

ORDINANCE NO. 409

AN ORDINANCE MAKING A SMALL SCALE AMENDMENT TO THE COMPREHENSIVE PLAN AND AMENDING THE FUTURE LAND USE MAP (FLUM) AND ZONING MAP OF THE CITY OF MEXICO BEACH BY CHANGING A PORTION OF PARCEL 04639-000-000 AND PARCEL 04638-010-000, LOCATED IN UNIT 5, LOT 3, BLOCK 5, FROM TOURIST RESIDENTIAL (TR) TO TOURIST COMMERCIAL (TC); PROVIDING FOR SEVERABILITY; PROVIDING FOR NOTICE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of Parcels 04639-000-000 and 04638-010-000 located in Unit 5, Lot 3, Block 5, has requested a small-scale amendment to the City's Comprehensive Plan and change of land use on the Future Land Use (FLUM) and Zoning Map of the City of Mexico Beach;

WHEREAS, the City Council of the City of Mexico Beach has reviewed the proposed change;

WHEREAS, the City Council finds that said change is consistent with and furthers the intent of the local Comprehensive Plan and is compatible with adjacent commercial uses;

WHEREAS, the City Council finds that in the adopted Level of Service (LOS) standards for potable water, on-site sewer treatment, storm water, traffic and recreational facilities will occur because of said change;

WHEREAS, the .172 acre parcel of land is less than ten acres and the total land area subject to small scale change for the year to date is .172 acres; and,

WHEREAS, said changes have been duly notified to all adjacent property owners and have been duly advertised and considered at public hearings on November 13, 2001 and November , 2001.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, BAY COUNTY, FLORIDA, AS FOLLOWS:

Section 1. MAPS AMENDED

A .172 acre parcel identified as a portion of parcel 04639-000-000 and parcel 04638-010-000 located in Unit 5, Lot 3, Block 5, address 105 S. 38th Street, is hereby changed from Tourist Residential (TR) to Tourist Commercial (TC) on the Future Land Use Map and from Tourist Residential (TR) to Tourist Commercial (TC) on the Zoning Map of the City of Mexico Beach.

Section 2. SEVERABILITY

If any portion of this Ordinance should be declared unconstitutional or if the applicability of this Ordinance or any part thereof should be held invalid or not in compliance, the validity of the remainder of this Ordinance shall not be affected thereby.

Section 3. NOTICE

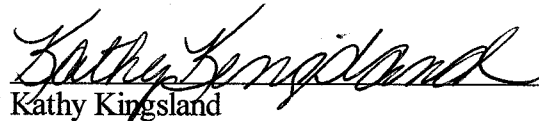
Within ten working days of final adoption notice of this adopted small-scale amendment shall be submitted to the Florida Department of Community Affairs (DCA), Division of Resource Planning and Management, Plan Processing Team, in the manner prescribed by law (9J-11.015 Florida Administrative Code).

Section 4. EFFECTIVE DATE

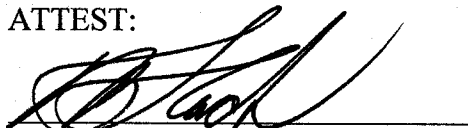
This small-scale amendment to the Comprehensive Plan and FLUM amendment and zoning change shall become effective 31 days after adoption, unless the amendment or any part thereof is challenged pursuant to Chapter 163.3178 Florida Statutes. If challenged the effective date shall be the date a final order is issued by the Florida Department of Community Affairs (DCA) or Administration Commission finding the amendment in compliance in accordance with Chapter 163.3184 F.S. No Development Order, Development permits or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of non-compliance is issued the amendment may nevertheless be made effective by adopting a resolution affirming its effective status, a copy of which resolution shall be sent to DCA.

INTRODUCED at a regular meeting of the City Council on November 13, 2001, and
ADOPTED at a regular meeting on December 11, 2001.

City of Mexico Beach, Florida


Kathy Kingsland
Mayor

ATTEST:


Henry Flack
City Clerk

