

## **ORDINANCE NO. 257**

**AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, AMENDING THE ADOPTED ZONING MAP AND REZONING THE PROPERTY LOCATED AT 27 YACHT CLUB DRIVE FROM MIXED USE (MU) TO PLANNED MIXED DEVELOPMENT DISTRICT (PMDD); 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.**

**NOW, THEREFORE, 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 §§166.021 and 166.041, *Florida Statutes*, and the Town of Cinco Bayou, Florida (the “Town”) Comprehensive Plan.

### **SECTION 2. PURPOSE.**

The purpose of this Ordinance is to rezone the following described property from Mixed Use (MU) to Planned Mixed Development District (PMDD) and to amend the zoning Map to reflect the rezoning:

#### **PARCEL 1:**

Lots 1, 2, 3, 4, 5 and 20 all in Block 8, Cinco Bayou Subdivision, according to the plat thereof as recorded in Plat Book 1, Page 27, Public Records of Okaloosa County, Florida.

PARCEL ID NO. 12-2S-24-0460-0008-0010

#### **PARCEL 2:**

The north 1/2 of Lots 18 and 19, Block 8, Cinco Bayou, according to the plat thereof as recorded in Plat Book 1, page 27, Public Records of Okaloosa County, Florida.

PARCEL ID NO. 12-2S-24-0460-0008-018B

### **SECTION 3. LEGISLATIVE FINDINGS OF FACT.**

**WHEREAS**, the Town Council finds that rezoning the above described property is consistent with the Town’s 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. REZONING APPROVED AND ZONING MAP IS AMENDED.**

**The property described in Section 2, above, is hereby rezoned and shall be shown as Planned Mixed Development District(PMDD) 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 and adoption by the Town Council and signature of the Mayor.

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF CINCO BAYOU, FLORIDA  
ON THIS 23rd DAY OF SEPTEMBER 2025.**

**ATTEST:**

**THE TOWN OF CINCO BAYOU, FLORIDA**

By: \_\_\_\_\_  
Keith Williams Manager/Town Clerk

By: \_\_\_\_\_  
Jean Hood, Mayor

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

By: \_\_\_\_\_  
C. Jeffrey McInnis, Esq.

First Reading: 09/11/2025

Second Reading: 09/23/2025