

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS ON PROPERTY LOCATED AT 5220, 5224, 5228 & 5230 COLLEGE ROAD (RE # 00072082-002200, AK # 8757883 ; RE # 00072082-002100, AK # 8757875 ; RE # 00072080-002200, AK # 1076155 ; RE # 00072082-002400, AK # 8757905) PURSUANT TO CHAPTER 90, ARTICLE VI, DIVISION 2 OF THE LAND DEVELOPMENT REGULATIONS, TO CREATE A NEW HIGH DENSITY RESIDENTIAL COLLEGE ROAD DISTRICT (HDR-1) OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR PERMITTED USES, CONDITIONAL USES, PROHIBITED USES AND DIMENSIONAL REQUIREMENTS; PROVIDING FOR A RESIDENTIAL DENSITY OF 40 UNITS PER ACRE AMENDING CHAPTER 122, ARTICLE IV, DIVISION 1, PROVIDING AMENDMENTS TO THE TABLES OF USES AND DIMENSIONAL REQUIREMENTS FOR HIGH DENSITY RESIDENTIAL COLLEGE ROAD (HDR-1) DISTRICT; PROVIDING FOR CONCURRENT AND CONDITIONAL ADOPTION UPON ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key West received a request to amend the Land Development Regulations in order to implement the new High Density Residential College Road (HDR-1) zoning district; and

WHEREAS, the Key West Planning Board, held a public hearing after due notice on December 21, 2017, and forwarded to the City Commission its recommendation concerning the proposed Land Development Regulation amendment; and

WHEREAS, the City has prepared an amendment to the Land Development Regulations that considers the recommendations by staff, the public and the Planning Board; and

WHEREAS, the City Commission has properly advertised and held the required public hearings on the Land Development Regulation amendment and has received public input; and

WHEREAS, the City Commission has determined that the proposed Land Development Regulations amendment is: consistent with the Comprehensive Plan; is in conformance with all applicable requirements of the Code of Ordinances; is not stimulated by changed conditions after the effective date of the existing Land Development Regulations; will promote land use compatibility; will not result in additional demand on public facilities and services; will have no impact on the natural environment; will not negatively affect property values in the area or the general welfare; will result in an orderly and compatible land use pattern; and is not in conflict with the public interest; and

WHEREAS, all statutory requirements with regard to the proposed zoning map amendment have been complied with.

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

Section 1: Pursuant to Chapter 163 of the Florida Statutes, the City Commission hereby declares its intent to exercise its authority to plan for the area within its jurisdiction as granted by the Act, and hereby amends the Land Development Regulations of

the City of Key West, Florida In summary, the proposed HDR-1 zoning regulations contained in the proposed Ordinance are as follows:

Section 1: That Chapter 122, Article IV, of the Code of Ordinances is hereby amended as follows:

SUBPART B - LAND DEVELOPMENT REGULATIONS

CHAPTER 122

ZONING

ARTICLE IV. DISTRICTS

DIVISION 1. GENERALLY

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

Residential	

HDR-1	High Density Residential College Road

Section 2: That Chapter 122, Article IV, Division 3 of the Code of Ordinances is hereby amended as follows:

[new] SUBDIVISION VII. High Density Residential College Road District (HDR-1)

Sec. 122-331. - Intent.

- (a) The high density residential college road district (HDR-1) is established to implement comprehensive plan policies for areas designated "HDR-1" on the comprehensive plan future land use map. The HDR-1 district shall accommodate high density affordable housing at 40 dwelling units per acre. The HDR-1 district shall accommodate permitted uses and duly approved conditional uses as specified in section 122-332 and section 122-333.

Sec. 122-332. - Permitted uses.

Uses permitted in the high density college road (HDR-1) are as follows:

- (1) Multiple-family residential dwellings.
- (2) Group homes with less than or equal to six residents.

Sec. 122-333. - Conditional uses.

Conditional uses in the high density residential college road district (HDR-1) are as follows:

- (1) Group homes with seven to 14 residents.
- (2) Educational institutions and day care facilities.
- (3) Nursing homes, rest homes and convalescent homes
- (4) Parks and recreation active and passive.
- (5) Places of worship.
- (6) Protective services.
- (7) Public and private utilities.
- (8) Parking lots and facilities
- (9) Emergency shelters for the homeless, and shelters for temporarily housing the homeless which meet the following minimum standards for development review, site development and operation:

a. Fencing: The entire site shall have a six-foot opaque fence on all sides.

b. Landscape buffer: A minimum of a five-foot wide "D" buffer as specified in section 108-374

(c)

c. Security lighting on the perimeter of the site and upon the interior of the fenced premises which shall be designed to "dark sky" lighting standards to protect adjacent residential uses.

d. Onsite security personnel licensed by the State of Florida for such role and activity provided by the operator of the facility during the hours of operation inclusive of nighttime or any time when clients of the facility are present.

e. An outdoor daytime congregation area inside the grounds of the site large enough to accommodate the maximum client population of the facility to prevent waiting and congregating off site.

f. Onsite facilities:

i. Sleeping facilities for 100% of the maximum client population;

ii. Dining facilities for at least 50% of the maximum client population;

iii. Shower and toilet facilities in a quantity necessary to serve the maximum client population;

iv. Intake and counseling offices;

v. Storage for client personal effects, food, sleeping linens, miscellaneous support materials;

vi. Loading zone and bus parking area.

g. All shelters for the homeless or for temporary housing [of] the homeless shall undergo review as a major development plan and meet the requirements of section 108-92 et seq.

Sec. 122-334. - Prohibited uses.

In the high density residential college road district (HDR-1), all uses not specifically or provisionally provided for in this subdivision are prohibited.

Sec. 122-335. - Dimensional requirements.

The dimensional requirements in the high density residential college road district (HDR-1) are as follows:

- (1) Maximum density: 40 dwelling units per acre (40 du/acre).
- (2) Maximum floor area ratio: not applicable
- (3) Maximum height: 25 feet, unless otherwise increased by referendum.
- (4) Maximum lot coverage:
 - a. Maximum building coverage: 40 percent.
 - b. Maximum impervious surface ratio: 60 percent.
- (5) Minimum lot size: 1 acre.

a. Minimum lot width: 10 feet.

b. Minimum lot depth: Multiple family and
community facilities 80 feet.

(6) Minimum setbacks:

a. Front: 20 feet.

b. Side: 10 feet.

c. Rear: 10 feet.

d. Street side: 10 feet.

Section 3: That Chapter 122, Article V, Division 2, Uses,
Section 122-1111 of the Code of Ordinances is hereby amended as
follows:

ARTICLE V. SUPPLEMENTARY DISTRICT REGULATIONS
DIVISION 2. USES

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

TABLE OF LAND USE BY DISTRICT

	LDR -C	SF	MDR	MDR -C	HDR	<u>HDR</u> <u>-1</u>	CL	CG	CT	R O	PRD	HMDR	HSMDR	HHDR	HRCC -1	HRCC- 2	HRCC -3	HPRD	HNC -1	HNC -2	HNC -3	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	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	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4	
Multiple-family dwellings			P	P	P	<u>P</u>	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4	
Foster homes/group homes with ≤ to 6 residents ²	P	P	P	P	P	<u>P</u>	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	<u>C</u>	C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C					
Approved home occupations	P	P	P	P	P	<u>P</u>	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	<u>P</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4	C
Community Facilities																												
Airport facilities																												P
Cemeteries																									C		C	
Community centers, clubs and lodges							C	C	C	C	C		C		C	C	C	C	C			C	C	P		P		
Cultural and civic activities							P	P	P	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C		
Educational institutions and day care facilities		C	C		C	<u>C</u>	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P		P		

Parking lots and facilities					C		P	P	P	P	C	C	C	C	P	P	P	C	P	P	P	P	P	P	P		P	C	
Restaurants, excluding drive-through							P		C		C				P	P	P	C	C	C11	C	C							C
Restaurants, including drive-through								P																					
Small recreation power-driven equipment rental							C9	C9	C9						C	C	C		C										
Vehicular sales and related services, including maintenance and repair								C																					
Veterinary medical services, with outside kennels								P																					
Veterinary medical services, without outside kennels							P	P		P					P	P	P	C	P	P	P							P	

Section 4 - That Chapter 122, Article V, Division 3, Area Requirements, Section 122-1157, Size and Dimension Regulations, of the Code of Ordinances is hereby amended follows:

DIVISION 3. AREA REQUIREMENTS

Sec. 122-1151. - Size and dimension.

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

TABLE OF SIZE AND DIMENSION REGULATIONS

Minimum Setback Requirements												
District	Minimum Area (sq. ft.)	Minimum Width (sq. ft.)	Minimum Depth (sq. ft.)	Impervious Surface Ratio	Maximum Building Coverage	Front (feet)	Street Side (feet) ¹	Side (feet)	Rear ² (feet)	Maximum Height (feet)	Maximum Floor Area Ratio	Maximum Density (du/acre)

<u>HDR-1 high density residential college road</u>	<u>1 acre</u>	<u>80</u>	<u>100</u>	<u>60</u>	<u>40</u>	<u>20</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>25*</u>	<u>NA</u>	<u>40</u>
<u>*Unless otherwise increased by referendum</u>												

* * *

Section 5: 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 provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 6: 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 7: 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.

Read and passed on first reading at a regular meeting held this day of _____, 2018.

Read and passed on final reading at a regular meeting held this day of _____, 2018.

Authenticated by the presiding officer and Clerk of the Commission on ____ day of _____, 2018.

Filed with the Clerk on ____ day of _____, 2018.

Mayor Craig Cates	_____
Commissioner Samuel Kaufmann	_____
Commissioner Clayton Lopez	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK

* (Coding: Added language is underlined; deleted language is struck through.)