

VI. CITIZEN COMMENTS

1. Speaker must come to the podium and state name and city of residence
2. Comments are limited to 3 minutes

VII. STAFF COMMENTS

1. Mell Smigielski
 - a) Driveway Aprons
 - b) Containers
 - c) Recovery Update

VIII. COUNCIL COMMENTS

IX. MAYOR COMMENTS

X. ADJOURNMENT

Posted on the City Website on November 6, 2025

Note: Copies of the Agenda items are posted on the City's Website mexicobeachfl.gov. This meeting will be recorded on the city YouTube page and posted on the City of Mexico Beach website.

*You are hereby notified that in accordance with Florida Statutes, you have a right to appeal against any decision made by the Council with respect to any matter considered. You may need to ensure that a verbatim record of the proceedings is made, which may need to include evidence and testimony upon which the appeal is based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Tammy Brunson, City Clerk, at 201 Paradise Path, Mexico Beach, Florida 32456; or by phone (850) 648-5700 at least five calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay System, which can be reached at 800-955-8770 TDD.



City Council

Agenda Abstract Form



Meeting Date: November 12, 2025

Department: Planning

Public Hearing: Yes No

Date of Public Hearing: November 12, 2025

For Clerk's Use Only
AGENDA ITEM #

<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Mell Smigielski – City Administrator

ITEM TO BE CONSIDERED

Subject:

This is a legislative decision pursuant to Section 1.12.02 of the Land Development Code.

This is a request to amend language in Article II, Zoning Districts of the Land Development Code to add the Mexico Beach Shopping Center Overlay District.

Attachment(s):

Suggested language and existing ordinances.

Brief Summary:

The request is to amend the Land Development Code to include a section entitled "Overlay Districts".

Action Requested:

Make a recommendation to the City Council to adopt, adopt with changes, or not adopt the amendment to the Land Development Code.

ISSUE OVERVIEW

Background Information & Issue Summary:

This amendment will specifically add the Mexico Beach Shopping Center Overlay District, which was created by Ordinance 540 in 2007 and amended by Ordinance 834 in 2024 but never codified. When regulations are not codified, it is not uncommon for such ordinances to be "lost" in the review of development requests. Therefore, as a result of recent development requests, this language will replace both those ordinances, with removal of any and all parking requirements. This is a change from the existing overlay district requirements that requires parking at 1 space per 300 square feet of area for all uses for new developments.

Specifically, Ordinance 540 exempted parking requirements except when:

- A building footprint or use changed, which would cause the need for additional parking on land adjacent to or included in the shopping center.

- Any expansion to a business requires additional parking to be provided by the business owner at 1 space per 300 square feet. The additional parking need must be supplied by the business owner.

Additionally:

- In the event of a natural disaster, rebuilding is restricted to the same square footage that which existing pre-storm.
- No residential uses are allowed in the district (this regulation is retained).

Ordinance 834 was amended to allow development of undeveloped lots without a restriction of square footage based upon an adjacent previous use that existed (assumably prior to Hurricane Michael).

As written, when the ordinance was adopted in 2007, all businesses listed in Ordinance 540 were considered grandfathered from the mentioned requirements by name (see attached documentation). However, since that time Hurricane Michael deeply impacted the footprints of the buildings which existed in 2007, those uses accordingly, and the parking for the City's meeting space is no longer available to other portions of the shopping center.

The boundary that is described by business name and parcel ID of the listed parcels in Ordinance 540 is expanded to include those north/northeast of Mango Marleys. Please note, that at least one of the parcel ID numbers listed in Ordinance 540 no longer exists and therefore a determination of where that parcel is located could not be made, but is assumed to be a parent parcel of those directly north/northeast of Mango Marleys.

The adoption of this language will abolish and replace the existing language in both Ordinance 540 and 834.

Financial Impacts:

None.

Staff Recommendations/Comments:

Recommend approval, with consideration of stormwater requirements and whether or not to exempt those also. Consultation with the engineer is suggested to understand if the City can exempt development from stormwater requirements adopted in state law, and whether the current permit grandfathers new, larger developments.

ORDINANCE NO. 875

AN ORDINANCE OF THE CITY OF MEXICO BEACH, FLORIDA AMENDING THE CITY'S LAND DEVELOPMENT CODE CREATING A SECTION ENTITLED "OVERLAY DISTRICTS" AND THE MEXICO BEACH SHOPPING CENTER OVERLAY DISTRICT BY ADDING SECTION 2.12.00 WITH SUBSECTIONS AND MAP 2.12; REPEALING ORDINANCE NO. 540 AND PROVIDING A GENERAL REPEALER; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, LIBERAL CONSTRUCTION AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mexico Beach Planning and Zoning Board, acting as the Local Planning Agency, reviewed a proposed amendment to the Land Development Code on October 13, 2025, during a duly noticed public hearing and recommended certain amendments be approved by the Mexico Beach City Council;

WHEREAS, pursuant to Section 166.041 of the Florida Statutes, the Mexico Beach City Council held public hearings on November 12, 2025, and December 9, 2025, to consider the amendment, and after consideration of the public comments received during the public hearing, adopted this Ordinance to amend its Land Development Code; and

WHEREAS, the City Council hereby finds and determines that the approval of this Ordinance to the Land Development Code is consistent with the Goals, Objectives and Policies of the City's Comprehensive Plan, as amended.

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

SECTION 1. APPROVAL AND ADOPTION OF AMENDMENT

Section 2.12.00 with Subsections and Map 2.12 are added to the City's Land Development Code as set forth on Exhibit "A" attached hereto and made a part hereof.

SECTION 2. REPEAL

Ordinance No. 540 is hereby repealed and all other codes, ordinances or resolutions and parts of codes, ordinances or resolutions of the City in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

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. ORDINANCE TO BE LIBERALLY CONSTRUED.

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 6. CODIFICATION.

The provisions of this Ordinance shall become and be made part of the Land Development Code of the City. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED, AND ADOPTED at a duly noticed public meeting of the City Council of the City Mexico Beach as of this 9th day of December, 2025.

CITY OF MEXICO BEACH

Richard Wolff, Mayor

ATTEST:

Tammy Brunson, City Clerk

*In this Ordinance, language added to an existing section is printed in underscored type, and language deleted is printed in ~~struck through type~~.

Exhibit "A"

2.12.00 OVERLAY DISTRICTS

Overlay districts are hereby adopted as a method to create specific requirements for special areas and circumstances within Mexico Beach. The regulations listed in this section either add to or supersede the regulations of the applicable zoning district to which the parcel is or parcels are assigned, as applicable and noted.

2.12.01 Mexico Beach Shopping Center Overlay District ("overlay district")

This district is created to acknowledge the limitations of available area to develop within the Mexico Beach Shopping Center, which historically has been used commercially and developed with a high percentage of impervious surface. Additionally, this district provides clarity of the applicable boundary of the district by adopting Map 2.12 into this Code.

A. Purpose

The purpose of this district is to allow varying development parameters from what is generally required or allowed for uses within the General Commercial zoning district. All parcels within this overlay district shall be designated as General Commercial on the Future Land Use and Zoning Maps.

B. Area of Applicability

The applied boundary of this overlay district is depicted on Map 2.12.

C. Vehicular Parking Requirements

Due to the unique and historic uses of the area depicted on Map 2.12, the City shall not require any vehicular parking as noted in Article VI of this Code with exception to that which is required by the American Disabilities Act. This section does not exempt any other requirement of Article VI such as, but not limited to, access management.

D. Residential Uses

No residential uses are allowed on any parcel within the Mexico Beach Shopping Center Overlay District.

E. Expansion of the Overlay District Boundary

Should the owner of any other parcels of land currently outside of the overlay district wish to be included within this overlay district, said parcel must be contiguous to an existing boundary of this overlay district and be designated as General Commercial on both the Future Land Use and Zoning Maps. However:

1. The overlay district may not expand west of 32nd Street, east of 29th Street, or south of HWY 98.

2. No residential uses then exist or are allowable within the overlay district pursuant to Section 2.12.05.

F. Removal from the Mexico Beach Shopping Center Overlay District

A parcel or parcels may only be removed at the request of the owner thereof from the Mexico Beach Shopping Center Overlay District if it is or they are located at the periphery of the district boundary. Additionally:

1. If a parcel is approved by the City Council for removal from this overlay district, none of the exemptions in this Section 2.12.00 shall apply to the parcel, and the development must adhere to all requirements of the Comprehensive Plan and Land Development Code, as applicable, as well as the zoning and site development regulations, all as in effect at the time of removal.
2. Any parcel owner of a business or use subsequently excluded from the overlay district may not continue in operation without meeting all applicable standards, including but not limited to, parking and stormwater management standards. These measures shall be reviewed and presented at the time of consideration by the Council to ensure any applicable requirements can and will be met.



Map 2.12 Mexico Beach Shopping Center Overlay District

Legend

 Parcels

 Mexico Beach Shopping Center Overlay District

This data is provided with understanding that the conclusions drawn from such information are solely the responsibilities of the user. The GIS data is not a legal representation of the features depicted, and any assumption of the legal status of this data is hereby disclaimed.

Source: maps.baycountyfl.gov

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