

ORDINANCE NO. 298

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. 284 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of Mexico Beach has determined that it is in the best interests of the City that this ordinance be enacted, therefore.

BE IT ORDAINED BY THE CITY COUNCIL OF MEXICO BEACH, FLORIDA:

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, and to support the authorization to proceed and the issuance of any building permits that may be required by the Bay County Building Department. The five types of Development Orders (DO's) and the manner in which they are processed are:

1. BASIC DEVELOPMENT ORDER:

BASIC DEVELOPMENT ORDERS cover improvements and activities on private property which are processed and approved by the City Administrator. BASIC DEVELOPMENT ORDERS 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 the Bay County Building Department at additional cost. Typical activities covered by BASIC DEVELOPMENT ORDERS include:

- (1) Requests for removal of trees;
- (2) Installation or construction of fences;
- (3) Driveway installation or modification which does 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 RESIDENTIAL DEVELOPMENT ORDERS:

MINOR RESIDENTIAL DEVELOPMENT ORDERS are processed and approved by the City Administrator. MINOR RESIDENTIAL DEVELOPMENT ORDERS 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 RESIDENTIAL DEVELOPMENT ORDERS:

MAJOR RESIDENTIAL DEVELOPMENT ORDERS require the property involved be brought into complete conformity with all of the requirements of the Land Development Regulation for the category of land use involved. MAJOR RESIDENTIAL DEVELOPMENT ORDERS are processed and approved by the City Administrator. MAJOR RESIDENTIAL DEVELOPMENT ORDERS which do not conform to the requirements of the Land Development Regulation are referred to the Planning and Zoning Board for evaluation and recommendation, and then forwarded to the City Council for action. Examples of the types of developments covered by a MAJOR RESIDENTIAL DEVELOPMENT ORDERS are listed below:

- (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:

Any construction activity along the canal of the types described below requires a City of Mexico Beach permit, submittal of project scope to the City Administrator, approval by the City Council and a Bay County building permit:

- (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:

MINOR COMMERCIAL DEVELOPMENT ORDERS which deal with those activities listed below are process and approved by the City Administrator. MINOR COMMERCIAL DEVELOPMENT ORDERS require full conformity with the requirements of the Land Development Regulation for the particular activity involved. Typical activities covered by a MINOR COMMERCIAL DEVELOPMENT ORDER includes:

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

MAJOR COMMERCIAL DEVELOPMENT ORDERS are initially processed by the City Administrator, referred to the Planning and Zoning Board for a compliance evaluation and recommendation, and then passed to the City Council for final action. City Council approval is necessary to obtain a Bay County building permit. Issuance of a MAJOR COMMERCIAL DEVELOPMENT ORDER requires that all aspects of the property involved are brought into full compliance with the requirements of the Land Development Regulation for the category of land use involved. Typical activities covered by a MAJOR COMMERCIAL DEVELOPMENT ORDER 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 all DEVELOPMENT ORDERS, except MAJOR RESIDENTIAL DEVELOPMENT ORDERS which do not comply with the Land Development Regulation and MAJOR COMMERCIAL DEVELOPMENT ORDERS.

The Planning and Zoning Board shall make recommendations to the City Council for either approval or denial of MAJOR RESIDENTIAL DEVELOPMENT ORDERS which do not comply with the requirements of the Land Development Regulation and MAJOR COMMERCIAL DEVELOPMENT ORDERS with final approval being the sole responsibility of the Mexico Beach City Council.

The City Administrator will assist all applicants with the preparation of Development Order applications, customer understanding of the Land Development Regulation requirements for the particular development involved, and the procedures to follow to expedite the handling of the customer's Development Order. the City Administrator shall process and approve promptly all applications which comply with the requirements identified for the categories he is authorized to approve. MAJOR RESIDENTIAL and MINOR COMMERCIAL DEVELOPMENT ORDERS which are complete and conform to the requirements of the Land Development Regulations should be processed and approved in approximately one hour or less.

Development Orders which require Planning and Zoning Board action and City Council approval will be handled as quickly as possible, but may take as long as two weeks to complete.

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 10 days after adoption in accordance with City Charter Section 2.11(C).

INTRODUCED at a regular meeting of the City Council on January 10, 1995, and ADOPTED at a regular meeting on February 14, 1995.

CITY OF MEXICO BEACH, FLORIDA



Garry L. Gaddis  
Mayor-Councilman

ATTEST:

Patricia L. Hutchinson  
City Clerk