



MEMORANDUM

Date: November 5, 2025

To: Honorable Mayor and Commissioners

Via: Brian L. Barroso
City Manager

From: Jim Singelyn
Acting Planning Director

Subject: **File 25-4272- Text Amendment of the Land Development Regulations** - An ordinance of the City of Key West, Florida, to amend Chapter 90 of the Land Development Regulations, entitled “Administration”, Section 90-301 entitled, “Enforcement Authority”; to clarify the enforcement authority of the Chief Building Official, the City Planner and the City Code Official, providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Introduction

The purpose of this ordinance is to amend the City of Key West Land Development Regulations to clarify the enforcement authority of the Chief Building Official and formally define the enforcement authority of the City Code Official. The proposed language was recommended to the City of Key West by the Monroe County Spring 2025 Term Grand Jury. City staff supports the proposed text amendment as provided in the accompanying resolution.

Analysis:

The Monroe County Grand Jury Spring 2025 Term provided the City of Key West with twenty-seven (27) recommendations in the final report entitled “*Unbuilding Trust: The Grand Jury’s Findings on Abuse of Power in Paradise*”. These recommendations identify various aspects of city government, including the City’s organizational structure, legislative, executive, and administrative aspects, the building permit process, and current and former City officials. The proposed text amendment addresses two of the twenty-seven recommendations, specifically recommendation #19 and recommendation #21.

The proposed text amendment removes language from the Code that states the Chief Building Official shall “*administer and enforce the land development regulations*”. This existing language has caused

discourse between City departments within recent years, and is not consistent with Florida Statute 468.604, which specifies, in part, that it is the responsibility of the building official to ensure compliance with the Florida Building Code and any applicable local technical amendments to the Florida Building Code. The proposed language will provide clarity to the Chief Building Official's role in relation to the Florida Building Code and specifies the need for other applicable City departments to review and inspect construction within the City of Key West in accordance with locally adopted land use, fire-prevention, landscaping, utility, roadway, and floodplain regulations.

In addition, the proposed text amendment introduces Section 90-301(c), which formally adopts the enforcement authority of the City Code Official. The proposed language promotes a collaborative environment with the Planning and Building Departments to ensure consistency and teamwork of enforcement of the Code of Ordinances.

Other Matters:

N/A

Options / Advantages / Disadvantages:

Option 1:

Approve the text amendment as recommended by the Planning Board through Resolution No. 2025-051

Option 2:

Deny the proposed text amendment.

Recommendation:

As per Planning Board Resolution No. 2025-050, the Planning Board recommended **Option 1** to the City Commission for the approval of the text amendment. Planning Department staff support Planning Board Resolution No. 2025-051 to approve.