

ORDINANCE NO. 24-16

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF TY HARRIS PA AGENT FOR SOJOURN SOUTH LLC, TO AMEND THE VILLAGE'S FUTURE LAND USE MAP FROM CONSERVATION (C) TO MIXED USE (MU) FOR THE SUBJECT PROPERTY, LOCATED ON LOWER MATECUMBE KEY, WITH REAL ESTATE NUMBER 00394480-000108 AND TO ESTABLISH A NEW SUB-AREA POLICY UNDER OBJECTIVE 1-2.11, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

WHEREAS, the Official Future Land Use Map of Islamorada, Village of Islands (the "Village") became effective April 30, 2002; and

WHEREAS, the applicant, Sojourn South LLC, has requested an official Future Land Use Map amendment from Conservation (C) to Mixed Use (MU) for a parcel consisting of approximately 1.74 acres of land, with Real Estate number 00394480-000108, as legally described below; and

WHEREAS, pursuant to Section 166.041, Florida Statutes and Sections 30-101 and 30-213 of the Village Code of Ordinances (the "Code"), the Village Local Planning Agency publicly considered the Future Land Use Map Amendment during a duly noticed public hearing held on May 13, 2024; and

WHEREAS, the Local Planning Agency and Village Council desire to also create a new Policy 1-2.11.6: Lower Matecumbe Mixed Use Area 1 (LMMUA1): The Future Land use Map designation on the subject property shall be LMMUA1 and shall be limited to the following uses:

1. Docking, loading, and unloading of commercial fishing vessels;

2. Manufacture, assembly, repair, maintenance and storage of commercial fishing traps and nets; and
3. Uses and structures accessory to commercial fishing, such as bait fish tanks.
4. Docking Facilities for Commercial Fishing

All other uses allowed in the Mixed Use FLUM will be specifically excluded; and

WHEREAS, in accordance with Section 166.041, Florida Statutes, and Section 30-213 of the Village Code, notice of the public hearings has been given for the proposed adoption of this Ordinance; and

WHEREAS, the Village Council of Islamorada, Village of Islands (the "Village Council") finds that the adoption of the Official Future Land Use Map Amendment is in the best interest of the Village and does comply with all applicable laws, as well as promotes the general health, safety, and welfare of the Village residents; and

WHEREAS, the Village Council has determined that the proposed Future Land Use Map Amendment is consistent with the Village Comprehensive Plan; and

WHEREAS, the Village Council desires to adopt the proposed Future Land Use Map Amendment in accordance with State law.

**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 and correct and incorporated herein by this reference.

Section 2. Approval/Denial of Future Land Use Map Amendment. The Official Future Land Use Map Amendment is hereby **approved** as part of the Official Future Land Use Map of the Village. A

copy of the Official Future Land Use Map Amendment is attached as Exhibit "A" and incorporated herein by this reference, for the following described property:

**MATECUMBE SANDY BEACH PB3-127 LOWER MATECUMBE KEY PT TRACT 5 (2.85AC)
OR879-1294 OR987-44/51 OR1035-245/46 OR1373-488/89 OR1421-1671/74 OR1480-
554/63 OR1485-1528/32 OR1489-2297/98 OR1502-1514 OR3224-2428**

Section 3. Transmittal. The Village Clerk is hereby authorized to forward a copy of this Ordinance to the State Department of Commerce ("Commerce") for approval in accordance with Section 380.05(6), Florida Statutes.

Section 4. Effective Date. This Ordinance shall not become effective until approved pursuant to Final Order by the Florida Department of Commerce (Commerce) pursuant to Section 163.3184, Florida Statutes or if the Final Order is challenged, until the challenge to the order is resolved pursuant to Chapter 380.05, Florida Statutes.

The foregoing Ordinance was offered by Councilmember Gregg, who moved for its adoption on first reading. This motion was seconded by Vice Mayor Mahoney, and upon being put to a vote, the vote was as follows:

Mayor Joseph B. Pinder III	Yes
Vice Mayor Sharon Mahoney	Yes
Councilman Mark Gregg	Yes
Councilwoman Elizabeth Jolin	Yes
Councilman Henry Rosenthal	Yes

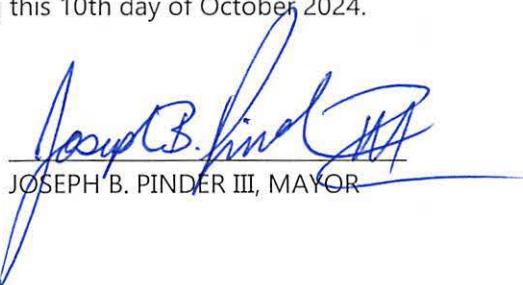
PASSED on the first reading this 13th day of June 2024.

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

Mayor Joseph B. Pinder III	YES
Vice Mayor Sharon Mahoney	YES
Councilman Mark Gregg	YES
Councilwoman Elizabeth Jolin	NO
Councilman Henry Rosenthal	NO

PASSED AND ADOPTED on the second reading this 10th day of October 2024.



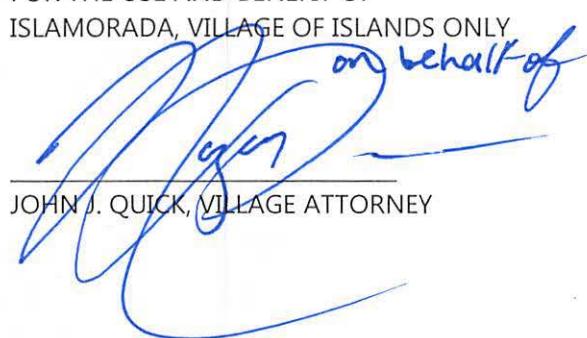
JOSEPH B. PINDER III, MAYOR

ATTEST:



Stephanie Crude
MARNE MCGRATH, VILLAGE CLERK

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



on behalf of
JOHN J. QUICK, VILLAGE ATTORNEY

EXHIBIT "A"

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