BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

ORDINANCE NUMBER 2290-2014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY
OF STUART, FLORIDA AMENDING CHAPTER 6 OF THE
CITY'S LAND DEVELOPMENT CODE AS IT PERTAINS TO
PAYMENT IN LIEU OF PARKING (PILOP); ELIMINATING A
FIXED BASE FEE OF $17,900 PER PARKING SPACE IN
FAVOR OF A DISCOUNTED VALUE APPROACH BASED ON
ASSESSED LAND VALUE; PROVIDING A SEVERABILITY
CLAUSE AND A CONFLICTS CLAUSE; PROVIDING AN
EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, a properly structured Payment in Lieu of Parking (PILOP) program can
be an effective means of both encouraging urban redevelopment and creating a ready
source of funding for public parking improvements, and

WHEREAS, since adopting a fixed base fee of $17,900 per parking space in 2005
there has been no participation in the City's PILOP program, and

WHEREAS, given this lack of participation it is appropriate to eliminate the fixed
base fee in favor of a discounted valuation approach, using assessed land values as
determined by the Martin County Property Appraiser, as a means of making the City's
PILOP program more financially attractive.

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

SECTION 1: CHAPTER VI of the Stuart Land Development Code is amended as follows:

DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS

6.03.10   Payment in lieu of parking program.

A. Developer's *option.* In lieu of providing up to three parking spaces required for any
    use located in Stuart Community Redevelopment Area, a developer may pay into
    the "Stuart Payment in Lieu of Parking Trust Fund" a sum of money that is the
    product of the number of parking spaces required but not provided and the cost to

provide a single parking space in the Stuart Community Redevelopment Area.

B. *Computation of cost to provide parking space.* Effective September 22, 2014, the cost to provide a single parking space in the Stuart Community Redevelopment Area shall be based on the following:

> Public Works Director's estimated cost per parking space based on a 7,200 square foot, 22-space prototypical surface parking lot including the cost of paving, car stops, drive isles, drainage, landscaping, signage, lighting and land value. Land value shall be determined by averaging the Property Appraiser's assessed land value per square foot of five sample parcels within a 1,000 foot radius of the property for which the PILOP payment is being proposed.

Sample calculation of fee per parking space (example only):

Parcels w/in 1000'

Parcel	Assessed Value	Square Feet	Value per Square Foot	Average Assessed Value Per Square Foot
1	$218,314	21,492	$10.15	
2	$198,970	19.353	$10.28	
3	$144,000	7,200	$20	
4	$97,300	7,200	$13.51	
5	$189,790	11,861	$16	
				$14.06

Fee per parking space calculation:

Public Works Director's estimated cost to construct parking lot		Land Value = (7,200) square feet X average assessed value per square foot ($14.06)		Total cost of parking lot		Number of parking spaces (22)		Fee per parking space
$107,000	+	$101,232	=	$208,232	÷	22	=	$9,465

C. *Stuart Payment in Lieu of Parking Trust Fund established.* The "Stuart Payment in Lieu of Parking Trust Fund" account is hereby established into which shall be deposited all payments made by developers pursuant to this section. Monies deposited into said account shall be used by the city for the exclusive purpose of paying the cost of land acquisition, construction, reconstruction, lease payments, signage, maintenance, or other expenses associated with the provision of public parking spaces in the Stuart Community Redevelopment Area. Said cost includes the cost of all labor and materials, the cost to acquire all lands, property, rights,

easements, and franchises acquired, the cost of financing charges, the cost of interest prior to and during construction and, for one year after completion of construction, discount on the sale of municipal bonds, the cost of plans and specifications, surveys of estimates of costs and of revenues, the costs of engineering and legal services, and such other costs and expenses necessary or incident to determining the feasibility or practicability of such construction or reconstruction, administrative expenses, and such other expenses as may be necessary or incident, to the construction or reconstruction of its financing.

D. *Time of payment.* Payments made pursuant to this section shall be made upon the issuance of a building permit, for any portion or phase of a development project to which the parking spaces that are required for a particular use but are not provided relate

E. *Record of the PILOP.* Record of the PILOP shall be executed in a form acceptable to the City Attorney, shall be recorded with the Martin County Clerk's Office and shall run with the land.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby

repealed to the extent of such conflict.

SECTION 3: If any section, sentence, clause, phrase or word of this ordinance is for any

reason declared to be unconstitutional, inoperative or void, such holding shall not affect the

remaining portions of this ordinance and the remaining portions shall be deemed and held

to be valid.

SECTION 4: The provisions of this ordinance shall be codified.

SECTION 5: This ordinance shall take effect upon adoption.

PASSED on first reading this 10th day of September, 2014.

Commissioner KRAUSKOPF offered the foregoing ordinance and moved its adoption. The motion was seconded by Commissioner CAMPENNI and upon being put to a roll call vote, the vote was as follows:

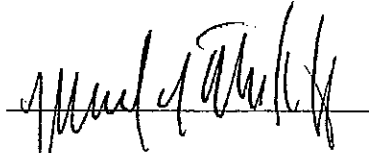|	YES	NO	ABSENT	ABSTAIN
TROY A. Mc DONALD, MAYOR	X			
KELLI GLASS, VICE-MAYOR	X			
EULA R. CLARKE, COMMISSIONER	X			
JEFFREY A. KRAUSKOPF, COMMISSIONER	X			
JAMES A. CHRISTIE, JR., COMMISSIONER	X			

ADOPTED on second reading this 22nd day of September, 2014.

ATTEST:

_____
CHERYL WHITE
CITY CLERK

_____
TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTINESS:

_____
MICHAEL J. MORTELL
CITY ATTORNEY