

ORDINANCE NO. 517

AN ORDINANCE AMENDING ORDINANCE 242, AMENDING ARTICLE II, LAND USE:TYPE, DENSITY, INTENSITY, DEFINITIONS, PARAGRAPH 2.00.02, PAGE 14, AND PARAGRAPH 2.02.02, SUBPARAGRAPH I, PAGE 18 PROHIBITED USES IN ALL DISTRICTS, REPEALING ALL ORDINANCES, OR SECTIONS OF ORDINANCES IN CONFLICT, AND PROVIDING AN EFFECTIVE DATE.

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

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

Section 1. 2.00.02, Definitions, Page 14 is amended as follows, added:

Condominium

A multiunit project consisting of individual ownership of a dwelling unit and undivided ownership of common areas.

Section 2. 2.02.02 Types of Uses, Page 18, paragraph I, Prohibited Uses in All Districts, is amended as follows, added:

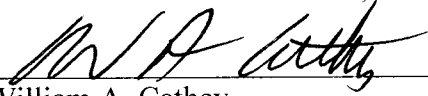
7. Condominiums, unless specifically approved by the City Council

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 All ordinances or parts of ordinances thereof in conflict with the provisions of this ordinance are hereby repealed.

Section 4. This ordinance shall take effect upon passage.

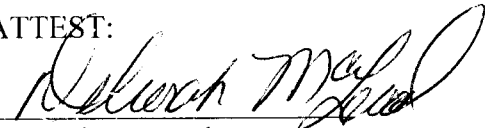
INTRODUCED at the Regular Meeting of the City Council on the 9th day of May, 2006. Adopted at the Regular Meeting of the City Council on the 13th day of June, 2006.

CITY OF MEXICO BEACH, FLORIDA



William A. Cathey
Mayor

ATTEST:



Deborah McLeod
City Clerk

ARTICLE II LAND USE: TYPE, DENSITY, INTENSITY

2.00.00 GENERALLY

2.00.01 Purpose

The purpose of this Article is to describe the specific uses and restrictions that apply to land use districts in the land use element of the comprehensive plan. These regulations are intended to allow development and use of property only in compliance with the goals, objectives, and policies of the City of Mexico Beach as expressed in the City Comprehensive Plan.

2.00.02 Definitions

Abut

To physically touch or border upon, or to share a common property line.

Adult Congregate Living Facility (ACLF)

A type of residential care facility, defined in Chapter 400, Part 2, Florida Statutes.

Agricultural Activity

Any farming and forestry operation affecting land or waters such as site preparation, clearing, fencing, contouring, soil preparation, plowing, planting, harvesting, construction of access roads, extraction of stumps and submerged logs, and placement of bridges and culverts.

Density or Gross Density

The total number of dwelling units divided by the total site area, less public right-of-way.

Dwelling Unit

A single housing unit providing complete, independent living facilities for one housekeeping unit, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Group Homes

Half-way houses, juvenile housing facility, nursing homes.

Junkyard

Premises or portions thereof used for the storage or sale of used and discarded materials, including but not limited to, paper, rags, metal, building materials, appliances, household furnishings, machinery, vehicles, equipment, or parts thereof. The storage for a period of two (2) or more months of two (2) or more wrecked or partly dismantled motor vehicles, parts of dismantled motor vehicles, or the sale of parts thereof, not capable of or not intended to be restored to highway operating condition shall also constitute a junkyard. For the purposes of this Code, such uses as automobile reclaiming businesses, automotive wrecking businesses, automotive salvage businesses and recycling centers shall be considered junkyards.

Lot

A designated parcel, tract or area of land established by plat, subdivision or as otherwise allowed by law.

Manufactured Housing

Manufactured housing has the following features or characteristics. It is:

- (1) Mass produced in a factory;
- (2) Designed and constructed for transportation to a site for installation and use when connected to required utilities;

- (3) bearing a label certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards (24 CFR 3280) HUD Code;
- (4) either an independent, individual building or a module for combination with other elements to form a building on the site.

Manufactured housing are distinguished by two types as follows:

- (1) Modular homes are manufactured under the Florida Manufactured Building Act and certified by the Florida Department of Community Affairs as complying with the structural requirements of the Standard Building Code.
- (2) Mobile homes are a structure, transportable in one or more sections, which is built on a permanent chassis, designed to be used with or without a permanent foundation, and connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed in use (other than for sale) on a site for 180 consecutive days or longer.

Multi-Family Dwelling

Any residential structure containing two (2) or more separate dwelling units.

Parcel

A unit of land within legally established property lines.

Recreation Vehicle

A vehicular-type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreation, camping, and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor home.

Single-Family Dwelling

A structure containing one dwelling unit, and not attached to any other dwelling unit by any means. A single-family unit may contain an accessory apartment pursuant to this Code.

Studios

A structure used as a working places for small personal businesses including the following uses:

- (1) arts and crafts
- (2) art, music, dancing, singing, or acting
- (3) photography

2.01.00 LAND USE DISTRICTS

2.01.01 Generally

Land use districts for the City of Mexico Beach are established in the Comprehensive Plan, Future Land Use Element, including a map series (atlas). The land use districts and classifications defined in the Future Land Use Element of the City Comprehensive Plan and delineated on the Future Land Use Map Atlas shall be the determinants of permissible activities on any parcel in the jurisdiction. Refer to the Future Land Use Element of the Comprehensive Plan for the definitions of each use category. Allowable uses are shown in Section 2.02.03 to correlate individual land use activities with land use districts.

2.01.02 Residential Districts

Residential Low-Density (RLD)
Residential General (RG)
Tourist Residential (TR)

2.01.03 Commercial Districts

Tourist Commercial (TC)
General Commercial (GC)

2.01.04 Public/Institutional District (PI)

2.01.05 Recreation District (REC)

2.01.06 Conservation District (CON)

2.01.07 Preservation District (PRS)

2.02.00 USES ALLOWED IN LAND USE DISTRICTS

2.02.01 Generally

This Part defines and prescribes the specific uses allowed within each land use district described in the Comprehensive Plan and this Code.

2.02.02 Types Of Uses

A. Residential

1. The category of residential uses includes single-family dwellings, accessory apartment uses, multi-family dwellings in a variety of housing types, modular and manufactured housing, but specifically excludes recreational vehicles. (Recreational vehicle parks are considered commercial uses.)
2. While a district may be designated for residential use, it does not follow that any housing type (single-family, apartment, townhouse, etc.) is allowed. Certain areas are limited to one or more housing types in order to preserve the established character of the area. Refer to the table of density and dwelling unit types in Section 2.02.04 for regulations on housing types.

B. Public/Institutional

This type of use includes educational facilities (public or private), public buildings and grounds, pre-school and day care facilities (public or private), churches, cemeteries without funeral homes, residential care facilities, group homes, and all other similar institutional uses.

C. Outdoor Recreational

These uses include areas for outdoor recreational activities such as picnicking, jogging, cycling, arboretums, hiking, golf courses, play grounds, ball fields, outdoor ball courts, outdoor swimming pools, and water-related or water-dependent uses such as boat ramps, fishing docks and piers, and all similar outdoor recreational uses, whether public or private. Specifically excluded from this group of uses are firing ranges, marinas, miniature golf courses, race tracks, and similar recreational or quasi-recreational activities inconsistent with the allowable outdoor recreational uses described.

D. Professional Service And Office

This group of uses includes business and professional offices, medical offices or clinics, government offices, financial institutions. This group of uses may include a dispatching/communications/office center for the distribution of goods, but specifically excludes the warehousing or actual distribution of goods.

E. Personal Service Businesses

This group of uses includes personal service businesses where the service is performed on an individual-to-individual basis as opposed to services which are performed on objects or personal property. Examples of personal service businesses are barber shops, beauty shops, boutiques, or studios.

F. General Commercial

A wide variety of general commercial, commercial recreational, entertainment, and related activities is included in this group of uses. Examples include professional and office uses listed in Section 2.02.02D above, as well as the following specific uses, and all substantially similar types of uses:

1. Community centers and fraternal lodges.
2. Commercial or trade schools such as dance and martial arts studios.
3. Department stores and other retail sales stores, such as shoe stores, clothing stores, pharmacies, florists, and book stores.
4. Funeral homes, cemeteries, and mortuaries.
5. Farm and garden supply, building supply, and vehicle parts and accessories (including vehicle sales/ service/repair).
6. Grocery stores, supermarkets (including convenience stores), and specialty food stores (such as meat markets, and bakeries).
7. Hospitals.
8. Service businesses such as blueprint, printing, catering, tailoring, travel agencies, upholstery shops, laundries/dry cleaners, and light mechanical repair stores (such as camera, TV, or bicycle repair shops).
9. Restaurants including open air cafes.
10. Shopping centers (but not regional malls or centers).
11. Theaters and auditoriums.
12. Plant nurseries.
13. Veterinary offices and animal hospital with outside kennels.

14. Wholesale and retail businesses for storing and/or distributing goods. This includes primarily outdoor storage. (examples: LP gas storage and/or distribution exceeding 1000 gallons, and recycling centers).
15. Mobile home parks, recreational vehicle and travel trailer parks.
16. Arcades, billiards/pool parlors, bowling alleys indoor recreation centers and gymnasiums/spas/health clubs.
17. Small taverns and bars.
18. Single and multiple family dwellings.

G. Tourist Commercial

The uses in this group include those activities that are intended to provide areas for low-intensity tourist-oriented commercial activities that will not interfere with the peace and tranquility of adjoining residential property. This group of uses includes the following list of specific uses and all substantially similar activities based upon similarity of characteristics.

1. Boutiques, souvenir shops, and similar businesses that are seasonal in nature.
2. Restaurants and open air cafes.
3. Small Hotels or small motels.
4. Marinas.

The following use is restricted to lots along U.S. 98.

5. Gasoline sales and service, combination gasoline sale and small food marts, and similar facilities.

H. Temporary Uses

This group of activities includes those uses which may occur on a temporary basis for a short time frame. These uses will not continue past 10 days and must have a permit to occur.

1. Flea markets or similar outdoor or indoor/indoor sales complexes.
2. Small carnivals, fairs, and festivals. Examples of this are school, holiday, or seasonal related carnivals and festivals.
3. This does not include trailers and recreational vehicles.

I. Prohibited Uses in All Districts

1. Landfills.
2. Hazardous waste collection and handling centers.
3. Borrow pits.
4. Pastures, forestry, feed lots, and buildings which are an accessory to these agricultural uses.
5. Junkyards and salvage yards.
6. Construction of docks, piers, wharves and similar structures in City waters, unless specifically approved by the City Council.