

ORDINANCE NO. 833

AN ORDINANCE OF THE CITY OF MEXICO BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT CODE TO MODIFY SECTION 2.02.02.E TO ADD “LODGING ESTABLISHMENTS” AS A PRINCIPAL USE TO THE GENERAL COMMERCIAL ZONING DISTRICT; PROVIDING FOR CODIFICATION; PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, as provided in section 2(b), Article VIII of the Constitution of the State of Florida, and §166.021(1), Florida Statutes (F.S.), 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 in 1991, 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 January 8, 2024, during a duly noticed public hearing and recommended that said amendment be approved by the Mexico Beach City Council; and

WHEREAS, pursuant to §166.041, F.S., the Mexico Beach City Council held public hearings on 1-23-24, and 2-13-24, 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 2.02.02.E, as follows:

E. General Commercial

1. District Intent	2. Allowable Location		
This zoning district allows for single family residential at a maximum density of 18 dwelling units per acre and commercial land uses as defined below.	The General Commercial Zoning District is allowed within the General Commercial Future Land Use Category.		
3. Principal Uses	4. Uses Allowed With Council Approval	5. Prohibited Uses	6. Accessory Uses
<ul style="list-style-type: none"> a. Community centers and fraternal lodges. b. Commercial or trade schools such as dance and martial arts studios c. Department stores and other retail sales stores, such as shoe stores, clothing stores, pharmacies, florists, and book stores. d. Funeral homes, cemeteries, and mortuaries. e. Farm and garden supply, building supply, and vehicle parts and accessories (including vehicle sales/service/repair). f. Grocery stores, supermarkets (including convenience stores), and specialty food stores (such as meat markets and bakeries). g. Hospitals h. 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). i. Restaurants including open air cafes. 	<ul style="list-style-type: none"> a. Condominiums b. Docks, piers, wharves, and similar structures in City Waters. 	<ul style="list-style-type: none"> a. Landfills. b. Hazardous waste collection and handling centers. c. Borrow pits. d. Pastures, forestry, feed lots, and buildings which are an accessory to these agricultural uses. e. Junkyards and salvage yards. f. Medical marijuana treatment center 	<p>Restricted: Areas and sheds for outside storage shall be enclosed by opaque fencing of at least six (6) feet in height. No accessory buildings used for industrial storage of hazardous, incendiary, noxious, or pernicious materials shall be located nearer than one hundred (100) feet from any property line.</p> <p>Prohibited: All other uses.</p>

<p>j. Shopping centers (but not regional malls or centers). Theaters and auditoriums.</p> <p>l. Plant nurseries.</p> <p>m. Veterinary offices and animal hospital with outside kennels.</p> <p>n. Wholesale and retail businesses for storing and/or distributing goods.</p> <p>o. Mobile home parks, recreational vehicle, and travel trailer parks.</p> <p>p. Arcades, billiards/pool parlors, bowling alleys, indoor recreational centers, and gymnasiums/spas/ health clubs.</p> <p>q. Small taverns and bars.</p> <p>r. Residential Single Family</p> <p>s. Multi-family</p> <p>t. Educational facilities (public or private)</p> <p>u. Public buildings and grounds</p> <p>v. Pre-school and day care facilities (public or private)</p> <p>w. Churches</p> <p>x. Cemeteries without funeral homes,</p> <p>y. Residential care facilities,</p> <p>z. Group homes</p> <p>aa. Other similar institutional uses.</p> <p>bb. Personal service businesses where the service is performed on an individual-to-individual basis, including barber shops, beauty shops, boutiques, studios, or other similar uses.</p> <p>cc. Professional offices</p> <p>dd. Medical offices or clinics</p> <p>ee. Government offices</p> <p>ff. Financial institutions</p> <p>gg. Temporary uses, as defined in Section XX.</p> <p><u>hh. Lodging Establishments</u></p>			
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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.

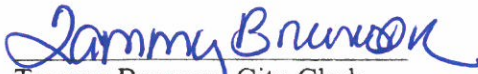
SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect upon passage.

PASSED, APPROVED, AND ADOPTED at a duly noticed public hearing of the Mexico Beach City Council this 13th day of February 2024.


Michele Miller, Mayor

ATTEST:


Tammy Brunson, City Clerk