

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 122 OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED “ZONING”, SUBDIVISION IV.1, ENTITLED “MEDIUM DENSITY RESIDENTIAL DISTRICT-1 (MDR-1)”, SECTION 122-280, ENTITLED “DIMENSIONAL REQUIREMENTS”; PURSUANT TO CHAPTER 90, ARTICLE VI, DIVISION 2; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the provisions of Chapters 163, 166, and 380 of the Florida State Statutes, the City of Key West, Florida (the “City”) proposes to amend Chapter 122 of the Land Development Regulations (the “LDRs”); and

**WHEREAS**, the amendment will increase the maximum allowable density in the Medium Density Residential – 1 (MDR-1) zoning district from eight (8) dwelling units per acre to sixteen (16) dwelling units per acre.; and

**WHEREAS**, the matter was presented to the Planning Board for approval at its regularly scheduled meeting held on January 17, 2019; and

**WHEREAS**, the Planning Board found that it is in the public interest to amend section 122-280 and made a recommendation of approval to the City Commission through Resolution no. 2019-05.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:**

**Section 1.** That the above recitals are incorporated by reference as if fully set forth herein.

**Section 2.** That Chapter 122 of the Land Development Regulations is hereby amended as follows: \*

**Section 122-280. – Dimensional regulations.**

The dimensional requirements in the medium density residential district-1 (MDR-1) are as follows:

- (1) Maximum density: ~~Eight~~ Sixteen dwelling units per acre (~~8~~ 16 du/acre).
- (2) Maximum FAR: 1.0.
- (3) Maximum height: 35 feet.
- (4) Maximum lot coverage:
  - a. Maximum building coverage: 50 percent.
    1. Single-family and two-family: 35 percent.
    2. Multiple-family and community facilities: 40 percent.
  - b. Maximum impervious surface ratio:
    1. Single-family and two-family: 50 percent.
    2. Multiple-family and community facilities: 60 percent.
- (5) Minimum lot size:
  - a. Multiple-family: 10,000 square feet.
  - b. Single-family: 5,000 square feet.
  - c. Minimum width:
    1. Multiple-family and community facilities: 80 feet.
  - d. Minimum depth: 100 feet.
- (6) Minimum setbacks:
  - a. Multiple-family and community facilities:
    1. Front: 30 feet.
    2. Side: 25 feet.
    3. Rear: 25 feet or 20 feet when abutting an alley.
    4. Street side: 25 feet.
  - b. Single-family and two-family:
    1. Front: 10 feet.
    2. Side: ~~55~~ 5 feet or 10 percent of lot width to a maximum of 15 feet, whichever is greater.
    3. Rear: 20 feet.
    4. Street side: 20 feet.

(Ord. No. 99-18, § 1 (Exh. A(2-5.2.3(1)(E))), 9-8-1999)

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

**Section 3.** If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provision of this Ordinance shall be deemed severable therefrom and shall be constructed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

**Section 4.** All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

**Section 5.** This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission and approval by the Florida Department of Economic Opportunity, pursuant to Chapter 380, Florida Statutes.

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Read and passed by the City Commission at a regular meeting held this \_\_\_\_ day of \_\_\_\_\_, 2019.

Read and passed on final reading at a regular meeting held this \_\_\_\_ day of \_\_\_\_\_, 2019.

Authenticated by the presiding officer and Clerk of the Commission on the \_\_\_\_ day of \_\_\_\_\_, 2019.

Filed with the Clerk \_\_\_\_\_, 2019.

Mayor Teri Johnston	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Vice Mayor Sam Kaufman	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
TERI JOHNSTON, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK