

ORDINANCE NO. 444

AN ORDINANCE OF THE CITY OF ORANGE CITY, VOLUSIA COUNTY, FLORIDA; AMENDING ORANGE CITY CODE APPENDIX A, ZONING ORDINANCE AS ADOPTED BY ORDINANCE NO. 157, AMENDING SECTION 8.6.1 SCHEDULE OF ZONING DISTRICTS PERMITTED AND CONDITIONAL USES, DELETING AUTOMOBILE ORIENTED USE; CONTAINING A REPEALER PROVISION, SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 12, 2003, the City Council of the City of Orange City adopted Appendix A, Land Development code, via Ordinance No. 157, thereby establishing a unified land development code to implement the comprehensive plan and establish a development review process, setting forth regulations and procedures governing the use and development of land for the purpose of protecting the health, safety, and general welfare of the citizens of Orange City, to the end of improving the overall quality of life within the community; and

WHEREAS, the City Council of the City of Orange City deems it in the best interest of the City to amend Section 8.6.1, "Schedule of zoning district permitted and conditional uses" to delete the requirement for a conditional use for an automobile oriented use for financial institutions; and

WHEREAS, on December 1, 2010, the local planning agency, being the Planning Commission of the City of Orange City, has reviewed the requested amendment, to Section 8.6.1 and, finding it consistent with the Orange City Comprehensive Plan, recommended approval of this amendment to the City Council; and

WHEREAS, all applicable notice requirements of Section 166.041(3)(c)(2), Florida Statutes, have been complied with, and

WHEREAS, the City Council of the City of Orange City finds the requested amendment to be consistent with the provisions of the Comprehensive Plan of the City of Orange City, and in the overall best interest of the public health, safety and welfare; and

WHEREAS, words with underlined type shall constitute additions to the original text and ~~strike through~~ shall constitute deletions to the original text.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, AS FOLLOWS:

SECTION ONE: Chapter 8, Zoning Regulations is hereby amended to change 8.6.1 Schedule of zoning district permitted and conditional uses.

	RR	R-1	R-2	R-3	MH-1	OT	MX-1	MX-2	CG-1	CG-2	I-1	I-2	PUD
Financial Institutions, including commercial banks and savings and loans (unless an automobile-oriented use, then a conditional use)							C	**	P	P	P		*
Automobile Oriented Use								**	€	€			*

SECTION TWO: CONFLICTS. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION THREE: SEVERABILITY. If any section, sentence, phrase word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION FOUR: EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida, and approval as provided by law.

ROLL CALL VOTE AS FOLLOWS:

First Reading this 14th **day of** December, 2010

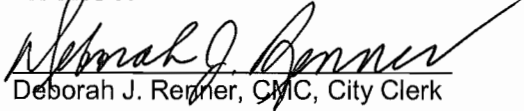
Gary A. Blair	<u>yes</u>	Jeff H. Allebach	<u>yes</u>
Tom Laputka	<u>yes</u>	Tom Abraham	<u>yes</u>
Anthony Pupello	<u>yes</u>	O. William Crippen, Vice Mayor	<u>yes</u>
Harley Strickland, Mayor	<u>yes</u>		

Second Reading this 11th **day of** January, 2011

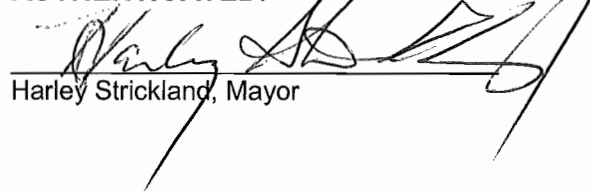
Gary A. Blair	<u>Absent</u>	Jeff H. Allebach	<u>no</u>
Tom Laputka	<u>yes</u>	Tom Abraham	<u>yes</u>
Anthony Pupello	<u>no</u>	O. William Crippen, Vice Mayor	<u>yes</u>
Harley Strickland, Mayor	<u>yes</u>		

PASSED and ADOPTED this 11th day of January, 2011.


ATTEST:


Deborah J. Reimer, CMC, City Clerk

AUTHENTICATED:


Harley Strickland, Mayor

Approved as to form and legal sufficiency:


William E. Reischmann, Jr., City Attorney