

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING THE OFFICIAL ZONING MAP FROM HISTORIC MEDIUM DENSITY RESIDENTIAL (HMDR) TO HISTORIC NEIGHBORHOOD COMMERCIAL - OLD TOWN NORTHEAST AND SOUTHEAST (HNC-2) ON PROPERTY LOCATED AT 801-807 FLEMING STREET (RE # 00005930-000000; AK # 1006157) PURSUANT TO CHAPTER 90, ARTICLE VI, DIVISION 2 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West received a request to amend the City's Official Zoning Map, in order to change a portion of the Historic Medium Density Residential (HMDR) Zoning District to the Historic Neighborhood Commercial - Old Town Northeast and Southeast (HNC-2) Zoning District; and

WHEREAS, the Key West Planning Board, held a public hearing after due notice on May 21, 2015, and forwarded to the City Commission its recommendation concerning the proposed zoning map amendment, such amendment which is set forth in Exhibit "A"; and

WHEREAS, the City has prepared an amendment to the Official Zoning Map that considers the recommendations by staff, the public and the Planning Board; and

WHEREAS, the City Commission has properly advertised and held the required public hearings on the proposed zoning map amendment and has received public input; and

WHEREAS, the City Commission has determined that the proposed zoning map amendment is: consistent with the Comprehensive Plan; is in conformance with all applicable requirements of the Code of Ordinances; is not stimulated by changed conditions after the effective date of the existing Land Development Regulations; will promote land use compatibility; will not result in additional demand on public facilities and services; will have no impact on the natural environment; will not negatively affect property values in the area or the general welfare; will result in an orderly and compatible land use pattern; and is not in conflict with the public interest; and

WHEREAS, all statutory requirements with regard to the proposed zoning map amendment have been complied with.

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

Section 1: Pursuant to Chapter 163 of the Florida Statutes, the City Commission hereby declares its intent to exercise its authority to plan for the area within its jurisdiction as granted by the Act, and hereby amends the Official Zoning Map of the City of Key West, Florida for property located at 801-807 Fleming Street (RE # 00005930-000000; AK # 1006157) from Historic Medium Density Residential (HMDR) to Historic Neighborhood Commercial - Old Town Northeast and Southeast (HNC-2), as set forth in Exhibit "A."

Section 2: The amended Official Zoning Map is hereby found to be in conformance with the criteria set forth in section 90-521 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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 the 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.

(This area left intentionally blank.)

Read and passed on first reading at a regular meeting held  
this \_\_\_\_ day of \_\_\_\_\_, 2015.

Read and passed on final reading at a regular meeting held  
this \_\_\_\_ day of \_\_\_\_\_, 2015.

Authenticated by the presiding officer and Clerk of the  
Commission on \_\_\_\_ day of \_\_\_\_\_, 2015.

Filed with the Clerk on \_\_\_\_ day of \_\_\_\_\_, 2015.

Mayor Craig Cates \_\_\_\_\_

Vice Mayor Mark Rossi \_\_\_\_\_

Commissioner Teri Johnston \_\_\_\_\_

Commissioner Clayton Lopez \_\_\_\_\_

Commissioner Billy Wardlow \_\_\_\_\_

Commissioner Jimmy Weekley \_\_\_\_\_

Commissioner Tony Yaniz \_\_\_\_\_

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK

**EXHIBIT "A"**  
**OFFICIAL ZONING MAP AMENDMENT**

801-807 FLEMING STREET  
(RE # 00005930-000000; AK # 1006157)

