



CITY OF NEWBERRY

25440 West Newberry Road • P.O. Box 369
Newberry, Florida 32669
(352) 472-2161 • FAX (352) 472-7026

ORDINANCE 2024-15

AN ORDINANCE OF THE CITY OF NEWBERRY ESTABLISHING ZONING-IN-PROGRESS FOR THE CONSTRUCTION OF LARGE-SCALE RETAIL ESTABLISHMENTS; PROVIDING FOR STAY ON APPLICATIONS; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Florida Statute 166.021, municipalities, such as the City of Newberry, shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipals services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City of Newberry City Commission (“Board”) adopted the 2022 Strategic Plan with the accompanying goals, objectives, policies, and vision and mission statement; and

WHEREAS, said mission statement reads as follows: “The City of Newberry is dedicated to building a diverse and vibrant community by investing in our infrastructure, embracing innovation, providing excellent customer service and a responsive government, while remaining fiscally conservative and preserving our small-town feel;” and

WHEREAS, it is in the best interest of the City of Newberry and its residents to adopt a temporary stay on acceptance of applications for building permits and development permits, as defined by Florida Statutes, for the construction of large-scale retail establishments greater than 80,000 square feet.

NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF NEWBERRY, FLORIDA as the following:

Section 1. Verity. The foregoing recitals are ratified as true and correct and are incorporated herein.

Section 2. Stay on acceptance of applications. As of the effective date of this Ordinance, all applications for building permits and development permits relating to the construction or renovation of large-scale retail establishments shall not be accepted for consideration until such time as this ordinance has expired or the City has adopted regulations, whichever occurs first.

Section 3. Expiration. This Zoning in Progress shall expire six (6) months from its effective date or the date the City formally adopts revisions to the zoning regulations for large-scale retail

establishments greater than 80,000 square feet, whichever shall first occur. If the City determines that additional time is necessary to review and adopt such revisions, the Village Council may extend the Zoning in Progress by resolution for an additional six (6) month period.

Section 4. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Inclusion in the Code, Scrivener’s Error. It is the intention of the City Commission of the City of Newberry, Florida, and it is hereby provided that the provisions of this Ordinance shall become and made part of the Code of Ordinances of the City of Newberry, Florida; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word “ordinance” may be changed to “section,” “article,” or other appropriate designation. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Manager or designee without public hearing, by filing a corrected or re-codified copy of the same with the City.

Section 6. Effective Date. This Ordinance shall take effect upon its passage at second and final reading.

DONE THE FIRST READING, by the City Commission of the City of Newberry, Florida, at a regular meeting, this ____ day of _____, 2024.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Newberry, Florida, by the City Clerk of the City of Newberry, Florida on the ____ day of _____, 2024.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of Newberry, Florida, at a regular meeting, this _____ day of _____, 2024.

BY THE MAYOR OF THE CITY OF
NEWBERRY, FLORIDA

Honorable Jordan Marlowe, Mayor

ATTEST, BY THE CLERK OF THE
CITY COMMISSION OF THE CITY OF
NEWBERRY, FLORIDA:

Judy Rice, City Clerk

APPROVED AS TO FORM AND
LEGALITY:

S. Scott Walker, City Attorney