BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

ORDINANCE NUMBER 2446-2020

AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ADDING A NEW SECTION 2.07.00.J ENTITLED "PLANNED UNIT DEVELOPMENT (PUD) AMENITY CRITERIA" TO CHAPTER II ENTITLED "ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY" TO ADD A METHODOLOGY FOR ATTRIBUTING QUALIFYING AMENITY CRITERIA IN RESPECT OF CONSIDERATION OF APPLICATIONS FOR PLANNED UNIT DEVELOPMENT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES..

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WHEREAS, the purpose of this Land Development Code amendment is to support the Goals, Objectives and Policies of the City's Comprehensive Plan; and

WHEREAS, the purpose of this Land Development Code amendment is to establish a methodology for measuring and establishing a minimum level of public benefit delivered by Planned Unit Development; and

WHEREAS, the Land Planning Agency reviewed the proposed amendments to the Land Development Code at a public hearing on July 16th, 2020; and

WHEREAS, the City Commission duly scheduled, advertised, and held a public hearing on _____, to consider this ordinance and provide for full public participation in the Land Development Code amendment process.

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

SECTION 1: The Stuart Land Development Code is hereby amended as follows:

Chapter II – ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY

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2.07.00. - DESIGNATION OF PLANNED UNIT DEVELOPMENT (PUD)

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J. Planned unit Development (PUD) Amenity Criteria. All applications for new PUDs submitted [after date of adoption date of this Ordinance], shall provide at least one, or combination of, PUD amenities that total at least 7 points from the PUD amenity option table below. An applicant may petition for adjustment of points and/or credit for a PUD amenity not included in the PUD amenity option table that is not described herein.

1. Definition: PUD amenity: A feature or facility that is added to a PUD development project that enhances the project beyond the standards that are required under the City's zoning regulations.

PUD Amenity Option Table		
Points	Amenity	Standards
5	Attainable Housing units	An option to provide attainable housing. The three options of attainability are: • 5 percent of residential units within the development are rented or sold at a cost that is attainable with incomes within or less than the City's defined Very Low-Income category. • 7 percent of residential units within the development are rented or sold at a cost that is attainable with incomes within or less than the City's defined Low-Income category.

		• 10 percent of residential units within the development are rented or sold at a cost that is attainable with incomes within or less than the City's defined Workforce Income category.
5	Job Creation	Create at minimum 5 new jobs, new jobs are those which are not existing jobs or those that are relocated from an existing use within the City
5	Wetlands	Provide an average of 75ft of wetland buffer.
5	Land Donation	A donation of land or property to the City that contributes to public infrastructure including, but not limited to, sidewalks, parks, multi-modal infrastructure, conservation and preserve areas.
4	Emergency Generator	Provide for the installation and operation of an emergency generator not otherwise required by code that is sufficient to maintain a minimum level of operation at a location within the development during an emergency.
4	Stormwater Retention or Detention	Provide a 5% increase in stormwater capacity on the development site.
4	Stormwater treatment	Provide an 85% removal of Nitrate and Phosphate loading in stormwater through incorporation of Bio-swales, vegetative mats and/or other innovative stormwater treatment systems.
4	Public open space	Contiguous ground level outdoor open space that is greater than 10% of the amount of open space required by code. The space shall incorporate the opportunity for members of the public to interact with the natural habitat using walkways, benches, or other mechanisms.
4	Utilization of a renewable energy source	Use of a photovoltaic or solar thermal system for at least 50 percent of the annual energy demand in new and existing buildings. The applicant must demonstrate that the quantity of energy generated by the renewable energy system meets the required percentage through a whole building energy simulation.
3	Shade Trees	Provide for greater than 30% of tree canopy coverage on site.
3	Green Roof	Installation of an integrated green roof system that covers a minimum of 50 percent of the total roof area proposed for the

		development.
3	Community Garden	Permanent and viable growing space in the form of a garden, which provides fencing, watering systems, soil, secured storage spaces for tools, solar access, and pedestrian access as applicable. The facility shall be designed to be architecturally compatible with the development to minimize the visibility of mechanical equipment.
3	Public recreation area	An active, safe, and secure outdoor recreation area open and visible to the public that includes equipment or natural features suitable for recreational use.
3	Public plaza	Plazas shall be open to the public during daylight hours and provide opportunities for the public to interact with the space using outdoor furniture, art, or other mechanisms.
3	Public Eco Art	The art shall be maintained in good order for the life of the principal structure. The art shall be located where it is highly visible to the public. (in addition to any required CRA art contribution).
3	Creation or preservation of significant/historic architecture	Creation, preservation, rehabilitation, or restoration of historic buildings or significant architectural features as a part of the development.
2	Enhanced bicycle and pedestrian facilities	Eligible facilities may include a combination of the following: wayfinding signs, shaded walkway and other amenities that increase the convenience and encourage the use of public walkways and bikeways beyond what is otherwise required.
2	Enhanced Multi modal facilities	Eligible facilities (on or off-site) may include the following: transit shelter and seating area and other amenities, that increase the convenience and encourage the use of public transportation systems beyond what is otherwise required.
2	Electric Vehicle Charging	Install a minimum of two level 2 electric vehicle (EV) charging stations accessible to residents, visitors and/or employees.
1	Water feature publicly usable	A water feature, including but not limited to, a reflecting pond, a children's play feature, or a fountain located where it is highly visible and accessible to the public.

1	Shared vehicle or bicycle facilities	Accommodation for shared vehicles or shared bicycles on site. The shared service provider must be committed in writing to the use of the space in order to be eligible

SECTION 2: All ordinances or parts of ordinances herewith are hereby repealed to the extent of such conflict.

SECTION 3: 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 4: The provision of Sections 1 of this ordinance shall be codified.

SECTION 5: This ordinance shall take effect upon adoption

Passed on first reading the 10th day of August 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				
VACANT, COMMISSIONER				

ADOPTED on second and final reading 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