

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

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING THE BOUNDARIES OF THE OFFICIAL ZONING MAP CATEGORIES OF THE HISTORIC MEDIUM DENSITY RESIDENTIAL (HMDR) AND THE HISTORIC NEIGHBORHOOD COMMERCIAL DISTRICT (HNC-3) PURSUANT TO CHAPTER 90, ARTICLE VI, DIVISION 2 OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, pursuant to the provisions of Chapters 163, 166, and 380 of the Florida State Statutes, the City of Key West, Florida (the “City”) proposes to amend boundaries for the property at 318-324 Petronia Street (802-806 Whitehead Street ) (RE #00014010-000000) of the Land Development Regulations (the “LDRs”); and

**WHEREAS**, the applicant initiated the proposed zoning map amendment to change the zoning designation of the subject property to the adjacent Historic Neighborhood Commercial – 3 (HNC-3) zoning district; and

**WHEREAS**, the matter was presented to the Planning Board for approval at its regularly scheduled meeting held on January 16, 2020; and

**WHEREAS**, the Planning Board 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; was not stimulated by changed conditions after the effective date of the existing regulations; will promote land use compatibility; will not result in additional demand on public facilities; will have no impact on the built environment; will not negatively impact property values or the general welfare; will result in more orderly and compatible land use patterns; and is in the public interest; and

**WHEREAS**, the subject property was the recipient of a conditional use approval pursuant to Resolution No. 2011-059; and

**WHEREAS**, the zoning correction in no way alters the approvals, conditions or limitations of Resolution No. 2011-059.

**NOW, THEREFORE, BE IT ORDAINED BY 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 the Official Zoning Map of the City of Key West, Florida is hereby recommended for amendment for the property at 318-324 Petronia Street (802-806 Whitehead Street) (RE # 00014010-000000) from Historic Medium Density Residential (HMDR) to Historic Neighborhood Commercial – 3 (HNC-3), and will appear as follows:



**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 provision of this Ordinance shall be deemed severable therefrom and shall be constructed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

**Section 4.** 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 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 and approval by the Florida Department of Economic Opportunity, pursuant to Chapter 380, Florida Statutes.

Read and passed by the City Commission at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Read and passed on final reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Authenticated by the presiding officer and Clerk of the Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Filed with the Clerk \_\_\_\_\_, 2020.

Mayor Teri Johnston	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Vice Mayor Sam Kaufman	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

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TERI JOHNSTON, MAYOR

ATTEST:

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CHERYL SMITH, CITY CLERK