



EXECUTIVE SUMMARY

To: Jim Scholl, City Manager

Through: Patrick Wright, Planning Director

From: Vanessa Sellers, Planner II

Meeting Date: February 5, 2019

RE: **Text Amendment of the Comprehensive Plan** – An ordinance of the City of Key West, Florida, amending Table 1-1.1.5 and Policy 1-1.1.10, entitled “Allowed Uses in Historic Public and Semi-Public” of the City’s Comprehensive Plan; 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 allow for deed restricted affordable housing development at a maximum of 16 dwelling units per acre as a conditional use within the Historic Public and Semipublic Services District (HPS) zoning district.

BACKGROUND:

The proposed ordinance to amend the City’s Comprehensive Plan is part of a process to address the affordable housing shortage in the City. The City Commission is hearing this Comprehensive Plan text amendment and a text amendment to the Land Development Regulations (LDRs) which propose deed restricted affordable workforce housing as a conditional use within the HPS zoning district with a maximum allowable density of sixteen (16) dwelling units per acre. Currently, residential dwellings are neither a permitted use nor a conditional use in the district.

REQUEST:

The proposed text amendment to the Comprehensive Plan is as follows*:

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 amount 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 PUBLIC & SEMIPUBLIC FUTURE LAND USE DISTRICT			
Zoning District	Density	Intensity	Uses & Limitations
(HPS) Historic Public Services	Maximum of 16 dwelling units per acre N/A	Maximum intensity of 1.0.	See Policy 1-1.1.10 for allowed uses.
(HPS-1) Historic Public Services			
(HPS-2) Historic Public Services		Maximum intensity of 0.8.	

Policy 1-1.1.10: Allowed Uses in Historic Public and Semi-Public: The maximum FAR for the HPS area shall be 1.0, excepting large scale regional public facilities. The latter projects may have a higher FAR if approved by City Commission. However, prior to approving an FAR in excess of 1.0, the City Commission must render a finding that the proposed public facility requires a higher FAR in order to accommodate a regional service necessary to the general health, safety, and welfare of the City and/or County. Furthermore, the finding must indicate that the regional facility as proposed shall comply with all other qualitative and quantitative criteria of the Comprehensive Plan and Land Development Regulations, including, but not limited to the adopted concurrency management policies. In no case may the City approve a FAR of greater than 1.75.

Areas of the Truman Waterfront have been zoned HPS-1. Development in those areas is limited to the existing and proposed uses identified in the Military Base Reuse Plan. These uses include a harborwalk, open space, community recreation centers, play fields, public recreation facilities, amphitheaters, and accessory concessionaire commercial uses.

The Peary Court Cemetery has been zoned HPS-2. This designation is intended to restrict development of the parcel to its historic use as a cemetery and open space. Any proposed uses shall be reviewed for consistency with the applicable historic preservation plans.

The City shall monitor the need for increased land area for institutional uses and shall ensure that adequate lands are provided in the public and semi-public land use designation. Land uses such as cultural or civic centers, and public or private not-for-profit uses may be included within this land use designation.

Deed restricted affordable workforce housing is deemed a conditional use with a density of 16 units per acre in the HPS zoning district.

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

City Actions:

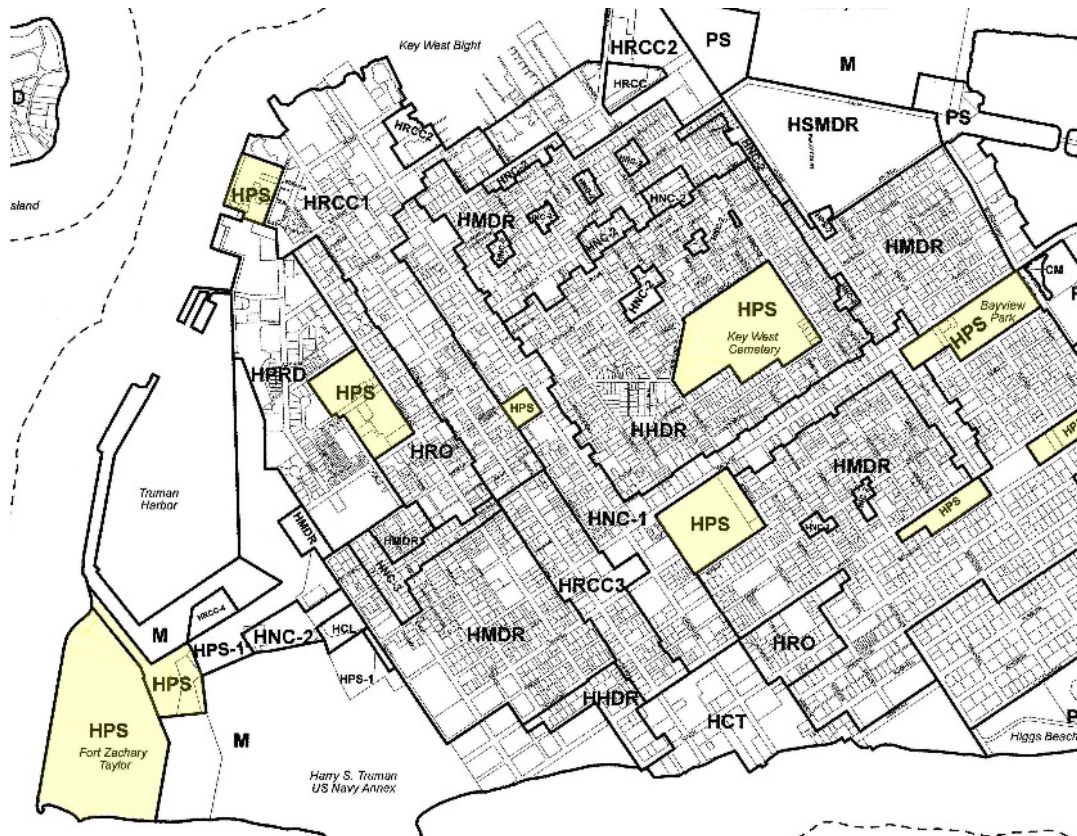
Planning Board: September 18, 2018 (approved)
City Commission: February 5, 2019 (first reading)
City Commission: TBA (second reading)
Local Appeal Period: 30 days
Render to DEO: 10 working days
DEO Notice of Intent (NOI)
Effective when NOI posted on DEO website

Planning Staff Analysis:

The purpose of Chapter 90, Article VI, Division 3 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.

Currently, residential dwellings are neither a permitted use nor a conditional use in the HPS zoning district, therefore the use is prohibited. Because some of the parcels zoned HPS may not be appropriate for residential development (i.e. the Key West Cemetery), the new use would be a conditional use. The purpose is to ensure that residential use shall only be permitted on specific sites where the use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity.

The HPS zoning district can be found ten (10) times on the Official Zoning Map of the City of Key West. Abutting zoning districts and their maximum allowable densities are as follows: SF (8 du/acre), HMDR (16 du/acre), HHDR (22 du/acre), HNC-1 (16 du/acre), HRCC-1 (22 du/acre), HRCC-3 (22 du/acre), HRO (16 du/acre), HPRD (22 du/acre), and M (N/A). A maximum allowable density of 16 dwelling units per acre in the HPS zoning district will ensure orderly and compatible land use patterns.



Options / Advantages / Disadvantages:

Option 1: **Approve** the text amendment to the City’s Comprehensive Plan to amend Table 1-1.1.5 and Policy 1-1.1.10, entitled “Allowed Uses in Historic Public and Semi-Public” as recommended by the Planning Board through Resolution no. 2018-44.

a. Consistency with the City’s Strategic Plan, Vision, and Mission:
The Strategic Plan is silent on this issue.

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

Option 2: **Deny** the text amendment to the City’s Comprehensive Plan to amend Table 1-1.1.5 and Policy 1-1.1.10, entitled “Allowed Uses in Historic Public and Semi-Public” as recommended by the Planning Board through Resolution no. 2018-44.

a. Consistency with the City’s Strategic Plan, Vision, and Mission:
The Strategic Plan is silent on this issue.

b. Financial Impact:
There will be no cost to the City if this request is denied.

Recommendation:

As per Resolution no. 2018-44, the Planning Board recommends the **approval** of the text amendment to the Comprehensive Plan.