

ORDINANCE NO. 17-6

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE III “DECISION-MAKING AND ADMINISTRATIVE BODIES”, DIVISION 4 “PLANNING AND DEVELOPMENT SERVICES DEPARTMENT”, SECTION 131 “POWERS AND DUTIES”, DIVISION 5 “DEVELOPMENT REVIEW COMMITTEE”; AMENDING ARTICLE IV “ADMINISTRATIVE PROCEDURES”, DIVISION 2 “DEVELOPMENT REVIEW PROCESS”, SECTION 30-215 “SITE PLAN REVIEW”, SECTION 30-216 “CONDITIONAL USES IN GENERAL”, SECTION 30-217 “MINOR CONDITIONAL USES”, SECTION 30-218 “MAJOR CONDITIONAL USE REVIEW”, SECTION 30-221 “VARIANCES IN GENERAL”, SECTION 30-222 “ADMINISTRATIVE VARIANCE REVIEW”, SECTION 30-223 “PROCEDURES FOR VARIANCES”, DIVISION 10 “PLATTING”, SECTION 30-433 “PRELIMINARY PLAT APPROVAL”, SECTION 30-434 “FINAL PLAT APPROVAL”, SECTION 30-435 “IMPROVEMENT GUARANTEES”, DIVISION 12 “TRANSFER OF DEVELOPMENT RIGHTS”, SECTION 30-504 “TRANSFER PROCEDURE”; AMENDING ARTICLE V, “SCHEDULE OF DISTRICT USE AND DEVELOPMENT STANDARDS,” DIVISION 3, “NONCONFORMITIES”, SECTION 30-731 “INTENT AND PURPOSE”, TABLE 30-215, TABLE 30-217, TABLE 30-218, TABLE 30-220, TABLE 30-222, AND TABLE 30-223 TO REMOVE ALL DUTIES, ACTIONS, AND REFERENCES TO THE DEVELOPMENT REVIEW COMMITTEE IN THE VILLAGE CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY

WHEREAS, Islamorada, Village of Islands, Florida (the “Village”) has adopted a comprehensive set of Land Development Regulations (the “LDRs”) to implement the Village Comprehensive Plan (the “Comprehensive Plan”); and

WHEREAS, the Director of Planning, at the direction of the Village Council of Islamorada, Village of Islands (the “Village”), has re-examined the role, duties, and actions performed by the Development Review Committee, and

WHEREAS, the Director of Planning provided information to the Local Planning Agency and the Village Council that the role, duties, and actions performed by the Development Review Committee as prescribed in the Code as part of the development review process are duplicative and redundant; and

WHEREAS, the Village Council, after reviewing the information provided by the Director of Planning, concurs with the findings that duties and actions performed by the Development Review Committee as prescribed in the Code as part of the development review process are duplicative and redundant; and

WHEREAS, the Village desires to provide a more streamlined and efficient development review process; and

WHEREAS, the Village seeks to eliminate the unnecessary duplication of Staff time and resources; and

WHEREAS, on March 13, 2017, the Local Planning Agency reviewed this Ordinance in accordance with the requirements of Chapter 163, Florida Statutes; and

WHEREAS, the provisions of this Ordinance are consistent with the Comprehensive Plan and the principles for guiding development in the Florida Keys Area of Critical State Concern.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true, correct and incorporated herein by this reference.

Section 2. **Decision-making and Administrative Bodies.** Chapter 30 “Land Development Regulations,” Article III, “Decision-making and Administrative Bodies” of the Village Code of Ordinances is hereby amended to read as follows:

* * * * *

Division 4. Planning and Development Services Department.

* * * * *

Section 30-131 Powers and Duties.

The Department of Planning and Development Services shall provide technical support and advice for the preparation and implementation of the comprehensive plan and the land development regulations (this chapter), and shall perform such other functions as requested by the Village Council or the Village Manager. In addition, the Director of Planning and Development Services or designee shall have the following duties:

- ~~(1) Chair the Development Review Committee and prepare a report of its review and recommendations to the Village Council.~~
- ~~(2)~~ Provide administrative interpretations of this chapter;
- ~~(3)~~ Provide nonconformity determinations, including expansions of nonconforming uses and structures through review and approval of minor conditional uses;
- ~~(4)~~ Review and approve administrative adjustments to this chapter;
- ~~(5)~~ Review and approve certificates of compliance;
- ~~(6)~~ Review and approve applications for temporary uses and special events;
- ~~(7)~~ Review and approve minor conditional uses;
- ~~(8)~~ Review and approve transfers of development rights;
- ~~(9)~~ Conduct pre-application conferences with applicants for development approval as necessary or appropriate; and
- ~~(10)~~ Maintain the official zoning map and the public records of the department of planning and development services.

~~DIVISION 5. -- DEVELOPMENT REVIEW COMMITTEE~~

~~Sec. 30-151. -- Purpose.~~

~~The purpose of the development review committee (DRC) is to facilitate communication between departments responsible for development review.~~

~~Sec. 30-152. -- Powers and duties.~~

~~The development review committee shall review all applications for site-specific development approval including, by way of illustration and not limitation, minor and major conditional use permits, plat approvals and amendments, variances, development of regional impact applications, rezonings, and any application for development approval if requested by the director of the department of planning and development services or the village manager. The DRC shall provide recommendations regarding the application subject to its review.~~

~~Sec. 30-153.— Membership; staff; chair.~~

~~The development review committee shall be composed of representatives of the village's department of planning and development services, the village attorney, fire department, sheriff's department, building department and public works department. The village manager may appoint other staff members to the DRC as necessary to carry out its duties and responsibilities. The director of the department of planning and development services shall serve as the chair of the DRC to preside over its meetings, shall document the proceedings and may request the participation of professional experts and a representative from an adjacent municipality or from a county, regional or state agency if the director determines that such entities can provide expertise concerning the proposed development.~~

~~Sec. 30-154.— Meetings and procedures.~~

- ~~(a) Regular meetings of the development review committee shall be held according to a schedule as established from time to time by the chair.~~
- ~~(b) The chair shall prepare written summaries that include the date, the members present and the recommendations of the committee.~~
- ~~(c) The applicant and its representatives may be invited by the chair to attend.~~
- ~~(d) The development review committee shall make its recommendations in writing.~~

Secs. 30-155—30-190. - Reserved.

* * * * *

Section 3. Administrative Procedures. Chapter 30, “Land Development Regulations,” Article IV, “Administrative Procedures,” is hereby amended to read as follows:

* * * * *

Division 2. Development Review Process.

* * * * *

Section 30-215. Site Plan Review.

* * * * *

- (d) The site plan shall be prepared by a professional architect, engineer, or landscape architect. The director or his designee shall initiate review of a site plan applications upon receipt of a complete application for compliance with this chapter. Concurrently, within thirty (30) days of a complete application representatives from Village departments responsible for reviewing land development proposals including but not limited to building, fire, sheriff, public works and utilities shall provide comments,

~~corrections or conditions to the applicant to determine compliance with the Code, and schedule the application on the agenda of the next available development review committee meeting consistent with the director's calendar. Data furnished in the application shall be to scale and shall include the following information, unless waived in writing by the director:~~

~~* * * * *~~

~~(e) The development review committee shall make a recommendation of approval, approval with conditions, or denial of the application based upon the standards in this chapter. The director shall advise the applicant of the development review committee's recommendation and any steps necessary to comply with this chapter and mail a copy of the recommendation to the applicant within 15 working days after the development review committee's meeting. An applicant shall be provided with three working days to satisfy any requirement without returning to a subsequent development review committee meeting.~~

~~(fe) Within 25 days of the development review committee recommendation, Based on compliance with this chapter and after review by responsible Village departments, the director shall approve, approve with conditions, or deny the site plan application.~~

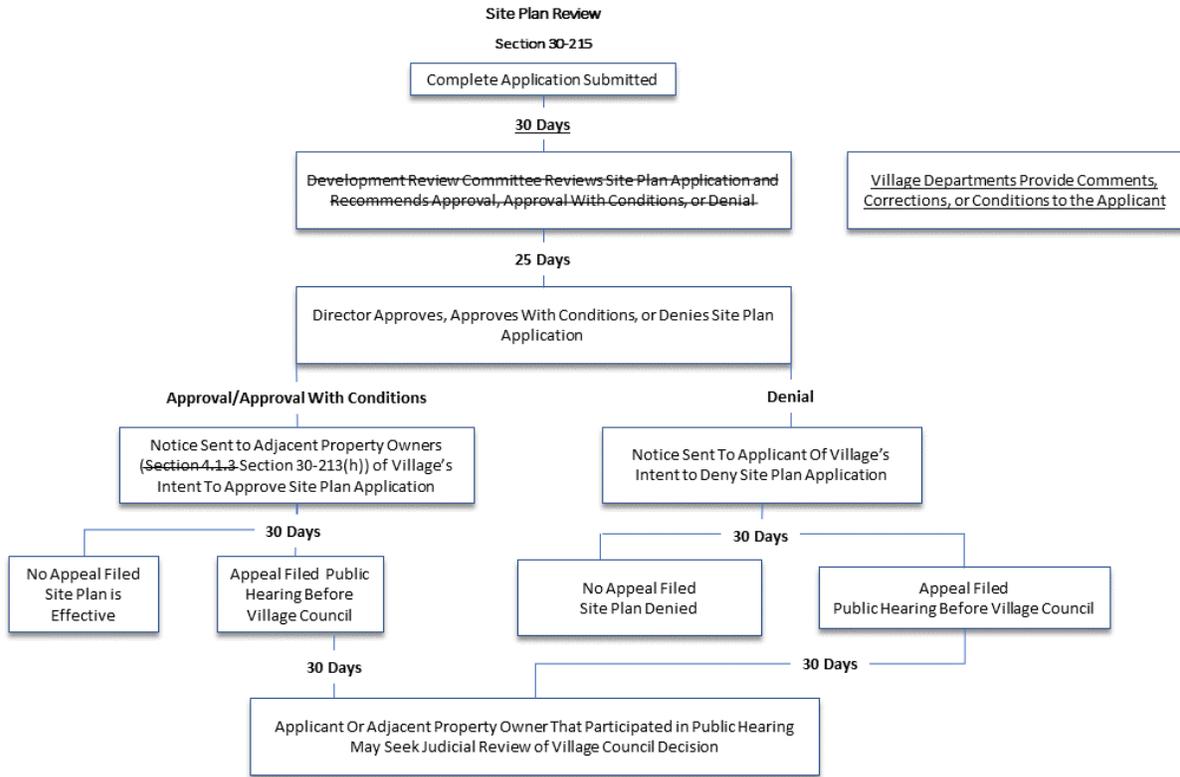
~~* * * * *~~

~~(gf) If a public hearing is requested, it shall be scheduled for the first available village council meeting upon completion of the planning and development services department review and evaluation of the application, and by the time the public notice requirements can be satisfied, or such time as is mutually agreed upon between the applicant and the director. The village shall be responsible for providing notice of the hearing in accordance with the provisions of Section 30-213(h). The village council shall conduct at least one public hearing on a weekday pursuant to the procedures in division 3 of this article.~~

~~(1) At the public hearing, the village council shall consider the application, the relevant support materials, the ~~development review committee's and~~ director's recommendation, and public testimony given at the hearing. If at any time during the public hearing the village council determines that the application is based upon incomplete or inaccurate information or misstatements of fact, it may deny the application or refer the application back to the ~~development review committee and~~ director for further review and revised recommendations.~~

~~(2) At the close of the public hearing, the village council by not less than a majority of a quorum present shall approve, approve with conditions, or deny the application by resolution, based on the standards in this chapter. The resolution shall be filed with the village clerk. Unless the resolution is appealed, within ten working days of the filing of the resolution with the village clerk, the village shall record a certified copy of the resolution in the public records of the county at the applicant's sole cost and expense.~~

~~* * * * *~~



* * * * *

Section 30-216. “Conditional Uses in General”

* * * * *

(c) The Director or his designee shall initiate review of a conditional use application upon receipt of a complete application for compliance with this chapter consistent with section 30-215(d) ~~and schedule the application on the agenda of the next available development review committee meeting consistent with the Director’s calendar.~~

* * * * *

(e) The Director, in accordance with the procedures, standards, and limitations of this chapter, shall approve, approve with conditions, or deny an application for a development permit for a minor conditional use after the review based on compliance with this chapter and after review by responsible Village departments and recommendation by the development review committee. ~~When approved, a minor conditional use shall be noted on the official zoning map.~~

(f) The Village Council, in accordance with the procedures, standards, and limitations of this chapter, shall approve, approve with conditions, or deny an application for a development permit of a major conditional use after the review by the director or his designee ~~and recommendation by the development review committee.~~ When approved, a major conditional use shall be noted on the official zoning map.

* * * * *

Section 30-217. Minor Conditional Uses.

(a) Only those uses that are authorized as minor conditional uses in Article V of this chapter (Schedule of District Use and Development Standards) may be approved as Minor Conditional Uses. The Designation of a use as a Minor Conditional Use does not constitute an authorization of such use or an assurance that such use will be approved under this chapter. Rather, each proposed Minor Conditional Use shall be evaluated by the Director of Planning and Development Services and ~~development review committee~~ for compliance with the standards and conditions set forth in this chapter.

~~(b) The development review committee shall make a recommendation to the director of approval, approval with conditions, or denial of the Minor Conditional Use application. The director shall advise the applicant of the development review committee's recommendation and any steps necessary to comply with this chapter and mail a copy of the recommendation to the applicant within 15 working days after the development review committee meeting. An applicant shall be provided three working days to satisfy any requirement without returning to a subsequent development review committee meeting.~~

(eb) Within 25 days of the development review committee's recommendation, Based on compliance with this chapter and after review by responsible Village departments, the director shall approve, approve with conditions, or deny the Minor Conditional Use application.

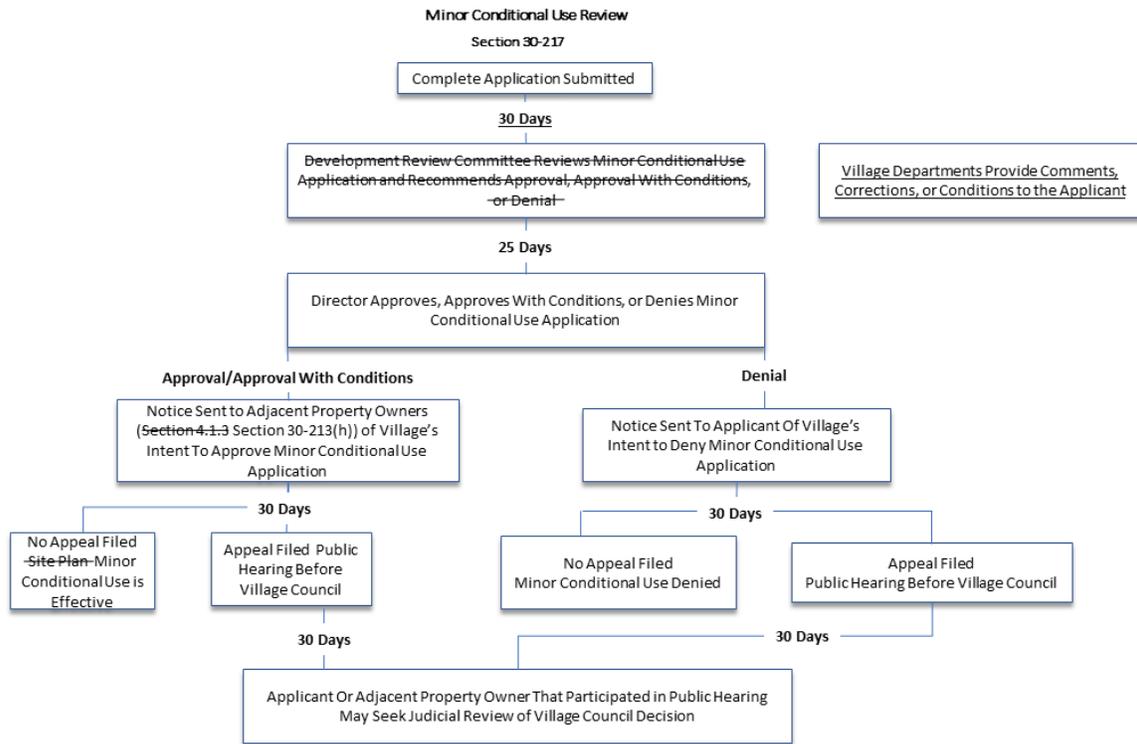
* * * * *

~~(dc)~~ If a public hearing is requested, it shall be scheduled for the first available village council meeting upon completion of the planning and development services department review and evaluation of the application, and by the time the public notice requirements can be satisfied, or such time as is mutually agreed upon between the applicant and the director. The village shall be responsible for providing notice of the public hearing in accordance with the provisions of section 30-213(h) at the sole cost and expense of the person requesting the public hearing. The village council shall conduct at least one public hearing on a weekday pursuant to the procedures in division 3 of this article.

(1) At the public hearing, the village council shall consider the application, the relevant support materials, the ~~development review committee's and~~ director's recommendations, and public testimony given at the hearing. If at any time during the public hearing the village council determines that the application is based upon incomplete or inaccurate information or misstatements of fact, it may deny the application or refer the application back to the ~~development review committee and~~ director for further review and revised recommendations.

(2) At the close of the public hearing, the village council by not less than a majority of a quorum present shall approve, approve with conditions, or deny the application by resolution, based on the standards in this chapter. The resolution shall be filed with the village clerk. Unless the resolution is appealed, ~~within ten working days of the filing of the resolution with the village clerk,~~ the village shall record a certified copy of the resolution in the public records of the county at its sole cost and expense within ten working days of a non-appealable final order.

* * * * *



Section 30-218. Major Conditional Use Review.

(a) Only those uses that are authorized as Major Conditional Uses in Article V of this chapter (Schedule of District Use and Development Standards) may be approved as Major Conditional Uses. The designation of a use as a Major Conditional Use in a zoning district does not constitute an authorization of such use or an assurance that such use will be approved under this chapter. Rather, each proposed Major Conditional Use shall be evaluated by ~~the development review committee~~, the Director of Planning and Development Services, and the Village Council for compliance with the standards set forth in this chapter.

~~(b) The development review committee shall make a recommendation to the director and village council of approval, approval with conditions or denial of the application. The director shall advise the applicant of the development review committee's recommendation and any steps necessary to comply with this chapter and mail a copy of the recommendation to the applicant within 15 working days after the development review committee meeting. An applicant shall be provided three working days after the development review committee's recommendation to satisfy any requirement without returning to a subsequent development review committee meeting. Upon forwarding of the application to the village council, a public hearing on the application shall be scheduled for the first available regularly scheduled village council meeting upon completion of the planning and development services department review and evaluation of the application, and by the time the public notice requirements can be satisfied, or such time as is~~

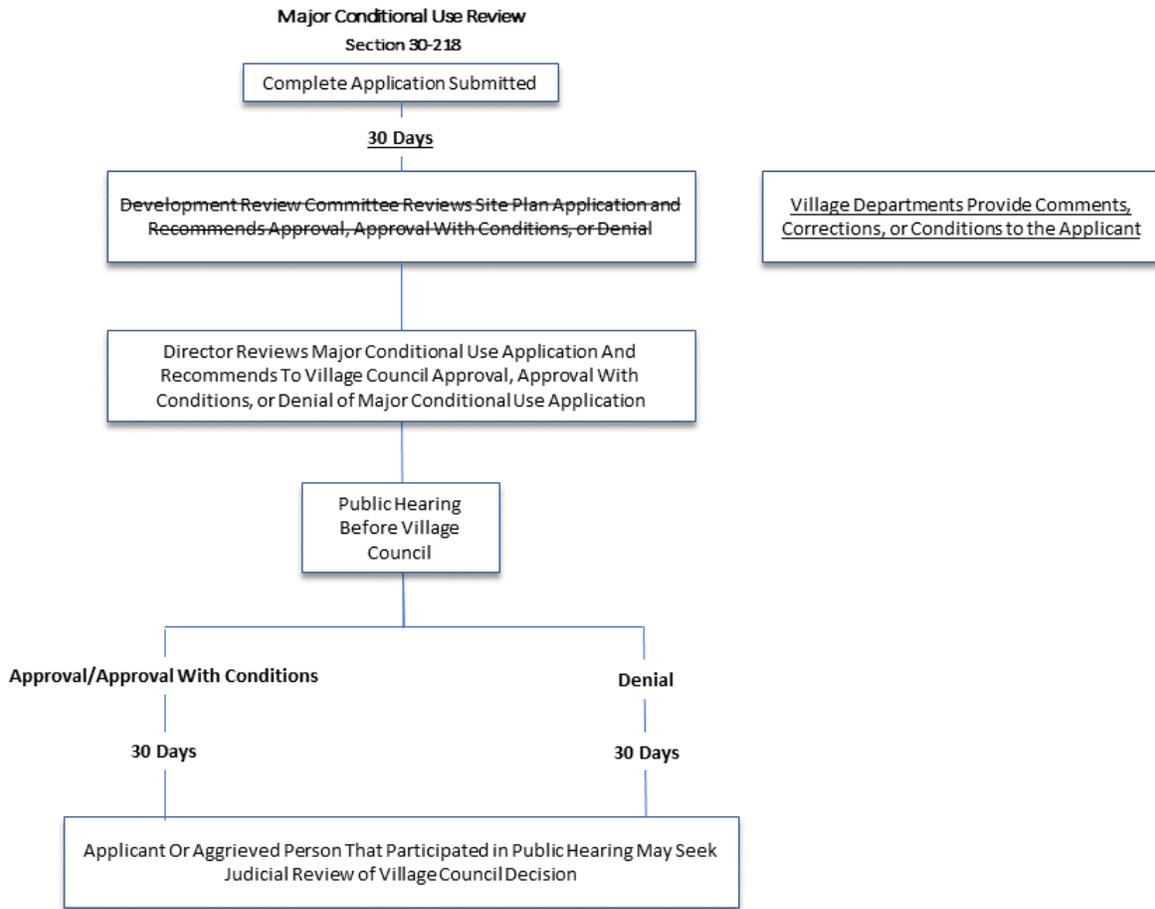
mutually agreed upon between the applicant and the director. The village shall be responsible for providing the notice required under section 30-213(i).

(c) The village council shall hold at least one public hearing on a weekday, pursuant to the procedures in division 3 of this article.

(1) At the public hearing, the Village Council shall consider the application, the relevant support materials, the ~~development review committee's~~ and Director's recommendation, and public testimony given at the hearing. If at any time during the public hearing the Village Council determines that the application is based upon incomplete or inaccurate information or misstatements of fact, it may deny the application or refer the application back to the ~~development review committee~~ Director for further review and revised recommendation.

(2) At the close of the public hearing, the village council by not less than a majority of a quorum present shall approve, approve with conditions, or deny the application by resolution based on the standards in this chapter. The resolution shall be filed with the village clerk. Unless the resolution has been appealed, ~~within ten working days of the filing of the resolution with the village clerk,~~ the village shall record a certified copy of the resolution in the public records of the county at the applicant's sole cost and expense within ten working days of a non-appealable final order.

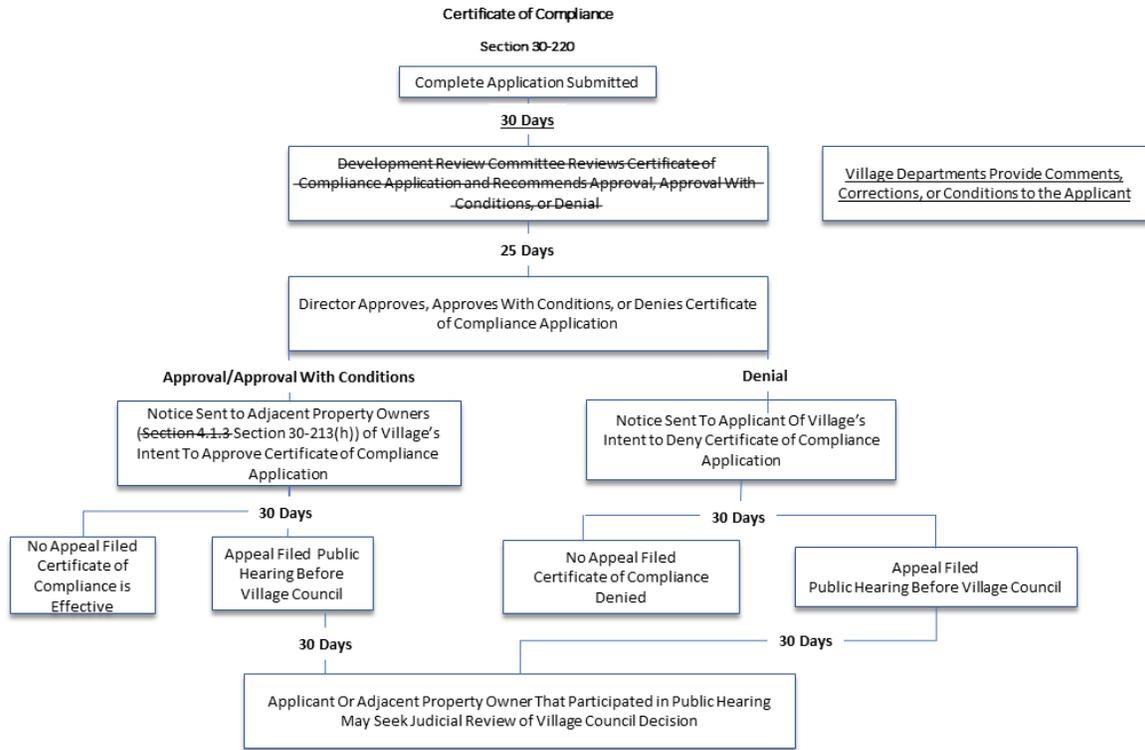
* * * * *



Section 330. Certificate of Compliance

* * * * *

* * * * *



* * * * *

Section 221. Variances in General.

* * * * *

(c) The Director shall initiate review of a variance application upon receipt of a complete application for compliance with this chapter. Concurrently, within thirty (30) days of a complete application representatives from Village departments responsible for reviewing land development proposals including but not limited to building, fire, sheriff, public works and utilities shall provide comments, corrections or conditions to the applicant to determine compliance. and schedule the application on the agenda of the next available development review committee meeting.

* * * * *

(e) The Director, in accordance with the procedures, standards, and limitations of this chapter, shall approve, approve with conditions, or deny an application for an administrative variance of up to 25 percent of the height, setbacks, parking, and loading requirements, and landscaping of this chapter, after the review and ~~recommendation by the development review committee~~ demonstrated compliance with the criteria established in subsection 30-221(d).

(f) The Village Council, in accordance with the procedures, standards, and limitations of this chapter, shall approve, approve with conditions, or deny an application for a variance after the review ~~and recommendation by the development review committee~~ the director. When approved, a variance shall be noted on the official zoning map.

* * * * *

Section 30-222. Administrative Variance Review.

~~_____ (a) The development review committee shall make a recommendation to the Director of approval, approval with conditions, or denial of the Administrative Variance application. The Director shall advise the applicant of the development review committee's recommendation and any steps necessary to comply with this chapter and mail a copy of the recommendation to the applicant within 15 working days after the development review committee meeting. An applicant shall be provided three working days to satisfy any requirement without returning to a subsequent development review committee meeting.~~

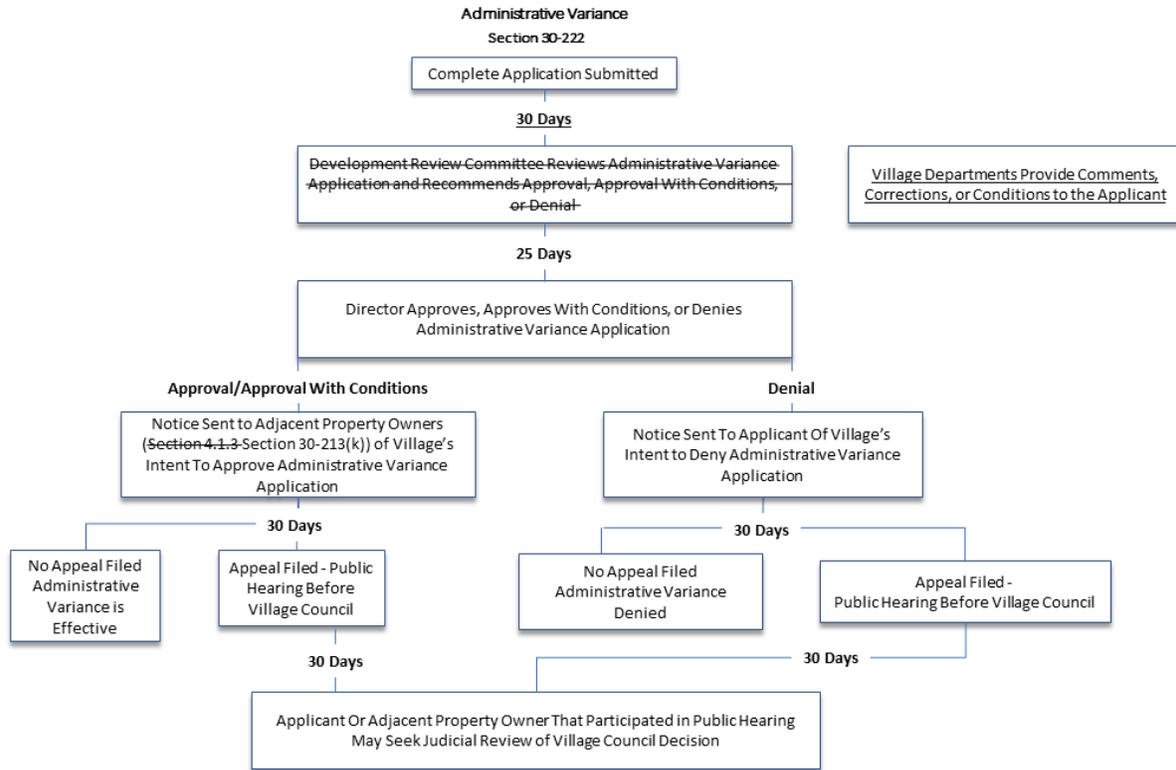
~~(b_a) Within 25 days of the development review committee's recommendation, Based on compliance with this chapter and after review by responsible Village departments, the Director shall approve, approve with conditions, or deny the Administrative Variance application.~~

* * * * *

(c) If a public hearing is requested, it shall be scheduled for the first available village council meeting upon completion of the planning and development services department review and evaluation of the application, and by the time the public notice requirements can be satisfied, or such time as is mutually agreed upon between the applicant and the director. The village shall be responsible for providing notice of the hearing in accordance with the provisions of section 30-213(k) at the sole cost and expense of the applicant. The village council shall conduct at least one public hearing on a weekday pursuant to the procedures in division 3 of this article.

(1) At the public hearing, the Village Council shall consider the application, the relevant support materials, ~~the development review committee's and~~ Director's recommendations, and public testimony given at the hearing. If at any time during the public hearing the Village Council determines that the application is based upon incomplete or inaccurate information or misstatements of fact, it may deny the application or refer the application back to the ~~development review committee and~~ Director for further review and revised recommendations.

* * * * *



* * * * *

Section 30-223. Procedures for Variances.

~~(a) The development review committee shall make a recommendation to the director and village council of approval, approval with conditions or denial of the variance application. The director shall advise the applicant of the development review committee's recommendation and any steps necessary to comply with this chapter and mail a copy of the recommendation to the applicant within 15 working days after the development review committee meeting. An applicant shall be provided three working days after the development review committee's recommendation to satisfy any requirement without returning to a subsequent development review committee meeting. Upon forwarding of the application to the village council, a public hearing on the application shall be scheduled for the first available village council meeting upon completion of the planning and development services department review and evaluation of the application, and by the time the public notice requirements can be satisfied, or such time as is mutually agreed upon between the applicant and the director. The village shall be responsible for providing the notice required under section 30-213(j).~~

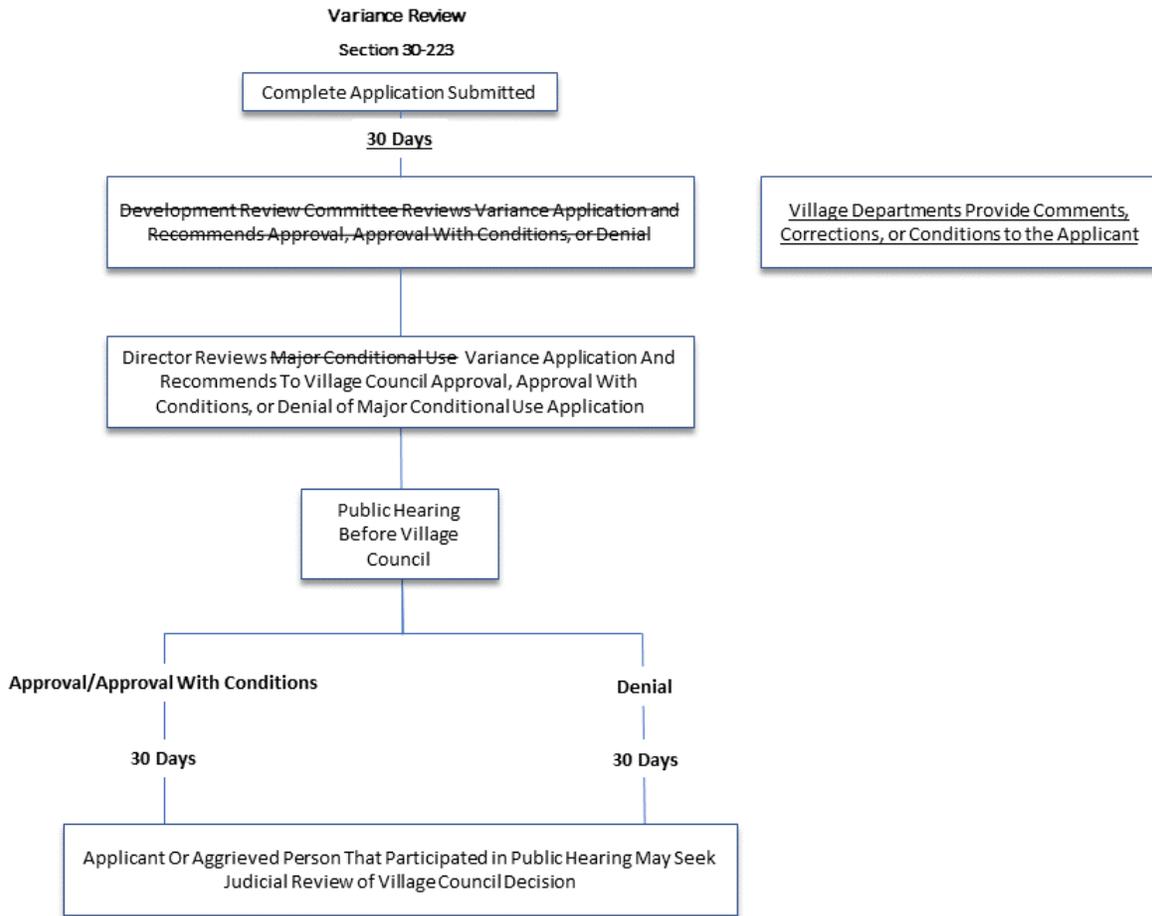
(b) The village council shall hold at least one public hearing on a weekday, pursuant to the procedures in division 3 of this article.

(1) At the public hearing, the village council shall consider the application, the relevant support materials, the ~~development review committee's and~~ director's recommendation, and public testimony given at the hearing. If at any time during the public hearing the village council determines that the application is based upon incomplete or inaccurate information or misstatements of fact, it may deny the application or refer the

application back to the ~~development review committee~~ or director for further review and revised recommendations.

(2) At the close of the public hearing, the village council by not less than a majority of a quorum present shall approve, approve with conditions, or deny the variance application by resolution based on the standards in this chapter. The resolution shall be filed with the village clerk. Unless the resolution has been appealed, ~~within ten working days of the filing of the resolution with the village clerk,~~ the village shall record a certified copy of the resolution in the public records of the county at the applicant's sole cost and expense within ten working days of a non-appealable final order.

* * * * *



* * * * *

Division 10. Platting.

* * * * *

Section 30-433. Preliminary Plat Approval.

* * * * *

(c) *Staff review.* After a determination that the application for Preliminary Plat Approval is complete, the Director of Planning and Development Services or his designee shall submit the application to the development review committee, which shall prepare a recommendation and report initiate a review of the application to determine compliance with this division and chapter. Concurrently, within thirty (30) days of a complete application, representatives from Village departments responsible for reviewing land development proposals including but not limited to building, fire, sheriff, public works and utilities shall provide comments, corrections or conditions to the applicant until compliance is demonstrated with the Code.

* * * * *

Section 30-434. Final Plat Approval.

* * * * *

(b) *Application.* It shall be the responsibility of the developer to complete, have in final form, and submit to the Director of Planning and Development Services or his designee for final processing the final plat, along with all final construction plans, required documents, exhibits, legal instruments to guarantee performance, certificates properly executed by all required agencies and parties as required in this article, and the recording fee, and any other documents or information as are required by the Director of Planning and Development Services. After receipt of a complete application for Final Plat approval, the Director of Planning and Development Services shall initiate a review of the application to determine compliance with this division and chapter ~~submit the application and accompanying documents as appropriate to the development review committee.~~

(c) *Review and Action by ~~Development Review Committee Staff.~~* The Director of Planning and Development Services or his designee ~~development review committee~~ shall review all applications for Final Plat approval involving five or more lots of or five or more acres. ~~If the plat conforms to the approved preliminary plat and the substantive and procedural requirements of this chapter, at its next regular meeting or as soon as practical after the receipt of a complete application, the development review committee~~ director shall recommend to the Village Council approval of the Final Plat or approval with conditions. ~~If the committee~~ the director finds that the plat does not substantially conform to the approved preliminary plat or the substantive and procedural requirements of this chapter, ~~the committee~~ the director shall recommend denial, specifying the areas of nonconformity.

* * * * *

(f) *Action by Village Council.* For proposed subdivisions involving five or more lots or five or more acres, the Village Council shall review the application, the recommendations of the ~~development review committee~~ director, and the testimony at the public hearing, and shall grant final plat approval, grant approval subject to specified conditions, or deny the application.

* * * * *

Section 30-435. Improvement Guarantees.

* * * * *

(b) *Guarantee amount.* The amount of the improvement guarantee shall cover all construction costs, the owner's engineering and platting costs, the Village's engineering and inspection costs, and pre-acceptance maintenance costs. The costs may be reviewed periodically for accuracy and are subject to adjustment upward or downward by the Director of Planning and Development Services based on existing economic conditions at the time of review ~~and on the recommendation of the development review committee.~~ The estimated cost of the water

distribution network and main extensions shall be determined by the Florida Keys Aqueduct Authority (FKAA) after review and approval of the water distribution system. The cost may be estimated by the developer's engineer, but in such event shall be subject to review, revision if necessary, and approval by the FKAA. The guarantee shall be in the following minimum amounts unless the owner can show that certain of the costs have already been paid:

* * * * *

Division 12. Transfer of Development Rights.

* * * * *

Section 30-504. Transfer Procedure.

* * * * *

(f) After receipt of a complete application for transfer of development rights, the Director of Planning and Development Services shall initiate a review of the application to determine compliance with this division and chapter. ~~the review and recommendation by the development review committee (DRC),~~ The Director of Planning and Development Services and/or the Village Council, in accordance with the procedures, standards, and limitations of this chapter, shall approve, approve with conditions, or deny an application for Transfer of Development Rights (TDRs).

* * * * *

Section 4. Schedule of District Use and Development Standards. Chapter 30, "Land Development Regulations," Article V, "Schedule of District Use and Development Standards," Division 3, "Nonconformities," is hereby amended as follows:

* * * * *

Section 30-731. Intent and purpose.

* * * * *

(2) The Village's intent is to avoid undue hardship for property owners. Therefore, nothing in this chapter shall be deemed to require a change in the plans, construction, or designated use of any building or property which was lawful prior to the effective date of the regulations in this chapter. If a building or property could not have been legally issued a building permit at the time of its construction pursuant to the regulations in effect at the time of the construction, then nothing in this division shall now render such building or construction lawful. In addition, nothing in this chapter shall be deemed to require a change in the plans, construction, or designated use of any property for which a site plan or conditional use was lawfully approved prior to the effective date of adoption or amendment of the regulations in this chapter, if such approval has not yet expired. Any such approved plan or use may be amended by approval of ~~the development review committee~~ the Director, provided the degree of nonconformity with this chapter is not increased.

* * * * *

Section 5. Repeal of Conflicting Provisions. The provisions of the Code and all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. **Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7. **Inclusion in the Code.** It is the intention of the Village Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Islamorada, Village of Islands, Florida, that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions, and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

Section 8. **Transmittal to the State Department of Economic Opportunity.** The provisions of this Ordinance constitute a “land development regulation” as State law defines that term. Accordingly, the Village Clerk is authorized to forward a copy of this Ordinance to the State Department of Economic Opportunity for approval pursuant to Sections 380.05(6) and (11), Florida Statutes.

Section 9. **Effective Date.** This Ordinance shall not become effective until approved pursuant to final order issued by the State Department of Economic Opportunity pursuant to Chapter 380, Florida Statutes or if the final order is challenged, until the challenge to the order is resolved pursuant to Chapter 120, Florida Statutes.

The foregoing Ordinance was offered by Vice Mayor Chris Sante, who moved its adoption on first reading. This motion was seconded by Councilwoman Deb Gillis, and upon being put to a vote, the vote was as follows:

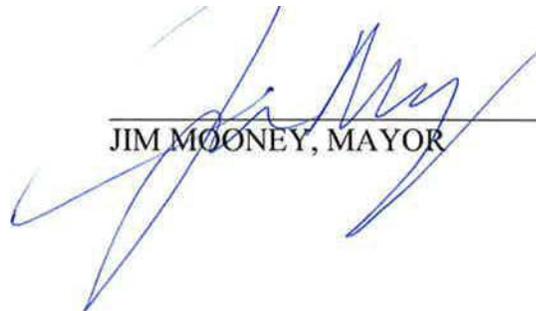
Mayor Jim Mooney	YES
Vice Mayor Chris Sante	YES
Councilman Mike Forster	YES
Councilwoman Deb Gillis	YES
Councilwoman Cheryl Meads	YES

PASSED on first reading this 30th day of March, 2017.

The foregoing Ordinance was offered by Vice Mayor Chris Sante, who moved for its adoption. This motion was seconded by Councilman Mike Forster, and upon being put to a vote, the vote was as follows:

Mayor Jim Mooney	YES
Vice Mayor Chris Sante	YES
Councilman Mike Forster	YES
Councilwoman Deb Gillis	YES
Councilwoman Cheryl Meads	YES

PASSED AND ADOPTED on second reading this 20th day of **April** 2017.



JIM MOONEY, MAYOR

ATTEST:



KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS ONLY



ROGET V. BRYAN, VILLAGE ATTORNEY