

ORDINANCE NO. 284

AN ORDINANCE AMENDING ORDINANCE NO. 242, ARTICLE VII, CHANGING 7.02.02 A. ADDING PROVISIONS FOR FIVE TYPES OF DEVELOPMENT ORDERS AND ESTABLISHING APPROVAL AUTHORITY; PROVIDING FOR DEFINITIONS; REPEALING ORDINANCE NO. 258 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT AND PROVIDING AN EFFECTIVE DATE.

Section 1. Definitions for the purpose of this Ordinance.

A Development Order is the document and process used by the City of Mexico Beach for the property owner to define and illustrate the development planned, for the City to assure proper administrative review and conformance to the City of Mexico Beach Land Development Regulation (LDR), and to support the final authorization to proceed and the issuance of any permits that may be required. The five types of Development Orders (DO's) are:

1. BASIC DEVELOPMENT ORDER (BASIC DO's): BASIC DO's cover improvements and activities on private property which do not require the detail level of administrative control and inspection that minor, major, canal and commercial developments do. BASIC DO's are issued as a permit with the fee set for the particular activity requested. Several of the developments identified do require a building permit from Bay County at additional cost. BASIC DO's are processed and approved by the City Administrator. Typical activities covered by BASIC DO's include:

- (1) Requests for removal of trees;
- (2) Installation or construction of fences;
- (3) Driveway installation or modification which do not require access to US Highway 98; and,
- (4) Installation or construction of decks and storage sheds which are not considered accessory buildings.

2. MINOR DEVELOPMENT ORDERS (MINOR DO's): MINOR DO's are processed and approved by the City Administrator. MINOR DO's cover the types of development described in the following examples and must conform to the specific requirements of the LDR for the type of development approved:

(1) Maintenance and repair of an existing building or structure without change to the gross floor area of the building, its use, or the amount of impervious surface area at the site and the cost for such activity is less than 50% of the current tax roll value for the existing structure; and,

(2) Installation or construction of Accessory Buildings or Swimming pools.

3. MAJOR DEVELOPMENT ORDERS (MAJOR DO's): The types of developments covered by a MAJOR DO are listed below. MAJOR DO's require the property involved be brought into complete conformity with all of the requirements of the LDR for the category of land use involved. MAJOR DO's are initially processed by the City Administrator, then referred to the Planning and Zoning Board (PZB) for a compliance evaluation and recommendation, and then forwarded to the City Council for final action. Examples are:

(1) New residential home construction;

(2) Additions to a building or structure which do not increase the heated, ventilated, or air conditioned area but may or may not increase the foot print of the building or structure such as a garage under a stilt house, or a garage attached to a home;

(3) Developments which increase the heated, ventilated, and air conditioned floor area within a building or structure; and,

(4) The upgrade, renovation, major repair, or modernization of a structure if the cost of such upgrade or improvements exceed 50% of the current tax roll value for the existing structure.

4. CANAL DEVELOPMENT ORDERS (CANAL DO's): Any construction activity along the canal of the types described below requires a permit and specific authorization by the City Council and a Bay County Building Permit if approved. CANAL DO's are initially processed by the City Administrator, then referred to the PZB for evaluation and recommendation, and

then forwarded to the City Council for final action.

- (1) Installation or construction of Seawalls;
- (2) installation or construction of Docks;
- (3) installation or construction of Boat Houses and/or Boat Lifts; and,
- (4) Any other construction in, on or around the canal which places any object in the water.

5. COMMERCIAL DEVELOPMENT ORDERS (COMM DO's): COMM DO'S are divided into two categories. The first being MINOR COMMERCIAL DEVELOPMENTS which deal with those activities listed below under MINOR COMM DO's. MINOR COMM DO's are processed by the city administrator and require full compliance with the LDR for the particular activity permitted. The second type of commercial development order is for MAJOR COMMERCIAL DEVELOPMENTS which if approved by the city council require a Bay County Building Permit. MAJOR COMM DO's are initially processed by the City Administrator, then referred to the PZB for a compliance evaluation and recommendation, and then passed to the City Council for final action. Issuance of a MAJOR COMM DO requires that all aspects of the property involved are brought into full compliance with the requirements of the LDR for the category of land use involved.

Typical activities covered by a MINOR COMM DO include:

- (1) Installation, construction, or modification of signs: and,
- (2) Installation, construction, or modification of fences.

Typical activities covered by a MAJOR COMM DO include:

- (1) Installation, construction, or modification of storage sheds, decks, patios, or accessory buildings;
- (2) Upgrade, renovation, repair, or modification of existing facilities;
- (3) Construction of any new facilities of any kind;
- (4) Installation, construction, or modification of parking facilities;

(5) Change of land use of commercially zoned property that is currently used for residential purposes to commercial use; and,

(6) Change in use of any portion of existing commercial property.

Section 2. Approving Authority. The City Administrator is hereby granted the authority to approve BASIC DO'S, MINOR DO's, and MINOR COMM DO's after completion of a thorough review and certification that the Development Order is in full compliance with the applicable requirements of the LDR. Requests received which are not in full compliance with the LDR shall be returned to the submitter with a complete explanation of the reason for return and the recourse available to the submitter.

The PZB shall make recommendations to the City Council for either approval or denial of MAJOR DO's, CANAL DO's, and MAJOR COMM DO's with final approval being the sole responsibility of the Mexico Beach City Council.

For prompt processing of all development orders requiring PZB and City Council action all completed paper work should be submitted no later than noon on the Friday before the first or third Tuesday of each month.

Section 3. All ordinances, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Violation. Any person or persons violating this ordinance is guilty of a misdemeanor of the second degree, punishable as provided by State Statutes.

Section 5. This ordinance shall take effect upon adoption.

INTRODUCED at a regular meeting of the City Council on November 9, 1993, and ADOPTED at a regular meeting on December 14, 1993.

CITY OF MEXICO BEACH, FLORIDA

Tom Hudson

ATTEST:

Patricia L. Hutchinson  
City Clerk

LAND USE CATEGORY

SPACES REQUIRED

<b>1 DWELLINGS</b> -----	
A. ALL RESIDENTIAL (HOUSES, APARTMENTS, CONDOMINIUMS, TOWNHOUSES, AND MOBILE HOMES)	2 PER UNIT
B. HOTEL & MOTEL	1.25 PER ROOM OR SUITE, AND 10 PER 1000 SQ. FT. GROSS FLOOR AREA OR 1 PER 4 SEATS WHICH EVER IS GREATER FOR THE RESTAURANT AND LOUNGE AREA.
C. BOARDING AND ROOMING HOUSES AND DORMITORIES.	1 PER BEDROOM
D. TRAVEL TRAILER PARKS	1 PER UNIT
<b>2 PUBLIC ASSEMBLY</b> -----	
A. CHURCH, TEMPLE OR PLACE OF WORSHIP.	1 PER 4 SEATING SPACES IN MAIN ASSEMBLY ROOM.
B. FRATERNAL ORGANIZATIONS.	1 PER 300 SQ. FT. OF GROSS FLOOR AREA.
C. THEATER OR PLACE OF ASSEMBLY	1 PER 3 SEATS
D. DAY CARE FACILITY	1 PER STAFF MEMBER PLUS 1 PER 5 CHILD (BASED UPON MAXIMUM CAPACITY)
E. AMUSEMENT PLACE, DANCE HALL	1 PER 4 SEATS OR 1 PER 100 SQ. FT. OF GROSS FLOOR AREA, WHICH EVER IS GREATER.
<b>3 HEALTH FACILITIES</b> -----	
A. NURSING HOMES	1 PER 4 BEDS PLUS 1 PER 4 EMPLOYEES
B. MEDICAL, DENTAL, AND HEALTH OFFICES AND CLINICS	1 PER 300 SQ. FT. GROSS FLOOR AREA
<b>4 COMMERCIAL ESTABLISHMENTS AND OFFICES</b> -----	
A. BANKS	1 PER 300 SQ. FT. GROSS FLOOR AREA.
B. FOOD STORE	1 PER 300 SQ. FT. GROSS FLOOR AREA.
C. FOOD STORE WITH GAS PUMP	1 PER 300 SQ. FT. GROSS FLOOR AREA.
D. AUTOMOBILE SERVICE STATION	2 PLUS 4 PER SERVICE BAY.
E. GENERAL BUSINESS, COMMERCIAL OR PERSONAL SERVICE ESTABLISHMENT CATERING TO RETAIL TRADE.	1 PER 300 SQ. FT. GROSS FLOOR AREA.
F. OFFICES, EXCLUDING MEDICAL, DENTAL AND HEALTH CLINICS AND OFFICES.	1 PER 300 SQ. FT. GROSS FLOOR AREA.
G. EATING AND DRINKING ESTABLISHMENTS.	1 PER 4 SEATS OR 1 PER <sup>100</sup> SQ. FT. OF GROSS FLOOR AREA, WHICH EVER IS GREATER.
H. <b>Take out establishments only</b>	1 PER <sup>200</sup> SQ. FT. GROSS FLOOR AREA
I. SHOPPING CENTERS	1 PER 300 SQ. FT. GROSS FLOOR AREA.
<b>5 RECREATION</b> -----	
A. MARINA	0.5 PER WET SLIP, / AND 0.5 PER DRY SLIP.
<b>6 INDUSTRIAL</b> -----	
A. WAREHOUSING	1 PER 2000 SQ. FT GROSS FLOOR AREA.
B. WHOLESALE, MANUFACTURING, PROCESSING, OR ASSEMBLY	2 PER 1000 SQ. FT. GROSS FLOOR AREA. FOR EACH SQ. FT. UP TO 150,000 SQ. FT. PLUS 1 SPACE PER 1,000 SQ. FT. FOR EACH SQ. FT. OVER 150,000 SQ. FT. OF GROSS FLOOR AREA.
<b>7 MIXED USE</b> -----	
	SUM OF INDIVIDUAL CATEGORIES

CATEGORIES NOT LISTED ABOVE SHALL BE ESTABLISHED BY THE CITY COUNCIL BASED UPON RECOMMENDATIONS FROM THE PLANNING AND ZONING BOARD.