

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 5I
From: Staff
Date: October 17, 2008 Council Meeting
Subject: Local Government Comprehensive Plan Review
Draft Amendments to the City of Stuart Comprehensive Plan
DCA Reference No. 08-2

Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, *Florida Statutes*, requires that Council review local government comprehensive plan amendments prior to their adoption. Under the provisions of this law, the Department of Community Affairs (DCA) prepares an Objections, Recommendations, and Comments (ORC) Report on a proposed amendment only if requested to do so by the local government, the regional planning council, an affected person, or if an ORC Report is otherwise deemed necessary by the DCA. If an ORC Report is to be prepared, then Council must provide DCA with its findings of consistency or inconsistency with the Strategic Regional Policy Plan (SRPP), and provide any comments and recommendations for modification on the proposed amendments within 30 days of its receipt.

Background

The City of Stuart has proposed text amendments to the Conservation Element of the City Comprehensive Plan. The City has requested that the DCA carry out a formal review of the amendments.

Evaluation

Highlights of the proposed text amendments to the Conservation Element are as follows:

1. Policy A2.3 is revised to require (rather than encourage) the removal of exotic and invasive vegetation upon development or redevelopment.
2. Policy A5.3 is revised to require the removal of all nuisance and invasive exotic vegetation on natural areas proposed to be preserved on site.

3. Policy A5.5 is revised to add conservation easements as another way to protect and conserve wetlands. The policy is also revised to indicate that new development shall be located on the upland portion of a development site; and that development densities may be transferred out of the wetland area on a one to one basis. However, development density shall not exceed 150% of the maximum density that would otherwise be allowed on the developed portion of the site.
4. Policy A5.6 is revised to indicate that if the South Florida Water Management District determines that a wetland or portion of a wetland is severely degraded and has minimal restoration potential, mitigation shall be allowed. An order of priority for mitigation is established, with on-site mitigation at the top of the list.

Extrajurisdictional Impacts

The City provided a copy of the amendment materials to Martin County and other surrounding jurisdictions. Council sent a memorandum to those local governments on September 15, 2008 seeking comments on the proposed amendments. As of the date of preparation of this report, no comments have been received.

Effects on Significant Regional Resources or Facilities

Analysis of the proposed amendments indicates that they would not have adverse effects on significant regional resources or facilities.

Analysis of Consistency with Strategic Regional Policy Plan

Council has no comments/recommendations for modification to the proposed amendments. The amendments are considered to be consistent with the SRPP. The City is commended for the proposed amendments which provide additional protection to wetland habitats consistent with Strategy 6.6.1, the removal of nuisance and invasive exotic vegetation consistent with Policy 6.7.1.4 and for the encouragement of conservation easements, consistent with Policy 6.7.1.5 of the SRPP.

Consistency with Strategic Regional Policy Plan

The contract agreement between the DCA and the Treasure Coast Regional Planning Council requires Council to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. Council finds the proposed amendments to be CONSISTENT with the SRPP.

Recommendation

Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

Attachments

List of Exhibits

Exhibit

- 1 General Location Map
- 2 Location Map

**Exhibit 1
General Location Map
City of Stuart**

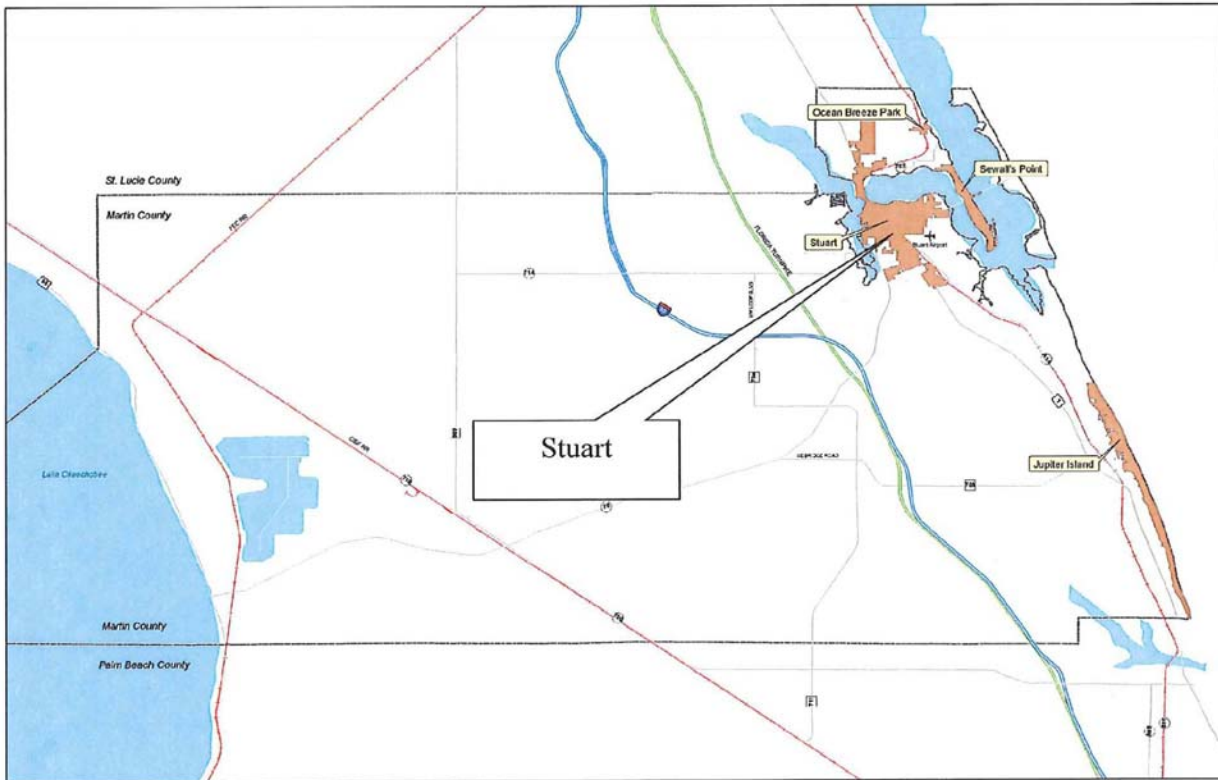


Exhibit 2 Location Map

