

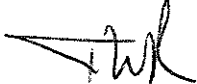
**PLANNING BOARD
RESOLUTION No. 2012-20**


**A RESOLUTION OF THE KEY WEST PLANNING BOARD
RECOMMENDING APPROVAL OF 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, the Planning Department initiated the proposed land development regulation amendment to be consistent with changes made to Chapter 163.3187 of the Florida Statutes (F.S.); and

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; and

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 by the City Planner, City Attorney, Building Official, and other information, the Planning Board recommended approval of the proposed amendments; and



Vice-Chairman


Planning Director

WHEREAS, in accordance with the requirements in Section 90-522, the Planning Board reviewed the proposed changes in the Land Development Regulations; and


WHEREAS, the Planning Board considered the proposed amendment with the Comprehensive Plan, requirements of the Code of Ordinances, how land use and development conditions have changed since the effective date of the existing regulations, land use compatibility, availability of adequate public facilities, impacts on the natural environment, economic effects, the promotion of orderly development, whether the proposed amendment is in the public interest, as well as other matters; and

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.

Section 2. That AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES ENTITLED "ADMINISTRATION" BY LIFTING THE TWICE PER YEAR RESTRICTION ON COMPREHENSIVE PLAN AMENDMENTS is hereby recommended for approval; a copy of the recommended modifications to the Code 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 Clerk of the Commission.



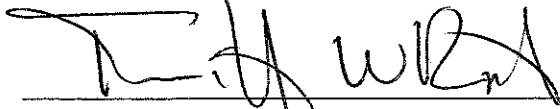
Vice-Chairman



Planning Director

Read and passed on first reading at a special meeting held this 23rd day of April 2012.

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



Timothy W. Root, Vice-Chairman
Key West Planning Board

Date

Attest:

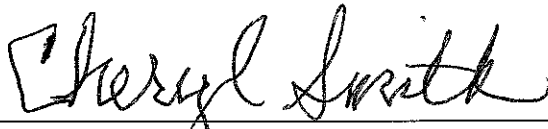


Donald Craig, AICP
Planning Director

4.25.12

Date

Filed with the Clerk:



Cheryl Smith, City Clerk

4-26-12

Date



Vice-Chairman



Planning Director

**Draft
Ordinance**

Handwritten initials
OC

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 _____; 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:

1

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

TWK
OC

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.

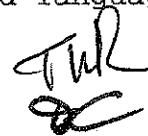
NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

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 planning board or city manager may initiate general amendments to the comprehensive plan. ~~Comprehensive plan amendments shall only~~

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

A handwritten signature in black ink, appearing to be 'TWR' with a flourish underneath.

~~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

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

*Feb
OC*

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

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

FW
OC