

ORDINANCE NO. 2020-25

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
CHAPTERS 2 AND 5 TO ALLOW EXEMPTIONS FOR GROUP DEVELOPMENTS**

WHEREAS, the City of Brevard Planning Board and Planning Department Staff have recommended that Brevard City Code, Unified Development Ordinance, Chapters 2 and 5, be amended to allow staff the flexibility of exempting group developments; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the City of Brevard Comprehensive Plan, specifically the following sections:

ELEMENT 2: ECONOMIC HEALTH

POLICY 2.1.A: Modify zoning regulations to encourage and allow greater density and intensities of land use within its jurisdiction.

ELEMENT 4: LIVABLE COMMUNITIES

POLICY 4.1.G: Modify development ordinances and regulations to incorporate design standards and guidelines that respect existing community character while allowing greater residential density and intensity of nonresidential development within mixed use zoning areas.

POLICY 4.2.A: Modify zoning to increase allowable densities and the mixing of uses in appropriate areas.

and,

WHEREAS, a legislative public hearing was conducted on Monday, October 19, 2020, by Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Brevard City Code, Unified Development Ordinance be amended as outlined below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:


SECTION 01. Brevard City Code, Unified Development Ordinance, Chapters 2 and 5 are hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

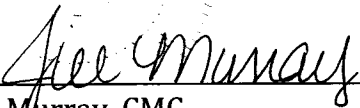
SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved upon first reading this the 19th day of October, 2020.




Jimmy Harris

ATTEST:



Jill Murray, CMC
City Clerk

APPROVED AS TO FORM:



Michael K. Pratt
City Attorney

1 **2.3. - Density and dimensional requirements.**

District	Minimum Lot Size/Project Area	Maximum Project Area By Right	Maximum Dwelling Unit (DU) Density	Maximum Ground Floor Area Each Principle Structure
GR4	None	20 acres	4 du/ac	4,000 sq. ft.
GR8	None	20 acres	8 du/ac	4,000 sq. ft.
RMX	None	10 acres	15 du/ac, 20 SUP	4,000 sq. ft.
NMX	None	10 acres	25 du/ac, 30 SUP	10,000 sq. ft.
DMX	None	10 acres	None	25,000 sq. ft.
CMX	None	10 acres	40 du/ac, 50 SUP	30,000 sq. ft.
IC	None	None	15 du/ac	20,000 sq. ft.
GI	None	None	DU Not Permitted	100,000 sq. ft.

2

3 *(Note: Because of the unique characteristics of group developments, they may be exempted from*
4 *the dimensional requirements above, as determined by the administrator.)*

5 **5.6. - Permitted building type by district.**

6 The following table indicates the permitted building type requirements by district. An "X" indicates
 7 that the specific building type and its requirements are applicable.

Building Type	Zoning District						
	GR	RMX	NMX	DMX	CMX	IC	GI
Civic	X	X	X	X	X	X	
Institutional	X	X				X	
House	X	X	X	X		X	
Townhouse	X	X	X	X	X	X	
Apartment		X	X	X	X	X	
Mixed-Use			X	X	X	X	
Commercial					X		

8 *(Note: Because of the unique characteristics of group developments, they may be exempted*
 9 *from the permitted building type by district above, and instead may include all building types*
 10 *for all zoning districts, as determined by the administrator.)*