

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES
ENTITLED "ADMINISTRATION" BY AMENDING SECTION
90-553 TO LIFT THE TWICE PER YEAR RESTRICTION
ON COMPREHENSIVE PLAN AMENDMENTS; PROVIDING
FOR REPEAL OF INCONSISTENT PROVISIONS;
PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 90-517 of the Code of Ordinances allows the City Commission to amend the text of the Land Development Regulations in accordance with certain procedures and criteria;

WHEREAS, pursuant to Section 90-522, the Planning Board held a noticed public hearing on April 23, 2012; where based on the consideration of recommendations of the City Planner, City Attorney, Building Official and other information recommended approval of the proposed amendments with modifications; and

WHEREAS, the City Commission held a noticed public hearing on _____ and a second public hearing on _____ and in its deliberations considered the criteria identified in Section 90-521 of the Code of Ordinances; and

WHEREAS, the City determined 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 90, Article VI. Amendments, of the Code of Ordinances is hereby amended as follows*:

Sec. 90-553 Initiation.

Pursuant to this division, site-specific comprehensive plan amendments may be proposed by the city commission, the planning board, the city manager or the owner of real property within the city affected by the proposed amendment or the agent of such owner. In addition to site-specific amendments, the city commission, the

*(Coding: Added language is underlined; deleted language is ~~struck through~~.)

planning board or city manager may initiate general amendments to the comprehensive plan. ~~Comprehensive plan amendments shall only occur two times each calendar year. The schedule for such amendments shall be established by resolution of the city commission.~~

Section 2: 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 3: 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 4: 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 State Land Planning Agency pursuant to Chapter 380, Florida Statutes.

Read and passed on first reading at a regular meeting held
this _____ day of _____, 2012.

Read and passed on final reading at a regular meeting held
this _____ day of _____, 2012.

Authenticated by the presiding officer and Clerk of the
Commission on _____ day of _____, 2012.

Filed with the Clerk _____, 2012.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK