

ORDINANCE NO. 242

AN ORDINANCE ADOPTING THE CITY OF MEXICO BEACH LAND DEVELOPMENT REGULATIONS, SETTING FORTH THE AUTHORITY FOR THE ADOPTION OF THE LAND DEVELOPMENT REGULATION; SETTING FORTH THE PURPOSE AND INTENT OF THE REGULATIONS; PROVIDING FOR ADMINISTRATION AND APPEALS RELATING TO THE REGULATION; IDENTIFYING ARTICLES OF THE REGULATION, SUB-ARTICLE, DEFINITIONS AND ESTABLISHING THE LEGAL STATUS OF THE LAND DEVELOPMENT REGULATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Part II, Florida Statutes, (the Local Government Comprehensive Planning and Land Development Regulation Act) and Chapter 9J-24 Florida Administrative Code require each city in the State of Florida to prepare and adopt a Land Development Regulation as required by the Department of Community Affairs; and

WHEREAS, the Department of Community Affairs under Rule 9J-29 entitled "Local Government Land Development Regulation Assistance Program", provided assistance to the City of Mexico Beach to prepare Land Development Regulations; and

WHEREAS, the City of Mexico Beach is now required to adopt and submit the 1991 City of Mexico Beach Land Development Regulation, hereafter referred to as the LDR pursuant to the provisions of Section 163.3202 Florida Statutes; and,

WHEREAS, the City of Mexico Beach contracted with Florida State University Department of Urban and Regional Planning to provide technical assistance for each article which collectively become the 1991 City of Mexico Beach LDR;

WHEREAS, the City of Mexico Beach City Council has provided for the broad dissemination of proposals and alternatives, opportunity for written comments, public hearings after due public notice, provisions for open discussion, communication programs, and consideration of and response to public comments concerning the provisions contained in the proposed 1991 LDR; and

WHEREAS, the opportunity for citizens to review and comment on the proposed LDR during the developmental phase occurred during meetings on the following dates:
September 12, 1990, September 17, 1990, September 26, 1990, October 24, 1990, October 29, 1990, October 30, 1990, November 7, 1990, November 14, 1990 and December 11, 1990.

WHEREAS, a copy of the proposed LDR was made available for public comment at City Hall during the development phase; and

WHEREAS, the City of Mexico Beach transmitted the said Draft 1991 Plan on November 30, 1990, to the Department

of Community Affairs pursuant to Chapter 163.3202 and Florida Administrative Rule 9J-24; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MEXICO BEACH CITY COUNCIL as follows:

Section 1. Authority. This Ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Section 163, Part II, Florida Statutes.

Section 2. Purpose and Intent. It is hereby declared that the purpose and intent of this Ordinance is to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources consistent with the public interest; overcome present handicaps; and deal effectively with future problems which may result from the use and development of land within the City of Mexico Beach, Florida. Through the use of the 1991 LDR, and those elements thereto adopted herein by the Ordinance, it is the intent of the City of Mexico Beach City Council, to preserve, promote, and protect, and improve the public health, safety, comfort, good order, appearance, convenience, and general welfare; prevent the overcrowding of land and avoid undue concentration of population; facilitate the adequate and efficient provision of transportation, water, sewage, parks and recreational facilities, solid waste, drainage, and other

services; and conserve, appropriately develop, utilize, and protect natural and historic resources.

Section 3. Adoption of Comprehensive Plan. The City of Mexico Beach 1991 LDR is hereby adopted and is the official LDR for the City of Mexico Beach, Florida.

Section 4. The following ordinances are hereby repealed:

- Ord. #41 (Requires All Structures to Display Numbers)
- Ord. #96 (Ord. Establishing Comprehensive Plan Zoning Regulations and Bd. of Adjustments Criteria)
- Ord. #158 (Ord. Amending Ord. #96)
- Ord. #224 (Ord. Amending Ord. #96 and Ord. #158 - Deleting Replacement of Mobile Homes)
- Ord. #225 (Ord. Establishing Membership of Planning and Zoning Commission)
- Ord. #226 (Ord. Rezoning Property on 15th St.)
- Ord. #228 (Ord. Rezoning Property on 15th St.)
- Ord. #239 (Ord. Amending Ord. 97 - Criteria - Board of Adjustments)
- Ord. #97 (Ord. Regulating Building Construction, Permit Fees, etc., and Bd. of Adjustments Criteria)
- Ord. #178 (Ord. Prohibiting Nuisances)
- Ord. #162 (Ord. Prohibiting Disorderly Conduct, Glass Containers)
- Ord. #118 (Establishing a Planning & Zoning Comm.)
- Ord. #183 (Membership of Planning & Zoning Comm.)
- Ord. #150 (Parking Ordinance)
- Ord. #116 (Ord. Regulating the Subdivision of Land)
- Ord. #117 (Ord. Rezoning Certain Parcels of Land)
- Ord. #120 (Ord. Rezoning Certain Parcels of Land)
- Ord. #136 (Ord. Rezoning Unit 17)
- Ord. #143 (Ord. Rezoning Certain Parcels of Land)
- Ord. #145 (Ord. Rezoning Certain Parcels of Land)
- Ord. #157 (Ord. Rezoning Certain Parcels of Land)
- Ord. #164 (Ord. Rezoning Certain Parcel of Land)
- Ord. #195 (Ord. Rezoning Certain Parcel of Land)
- Ord. #196 (Ord. Rezoning Certain Parcel of Land)
- Ord. #203 (Ord. Rezoning Certain Parcel of Land)

All other ordinances and parts of ordinances deemed to be in conflict are herewith repealed.

Section 5. Severability. If any provisions or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 6. Violations. Violation of this Ordinance adopting Land Development Regulations shall constitute a misdemeanor and shall be punishable by imprisonment of a period not to exceed sixty (60) days or a fine not to exceed \$500.00 or both.

Section 7. This ordinance shall take effect upon adoption.

INTRODUCED at a Regular Meeting of the City Council on March 12, 1991, and ADOPTED at a Special Meeting on May 21, 1991.

CITY OF MEXICO BEACH, FLORIDA

Sylvia S. Whaley

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Mayor Pro Tem

ATTEST:

Patricia L. Hutchinson
City Clerk