

ORDINANCE NO. 25-04

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF WINDLEY COVE, LLC, TO AMEND THE VILLAGE'S FUTURE LAND USE MAP FROM RESIDENTIAL MEDIUM (RM) TO MIXED USE (MU) FOR THE SUBJECT PROPERTY, LOCATED ON WINDLEY KEY, WITH REAL ESTATE NUMBER 00405350-000000, AS LEGALLY DESCRIBED HEREIN AND TO ALLOW THE PARCEL TO BE INCLUDED IN POLICY 1-2.11.4:WINDLEY KEY MIXED USE AREA 2; 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, Windley Cove LLC, has requested an official Future Land Use Map amendment from Residential Medium (RM) to Mixed Use (MU) for a parcel consisting of approximately 13,300 square feet of land, with Real Estate number 00405350-000000, as legally described below and to allow the parcel to be included in Policy 1-2.11.4:Windley Key Mixed Use Area 2; 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 hearings held on January 8, 2024 and March 11, 2024; 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:

**85327 Overseas HWY or W1/2 LOT 4 GALEN BEACH WINDLEY ISLAND PB2-110
OR3-417 OR6-35 OR438-1087 OR438-1088 OR1456-2427 OR1895-1263
OR2604-404 OR2835-2427 OR2835-2431 OR3070-0608 OR3070-610 OR3158-1301 OR3158-1304**

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 Councilwoman Gillis, who moved for its adoption on first reading. This motion was seconded by Councilman Friedman, and upon being put to a vote, the vote was as follows:

Mayor Sharon Mahoney	YES
Vice Mayor Don Horton	ABSTAIN
Councilman Joseph B. Pinder III	YES
Councilwoman Deb Gillis	YES
Councilman Steve Friedman	YES

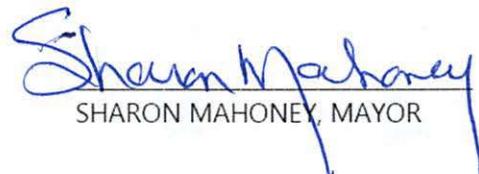
PASSED on the first reading this 12th day of December, 2024.

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The foregoing Ordinance was offered by A. Richards, who moved for its adoption on second reading. This motion was seconded by D. Gillis, and upon being put to a vote, the vote was as follows:

Mayor Sharon Mahoney	<u>Yes</u>
Vice Mayor Don Horton	<u>Abstain</u>
Councilwoman Anna Richards	<u>Yes</u>
Councilwoman Deb Gillis	<u>Yes</u>
Councilman Steve Friedman	<u>Yes</u>

PASSED AND ADOPTED on the second reading this 10 day of April, 2025.


SHARON MAHONEY, MAYOR

ATTEST:


MARNE MCGRATH, VILLAGE CLERK

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


JOHN J. QUICK, VILLAGE ATTORNEY



EXHIBIT A

85327 OVERSEAS HWY W 1/2 LT 4 GALEN BEACH PB2-110 & PT LT 10 PB1-50 WINDLEY
ISLAND OR3-417 OR6-35 OR438-1087 OR438-1088 OR1456-2427 OR1895-1263 OR2604-
404 OR2835-2427 OR2835-2431 OR3070-0608 OR3070-610 OR3158-1301 OR3158-1304

May 16, 2025

The Honorable Sharon Mahoney
Mayor, Village of Islamorada
86800 Overseas Highway
Islamorada, Florida 33070

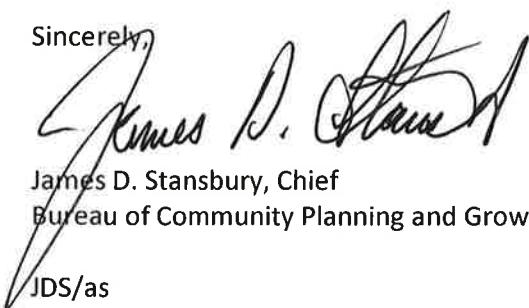
Dear Mayor Mahoney,

FloridaCommerce has completed its review of the comprehensive plan amendment for the Village of Islamorada adopted by Ordinance No. 25-04 on April 10, 2025 (Amendment No. 24-04ACSC), which was received and determined complete on April 15, 2025. We have reviewed the amendment in accordance with the state coordinated review process set forth in sections 163.3184(2) and (4), Florida Statutes (F.S.), and have determined that the adopted amendment meets the requirements of Chapter 163, Part II, F.S., for compliance, as defined in section 163.3184(1)(b), F.S. FloridaCommerce is therefore issuing a Notice of Intent to find the comprehensive plan amendment "In Compliance." A copy of the Notice of Intent is enclosed and will be posted on FloridaCommerce's Internet website. You may access the Notice of Intent at: <http://floridajobs.force.com/orc>.

FloridaCommerce's Notice of Intent to find a plan amendment "In Compliance" is deemed to be a final order if no timely petition challenging the amendment has been filed. If this plan amendment is challenged by an affected person, the amendment will not become effective until FloridaCommerce or the Administration Commission enters a final order determining the amendment to be "In Compliance."

If you have any questions concerning this review, please contact Adanis Suttle, Planning Analyst, by telephone at (850)-921-3269 or by email at Adanis.Suttle@Commerce.fl.gov.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/as

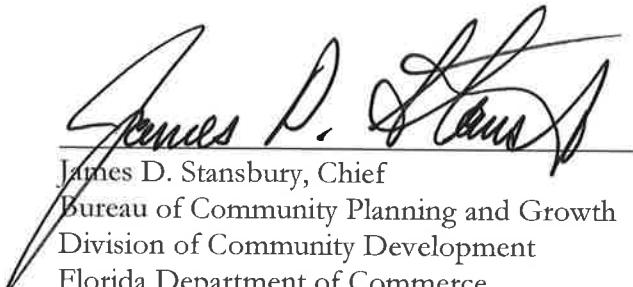
Enclosure: Notice of Intent

cc: Jennifer DeBoisbriand, Planning Director, Village of Islamorada
Isabel Cosio Carballo, MPA, Executive Director, South Florida Regional Planning Council

FLORIDA DEPARTMENT OF COMMERCE
THE STATE LAND PLANNING AGENCY
NOTICE OF INTENT TO FIND THE
VILLAGE OF ISLAMORADA
COMPREHENSIVE PLAN AMENDMENT
IN COMPLIANCE
DOCKET NO. 24-04ACSC-NOI-44-05-(A)-(I)

The Florida Department of Commerce (“Department”) gives notice of its intent to find the Amendment to the Comprehensive Plan for the Village of Islamorada, adopted by Ordinance No. 25-04 on April 10, 2025, IN COMPLIANCE, pursuant to Section 163.3184(4), F.S.

If a timely petition challenging the Amendment is not filed within thirty (30) days after the local government adopted the Amendment, the Amendment become effective upon the posting of this Notice of Intent on the Department’s Internet Website. If a timely petition is filed, the Amendment does not become effective until the Department or the Administration Commission enters a final order determining that the Amendment is in compliance.



James D. Stansbury
Bureau of Community Planning and Growth
Division of Community Development
Florida Department of Commerce
107 East Madison Street
Tallahassee, Florida 32399