

1 **Sec. 110-319. PUD, Planned Unit Development.**

2 (a) *Purpose and intent.* The purpose of the PUD Planned Unit Development is to offer an  
3 alternative to the residential, commercial and industrial districts of this Land Development  
4 Code. A PUD District may deviate from the definitive and precise requirements of  
5 established zoning districts if the particular areas to be developed can offer greater value  
6 to the community and can preserve the community's health, welfare and safety than if  
7 those same areas were to be developed as a single purpose zoning district. A PUD District  
8 may also be mixed-use so that it not only contains residential, commercial, office or  
9 industrial uses, but a combination of these uses.

10 The purpose of a Planned Unit Development is to:

- 11 1. Encourage flexibility in the development of land and in the design of structures.
- 12 2. Encourage planned diversification in the location of structures.
- 13 3. Encourage a creative approach to the use of land that results in better development and  
14 design than might otherwise be accomplished under the strict application of the Land  
15 Development Code.
- 16 4. Provide for the efficient use of land to facilitate a more effective arrangement of land  
17 uses, buildings, circulation systems and utilities.
- 18 5. Provide for more usable and suitably located open space and recreation areas than  
19 might otherwise be provided under the application of the Land Development Code.
- 20 6. Encourage the construction of appropriate aesthetic amenities which will enhance the  
21 character of the site.
- 22 7. Guarantee quality construction commensurate with other developments within the  
23 community, and compatible with the character of the surrounding area and adjoining  
24 properties.
- 25 8. Facilitate implementation of the Comprehensive Plan.
- 26 9. Provide for the development of unique land areas and sites that would not be possible  
27 under the strict application of this Land Development Code.
- 28 10. Encourage quality construction and design.

29 PUDs that were in existence prior to the effective date of this chapter [November 16, 1998]  
30 shall continue in accordance with their original approval and shall be deemed to be lawful  
31 conforming land uses. To the extent of any specific amendment to these PUDs, the amendment  
32 must comply with the requirements of this chapter. Terms previously used in said the approved  
33 PUDs may continue to be employed.

34 (b) *General Standards*

- 35 1. The PUD is under common ownership and/or unified control. If there are two (2) or  
36 more owners, the application for the PUD must be filed jointly by all such owners.

- 37 2. The minimum parcel size shall be five acres.
- 38 3. The rezoning authorizing the PUD may grant exceptions to the regulations contained in  
39 this Land Development Code including, but not limited to, use, density, area, bulk, off  
40 street parking and loading, landscaping and signs, as may be desirable to achieve the  
41 objectives of the proposed planned development, provided that such exception are  
42 fully consistent with and authorized by this Land Development Code.
- 43 4. PUD must be compatible with the purposes and intent of this Land Development Code  
44 and the City's Comprehensive Plan. A PUD must not substantially diminish the market  
45 value of surrounding properties, and it must not cause substantial impairment of the  
46 use of the properties.
- 47 5. The PUD must not adversely affect the natural environment of the community as a  
48 whole. Natural assets and features, such as existing trees and native vegetation, must  
49 be protected and preserved to the greatest extent practical.
- 50 6. The PUD must be accessible to public streets that are adequate to carry the traffic that  
51 will be generated by the proposed development. The streets and driveways within the  
52 proposed development must be adequate to serve the uses within the development,
- 53 7. All proposed streets, alleys and driveways must be adequate to serve the residents,  
54 occupants, visitors or other anticipated traffic. The PUD may be, subject to City  
55 Commission approval, designed to discourage outside through traffic from traversing  
56 the development. Access points to public streets, and the location of private streets,  
57 alleys and driveways are subject to the approval of the City Commission.
- 58 8. The pedestrian circulation system and its related walkways must provide for separation  
59 of pedestrian and vehicular movement and for maximum pedestrian safety.
- 60 9. The construction and maintenance of all utilities, roadways, parking facilities and other  
61 site improvement must be in accordance with the requirements of this Land  
62 Development Code and other regulations of the City. All roadways and utilities within a  
63 PUD must be constructed to specifications established by the Land Development Code.  
64 An agreement for the completion of this work may be established by the City and the  
65 developer.
- 66 10. A Transportation Impact Analysis (TIA) report shall be required for any project that is  
67 anticipated to generate in excess of 1,000 trips per day, as defined by the current  
68 edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual or if a  
69 PUD is located in an area that has traffic safety or congestion concerns. The contents of  
70 the TIA report shall, at a minimum, be consistent with a locally accept methodology,
- 71 11. Nothing in this section or this Code may be interpreted as negating the necessity of  
72 filing a plat as required by Article II. Subdivision Regulations of the Land Development  
73 Code.
- 74 12. The burden of justification for any PUD project is the exclusive responsibility of the  
75 applicant. The applicant is responsible for providing the information and data required  
76 in this section. In addition, as the PUD is intended to be an innovative approach, the

77 applicant must provide any other data or information required by the Planning and  
78 Zoning Board or the City Commission to assist in decision-making.

79 (c) *Exceptions from District Regulations*

80 1. Permitted Bulk and Setback Regulation Exceptions.

81 Exceptions to the bulk and setback district regulations may be granted as part of PUD  
82 rezoning. A PUD is subject to the current district regulations, including any overlay  
83 districts and designated areas, unless such exception is granted. Exceptions from  
84 district regulations may be granted for a PUD with respect to district bulk regulations,  
85 required setbacks, off-street parking and loading, landscaping and screening, and signs  
86 of the City Commission finds that such exceptions:

- 87 a. Enhance the overall merit of the PUD.
- 88 b. Promote the objectives of both the City and the development.
- 89 c. Enhance the quality of the design of the structures and the site plan.
- 90 d. Enable the development to offer environmental and pedestrian amenities.
- 91 e. Will not cause such an adverse impact on neighboring properties so as to outweigh  
92 the benefits of the development.
- 93 f. Is compatible with Comprehensive Plan.
- 94 g. Provide a public benefit to the City as described in section (d) below

95 (d) *Public Benefits and Amenities*

96 A PUD must demonstrate a substantial benefit to the City as part of the rezoning approval. No  
97 rezoning to a PUD may be approved unless the Planning and Zoning Board and City Commission  
98 determine that a public benefit has been provided to the City as part of the PUD design. Design  
99 characteristics and amenities that would qualify for this determination include, but are not  
100 limited to, the following:

- 101 1. Landscaping, buffering or screening within or around the perimeter of the PUD over  
102 and above the minimum required by the Land Development Code.
- 103 2. Additional landscaping and screening of parking lots and structures over and above the  
104 minimum required by the Land Development Code.
- 105 3. Reduce use of impervious surface materials, including cluster development and use of  
106 semi-pervious materials such as grass-crete and pervious pavers.
- 107 4. Design characteristics including, but not limited to, mixed-use development, circulation  
108 systems that utilize alleys or traffic-calming techniques, and a pedestrian-oriented  
109 environment.
- 110 5. Community amenities including plazas, malls, formal gardens, places to congregate,  
111 outdoor seating, public art, and pedestrian and transit facilities.
- 112 6. Preservation of environmental features

- 113 7. Open space and recreational amenities that are available to the public such as:
- 114 a. Swimming pools
- 115 b. Tennis courts
- 116 c. Recreational open space accessory buildings
- 117 d. Jogging trails and fitness courses
- 118 e. Playgrounds
- 119 f. Natural water features, wetlands and conservation areas
- 120 g. Detention areas which are accessible to occupants or the public via nature
- 121 trails, boardwalks, and/or perimeter walkways, but only if they are designed as
- 122 natural water features and are landscaped with native vegetation
- 123 8. Additional public infrastructure improvements in addition to the minimum required by
- 124 the PUD, such as new or repaved streets, installation of gutters and sewers, and traffic
- 125 control devices to improve traffic flow.
- 126 (e) Planned Unit Development Regulations. The following regulations shall apply to all Planned
- 127 Unit Developments (PUDs):
- 128 1. *Unified ownership.* All land within the PUD shall be under the ownership of one entity,
- 129 either by deed, agreement for deed or contract for purchase. PUD applicants shall
- 130 present either an opinion of title by an attorney licensed in Florida or a certification by
- 131 an abstractor or a title company, authorized to do business in Florida, that, at the time
- 132 of initial application, unified ownership of the entire area within the proposed PUD is in
- 133 the name of the applicant, or contract seller. Unified ownership shall thereafter be
- 134 maintained until after the recording of the development agreement and master
- 135 development plan.
- 136 2. *Utility distribution lines.* All utility distribution lines within an RPUD and the residential
- 137 portions of a MPUD shall be located underground, where possible. Aboveground utility
- 138 connections may be permitted where there is hardship, as determined by the city
- 139 engineer, and the permissibility shall be recorded in the development agreement.
- 140 3. Open space requirements. A minimum of 25 percent of the open space shall be
- 141 designated as common open space. Common open space shall meet the following
- 142 standards:
- 143 a. Its location, shape, size and character shall be illustrated on the PUD plan.
- 144 b. It shall be dedicated to and maintained by a HOA or POA. Maintenance
- 145 guarantees shall be included in the Development Agreement.
- 146 c. Open space shall not include parking areas or driveways and shall be usable
- 147 outdoor area for recreation and landscaping.
- 148 d. Required stormwater retention and lakes that do not have recreation amenities
- 149 shall not count towards open space requirements

150 4. **Time** limit. The construction of the Planned Unit Development shall be started within 2  
151 years of the effective date of approval of the plan by the Commission. Failure to begin  
152 the development within said 2 years shall automatically void the development and the  
153 land shall revert to the same zoning classification which existed immediately preceding  
154 the approval of the Planned Unit Development.

155 5. *Procedure for rezoning to PUD.*

156 a. *Pre-application stage.* A pre-application meeting shall be conducted before a  
157 PUD rezoning application can be accepted. After the pre-application meeting, a  
158 conceptual plan may be submitted for review and comment prior to filing the  
159 application for rezoning.

160 1. *Pre-application meeting.* The pre-application meeting is intended to provide  
161 for an informational exchange between the applicant and the  
162 administrative staff and will be arranged by the planning and development  
163 services department. No fee shall be charged. The applicant need not  
164 submit any plans or other information. However, the more information  
165 provided to staff for the proposed PUD will assist staff in providing  
166 guidance. At a minimum, the applicant will be advised of the PUD  
167 procedures and requirements, forms, application materials, guidelines,  
168 checklists, the comprehensive plan, zoning and other land development  
169 regulations. This information will be made available at a reasonable cost.

170 2. *Written development agreement (DA).* As part of the PUD plan, a written  
171 development agreement shall be prepared, following a general format  
172 supplied by the planning and development services department at the pre-  
173 application meeting. The DA, along with the PUD plan, shall govern the  
174 development of the PUD and shall regulate the future use of the land. The  
175 DA shall include any statements or information requested by any reviewing  
176 department or agency at the pre-application meeting, such as:

177 aa. Evidence of unified ownership and control.

178 bb. Statement agreeing to:

179 1) Proceed with the proposed development according to all  
180 regulations;

181 2) Provide appropriate performance and maintenance  
182 guarantees;

183 3) Follow all other provisions of this chapter to the extent not  
184 expressly inconsistent with the written DA, and bind the  
185 applicant's successors in title to his commitments.

186 cc. The acreage and percentage of the total land area devoted to  
187 each of the proposed land uses.

188 dd. Maximum density for each type of dwelling.

- 189 ee. Maximum building heights.
- 190 ff. Minimum building spacing and floor areas.
- 191 gg. Lot sizes, yard areas and buffer areas, including perimeter buffers.
- 192 hh. Statement regarding the disposition of sewage and stormwater,
- 193 and arrangements for potable water.
- 194 ii. Statement regarding ingress/egress controls to the site.
- 195 jj. Statement regarding any road improvements to be made and the
- 196 thresholds for the traffic impact analysis.
- 197 kk. When the PUD is planned for phased development, a schedule of
- 198 the phases.
- 199 ll. The proposed language of any covenants, easements or other
- 200 restrictions.
- 201 mm. Environmental considerations.
- 202 nn. Any additional information or statements subsequently deemed
- 203 necessary by any reviewing department or agency.

204 b. *Master development plan (MDP)*. After the pre-application meeting, a MDP shall  
205 be submitted to the planning and development services department. When  
206 submitted, written comments on the MDP shall be made within twenty business  
207 days by the planning and development services department and any other  
208 departments. The planning and development services department shall  
209 coordinate this review. A MDP shall indicate general land use categories and the  
210 approximate height, location, architectural character and site intensities/density  
211 of dwelling units, and other structures. The MDP shall show the proposed street  
212 layout, approximate street widths, school sites, open space areas, parks, existing  
213 structures, natural/conservation areas, floodplain areas (if applicable), total  
214 acreage and the existing zoning. Finally, the MDP shall include a vicinity map, and  
215 any other salient information deemed appropriate by the applicant.

216 c. *RPUD application stage*. A completed and signed application for rezoning to a  
217 RPUD, together with a PUD master development plan, development agreement,  
218 and all related fees shall be submitted to the planning and development services  
219 department. If a rezoning applicant desires concurrent review under the Land  
220 Development Code, the applicant shall state it at the time of application, and  
221 shall submit any additional applications and information as required by those  
222 regulations.

223 The RPUD master development plan shall consist of an illustrative plan and a written  
224 development agreement. Those documents shall include the following information:

- 225 1. *RPUD plan exhibits*. The plan shall consist of the following:

- 226 aa. Name of project and name, address, telephone number of the  
227 developer and his professional project engineers, architects,  
228 planners, etc.
- 229 bb. The date the plan was drawn, its scale, and a north arrow.
- 230 cc. Names and location of adjoining streets and names of abutting  
231 property owners.
- 232 dd. Legal description of property, boundary survey and the location of  
233 all existing streets, buildings, railroads, bulkhead lines, easements,  
234 and other important features on or adjoining the property.
- 235 ee. The general topography and physical conditions of the site,  
236 including natural areas of vegetation and type, general soil types,  
237 wetland areas, 100-year floodplain areas, watercourses, water  
238 bodies, and natural drainage patterns.
- 239 ff. Conceptual configuration of proposed streets, which depict access  
240 into and traffic flow within the development, with particular  
241 reference to the separation of vehicular traffic from pedestrian or  
242 other types of traffic.
- 243 gg. General feasibility plans for potable water, sewage disposal, and  
244 stormwater drainage.
- 245 hh. Approximate location and area encompassed for each proposed  
246 land use within the development.
- 247 ii. Approximate location and size of common open space.
- 248 jj. Additional material, maps, studies, or reports deemed necessary  
249 by any reviewing department or agency.
- 250 d. *CPUD, IPUD or MPUD requirements—Application stage.* An application for  
251 rezoning to CPUD, IPUD or MPUD, together with a PUD master development  
252 plan, development agreement, and all related fees set at the pre-application  
253 meeting, shall be submitted to the planning and development services  
254 department. If an applicant for rezoning desires concurrent review under the  
255 Land Development Code Ordinance No. 96-25 as it may be amended from time  
256 to time, the applicant shall so state at the time of application and shall submit  
257 any applications and additional information as required by those regulations. The  
258 master development plan shall include:
- 259 1. *CPUD, IPUD, and MPUD plan exhibits.* The master development plan shall  
260 be drawn to an appropriate engineer’s scale to include the location and  
261 boundary of the site referenced by the legal description and boundary  
262 survey; the date the plan was drawn, its scale, and a north arrow; and the  
263 name, address and telephone number of the developer and his professional

264 project engineers, architects and planners. In addition, the MDP shall  
265 include all of the following, if applicable:

- 266 aa. The approximate size and location of all proposed buildings and  
267 other structures, the specified use of buildings and structures may  
268 be indicated, if known.
- 269 bb. Generalized off-street parking and loading plans, including  
270 circulation plans for vehicular movement.
- 271 cc. Driveway and access controls, including number and approximate  
272 location of driveways.
- 273 dd. Approximate location, size and description of open spaces,  
274 landscaped areas, or buffers.
- 275 ee. Approximate location and size of all easements, rights-of-way, or  
276 drainage facilities and structures.
- 277 ff. Approximate boundary lines and dimensions of parcels proposed  
278 to be subdivided.
- 279 gg. The general topography and physical conditions of the site,  
280 including features such as water bodies, wooded areas, wetland  
281 areas, vegetation types, soils, 100-year floodplain areas, and steep  
282 grades or depressions on the site.
- 283 hh. General location of signs.
- 284 ii. Environmental considerations.
- 285 jj. Any other conditions of development, specifications, limitations,  
286 constraints, standards or proposed physical features not  
287 specifically included in items a. through h. above.

288 (5) *Post-approval stage.*

- 289 a. *Recording PUD plan.* After city commission approval of the rezoning application  
290 to PUD, the master development plan, and the written development agreement,  
291 both signed by the mayor, and attested by the city clerk, shall be recorded in the  
292 public records of Volusia County, Florida, by and at the expense of the applicant.
- 293 b. *Subdivision and/or final site plan approval.* After the MDP and development  
294 agreement is recorded, a subdivision and/or final site plan applications shall be  
295 prepared and submitted in the manner required by the Land Development Code.
- 296 c. *Construction.* During permitting and construction, the enforcement official shall  
297 enforce compliance with the approved final site plan or the final plat.
- 298 d. *Amendments.* Minor amendments not altering the intent and purpose of the  
299 approved master development plan or development agreement may be  
300 approved by the appropriate enforcement official after departmental review and  
301 comment. Examples of minor amendments include de-minimis design oriented



302 changes to landscaping, parking or building elevation. PUD amendments that are  
303 determined to be major revisions to the MDP and/or DA will need to be  
304 reviewed and processed under section 110-1101 of the Land Development Code.  
305 Major amendments can be described as materially altering proposals that  
306 involve changes of uses, density/intensity, reconfiguration of lots, etc.

307 The PUD classification has been divided into four sub-classifications for land uses of residential,  
308 commercial, industrial and mixed use.

309 (f) *Commercial Planned Unit Development.* It is the intent of these regulations to provide for  
310 the development of business, office and commercial establishments in appropriate  
311 locations, in conformance with the goals, objectives and policies of the Comprehensive  
312 Plan and the standards set forth herein. CPUDs may provide a range of office facilities and  
313 services appropriate to the general need of the area served.

314 (g) *Industrial Planned Unit Development.* It is the intent of these regulations to encourage  
315 complimentary groupings of manufacturing, processing, assembly, research, distribution,  
316 office and associated uses, on sites with adequate frontage and depth, adjacent to major  
317 streets, or streets serving industrial areas.

318 (h) *Mixed Use Planned Unit Development.* It is the intent of these regulations to encourage a  
319 compatible mix of uses, rather than a separation of uses, in accordance with the  
320 Comprehensive Plan. MUPUD are defined for purposes of these regulations as planned  
321 development districts for the establishment of complimentary groupings of residential,  
322 commercial, office, industrial, or other uses. Residential uses shall be at a proposed density  
323 that is complementary to the non-residential development and shall be incorporated into  
324 the project, so that development of the residential component of the master development  
325 program is achieved.

326 (i) *Residential Planned Unit Development.* It is the intent of these regulations to provide for  
327 residential development areas adequately served, or which can be served, by necessary  
328 utilities and services, in locations that are compatible with adjacent and surrounding land  
329 uses, in accordance with the goals, objectives and policies of the Comprehensive Plan and  
330 standards set forth herein.

331 (j) **Residential Planned unit development regulations. The following regulations apply to all  
332 Residential Planned Unit Developments (PUDs):**

333 (1) Architectural Features

334 a. The following features  
335 shall be required:

336 i. Window and door  
337 fenestrations on  
338 all sides of  
339 structures located  
340 along the



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perimeter of the development or facing a right of way. See **Figure 1 and 2.**



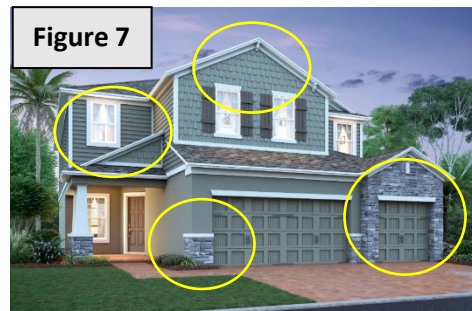
- ii. Contrasting color schemes used to create visual depth around windows, doors and building corners. See **Figure 3 and 4.**
- iii. A minimum of 1 principal window treatment on every elevation (front, side or rear) that faces any right-of-way (public or private) or open space area that may include, but is not limited to: pop-outs, decorative wrought iron, wood trim, shutters, plant shelves, and other features or embellishments to vary and soften the visual exteriors. See **Figure 5 and 6.**



- iv. All outdoor mechanical equipment, such as heating, air conditioning ventilation systems, propane gas tanks, pool equipment and other similar appurtenances shall be located in rear yards on lots with lots less than 7.5 on side yard. They shall not be adjacent to the right-of-way whenever possible; if such appurtenances are visible from the right-of-way they shall be visually screened.

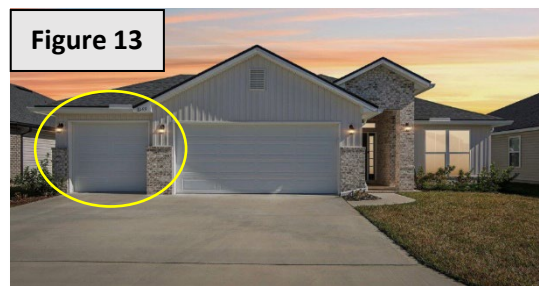
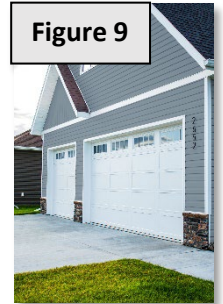
- b. In addition to the require features in 1.a above, a minimum of 3 of the following design features shall also be required:

- i. Enhanced corners (pop-outs, embellishments, varying textures etc.) See **Figure 7.**



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- ii. Deep recessed garages. See **Figure 8 and 9.**
- iii. Low roof (first story roofs on multi-level structures). See **Figure 10 and 11.**
- iv. Second story of structure stacked at a greater setback than the first floor to facilitate a first-floor feature, especially located immediately above the garage. See **Figure 12.**
- v. Offset garage doors. See **Figure 13 and 14.**



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- vi. Extended roof overhangs. See **Figure 15.**
- vii. Enhanced window fenestrations on all front elevations and all second story windows facing a right of way or open space area shall use principal window treatments. See **Figure 16.**
- viii. Covered Patio, and/or Balcony option. See **Figure 17 and 18.**



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(2) Streetscapes



- a. Sidewalks meeting City standards shall be installed on both sides of the right-of-way.
- b. A minimum of 2 pedestrian connections to nodes such as trail system, public facilities, transit stops, or a public street network to promote connectivity.
- c. Lighting shall be required along property line along any open underdeveloped right-of-way leading up to entry of subdivision.
- d. Decorative Street Lighting – Street and site lighting shall be decorative and blend with the architectural style of the development. Sufficient lighting shall be provided consistent throughout the PUD minimizing adverse impacts such as glare and overhead sky glow.
- e. All trees planted near sidewalks shall be planted with deep root barriers to prevent cracked pavements and/or sidewalks; planting trees with tap roots rather than fibrous roots will help eliminate cracking. Trees shall comply with Table 110-7 Approved Plant Species List.

(3) Perimeter Landscaping. Landscaping shall comply with Section 110-808. In addition, a masonry wall, a minimum 4 feet in width, shall be constructed along al subdivision perimeter unless otherwise negotiated.

(4) Tree Protection. It is prohibited and unlawful to remove or in any way damage any protected tree without first obtaining an arbor permit from the City.

- a. A Historic Tree is any tree of any size or protected species that has been designated by the City Commission as one of notable historical interest and value to the City because of its location or historical association with the community.
- b. A Specimen Tree is any tree of any protected species with a diameter of 36” or greater. The applicant for a permit to remove a specimen tree shall provide findings to the Administrative Official that the tree is a hazard or that is not economically practically feasible to develop the subject parcel without removing the tree.
- c. The PUD design must attempt to preserve specimen and historic trees.
- d. No permit for the removal of a protected tree shall be granted unless the developer demonstrates one or more of the following conditions.
  - i. A permissible use of the site cannot reasonably be undertaken unless specific trees are removed or relocated.


- 433                   ii. The tree is located in such proximity to an existing or proposed structure  
434                   that the safety, utility or structural integrity of the structure is materially  
435                   impaired.
- 436                   iii. The tree materially interferes with the location, servicing or functioning  
437                   of existing utility lines or services.
- 438                   iv. The tree creates a substantial hazard to motor, bicycle or pedestrian  
439                   traffic by virtue of physical proximity to traffic or impairment of vision.
- 440                   v. The tree is diseased, insect ridden, or weakened by age, abuse, storm or  
441                   fire and is likely to cause injury or damage to people, buildings or other  
442                   improvements.
- 443                   e. Removed protected trees shall be replaced at a 3:1 ratio with Florida  
444                   Department of Agriculture Nursery Grade No. 1 or better at the expense of the  
445                   developer.

446                   (5) Detention and Retention Ponds. The following landscaping is required:

- 447                   a. A decorative and functional fountain shall be installed in all wet retention ponds  
448                   as part of development approval which approval shall provide for ongoing  
449                   maintenance requirements and responsibilities upon the appropriate party, but  
450                   not the City.
- 451                   b. Pond configuration shall be incorporated into the natural topography of the site.  
452                   When not practical, the pond shall be shaped to emulate a natural formed “free  
453                   form” depression and shall be part of the natural landscape and recreation open  
454                   system of the PUD.
- 455                   c. Plantings shall replicate a natural environment Trees and shrubs shall be  
456                   clustered around the basin and contain a variety of plant material.
- 457                   d. Trees and shrubs shall be planted in a natural pattern and are not limited to  
458                   strict placement along the edge of the pond. Trees and shrubs planted below the  
459                   water line of the pond must be tolerant of wet or moist soil conditions.
- 460                   e. Plantings shall be provided as determined by staff review and City Commission  
461                   approval.

462                   (6) Passive and Active Space Requirements. For higher density and smaller residential lots,  
463                   passive and active space requirements shall be provided based on the following lot  
464                   sizes:

- 465                   a. Common, usable passive and active open space shall be provided per each  
466                   residential unit based on the following lot sizes:
- 467                   i. Lots 5,000 square feet or greater – 200 square feet per lot.
- 468                   ii. Lots 4,000 to 4,999 square feet – 400 square feet per lot.
- 469                   iii. Lots 3,999 or less square feet – 600 square feet per lot.

- 470 b. Passive and active space shall not include improvements required by code  
471 including but not limited to the following: require street landscaping, drives or  
472 driveways, streets and sidewalks, parking lots, retention ponds, canals, ditches  
473 and drains, and utility or service areas. Buffer and entrance landscaping shall not  
474 be included in the open space calculation.
- 475 c. Types of passive and active space. Recreation common open space must provide  
476 active recreation open space areas designed for recreation i.e. (picnic area,  
477 children’s play areas, etc..), but may additionally include passive open spaces.  
478 Recreation common open spaces may be comprised of one or more of the  
479 following and shall be accessible to all of the residential units it serves:
- 480 i. Courtyard
  - 481 ii. Dog Park
  - 482 iii. Nature Trails
  - 483 iv. Tot lots
  - 484 v. Large lawn area, pocket parks; mews
  - 485 vi. Playground
  - 486  vii. Tennis court/Pickle ball
  - 487 viii. Basketball court
  - 488 ix. Swimming pool
  - 489 x. Splash pad
  - 490 xi. Similar outdoor recreation facilities as approved by the City Commission
- 491 d. Greenways, courtyards and open space shall have a minimum 40 feet average  
492 width, with a minimum 20 feet dimension.
- 493 e. A pedestrian pathway wall, a minimum 5 feet in width, shall be provided within  
494 the common open space.
- 495 f. Open Space shall be recorded as separate tracts owned and maintained by a  
496 Homeowners Association created in accordance with controlling law.
- 497 g. Alternative amenities may be considered in lieu of the required minimum lot size  
498 calculations if determined to enhance the overall design and quality of the  
499 development.

500 (k) ***Commercial Planned Unit Development Regulations. The following regulations shall***  
501 ***apply to all Commercial Planned Unit Developments (CPUDs):***

- 502 1. All CPUDS shall at a minimum have two principal buildings or two principal uses on site  
503 to qualify as a PUD.
- 504 2. Uses permitted in CPUDS as per Table XX.

- 505 3. Floor area ratio calculations and ground coverage shall be provided to determine scale,  
506 density and impact of the project
- 507 4. When abutting any residential land use or zoning district, the PUD should provide for  
508 landscape buffers along the entire common boundary with the residential land use or  
509 zoning district. The visual screen should be of sufficient width and elevation so as to  
510 afford an effective visual barrier and transition between land uses.
- 511 5. Within the CPUD, pedestrian movement and safety shall be given priority. Internal  
512 roadways shall be “pedestrian friendly” including the use of pavers, wide sidewalks,  
513 narrow vehicular lanes and parallel or angled parking. Major parking areas shall be  
514 located to encourage walking and discourage internal vehicle trips among the various  
515 buildings and uses.
- 516 6. No parking shall be permitted in the front yard of any structure constructed on an  
517 individual lot unless such parking area is landscaped with trees, shrubs and grass island  
518 to prevent the appearance of open parking lots.
- 519 7. Lighting shall be designed and located so as to prevent glare onto adjacent properties  
520 or nearby roadways and yet afford a well-lighted site.
- 521 8. Street frontage shall be landscaped except for curb openings.
- 522 9. Truck loading/unloading areas shall be screened by architectural and/or landscape  
523 elements consistent with the design of the structure.
- 524 10. Architectural style is important and shall follow Architectural Design Guidelines.
- 525 a. A consistent architectural theme including, but not limited to, scale, colors,  
526 textures and materials shall be required.
- 527 b. Setbacks within the project shall be determined at the time of project review to  
528 encourage an urban pedestrian scale.
- 529 c. Setbacks to adjacent properties shall be the larger of the existing underlying  
530 zoning district or the adjacent district, whichever is larger.
- 531 d. Outdoor uses and public places shall be designed to connect various buildings  
532 and promote pedestrian activity. Active use of the public spaces is desired to  
533 encourage increasing average length of stay within the project area.
- 534 e. First floor facades shall be “active” to encourage pedestrian traffic throughout  
535 the project area.
- 536 f. Signage shall be at a scale and aesthetic design appropriate to the size and type  
537 of project.
- 538 g. Streetscape design shall compliment and be consistent with the project’s  
539 architectural theme.
- 540 11. A maintenance plan for all common areas including but not limited to, parking,  
541 sidewalks, public plazas, building facades and programming shall be required as part of  
542 the approval of the project.

543 (k) ***Industrial Planned Unit Development Regulations. The following regulations shall***  
544 ***apply to all Industrial Planned Unit Developments (IPUDs):***

- 545 1. An IPUD shall be designed and organized to encourage a combination of multiple  
546 industrial uses, compatible uses or tenants that complement each other.
- 547 2. Uses permitted in IPUDS as per Table XX.
- 548 3. All IPUDs shall at a minimum have two principal buildings or two principal uses on site  
549 to qualify as a PUD.
- 550 4. Design guidelines shall be required establishing development standards for the  
551 proposed development, including illustrations of proposed architectural, urban design,  
552 streetscape, and landscape concepts, thematic design elements such as architectural  
553 materials, building colors and landscape plans, any proposed variation from the design  
554 standards or guidelines contained in this section.
- 555 a. Floor area ratio calculations and ground coverage shall be provided to  
556 determine scale, density and impact of the project.
- 557 b. A description of the allowable uses.
- 558 c. An accessibility plan showing means of ingress and egress to adjacent  
559 thoroughfares.
- 560 d. Setbacks and buffer yards for the project shall be determined at the time of  
561 project review to ensure compatibility with and protection of adjacent uses.
- 562 e. A uniform sign plan for the development shall be included in the design  
563 guidelines. Signage shall be at a scale and design appropriate to the size and  
564 type of project.
- 565 f. A consistent architectural theme including, but not limited to, scale, colors,  
566 textures and materials shall be required. Streetscape designs shall compliment  
567 and be consistent with the project's architectural theme.
- 568 g. A plan or design for the screening of outdoor uses.
- 569 h. A maintenance plan for all common areas including but not limited to, parking,  
570 sidewalks, public plazas, building facades and programming shall be required as  
571 part of the approval of the project.
- 572 5. No building or structure, or part thereof, shall be erected or used, in whole or in part,  
573 in any manner that is obnoxious, objectionable, a nuisance or a hazard to adjoining  
574 properties, as it relates to sound, vibrations, odors, glare, material, smoke and  
575 particular matters.
- 576 6. When abutting any residential land use or zoning district, the PUD should provide for  
577 landscape buffers along the entire common boundary with the residential land use or  
578 zoning district. The visual screen should be of sufficient width and elevation so as to  
579 afford an effective visual barrier and transition between land uses.
- 580 7. Street frontage shall be landscaped except for curb openings.



581 8. Truck loading/unloading areas shall be screened by architectural and/or landscape  
 582 elements consistent with the design of the structure.

583 (l) **Mixed-Use Planned Unit Development Regulations. The following regulations shall**  
 584 **apply to all Mixed-Use Planned Unit Developments (MUPUDs):**

585 1. Uses in a Mixed-Use Planned Unit Development shall consist of two (2) or more uses.

586 2. The vertical mixing of residential uses  
 587 with nonresidential uses within a  
 588 single project or building, with  
 589 residential development is required.  
 590 The horizontal mixing of stand-alone  
 591 residential developments and  
 592 adjacent stand along nonresidential  
 593 may be provided by the City  
 594 Commission, provided the  
 595 development are well integrated in terms of  
 596 complementary uses, access and circulation  
 597 and compatible design. See **Figure 19 and 20.**



598 3. Stand-alone uses within a mixed-use project  
 599 shall be integrated with an overall project  
 600 design and connected to other adjoining uses  
 601 by plazas, promenades, and landscape  
 602 corridors.

603 4. Additional or stand-alone auto oriented uses  
 604 (i.e. gasoline filling stations, automotive  
 605 repair and servicing, automotive sales, care  
 606 washes, self-storage facilities, large retail  
 607 establishments, uses with drive through  
 608 service) are prohibited.



609 5. A mixed-used project shall include a minimum amount of commercial building areas as  
 610 follows:

Overall Project Size	Minimum Commercial Building Area Required
5 to 7.5 Acres	9,500 square feet
7.5 to 10 Acres	12,000 square feet
10 to 15 Acres	20,000 square feet
15 to 20 Acres	30,000 square feet

20+ Acres	40,000 square feet plus 1,000 sf/acres for projects larger than 20 acres
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- 611 6. Within the MPUD, pedestrian movement and safety shall be given priority. Internal  
612 roadways shall be “pedestrian friendly” including the use of pavers, wide sidewalks,  
613 narrow vehicular lanes and parallel parking. Major parking areas shall be located to  
614 encourage walking and discourage internal vehicle trips among the various buildings  
615 and uses.
- 616 7. Parking garages, loading docks, and service areas shall be directly accessible from  
617 major roadways and appropriately screened to promote a pedestrian scale and safety.
- 618 8. Architectural requirements
  - 619 a. A consistent architectural theme including, but not limited to, scale, colors,  
620 textures and materials shall be required.
  - 621 b. Setbacks within the project shall be determined at the time of project review to  
622 encourage an urban pedestrian scale.
  - 623 c. Setbacks to adjacent properties shall be the larger of the existing underlying  
624 zoning district or the adjacent district, whichever is larger. The design of the  
625 project shall be required to consistent with adjacent uses and structures.
  - 626 d. Outdoor uses and public places shall be designed to connect various buildings  
627 and promote pedestrian activity. Active use of the public spaces is desired to  
628 encourage increasing average length of stay within the project area.
  - 629 e. First floor facades shall be “active” to encourage pedestrian traffic throughout  
630 the project area.
  - 631 f. Signage shall be at a scale and aesthetic design appropriate to the size and type  
632 of project.
  - 633 g. Streetscape design shall compliment and be consistent with the project’s  
634 architectural theme.
- 635 9. A maintenance plan for all common areas including but not limited to, parking,  
636 sidewalks, public plazas, building facades and programming shall be required as part of  
637 the approval of the project.

638

639 (Ord. No. 06-2003, § 1, 11-3-2003; Ord. No. 19-2011, § 1(Exh. A), 11-7-2011; Ord. No. 18-2013,  
640 § 1(Exh. A), 2-3-2014)