CITY OF BRADENTON, FLORIDA, ORDINANCE NO. 2930

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR ADOPTION OF A FORM BASED CODE LAND USE REGULATIONS (FBC); PROVIDING FOR TRANSECT DESIGNATIONS; PROVIDING FOR ARTICLES FOR IMPLEMENTATION, INCLUDING GENERAL PROVISIONS, NEW COMMUNITY SCALE PLANS, INFILL COMMUNITY SCALE PLANS, BUILDING SCALE PLANS AND URBAN STANDARDS, ARCHITECTURAL STANDARDS, THOROUGHFARE STANDARDS, LANDSCAPE STANDARDS, LIGHTING STANDARDS, LIGHT IMPRINT STORMWATER MANAGEMENT, SUSTAINABILITY, PUBLIC ART, DEFINITIONS AND APPENDICES; PROVIDING FOR REPEAL OF PROVISIONS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, AS FOLLOWS:

WHEREAS, Article VIII, Section 2, Constitution of the State of Florida, as revised in 1968, provides for and establishes municipalities and grants to those municipalities governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and authorizes said municipalities to exercise any power for municipal purposes, except as otherwise provided by law: and

WHEREAS, Chapter 166, Florida Statutes, the Municipal Home Rule Powers Act, implements by general law the authority and jurisdiction granted to municipalities by the Florida Constitution and establishes home rule for said municipalities; and,

WHEREAS, pursuant to the provisions of the City's Land Use Regulations (LUR), the Planning Commission has reviewed and considered in a public hearing the advisability of recommending adoption of the Form Based Code Land Use Regulations to the City Council and found the FBC consistent with the Comprehensive Plan, and has forwarded to the City Council the Planning Commission's recommendation that they be approved; and

WHEREAS, the City Council of the City has held the required public hearings with due public notice pursuant to the provisions and the requirements of Florida law, and the City Council has determined that it is necessary and desirable and in the best interest of the citizens of the City in order to protect the public health, safety and welfare to adopt the said Form Based Code Land Use Regulations.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Bradenton, Florida, as follows:

1. The Form Based Code Land Use Regulations, as attached hereto and incorporated herein as Attachment ""A", are hereby adopted.

2. To the extent that these Form Based Code Land Use Regulations are in direct conflict with the existing provisions of the City of Bradenton Land Use Regulations (LUR's), the provisions of this Ordinance shall control. The applicability and effect of the Form Based Code Land Use Regulations and this Ordinance shall be in keeping with the provisions of Florida law.

3. In the event any provision, paragraph, section of chapter, or any other portion of this Ordinance are declared by a court of competent jurisdiction to be void, unconstitutional or unenforceable, then, and in that event, all of the remaining provisions and portions not so affected shall remain in full force and effect.

4. This Ordinance shall take effect immediately upon adoption.

PASSED AND DULY ADOPTED by the City Council, with a quorum present and voting, this 8th day of June 2011.

CITY OF BRADENTON, FLORIDA BY
AND THROUGH THE CITY COUNCIL OF
THE CITY OF BRADENTON

Wayne H. Poston, Mayor

City Of Bradenton INCORPORATED MAY 1903 FLORIDA

ATTEST: CARL CALLAHAN

City Clerk and Treasurer

First Reading and Public Hearing: March 23, 2011
Advertised March 16 and April 8, 2011
Second Reading and Public Hearing: April 13, 2011
Public Hearing Continued, Adoption: June 8, 2011

APPROVED AS TO FORM:

William R. Lisch
City Attorney