

ORDINANCE 2020-02-600

AN ORDINANCE OF THE CITY OF MASCOTTE, FLORIDA AMENDING ARTICLE II, SECTION 2.1 "DEFINITIONS" OF THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, over time, the convenience store industry has generally increased its standard retail area in both convenience stores that provide gasoline sales and those that do not; and

WHEREAS, the City of Mascotte desires to amend its definitions to account for said increases in retail area; and

WHEREAS, the Planning Commission, sitting as the local planning agency, has found this ordinance to be consistent with the City's Comprehensive Development Plan and recommended approval; and

WHEREAS, the City Council of the City of Mascotte finds it to be in the best interest of the health, safety, and welfare of the residents, businesses, and visitors of the City of Mascotte to adopt this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MASCOTTE, FLORIDA:

(Note: strikethrough text indicates deletions, underline text indicates additions, ellipses (\*\*\*) identify text that remains unchanged and that is not reprinted herein)

**SECTION 1. Legislative Findings.** The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Mascotte.

**SECTION 2. Code Amendment.** Article II, Section 2.1 of the Land Development Code is hereby amended as follows:

Section 2.1. – Definitions.

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*Convenience Store (with gas sales).* A retail store with gasoline sales containing less than ~~two thousand (2,000)~~ five thousand (5,000) square feet of gross retail floor area that is designed and stocked to sell primarily food, beverages and other household supplies to customers who purchase relatively few items. It is designed to attract a high volume of stop-and-go traffic. Car wash facilities may be an accessory use, provided design, location and buffering criteria are met.

*Convenience Store (with no gas sales).* A retail store usually containing less than ~~two thousand (2,000)~~ five thousand (5,000) square feet of gross floor area that is designed and

stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket"). It is designed to attract a large volume of stop-and-go traffic. "Jiffy", "7-11", and "Cumberland Farms" chains are examples of convenience stores.

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**SECTION 3. Conflicting Ordinances.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 4. Severability.** In 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 no otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION 5. Codification.** It is the intent of the City Council of the City of Mascotte that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in renumbering and codifying the provisions of this Ordinance; articles and section numbers assigned throughout are suggested by the City.

**SECTION 6. Effective Date.** This Ordinance shall become effective immediately upon adoption.

**PASSED AND ADOPTED** this 4th day of February, 2020, by the City Council of the City of Mascotte, Florida.

CITY OF MASCOTTE

  
Mike Sykes, Mayor

ATTEST:

BY: Michelle Hawkins  
Michelle Hawkins, MMC, City Clerk

# Affidavit of Publication

## DAILY COMMERCIAL

Serving Lake and Sumter Counties

located in Leesburg, Lake County Florida  
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared  
**Lisa Clay**

*Lisa Clay*

who on oath says that she is an authorized employee of the  
Daily Commercial, a daily newspaper published at Leesburg,  
in Lake County, Florida; that the attached copy of advertise-  
ment, being a notice in the matter of

ORD 2020-02-600

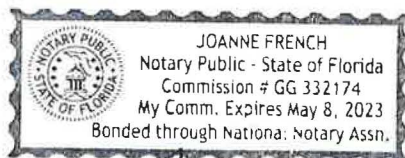
was published in said newspaper in the issues of:

Jan 17, 2020

Affiant further says that the said Daily Commercial is pub-  
lished at Leesburg, in said Lake County, Florida, and that the  
said newspaper has heretofore been continuously published  
in said Lake County, Florida, daily, and has been entered as  
second class mail matter at the post office in Leesburg, in said  
Lake County, Florida, for a period of one year next preceding  
the first publication of the attached copy of advertisement;  
and affiant further says that he has neither paid nor promised  
any person, firm or corporation any discount, rebate, commis-  
sion or refund for the purpose of securing this advertisement  
for publication in the said newspaper.

Sworn to and subscribed before me this 17 day of Jan  
A.D., 2020.

**Joanne French**  
Notary Public



*Joanne French*  
(Print, Type or Stamp Name of Notary Public)

AD#

10093884

### NOTICE OF PUBLIC HEARING CITY OF MASCOTTE

Notice is hereby given that the City of  
Mascotte, Florida is proposing to  
adopt an Ordinance as follows:

#### ORDINANCE 2020-02-600

AN ORDINANCE OF THE CITY OF  
MASCOTTE, FLORIDA AMENDING  
ARTICLE II, SECTION 2.1  
"DEFINITIONS" OF THE LAND DEVEL-  
OPMENT CODE; PROVIDING FOR  
CONFLICTS, SEVERABILITY, CODIFI-  
CATION; AND PROVIDING AN EFFECT-  
IVE DATE.

The public may inspect the proposed  
Ordinance at the City Clerk's office,  
100 East Myers Boulevard, Mascotte,  
Florida, between 7:00 a.m. to 5:30  
p.m. Monday through Thursday.

The Mascotte City Council will hold a  
public hearing on the proposed Ord-  
inance on Tuesday, February 4,  
2020, at 7:00 p.m. or soon thereaf-  
ter at Council Chambers, Tedder-Tho-  
mas Memorial Civic Center, 121  
North Sunset Avenue, Mascotte, Flor-  
ida. If necessary, this public hearing  
may be continued to a time and date  
certain by announcement at this  
scheduled hearing without any further  
published notice.

ALL PARTIES ARE INVITED to appear  
and submit oral or written objections  
or comments regarding the proposed  
Ordinance. Persons needing special  
accommodation to participate in this  
proceeding should contact Michelle  
Hawkins at City Hall at (352)  
429-3341 within 48 hours of the  
scheduled hearing.

Pursuant to section 286.0105, Flor-  
ida Statutes, if any person decides to  
appeal any decision made by the City  
Council with respect to any matter  
considered at this public meeting,  
such person will need a record of the  
proceedings and for such purpose,  
such person may need to ensure that  
a verbatim record of the proceeding  
is made, including the testimony and  
evidence upon which the appeal is to  
be based.

Ad No: 10093884  
January 17, 2020