



EXECUTIVE SUMMARY

To: Jim Scholl, City Manager

Through: Roy Bishop, Planning Director

From: Vanessa Sellers, Planner II

Meeting Date: May 7, 2019 (1st reading) / September 4, 2019 (2nd reading)

RE: **Text Amendment of the Land Development Regulations** – 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.

ACTION STATEMENT:

The purpose of this ordinance is to amend the City’s Land Development Regulations to amend Chapter 122, to 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. The LDR text amendment will also add minimum setbacks for multiple-family and community facilities development, and it will reduce the minimum side-setback for single-family and two-family developments.

BACKGROUND:

The proposed ordinance to amend the City’s Land Development Regulations (the “LDRs) is an essential part of an extensive effort to encourage the development of affordable & permanent housing within the City.

REQUEST:

The proposed text amendment to the LDRs is 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)

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

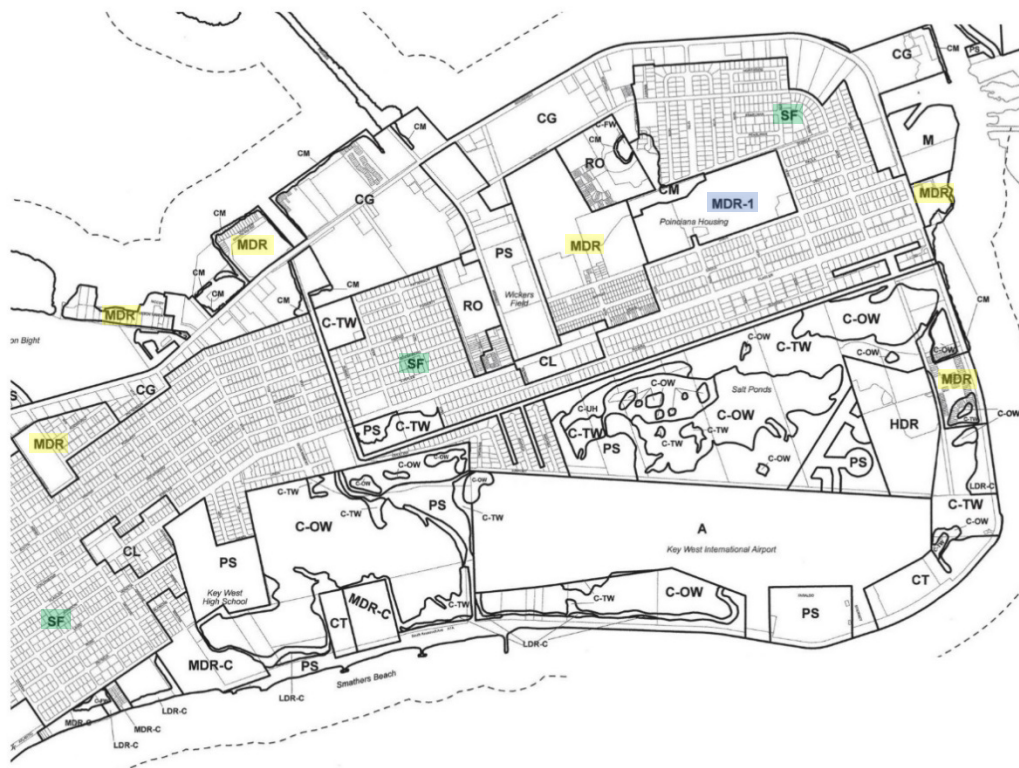
City Actions:

Planning Board: January 17, 2019 (approved)
City Commission: May 7, 2019 (first reading)
City Commission: September 4, 2019 (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 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.

The current maximum allowable density of the MDR-1 zoning district is eight (8) dwelling units per acre (8 du/acre), consistent with the single-family (SF) zoning district. However, the maximum allowable density in the medium density residential (MDR) zoning district is *sixteen* (16) dwelling units per acre (16 du/acre). This text amendment will bring the maximum allowable density of the MDR-1 zoning district in line with the MDR zoning district.



In addition, the text amendment will add minimum setback requirements for multiple-family and community facilities in anticipation of such development.

The text amendment also reduces the minimum side setback for single-family and two-family development from 55-feet to 5-feet. Since the minimum lot size for single-family in the MDR-1 zoning district is 5,000-feet, staff assumes the 55-foot side-setback was not intentional, but rather a scrivener’s error.

According to the Monroe County Property Appraiser, the total land area of the MDR-1 zoning district is 31.07 acres, or 1,353,399-square-feet. An increase in the maximum allowable density for the entire MDR-1 zoning district will allow for the future development and redevelopment of affordable & permanent housing.

Options / Advantages / Disadvantages:

Option 1: **Approve** the text amendment to the City’s Land Development Regulations to amend 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 as recommended by the Planning Board through Resolution no. 2019-05.

- 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 Land Development Regulations to amend 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 as recommended by the Planning Board through Resolution no. 2019-05.

- 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. 2019-05, the Planning Board recommends the **approval** of the text amendment to the Land Development Regulations.