BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

ORDINANCE NUMBER 2423-2020

ORDINANCE 2423-2020: AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE EXISTING SECTION 2.07.00.I OF CHAPTER II ENTITLED "URBAN PLANNED UNIT DEVELOPMENT (UPUD) DISTRICTS" TO ADD A METHODOLOGY FOR RESIDENTIAL DENSITY CALCULATION AND ADD MINIMUM RESIDENTIAL CAR PARKING REQUIREMENTS; 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 objectives of the City's Comprehensive Plan to initiate land development code to provide for a variety of housing units; and

WHEREAS, the purpose of this Land Development Code amendment is to support the objectives of the City's Comprehensive Plan to initiate land development code; and

WHEREAS, the Land Planning Agency reviewed the proposed amendments to the Land Development Code at a public hearing on 12th December 2020 and

WHEREAS, the City Commission duly scheduled, advertised, and held a public hearing on January 13th 2020, 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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I. *Urban planned unit development (UPUD) districts.*

a. *Location.* An UPUD may be located only within the defined community redevelopment area of the city.

b. *Density.*

i. A UPUD shall not exceed the density outlined in policy A7.2 of the City of Stuart Comprehensive Plan relating to gross densities of the underlying future land use designation as defined and described "low-density residential," "office/residential," "multi-family residential," "commercial," "industrial," "institutional," "marine-industrial," "recreation,", "downtown redevelopment," or "public," by the future land use element of the City of Stuart's comprehensive plan, and which is of suitable character and compatible with surrounding uses as determined by the city commission.

ii. The table 2.07.A shall be used for the purpose of residential density and parking space calculation within a UPUD.

Table 2.07.A. UPUD Unit Density and Parking Space Calculation

Maximum Unit Size	Maximum Bedrooms	Unit Density	Parking Space per Unit
900 sq.ft	1	0.5	1.25
1100 sq ft	2	0.75	1.4
No Maximum	No Maximum	1	1.5

c. *Uses.* Uses permitted in an UPUD district. The uses of buildings, structures, land or water within a UPUD district are subject to the permitted uses outlined in section 3.01.03.F.2 urban code district uses.

d. *Development standards.* UPUD development standards shall be benchmarked against one of the urban districts as defined in section 3.01.00 urban code having regard to building placement, building height, non-residential parking, curb cuts, stormwater, open space, landscaping, architectural standards and the urban district design objectives. UPUD standards regarding circulation, parking, utilities, drainage, open space, density and other standards shall apply as described in this Code except as modified by the city commission as reflected by the adopted UPUD ordinance.

e. *Attainable Housing:* For UPUD development applications that exceed 15 units per acre, at least 10% of residential units shall meet current affordable housing rental limits as provided by the State Housing Initiatives Partnership Program (SHIP), or 90% of the housing sale price as defined by the U.S. Department of Housing and Urban Development (HUD) in the current HOME ownership value limits that are applicable to the geographical area of the City of Stuart.

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 13th day of January, 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				
KELLI GLASS LEIGHTON, COMMISSIONER				
MERRITT MATHESON, COMMISSIONER				
REBECCA S. BRUNER, COMMISSIONER				

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL
CITY ATTORNEY