

CITY OF BRADENTON, FLORIDA, ORDINANCE NO. 2966

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF BRADENTON FORM-BASED CODE INCLUDING MODIFICATIONS TO SIGNAGE STANDARDS SPECIFIC TO THE VILLAGE OF THE ARTS OVERLAY DISTRICT; PROVIDING FOR CORRECTION OF TYPOGRAPHICAL ERRORS; AND PROVIDING 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 as amended.

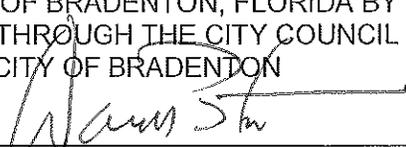
2. To the extent that these Form Based Code Land Use Regulations are in direct conflict with the existing provisions of the City of Bradenton Land Use Regulations (LUR's), the provisions of this Ordinance shall control. The applicability and effect of the Form Based Code Land Use Regulations and this 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 19th day of November 2014.

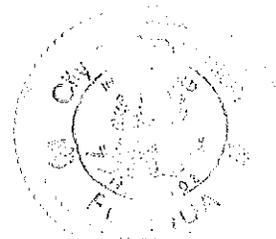
CITY OF BRADENTON, FLORIDA BY
AND THROUGH THE CITY COUNCIL OF
THE CITY OF BRADENTON



Wayne H. Poston, Mayor

ATTEST: CARL CALLAHAN





City Clerk and Treasurer

Advertised October 12 and November 9, 2014

First Reading and Public Hearing: October 22, 2014

Second Reading and Public Hearing: November 19, 2014

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "William R. Lisch", written over a horizontal line.

William R. Lisch

City Attorney



Zoning Text Amendment Application

Department of Planning & Community Development
 101 Old Main Street, Bradenton, FL 34205
 Ph: (941) 932-9400 Fax: (941) 932-9534
www.cityofbradenton.com

CONTACT INFORMATION

Name of Applicant: CITY OF BRADENTON
 Applicant Address: 101 OLD MAIN STREET, BRADENTON FL 34205
 Applicant Telephone: 941-932-9400
 Applicant Email: TIMOTHY.POLK@CITYOFBRADENTON.COM

REQUIRED

MATERIALS FOR REVIEW

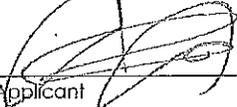
Before submitting an application to the City of Bradenton, please check with the Planning & Community Development Department to verify all essential information for review is present. Incomplete applications will delay the review process.

- ▶ Text Amendment Application
- ▶ Application Fee: **\$4,520**
- ▶ Letter of Request
- ▶ Proposed Text Changes in Strikethrough and Underline Format
- ▶ One (1) electronic copy of Land Use Regulations Text Amendment application and all materials for review in PDF format

REQUIRED

SIGNATURE

The applicant agrees to conform to all applicable laws of the City of Bradenton and to all applicable Federal, State, and County laws.

Signature of Applicant 

Date 8-29-14

REQUIRED

CITY STAFF ONLY

Application Fees:
 Fee Required: **\$4,520**

FEE COLLECTED: \$ _____

RECEIPT #: _____

Application Sufficiency:
 Sufficient:
 Incomplete:

APPLICATION #: LU.14.00055

CITY STAFF ONLY

DRG: 9/23/14 PC REVIEW: 10/15/14 1st CC READ: 10/22/14 2nd CC READ: 11/19/14
 REVIEW DATES - TO BE COMPLETED BY CITY STAFF



LU.14.00055

ATTACHMENT "A"

Form-Based Code Text Amendment

Section 4.15.4

c. Signage. Not including District Theme Signage, a home occupation may have one window or hanging façade sign, or ground sign not to exceed six square feet in area. A home business use may have one hanging façade sign not to exceed six square feet in area, or ground sign not to exceed 12 square feet in area. Ground signs must be low profile with a maximum height of 72", including structural components. All signage must be approved by the PCD Director, and be compatible with the VAOD theme.

1. Open Signage. In addition to business identification signs described above, businesses within the VAOD may have a fixed banner sign that indicate business is open for operation. Open signage must adhere to the following standards:
 - a. The word "OPEN" shall appear on all fixed banner signs, and;
 - b. Fixed banner sign size shall not exceed 18 square feet, and;
 - c. Banner sign material shall be cloth or vinyl, and;
 - d. One (1) fixed banner sign allowed per parcel. Corner lots may have two (2) signs which are visible from common travel ways, and;
 - e. Fixed banner signs shall have its bottom edge a minimum of 9 feet above the sidewalk. Signs shall not extend into the street.
 - f. Businesses may create their own design or retrofit an existing fixed banner sign. The VAOD logo shall be affixed or appear on all 'Open' signs, no smaller than 10% of overall sign area.



PCD STAFF REPORT

Department of Planning & Community Development

PROJECT: LU.14.00055
TO: Planning Commission
FROM: Brady M. Woods, Development Services & Zoning Manager
DATE: 9/15/14; **REVISED 10/15/14**
APPLICANT: City of Bradenton
WARD: 2

PROJECT SYNOPSIS:

<i>Applicant's Request:</i>	<i>Form-Based Code Text Amendment Signage standards, Village of the Arts Overlay</i>
<i>PCD Staff Recommendation:</i>	<i>Approval</i>
<i>Planning Commission Recommendation:</i>	<i>Approval</i>
<i>City Council Action-1st Reading:</i>	<i>TBD – October 22, 2014</i>
<i>City Council Action-2nd Reading:</i>	<i>TBD – November 19, 2014</i>

SUMMARY OVERVIEW:

PCD Staff is requesting to update to the Form-Based Code to address signage standards within the Village of the Arts Overlay District and correct any typographical errors as needed. This amendment only pertains to transects regulated by the Form-Based Code. No map change is proposed with this amendment.

The proposed text amendments to the Form-Based Code Section 4.15.4(c) are shown in Attachment A in underline = addition, strikethrough = ~~deletion~~ format.

ANALYSIS

HISTORY OF PREVIOUS ACTION RELEVANT TO THIS REQUEST:

Bradenton City Council adopted Form-Based Code design and development regulations for the general downtown Bradenton area by City Council Ordinance 2930 on June 8, 2011. The Form-Based Code was most recently amended to modify regulations regarding overall signage by adopting Ordinance 2948 on April 24, 2013.

COMPREHENSIVE PLAN CONSISTENCY:

The proposed request for text amendments to the Form-Based Code is consistent with the City's adopted Comprehensive Plan.

STAFF EVALUATION:

The proposed amendment addresses specific concerns from 'Village of the Arts' business owners whom have stated the need for additional signage to enhance business operations as well as increase district identification and branding. PCD Staff held several meetings with the Artist Guild of Manatee County and the select committee on signage to obtain input for establishing specific design and location criteria for dedicated signage that will read 'OPEN' only. This request is one component of the city's plan for expansion of the Village of the Arts Overlay District which seeks to heighten visibility for existing and new businesses/galleries, as well as continue place-making efforts for one of the city's unique destinations.

SUMMARY OF OUTSIDE AGENCY/PUBLIC NOTIFICATION RESPONSE:

No comments were received as of the date of this report.

STAFF RECOMMENDATION:

APPROVAL of LU.14.00055 as submitted

PLANNING COMMISSION RECOMMENDATION (October 15, 2014):

APPROVAL of LU.14.00055 as submitted

CITY COUNCIL ACTION-1st READING OF ORDINANCE (October 22, 2014):

CITY COUNCIL ACTION-2nd READING OF ORDINANCE (November 19, 2014):