

ORDINANCE NO: 16-16

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 "LAND DEVELOPMENT REGULATIONS," ARTICLE V "SCHEDULE OF DISTRICT USE AND DEVELOPMENT STANDARDS," DIVISION 2 "ZONING DISTRICTS" SECTION 30-683 "RESIDENTIAL ESTATE (RE) ZONING DISTRICT"; SECTION 30-686 "RESIDENTIAL DUPLEX (R2) ZONING DISTRICT"; SECTION 30-687 "RESIDENTIAL TRIPLEX (R3) ZONING DISTRICT"; SECTION 30-688 "RESIDENTIAL FOURPLEX (R4) ZONING DISTRICT"; SECTION 30-689 "MULTIFAMILY (MF) ZONING DISTRICT"; SECTION 30-691 "SETTLERS RESIDENTIAL (SR) ZONING DISTRICT"; AND SECTION 30-692 "VILLAGE CENTER (VC) ZONING DISTRICT" TO REVISE THE MINIMUM REQUIRED PARKING SPACES PER DWELLING UNIT IN EACH ZONING DISTRICT; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

WHEREAS, the Comprehensive Plan of Islamorada, Village of Islands (the "Village") states that the Village shall designate adequate housing sites for all residents of Islamorada including affordable housing; and

WHEREAS, on January 24, 2002, the Village Council of Islamorada, Village of Islands (the "Village Council") adopted Ordinance No. 02-10, which established the Off-Street Parking, Loading and Driveway Standards within Chapter 30, Article V, Division 7 (the "Parking Standards") of the Code of Ordinances (the "Code") of Islamorada, Village of Islands, Florida (the "Village"); and

WHEREAS, the Village’s Parking Standards were previously amended by Ordinance Nos. 02-29, 05-20, 09-01, 10-01, 12-05, and 13-08; and

WHEREAS, the Village Council amended the regulations for the required minimum number of parking spaces for multifamily dwelling units pursuant to Ordinance 16-10; and

WHEREAS, the Village Council wishes to clarify the minimum required parking spaces in each zoning district; and

WHEREAS, the Village Local Planning Agency reviewed this Ordinance on July 11, 2016 in accordance with the requirements of Chapter 163, Florida Statutes; and

WHEREAS, the provisions of this Ordinance are consistent with the Village Comprehensive Plan and the Principles for Guiding Development in the Florida Keys Area of Critical State Concern; and

WHEREAS, the Village Council finds that the provisions of this Ordinance are intended to advance the public health, safety, and welfare of the citizens of the Village.

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. **Zoning Districts.** Chapter 30 “Land Development Regulations,” Article II “Schedule of District Use and Development Standards,” Division 2 “Zoning Districts” of the Code is hereby amended to read as follows:

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Section 30-683. Residential Estate (RE) Zoning District.

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(e) Site development standards.

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(9) Parking requirements: ~~Two spaces per single family dwelling unit or 1.5 spaces per dwelling unit for multifamily development.~~ See division 7 of this article.

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Section 30-684. Residential single-family (R1) and (R1M) Zoning District.

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(e) Site development standards.

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(9) Parking requirements: ~~Two spaces per dwelling unit or one and one-half spaces per each attached affordable housing unit.~~ See division 7 of this article.

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Section 30-686. Residential Duplex (R2) Zoning District.

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(e) Site development standards.

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(9) Parking requirements: ~~Two spaces per single family dwelling unit or 1.5 spaces per duplex dwelling unit.~~ See division 7 of this article.

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Section 30-687. Residential Triplex (R3) Zoning District.

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(e) Site development standards.

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(9) Parking requirements: ~~1.5 spaces per dwelling unit.~~ See division 7 of this article.

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Section 30-688. Residential Fourplex (R4) Zoning District.

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(e) Site development standards.

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(9) Parking requirements: ~~1.5 spaces per dwelling unit.~~ See division 7 of this article.

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Section 30-689. Multifamily (MF) Zoning District.

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(e) Site development standards.

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(9) Parking requirements: ~~Two spaces per single family dwelling unit or 1.5 spaces per dwelling unit for multifamily development.~~ See division 7 of this article.

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Section 30-691. Settlers Residential (SR) Zoning District.

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(e) Site development standards.

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(9) Parking requirements: ~~Two spaces per single family dwelling unit or 1.5 spaces per dwelling unit for multifamily development.~~ See division 7 of this article.

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Section 30-692. Village Center (VC) Zoning District.

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(e) Site development standards.

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(9) Parking requirements: See division 7 of this article.

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Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance is 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 4. 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 5. 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 a part of the Code; that the sections of this 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 6. Transmittal to the Florida 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 Florida Department of Economic Opportunity ("DEO") for approval pursuant to Sections 380.05(6) and (11), Florida Statutes.

Section 7. Effective Date. This Ordinance shall not be effective until approved pursuant to a final order by DEO, pursuant to Chapter 380.05, 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 Councilman Chris Sante, who moved for its adoption on first reading. This motion was seconded by Councilman Dennis Ward, and upon being put to a vote, the vote was as follows:

Mayor Deb Gillis	YES
Vice Mayor Jim Mooney	YES
Councilman Mike Forster	YES
Councilman Chris Sante	YES
Councilman Dennis Ward	YES

PASSED on the first reading this 21st day of July, 2016.

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

Mayor Deb Gillis	YES
Vice Mayor Jim Mooney	YES
Councilman Mike Forster	YES
Councilman Chris Sante	YES
Councilman Dennis Ward	ABSENT

PASSED AND ADOPTED on the second reading this 11th day of August, 2016.



DEB GILLIS, 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