

**PLANNING BOARD
RESOLUTION NO. 2021-40**

TEXT AMENDMENT OF THE COMPREHENSIVE PLAN
- A RESOLUTION OF THE CITY OF KEY WEST
PLANNING BOARD RECOMMENDING AN ORDINANCE
TO THE CITY COMMISSION TO COMPLY WITH
STATE OF FLORIDA STATUTE
163.3177(6)(i)1. BY CREATING A NEW
COMPREHENSIVE PLAN ELEMENT ENTITLED,
"CHAPTER 10, PROPERTY RIGHTS ELEMENT",
AND GOAL 10-1, OBJECTIVE 10-1.1, AND
POLICIES 10-1.1.1- 10-1.1.4; PURSUANT TO
CHAPTER 90, ARTICLE VI, DIVISION 3;
PROVIDING FOR TRANSMITTAL TO THE STATE
LAND PLANNING AGENCY; PROVIDING FOR THE
FILING WITH SECRETARY OF STATE; PROVIDING
FOR SEVERABILITY; PROVIDING FOR REPEAL
OF INCONSISTENT PROVISIONS; PROVIDING
FOR THE INCLUSION IN THE CITY OF KEY WEST
COMPREHENSIVE PLAN; AND PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, the State of Florida Statute 163.3177(6)(i)1. requires local governments to amend Comprehensive Plans to adopt a Property Rights Element; and

WHEREAS, this state regulation requires this new chapter/element to be approved for adoption prior to other Comprehensive Plan amendments; and

WHEREAS, by including this element the City affirms its support for the rights of all people to participate in planning decisions through transparency, predictability, and reliability; and

CWA Chairman

KPH Planning Director

WHEREAS, the planning board held a noticed public hearing on August 19, 2021, where based on the consideration of recommendations by the city planner, city attorney, and other information, the board recommended approval of the proposed amendments; and

WHEREAS, the planning board 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 RESOLVED, BY THE PLANNING BOARD OF THE CITY OF KEY WEST, FLORIDA:

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

WJH Chairman

KPH Planning Director

Section 2. That an ordinance to the City Commission amending the comprehensive plan to add a new element entitled "Chapter 10, Property Rights Element" ; providing for severability; providing for repeal of inconsistent provisions, providing for an effective date, is hereby recommended for approval. A copy of the draft ordinance is attached.

Section 3. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the city clerk.

Read and passed on first reading at a regular meeting held this 19th day of August, 2021.

Authenticated by the Chairman of the Planning Board and the Planning Director.



Sam Holland Jr., Planning Board Chairman



Date



Chairman



Planning Director

Attest:



Katie Halloran, Planning Director

aug 28, 2021
Date

Filed with the Clerk:



Cheryl Smith, City Clerk

8-30-21
Date



Chairman



Planning Director