

City of Titusville  
"Gateway to Nature and Space"

**REPORT TO COUNCIL**

**To:** The Honorable Mayor and City Council  
**From:** William S. Larese, City Manager  
**Subject:** **Ordinance No. 21-2015 - Amending Shoreline Mixed Use (SMU) Zoning District to Allow Docks as Permitted Use**  
**Department/Office:** Community Development

**Recommended Action:**

Conduct first reading and first public hearing of Ordinance No. 21-2015 amending the Code of Ordinances by amending Chapter 59 "Zoning", Article VI "Special Districts", Division 6 "Shoreline Mixed Use (SMU)", Section 59-702 "Permitted Principal Uses" to include docks as a permitted use; providing for severability, repeal of conflicting ordinances, effective date and incorporation into the code. **(This is the first reading and the first public hearing. The second and final public hearing is scheduled for June 9, 2015.)**

**Summary Explanation & Background:**

On April 28, 2015 Council approved advisability to amend the Shoreline Mixed Use (SMU) zoning classification to include docks as a permitted use. The SMU district currently includes public parks as a permitted use, but does not include docks as a permitted principal use.

**Alternatives:**

- 1, Conduct the first reading and first public hearing, and make no changes to the ordinance.
2. Conduct the first reading and first public hearing, and make changes to the ordinance.
3. Do not conduct the first reading and first public hearing.

**Item Budgeted:**

**Source/use of funds/Budget Book Page:**

**Strategic Plan:**

No. 1 – Quality of Life No. 2 – Economic Development

**Strategic Plan Impact:**

**ATTACHMENTS:**

Description	Upload Date	Type
<input type="checkbox"/> <a href="#">Ordinance No. 21-2015</a>	5/18/2015	Backup Material
<input type="checkbox"/> <a href="#">Ad no. 1</a>	5/19/2015	Backup Material

**ORDINANCE NO. 21-2015**

**AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 59 "ZONING", ARTICLE VI "SPECIAL DISTRICTS", DIVISION 6 "SHORELINE MIXED USE (SMU)", SECTION 59-702 "PERMITTED PRINCIPAL USES" TO INCLUDE DOCKS AS A PERMITTED USE; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, EFFECTIVE DATE AND INCORPORATION INTO THE CODE.**

**WHEREAS**, it is the intent of the Shoreline Mixed Use zoning district to enhance a mix of residential, tourist, commercial, and public and private recreational uses, including wet docking; and

**WHEREAS**, the Titusville City Council desires to expand the permitted principal uses within the Shoreline Mixed Use District to include docks in order to provide for additional recreational opportunities within the City,

**BE IT ENACTED BY THE CITY OF TITUSVILLE, FLORIDA:**

**SECTION 1:** That Chapter 59, "Zoning", Article VI "Special Districts", Division 6 "Shoreline Mixed Use (SMU)", Section 59-702 "Permitted Principal Uses" of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

Sec. 59-702. - Permitted principal uses.

- (a) Single family detached dwellings.
- (b) Townhouses.
- (c) Duplex, triplex, quadraplex and other forms of multifamily units.
- (d) Patio Homes.
- (e) Restaurants including carry out establishments, delicatessens, ice cream parlor and similar establishments.
- (f) Professional, business, medical and dental offices and clinics.
- (g) Photography studios, dance, art, music schools and similar uses.
- (h) Post office.
- (i) Employee credit union.
- (j) Public parks.
- (k) Limited retails sales and outlets.
- (l) Bank and financial institutions.
- (m) Hotels, motels.
- (n) Any existing use within the district and not listed above.
- (o) Pennant signs in conjunction with permitted outside sales and display areas (subject to the requirements of section 39-171(e)).

- (p) Vocational, business and trade schools provided all activity is within a completely enclosed structure.
- (q) College/University.
- (r) Bed and breakfast inns—See section 59-40.5, Article III, Division 1—Residential Uses "Bed and breakfast inns", for specific regulations and performance criteria that bed and breakfast inns shall be required to meet.

(s) Docks

**SECTION 2:** SEVERABILITY. If any provisions of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 3:** REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4:** EFFECTIVE DATE. This Ordinance shall be in full force and effect upon adoption by the City Council in accordance with the Charter of the City of Titusville, Florida.

**SECTION 5:** INCORPORATION INTO CODE. This ordinance shall be incorporated into the City of Titusville Code of Ordinances and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this ordinance and the Code may be made.

**PASSED AND ADOPTED** this day \_\_\_\_\_ of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**James H. Tulley Jr., Mayor**

**ATTEST:**

\_\_\_\_\_  
**Wanda F. Wells, City Clerk**

**CITY OF TITUSVILLE  
NOTICE OF CITY COUNCIL  
PUBLIC HEARINGS FOR  
PROPOSED ENACTMENT OF  
TITUSVILLE CITY ORDINANCES**

5/14/15

Ad 2 of 2

**PLEASE TAKE NOTICE** that the Titusville City Council will hold public hearings to hear interested persons with regard to the following ordinances. The first public hearing for the proposed ordinances is scheduled for **Tuesday, May 26, 2015**. The second and final public hearing is scheduled for **Tuesday, June 9, 2015**. The public hearings will be held in the Council Chamber on the second floor of City Hall, 555 South Washington Avenue, Titusville, Florida 32796 commencing at **6:30 p.m.**

City Council Regular Meeting May 26, 2015 6:30 PM

**REGULANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES RELATED TO LICENSING OF MOBILE VENDORS; BY AMENDING CHAPTER 11 "LICENSES AND BUSINESS REGULATIONS", ARTICLE VIII "MOBILE VENDORS, SPECIAL EVENT VENDORS, SEASONAL SALES" SECTION 11-332 "MOBILE VENDORS" RELATING TO LOCATIONS FOR MOBILE VENDORS; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, AN EFFECTIVE DATE AND INCORPORATION INTO THE CODE; and**

**AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 59 "ZONING", ARTICLE VI "SPECIAL DISTRICTS", DIVISION 6 "SHORELINE MIXED USE (SMU)", SECTION 59-702 "PERMITTED PRINCIPAL USES" TO INCLUDE DOCKS AS A PERMITTED USE; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, EFFECTIVE DATE AND INCORPORATION INTO THE CODE.**

The Planning and Zoning Commission will hold public hearings on **Wednesday, June 3, 2015, at a meeting commencing at 6:00 p.m.**, to hear interested persons with regard to these matters for recommendation to the City Council. This meeting will also be held in the Council Chamber on the second floor of City Hall, 555 South Washington Avenue, Titusville, Florida 32796.

The proposed ordinances may be inspected by the public at the City Clerk's Office. All interested parties are hereby advised that they may appear at said meeting and be heard with respect to said ordinances.

Any person who decides to appeal any decision of the Planning and Zoning Commission or the City Council with respect to any matter being considered at these meetings will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a request that the physically handicapped person desires to attend the meeting to the City Clerk's Office.

**Wanda F. Wells, MMC, City Clerk  
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Post Office Box 2806  
Titusville, Florida 32781-2806  
Phone 321-567-3686  
Fax 321-383-5704**

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