

## E-1 Preservation District Zoning

### City of Bradenton Beach LDC Excerpt

#### 307.11. E-1, Preservation District.

The Preservation Zoning District is applied to areas considered to be vital for the maintenance and recharge of water resources, areas of unique or valuable topographic or subsurface features, and areas of significant environmental or ecological importance which should be preserved with no development allowed.

The purpose of the Preservation Zoning District is to preserve and protect beaches and coastal barrier dunes adjacent to such beaches which, by their nature, are subject to frequent and severe fluctuations and represent one of the most valuable natural resources of Florida, and to preserve and protect beaches and dunes from construction which would jeopardize the stability of the beach dune system, accelerate erosion, provide inadequate protection to upland structures, endanger adjacent structures and properties, or interfere with public beach access.

The intent of the Preservation Zoning District is to restrict development activities where such activities would damage or destroy the coastal resource of beaches and dunes and to protect human life and limit public expenditures in areas that are subject to destruction by natural disaster. The Preservation Zoning District promotes the restoration of coastal dune systems that are damaged and gives priority to beach or recreational activities and water-dependent uses.

Land within this zoning district shall remain in its essentially natural condition. Accessory water-dependent, recreational use activities and non-habitable accessory structures may be allowed as Special Permit Uses. Allowable uses may include piling supported elevated dune and beach walkovers, stairways, viewing platforms, gazebos, chickees, lifeguard support stands, docks and piers. Any structures authorized by the City shall be of frangible construction and shall not be designed to break away during wave action and storm surge.

All uses within the E-1 District shall be approved by the City through the Special Use Permit process.

Privately owned land zoned E-1 shall not be physically developed except in conformance with the provisions of the E-1 District and in conformance with the intent of the preservation future land use category of the City's Comprehensive Plan.

Privately owned land zoned E-1 which is not submerged land and is landward of the 30-year erosion control line may be combined, for purposes of development, with land which is zoned for residential or commercial development. Such E-1 zoned land may be used in conjunction with the abutting residentially or commercially zoned land for calculating lot area, including minimum lot size; lot coverage; impervious surface coverage; and, for purposes of density calculation, the E-1 zoned land shall be considered as if zoned the same as the residential land to which it is being combined; provided that all of the following conditions are met:

1. The E-1 zoned land and the residential or commercial land with which it is being combined shall be owned by the same property owner and shall be joined under unity of title; and

2. If the E-1 zoned land is being used to meet minimum lot size requirements, the E-1 zoned property must be physically adjacent and contiguous to the land with which it is being combined and may not be separated therefrom by public rights-of-way; and
3. A permanent conservation easement shall be created and recorded on the E-1 zoned land; and
4. Prohibited Uses: Stand-alone or multi-level parking structures/facilities.

The adjacent residential or commercial zoned lands must be able to accommodate all other Land Development Code requirements for stormwater, increased density, floor area ratios, lot coverage, parking and traffic circulation, and landscaping buffering. In addition to the criteria provided in this section, additional requirements are included in the technical standards for environmentally sensitive lands (Chapter 6).  
307.12. E-2, Conservation District.

The Conservation Zoning District is applied to areas protected from further development. Preservation includes ecologically fragile flora and fauna, and sensitive topographic features. Also included are: important historic and archaeological sites, unique environmental features and/or systems including, but not limited to, marine grass beds, coastal marshes; mangrove forests and freshwater swamps and marshes.

No new structures are permitted in the E-2 Conservation District except for frangible elevated walkways with Special Use Permit approval by the City Commission.