



EXECUTIVE SUMMARY

(Revised for 2nd Reading)

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)
December 2, 2020 (second reading)

Agenda Item: **Text Amendment of the Comprehensive Plan** - A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission amending Comprehensive Plan Policy 1-1.1.4, entitled "Affordable Housing and Compact Development Incentives," to add a revised FLUM, amending Comprehensive Plan Table 1-1.1.5, to add an additional subdistrict under Historic Commercial Future Land Use District, and amending Comprehensive Plan Policy 1-1.1.9, entitled "Allowed Uses in Historic Neighborhood Commercial," to add a fifth corridor and a fourth HNC subdistrict to allow for up to 40 dwelling units per acre; pursuant to Chapter 90, Article VI, Division III; providing for repeal of inconsistent provisions; providing for an effective date; and providing for the inclusion into the City of Key West Comprehensive Plan.

Action Statement:

The purpose of this ordinance is to amend the City's Comprehensive Plan to create a new zoning district and revise Policy 1-1.1.4 (FLUM), Table 1-1.1.5, and Policy 1-1.1.9 in connection with a new zoning district.

Background:

The proposed ordinance to amend the City's Comprehensive Plan 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 Chapter 122, Division 10, Work Force Housing. The City Commission is hearing this Comprehensive Plan amendment and an amendment to the Land Development Regulations (LDRs) 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 proposed 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 number 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.

A public workshop was held in conjunction with a duly scheduled BVRAC meeting on November 5th, 2020 to further discuss the proposed zoning district. The recommendations made from Bahama Village residents, City of Key West residents, and BVRAC members have been incorporated into the Planning Department's proposed revisions to this Comprehensive Plan amendment.

The proposed ordinance to amend the City's Comprehensive Plan 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. Property currently zoned HCL would be incorporated into the new proposed HNC-4 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 drafted 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.

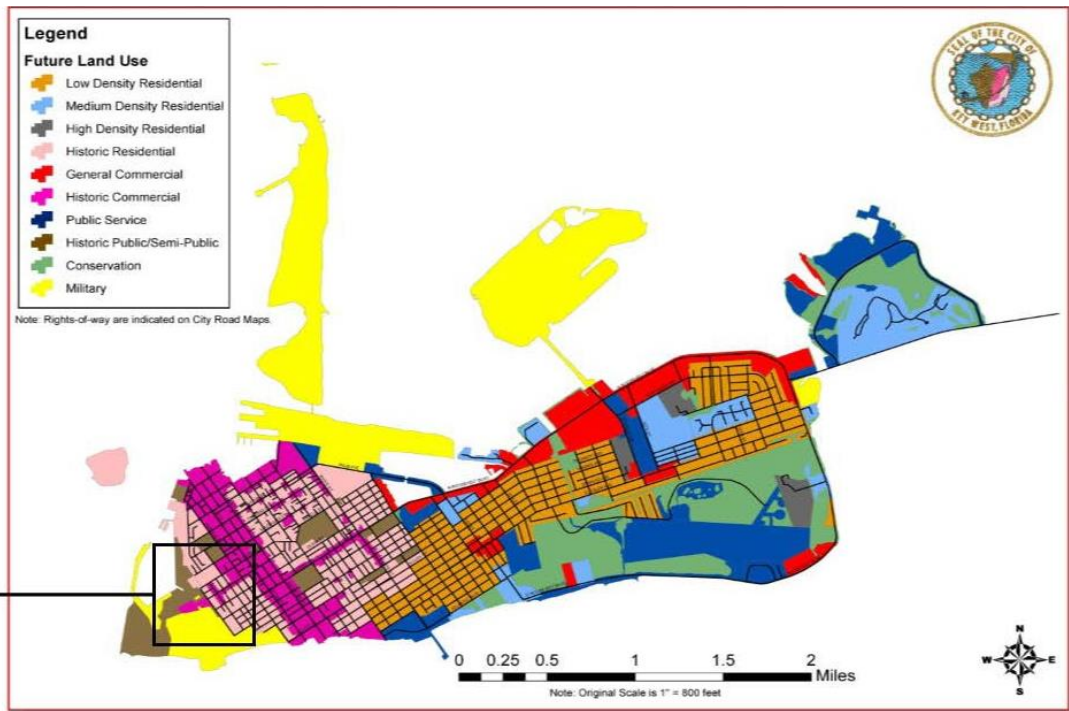
The HNC-4 zoning district shall accommodate neighborhood scale mixed use development that shall include high density mixed income and affordable workforce housing with a density of 40 dwelling units per acre. At least 30% of any new multi-family development shall be deed-restricted affordable workforce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

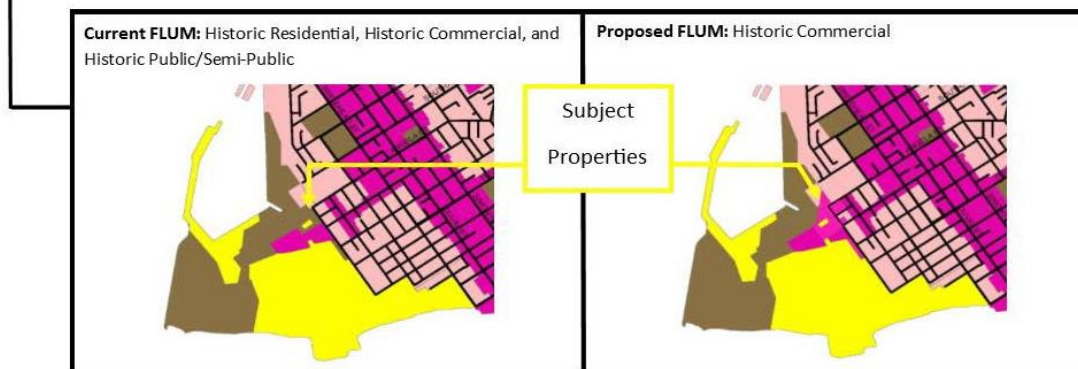
Policy 1-1.1.4: - Affordable Housing and Compact Development Incentives.

Within land use categories supporting mixed use development, the Land Development Regulations shall include density and intensity bonuses that fall within the parameters of the Comprehensive Plan and

Future Land Use Map to achieve the following objectives: provision of affordable housing immediately adjacent to employment opportunities; reduction in dependence on automobile travel for home/work travel; provision of a range of housing types, inclusive of apartments, townhouses, efficiencies, and single room occupancies; establishment of a variety of retail uses to support onsite or adjacent residential uses; provision of sufficient density of residential uses and presence of retail commercial to support transit demand; support of redevelopment of aging, traditional suburban shopping center retail; provision of open space and recreational uses within or immediately adjacent to the mixed use complex; provision of immediate access to and support of bicycle path networks in the City; increased efficiency of energy and water use; increased solid waste diversion; increased stormwater harvesting; decreased inappropriate water use, and; creation of opportunities to provide substantial new landscaping, parking and housing/retail areas to reduce carbon footprints and support sustainability goals.



CITY OF KEY WEST - 2030 FUTURE LAND USE MAP



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

Table 1-1.1.5

In order to prevent an inadvertent increase in maximum density or intensity that might result from combining multiple zoning districts into a single Future Land Use District, the maximum number of dwelling units per acre and floor area ratio are established as of January 1, 2012. Social service special needs and group homes shall be measured in FAR, not units per acre.

HISTORIC COMMERCIAL FUTURE LAND USE DISTRICT			
Zoning District	Density	Intensity	Uses & Limitations
(HNC) Historic Neighborhood Commercial	Maximum 16 dwelling units per acre.	Maximum of 1.0 FAR.	Allowable uses in areas zoned HNC are in accordance with Policy 1-1.1.9.
(HNC-1) Historic Neighborhood Commercial		Maximum of 1.0 FAR.	
(HNC-2) Historic Neighborhood Commercial		Maximum of 0.9 FAR.	
(HNC-3)Historic Neighborhood Commercial		Maximum of 0.8 FAR.	
<u>(HNC-4) Historic Neighborhood Commercial</u> <u>Bahama Village Truman Waterfront</u>	<u>Maximum of 40 dwelling units per acre.</u>	<u>Maximum of 1.0 FAR.</u>	<u>Affordable workforce housing is required per Section 122-1467 of the Land Development Regulations. Linkage exceptions shall not be permitted.</u>

The above table is an excerpt of Table –1-1.1.5 containing the proposed Comprehensive Plan Amendment

Policy 1-1.1.9:

Areas zoned Historic Neighborhood Commercial within the Historic Commercial Future Land Use District are intended to 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 of Key West. Residential activities within this designated area include single family and duplex structures and multiple-family structures. Commercial uses generally permitted in the area include:

1. Professional offices
2. Restaurants;
3. Banking and financial institutions;
4. Personal service shops;
5. Specialty shops;
6. Retail sales and services, excluding automotive sales and services as well as drive-in or drive-through restaurants, theaters or other drive-in facilities which potentially generate similar traffic flow problems;
7. Transient living accommodations and guest cottages; and
8. Other similar uses which shall be identified in the Land Development Regulations.

The HNC zoned areas may also accommodate community facilities.

These predominantly neighborhood-scale commercial uses are generally concentrated along portions of the following four corridors:

1. Simonton Street: from Caroline Street south to United Street.
2. Truman Avenue: from Simonton Street northeast to White Street.
3. White Street: from Truman Avenue south to United Street, and from Eaton to Southard Street.
4. The Petronia Street Corridor from near Duval Street to Emma Street.

In order to manage the impacts of future development on transportation and public facilities, the City shall limit the intensity of development within areas zoned "Historic Neighborhood Commercial" (HNC) by establishing the following thresholds within the HNC-1, HNC-2, and HNC-3 sub-districts, respectively:

1. Within areas zoned HNC-1, a FAR of 1.0.
2. Within areas zoned HNC-2, a FAR of 0.9.
3. Within areas zoned HNC-3, a FAR of 0.8.
4. Within areas zoned HNC-4, a FAR of 1.0

Within HNC areas redevelopment or conversion of permanent housing structures to transient residential (excepting HNC-2 and HNC-4 areas which do not allow transient uses), office, or other allowable commercial uses shall be permitted only if no on-site reduction in housing units for

permanent residents occurs. The allowable maximum residential density shall be 16 units per acre. The maximum intensity for nonresidential activities shall not exceed a floor area ratio of 1.0 as stratified above (.8, .9, or 1.0) considering floor area allocated to all such uses. Performance standards shall be included in the Land Development Regulations which 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 incorporate other qualitative and quantitative standards which protect residential properties.

The HNC-4 zoning district shall accommodate neighborhood scale mixed use development that shall include mixed income and affordable workforce housing with a base density of sixteen dwelling units per acre (16 du/acre). A density bonus of up to forty (40) dwelling units per acre (40 du/acre) shall be allowed for the development of affordable work force housing in compliance with Article V, Division 10, Work Force Housing.

At least 30% of any new multi-family development in this district 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.

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 (Postponed)
City Commission:	December 2, 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:	Comprehensive Plan 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 Comprehensive Plan. 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 Comprehensive Plan, it is unlikely the development can move forward.

Options / Advantages / Disadvantages:

Option 1:

Approve the proposed Comprehensive Plan text amendment to Policy 1-1.1.4 and Table 1-1.1.5 of the Comprehensive Plan 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. Incorporating permitted and conditional residential and commercial uses in this zoning district may facilitate redevelopment and new construction that will increase property values, thus augmenting the Bahama Village Community Redevelopment Trust Fund.

Option 2:

Deny the proposed Comprehensive Plan text amendment to Policy 1-1.1.4 and Table 1-1.1.5 of the Comprehensive Plan.

a. 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 1 for approval of the text amendments to the Comprehensive Plan. Staff supports Planning Board Resolution No. 2020-30, and also recommends approval of Option 1.