



EXECUTIVE SUMMARY

(Revised for 2nd Reading)

DRAFT /FOR DISCUSSION

To: Greg Veliz, City Manager

Through: Katie P. Halloran, Planning Director

From: Daniel Sobczak, Planner, AICP-C

Meeting Date: January 7, 2020 (approved on first reading)
November 17, 2020 (second reading)

Agenda Item: **Text Amendment of the Land Development Regulations**— An Ordinance to the City Commission amending Chapter 122 of the Land Development Regulations, entitled “Zoning”, Article IV, entitled “Districts”, Division 8 entitled “Historic Neighborhood Commercial Districts”, to create a new zoning district entitled the “Historic Neighborhood Commercial District Bahama Village Truman Waterfront” (HNC-4), providing amendments to section 122-92, entitled “Future land use map designations and zoning districts”, section 122-1111, entitled “Table of land use by districts”, section 122-1112, entitled “Table of permitted and conditional commercial retail uses by districts”, and section 122-1151, entitled “Size and dimension”; providing for intent, permitted uses, conditional uses, prohibited uses, and dimensional requirements; providing for a residential density of up to 40 units per acre; pursuant to Chapter 90, Article VI, Division 2; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Action Statement:

The purpose of this ordinance is to amend the City’s Land Development Regulations (the “LDRs”) to create a new zoning district.

Background:

The proposed ordinance to amend the City’s LDRs is an essential part of an effort to promote the Bahama Village community, encourage the redevelopment of vacant City-owned properties, and encourage local business and workforce housing in the Bahama Village community. The City acquired the former Navy properties to the southwest of Fort Street and northwest of Angela Street in 2002. The proposed zoning district is designed to expand the Bahama Village neighborhood and encourage mixed-use development including neighborhood retail, educational and historical nodes, recreation facilities, and high density mixed income housing including affordable workforce housing. The Land Development Regulations of the City of Key West define workforce housing as deed restricted housing required to be 30% of the aggregate total of all market rate units proposed on any one site. Affordable work force housing shall include low income, median income, moderate income and middle-income housing, per Section 86-9 and Division VIII.

The City Commission is hearing this LDR amendment and an amendment to the Comprehensive Plan in order to create a new zoning district, to be named the “Historic Neighborhood Commercial District Bahama Village Truman Waterfront - 4” (HNC-4), which will allow for high-density mixed-income and affordable workforce housing at forty (40) dwelling units per acre and neighborhood oriented non-residential uses.

The Bahama Village Redevelopment Advisory Committee (BVRAC) approved the Bahama Village Visioning and Capital Projects Workplan on August 10, 2017, it was adopted by the Bahama Village Community Redevelopment Agency (CRA) on January 17, 2018. The workplan lists seven (7) recommended capital projects. Capital project four (4) recommends an affordable housing and mixed-use development on a 3.2-acre portion of the 5.57-acre parcel at 918 Fort Street. The recommended project is a critical priority for the Committee, the Agency, and the City.

The proposed ordinance to amend the City’s LDRs was previously passed by the Planning Board and has been transmitted to the Department of Economic Opportunity (DEO) by the Key West City Commission after the first reading of the proposed ordinance. The DEO responded with comments regarding how the City will ensure the new zoning district will encourage the development of affordable housing. In response, the City added new language to the Intent section of the proposed ordinance to amend the City’s Land Development Regulations for HNC-4. The revised language was presented to the Planning Board on September 17th, 2020. The Planning Board voted in the affirmative to approve the update and recommended approval to the City Commission.

Subsequently, the City received input from community members requesting that the City ensure the intent of the HNC-4 zoning district include the community-oriented uses and intent written in the Historic Commercial Limited (HCL) zoning district. For continued public outreach, the City then scheduled a public meeting to gather additional community input at a duly scheduled BVRAC meeting on November 5th, 2020. To incorporate public comments, Planning staff began to draft revised language for the HNC-4 Bahama Village Truman Waterfront Zoning District to more closely reflect the HCL Zoning District’s land uses and intent. The revised draft language is the following: “The Historic Neighborhood Commercial – Bahama Village Truman Waterfront (HNC-4) zoning district shall expand the Bahama Village community and link Historic Bahama Village with the Truman Waterfront. The zoning district shall provide open spaces linked with multimodal green ways, public access to Truman Waterfront, affordable housing, neighborhood retail, social services, and historical and educational nodes that shall serve as an extension of the neighborhood fabric of Bahama Village.

The HNC-4 zoning district shall accommodate neighborhood scale mixed use development that shall include high density mixed income and affordable workforce housing with a density of 40 dwelling units per acre. At least 30% of any new multi-family development shall be deed-restricted affordable workforce housing pursuant to Section 122-1467 requirements for affordable workforce housing, however, linkage exceptions shall not be permitted for mixed-use or multi-family developments within this district. Locally owned and operated neighborhood scale markets, commercial shops, and restaurants shall be encouraged. High intensity commercial uses shall not be accommodated.”

Request / Proposed Map Amendment:

DIVISION 8. - HISTORIC NEIGHBORHOOD COMMERCIAL DISTRICTS

Subdivision I. - In General

Sec. 122-776. - Intent.

- (a) The historic neighborhood commercial districts, HNC-1 through ~~3~~ 4 districts, are established to implement comprehensive plan policies for areas designated "HNC-1 through ~~3~~ 4" on the comprehensive plan future land use map. The HNC districts shall accommodate both residential and neighborhood commercial uses typically located along major thoroughfares which lead into or are adjacent to the central core commercial area of the city. Residential activities permitted within the HNC-1 through ~~3~~ 4 districts include single-family and duplex structures as well as multiple-family structures. Commercial uses generally permitted in these districts include the following:
- (1) Professional offices;
 - (2) Banking and financial institutions;
 - (3) Personal service shops;
 - (4) Specialty shops;
 - (5) Retail sales and services, excluding automotive sales and services as well as drive- through restaurants, theaters or other drive-through facilities which potentially generate similar traffic flow problems; and
 - (6) Transient living accommodations and guest cottages within the HNC-1 and HNC-3 districts but not within the HNC-2 and HNC-4 districts.
- (b) The HNC-1 through ~~3~~ 4 districts may also accommodate customary accessory uses and community facilities. The HNC district regulations include criteria for managing issues surrounding land use compatibility; historic preservation; access to public facilities with available capacity; urban design amenities; and related issues which must be managed to ensure effective implementation of the comprehensive plan goals, objectives, and policies. Within the HNC districts redevelopment or conversion of permanent housing structures to transient residential, office, or other allowable commercial uses shall be permitted only if no on-site reduction in housing units for permanent residents occurs. Within the HNC-1 through 3 districts, ~~t~~The minimum size dwelling shall be 750 square feet.
- (c) Performance standards shall restrict the allowable neighborhood commercial uses to very limited square footage in order to maintain land use compatibility with residential uses in the vicinity. In addition, the performance standards shall require minimum open space ratios, restrict the floor area based on traffic-generating characteristics, and incorporate other qualitative and quantitative standards which protect residential properties.
- (d) In order to manage the impacts of future development on transportation and public facilities, the city shall limit the intensity of development within the HNC district by establishing the following thresholds within subdistricts HNC-1, HNC-2, ~~and~~ HNC-3, and HNC-4, respectively:
- (1) Within the HNC-1 subdistrict, excepting sites abutting Simonton Street and Truman Avenue, and HNC-4 on a conditional use, land use activities shall generate no more than 100 trips per 1,000 square feet of gross leasable floor area per day.

(2) Within the HNC-2, ~~and HNC-3,~~ and HNC-4 subdistricts, land use activities shall generate no more than 50 trips per 1,000 square feet of gross leasable floor area per day.

(3) Within the HNC-2 and HNC-4 subdistricts, transient accommodations shall be prohibited.

(e) The HNC subdistricts are generally located on the official zoning map as provided in subdivisions II through ~~IV~~ V of this division.

(Ord. No. 97-10, § 1(2-5.5.4), 7-3-1997)

Secs. 122-777—122-805. - Reserved.

Subdivision II. - Historic Neighborhood Commercial District—Truman/Simonton (HNC-1)

Sec. 122-806. - Intent.

The historic neighborhood commercial district—Truman/Simonton (HNC-1) consists of Simonton, Truman Avenue, and White Street South Corridors. The HNC-1 district is located along major segments of Simonton Street, from Caroline South to United Street; Truman Avenue, from Simonton Street northeast to White Street; and White Street, from Truman Avenue south to United Street; and generally includes larger scale commercial uses oriented toward the motoring public.

(Ord. No. 97-10, § 1(2-5.5.4(1)(A)), 7-3-1997)

Sec. 122-807. – Uses permitted.

Within the historic neighborhood commercial (HNC) districts, redevelopment or conversion of permanent housing structures to transient residential, office, or other allowable commercial uses shall be permitted only if no on-site reduction in housing units for permanent residents occurs. Uses permitted include the following:

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Group homes with less than or equal to six residents as provided in section 122-1246.
- (4) Places of worship.
- (5) Business and professional offices.
- (6) Commercial retail low and medium intensity less than or equal to 2,500 square feet.
- (7) Hotels, motels and transient lodging.
- (8) Medical services.
- (9) Parking lots and facilities.

- (10) Veterinary medical services without outside kennels.

(Ord. No. 97-10, § 1(2-5.5.4(1)(B)), 7-3-1997)

Sec. 122-808. - Conditional uses.

Conditional uses in the historic neighborhood commercial district—Truman/Simonton (HNC-1) are as follows:

- (1) Group homes with seven to 14 residents as provided in section 122-1246.
- (2) Community centers, clubs and lodges.
- (3) Cultural and civic activities.
- (4) Educational institutions and day care.
- (5) Nursing homes, rest homes and convalescent homes.
- (6) Parks and recreation, active and passive.
- (7) Protective services.
- (8) Public and private utilities.
- (9) Commercial retail low and medium intensity greater than 2,500 square feet.
- (10) Commercial retail high intensity.
- (11) Funeral homes.
- (12) Light industrial.
- (13) Restaurants, excluding drive-through.
- (14) Small recreational power-driven equipment rentals.

(Ord. No. 97-10, § 1(2-5.5.4(1)(C)), 7-3-1997)

Sec. 122-809. - Prohibited uses.

In the historic neighborhood commercial district—Truman/Simonton (HNC-1), all uses not specifically or provisionally provided for in this subdivision are prohibited.

(Ord. No. 97-10, § 1(2-5.5.4(1)(D)), 7-3-1997)

Sec. 122-810. - Dimensional requirements.

The dimensional requirements in the historic neighborhood commercial district— Truman/Simonton (HNC-1) are as follows; however, construction may be limited by proportion, scale and mass considerations as expressed through the historic architectural review commission design guidelines:

- (1) Maximum density: 16 dwelling units per acre (16 du/acre).
- (2) Maximum floor area ratio: 1.0. Refer to section 122-776 for additional restrictions that regulate the square footage of gross leasable floor area based on trip generation within HNC areas.
- (3) Maximum height: 35 feet.
- (4) Maximum lot coverage:
 - a. Maximum building coverage: 50 percent.
 - b. Impervious surface ratio: 60 percent.
- (5) Minimum lot size: 4,000 square feet.
 - a. Minimum lot width: 40 feet.
 - b. Minimum lot depth: 100 feet.
- (6) Minimum setbacks:
 - a. Front: 5 feet.
 - b. Side: 5 feet.
 - c. Rear: 15 feet.
 - d. Street side: 7.5 feet.

(Ord. No. 97-10, § 1(2-5.5.4(1)(E)), 7-3-1997; Ord. No. 10-04, § 10, 1-5-2010)

~~Secs. 122-811—122-835. Reserved.~~

Subdivision V. - Historic Neighborhood Commercial District Bahama Village Truman
Waterfront (HNC-4)

Sec. 122-871. - Intent.

The Historic Neighborhood Commercial – Bahama Village Truman Waterfront (HNC-4) zoning district shall expand the Bahama Village community and link Historic Bahama Village with the Truman Waterfront. The zoning district shall provide open spaces linked with multimodal green ways, public access to Truman Waterfront, affordable housing, neighborhood retail, social services, and historical and educational nodes that shall serve as an extension of the neighborhood fabric of Bahama Village.

The HNC-4 zoning district shall accommodate neighborhood scale mixed use development that shall include high density mixed income and affordable workforce housing with a density of at 40 dwelling units per acre. At least 30% of any new multi-family development shall be deed-restricted affordable workforce

housing pursuant to Section 122-1467 requirements for affordable workforce housing, however, linkage exceptions shall not be permitted for mixed-use or multi-family developments within this district. Locally owned and operated neighborhood scale markets, commercial shops, and restaurants shall be encouraged, while high intensity commercial uses shall not be accommodated.

Sec. 122-872. - Uses permitted.

Uses permitted in the historic neighborhood commercial district Bahama Village Truman Waterfront (HNC-4) are as follows:

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Group homes with less than or equal to six residents as provided in section 122-1246.
- (4) Business and professional offices.
- (5) Commercial retail low intensity.
- (6) Medical services.
- (7) Parks and recreation, passive and active.
- ~~(8) Parking lots and facilities.~~
- (8) Restaurants, excluding drive-through facilities that generate less than or equal to 50 pm peak hour vehicle trips per 1,000 square feet of gross leasable floor area.
- (9) Open air vending and mobile vending consistent with other city regulations
- (10) Cultural and Civic Activities

Sec. 122-873. - Conditional uses.

Conditional uses in the historic neighborhood commercial district Bahama Village Truman Waterfront (HNC-4) are as follows:

- (1) Group homes with seven to 14 residents as provided in section 122-1246.
- ~~(2) Cultural and civic activities.~~
- (2) Educational institutions and day care.
- ~~(3) Nursing homes, rest homes, assisted living facilities, and convalescent homes.~~
- (4) Protective services.
- (5) Public and private utilities.
- (6) Commercial retail medium intensity.

- (7) Restaurants, excluding drive-through, that generate between 50 and 100 pm peak hour vehicle trips per 1,000 square feet.
- (8) Places of worship.
- (9) Community centers, clubs, and lodges.
- (10) Veterinary medical services.
- (11) Parking lots and facilities.

Sec. 122-874. - Prohibited uses.

In the historic neighborhood commercial district Bahama Village Truman Waterfront (HNC-4), all uses not specifically or provisionally provided for in this subdivision are prohibited.

Sec. 122-875. - Dimensional requirements.

The dimensional requirements in the historic neighborhood commercial district Bahama Village Truman Waterfront (HNC-4) are as follows; however, construction may be limited by proportion, scale and mass considerations as expressed through the historic architectural review commission design guidelines:

- (1) Maximum density: 40 dwelling units per acre (40 du/acre).
- (2) Maximum floor area ratio: 1.0. Refer to section 122-776 for additional restrictions that regulate the square footage of gross leasable floor area based on trip generation within HNC areas.
- (3) Maximum height: 35 feet or 40-feet upon approval by the Board of Adjustments.
- (4) Maximum lot coverage:
 - a. Maximum building coverage: 50 percent.
 - b. Impervious surface ratio: 70 percent.
- (5) Minimum lot size: 4,000 square feet.
 - a. Minimum lot width: 40 feet.
 - b. Minimum lot depth: 100 feet.
- (6) Minimum setbacks:
 - a. Front: 5 feet.
 - b. Side: 5 feet.
 - c. Rear: 10 feet.
 - d. Street side: 5 feet.

e. Additional setback criteria may apply to parcels abutting government property.

Secs. 122-876—122-895. - Reserved.

This same map in more detailed format is available at City Planning Department offices.

Sec. 122-92. - Future land use map designations and zoning districts.

The following table references adopted future land use map designations contained in the land use element of the city comprehensive plan and identifies corresponding zoning districts which are established in order to implement the future land use map designations, respectively:

FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS

| | |
|---------------------------------------|---------------------------------------|
| <i>Residential</i> | |
| LDR-C | Low density residential—coastal |
| SF | Single-family units |
| MDR-C | Medium density residential—coastal |
| MDR | Medium density residential |
| HDR | High density residential |
| HDR-1 | High Density Residential College Road |
| <i>Commercial Development</i> | |
| CL | Limited commercial |
| CG | General commercial |
| CT | Salt Pond tourist commercial |
| <i>Mixed Use New Town Development</i> | |
| RO | Residential/office |
| PRD | Planned redevelopment and development |
| <i>Old Town Historic Preservation</i> | |
| HRO | Historic residential/office |

| | |
|----------------------|--|
| HRCC-1 | High density residential/commercial core: Bay side |
| HRCC-2 | High density residential/commercial core: Key West Bight |
| HRCC-3 | High density residential/commercial core: Atlantic side |
| HMDR | Medium density residential |
| HSMDR | Historic special medium density residential |
| HPRD | Planned development and redevelopment |
| HNC-1 | Neighborhood commercial: Simonton, Truman, and S. White Street corridors |
| HNC-2 | Neighborhood commercial: Old Town northeast and southeast |
| HNC-3 | Neighborhood commercial: Bahama Village |
| <u>HNC-4</u> | <u>Neighborhood commercial: Bahama Village Truman Waterfront</u> |
| HCT | Tourist commercial |
| HPS | Public service, including recreation and open space |
| HHDR | High density residential |
| <i>Institutional</i> | |
| PS | Public services ⁽¹⁾ |
| A | Airport |
| <i>Conservation</i> | |
| C | Conservation ⁽²⁾ |
| (1) | "Public services" includes all lands designated "public services" or "military" on the comprehensive plan future land use map series which are located within the city limits. |
| (2) | "Conservation" incorporates all lands designated "conservation" on the comprehensive plan future land use map series, including tidal and freshwater wetlands, mangroves, upland |

hammocks, and waters of the state, including an area extending 600 feet into the tidal waters adjacent to the corporate city limits.

(Ord. No. 97-10, § 1(2-4.2), 7-3-1997; Ord. No. 12-33, § 1, 9-18-2012; Ord. No. 18-04, § 1, 2-7-2018)

Sec. 122-1111. - Table of land use by districts.

- (a) The table of land use by districts as set forth in this section stipulates the permitted and conditional uses by district.
- (b) Permitted uses are uses allowed by right, provided all applicable sections within the land development regulations are satisfied as well as all other applicable laws and administration regulations. Conditional uses are allowable only if approved by the city pursuant to administrative procedures found in article III of this chapter. The applicant requesting a conditional use must demonstrate compliance with conditional use criteria set forth in article III of this chapter.
- (c) No permitted use or conditional use shall be approved unless a site plan for such use is first submitted by the applicant. The applicant shall bear the burden of proof in demonstrating compliance with all applicable laws and ordinances during the site plan review process. The site plan review process is set forth in article II of chapter 108.

TABLE OF LAND USE BY DISTRICT

| | LDR-C | SF | MDR | MDR-C | HDR | HDR-1 | CL | CG | CT | RO | PRD | HMDR | HSMR | HHR | HRC-C-1 | HRC-C-2 | HRC-C-3 | HPRD | HNC-1 | HNC-2 | HNC-3 | HNC-4 | HCT | HRO | HPS | HPS-1 | PS | C | A5 |
|--|-------|----|-----|-------|-----|-------|----|-------------------|----|----|-----|------|------|-----|---------|---------|---------|------|-------|-------|-------|-------|-----|-----|-----|-------|----|---|----|
| Residential Uses | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Accessory residential units (reference section 122-171) | | P | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Single-family dwellings | P | P | P | P | P | | C | C _{P 12} | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | | 4 | |
| Duplexes/two-family dwellings | | C1 | P | P | P | | C | C _{P 12} | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | | 4 | |
| Multiple-family dwellings | | | P | P | P | P | C | C _{P 12} | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | | 4 | |
| Foster homes/group homes with ≤ 6 residents ² | P | P | P | P | P | P | P | P | P | P | P | P | | P | P | P | P | P | P | P | P | P | P | P | | | | | |
| Group homes with 7-14 residents | | | C | C | C | C | C | C | C | C | C | C | | C | C | C | C | C | C | C | C | C | C | C | | | | | |
| Approved home occupations | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | | | |
| Accessory uses and structures | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | | 4 | C |
| Community Facilities | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| 13. | Restaurants, that generate less than or equal to 50 pm peak hour vehicle trips per 1,000 square feet of gross leasable floor area shall be permitted by right. Restaurants, that generate between 50 and 100 pm peak hour vehicle trips per 1,000 square feet of gross leasable floor area shall be a conditional use. |
|-----|--|

Sec. 122-1112. - Table of permitted and conditional commercial retail uses by district.

Low intensity means commercial retail uses that generate less than 50 average daily trips per 1,000 square feet.

Medium intensity means commercial retail uses that generate between 50 and 100 average daily trips per 1,000 square feet.

High intensity means commercial retail uses that generate above 100 average daily trips per 1,000 square feet.

(b) The table of permitted and conditional commercial retail uses by district shall be as follows:

TABLE OF PERMITTED AND CONDITIONAL COMMERCIAL RETAIL USES BY DISTRICT

| District | Allowed by Right | Allowed as Conditional Use |
|-------------------|---|---|
| CL, CT and HCT | Low and medium intensity > 5,000 sq. ft. | Low and medium intensity > 5,000 sq. ft. High intensity |
| CG | Low and medium intensity & lte; 10,000 sq. ft. High intensity & lte; 5,000 sq. ft. | Low and medium intensity > 10,000 sq. ft. High intensity > 5,000 sq. ft. |
| PRD | None | Low, medium and high intensity |
| HRCC-1 | Low and medium intensity & lte; 5,000 sq. ft. High intensity & lte; 2,500 sq. ft. | Low and medium intensity > 5,000 sq. ft. High intensity > 2,500 sq. ft. |
| HRCC-2 and HRCC-3 | Low and medium intensity & lte; 5,000 sq. ft. | Low and medium intensity > 5,000 sq. ft. High intensity |
| HPRD | None | Low, medium and high intensity |
| HNC-1 | Low and medium intensity & lte; 2,500 sq. ft. | Low and medium intensity > 2,500 sq. ft. High intensity |
| HNC-2 and HNC-3 | Low intensity & lte; 2,500 sq. ft. | Low intensity > 2,500 sq. ft. to & lte; 5,000 sq. ft. |
| <u>HNC-4</u> | <u>Low intensity</u> | <u>Medium Intensity</u> |
| A | None | Low and medium intensity |

Note: The total area as stated above includes both sales area under roof and any outside sales area.

(Ord. No. 97-10, § 1(2-5.8(A)), 7-3-1997)

Sec. 122-1151. - Size and dimension.

Size and dimension regulations for zoning districts shall be as follows:

TABLE OF SIZE AND DIMENSION REGULATIONS

| District | Minimum Area (sq. ft.) | Minimum Width (sq. ft.) | Minimum Depth (sq. ft.) | Impervious Surface Ratio | Maximum Building Coverage | Minimum Setback Requirements | | | | Maximum Height (feet) | Max Floor Area Ratio | Maximum Density (du/acre) |
|---|------------------------|-------------------------|-------------------------|--------------------------|---------------------------|------------------------------|---------------------------------|----------------------|--------------------------|-----------------------|----------------------|---------------------------|
| | | | | | | Front (feet) | Street Side (feet) ₁ | Side (feet) | Rear ² (feet) | | | |
| <i>Residential</i> | | | | | | | | | | | | |
| LDR-C low density residential coastal | 1 acre | 100 | 100 | 50 | 40 | 30 | 15 | 15 ³ | 25 | 30 | n/a | 1 |
| MDR-C medium density residential coastal ⁴ | ½ acre | 70 ⁵ | 100 | 50 | 40 | 30 ⁶ 30 | 10 20 | 7 ³ 20 | 20 25 | 30 | n/a | 8 |

| | | | | | | | | | | | | |
|---|-----------------------------------|-----------------------|------------|------------------|-----------------------|-----------------------|----------|-----------------|-----------------|------------------------|-------------------|-----------------|
| SF single-family residential ⁴ | 6,000 ⁷ ½ acre 4 | 50 100 | 100 100 | 50 60 | 35 ⁷ 40 | 30 ⁶ 30 | 10 20 | 5 15 | 25 25 | 25 ²⁰ 25 | n/a n/a | 8 |
| MDR medium density residential | ½ acre 1 acre | 70 ⁵ 80 | 100 100 | 50 60 | 35 40 | 30 ⁶ 30 | 10 25 | 7 25 | 20 25 | 35 | n/a | 16 |
| HDR high density residential | 1 acre 1 acre | 70 ⁵ 80 | 100 | 60 | 40 | 30 ⁶ 30 | 10 25 | 7 25 | 20 25 | 40 | n/a | 22 |
| HDR-1 high density residential college road | 1 acre | 80 | 100 | 60 | 40 | 20 | 10 | 10 | 10 | 25* | NA | 40 |
| *Unless otherwise increased by referendum | | | | | | | | | | | | |
| <i>Commercial</i> | | | | | | | | | | | | |
| CL limited commercial | 10,000 | 70 | 100 | 60 | 40 | 25 ⁸ | 20 | 15 ³ | 25 ⁸ | 40 | 0.8 | 16 |
| CG general commercial | 15,000 | 150 | 100 | 60 | 40 | 25 ⁸ | 20 | 15 ³ | 25 ⁸ | 40 ⁹ | 0.8 | 16 |
| CT tourist commercial | 30,000 | 150 | 100 | 60 | 40 | 25 ⁸ | 20 | 15 ³ | 25 ⁸ | 40 | 0.8 | 16 |
| RO residential/office | 10,000 | 70 | 100 | 60 | 40 | 30 | 15 | 15 | 25 | 35 | 0.8 | 16 |
| PRD planned redevelopment/d development ¹⁰ | 1 acre | n/a | n/a | 60 | 40 | 25 ⁸ | 20 | 20 | 40 | 35 | 0.8 | 8 |
| HMDR historic medium density residential ²¹ | 4,000 | 40 | 90 | 60 | 40 | 10 | 7.5 | 5 | 15 | 30 | 1.0 | 16 |
| HSMDR historic special medium density residential | 5,000 | 50 | 100 | 60 | 40 | 10 | 7.5 | 5 | 15 | 30 | 1.0 ²² | 8.6 |
| HHDR historic high density residential ²¹ | 4,000 | 40 | 90 | 60 | 50 | 10 | 5 | 5 ¹¹ | 20 | 30 | 1.0 | 22 |
| HRCC-1 historic commercial core, Duval GS ²¹ | 4,000 | 40 | 100 | 70 | 50 | 0 | 0 | 2.5 | 10 | 35 ¹⁹ | 1.0 | 22 |
| HRCC-2 historic commercial core, KW Bight ^{12, 21} | 5,000 | 50 | 100 | 60 ¹² | 50 | 10 | 7.5 | 5 | 15 ² | 35 ¹² | 0.5 | 8 ¹³ |
| HRCC-3 historic commercial core Duval OS ²¹ | 4,000 | 40 | 90 | 60 | 50 | 5 | 7.5 | 5 | 15 | 35 ¹⁹ | 1.0 | 22 |

| | | | | | | | | | | | | |
|---|--------------|-----------|-----------|-----------|-----------|---------------|---------------|-----------------|-----------------|---------------|--------------------------|-----------|
| HRCC-4 historic residential commercial core-4 | n/a | n/a | n/a | 50 | 30 | 7.5 | 7.5 | 7.5 | 7.5 | 35 | 0.8 | n/a |
| HNC-1 historic neighborhood commercial ²¹ | 4,000 | 40 | 100 | 60 | 50 | 5 | 7.5 | 5 | 15 | 35 | 1.0 ¹⁴ | 16 |
| HNC-2 historic neighborhood commercial ²¹ | 4,000 | 40 | 90 | 60 | 40 | 10 | 7.5 | 5 | 15 | 30 | 1.0 ¹⁴ | 16 |
| HNC-3 historic neighborhood commercial ²¹ | 4,000 | 40 | 90 | 60 | 40 | 0 | 7.5 | 5 | 15 | 30 | 1.0 ¹⁴ | 16 |
| <u>HNC-4 historic neighborhood commercial ²¹</u> | <u>4,000</u> | <u>40</u> | <u>90</u> | <u>70</u> | <u>50</u> | <u>5</u> | <u>5</u> | <u>5</u> | <u>10</u> | <u>35</u> | <u>1.0 ¹⁴</u> | <u>40</u> |
| HCT historic commercial tourist ^{17, 21} | 10,000 | 75 | 100 | 70 | 50 | 5 | 5 | 5 | 10 | 35 | 1.0 | 22 |
| HRO historic residential office ²¹ | 5,000 | 50 | 100 | 60 | 50 | 5 | 5 | 5 | 10 | 30 | 1.0 ¹⁴ | 16 |
| HPS historic public/semipublic service ²¹ | 5,000 | 50 | 100 | 50 | 40 | 20 | 10 | 5 ¹¹ | 20 ² | 25 | 1.0 | 16 |
| HPS-1 historic public and semi-public service-1 | n/a | n/a | n/a | 50 | 30 | 7.5 | 7.5 | 7.5 | 7.5 | 25 | 0.8 | n/a |
| HPRD historic planned redevelopment/development ²¹ | 1 acre | 50 | 100 | 50 | 40 | 5 | 5 | 2.5 | 10 | 35 | 1.0 | 22 |
| PS public/semipublic service | 6,000 | 50 | 100 | 50 | 40 | 20 | 15 | 15 | 20 ² | 25 | 0.8 ¹⁵ | n/a |
| A airport | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | ¹⁶ | 0.3 | n/a |
| C conservation | 10 acres | n/a | n/a | 5 | 5 | ¹⁸ | ¹⁸ | ¹⁸ | ¹⁸ | 25 | 0.01 | 0.1 |

Footnotes:

(Ord. No. 97-10, § 1(2-5.9), 7-3-1997; Ord. No. 09-06, §§ 3—5, 4-7-2009; Ord. No. 10-04, §§ 20, 21, 1-5-2010; Ord. No. 12-33, § 4, 9-18-2012; Ord. No. 13-25, § 3, 12-3-2013; Ord. No. 18-04, § 4, 2-7-2018; Ord. No. 19-15, § 2, 5-21-2019)

*Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading.

DRAFT

Land Development Regulations Text Amendment Process:

| | |
|----------------------------|--|
| Planning Board: | November 21, 2019 (Planning Board Res. 2019-88) |
| City Commission: | January 7, 2020 (passed on first reading) |
| Planning Board: | September 17, 2020 (Res. 2020-30) |
| BVRAC: | November 5, 2020 (For discussion and additional public input) |
| City Commission: | November 17, 2020 (second reading) |
| Local Appeal Period: | 30 Days |
| City Clerk renders to DEO: | 10 working Days |
| DEO Review: | Up to 45 Days |
| DEO Final Order: | LDR amendment becomes effective when the final order is received |

Analysis:

The purpose of Chapter 90, Article VI, Division 2 of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) is to provide a means for changing the text of the Land Development Regulations. It is not intended to relieve particular hardships nor to confer special privileges or rights on any person, but only to make necessary adjustments in light of changed conditions. In determining whether to grant a requested amendment, the City Commission shall consider, in addition to the factors set forth in this subdivision, the consistency of the proposed amendment with the intent of the Comprehensive Plan.

A full planning staff analysis is available in the planning board staff report.

Other Matters:

According to the Monroe County Property Appraiser, the total land area of the proposed zone is 6.635 acres, or 289,029-square-feet. The new zone will allow for the future development of deed-restricted affordable & permanent housing and the redevelopment of blighted public parcels.

In addition, the Bahama Village Visioning and Capital Projects Workplan, recommended for approval by the BVRAC on August 10, 2017, and adopted by the CRA on January 17, 2018, lists seven (7) recommended capital projects. Capital project number four (4) recommends an affordable housing and mixed-use development project on a 3.2-acre portion of the 5.57-acre parcel at 918 Fort Street. The recommended project is listed as “critical” on the prioritization level. However, without amendments to the LDRs, it is unlikely the development can move forward.

Options / Advantages / Disadvantages:

Option 1:

Approve the proposed text amendment to Chapter 122 - Article IV - Division 8, Section 122-92, Section 122-1111, Section 122-1112, and Section 122-1151 of the Land Development Regulations as recommended by the Planning Board through Resolution No. 2020-31. The proposed ordinance will include staff and Planning Board changes from 1st reading to 2nd reading.

- a. Financial Impact:
There will be no cost to the City if this request is approved.

Option 2:

Approve the proposed text amendment to Chapter 122 - Article IV - Division 8, Section 122-92, Section 122-1111, Section 122-1112, and Section 122-1151 of the Land Development Regulations as recommended by the Planning Board through Resolution No. 2020-31 WITH FURTHER MODIFICATIONS to reflect public input as described herein. The proposed ordinance will include staff and Planning Board changes from 1st reading to 2nd reading, and will reflect further public comment.

a. Financial Impact:

There will be no cost to the City if this request is denied.

Option 3:

Deny the proposed text amendment to Chapter 122 - Article IV - Division 8, Section 122-92, Section 122-1111, Section 122-1112, and Section 122-1151 of the Land Development Regulations.

b. Financial Impact:

There will be no cost to the City if this request is denied.

Recommendation:

As per Resolution No. 2020-30, the Planning Board recommended to the City Commission option no. 1 for approval of the text amendment to the Land Development Regulations.

Staff supports Planning Board Resolution No. 2020-30, and further recommends approval of modifications as proposed through public input, therefore recommends approval of OPTION 2.