

## ORDINANCE NO. 2020-09

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3 AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF  
4 PALMETTO BAY, FLORIDA, RELATING TO THE DOWNTOWN URBAN  
5 VILLAGE (DUV) ZONING DISTRICT; PROVIDING FOR A NEW  
6 DOWNTOWN ZONING CODE MAP AS PER ATTACHMENT "A";  
7 PROVIDING FOR A MAXIMUM RESIDENTIAL DENSITY OF FIFTY-FOUR  
8 (54) RESIDENTIAL UNITS PER GROSS ACRE FOR THE ISLAND  
9 SECTOR (FORMERLY KNOWN AS THE DOWNTOWN GENERAL (DG)  
10 SECTOR); FORTY-THREE (43) RESIDENTIAL UNITS PER GROSS ACRE  
11 FOR THE EUREKA SECTOR; THIRTY-TWO (32) RESIDENTIAL UNITS  
12 PER GROSS ACRE FOR THE MAIN STREET SECTOR (FORMERLY  
13 KNOWN AS THE DOWNTOWN VILLAGE (DV) SECTOR); TWENTY-  
14 FOUR (24) RESIDENTIAL UNITS PER GROSS ACRE FOR THE  
15 NEIGHBORHOOD SECTOR (FORMERLY KNOWN AS THE  
16 NEIGHBORHOOD VILLAGE (NV) SECTOR AND THE URBAN VILLAGE  
17 (UV) SECTOR); PROVIDING FOR MAXIMUM BUILDING HEIGHTS OF  
18 FIVE (5) STORIES FOR "RESIDENTIAL ONLY", "COMMERCIAL ONLY",  
19 AND "MIXED-USE" BUILDINGS IN THE ISLAND SECTOR; FIVE (5)  
20 STORIES FOR THE EUREKA SECTOR; FOUR (4) STORIES FOR  
21 "RESIDENTIAL-ONLY" BUILDINGS AND FIVE (5) STORIES FOR  
22 "MIXED-USE" BUILDINGS FOR THE MAIN STREET SECTOR; THREE  
23 (3) STORIES FOR ALL BUILDINGS IN THE NEIGHBORHOOD SECTOR;  
24 AMENDING THE SECTOR BOUNDARIES IN THE DOWNTOWN TO  
25 CHANGE FROM DUV TO SINGLE FAMILY RESIDENTIAL DISTRICT (R-  
26 1) IN THE SOUTH EASTERN PORTION OF THE (DUV) PERIMETER  
27 FROM SW 97TH AVENUE TO SW 94TH COURT IN THE WEST TO EAST  
28 DIRECTION, AND FROM THE REAR LOT LINE OF PROPERTIES  
29 FRONTING THE NORTH SIDE OF SW 181ST TERRACE TO SW 184TH  
30 STREET IN THE NORTH TO SOUTH DIRECTION, AND INCLUDING  
31 PROPERTIES FRONTING THE WEST SIDE OF SW 94TH COURT FROM  
32 SW 180TH STREET TO SW 181ST TERRACE; PROVIDING FOR  
33 AMENDING THE DOWNTOWN CODE PARKING REQUIREMENTS AS  
34 PER ATTACHMENT "B"; AMENDING THE ZONING CODE OF  
35 ORDINANCES BY THE ADDITION OF SECTION 30-50.23.2-07 WHICH  
36 PROVIDES FOR A MAXIMUM NUMBER OF TWO THOUSAND FIVE  
37 HUNDRED (2,500) RESIDENTIAL UNITS IN THE DOWNTOWN  
38 DISTRICT; AND PROVIDING FOR ORDINANCES IN CONFLICT,  
39 CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (*Sponsored*  
40 *by Administration*)

1           **WHEREAS**, it is the goal of the Mayor and Village Council to implement  
2 the goals, objectives and policies of the Franjo Activity Center designation of  
3 the Village of Palmetto Bay Comprehensive Plan; and  
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5           **WHEREAS** it is the goal of the Mayor and Village Council to provide  
6 greater codified certainty and balance for development compatibility and  
7 achievement of the goals and intent of the Downtown Urban Village (DUV)  
8 zoning district, to be renamed as the “Downtown Palmetto Bay Zoning Code”  
9 zoning district; and  
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11           **WHEREAS**, the Village Council has exercised its right to research and  
12 study the Downtown Urban Village (DUV) district standards; and  
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14           **WHEREAS**, the Village Council is proposing to amend the text and  
15 map existing (DUV) code; and  
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17           **WHEREAS**, the Village Council wishes to consider the following  
18 criteria prior to the completion and adoption of the final Downtown Palmetto  
19 Bay Zoning Code.  
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21           **BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF**  
22 **THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**  
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24           **Section 1 Enactment.** Chapter 30 of the Code of Ordinances of the  
25 Village of Palmetto Bay is hereby amended at Section 30-50.23 Downtown  
26 Urban Village (DUV). Upon adoption of the amended ordinance, the Village  
27 Clerk shall post the amended and adopted Ordinance.  
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29           **Section 2 Vested Rights.** Nothing in this Ordinance should be  
30 construed or applied to abrogate the vested right of a property owner to  
31 develop or utilize his or her property in any other way commensurate with  
32 zoning and other regulations, including any required renewal of permits for  
33 existing legally erected premises.  
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35           **Section 3 Conflicting Provisions.** The provisions of the Code of  
36 Ordinances of the Village of Palmetto Bay, Florida and all ordinances or parts  
37 of ordinances in conflict with the provisions of this ordinance are hereby  
38 declared inapplicable.  
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## Attachment B Proposed Parking

	Parking Spaces	On-Site	Off-Site	On Street	Shared
<b>Residential Uses:</b>					
<b>Detached Single-Family Residential</b>	2	permitted	not permitted	permitted	not permitted
<b>Townhouse, Duplex</b>	2	permitted	not permitted	permitted	not permitted
<b>Multi-Family Residential</b>	sum of residential + guest spaces Studio Unit: 1½ 1 Bedroom Unit: 2 2 or more Bedroom Unit: 2 Guests: +1 sp. per 9 residences	permitted	permitted	not permitted	permitted
<b>Assisted Living Facility</b>	1 per room	permitted	not permitted	not permitted	not permitted
<b>Residential Group Homes</b>	1 per room	permitted	not permitted	not permitted	not permitted
<b>Civic Uses:</b>					
<b>Religious Facility</b>	1 per 100 sf. patron area	permitted	permitted	permitted	permitted
<b>Elementary &amp; Middle Schools (K-8)</b>	1½ per classroom	permitted	not permitted	not permitted	not permitted
<b>High Schools (9-12)</b>	1 per 4 students	permitted	not permitted	not permitted	not permitted
<b>Day Care</b>	2 per classroom	permitted	permitted	not permitted	permitted
<b>College and University</b>	1 per 250 sf. gla	permitted	permitted	permitted	permitted
<b>Museum and Gallery</b>	1 per 250 sf. gla	permitted	permitted	permitted	permitted
<b>Municipal Recreation Facility</b>	1 per 100 sf. class area	permitted	permitted	permitted	permitted
<b>Parking Structure (municipal, commercial)</b>	not applicable	permitted	not	not applicable	not applicable
<b>Office Uses:</b>					
<b>Professional Office</b>	1 per 425 sf. gla	permitted	permitted	permitted	permitted
<b>Medical Office</b>	1 per 350 sf. gla	permitted	permitted	permitted	permitted
<b>Retail Office (storefront offices)</b>	1 per 450 sf. gla	permitted	permitted	permitted	permitted
<b>Commercial and Retail Uses:</b>					
<b>Big Box Retail (greater than 10,000 s.f. gla)</b>	1 per 350 sf. gla	permitted	permitted	permitted	permitted
<b>Supermarket (greater than 10,000 s.f. gla)</b>	1 per 250 sf. gla	permitted	not permitted	not permitted	not permitted
<b>General Retail (10,000 s.f. gla or less)</b>	1 per 350 sf. gla	permitted	permitted	permitted	permitted
<b>Personal Service (10,000 s.f. gla or less)</b>	1 per 250 sf. gla	permitted	permitted	permitted	permitted
<b>Bank with Drive Through</b>	1 per 450 sf. gla	permitted	permitted	permitted	permitted
<b>Neighborhood Proprietor</b>	1 per 350 sf. gla	permitted	permitted	permitted	permitted
<b>Eating and Drinking Establishments:</b>					
<b>Full Service Restaurant</b>	1 per 50 sf. patron area	permitted	permitted	permitted	permitted
<b>Café, Counter &amp; Take-Out Food Service</b>	1 per 50 sf. patron area	permitted	permitted	permitted	permitted
<b>Food Service with Drive Through</b>	1 per 50 sf. patron area	permitted	permitted	permitted	permitted
<b>Outdoor Café Service Area</b>	1 per 200 sf. over 400 sf.	permitted	permitted	permitted	permitted
<b>Other Uses:</b>					
<b>Theaters</b>	1 per 100 sf. seating area	permitted	permitted	permitted	permitted
<b>Clubs</b>	1 per 100 sf. patron area	permitted	permitted	permitted	permitted
<b>Athletic Center (commercial)</b>	1 per 100 sf. class area	permitted	permitted	permitted	permitted
<b>Other Uses:</b>					
<b>Hotel</b>	1 per room	permitted	permitted	permitted	permitted
<b>Enclosed Self Storage</b>	1 per 5,000 sf. gla	permitted	not permitted	not permitted	not permitted
<b>Automotive Use (new car sales)</b>	1 per 500 sf. patron area	permitted	not permitted	not permitted	not permitted

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