

## M E M O R A N D U M

**TO:** Howard Tipton, Town Manager

**FROM:** Allen Parsons, AICP, Director  
Planning, Zoning & Building Department

**REPORT DATE:** February 14, 2023

**MEETING DATE:** March 6, 2023

**SUBJECT:** Ordinance 2023-02, Amending Permitted Uses in the Bay Isles Mixed Use Community (MUC-1) Zoning District to Incorporate the INS Zoning District Allowable Uses

### **Recommended Action**

Adopt Ordinance 2023-02.

### **Background**

At their February 6, 2023 Town Commission Regular Meeting, the Town Commission (Commission) held first reading and forwarded Ordinance 2023-02 for second reading, public hearing and adoption. Ordinance 2023-02 is a companion to the Town's development plans for the Town Center Green property, located at 600 Bay Isles Road. This Ordinance amends the Zoning Code to expand the range of publicly-oriented uses that have been planned for the site.

As noted previously, the Town Center Green is located within the much larger MUC-1 Zoning District. The MUC-1 Zoning District allows a fairly broad range of residential, non-residential and recreational uses<sup>1</sup>. The Town, through various workshop meetings, citizen's surveys and Town Commission direction, developed an overall plan for the Town Center Green site. The Town has been developing the site using a three-phased approach:

- Phase 1- Initial Outdoor Venue (clearing and initial grading);
- Phase 2- Outdoor Venue and Stage; and
- Phase 3- Future Building Facilities through Partnership opportunities.

The planning has also included an anticipated range of uses for the entire site, including:

- Public Parks, Open Space and Recreation Areas;
- Government Buildings and Services;
- Continuing Education and Civic Centers;
- Non-Profit Cultural Centers; and
- Accessory uses to the above.

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<sup>1</sup> Permitted Uses include: Multifamily developments, Worship Centers, Golf Courses, Marinas, Parks and Recreation Areas, Restaurants, Tennis Courts, Government Buildings, Community Residential Homes and all Uses that are allowed within the Office-Institutional (OI) and Limited Commercial (C-1) zoning districts.

Public Parks, Open Space and Recreation Areas and Government Buildings and Services uses are identified as permitted uses in the MUC-1 Zoning District. The Continuing Education and Civic Centers and Non-Profit Cultural Centers uses, however, are not explicitly identified in the MUC-1 Zoning District as permitted uses. Those uses are among those permitted within the INS (Community Facility Institutional District) Zoning District.

The purpose of the proposed Zoning Text Amendment, Ordinance 2023-02, is to amend the MUC-1 Zoning District Use Regulations table (Sec. 158.075(B)) to be consistent with previous direction of the Commission on the Phase 3 planned uses of the site. The amendment incorporates the INS Zoning District uses, permitted with Site Development Plan review and Special Exception, into the MUC-1 Zoning District as permitted uses. This would be similar to the MUC-1 Zoning District's incorporation of all uses permitted and allowed within the OI and C-1 Zoning Districts.

The proposed Zoning Text Amendment meets the intent of both the Comprehensive Plan and the Zoning Code. The Mixed-Use Community Future Land Use category describes these designated areas allowing a mix of residential and nonresidential uses and specifically calls for maintaining open space and recreational uses, with no limit to the amount of recreational acreage. The Institutional Future Land Use category is identified as being intended for use by public and semi-public facilities including government buildings and civic centers. All of which is what is intended for the Town Center Green.

The Planning & Zoning Board (P&Z Board) held a public hearing on January 17, 2023 and recommended approval (6-0) of incorporating the INS allowable uses into the MUC-1 Zoning District.

### **Staff Recommendation**

Adopt Ordinance 2023-02.

### **Attachment**

- A. Ordinance 2023-02 (Available in Town Clerk's Office)
- B. PowerPoint Presentation (Available in Town Clerk's Office)

**End of Agenda Item**