

MEMORANDUM

TO: Town Commission

FROM: Allen Parsons, AICP
Director, Planning, Zoning and Building Department

REPORT DATE: November 6, 2020

MEETING DATE: December 7, 2020

SUBJECT: Ordinance 2020-14, Zoning Code Graphics

Recommended Action

Forward Ordinance 2020-14 to the January 5, 2021, Regular Meeting for second reading and public hearing.

Background

As part of the April 1, 2019 adoption of the updated Zoning Code, the Town Commission, Planning & Zoning (P&Z) Board and staff identified additional items deemed to be substantive future issues to be addressed separately from the overall Zoning Code update effort. At their March 19, 2019 Regular Workshop, the Commission provided staff direction to prioritize these items into five separate groupings or batches of amendments.

The fourth phase or batch of text amendments includes the addition of graphics into the Zoning Code. Town Commission and P&Z Board have both expressed a desire for a more user-friendly Zoning Code. Staff engaged a graphic illustrator and used in-house mapping expertise to develop a series of graphics to help users better understand provisions and requirements of the Zoning Code.

Ordinance 2020-14 incorporates a series of graphics that are new to the Zoning Code, along with added updates to existing graphics and maps updated for clarity. The graphics are intended to be illustrative, and improve a reader's understanding by depicting regulations that may be difficult to interpret or visualize. The intent is to make the Zoning Code more user-friendly, easier to read, and understand.

The following is a list of the Zoning Code sections being amended and a description of the accompanied graphics for each section:

1. 158.030(K), Performance standards for Site Development Plans:
 - Insertion of three new graphics showing required minimum setbacks.
2. All Zoning Districts (R-1IP - 158.059(C), R-1SF - 158.060(C), R-2SF - 158.061(C), R-3SF - 158.062(C), R-4SF - 158.063(C), R-6SF - 158.064(C), R-3MX - 158.065(C), R-4MX - 158.066(C), R-6MX - 158.067(C), OI - 158.068(C), C-1 - 158.069(C), C-2 - 158.070(C), C-3 - 158.071(C), M-1 - 158.072(C), T-3 - 158.073(C), T-6 - 158.074(C), MUC-1 - 158.075(C), MUC-2 - 158.076(C), MUC-3 - 158.077(C), OS-A - 158.078(C), OS-P - 158.079(C), OS-C - 158.080(C), and INS - 158.081(C)):

- Insertion of one to three new graphics (depending upon number of uses allowed) for each Zoning District showing the required lot, bulk and yard requirements.
3. 158.094(C)(5)(a), Yard regulations:
 - Insertion of one new graphic illustrating the Special Canal View Preservation Area.
 4. 158.095(B)(1), Accessory use or structure:
 - Insertion of three new graphics depicting the swimming pool regulations (setbacks, maximum elevation, maximum coverage).
 5. 158.096(D), Minimum regulations for accessory structures:
 - Insertion of three new graphics depicting the regulations (setbacks, maximum height, roof pitch) for unattached accessory structures.
 6. 158.098, Height regulations:
 - Insertion of two new graphics depicting the standards for maximum height for a single-family structure and structures other than single-family.
 - Insertion of one new graphic depicting daylight plane.
 7. 158.102, Walls, fences, hedge, berms, landscape logs, and firewood:
 - Insertion of new graphics depicting required setbacks and maximum height for the following:
 - Street Yard;
 - Side and rear yards;
 - Waterfront yard;
 - Ornamental Features;
 - Retaining walls;
 - Earth berms; and
 - Through lots on Gulf of Mexico Drive.
 8. 158.117, Intersection visibility:
 - Insertion of one new graphic depicting the requirements for intersection visibility.
 9. 158.118, Lot excavation, grades, and frontage:
 - Insertion of one new graphic depicting the requirements maximum slope, height of retaining walls, and lot grades.
 10. Article XI, Section 1, Lot Illustrations:
 - Replacement of the following graphics depicting lot and yard definitions:
 - Lot definitions, general;
 - Yard definitions, interior;
 - Yard definitions, corner lot; and
 - Yard definitions, through lot.
 11. Article XI, Section 2(A), Parking area illustrations:
 - Replacement of the following graphics depicting off-street parking standards:
 - 90 Degree Parking;

- 60 Degree Parking;
 - 45 Degree Parking; and
 - Walkway Divide (Required).
12. Article XI, Section 3, Townhouse Illustrations:
- Replacement of a graphic depicting minimum requirements (setbacks, required access, etc.) for townhouses.
13. Article XI, Section 6, Special Canal Waterfront Yard Area Illustrations:
- Replacement of the following graphics depicting Special Canal Waterfront Yard Area:
 - Map showing the location of the Special Canal Waterfront Yard Area
 - Illustration showing requirements for new structures within the Special Canal Waterfront Yard Area
14. Article XI, Section 7, Special Canal View Preservation Area:
- Replacement of the map showing the location of the Special Canal View Preservation Area.
15. Article XI, Section 8, Illustrations for Section 158.099, Structures Over Water:
- Replacement of the following graphics depicting regulations for Structures Over Water:
 - i. Illustration of Boat Basins;
 - ii. Illustration of Minimum Setbacks Pursuant to Section 158.099(A)(3)(b); and
 - iii. Illustration of Minimum Setbacks Pursuant to Section 158.099(A)(3)(c).
16. Article XI, Section 9(A), Village study overlay area map:
- Replacement of the map showing the location of the Village study overlay area.
17. Article XI, Section 9(B), The Village Zoning Map:
- The map showing the zoning districts in the Village is proposed to be removed from the Zoning Code. This information is duplicative, as a Zoning Map for the entire Town exists separately from this map.

Planning & Zoning Board Recommendation

At their October 20, 2020 Regular Meeting, the P&Z Board recommended approval (6-0) of Ordinance 2020-14 to the Town Commission.

The P&Z Board recommended amending the Ordinance to include language to ensure the Zoning Code text would prevail in the case where graphics conflict with the text. The following “Whereas” clauses have been included in Ordinance 2020-14 to add to the legislative history:

WHEREAS, the graphics are provided for reader convenience and reference only and are not intended to define or limit the scope of any provision of the Town’s Zoning Code; and

WHEREAS, in case of conflict in meaning or interpretation between the text of the Town's Zoning Code and any graphic provided for within Chapter 158 of the Zoning Code, the clear meaning of the text within the Town's Zoning Code shall control and prevail.

Staff will incorporate the language from the Whereas clauses into the Zoning Code as part of a separate, future, batch of Zoning Text Amendments.

Staff Recommendation

Forward Ordinance 2020-14 to the January 5, 2021 Regular Meeting for second reading and public hearing.

Attachments

- A. Ordinance 2020-14 (Available in Town Clerk's Office)
- B. PowerPoint Presentation (Available in Town Clerk's Office)
- C. P&Z Board Meeting Minutes: October 20, 2020 (Available in Town Clerk's Office)

End of Agenda Item