

ORDINANCE 722

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, FLORIDA AMENDING THE CITY OF MEXICO BEACH COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO DELETE THE SUB AREA POLICY RESTRICTIONS APPLICABLE TO 486 ACRES AND TO RELY ON THE REGULAR TOURIST MIXED USED REQUIREMENTS INSTEAD; 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, in 2006, the St. Joe Company annexed 462 acres of property on the west side of the City into the City; and

WHEREAS, in 2006 the City designated 486 acres of St. Joe Company property Tourist Mixed Use, which property consisted primarily of the newly annexed property; and

WHEREAS, the Tourist Mixed Use land use category include various restrictions, including a maximum of two dwelling units per acre and 70% impervious surface, each based on the total land area of the project; and

WHEREAS, at the time of the annexation, the City also adopted a sub area policy in the Comprehensive Plan to reduce the maximum number of dwelling units allowed within this 486 acres of Tourist Mixed Use property to 750 dwelling units instead of the 972 dwellings units normally allowed under the Tourist Mixed Use requirements and to provide maximum square footage for commercial space and office space; and

WHEREAS, the St. Joe Company has requested that the sub area policy be eliminated and that the normal Tourist Mixed Use requirements govern the property; and

WHEREAS, it is not clear that the original reasons for this sub area policy restrictions still apply and the City is not opposed to this request to delete the sub area policy; and

WHEREAS, the Mexico Beach Planning and Zoning Board held a properly noticed public hearing to consider the proposed amendment to the Comprehensive Plan on June 3, 2019 (known as, "the Amendment"), and recommended that the Amendment not be adopted by the Mexico Beach City Council; and

WHEREAS, the Mexico Beach City Council held a properly noticed public hearing on June to consider the transmission of the Amendments provided by this ordinance 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, the DEO has completed its review of the Amendments and issued no objections and the applicant has responded to DEO comments about data and analysis on impacts to infrastructure and environmental resources; 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 following amendments to Policy 1.1.5 of the Future Land Use Element of the Mexico Beach Comprehensive Plan, with new text **bold and underlined** and deleted text ~~struckthrough~~, are hereby adopted and approved.

~~**Policy 1.1.5:** For those properties identified on Map 1.2, and assigned the Tourist Mixed Use Future Land Use category by Ordinance 513, the following maximum development parameters apply to the entire 486 acres:~~

~~A. Maximum 750 dwelling units.~~

~~B. Maximum 55,000 square feet of heated and cooled commercial space, to include ancillary uses and structures.~~

~~C. Maximum 15,000 square feet of heated and cooled office space, to include ancillary uses and structures.~~

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

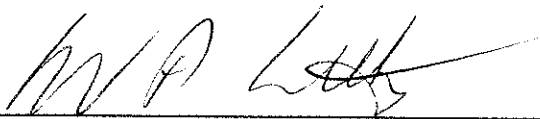
appropriate jurisdiction, the remaining provisions, sentences, clauses, or phrases and their application shall not be affected and shall remain in full force and effect.

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.

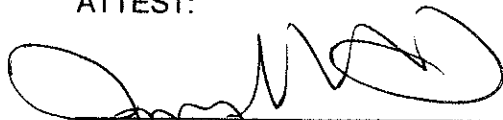
The above and foregoing Ordinance was introduced at the meeting of the City Council on the 11th day of June, 2019. Adopted at the meeting of the City Council on the 27 day of August, 2019.

CITY OF MEXICO BEACH, FLORIDA



William A. Cathey, Mayor

ATTEST:



Jenny Myrick, City Clerk