

ORDINANCE NO. 2016-11

AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 152, ADDING SECTION 152.033 ENTITLED “GOVERNMENT USE DISTRICT” TO CREATE STANDARDS FOR A GOVERNMENT USE ZONING DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE VILLAGE CODE; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CONNIE LEON-KREPS)

WHEREAS, the Commission of North Bay Village has determined that a government use zoning district should be created to accommodate the development of government owned facilities; and

WHEREAS, the Commission of North Bay Village hereby finds and declares that the government use is consistent within the Public Buildings and Grounds Future Land Use category.

WHEREAS, the Commission of North Bay Village desires to ensure adequate public facilities to operate the governmental functions of North Bay Village.

WHEREAS, the Planning and Zoning Board has reviewed this Ordinance at a duly advertised public hearing and recommended approval of the Ordinance; and

WHEREAS, the Commission of North Bay Village hereby finds and declares that adoption of this Ordinance is necessary, appropriate, and advances the public interest.

NOW, THEREFORE, BE IT ENACTED BY THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals is true and correct and incorporated herein by this reference.

Section 2. Village Code Amended. Section 152.033 of the North Bay Village Code of Ordinances is hereby created to read as follows:

§ 152.033 – Government use district.

(A) Purpose and intent. The Government Use Zoning District is intended for federal, state and local government activities, transportation facilities, public facilities and utilities and other similar facilities owned or operated by government that generally serve and benefit the community.

(B) Uses permitted.

(1) Government owned facilities

(2) Government operated facilities

(C) *Special uses permitted.* Uses permitted upon approval of the Village Commission in accordance with the provisions pertaining to use exceptions.

(D) Site development standards

(1) Minimum lot size

- a. Area: no minimum lot size
- b. Frontage: no minimum frontage

(2) Minimum yard setbacks

- a. Kennedy Causeway: 20 feet
- b. Other street frontages: 10 feet
- c. Rear: 10 feet
- d. Abutting commercial zoning district: 5 feet
- e. Abutting multi-family zoning district: 7 feet
- f. Abutting single-family zoning district: 15 feet

(3) Maximum building height: 150 feet

(4) Minimum pervious area: Fifteen percent of the total parcel

Section 3. Repeal. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 4. Severability. The provisions of this Ordinance are declared to be non-severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall render this Ordinance void in its entirety.

Section 5. Inclusion in the Code. It is the intention of the Village Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of North Bay Village; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

A motion to approve the foregoing Ordinance on first reading on October 25, 2016 was offered by Vice Mayor Jorge Gonzalez, seconded by Mayor Connie Leon-Kreps.

The Votes were as follows:

Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Jorge Gonzalez	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Andreana Jackson	<u>Yes</u>
Commissioner Eddie Lim	<u>Yes</u>

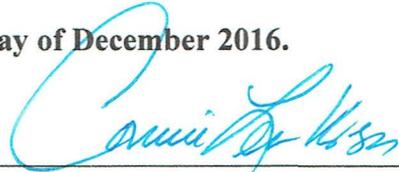
Words ~~stricken~~ are deletion; words added are underlined.

A motion to adopt the foregoing Ordinance on second reading was offered by Commissioner Eddie Lim, seconded by Mayor Connie Leon-Kreps.

FINAL VOTES AT ADOPTION:

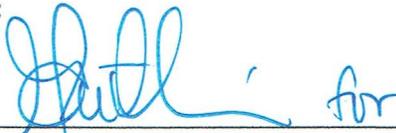
Mayor Connie Leon-Kreps	<u>Yes</u>
Commissioner Jose Alvarez	<u>Yes</u>
Commissioner Andreana Jackson	<u>Yes</u>
Commissioner Eddie Lim	<u>Yes</u>

DULY PASSED AND ADOPTED this 13th day of December 2016.



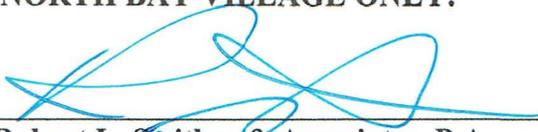
Connie Leon-Kreps
Mayor

ATTEST:



Yvonne P. Hamilton
Village Clerk

**APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:**



Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Ordinance- Prohibition of Additional Charges for Tenant and Guest Parking.