

ORDINANCE 2012-29

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING CHAPTER 158, ZONING CODE, OF THE CODE OF ORDINANCES FOR THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING SECTION 158.007(A), ZONING MAP ADOPTED, INTERPRETATION; ADOPTING REVISIONS TO THE ZONING MAP AND MAP LEGEND TO REFLECT THE NEW ZONING DISTRICT NAMES FOR THE PLANNED DEVELOPMENT (PD), GULF PLANNED DEVELOPMENT (GPD), AND NEGOTIATED PLANNED DEVELOPMENT (NPD); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Community Planning Act (Sections 163.3161 through 163.32466, Florida Statutes), authorizes and requires the Town of Longboat Key to adopt and amend a Comprehensive Plan in accordance with the Act; and

WHEREAS, pursuant to the Community Planning Act, the Code for the Town of Longboat Key, Chapter 32, designates the Town of Longboat Key Planning and Zoning Board as the local planning agency, responsible for the preparation of the local Comprehensive Plan and amendments thereto; and

WHEREAS, the Town adopted Ordinance 2011-28 amending Policy 1.1.10, Table 1, and the Future Land Use Map of the Future Land Use Element of the Town of Longboat Key Comprehensive Plan, which in part renamed the Planned Development (PD), Gulf Planned Development (GPD), and Negotiated Planned Development (NPD) future land use designations as Mixed Use Community - Bay Isles (MUC-1), Mixed Use Community - Islandside (MUC-2), and Mixed Use Community - Water Club/Promenade (MUC-3), respectively; and

WHEREAS, the Town administratively revised the Zoning Map and legend to reflect the new names and be consistent with the renamed Future Land Use designations in the Comprehensive Plan; and

WHEREAS, the Town now wishes to formally adopt the revised Zoning Map and map legend; and

WHEREAS, the Town wishes to amend Section 158.007 of the Zoning Code to reflect the ordinance adopting the most current Zoning Map; and

WHEREAS, the Planning and Zoning Official has, in a timely fashion, accepted the application to amend the Zoning Map and referred the same to the Planning and Zoning Board along with the required documentation and staff recommendations; and

WHEREAS, the Town of Longboat Key Planning and Zoning Board, after due public notice, held a public hearing on November 20, 2012, concerning the requested revised Zoning Map and legend; and

WHEREAS, following the public hearing before the Planning and Zoning Board, the Board recommended approval of the requested change of zoning and revised Zoning Map and legend, forwarding the same to the Town Commission for their review and approval; and

WHEREAS, the Town Commission of the Town of Longboat Key, after due public notice, held a public hearing on XX XX, 2012, on the proposed changes to the Zoning Map and legend as recommended by the Planning and Zoning Board; and

WHEREAS, the proposed Zoning Map and legend are consistent with the Town's Comprehensive Plan Future Land Use Map; and

WHEREAS, the Town Commission of the Town of Longboat Key finds that the proposed Zoning Map and legend are in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The Whereas clauses set forth above are hereby adopted as findings by the Town Commission for the adoption of this Ordinance.

SECTION 2. Chapter 158, Section 158.007(A), is hereby amended as follows to adopt a new 'Official Zoning Map' (Appendix 'A') by updating the reference to the adopting Ordinance:

"The official zoning map of the town is hereby divided into zones or districts as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter. The Official Zoning Map shall be identified by the signature of the mayor, and attested by the town clerk, and bearing the seal of the town under the following words: It shall state "This is to certify that this is the Official Zoning Map referred to in Ordinance No. 05-13 of the Town of Longboat Key, Florida." and shall state the date of the certification and bear the seal of the town."

SECTION 3. The Town of Longboat Key Zoning Map and legend is hereby amended, as depicted on Exhibit "A" attached hereto.

SECTION 4. The legend of the Town of Longboat Key Zoning Map is hereby amended to change the names of the Planned Development (PD), Gulf Planned Development (GPD), and Negotiated Planned Development (NPD) zoning districts to

Mixed Use Community - Bay Isles (MUC-1), Mixed Use Community - Islandside (MUC-2), and Mixed Use Community - Water Club/Promenade (MUC-3), respectively, as depicted on Exhibit "A" attached hereto by reference, and to change the names on the Zoning Map, accordingly.

SECTION 5. If any section, subsection, sentence, clause or provision of this Ordinance is held to be invalid or ineffective, except for the recording requirement in Section 7, the validity of the remaining portions of this Ordinance shall not be affected.

SECTION 6. All ordinances and parts of ordinances in conflict herewith shall be deemed repealed.

SECTION 7. This Ordinance shall become effective as provided for by law.

SECTION 8. This Ordinance shall be recorded in the Official Records of Manatee County.

Passed and adopted on the first reading and public hearing this ____ day of _____, 2012.

James L. Brown, Mayor

ATTEST:

Trish Granger, Town Clerk

Attachments:

Exhibit "A": Revised Zoning Map