

## ORDINANCE 804

### AN ORDINANCE OF THE CITY OF MEXICO BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT CODE TO MODIFY SECTION 6.03.00 TO REVISE THE PARKING REQUIREMENTS FOR EATING AND DRINKING ESTABLISHMENTS; PROVIDING FOR CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, as provided in section 2(b), Article VIII of the Constitution of the State of Florida, and section 166.021(1), Florida Statutes, the City of Mexico Beach, Florida, (the "City") enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, Chapters 163 and 166 of the Florida Statutes provide for the City to regulate zoning and development and implement its Comprehensive Plan through land development regulations, and on 23 day of August, 2022 the City Council adopted the Mexico Beach Land Development Code, as required pursuant to §163.3202, F.S; and

WHEREAS, the Mexico Beach Planning and Zoning Board, acting as the Local Planning Agency, reviewed this amendment to the Land Development Code on December 5, 2022 during a duly noticed public hearing and recommended that said amendment be approved by the Mexico Beach City Council; and

WHEREAS, pursuant to Florida Statute 166,041(3)(c), the Mexico Beach City Council held public hearings on December 13, 2022 and January 10, 2023 to consider the amendment, and after consideration of the public comments received during the public hearing, voted to approve this Ordinance; 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 amendment to the Land Development Code contained herein 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; and

WHEREAS, words with underlined type shall constitute addition and ~~strikethrough~~ shall constitute deletions to the original text from the language existing prior to adoption of this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEXICO BEACH THAT:

#### **SECTION 1. Approval and Adoption of Amendment.**

The City of Mexico Beach hereby amends Section 6.03.00, Subsection A, Space Requirements, as follows:

Section 6.03.00 Off-Street Parking Standards (in part)

A. Space Requirements

The following matrix specifies the required minimum number of automobile spaces for a particular land use.

<b>4. COMMERCIAL</b>	
a. Banks	1 per 300 sq. feet gross floor area
b. Food Store	1 per 300 sq. feet gross floor area
c. Food Stores with Gas Pump	1 per 300 sq. feet gross floor area
d. Automobile Service Station	2 plus 4 spaces per service bay
e. General Business, Commercial, or Personal Service Establishment Catering to Retail Trade	1 per 300 sq. feet gross floor area
f. Offices, Excluding Medical, Dental, and Health Clinics and Offices	1 per 300 sq. feet gross floor area
g. Eating and Drinking Establishments	1 per 4 seats or 1 per 100 sq. feet of gross floor area, whichever is greater
h. Take out establishments only	1 per 200 sq. feet of gross floor area
i. Shopping Centers	1 per 300 sq. feet of gross floor area

**SECTION 2. Repeal.**

Those parts of the Mexico Beach Land Development Code in conflict herewith are hereby repealed and superseded to the extent of such conflict and shall have no further effect whatsoever.

**SECTION 3. Severability.**

If any section, subsection, sentence, clause, phrase or other portion of this Ordinance, or any particular application thereof shall be held invalid or unconstitutional by any court, administrative agency, or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses, or phrases and their application shall not be affected thereby.

**SECTION 4. Scrivener’s Errors.**

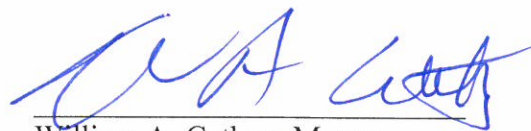
The City Attorney may correct any scrivener’s errors found in this Ordinance by filing a corrected copy of the Ordinance with the Clerk. A scrivener’s error may not include an amendment that changes the context or meaning of the Ordinance.

**SECTION 5. Effective Date.**

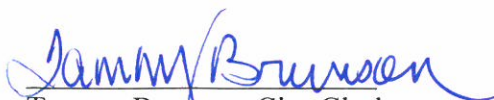
This Ordinance shall take effect upon passage.

PASSED, APPROVED, AND ADOPTED at a duly noticed public hearing of the Mexico Beach City Council this 10<sup>th</sup> day of January 2023.

CITY OF MEXICO BEACH

  
 William A. Cathey, Mayor

ATTEST:

  
 Tammy Brunson, City Clerk