

ORDINANCE 710

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, FLORIDA ADOPTING A COMPREHENSIVE UPDATE TO THE CITY OF MEXICO BEACH COMPREHENSIVE PLAN; AMENDING THE INTRODUCTION THROUGH FORMER SECTIONS I-VII INCLUDING REVISING COMMUNITY PROFILE, REVISING PUBLIC PARTICIPATION SECTION, REVISING PURPOSE AND INTENT LANGUAGE, UPDATING LANGUAGE TO REFLECT CHANGES IN LAWS, AND DELETING UNNECESSARY LANGUAGE AND DEFINITIONS; AMENDING THE FUTURE LAND USE ELEMENT INCLUDING REVISIONS TO DEFINITIONS, REORGANIZING AND CLARIFYING RULES, DELETING UNUSED CATEGORIES, REVISING RULE FOR HOW TO MEASURE HEIGHT, RENAMING TOURIST RESIDENTIAL TO HIGH DENSITY RESIDENTIAL AND SETTING MAXIMUM DENSITY, REVISING ALLOWABLE USES IN GENERAL COMMERCIAL, REVISING ALLOWABLE INTENSITY AND USES FOR RECREATION DISTRICT, PROVIDING ADDITIONAL RULES FOR PRESERVATION DISTRICT, DELETING AND RELOCATING CERTAIN RULES FOR ENVIRONMENTALLY SENSITIVE LAND; DELETING CERTAIN POLICIES RELATING TO LAND DEVELOPMENT REGULATIONS, REVISING INFILL AND URBAN SPRAWL POLICIES, REVISING POLICIES REGARDING STORMWATER, DRAINAGE, AND PUBLIC PROPERTY, ADDING PROTECTIONS FOR WATER DEPENDENT USES, PROVIDING RULES FOR USE OF PLATTED LOTS AND REVISING RULES FOR ALLOWABLE NONCONFORMING USES, AND ADDING POLICES ABOUT COMPATIBILITY OF ADJACENT LAND USES; RENAMING THE TRAFFIC CIRCULATION ELEMENT TO TRANSPORTATION ELEMENT AND SUBSTANTIALLY REWRITING IT INCLUDING CLARIFICATIONS, NEW REQUIREMENTS AND PROHIBITIONS, REVISED APPLICABILITY AND EXEMPTIONS, POLICIES FOR NON-MOTORIZED TRANSPORTATION, POLICIES FOR MEXICO BEACH TOURIST CORRIDOR, AND NEW ACCESS RULES; REWRITING THE HOUSING ELEMENT INCLUDING ADDRESSING POLICIES REQUIRED BY STATE LAW; AMENDING THE GENERAL UTILITIES ELEMENT TO REWRITE THE SANITARY SEWER SUB-ELEMENT, TO REVISE THE SOLID WASTE SUB-ELEMENT INCLUDING CLARIFICATIONS AND CHANGES TO LEVEL OF SERVICE STANDARDS, TO REVISE POTABLE WATER SUB-ELEMENT INCLUDING CLARIFICATIONS AND CHANGES TO LEVEL OF SERVICE STANDARDS, AND REWRITING DRAINAGE SUB-

ELEMENT; REWRITING THE CONSERVATION ELEMENT AND ADDING ASSOCIATED MAPS TO IT; AMENDING THE RECREATION AND OPEN SPACE ELEMENT INCLUDING REVISING LEVEL OF SERVICE STANDARDS AND REQUIREMENTS FOR DEVELOPERS TO PROVIDE PARK SPACE, REQUIRING CITY TO RETAIN BEACH ACCESSES, AND REVISING OPEN SPACE STANDARDS; REWRITING THE INTERGOVERNMENTAL COORDINATION ELEMENT AND PLACING GREATER EMPHASIS ON TYNDALL AIR FORCE BASE; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT INCLUDING REVISIONS TO PURPOSES AND LEVEL OF SERVICE STANDARDS; DELETING EVALUATION AND MONITORING SECTION; DELETING CONCURRENCY MANAGEMENT SYSTEM SECTION; PROVIDING FOR REPEAL, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida legislature has adopted Chapter 163, F.S., which requires the City of Mexico Beach (the "City") to prepare, adopt and enforce a comprehensive plan; and

WHEREAS, the City adopted the City of Mexico Beach Comprehensive Plan originally in 1991; and

WHEREAS, the City conducted a thorough review, update, and amendment to the Comprehensive Plan in 2007; and

WHEREAS, in 2017, the City began a thorough review of the Comprehensive Plan and hired a professional planner to assist with that review and consideration of amendments; and

WHEREAS, the City of Mexico Beach Planning & Zoning Board met with the professional planner for the first time at its June 5, 2017 public meeting; and

WHEREAS, the Planning & Zoning Board met and deliberated in public regarding the Comprehensive Plan and potential amendments approximately twenty times thereafter; and

WHEREAS, the Mexico Beach Planning and Zoning Board held a properly noticed public hearing to consider the proposed amendments to the Comprehensive Plan on December 17, 2018 (known as, "the Amendments"), and recommended that the Amendments be approved by the Mexico Beach City Council for adoption; and

WHEREAS, the Mexico Beach City Council met in notice public meeting January 9, 2019 and reviewed and discussed the Amendments; and

WHEREAS, the Mexico Beach City Council held a properly noticed public hearing on January 15, 2019 to consider the transmission of the Amendments to the Department of Economic Opportunity ("DEO") for review, and after consideration of the data and analyses and public comments received during the public hearing and making final adjustments to the Amendments accordingly, voted to transmit the Amendments to the DEO; and

WHEREAS, on January 22, 2019, the City Council held a noticed hearing on the first reading of this Ordinance 710; and

WHEREAS, the DEO has completed its review of the Amendments and issued a "no comment" letter; and,

WHEREAS, in the exercise of its authority, the City Council of Mexico Beach finds it necessary and desirable to adopt and does hereby adopt the this Ordinance and the Amendments to Comprehensive Plan in order to encourage the most appropriate use of land, water and resources, consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Mexico Beach.

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

SECTION I: Approval and Adoption of Amendment.

The amendments to the Mexico Beach Comprehensive Plan (with new text **bold and underlined** and deleted text ~~struckthrough~~), as attached hereto as Exhibit "A" are hereby adopted and approved.

SECTION II: Repeal

All Codes, Ordinances and/or Resolutions or parts of Codes, Ordinances and/or Resolutions in conflict herewith are hereby repealed to the extent of the conflict.

SECTION III: Severability

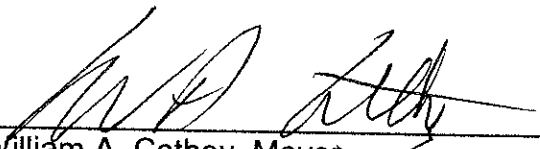
If any phrase or portion of this Ordinance, or the particular application thereof, shall be held void, unenforceable or unconstitutional by any court, administrative agency or other body with appropriate jurisdiction, the remaining provisions, sentences, clauses, or phrases and their application shall not be affected and shall remain in full force and effect.

Section V: Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administrative Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

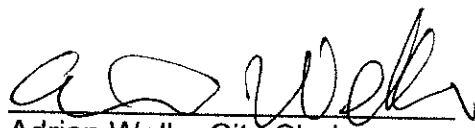
The above and foregoing Ordinance was introduced at the meeting of the City Council on the 22nd day of January, 2019. Adopted at the meeting of the City Council on the 5 day of February, 2019.

CITY OF MEXICO BEACH, FLORIDA



William A. Cathey, Mayor

ATTEST:



Adrian Welle, City Clerk