

ORDINANCE 2022-01

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA RELATING TO LAND USE, ZONING AND LAND DEVELOPMENT IN THE CITY; AMENDING APPENDIX A OF THE CODE OF ORDINANCES; AMENDING ARTICLE XII; SCHEDULE OF DISTRICT REGULATIONS, SECTION 6 FOR C-P, PROFESSIONAL OFFICE DISTRICT (1) PRINCIPAL USES AND STRUCTURES; ADDING A MASSAGE THERAPIST LICENSED BY FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION AS A PRINCIPAL USE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION INTO THE CITY'S CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE

WHEREAS, the C-P Zoning District is a professional office category that includes medical and dental offices; and

WHEREAS, a Massage Therapist licensed by the Florida Department of Business and Professional Regulation is a use that supplements the allowable medical uses within this zoning classification.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. Section 6 (1) of Article XII of Appendix A of the Code of Ordinances of the City is amended in full to read as follows:

"Sec. 6. - District and intent: C-P, Professional Offices District.

The provisions of this district are intended to apply to an area adjacent to major streets and convenient and complementary to major commercial uses. The types of uses permitted and other restrictions of professional offices are separate from the intensive development of commercial and industrial facilities.

- (1) Principal uses and structures:
 - (A) Professional offices, medical, dental, legal, engineering, real estate, insurance, technical management consultants, architects, accountants, financial advisors, mortgage brokers, and similar professional uses.
 - (B) Medical and dental clinics, laboratories, and pharmacies.
 - (C) Financial institutions.
 - (D) Mixed-use developments.

(E) Massage Therapist Licensed by the Florida Department of Business and Professional Regulation.”

Section 2. In the event that any term, provision, clause or section of this ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, or illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this ordinance, and this ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

Section 3. All ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

Section 4. The City Clerk of the City is hereby directed to incorporate Section 1 into the Land Development Regulations of the City.

Section 5. This ordinance shall become effective upon adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, ON THIS 25TH DAY OF JANUARY, 2022.



X

Scott Nickle
Mayor

X

Sue Frank, MMC
City Clerk

First Reading: January 11, 2022

Second Reading and Public Hearing: January 25, 2022