

**ORDINANCE NO. 2020-32**

**AN ORDINANCE AMENDING THE CITY OF BREVARD  
UNIFIED DEVELOPMENT ORDINANCE SECTION 2.2**

WHEREAS, the City of Brevard Planning Board and Planning Department Staff have recommended that Brevard City Code, Unified Development Ordinance Section 2.2, be amended to remove condominium language from the "Use categories and tables of permitted uses"; 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.A: Evaluate and amend development ordinances to facilitate infill development on vacant and under-developed parcels, as well as revitalization of developed parcels.*

*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, December 7, 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, UDO be amended as outlined below.

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

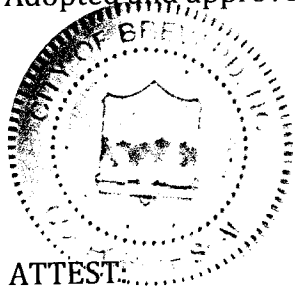
SECTION 01. Brevard City Code, UDO Section 2.2 is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

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

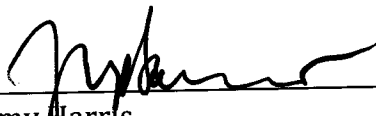
SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions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

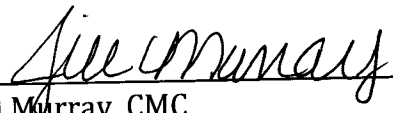
SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved upon first reading this the 7<sup>th</sup> day of December, 2020.



ATTEST:

  
\_\_\_\_\_  
Jimmy Harris  
Mayor

  
\_\_\_\_\_  
Jill Murray, CMC  
City Clerk

APPROVED AS TO FORM:



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Michael K. Pratt  
City Attorney

2.2. - Use categories and tables of permitted uses.

C. *Use matrix.* The following matrix sets forth the manner by which certain uses may be permitted within the various districts set forth above.

BASE DISTRICT	GR	RMX	NMX	DMX	CMX	IC	GI
<b>Residential</b>							
Dwelling—Single Family <sup>(a)</sup>	P	P	—	—	—	P	—
Dwelling—Duplex	P	P	P	—	—	P	—
Dwelling—Condominium Structure	GD	P	P	P	P	P	—
Dwelling—Multi-family 3—4 units/bldg., not including Condominium Buildings or multiple structures	SUP	P	P	P	P	P	—
Dwelling—Multi-family more than 4 units/bldg.	—	P	P	P	P	P	—
Dwelling—Secondary	PS	PS	PS	PS	PS	PS	—