



CITY OF FORT PIERCE

PLANNING DEPARTMENT

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HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

TO: Robert Bradshaw, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Sandy Ramseth, AICP, Senior Planner

SUBJECT: Proposed Amendments to the PUD Zoning District (Section 22-40)

DATE: February 6, 2015

STAFF REPORT

The City's current Planned Unit Development or PUD zoning designation is *"intended to provide for comprehensive developments incorporating residential uses, a substantial amount of open space and appropriate commercial, public and semi-public uses. It is designed to achieve a desirable environment through application of flexible and diversified land development standards in an overall site plan. It is further intended to promote economics in land development, maintenance, street systems and utility networks."*

With more than a decade since the current PUD zoning designation had been utilized by any developer, City staff reviewed Section 22-40 as it is written to determine whether it is fulfilling its role to provide flexible land development standards. While the City's PUD designation requires *"comprehensive development incorporating residential uses"*, not all Planned Unit Developments should have to incorporate a residential component; this concept lends itself to an antiquated view of a PUD.

The proposed amendments to Section 22-40, Planned Unit Development zone (PUD), are in effort to accomplish the following:

- **Provide and promote greater flexibility for design and diversification;**
- **Streamline the review process;**
- **Allow for phasing of the project;**
- **Establish a modification procedure; and**
- **Modify the nomenclature from PUD to PD.**

Over the past few years; Staff, Planning Board members, Advisory Group representatives and interested stakeholders have been actively reviewing drafts of the proposed Land Development Regulations (LDR's) as part of a comprehensive rewrite tasked by Duncan Associates, Inc. This process was undertaken to replace LDR's that have been dormant for almost 30 years, or since 1981.

For the most part, this draft was not adopted with the exception of some select sections of re-writes moving forward for adoption. Staff recommends moving forward with a proposed re-write to the LDR for adoption. It should be noted that staff did review the Duncan Associates' draft of Section 22-40, and felt it did not provide the flexibility or streamlining desired for the revised code. The Planned Unit Development that was presented by Duncan Associates was to provide three different versions, all containing a residential component:

a) Planned Residential Development (PRD): Developments that seek greater flexibility in housing types and sizes than is provided by base district and in return offer enhanced amenities and protection of natural and historic resources and sensitive environmental features, including, flood hazard areas, jurisdictional wetlands and native uplands habitat.

b) Traditional Neighborhood Development (TND): Developments characterized by lot or parcel configurations, street patterns, streetscapes, and neighborhood amenities commonly found in urban neighborhoods platted or otherwise created before the 1950s.

c) Mixed-use Development (MXD): Developments that contain a complementary and integrated mix of residential and nonresidential uses.

These Duncan Associates development categories will not fill the needs of someone wanting to do a commercial/office or industrial type site. Further, the previously proposed PUD option was to be an overlay rather than zoning district with the original underlying zoning still intact, further complicating and limiting an otherwise straightforward process. However, all three of these type PUDs will be possible in the following proposed amendment.

A more modernistic view of a PUD is an assembly of compatible uses, using design and layout of the developers' liking to make for a functionally cohesive project. In some cases, a PUD may incorporate only one use type, but in a manner or design not consistent with current standard zoning destinations. A PUD can be thought of as a zoning designation that could work when all others fail to fit the needs of the development. But this is not to be construed as a zoning designation that gives away the farm; quite the contrary. It is a designation that allows for the governing body to have the most input and ability to condition how the project will be built. It is a genuine give and take process between the developer and regulators. The City may relax on some development criteria, and in return can often leverage that into meaningful assurances from the developer.

In addition to the antiquated requirements of the current PUD designation, the PUD process is more laborious than it need be. Sure it is the rezoning process and site plan review done simultaneously, but it should be just that—those two processes combined. To have all the extra steps, such as concept plan approval, is not only redundant, but time consuming for the developer which translates into costs; unnecessary ones at that. So to streamline the process would be good for business, so to speak.

Further, it has been noted the current PUD designation had not been successfully utilized in almost a decade. The most active and successful PUD projects located throughout the City have come by way of annexation from the County. The last project to utilize the City's PUD process was Harbour Isle in 2004.

Finally, a change in nomenclature from PUD to PD is recommended for two reasons: the first being that it indicates a change in the code; that something new has been added or revised which may make it worth consideration for a developer. Secondly, removing the "U" meaning unit which is usually synonymous with a residential unit is in keeping with the revision of Section 22-40, in that residential units are no longer required to be part of this zoning district.

Therefore, for all the aforementioned reasons, staff feels breathing new life into the PUD/PD designation and process could have immediate and positive impacts for new and innovative projects.

The following changes are being proposed:

- **To change the nomenclature from Planned Unit Development (PUD) to Planned Development (PD);**
- **Expanding and clarifying the purpose and intent of the PD zoning designation;**
- **Eliminate the requirement for a residential component within a PD;**
- **Allow any combination of compatible uses within a PD;**
- **Allow for a single use PD, if the design/layout is innovative and does not fit within a standard existing zoning district;**
- **Density allowed only as consistent with Comprehensive Plan;**
- **Decrease the minimum size of a PD from 5 acres to any City property, regardless of size;**
- **Reduce the amount of required open space from 40% of the site to 20% for all uses;**
- **Gives freedom of design to the developer rather than follow set rules of a standard zoning district;**
- **Allows for phasing of a project with time limits;**
- **A streamlined review process similar to the City's current site plan review process, eliminating the extra steps of a mandatory "concept plan" as previously required, however the concept plan is still an option of applicant's choosing;**
- **A procedure to modify PD plans, with minor modifications being done administratively, and major modifications processed similar to new applications;**
- **Establish modification review criteria to determine the level of modification; and**
- **Expiration of and approved plan that has failed to commence.**

It should be noted that the latest adopted Comprehensive Plan (February 2011) contains policies that should be reflected within the LDR's. Accordingly, these proposed changes are consistent with the adopted plan, and due to the somewhat negotiated nature of PD zoning, will be able to uphold the Comprehensive Plan at an enhanced level. The following policies support the changes in Section 22-40, Planned Unit Development zone (PUD):

1.1.17 Policy:

Reduce vehicle miles traveled (VMT) and greenhouse gas emissions (GHG) by requiring developments to maximize internal trip capture, provide pedestrian connectivity to surrounding properties, and reduce the number of auto-oriented trips through Transportation Demand Management (TDM).

1.3.1 Policy:

The City shall evaluate land use amendment applications and development proposals for compatibility with the Comprehensive Plan, the City's character, future land use designation, and the adjacent properties.

1.3.2 Policy:

The City will permit the redevelopment of a non-conforming use when the redevelopment will result in a use that is more conforming to the permitted uses in the existing zoning district. The City will require such redevelopment to bring the site into compliance with parking, landscaping, signage, open space, and stormwater management requirements.

1.16.2 Policy:

The City shall distribute land uses in a manner that avoids or minimizes, to the greatest degree practicable, negative impacts on lands recognized by the county, state or federal government as environmentally sensitive.

1.16.3 Policy:

The City shall require site plan review of all proposed development or redevelopment to prevent unnecessary destruction or inappropriate use of existing natural resources and natural sites.

1.16.4 Policy:

When a parcel proposed for development contains more than one habitat type, the City shall require development to avoid the most sensitive natural areas to the maximum extent feasible through clustering provisions.

1.16.6 Policy:

The City shall require all development applications to minimize tree removal as a part of land development. The City shall require a tree survey to be provided which identifies trees for removal, relocation, and protection.

1.17.3 Policy:

The City shall require open space as a part of the requirements for all development and redevelopment to promote shallow water aquifer recharge and stormwater filtration.

The proposed amendment is consistent with the Comprehensive Plan. In addition, the amendment proposed satisfies the following standards specified in Section 22-131 of the City Code:

- (1) The amendment will not have an adverse affect on the ability of the City to:
 - a. Satisfy land and water use needs
 - b. Meet transportation demands and provide community facilities and services
- (2) The amendment will promote and protect the public health, safety and general welfare.

Planning Board Recommendation:

That the Planning Board forward to the City Commission a recommendation to approve the proposed changes to Section 22-40 with the revisions:

- that the amount of required open space of the site be changed from 25% for residential, 20% for mixed use, commercial and office, and 15% for industrial, to a straight 20% open space for any and all uses; and
- that the PUD/PD designation are the same to avoid irregularities or conflicts in any other code sections.

Planning Staff Recommendation:

That the City Commission approves the proposed changes to Section 22-40, Planned Development, as presented.