

**CITY OF BRADENTON BEACH
ORDINANCE NO. 17-494**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF BRADENTON BEACH, FLORIDA, AMENDING THE BRADENTON BEACH CODE OF ORDINANCES, SPECIFICALLY THE LAND DEVELOPMENT CODE SO AS TO AMEND SECTION 302, ESTABLISHMENT OF ZONING DISTRICTS; ADD SECTION 307.14, MIXED USE BRIDGE COMMERCIAL (MUBC) DISTRICT TO THE CODE OF ORDINANCES OF THE CITY OF BRADENTON BEACH; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City Bradenton Beach is authorized by the Florida Constitution, Florida Statutes, and the City Charter to regulate the use of lands within its corporate boundaries; and

WHEREAS, the Planning and Zoning Board has held a hearing on this matter and has made a recommendation to the City Commission; and

WHEREAS, the City Commission has determined that the amendments to the land development regulations are in the best interest of the public health, safety and welfare; and

WHEREAS, the City Commission of the City of Bradenton Beach hereby determines that this ordinance is consistent with and in accordance with the Comprehensive Plan of the City of Bradenton Beach.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of Bradenton Beach that the following Land Development Code regulations are hereby adopted.

SECTION ONE. Findings of Fact

The above “whereas” clauses are deemed findings of fact.

SECTION TWO. Amend Section 302, Establishment of Zoning Districts

The Code of Ordinances of the City of Bradenton Beach, is hereby amended by adding all language shown as underscored, so as to read in its entirety as follows:

Section 302. Establishment of Zoning Districts.

In order to classify, regulate and restrict the locations of various types of residential, commercial and recreational properties; to regulate land coverage and height of buildings and structures hereafter erected, constructed, reconstructed, altered or relocated; to regulate and limit the population density of land areas and determine the minimum size and location of yards and other open spaces around such buildings or structures, the City is hereby divided into the following Zoning Districts, which shall be graphically shown on an Official Zoning Map in such manner so as to be accurately identifiable.

R-1, One-family Dwelling District - intended to provide for single-family detached homes, partially implementing the Low Density Residential future land use category.

R-2, Two-family Dwelling District - intended to provide for single-family detached and duplex dwellings, partially implementing the Medium Density Residential future land use category.

R-3, Multiple-family Dwelling District - intended to provide for single-family detached homes, duplexes and apartments (both rental and condominium), and hotels and motels, partially implementing the High Density Residential future land use category.

M-1, Mobile Home Park District (and Existing Mobile Home Parks) - intended to provide for one-family mobile home residences, accessory uses and structures, and supporting retail uses, partially implementing the High Density Residential, Retail/Office/ Residential and Commercial future land use categories.

PD, Planned Development Overlay District – intended to provide a flexible zoning overlay for parcels which cannot reasonably be developed/redeveloped with existing zoning requirements. The overlay is available to all lands within Residential, Commercial or Mixed Use zoning districts throughout the City except for land zoned R-1.

MUBC, Mixed Use Bridge Commercial Overlay District –intended to provide for mixed-use developments in addition to reductions in setbacks partially implementing the Mixed Use Bridge Commercial future land use category

MXD, Mixed-Use District - intended to provide for mixed-use developments including single-family homes, two-family and apartments, hotels and motels, office and retail commercial uses partially implementing the residential/office/retail; Bridge Street Mixed Use Commercial; Water Dependent Commercial; and the Commercial future land use categories.

C-1, Limited Commercial District - intended to provide for low-intensity office, retail and service uses, implementing the Residential/Office/Retail, Mixed Use Bridge Commercial and Commercial future land use categories.

C-2, General Commercial District - intended to provide for medium-intensity office, retail and service uses, implementing the Commercial, Mixed Use Bridge Commercial, Retail/Office/Residential future land use categories. Special permit uses in this district are intended to provide for higher-intensity automotive and marine-oriented uses, implementing the residential/office/retail and commercial future land use categories.

PSP, Public/Semi-public District - intended to implement the Public/Semi-Public future land use category and designates publicly owned lands.

PRA, Public Recreation Area District - intended to partially implement the Park, Recreation & Open Space future land use categories and designates publicly owned lands.

E-1, Preservation District - intended to implement the Preservation future land use category.

E-2, Conservation District - intended to implement the Conservation future land use category.

Zoning District Summary

Designation	District Description
R-1	One-family Dwelling
R-2	Two-family Dwelling
R-3	Multiple-family Dwelling
M-1	Mobile Home Park
PD	Planned Development Overlay
<u>MUBC</u>	<u>Mixed Use Bridge Commercial Overlay</u>
MXD	Mixed Use
C-1	Limited Commercial
C-2	General Commercial
PSP	Public/Semi-public
PRA	Public Recreation Area
E-1	Preservation
E-2	Conservation

SECTION THREE. Add Section 307.14, Mixed Use Bridge Commercial (MUBC)

The Code of Ordinances of the City of Bradenton Beach, is hereby amended by adding all language shown as underscored, so as to read in its entirety as follows:

307.14. Mixed Use Bridge Commercial Overlay District

The Mixed Use Bridge Commercial (MUBC) Overlay District is to implement the Mixed Use Bridge Commercial Land Use Designation in the City of Bradenton Beach Comprehensive Plan 2020

307.14.1. Permitted Uses

Permitted uses are as set forth for the underlying zoning districts, unless specifically set forth as a permitted use in the MUBC overlay district. Residential uses; single-family, two-family and multi-family located over or behind first story nonresidential uses; detached residential uses for lots not abutting Bridge Street; outdoor sales and display for lots abutting Bridge Street.

307.14.2. Accessory Uses: Accessory Uses as set forth for the underlying zoning districts.

307.14.3. Special Permit Uses: Special Permit Uses as set forth for the underlying zoning districts, unless specifically set forth as a permitted use in the MUBC overlay district. Outdoor sales or display for lots not abutting Bridge Street; publically owned or operated parking lots.

307.14.4. Prohibited Uses: As set forth in the City of Bradenton Beach Comprehensive Plan.

307.14.5. Density, Lot, Yard and Bulk Limitations: Density, Lot, Yard and Bulk Limitations as set forth for the underlying zoning districts, unless specifically set forth as Density, Lot, yard and Bulk Limitations in the MUBC overlay district

Multi-family residential/Seasonal: 18 units/acre with three (3) units minimum

Residential/Tourist, Hotel/Motel/Transient Lodging (time sharing) Units: 18 units/acre with six (6) units minimum

Single-family Residential detached: 9 units/acre

Two-family Residential: 18 units/acre

Maximum Habitable Levels: 3 with commercial uses allowed on all three habitable levels; however, residential uses are only allowed on the second and third levels

Minimum Floor Area Multi-family Residential/Seasonal: 700 square feet per unit

Minimum Floor Area Residential/Tourist, Hotel/Motel/Transient Lodging Room: 300 square feet per unit

Minimum Floor Area for Single-family Residential detached: 1,000 square feet

Minimum Floor Area for Two-family Residential 700 square feet per unit

Minimum Floor Area for Multi-family Residential 700 square feet per unit

Maximum Floor Area Ratio: Commercial uses 2.7 to 1

Maximum Lot Coverage: Commercial 90%, detached, freestanding residential 35%

Minimum Street Front Yard: Bridge Street- 0 feet for lots abutting Bridge Street

First Street North- 15 feet for lots abutting First Street North, or as determined appropriate by the City Commission during a Major Development review

Third Street South- For lots abutting Third Street South as

required by the underlying zoning district, or as determined

appropriate by the City Commission during a Major Development review

Minimum Side Yard: Bridge Street- 0 feet for lots abutting Bridge Street

First Street North- For lots abutting First Street North, as required by the underlying zoning district

Third Street South- For lots abutting Third Street South, as required by the underlying zoning district

SECTION FOUR. APPLICABILITY.

For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Bradenton Beach. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date..

SECTION FIVE. REPEAL OF ORDINANCES IN CONFLICT.

Any and all ordinances and regulations in conflict herewith are hereby repealed to the extent of any conflict.

SECTION SIX SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

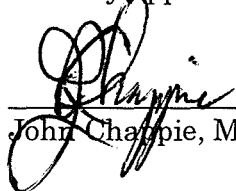
SECTION SEVEN. EFFECTIVE DATE.

This Ordinance shall be effective upon adoption by the City Commission and approval by the Mayor in accordance with the Charter of the City of Bradenton Beach

PASSED and ADOPTED in regular session, with a quorum present and voting, by the City Commissioners of the City of Bradenton Beach, upon the second and final reading this first day of February, 2018.

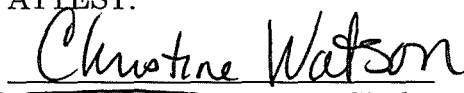
John Chappie, Mayor
Marilyn Maro, Vice Mayor
Randy White, Commissioner
Jacob Spooner Commissioner
Ralph Cole, Commissioner

I hereby approve this Ordinance:



John Chappie, Mayor

ATTEST:



Christine Watson, City Clerk
Christine Watson Deputy
_____, 2018