PLANNING BOARD
RESOLUTION No. 2012-46

A RESOLUTION OF THE KEY WEST PLANNING BOARD AMENDING PLANNING BOARD RESOLUTION 2012-38 RECOMMENDING AN ORDINANCE TO THE CITY COMMISSION INVOKING THE ZONING IN PROGRESS DOCTRINE; DECLARING THAT THE CITY IS CONSIDERING AMENDMENTS TO ITS LAND DEVELOPMENT REGULATIONS TO ADOPT CRITERIA PERMITTING AND REGULATING THE LOCATION OF PAIN MANAGEMENT CLINICS; DIRECTING BUILDING AND PLANNING DEPARTMENT STAFF TO DEFER THE ACCEPTANCE AND PROCESSING OF APPLICATIONS REQUIRING THE ISSUANCE OF PERMITTING THE LOCATION OF PAIN MANAGEMENT CLINICS; CONTINUING THIS POLICY UNTIL NEW PERMIT REGULATIONS OR AMENDED LAND DEVELOPMENT REGULATIONS ARE ADOPTED BY THE CITY COMMISSION OR UNTIL THE PASSAGE OF 180 DAYS FROM THE DATE OF THIS RESOLUTION, WHICHEVER OCCURS FIRST; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Key West Planning Board desires to review existing land development regulations (the "LDRs") to determine whether there is a need to adopt criteria permitting and regulating the location of pain management clinics within the City of Key West; and

WHEREAS, the Planning Board has directed planning staff to continue developing proposed criteria for City Commission review and adoption; and

RMK Chairman

DC Planning Director

WHEREAS, the City Planner began documented efforts concerning the subject on at least March 5, 2012; and

WHEREAS, the Planning Board wishes to definitively place all parties on notice that it is considering amending the LDRs and City Ordinances.

WHEREAS, the Planning Board approved a resolution invoking the Zoning in Progress Doctrine on August 30, 2012 through Resolution 2012-38; and

WHEREAS, the Planning Board wishes to amend Resolution 2012-38 recommending an Ordinance to the City Commission invoking the zoning in progress doctrine; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: **Zoning in Progress.** The City hereby recognizes that City planning and legal staff are preparing and processing ordinances (the "Pending Ordinances") that would adopt the Criteria. The Pending Ordinances, if adopted, will amend the City's LDRs. All affected property and business owners are placed on notice with respect to the Pending Ordinances and the action being taken by the appropriate departments within the City.

Section 2: That this policy shall be in effect until new land development regulations or

_____ Chairman

_____ Planning Director

amended land development regulations are adopted by the City Commission or until the passage of 180 days, whichever occurs first.

Section 3: **Public Notice.** The adoption of this Resolution shall be evidenced by placement of a notice in a newspaper of general circulation within the City, in accordance with Chapter 50, Florida Statutes, within two weeks after adoption of this Resolution. A copy of this Resolution shall also be posted at City Hall for the next one hundred and eighty (180) days.

Section 4: That this Resolution 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.

_____ Chairman

_____ Planning Director

Read and passed on first reading at a meeting held this 18TH Day of October, 2012.

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

10/23/2012

Richard Klitenick, Chairman — Date
Key West Planning Board

Attest:

10. 22. 12

Donald Leland Craig, AICP — Date
Planning Director

Filed with Clerk

Cheryl Smith 10-23-12

Cheryl Smith, City Clerk — Date

____ Chairman

____ Planning Director

PLANNING BOARD
RESOLUTION No. 2012-38

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD RECOMMENDING TO THE CITY COMMISSION THE INVOKING THE ZONING IN PROGRESS DOCTRINE; DECLARING THAT THE CITY IS CONSIDERING AMENDMENTS TO ITS LAND DEVELOPMENT REGULATIONS TO ADOPT CRITERIA PERMITTING AND REGULATING THE LOCATION OF PAIN MANAGEMENT CLINICS; DIRECTING BUILDING AND PLANNING DEPARTMENT STAFF TO DEFER THE ACCEPTANCE AND PROCESSING OF APPLICATIONS REQUIRING THE ISSUANCE OF PERMITTING THE LOCATION OF PAIN MANAGEMENT CLINICS; CONTINUING THIS POLICY UNTIL NEW PERMIT REGULATIONS OR AMENDED LAND DEVELOPMENT REGULATIONS ARE ADOPTED BY THE CITY COMMISSION OR UNTIL THE PASSAGE OF 180 DAYS FROM THE DATE OF THIS RESOLUTION, WHICHEVER OCCURS FIRST; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Key West Planning Board desires to review existing land development regulations (the "LDRs") to determine whether there is a need to adopt criteria permitting and regulating the location of pain management clinics within the City of Key West; and

WHEREAS, the Planning Board has directed planning staff to continue developing proposed criteria for City Commission review and adoption; and

WHEREAS, the City Planner began documented efforts concerning the subject on at least March 5, 2012; and

_____ Chairman

_____ Planning Director

Read and passed on first reading at a meeting held this 30TH Day of August, 2012.

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

9.6.12

Richard Klitenick, Chairman
Key West Planning Board

Date

Attest:

9.4.12

Donald Leland Craig, AICP
Planning Director

Date

Filed with Clerk

Cheryl Smith

9/6/12

Cheryl Smith, City Clerk

Date

_____ Chairman

_____ Planning Director