

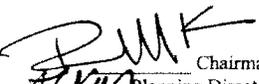
RESOLUTION NUMBER 2010-009

A RESOLUTION OF THE KEY WEST PLANNING BOARD RECOMENDING APPROVAL OF AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 122 OF THE CODE OF ORDINANCES ENTITLED "ZONING", ARTICLE V, SECTION SIX ENTITLED "TRANSIENT UNITS" BY AMENDING SECTION 122-1346 TO EXTEND THE SUNSET OF THE DIVISION FOR A PERIOD OF SIX MONTHS UNTIL NOVEMBER 15, 2010; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, City staff initiated amendments to the ordinance to extend the sunset date of the Transient Unit Ordinance; and

WHEREAS, the Planning Board held a noticed public hearing on March 11, 2010, where based on the consideration of recommendations by the city planner, city attorney, building official 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.


Chairman

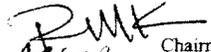
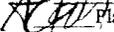
Planning Director

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 AMENDMENTS TO AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 122 OF THE CODE OF ORDINANCES ENTITLED "ZONING", ARTICLE V, SECTION SIX ENTITLED "TRANSIENT UNITS" BY AMENDING SECTION 122-1346 TO EXTEND THE SUNSET OF THE DIVISION FOR A PERIOD OF SIX MONTHS UNTIL NOVEMBER 15, 2010; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE are 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.


Chairman

Planning Director

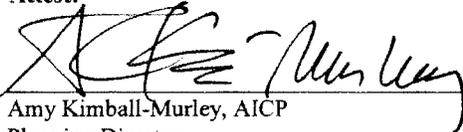
Read and passed at a regular meeting held this 11th day of March 2010.

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


Richard Klitenick, Chairman
Key West Planning Board

MARCH 14, 2010
Date

Attest:


Amy Kimball-Murley, AICP
Planning Director

March 15, 2010
Date

Filed with the Clerk:


Cheryl Smith, City Clerk

3-15-10
Date

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 122 OF THE CODE OF ORDINANCES ENTITLED "ZONING", ARTICLE V, SECTION SIX ENTITLED "TRANSIENT UNITS" BY AMENDING SECTION 122-1346 TO EXTEND THE SUNSET OF THE DIVISION FOR A PERIOD OF SIX MONTHS UNTIL NOVEMBER 15, 2010; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the transient transfer ordinance contained in the Code of Ordinance at sections 122-1336 through 122-1346 is set to expire on May 15, 2010; and

WHEREAS, the City Commission desires to extend the sunset date for a period of six months to allow the City Manger and his staff to present options regarding transient unit and license transfers to the Commission; and

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

Section 1: That section 122-1346 of the Code of Ordinances is hereby amended as follows*:

Sec. 122-1346. Sunset.

This division shall expire on May ~~November~~ 15, 2010.

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

*RMK
AKM*

through.)

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, adoption and authentication by the signature of the presiding officer and the Clerk of the Commission and is subject to all applicable time periods upon being rendered to the Florida Department of Community Affairs.

Read and passed on first reading at a regular meeting held this _____ day of _____, 2010.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2010.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2010.

*RMC
Allen*

Filed with the Clerk _____, 2010.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK

Rmk
Adm