

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, TO AMEND CHAPTER 122 OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED "ZONING", ARTICLE IV ENTITLED "DISTRICTS", DIVISION 1 ENTITLED "GENERALLY", SECTION 122-93 ENTITLED "OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES." PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key West has historically maintained an Official Zoning Map for public and internal use; and

WHEREAS, Section 122-93(a) of the Code of Ordinance has established that the boundaries of the zoning districts, together with all explanatory statements thereon, are adopted and incorporated; and

WHEREAS, the Official Zoning Map was released for digital use in 2015; and

WHEREAS, the City initiated the proposed text amendment to introduce an image of the Official Zoning Map by embedding it into a relevant section of the Land Development Regulations; and

WHEREAS, the proposed text amendment provides public information and increases awareness and access to digital, higher resolution zoning district data through the City's ArcGIS Online public portal; and

WHEREAS, Section 86-4 of the City Code requires that City Land Development Regulations be amended as necessary to ensure

consistency with the City Comprehensive Plan; and

WHEREAS, the Planning Board held a noticed public hearing on June 15, 2023, where based on the consideration of recommendations by the city planner and other information, the Board recommended approval of the proposed amendments through Planning Board Resolution 2023-___; and

WHEREAS, the City Commission has also determined, in accordance with the criteria of Code Section 90-520(6) that the proposed amendments: are consistent with the Comprehensive Plan; in conformance with all applicable requirements of the Code of Ordinances; are stimulated by changed conditions after the effective date of the existing regulation; will promote land use compatibility; will not result in additional demand on public facilities; will have no impact on the natural environment; will not negatively impact property values or the general welfare; will result in more orderly and compatible land use patterns; and are in the public interest;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That Chapter 122 of the City of Key West Land Development Regulations, entitled "Zoning", Article IV, entitled "Districts", Division 1, entitled "Generally", Section 122-93, entitled "Official Zoning Map and District Boundaries.", is hereby amended as follows:

Sec. 122-93. - Official zoning map and district boundaries.

(a) *Map adoption.* The boundaries of each zoning district are on the official zoning map for the city, as illustrated by Figure 1 within this subpart (a). A digital version of the zoning district data may be accessed through the City's ArcGIS Online public portal. The boundaries of the districts, together with all explanatory statements thereon, are adopted and incorporated as a part of this subpart B. Pursuant to Laws of Fla. ch. 78-540, § 8, the city shall exercise extraterritorial zoning powers within an area extending 600 feet into the tidal waters adjacent to the corporate city limits. Accordingly, the official zoning map of the city shall apply a zoning classification of "conservation-outstanding waters of the state (C-OW)" district to the described tidal waters. These tidal waters are designated "conservation-outstanding waters of the state (C-OW)" on the future land use map and are part of the designated National Marine Sanctuary.

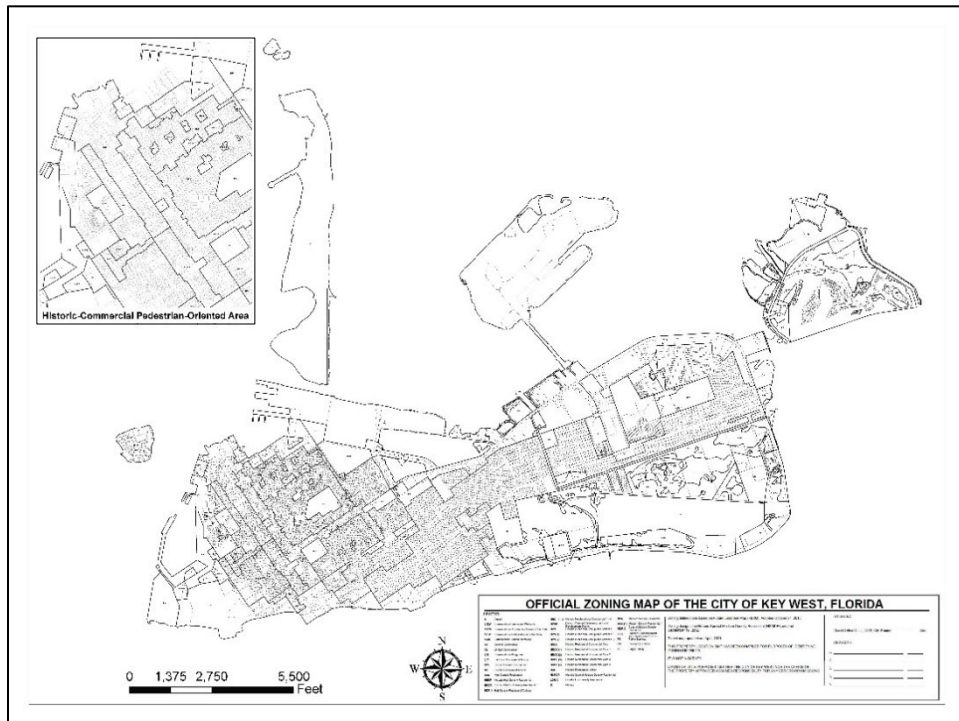


Figure 1

{ ... }

(Ord. No. 97-10, § 1(2-4.3), 7-3-1997)

*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

Section 3: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 4: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby

superseded to the extent of such conflict.

Section 5: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission and approval by the Florida Department of Economic Opportunity, pursuant to Chapter 380, Florida Statutes.

Read and passed on first reading at a regular meeting held this _____ day of _____, 2023.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2023.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2023.

Filed with the Clerk _____, 2023.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Lisette Carey	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK