

## **ORDINANCE NO 232**

**AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, AMENDING THE ADOPTED ZONING MAP AND REZONING THE CAPITVA COVE PROPERTIES FROM COMMERCIAL (C-1) TO RESIDENTIAL (R-2); PROVIDING FOR AUTHORITY; PROVIDING FOR PURPOSE; PROVIDING FOR LEGISLATIVE FINDINGS OF FACT; PROVIDING FOR APPROVAL OF THE REZONING AND AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA AS FOLLOWS:**

### **Section 1: AUTHORITY.**

The authority for enactment of this Ordinance is Sections 166.021 and 166.041, Florida Statutes, and the Cinco Bayou Comprehensive Plan.

### **Section 2: PURPOSE.**

The purpose of this Ordinance is to rezone the following described property from Commercial (C-1) to Residential (R-2) and to amend the zoning Map to reflect the rezoning:

Lots 3 through 9 inclusive, Block 4, Cinco Bayou, as recorded in Plat Book 1, Page 27A, Okaloosa County, Florida.

### **Section 3: LEGISLATIVE FINDINGS OF FACT.**

**WHEREAS**, the Town Council finds that rezoning the above described property is consistent with the adopted Comprehensive Plan and Future Land Use Map, and;

**WHEREAS**, a public hearing precedent to final adoption of this Ordinance has been duly noticed and conducted by the Town Council, and;

**WHEREAS**, adoption of this Ordinance is as recommended by the Town's Local Planning Agency which was promulgated at a duly noticed public hearing, and

**WHEREAS**, this Ordinance and rezoning are in the best interests of the Town and its citizens.

### **Section 4: RE-ZONING APPROVED AND ZONING MAP IS AMENDED**

The property described in Section 2, above, is hereby rezoned and shall be shown as Residential (R-2) on the official Zoning Map of the Town.

### **Section 5: SEVERABILITY.**

It is declared the intent of the Town Council of the Town of Cinco Bayou that if any subsection, clause, sentence, provision or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed so as to render invalid or unconstitutional any remaining provisions of this Ordinance.

**Section 6: EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon its final passage by the Town Council and signature of the Mayor.

**PASSED AND ADOPTED ON SECOND READING BY THE TOWN COUNCIL  
OF CINCO BAYOU, FLORIDA ON THIS 12th DAY OF FEBRUARY 2015.**

**ATTEST:**

**THE TOWN OF CINCO BAYOU, FLORIDA**

BY: [Signature]  
Town Manager/Clerk

BY: [Signature]  
Jean Hood  
Mayor

(SEAL)

The form and legal sufficiency of the foregoing has been reviewed and approved by the Town Attorney

[Signature]  
C. Jeffrey McInnis, Town Attorney

