate a 135 foot high telecommunications tower located at SE Commerce Avenue, Stuart, FL

**SECOND:** Michael Herbach

**Motion carried 4/0 with Larry Massing abstaining**

2. Request to consider text amendments to Chapters 2, 3, 6, and 12 of the City's Land Development Code (LDC) to permit urban agriculture within specified districts with associated supplemental use standards, parking requirements, and definitions.

**Presentation:** Carly Aubrey, Project Planner II

**Public Comments:** Fred Burkey, University of Florida IFAS said he thought it was an excellent job and he was going to pass it on to their system and applauded it. He added that it would be a good idea not to make it too complicated.

**Board Comments:**

Li Roberts said that there was a letter from Sara Fenton from Shadowood Farms with her comments.

Larry Massing asked if there was an applicant or if this was the city's initiative.

Carly Aubrey said they were getting out in front of it and there was one inquiry since she's been here.

Li Robert said in other city's there is a mechanism for city owned land that is not being used and a community garden could be placed on city property.

Paul Nicoletti said that is a great issue and the city has not only explored it but has taken advantage in exactly that in East Stuart.

Bill Mathers arrived.

Dr. Geary questioned liability on city property.

Paul Nicoletti said that it doesn't add liability and it is a pretty minor exposure and didn't concern their insurers.

Li Roberts asked why the size limitation is a quarter acre.

Carly Aubrey said that is the average size and manageable.

Li Roberts asked if there is a city property that is larger than a quarter acre if they could only use the quarter acre.

Carly Aubrey said the garden would be limited to a quarter acre.

Li Roberts asked whether they would need a permit if they put a shed on a property and asked if they needed language to that effect.

Paul Nicoletti said on the farm building exemption in the statute, certain structures were exempt from building permits and they may want to rewrite that very carefully.

Li Roberts said they needed definitions and asked if old tires would be acceptable.

Carly Aubrey said they would provide more clarification on what a raised bed is.

Li Roberts asked if schools would be limited to a quarter acre.

Terry O'Neil said that would be governed by the school board.

Paul Nicoletti said he spoke with a couple in Hobe Sound that is commercially farming a ½ acre and that is their livelihood.

Li Roberts asked if there would be a fee.

Terry O'Neil said it would probably be low or no cost.

Dr. Geary asked who would do the urban site assessment.

Carly Aubrey said it would be for urban farms that want to plant in the ground and they would do a phase one site assessment.

**MOTION:** Dr. Geary moved approval of the request to consider text amendments to Chapters 2, 3, 6, and 12 of the City's Land Development Code (LDC) to permit urban agriculture within specified districts with associated supplemental use standards, parking requirements, and definitions.

**SECOND:** Larry Massing

**Motion carried 6/0**

Li Roberts asked for an update on Greco in December.

**IV. NEXT LPA MEETING:**

**December 20, 2012**

**V. ADJOURN:**

**MOTION:** Michael Herbach

**SECOND:** Ryan Strom

**Motion carried 6/0**

Chair Roberts, there being no further business before the Board the meeting is adjourned at 6:42PM.

**APPROVED**

**RESPECTFULLY SUBMITTED**

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Li Roberts, Chair

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Michelle Vicat, Board Secretary