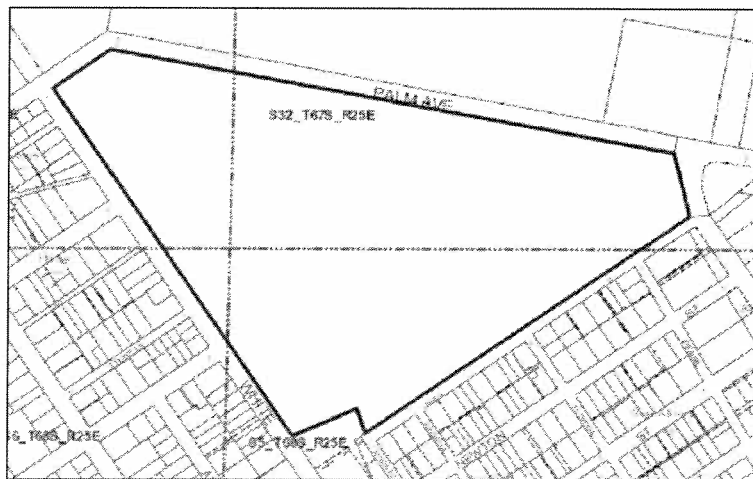




**THE CITY OF KEY WEST
PLANNING BOARD
Staff Report**

To: Chairman and Planning Board Members
Through: Ashley Monnier, Planner II
From: Donald Leland Craig, AICP Planning Director
Meeting Date: October 20, 2011

Agenda Item: A resolution of the City of Key West Planning Board recommending to the City Commission the invoking of Zoning in Progress for the property known as Peary Court (RE# 00006730-000000); directing Planning staff to consider appropriate amendments to the Future Land Use Element of the Comprehensive Plan and Land Development Regulations in response to the proposed sale of the military property to a non-governmental entity, and assigning an interim zoning designation to the property; providing for an effective date.



Introduction:

On April 6, 2011, the City of Key West was made aware that the United States Navy and its concessional housing partner, Balfour Beatty Communities, would be pursuing the sale of the property known as Peary Court (RE# 00006730-000000, Alternate Key # 1006963) and all of the structures on it, to a private entity. Since that notification, the City has been coordinating with the Navy and Balfour Beatty to understand the unique characteristics of the military property; as the sale would require changes to the City's Comprehensive Plan and Land Development Regulations (at minimum) because the Land Use Element in the City's Comprehensive Plan currently recognizes the property as having a Military (M) Future Land Use Designation. Policy 1-2.6.2 of the Comprehensive Plan does not provide any regulatory land use controls for lands that fall under the Military Future Land Use designation. As such, the Planning Department proposes to take forward to the Planning Board and City Commission a proposal for Zoning in Progress on the property. Zoning in Progress would enable City staff to continue working with the Navy to obtain necessary information and follow applicable State and local processes to modify the City's Comprehensive Plan, Land Development Regulations, and identify solutions for absorbing any potential impacts while providing a mechanism for the Navy and Balfour Beatty to be able to proceed with the conditional sale of the property.

Background:

The parcel in its entirety consists of 157 dwelling units and a commercial building housing a branch of the Keys Federal Credit Union. The property abuts Palm Avenue, White Street, Angela Street, and Eisenhower Drive. The residential units are arranged in two, three and four-plex buildings. The property is configured as a planned unit development, typical of suburban housing complexes. Originally constructed as housing for military personnel in 1994, the complex has become available for rental by the general public.

Process for Changing the Military Land Use Designation:

At minimum, the process required to change the Future Land Use designation and supporting Land Development Regulations will take approximately 12 months from initiation. Consequently, City staff has proposed Zoning in Progress as an interim solution for the lack of regulatory land use controls governing the property as both a protection for the public, and to clearly identify for the seller and potential buyers the entitlements and development rights that run with the land in the event that the property is sold before the new land use designation is approved.

To summarize the process required for a change to the Future Land Use Element of the Comprehensive Plan and the corresponding Land Development Regulations, the proposed changes must undergo a State Coordinated Review Amendment Process, in accordance with Section 163.3184(4) and (5) of the Florida Statutes. The attached flow chart identifies the Comprehensive Plan Amendment process mandated by state law, and reflected in the City's Land Development Regulations. While the land planning law for the majority of the state has changed dramatically with this year's passage of new land use legislation to streamline the planning processes, the process for amending

comprehensive plans in the Florida Keys remains the same as in years past. The process is very comprehensive, and due to the anticipated length, the Planning Department is recommending to the Planning Board and City Commission the invoking of Zoning in Progress throughout the duration of the State Coordinated Review Amendment Process, should the ownership of the property change. Zoning in Progress is a measure of ensuring that regulatory land use controls are set into place in anticipation of the transfer of ownership from the military to a private entity, while City staff, the Planning Board, and City Commission determine the appropriate Future Land Use designation and corresponding zoning designation. It is important to understand that until the transfer of ownership from the United States Navy to a private entity occurs, any interim designation (should one be approved) would not go into effect because the federal government is immune and exempt from any local land use regulation.

Planning Staff Analysis:

A. Interim Designation Review

Based on preliminary site analysis, a designation of Planned Redevelopment District (PRD) may be the most appropriate interim Future Land Use designation, as the existing site characteristics appear to be most consistent with the PRD district. However, there are aspects of the PRD regulations that would cause the site, as existing, to be inconsistent with some standards of the PRD zoning district. This arises primarily because the regulations pertaining to PRD districts are found in two separate sections of the code. Section 122-536 through 122-543 describes the general standards and intent of the zoning district, while Chapter 107 provides the regulatory and permit processing framework. For instance, in this chapter, the required minimum lot size is 50 acres. Conversely, Section 122-536(b) contemplates the application of the PRD zoning to large shopping centers on North Roosevelt Boulevard, none of which have ever been fifty acres in size, nor are there many parcels or assemblages of parcels of this size anywhere in the City. Also Section 107-6 appears to require the submittal of a subdivision plat simultaneously with an application for rezoning to PRD.

As an alternative, the Medium Density Residential (MDR) designation may also be compatible; however, like the PRD district, is not completely consistent with the existing characteristics on the ground. For instance, MDR zoning provides a much higher potential density of 16 units per acre, versus the PRD zoning standard of 8 units per acre, which is consistent almost exactly with the calculated existing density at Peary Court (based on the reported site size of 23 acres and 157 units, the existing density is 7 units per acre).

The solution to these inconsistencies may be in recognizing that no one existing zoning designation is entirely appropriate as a final zoning designation, or Zoning in Progress designation. However, because of the temporary nature of Zoning in Progress as a regulatory tool, and the flexibility that the law allows in the application of interim designations to protect the public health, safety, and welfare, the PRD designation with some limitations on the types of development allowed in the interim is justified.

B. Intergovernmental Coordination and Identification of Key Issues

Much continued coordination with the Navy and Balfour Beatty, as well as other governmental agencies, will be necessary for staff to be able to adequately determine the most appropriate final zoning designation. Further, intergovernmental coordination efforts must be continued to fully understand how the absorption of these units will affect the City. As a preliminary measure, City staff representing various technical disciplines, and officials from OMI met with representatives from Balfour Beatty to tour the site on Monday, October 3, 2011. The purpose of this site visit was to initiate staff interaction and the identification of key issues prior to the commencement of the Future Land Use amendment and Land Development Regulation amendment processes. As of the date of this report, important issues include:

1. Existing and future unit impact to the City with respect to the Hurricane Evacuation Model.
2. How the absorption of the units will affect the City's Building Permit Allocation System (BPAS). Representatives of the Florida Department of Community Affairs (now the Division of Community Planning in the Department of Economic Opportunity) have verbally notified the Planning Department that it is their position that when Peary Court is transferred to City Jurisdiction and private ownership, the dwelling units have their own BPAS allocations attached and will not negatively affect the City's limited BPAS pool of available allocations. However, the City will need confirmation of this position as part of moving forward.
3. Whether a percentage of units must be affordable, consistent with the Comprehensive Plan.
4. Whether units met applicable construction codes when built (1994-1998).
5. Whether the site meets level of service standards related to the Concurrency management standards required in the Comprehensive Plan and Land Development Regulations, as well as impacts on emergency services, and whether there will be any fiscal impacts to the City.
6. Provision of FEMA elevation certificates and whether the units are compliant with applicable regulations.
7. Provision of current survey to confirm land area.
8. Understanding the stratification of tenant type (military/civilian/rental ranges) and rents paid in order to determine if units and families meet the City's affordable housing criteria.

These issues will be the focus of the on-going analysis required as part of the Comprehensive Plan Future Land Use amendment process.

It is also necessary to recognize some required constraints in the Zoning in Progress designation to control undue and inappropriate development on the site while the Future Land Use amendment process is underway. Staff believes that while it is certainly prudent and fair to allow the new owner to maintain, repair and replace the dwelling units and commercial development on the property if involuntarily destroyed, it is not appropriate during the pendency of the Zoning in Progress to allow the consideration of any expanded development which might trigger conditional use, variance, or development plan application consideration by the Planning Board or the City Commission.

C. Preliminary Future Land Use Designation Analysis

Finally, staff believes it is necessary to provide certain limiting parameters on the number of Future Land Use designations and supporting zoning classifications that will be considered for the property. This recommendation is based on staff analysis of potential designations based on compatibility with the surrounding neighborhoods. This limitation also provides clarity for surrounding property owners, the general public, and the potential future owners of the property. Based on the foregoing, the following recommended Future Land Use designations include:

- Planned Redevelopment District (PRD);
- Historic Planned Redevelopment District (HPRD);
- Medium Density Residential (MDR);
- Historic Medium Density Residential (HMDR); and
- Potential hybrid designation of one or more of the above categories (with a numerical designator) may emerge from the analysis to recognize and incorporate additional or different standards applicable only to Peary Court, based on unique site characteristics.

Recommendation:

Based on the foregoing, the Planning Department recommends the invoking of Zoning in Progress to allow the PRD Land Use Designation and corresponding zoning designation to be used as an interim measure, should the property be sold by the U.S. Navy during the processing of the Future Land Use amendment change and Land Development Regulation change. Further, staff recommends incorporating into the Zoning in Progress the following limitations:

1. Only the following Comprehensive Plan and zoning designations shall be considered for adoption as the final Comprehensive Plan and Zoning designations: PRD, HPRD, MDR, HMDR, or a hybrid of one or more of these designations.
2. A prohibition on the acceptance of the following applications from the civilian owners of the property and units during the pendency of the Zoning in Progress: variances of any kind, conditional uses, special exceptions, development plans, or any other type of application which may extend, expand, enlarge, or increase in intensity any aspect of the site.

Should the Planning Board approve the recommendation of invoking the Zoning in Progress Doctrine, the City Commission will have the opportunity to consider the Planning Board's finding.

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Draft Resolution

RESOLUTION NUMBER 2011-_____

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD RECOMMENDING TO THE CITY COMMISSION THE INVOKING OF ZONING IN PROGRESS FOR THE PROPERTY KNOWN AS PEARY COURT (RE# 00006730-000000); DIRECTING PLANNING STAFF TO CONSIDER APPROPRIATE AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT REGULATIONS IN RESPONSE TO THE PROPOSED SALE OF THE MILITARY PROPERTY TO A NON-GOVERNMENTAL ENTITY, AND ASSIGNING AN INTERIM ZONING DESIGNATION TO THE PROPERTY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Key West was made aware on April 6, 2011 that the United States Navy and its concessional housing partner, Balfour Beatty Communities, would be pursuing the sale of the property known as Peary Court (RE# 00006730-000000, Alternate Key # 1006963) and all of the structures on it, to a private entity; and

WHEREAS, the subject property is located within a Military (M) Future Land Use Designation and zoning district; and

WHEREAS, Policy 1-2.6.2 of the Comprehensive Plan does not provide any regulatory land use controls for lands that fall under the Military Future Land Use designation; and

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Resolution Number _____

_____Chairman

_____Planning Director

WHEREAS, should the ownership change from military to a civilian entity, the existing Military (M) land use designation and zoning are no longer consistent with the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, changes to the Comprehensive Plan's Future Land Use Element and Supporting Land Development Regulations would be necessary; and

WHEREAS, in order to plan for the appropriate land use designation and zoning change, the City Planning Department has proposed the Zoning in Progress Doctrine to the Planning Board for consideration of recommendation to the City Commission for the land known as Peary Court (RE# 00006730-000000, Alternate Key # 1006963); and

WHEREAS, Zoning in Progress would provide an interim zoning designation, effective upon sale from the military to a non-military entity, should such real estate transaction occur prior to the City's completion of the change in Future Land Use Element and Land Development Regulations, respective to the subject property; and

WHEREAS, under the Zoning in Progress, the Planned Redevelopment District (PRD) land use designation would be most consistent interim designation based on the existing site characteristics; and

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Resolution Number _____

_____Chairman

_____Planning Director

WHEREAS, under the Zoning in Progress, staff will consider the following land use designation changes with respect to the Future Land Use change and Land Development Regulation change: Planned Redevelopment District (PRD), Historic Planned Redevelopment District (HPRD), Medium Density Residential (MDR), Historic Medium Density Residential (HMDR), or a hybrid of these designations, should that be most consistent with the unique site characteristics; and

WHEREAS, under the Zoning in Progress, applications for variances, conditional uses, special exceptions, development plans, or any other type of application which may extend, expand, enlarge, or increase in intensity any aspect of the site may not be submitted to the City by the civilian owner of the property and units; and

NOW THEREFORE BE IT RESOLVED by the Planning Board of 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 effective upon the sale of Peary Court (RE# 00006730-000000, Alternate Key # 1006963), where ownership should change from military to non-military, the property shall be subject to the Zoning in Progress Doctrine, and the land use designation shall change from Military (M) to an interim designation of Planned Redevelopment District (PRD), while City staff process changes to the City's Comprehensive Plan and supporting Land Development Regulations.

Section 3. That this policy shall be in effect until the required Future Land Use Element

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Resolution Number _____

_____Chairman

_____Planning Director

Changes of the Comprehensive Plan and supporting Land Development Regulations are adopted and in effect.

Section 4. That until expiration of the resolution, no applications for variances, conditional uses, special exceptions, development plans, or any other type of application which may extend, expand, enlarge, or increase in intensity any aspect of the site may not be submitted to the City from the civilian owner of the property and units.

Section 5. That City staff are directed to continue the preparation and processing of the required changes to the Comprehensive Plan and Land Development Regulations, with respect to the subject property.

DRAFT

Read and passed at a regular meeting held this _____ day of _____, _____

Authenticated by the Chairman of the Planning Board and the Planning Director.

Richard Klitenick, Chairman
Key West Planning Board

Date

Attest:

Donald Leland Craig, AICP
Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date

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_____ Chairman

_____ Planning Director

Peary Court Aerial

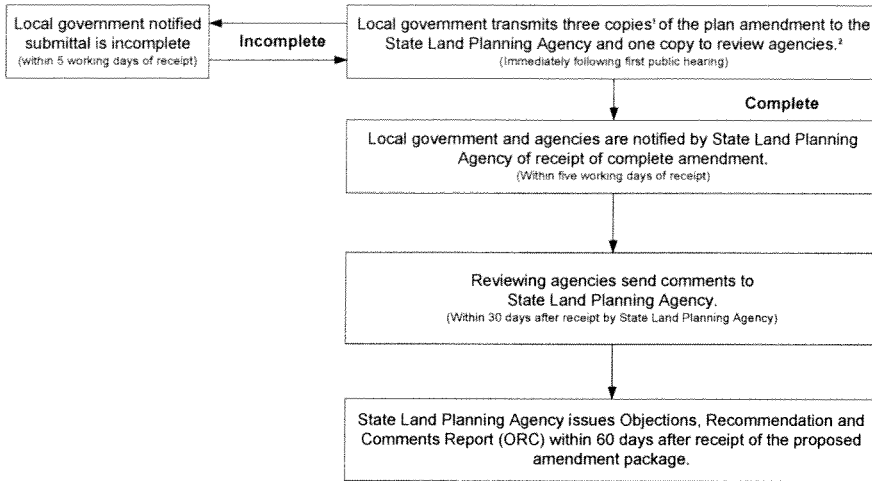


**Peary Court
Aerial**

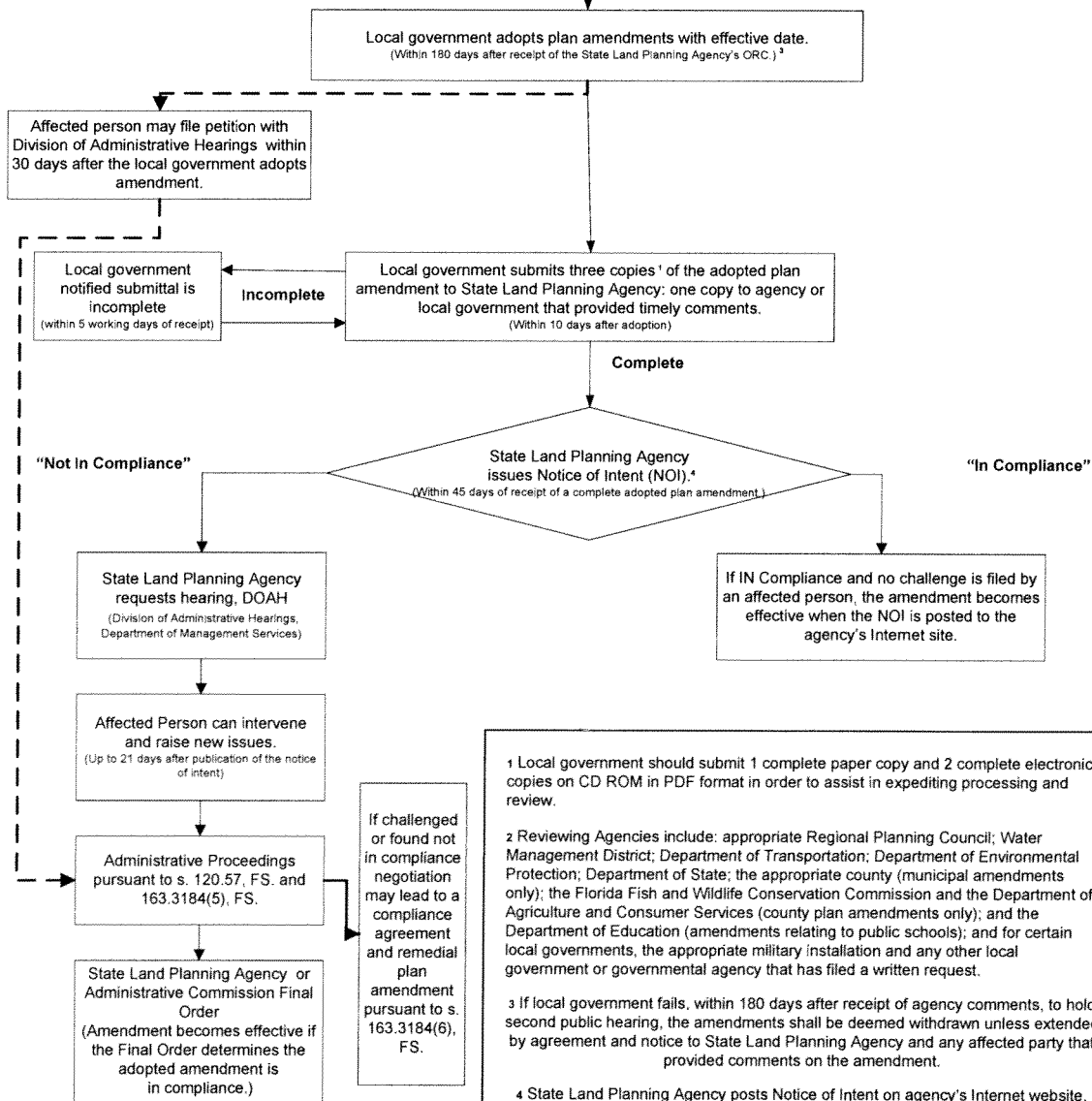
**State Coordinated Review Amendment
Process Flow Chart**

State Coordinated Review Amendment Process Section 163.3184(4) and (5), Florida Statutes

Proposed Phase



Adopted Phase



1 Local government should submit 1 complete paper copy and 2 complete electronic copies on CD ROM in PDF format in order to assist in expediting processing and review.

2 Reviewing Agencies include: appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

3 If local government fails, within 180 days after receipt of agency comments, to hold second public hearing, the amendments shall be deemed withdrawn unless extended by agreement and notice to State Land Planning Agency and any affected party that provided comments on the amendment.

4 State Land Planning Agency posts Notice of Intent on agency's Internet website.

PRD District Regulations

Key West, Florida, Code of Ordinances >> Subpart B - LAND DEVELOPMENT REGULATIONS >> Chapter 107 - PLANNED REDEVELOPMENT AND DEVELOPMENT DISTRICT >> ARTICLE I. - IN GENERAL >>

ARTICLE I. - IN GENERAL

- Sec. 107-1. - Applicability.
- Sec. 107-2. - Purpose and intent.
- Sec. 107-3. - Unified control.
- Sec. 107-4. - Minimum size.
- Sec. 107-5. - Conformance with comprehensive plan and zoning.
- Sec. 107-6. - Compliance with subdivision regulations.
- Sec. 107-7. - Ownership of open space and landscaped areas.
- Sec. 107-8. - Enforcement and penalties.
- Sec. 107-9. - Truman Annex and Fuel Tank Island.
- Secs. 107-10—107-25. - Reserved.

Sec. 107-1. - Applicability.

This chapter shall be applicable to all planned redevelopment and development, except the Truman Annex and Fuel Tank Island properties as provided in section 107-9.

(Ord. No. 97-10, § 1(4-20.1), 7-3-1997)

Sec. 107-2. - Purpose and intent.

- (a) The PRD planned redevelopment and development district is established to implement planned redevelopment and development (PRD) provisions of the city comprehensive plan, both within Old Town (HPRD) and outside Old Town (PRD). Wherever the PRD is mentioned in this article, the HPRD district is also intended to be stipulated unless specifically stated to the contrary. The PRD district provides a voluntary management framework for coordinating objectives of the development community which may be inconsistent with conventional zoning district provisions. The PRD district incorporates a more flexible management structure for negotiating private sector development objectives which reinforce and further public sector goals, objectives and policies for the city's development and resource conservation.
- (b) The PRD district is intended to encourage the accomplishment of a more complete living environment through the application of enlightened and imaginative approaches to community planning and shelter design. This alternative permits the introduction of a variety of architectural solutions; provides for historic preservation, as well as the preservation of natural features in scenic areas; reduces land consumption by roads; separates vehicular and pedestrian circulation systems; fosters original approaches to meaningful integration of open space and recreation areas within the development; establishes neighborhood identity and focus; and ideally provides for the compatible coexistence of man with his environment.
- (c) Regulations for the planned redevelopment and development are intended to accomplish the purposes of zoning, subdivision regulations and other applicable city and county regulations to the same degree as when such city and county regulations are intended to control development on a lot-by-lot basis rather than on a unified development approach. In view of the substantial public advantages of planned redevelopment and development, it is the intent of this chapter to promote and encourage development in this form. The uses and structures proposed are to be planned and developed as unified and coordinated developments.
- (d) The PRD district purpose is to:
 - (1) Achieve high standards in the quality of urban design amenities within residential and nonresidential developments;
 - (2) Promote efficient use of land by facilitating more cost effective and environmentally sensitive site planning;
 - (3) Stimulate opportunities for varied housing types;
 - (4) Conserve and protect the natural environment including wetlands, natural habitat, drainage corridors, floodprone lands, and other environmentally sensitive lands; and
 - (5) Provide for more useable and suitably located open space and recreation facilities and other public and common facilities than would otherwise be provided under conventional land development procedures.
- (e) Although the PRD provides opportunities for unique concepts, a planned redevelopment and development (PRD) district shall comply with the community character as promoted by the city commission and shall be designed to limit impacts of the development internally within the confines of the PRD through compliance with the regulations established in the comprehensive plan and as stipulated in the land development regulations.

For noncompliance with this chapter, the city commission shall have the authority to suspend construction activity and revoke any building permit issued under this chapter and to take all actions necessary to halt construction until such time as there is compliance with this chapter. If legal action is necessary and costs are incurred by the city in forcing compliance, these expenses shall be borne by the developer or parties violating the terms of this chapter.

(Ord. No. 97-10, § 1(4-20.6), 7-3-1997)

Sec. 107-9. - Truman Annex and Fuel Tank Island.

The planned redevelopment and development (PRD) ordinance existing at the time of the Truman Annex development agreement and the development agreement approving Truman Annex and Fuel Tank Island development executed by Resolution No. 86-267, dated December 8, 1986, and as amended shall govern proposed changes, additions and continuing maintenance activities associated with the Truman Annex and Fuel Tank Island as defined in the cited development agreement which is filed in the office of the city clerk.

(Ord. No. 97-10, § 1(4-20.8), 7-3-1997)

Secs. 107-10—107-25. - Reserved.

Key West, Florida, Code of Ordinances >> Subpart B - LAND DEVELOPMENT REGULATIONS >> Chapter 107 - PLANNED REDEVELOPMENT AND DEVELOPMENT DISTRICT >> ARTICLE II. - DEVELOPMENT PLANS AND PLATS >> DIVISION 1. - GENERALLY >>

DIVISION 1. - GENERALLY

- Sec. 107-26. - Urban design amenities and improvements generally.
- Sec. 107-27. - Drainage system approved by city engineer.
- Sec. 107-28. - Sidewalks and improvements to enhance pedestrian movement.
- Sec. 107-29. - Traffic circulation improvements.
- Sec. 107-30. - Lighting and signage.
- Sec. 107-31. - Open space and landscape furniture.
- Sec. 107-32. - Other subdivision improvements.
- Sec. 107-33. - Loading docks.
- Sec. 107-34. - Shipping and receiving.
- Sec. 107-35. - Storage areas.
- Sec. 107-36. - Shaded light.
- Sec. 107-37. - Utility lines.
- Secs. 107-38—107-65. - Reserved.

Sec. 107-26. - Urban design amenities and improvements generally.

For the purposes stated in section 107-169, development plans for the PRD planned redevelopment and development district shall incorporate the urban design amenities and improvements included in this division.

(Ord. No. 97-10, § 1(4-20.1(J)), 7-3-1997)

Sec. 107-27. - Drainage system approved by city engineer.

The city engineer shall consider the relative advantages and disadvantages of curb and gutters, French drains, retention/detention, swales and other similar drainage system components in the development plans for urban design amenities and improvements in the PRD planned redevelopment and development district. The city engineer shall approve the system or combination of systems most appropriate for surface water management. The following factors shall be considered:

- (1) Natural environmental conditions of the site;
- (2) Existing and proposed future hydrological conditions of the site, including existing and proposed site elevations, amounts and rates of water runoff, water quality, and other related factors;
- (3) Available drainage improvements on and off site;
- (4) Intensity of the proposed use, potential barriers to movement, and impacts of the drainage system alternatives on pedestrian and traffic circulation, aesthetics of the project and impacts on the surrounding area; and
- (5) Potential contaminants or pollutants generated by land uses, motor vehicles, or other sources of pollutants and contaminants.

(Ord. No. 97-10, § 1(4-20.1(J)(1)), 7-3-1997)

Sec. 107-28. - Sidewalks and improvements to enhance pedestrian movement.

In the development plans for urban design amenities and improvements in the PRD planned redevelopment and development district, sidewalks shall be planned and installed. The sidewalks shall link vehicle use areas including parking areas with all principal buildings. The pedestrian circulation system shall include marked pedestrian crossings in order to separate vehicular and pedestrian traffic.

(Ord. No. 97-10, § 1(4-20.1(J)(2)), 7-3-1997)

Cross reference— Streets and sidewalks, ch. 62

Sec. 107-29. - Traffic circulation improvements.

Traffic circulation improvements, including all needed intersection improvements along internal and perimeter streets required to service projected traffic volumes, including turning lanes, acceleration, deceleration and turning lanes, as well as traffic control devices and signage, shall be included in the development plans for urban design amenities and improvements in the PRD planned redevelopment and development district. All such improvements shall conform to city specifications.

(Ord. No. 97-10, § 1(4-20.1(J)(3)), 7-3-1997)

Sec. 107-30. - Lighting and signage.

Street lighting and signage which is harmonious with the urban design theme of the project, promotes aesthetics and reinforces good principles and practices of streetscape design shall be included in the development plans for urban design amenities and improvements in the PRD planned redevelopment and development district. Street lighting shall be installed on all internal and perimeter streets, within parking areas, and along pedestrian walkways. Signage shall incorporate a unified design.

(Ord. No. 97-10, § 1(4-20.1(J)(4)), 7-3-1997)

Sec. 107-31. - Open space and landscape furniture.

In the development plans for urban design amenities and improvements in the PRD planned redevelopment and development district, open space and landscape furniture, including open plazas, walkways, possible use of functional and aesthetic paving material, street benches, waste disposal receptacles, and sidewalk plantings which promote the project's urban design and aesthetics shall be incorporated.

(Ord. No. 97-10, § 1(4-20.1(J)(5)), 7-3-1997)

Sec. 107-32. - Other subdivision improvements.

All other subdivision improvements and project amenities in the development plans for urban design amenities and improvements in the PRD planned redevelopment and development district shall be consistent with a unified urban design.

(Ord. No. 97-10, § 1(4-20.1(J)(6)), 7-3-1997)

Sec. 107-33. - Loading docks.

In the development plans for urban design amenities and improvements in the PRD planned redevelopment and development district, loading docks are prohibited on interior streets. They shall be located at the rear of all principal structures. Parking for trucks and all other company-owned or company-controlled vehicles shall be located at the rear of all principal structures.

(Ord. No. 97-10, § 1(4-20.1(J)(7)), 7-3-1997)

Sec. 107-34. - Shipping and receiving.

In the development plans for urban design amenities and improvements in the PRD planned redevelopment and development district, no shipping or receiving shall be permitted within 100 feet of any residentially zoned property or within 40 feet of any property line adjacent to any zoning district other than residential.

(Ord. No. 97-10, § 1(4-20.1(J)(8)), 7-3-1997)

Sec. 107-35. - Storage areas.

In the development plans for urban design amenities and improvements in the PRD planned redevelopment and development district, all storage areas shall be fully enclosed and located at the rear of all structures. No motor vehicle which is inoperative shall be stored or used for storage on any lot or parcel of land in any PRD unless it is within a completely enclosed building.

(Ord. No. 97-10, § 1(4-20.1(J)(9)), 7-3-1997)

Sec. 107-36. - Shaded light.

In the development plans for urban design amenities and improvements in the PRD planned redevelopment and development district, shaded light sources shall be used to illuminate signs, facades, buildings, parking and loading areas and shall be so arranged as to eliminate glare from roadways and streets and shall be directed away from properties lying outside the district. Shaded light sources are lighting elements shielded with opaque shade to direct the light. No neon lights, intermittent, or flashing lights or such lighted signs shall be allowed in the PRD district.

(Ord. No. 97-10, § 1(4-20.1(J)(10)), 7-3-1997)

Sec. 107-37. - Utility lines.

In the development plans for urban design amenities and improvements in the PRD planned redevelopment and development district, all utility lines shall be placed underground. All telephone lines shall be placed underground. Service lateral electrical distribution lines serving individual installations shall be placed underground. Other high voltage electrical lines may be placed underground or on concrete poles, provided that the poles are within the street right-of-way and have provisions for street lighting. Large transformers shall be placed on the ground and shall be contained in pad mounts, enclosures, or vaults. Where enclosures or vaults are used, the construction and design shall be compatible with the primary building design. Landscaping with shrubs and plants shall be provided to screen pad-mounted transformers.

(Ord. No. 97-10, § 1(4-20.1(J)(11)), 7-3-1997)

Secs. 107-38—107-65. - Reserved.

Key West, Florida, Code of Ordinances >> Subpart B - LAND DEVELOPMENT REGULATIONS >> Chapter 107 - PLANNED REDEVELOPMENT AND DEVELOPMENT DISTRICT >> ARTICLE II. - DEVELOPMENT PLANS AND PLATS >> DIVISION 2. - CONCEPTUAL DEVELOPMENT PLAN >>

DIVISION 2. - CONCEPTUAL DEVELOPMENT PLAN

- Sec. 107-66. - General procedures for submittal and approval.
- Sec. 107-67. - Preapplication conference.
- Sec. 107-68. - Initial filing.
- Sec. 107-69. - Fee for zoning review.
- Sec. 107-70. - Ownership requirements for application.
- Sec. 107-71. - Review procedures—Generally.
- Sec. 107-72. - Same—Staff review.
- Sec. 107-73. - Same—Criteria for review.
- Sec. 107-74. - Same—Review by planning board and city commission.
- Sec. 107-75. - Required form and content.
- Secs. 107-76—107-100. - Reserved.

Sec. 107-66. - General procedures for submittal and approval.

Petitions for planned redevelopment and development (PRD) zoning shall be submitted and processed as zoning amendments generally and in accordance with the procedures in sections 107-67 through 107-74.

(Ord. No. 97-10, § 1(4-20.2(A)), 7-3-1997)

Sec. 107-67. - Preapplication conference.

Prior to submitting a formal application for planned redevelopment and development (PRD) zoning, the petitioner is required to confer with the city and other county, state or regional agencies having jurisdiction or permitting responsibilities impacting the proposed development. The petitioner shall also submit a tentative land use sketch plan for review at the conference and to obtain information on any projected plans, programs or other matters that may affect the proposed planned community. This preapplication conference should address but not be limited to such matters as the following:

- (1) The proposed relationship between the anticipated project and surrounding uses, and the effect of the proposed development on the city comprehensive plan goals, objectives, and policies as well as other stated planning and development objectives of the city. Prior to receiving any PRD zoning district classification, the applicant must apply for and receive a planned redevelopment and development or historic PRD comprehensive plan future land use map designation for the subject property.
- (2) The adequacy of existing and proposed streets, utilities, and other public facilities to serve the development. The applicant shall be required to submit narrative and graphic information which addresses concurrency management issues pursuant to chapter 94.
- (3) The nature, design, and appropriateness of the proposed land use arrangement for the size and configuration of property involved.

(Ord. No. 97-10, § 1(4-20.2(A)(1)), 7-3-1997)

Sec. 107-68. - Initial filing.

Before a planned redevelopment and development (PRD) shall be approved, an application for such approval shall be filed together with the requisite fee at the city planning office. Such applications shall contain the following materials or data in sufficient quantities for necessary referrals and records:

- (1) Evidence that the subject property has been designated as "PRD" on the city comprehensive future land use map. The applicant may seek such comprehensive plan future land use map amendment concurrently with a request for a PRD zoning amendment. However, no action shall be binding on the PRD zoning petition until the necessary amendment to the comprehensive plan future land use map is duly approved by the city and the state. The application requirements for a PRD amendment to the comprehensive plan future land use map shall include submission of a conceptual development plan. The requirements defining the form and content of a conceptual development plan are cited in section 107-75
- (2)

The evidence of unified control of the proposed planned development and the associated agreements required in this article.

- (3) A proposed conceptual development plan as prescribed in section 107-75
- (4) Such other materials as the petitioner may feel is applicable to and in support of the PRD zoning.
- (5) Any additional information as may be required by the planning board or the city commission at the time of any public hearing.

(Ord. No. 97-10, § 1(4-20.2(A)(2)), 7-3-1997)

Sec. 107-69. - Fee for zoning review.

The minimum fee for filing the application required in section 107-68 shall be established by resolution of the city commission.

(Ord. No. 97-10, § 1(4-20.2(A)(3)), 7-3-1997)

Sec. 107-70. - Ownership requirements for application.

- (a) A planned redevelopment and development (PRD) zoning application shall be filed in the name of the record owner of the property included in the PRD. However, the application may be filed by an applicant with an equitable interest in the property or by an attorney or agent for the owner. All applications shall include a verified statement showing each and every individual person having a legal equitable and/or beneficial ownership interest in the property upon which the application for site plan approval is sought, except corporations, in which case the names and addresses of the corporation and principal executive officers will be sufficient.
- (b) All land included for the purpose of development within a PRD district shall be owned or under the control of the petitioner for such zoning designation, whether that petitioner be an individual, partnership or corporation, or a group of individuals, partnerships or corporations. The petitioner shall present firm evidence of the unified control of the entire area within the proposed planned redevelopment and development and shall stipulate that, if he proceeds with the proposed development, he:
 - (1) Will do so in accord with the officially approved final PRD plan for the development, and such other conditions or modifications as may be attached to the special exceptions.
 - (2) Shall provide, at the time of final development review, agreements, covenants, contracts, deed restrictions, or sureties acceptable to the city commission for completion of the undertaking in accordance with the adopted final PRD plan, as well as for the continuing operation and maintenance of such areas, functions, and facilities as are not to be provided, operated or maintained at general public expense.
 - (3) Will bind his development successors in title to any commitments made under subsections (b)(1) and (2) of this section.

(Ord. No. 97-10, § 1(4-20.2(A)(4)), 7-3-1997)

Sec. 107-71. - Review procedures—Generally.

Each applicant for planned redevelopment and development (PRD) zoning shall submit a conceptual development plan for review by the city commission. The review process shall be carried out pursuant to this article. If the conceptual development plan and PRD zoning are approved, the applicant shall submit a preliminary development plan for review by city officials.

(Ord. No. 97-10, § 1(4-20.2(A)(5)), 7-3-1997)

Sec. 107-72. - Same—Staff review.

Ten copies of the conceptual development plan required in this division shall be submitted to the city planning office and shall be reviewed by the city staff, including such other professional consultants as the city commission deems appropriate.

(Ord. No. 97-10, § 1(4-20.2(A)(5)(a)), 7-3-1997)

Sec. 107-73. - Same—Criteria for review.

The city staff, after review of the conceptual development plan for planned redevelopment and development (PRD) zoning, shall present its findings in a written report to the planning board. Staff review shall be accomplished expeditiously in order to prevent undue delay or inconvenience, but shall not be limited to the timeframe in chapter 118 for review of plats. The staff review shall address the following criteria:

- (1) *Compliance with city comprehensive plan.* Whether PRD zoning and conceptual development plan is consistent with the PRD land use designation denoted on the future land use map and shall be consistent with the policies contained therein.
- (2) *Conformance with applicable ordinances.* Whether the PRD zoning and conceptual development plan complies with the requirements of all applicable city regulations and ordinances.
- (3)

Land use compatibility. Whether the proposal would result in any incompatible land uses, considering the type and location of uses involved.

- (4) *Adequate public facilities.* Whether the proposal would result in demands on public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including transportation, utilities, drainage, recreation, education, emergency services, and similar necessary facilities and services.
- (5) *Natural environment.* Whether the proposal would result in significantly adverse impacts on the natural environment.
- (6) *Economic effects.* Whether the proposal would adversely affect the property values in the area or the general welfare.
- (7) *Orderly development.* Whether the proposal would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.
- (8) *Public interest; enabling act.* Whether the proposal would be in conflict with the public interest, and is in harmony with the purpose and intent of this subpart B and its enabling legislation.
- (9) *Other matters.* Any other matters which the city may deem appropriate or that would be of particular relevance to the planning board and/or the city commission.

(Ord. No. 97-10, § 1(4-20.2(A)(5)(b)), 7-3-1997)

Sec. 107-74. - Same—Review by planning board and city commission.

- (a) *Generally.* The procedures of the planning board and the city commission in amending the land development regulations for planned redevelopment and development (PRD) zoning, including the official zoning map and/or the comprehensive plan future land use map, are stipulated in subdivision II of division 2 of article VI of chapter 90, in division 3 of article VI of chapter 90 and in division 2 of article VIII of chapter 90.
- (b) *Considerations by planning board.* The planning board shall consider all aspects of the conceptual development plan necessary to meet the intent and requirements of this article and the comprehensive plan. The planning board shall also consider the recommendations and comments of the staff. The planning board shall evaluate the conceptual development plan as defined in section 107-75. The planning board shall recommend to the city commission based on whether the conceptual development plan is consistent with comprehensive plan and whether the conceptual development plan generally complies with development plan review considerations and performance criteria of article II of chapter 108. The burden is on the applicant to demonstrate that the development is consistent with the comprehensive plan. Furthermore, through the conceptual development plan the applicant must demonstrate that the proposed development can and shall comply with all sections of the land development regulations. The applicant/developer is not required to satisfy all regulations governing site plan approval at this stage of the review process. However, the applicant/developer must demonstrate through the conceptual development plan that the proposed development can reasonably be anticipated to satisfy site plan review requirements, including all performance criteria within the timeframes mutually agreed upon.
- (c) *Action by planning board.* The planning board shall recommend approval, approval with modifications or conditions, or shall deny approval of the conceptual development plan. Such decisions shall be endorsed on the face of each copy of the conceptual development plan by the chairperson of the planning board. If the planning board recommends approval with or without modifications, such recommendation and reasons for the planning board shall be reduced to writing and forwarded to the city commission. If the planning board denies approval, the city commission will not review the conceptual development plan unless the decision of the planning board is appealed as provided in subsection (d) of this section.
- (d) *Effect of planning board denial.* If the planning board denies approval of the conceptual development plan, the plan shall not be considered by the city commission unless the applicant shall appeal the decision of the planning board to the city commission. Such notice of appeal must be filed in writing by the applicant to the city clerk within ten days following action by the planning board. If the decision is not appealed, no new PRD zoning application may be filed by the applicant until the passage of six months from the date of the planning board's action.
- (e) *Consideration by city commission.* The city commission shall consider the recommendations and comments of the planning board and staff. The city commission may make such investigations as may be deemed reasonably necessary to ensure conformity with the intent and requirements of this chapter.
- (f) *Action by city commission.* The city commission shall approve, approve with modifications or conditions, or deny the conceptual development plan or may refer the plan to the planning board for further consideration. In making its decision, the city commission shall consider all aspects of the conceptual development plan necessary to meet the intent and requirements of this chapter and the comprehensive plan.
- (g) *Conditions.* In approving a conceptual development plan, the city commission may establish such conditions and may require such modifications as shall ensure compliance with the PRD district standards and regulations, and, further, the city commission may waive or modify subdivision, site plan or other zoning requirements otherwise applicable to the development when such waiver or conflict is not in conflict with the city's comprehensive plan or the intent and purpose of the land development regulations.
- (h) *Application for rezoning.* If a conceptual development plan shall be disapproved by the city commission, the application for rezoning shall thereby be deemed to be denied. If the city commission shall approve or approve with modifications or conditions a conceptual development plan, the city commission shall thereupon grant with conditions the rezoning application accompanying such plan.
- (i) *Requests for additional information.* Prior to or in addition to approval of a conceptual development plan and upon a determination that additional information is necessary for proper review of a planned redevelopment and

development project, the city commission may require the submission of additional information by the applicant. The review of such additional information shall follow the procedures applicable to the review of the conceptual development plan.

- (j) *Amendments of conceptual development plans.* Once a conceptual development plan has been approved and there is cause for amendment of the plan or any portion thereof, such amendment shall be processed in a like manner as the original submission. However, there shall be no requirement to file an amended rezoning application unless the proposed amendment would so dictate.
- (k) *Prescribed time limit for development.* Any city commission approval of a planned redevelopment and development application shall be subject to a prescribed time limit of not more than 18 months for the submission and approval of a preliminary development plan. If the developer cannot meet this requirement, the developer shall request a public hearing for purposes of demonstrating why the planned redevelopment and development project should not be terminated. If the developer does not appear before the city commission to preserve the PRD project or if the developer fails to demonstrate why an extension should be granted, the city commission may initiate rezoning of the property to an appropriate zoning classification, pursuant to the procedures outlined in the applicable sections of [chapter 90](#). The prescribed time limit for the submission approval of a preliminary development plan may be extended by the city commission, for good cause, if the developer presents evidence within the 1½-year period which demonstrates that the developer has progressed in good faith toward implementing the conceptual development plan.

(Ord. No. 97-10, § 1(4-20.2(A)(5)(c)), 7-3-1997; Ord. No. 00-04, § 24, 2-1-2000)

Sec. 107-75. - Required form and content.

An official application for planned redevelopment and development (PRD) zoning shall be accompanied by a conceptual development plan which includes, as a minimum, the following:

- (1) *Vicinity map.* A vicinity map drawn to scale which clearly shows the site in relationship to its surroundings; if the project exceeds 100 acres in area, an aerial photograph made within the last two years at a scale of at least one inch equals 500 feet showing all property within 1,000 feet of the project boundaries is required.
- (2) *Property boundaries.* A certified survey delineating the location and dimensions of all boundary lines of the development and of any contiguous lands, including those separated only by a street, canal, or similar feature, in which the developer or property owner presently has any legal interest.
- (3) *Existing conditions.* The approximate location, nature, and extent of all existing easements, streets, buildings, land uses, historic sites, zoning, tree groupings, environmentally sensitive areas, wetlands, watercourses, and general U.S. coast and geodetic sheet topographic contours on the site; the location of areas within the V zone as delineated on the Federal Emergency Management Agency flood insurance rate maps (FIRM) for the city; the location of any property seaward of the coastal construction control line (CCCL); the names of the property owners of record and existing zoning and land uses for all property within 500 feet of the perimeter of the PRD; and the approximate location and width of all existing or platted streets, drainageways, utilities, exceptional land characteristics, and similar features contiguous to the site.
- (4) *Development plan.* The development plan including the following:
 - a. *Legal description.* A legal description of the land comprising the PRD project.
 - b. *Proof of ownership.* Legal instruments acceptable to the city attorney which clearly indicate persons with a legal and/or equitable ownership interest in the subject property. Where ownership resides with a publicly held corporation whose stock is traded on a nationally recognized stock exchange, the names and addresses of the corporation and all of its principal executive officers will be sufficient. The documentation shall also include an affirmation that no other persons have claims or interests, known to the applicant, developer, or owner, which might affect their right to develop the entire PRD project as proposed.
 - c. *Land use.* The total project acreage, approximate location of each land use and proposed intensity, acreage by each proposed land use, dwelling unit types, general types of nonresidential uses, open spaces, recreational facilities, and other proposed uses. The quantitative land use data shall be illustrated in a table which clearly depicts the total number of acres allocated to each active land use, conservation uses, waterbodies, recreation areas, and other similar allocation. The table shall also depict total acres. The percent of land area allocated to each category of land shall equal 100 percent.
 - d. *Circulation.* Circulation facilities plan showing approximate locations and types of all access points and major streets.
 - e. *Conceptual drainage plan.* A conceptual drainage plan approved by the city engineer.
 - f. *Location and densities of proposed residential activities.* General location and proposed densities for each dwelling unit type and approximate number of dwelling units by type.
 - g. *Location and square footage of proposed nonresidential activities.* Approximate location and square footage of each nonresidential land use by general type, e.g., offices, neighborhood commercial, industrial, etc., together with description of general characteristics of proposed building and/or facility improvements.
- (5) *Written material.* Written material as follows:
 - a.

Planning objectives. A statement of planning objectives to be achieved by the PRD through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant. The statement shall include a proviso that provisions of the comprehensive plan and land development regulations shall be satisfied.

- b. *Development schedule.* A proposed development schedule indicating the approximate starting and completion dates for the entire project and any phases thereof, together with appropriate identification and conceptual description of such phases.
- c. *Environmental impact statement.* A statement explaining the positive and negative environmental impacts of the proposed development on the following:
 1. Environmentally fragile lands including any lands designated "conservation" on the official zoning map, as well as any other wetlands, native habitats, floodplain, and any other significant natural features;
 2. Natural vegetation, including general tree removal estimates;
 3. Impact of proposed grading plan and drainage system improvements; and
 4. Other significant natural features of site.
- d. *Public facility impact statement.* A statement identifying the estimated impact of the proposed development on public facilities, including the following:
 1. Quantity of wastewater generated;
 2. Quantity of potable water required;
 3. Description of recreation facilities proposed;
 4. Estimated number of school age children expected within the development;
 5. Estimated property tax and/or sales tax revenue generated by the project by phase; and
 6. Any other positive or negative significant public facility impact.
- e. *Additional information.* Any other additional material and information as the city staff, planning board or city commission may reasonably require.

(Ord. No. 97-10, § 1(4-20.2(B)), 7-3-1997)

Secs. 107-76—107-100. - Reserved.

Key West, Florida, Code of Ordinances >> Subpart B - LAND DEVELOPMENT REGULATIONS >> Chapter 107 - PLANNED REDEVELOPMENT AND DEVELOPMENT DISTRICT >> ARTICLE II. - DEVELOPMENT PLANS AND PLATS >> DIVISION 3. - DEVELOPMENT PLAN AND PRELIMINARY PLAT REVIEW >>

DIVISION 3. - DEVELOPMENT PLAN AND PRELIMINARY PLAT REVIEW

Sec. 107-101. - Scope.

Sec. 107-102. - Filing preliminary development plan.

Sec. 107-103. - Fee for preliminary development plan review.

Sec. 107-104. - Ownership requirements for application.

Sec. 107-105. - Review procedures for preliminary development plan.

Sec. 107-106. - Required form and content.

Secs. 107-107—107-135. - Reserved.

Sec. 107-101. - Scope.

The granting of a rezoning to a planned redevelopment and development (PRD) and the approval of its accompanying conceptual development plan by the city commission shall constitute authority for the applicant to submit a preliminary development plan. The preliminary development plan shall be filed, processed and reviewed pursuant to this division. The preliminary PRD plan shall include a PRD site plan and a preliminary plat.

(Ord. No. 97-10, § 1(4-20.3(A)), 7-3-1997)

Sec. 107-102. - Filing preliminary development plan.

No preliminary development plan for planned redevelopment and development (PRD) rezoning shall be filed unless it has been prepared on the basis of a duly approved conceptual development plan. The preliminary development plan shall be submitted within the requisite time limit, as established at conceptual development plan approval or as may be extended by city commission action.

(Ord. No. 97-10, § 1(4-20.3(A)(1)), 7-3-1997)

Sec. 107-103. - Fee for preliminary development plan review.

The minimum fee for filing the application for the preliminary development plan for planned redevelopment and development (PRD) shall be established by resolution of the city commission.

(Ord. No. 97-10, § 1(4-20.3(A)(2)), 7-3-1997)

Sec. 107-104. - Ownership requirements for application.

The ownership requirements for filing a preliminary development plan pursuant to this division shall be the same as for filing the conceptual development plan as set forth in division 2 of this article.

(Ord. No. 97-10, § 1(4-20.3(A)(3)), 7-3-1997)

Sec. 107-105. - Review procedures for preliminary development plan.

- (a) *Generally.* Each applicant for a planned redevelopment and development (PRD) shall submit a preliminary development plan for review by city officials. The review process shall be carried out pursuant to this chapter. Public notice of planning board and city commission meetings shall be provided as specified in division 2 of article VIII of chapter 90. If the preliminary development plan is approved, the applicant shall submit a final plat for review by city officials.
- (b) *Staff review.* Ten copies of the preliminary development plan, including a preliminary plat thereof, shall be submitted to the city planning office and shall be reviewed by the city's staff, including such other professional consultants as the city commission deems appropriate.
- (c) *Criteria for review.* The city staff shall present its findings in written report to the planning board. Staff review shall be accomplished expeditiously in order to prevent undue delay or inconvenience, but shall not be limited to the time frame in chapter 118 for review of plats. The staff review shall address the following criteria:
 - (1)

- Compliance with subdivision regulations.* The preliminary development plan shall comply with the preliminary plat requirements of chapter 118
- (2) *Compliance with zoning regulations.* The preliminary development plan shall comply with all applicable zoning requirements, including development plan review procedures and performance criteria of chapter 94; chapters 102 and 106; articles I and III through IX of chapter 108; and chapters 110 and 114.
- (d) *Review by planning board and city commission.* The planning board shall hold a meeting to review the preliminary development plan. If approved by the planning board, the city commission shall also review the plan and approve such plan prior to the submission of any final development plan.
- (1) *Considerations by planning board.* The planning board shall consider all aspects of the preliminary development plan necessary to meet the intent and requirements of this chapter and the comprehensive plan. The planning board shall also consider the recommendations and comments of the staff. The planning board shall recommend to the city commission whether the development plan and preliminary plat comply with the conceptual development plan, the comprehensive plan, and the land development regulations, especially the procedures, standards, and criteria for development plan review in article II of chapter 108, pertaining to development plan review procedures, as well as performance criteria of chapter 94; chapter 102, chapter 106, articles I and III through IX of chapter 108; chapter 110 and chapter 114. The burden of proof shall reside with the applicant/developer to demonstrate compliance.
- (2) *Action by planning board.* The planning board shall recommend approval, approval with modifications or conditions, or disapproval. Such recommendation shall be endorsed on the face of each copy of the preliminary development plan by the chairperson of the planning board. The recommendation and reasons for the planning board action shall be reduced to writing and forwarded to the city commission.
- (3) *Effect of planning board denial.* If the planning board denies the preliminary development plan, the plan shall not be considered by the city commission unless the applicant shall appeal the decision of the planning board to the city commission. Such notice of appeal must be filed in writing by the applicant to the city clerk within ten days following action by the planning board. If the decision is not appealed, no new PRD application may be filed by the applicant until the passage of 90 days from the date of the commission's action.
- (4) *Consideration by city commission.* The city commission shall consider the recommendations and comments of the planning board and staff. The city commission may make such investigations as may be deemed reasonably necessary to ensure conformity with the intent and requirements of this chapter.
- (5) *Action by city commission.* The city commission shall approve, approve with modifications or conditions, or deny the preliminary development plan or may refer the plat to the planning board for further consideration. In making its decision, the city commission shall consider all aspects of the preliminary development plan necessary to meet the intent and requirements of this chapter and the comprehensive plan.
- (6) *Conditions.* In approving a preliminary development plan, the city commission may establish such conditions and may require such modifications as shall ensure compliance with the planned redevelopment and development standards and regulations, and, further, the city commission may waive or modify subdivision, site plan or other zoning requirements otherwise applicable to the development when such waiver or modification is not in conflict with the city's comprehensive plan or the intent and purpose of the land development regulations.
- (7) *Requests for additional information.* Prior to or in addition to approval of a preliminary development plan and upon a determination that additional information is necessary for proper review of a planned redevelopment and development project, the city commission may require the submission of additional information by the applicant. The review of such additional information shall follow the procedures applicable to the review of the preliminary development plan.
- (8) *Amendments of preliminary development plans.* Once a preliminary development plan has been approved and there is cause for amendment of the plan or any portion thereof, such amendment shall be processed in a like manner as the original submission. However, there shall be no requirement to file an amended rezoning application and conceptual development plan, unless the proposed amendment would so dictate.
- (9) *Prescribed time limit for development.* The city commission shall approve a planned redevelopment and development application subject to a prescribed time limit of not more than 18 months for the submission and approval of a final PRD plan. If the developer cannot meet this requirement, the developer shall request a public hearing for purposes of demonstrating why the PRD zoning should not be terminated. If the developer does not appear before the city commission to preserve the planned redevelopment and development or if the developer fails to demonstrate why an extension should be granted, the city commission may initiate the rezoning of the property to an appropriate zoning classification pursuant to the procedures outlined in the applicable sections of chapter 90. The prescribed time limit for the submission and approval of the final PRD plan may be extended by the city commission for good cause if the developer presents evidence within the 18-month period which demonstrates that the developer has progressed in good faith toward implementing the preliminary development plan.
- (10) *Changes in preliminary development plan.* If a final PRD plan is submitted which includes changes from the approved preliminary development plan, the city planning staff shall review the plan to determine the effect of the PRD and consistency with applicable ordinances. The planning board shall determine whether any changes are of such significance that the preliminary development plan should be resubmitted to the planning board. In any case of doubt, the revised preliminary development plan shall be resubmitted for approval by the planning board and the city commission.

(Ord. No. 97-10, § 1(4-20.3(A)(4)), 7-3-1997; Ord. No. 00-04, § 25, 2-1-2000)

Sec. 107-106. - Required form and content.

A preliminary development plan for planned redevelopment and development (PRD) shall be submitted along with all of the material included in the approved conceptual development plan. No permit for construction of subdivision improvements shall be issued until the preliminary plat and site plan have been duly approved and a surety has been submitted and accepted by the city commission. The preliminary development plan shall include the conceptual plan together with the following:

- (1) *Written material.* Written material as follows:
 - a. *Construction and maintenance bond.* In order to protect the city, the owner (developer) shall supply and maintain at his expense property construction and maintenance bonds for one year after completion on all roads, sewage lines and treatment plants and water lines to points of connection to the main supply, as well as 70 percent open land devoted to recreation within the area of the subject PRD district.
 - b. *Development schedule.* A development schedule indicating the approximate date when construction of the PRD or stages of the PRD can be expected to begin and be completed.
 - c. *Quantitative data.* Quantitative data as follows:
 1. Total number of dwelling units by type.
 2. Total parcel size.
 3. Proposed lot or building site coverage by buildings and structures.
 4. Proposed lot or building coverage by impervious surfaces, other than buildings and structures.
 5. Gross and net residential density.
 6. Proposed amount of open space.
 7. Proposed amount of public lands including all dedicated rights-of-way, easements, and other lands dedicated for public facilities and services.
 - d. *Updated environmental impact statement and environmental survey.* A statement explaining any additional information that may have been gathered or calculated since the approval of the conceptual development plan concerning any positive or negative environmental impacts that may be associated with the development. This statement shall include all environmental information that may be submitted as part of the development of regional impact (DRI) review process, as applicable. The updated environmental impact statement shall also include an environmental survey showing the existing and proposed site conditions, including contours at two-foot intervals; watercourses; areas within the coastal high hazard area; floodplains; wetlands; or environmentally sensitive wetlands; waters of the state, survey of wetlands, and/or transitional wetlands under the jurisdiction of the state or federal government; native habitats; other unique natural features; areas of environmental concern; historic features; and trees and vegetative cover shown in a tree survey. The environmental survey shall identify trees on the site, drainage, and the various aesthetic characteristics of the subject site and of adjacent areas and shall identify those portions of the area deemed to be of critical environmental sensitivity. The planning board may grant a waiver to the tree survey requirement upon recommendation by the city planner or other person designated by the city commission. In such case, an aerial photograph denoting the tree canopy at a scale acceptable to the city shall be submitted in lieu of the tree survey.
 - e. *Updated public facility impact statement, including a concurrency management plan.* A statement identifying any additional data or information that may have gathered or calculated since the approval of the conceptual development plan, concerning impacts of the development on public facilities including strategy for meeting chapter 94 concurrency management system requirements for each of the following:
 1. Method and design for accommodating anticipated wastewater to be generated by the development;
 2. Planned recreation and open space improvements;
 3. Method and design improvements required to supply anticipated potable water needs;
 4. System design for stormwater management projected improvements;
 5. Traffic generation and traffic assignments together with proposed improvements to accommodate projected trips while maintaining adopted level of service standards;
 6. Planned methods for accommodating projected solid waste generation;
 7. Estimated number of school age children expected within the development and plans for accommodating their educational needs;
 8. Estimated property tax and/or sales tax revenue generated by the project by phase; and
 9. Any other positive or negative public facility impact.

The statement shall also include all public facilities impact information that may be submitted as part of a development of regional impact (DRI) review process, as may be applicable.
 - f. *Development of regional impact information.* If any planned redevelopment and development qualifies as a development of regional impact (DRI), as defined in F.S. ch. 380, such projects shall include all data submitted as part of the required application for development approval (ADA). If the applicant is within 80 percent of the state's established DRI threshold or if land ownership patterns in the vicinity of the site indicate DRI potential, the city shall require that the applicant obtain a

binding letter from the state department of community affairs. In such case the city shall not grant a development order or site plan approval until the applicant has demonstrated through a binding letter that the project is not a DRI.

- g.** *Archeological and historic resource information.* The location and nature of archeological sites and historic buildings that are located within the proposed PRD, and the intended use of each shall be included graphically on the preliminary plat. Certification from the historic architectural review commission that all significant structures have been identified shall be included.
 - h.** *Additional information.* Any other additional information or material, including a traffic impact analysis, which the city staff, planning board or city commission may reasonably require.
- (2) Graphic element of development plan.** The graphic element of the development plan shall include the following:
- a.** *Plat and development plan.* A preliminary plat, prepared by a state-registered engineer, and site plan shall be submitted. The preliminary plat shall be submitted in accordance with the subdivision regulations in [chapter 118](#). The surface water management plan meeting criteria of article VIII of [chapter 108](#), as well as other infrastructure components, including roadway improvements, water and wastewater facilities, and other scheduled infrastructure improvements shall be prepared by a state-registered engineer. The site plan shall include maps, data and written statements necessary to show at least the following:
 - 1.** Proposed name of the PRD, title of map, name of city, and description of section, township and range.
 - 2.** Names and addresses of record owners, the applicant, and the person preparing the preliminary development plan.
 - 3.** The locations and names of abutting subdivisions and the names of owners of record of adjacent acreage.
 - 4.** Date, north arrow and graphic scale acceptable to the city.
 - 5.** Legal description and survey of the proposed PRD boundaries made and certified by the state-registered land surveyor.
 - 6.** Proposed lot or building site lines with dimensions, setbacks, and landscaped yards. Location and floor area size of all existing and proposed buildings, structures, and other improvements. Designation of all dwelling unit types and number of units. Net residential density calculations. Plans for nonresidential uses shall include the square footage allocated to each respective use.
 - 7.** Any desired changes from the underlying zoning regulations, and the boundaries of underlying zoning districts.
 - 8.** Location, name and dimensions of all existing and proposed dedicated public lands and the conditions of such dedication.
 - 9.** The width and location of any street or right-of-way shown upon the comprehensive plan within the PRD and the proposed width, location and grade of all streets, public or private, proposed on or off site by the applicant. Where private streets and roadways are proposed or where common areas are proposed, legal instruments running with the land shall be provided which ensure perpetual maintenance. Include projected trips, trip assignments to roadway network, existing and projected levels of service on impacted linkages, and proposed traffic improvements, including new facilities, additional lanes, signalization improvements, acceleration/deceleration lanes, and related system enhancements. The support material must comply with concurrency management provisions of [chapter 94](#)
 - 10.** Location of closest available public water supply system and proposed preliminary design for water service improvements, including existing and proposed level of service, general location of facility improvements, and schematic drawings as required by the city engineer. The final construction drawing shall not be required prior to preliminary plan approval, but shall be required prior to commencement of the installation of such improvements. The support material must comply with concurrency management provisions of [chapter 94](#)
 - 11.** Area in square feet of each lot or building site, to be indicated in a rectangle within each lot or building site.
 - 12.** Typical cross sections of proposed streets, sidewalks, canals and ditches and other proposed improvements.
 - 13.** Location of proposed wastewater collection system and proposed preliminary design of wastewater collection improvements, including proposed location of improvements, existing and proposed level of service, and schematic drawings as required by the city engineer. Final construction drawings shall not be required prior to preliminary development plan approval, but shall be required prior to commencing the installation of such facilities. The support material must comply with concurrency management provisions of [chapter 94](#)
 - 14.** Location of proposed improvements for collecting and discharging surface drainage and the preliminary design of such facilities, including the existing and proposed level of service, and schematic drawings as required by the city engineer. Final construction drawings shall not be required prior to preliminary development plan approval, but shall be submitted prior to commencing the installation of such facilities. The drainage plans shall comply with all provisions of article VIII of [chapter 108](#) pertaining to surface water management as well as [chapter 94](#) pertaining to concurrency management.

15. Location and preliminary design of proposed bridges or culverts which may be required, including the type of facility and general level of service as well as schematic drawings as required by the city engineer. Final construction drawings shall not be required prior to preliminary development plan approval, but shall be required prior to commencing the installation of such improvements.
 16. Proposed locations and preliminary designs for sidewalks, curbs, storm drainage facilities, water mains, sanitary sewers, fire hydrants, and flow facilities.
 17. Location and width of proposed permanent utility easements. The easements shall provide satisfactory access to existing rights-of-way or other open space shown upon the tentative PRD plat. Permanent drainage easements shall also be shown.
 18. Where the tentative PRD plat covers only a part of contiguous rear property owned by the applicant, a master phasing plan shall also be required unless the application certifies that the remaining real property shall be developed independently of the proposed PRD plat.
 19. The proposed treatment of the perimeter of the PRD plat, including material and techniques used, such as landscape, fences and walls for screening and buffering.
 20. Location of wetlands and/or environmentally sensitive areas located within the site. Discuss any endangered wildlife habitats or vegetative communities, wellfields, aquifer recharge areas, or wetlands which will be impacted by construction of stormwater runoff.
- b. *General appearance.* Graphic presentation of the general features of proposed structures, excluding single-family detached dwellings, including the following (Note: Notwithstanding, all structures within the HPRD shall be required to comply with the historic architectural review commission guidelines, including the historic architectural review commission review procedures):
 1. Floor plans and square footage of all multifamily and nonresidential buildings or structures.
 2. Elevations, sections and/or perspectives as necessary to indicate the basic architectural intent, the height of buildings and structures, and the general window and door arrangements.
 - c. *Dedication or reservations of land for public use.* The location and size, in acres or square feet, of all areas to be conveyed, dedicated or reserved as open spaces, public parks, recreational areas, school sites, and similar public uses. The narrative shall demonstrate compliance with concurrency management requirements of [chapter 94](#).
 - d. *Vehicular, pedestrian and bicycle circulation and parking.* The existing and proposed circulation system of arterial, collector, and local streets including off-street parking areas, service areas, loading areas, and major points of access to public rights-of-way, including major points of ingress and egress to the development. Notations of proposed ownership, public or private, shall be included where appropriate. The existing and proposed pedestrian and bicycle circulation system, including its interrelationship with the vehicular circulation system indicating proposed treatments of points of conflict shall also be shown.
 - e. *Open space and landscape plan.* A general landscape and grading plan indicating the proposed modifications in the topography and ground cover together with a plan for design of open space systems and landscaping. The landscape plan shall comply with open space, landscape and tree preservation requirements of this chapter and other applicable sections of this subpart B, especially article VI of [chapter 108](#) and article VI of [chapter 110](#).
 - f. *Information concerning adjacent lands.* Information on adjacent areas sufficient to indicate the relations between the proposed development and the adjoining areas, including the following:
 1. Land ownership within 500 feet of the exterior boundary of the property. Where lands in the vicinity include substantial acreage under unified control, the applicant may be required to submit land ownership data, including principal officers/owners of corporately owned property.
 2. Existing land use and designation on the comprehensive plan future land use map.
 3. Zoning classification.
 4. Circulation system.
 5. Density.
 6. Public facilities.
 7. Unique natural features.
 - g. *Additional information.* Any additional graphic information required by the planning board which is necessary to evaluate the character and impact of the proposed PRD.
- (3) *Development plan review standards.* All of the site plan review procedures and development standards cited in the land development regulations, including performance criteria in [chapter 94](#); [chapter 102](#), [chapter 106](#), articles I and III through IX of [chapter 108](#), [chapter 110](#) and [chapter 114](#), shall apply.

(Ord. No. 97-10, § 1(4-20.3(B)), 7-3-1997)

Secs. 107-107—107-135. - Reserved.

Key West, Florida, Code of Ordinances >> Subpart B - LAND DEVELOPMENT REGULATIONS >> Chapter 107 - PLANNED REDEVELOPMENT AND DEVELOPMENT DISTRICT >> ARTICLE II. - DEVELOPMENT PLANS AND PLATS >> DIVISION 4. - FINAL PLAT REVIEW >>

DIVISION 4. - FINAL PLAT REVIEW

Sec. 107-136. - Scope.

Sec. 107-137. - Review of final development plan.

Sec. 107-138. - Substantial conformity with preliminary development plan required.

Sec. 107-139. - Failure to comply with approved final development plan.

Sec. 107-140. - Occupancy and use of premises.

Secs. 107-141—107-165. - Reserved.

Sec. 107-136. - Scope.

- (a) Approval of the site plan and preliminary plat of planned redevelopment and development (PRD) by the city commission shall constitute authority for the applicant to submit a final development plan which shall consist of a final site plan and a final plat. The final site plan shall include the approved preliminary site plan together with any approved changes made pursuant to article VII of chapter 108. The final plat shall be compliant with subdivision III of division 3 of article III of chapter 118 and shall contain all the required information listed in the table in section 118-136 containing required supplementary submission documents. The final development plan must be prepared in accordance with the approved preliminary development plan and shall not be considered approved by the city commission and shall not be recorded in the records of the county until it has been approved in a manner prescribed pursuant to subdivision III of division 3 of article III of chapter 118.
- (b) A final plat may be prepared and submitted for the entire planned unit development at one time or for the approved development stages on an individual basis.

(Ord. No. 97-10, § 1(4-20.4(A)), 7-3-1997)

Sec. 107-137. - Review of final development plan.

The review procedures for the final development plan of the planned redevelopment and development (PRD) shall be the same as the review procedures established for a final plan in subdivision III of division 3 of article III of chapter 118. If the final site plan includes any proposed changes, the final site plan shall be reviewed pursuant to procedures established for site plan review in article II of chapter 108. Public notice of planning board and city commission meetings shall be provided as specified in division 2 of article VIII of chapter 90.

(Ord. No. 97-10, § 1(4-20.4(A)(1)), 7-3-1997; Ord. No. 00-04, § 26, 2-1-2000)

Sec. 107-138. - Substantial conformity with preliminary development plan required.

- (a) The final development plan of the planned redevelopment and development (PRD) shall be in substantial conformity with the approved preliminary development plan and plat. In achieving substantial conformity, no change authorized by this division may cause any of the following:
- (1) A change in the use or character of the planned unit development;
 - (2) An increase in overall coverage of structures;
 - (3) An increase in the intensity of use, or the density;
 - (4) An increase in the problems of traffic circulation and public utilities;
 - (5) A reduction in approved open space;
 - (6) A reduction in required pavement widths; or
 - (7) A violation of a specific requirement or condition of the land development regulations.
- (b) Changes, erasures, modifications, additions or revisions shall not be made to a final plat after city commission approval has been given, unless the final plat is resubmitted for approval, except as required by law for clarification.
- (c) All changes in use, rearrangement of lots and blocks, changes in the provision of common open spaces, and other changes except those listed in subsection (b) of this section may be allowed at the discretion of the city commission. Such amendments may be made only if they are shown to be required by:
- (1) Changes in conditions that have occurred since the final plat was approved; or
 - (2) Changes in adopted city policy.

Any changes which are approved in the final plat or the site plan must be recorded as amendments in accordance with the procedure established for the recording of the final plat.

(Ord. No. 97-10, § 1(4-20.4(A)(2)), 7-3-1997)

Sec. 107-139. - Failure to comply with approved final development plan.

Failure to comply with the requirements of the approved final development plan for a planned redevelopment and development (PRD) or any conditions imposed in its final approval, including time conditions, shall constitute a violation of this chapter. Upon finding by the city commission that the developer has failed to comply with the conditions of any staging plans or prescribed time limits, the approval of the final development plan and site plan shall be automatically terminated. Prior to continuing with the planned unit development, the developer shall reapply to the city commission for approval to continue. The city commission may authorize the petitioner to continue under the terms of the final development plan and site plan approval or may require the developer to resubmit the application in conformance with any step outlined in the procedure for preliminary development plan or final plat approval. No subsequent plan or reapproval shall effect an increase in the overall project density, intensity or change in use as established in the site plan.

(Ord. No. 97-10, § 1(4-20.4(A)(3)), 7-3-1997)

Sec. 107-140. - Occupancy and use of premises.

Prior to the use or occupancy of any portion of the planned unit development project, the developer must satisfy all the provisions of the approved final plat as stipulated in this chapter and shall obtain all necessary permits.

(Ord. No. 97-10, § 1(4-20.4(A)(4)), 7-3-1997)

Secs. 107-141—107-165. - Reserved.

Key West, Florida, Code of Ordinances >> Subpart B - LAND DEVELOPMENT REGULATIONS >> Chapter 107 - PLANNED REDEVELOPMENT AND DEVELOPMENT DISTRICT >> ARTICLE III. - REGULATIONS >> DIVISION 1. - GENERALLY >>

DIVISION 1. - GENERALLY

Sec. 107-166. - Perimeter transition setback.

Sec. 107-167. - Screening and bufferyard requirements.

Sec. 107-168. - Signs.

Sec. 107-169. - Subdivision improvements and urban design amenities.

Sec. 107-170. - Requirements continuing.

Secs. 107-171—107-195. - Reserved.

Sec. 107-166. - Perimeter transition setback.

- (a) Where perimeter landscape regulations within this chapter and chapter 122 are found to be more restrictive than other sections within the land development regulations, this chapter shall be the controlling regulation. The perimeter boundary setback shall be measured from the nearest edge of the right-of-way. Adjacent or abutting property shall include property separated from the PRD by a right-of-way or easement. The HPRD or PRD perimeter setback regulations may be modified by the city commission when the applicant demonstrates that the modification protects the stability of adjacent developments outside of the HPRD. Prior to rendering such decision, the city commission shall consider recommendations of staff and the planning board. The burden of proof for demonstrating a need for the modification shall reside with the applicant.
- (b) Along a perimeter boundary of a PRD or HPRD district, a minimum building setback of 100 feet shall be required when the subject PRD development incorporates land uses or structure types which differ from the character of development immediately adjacent to the PRD perimeter boundary.
- (c) The city commission may modify the 100-foot setback requirement if the PRD includes along the interior of the perimeter boundary:
- (1) Lot sizes equal to or greater than minimum lot sizes permitted on abutting residential zoned lands;
 - (2) Structure types compatible and consistent with structure types permitted on adjacent lands; and/or
 - (3) The PRD incorporates a type A opaque screen and buffer as required in section 107-167 that clearly mitigates any potential adverse impacts.

(Ord. No. 97-10, § 1(4-20.1(G)), 7-3-1997)

Sec. 107-167. - Screening and bufferyard requirements.

Screening and bufferyard requirements shall comply with sections 108-347 through 108-352 pertaining to required screening of residential and nonresidential uses.

(Ord. No. 97-10, § 1(4-20.1(H)), 7-3-1997)

Sec. 107-168. - Signs.

Signs within a planned redevelopment and development (PRD) shall be permitted only in accordance with the sign regulations within this subpart B, including chapter 114. The applicant shall submit proper documentation of a unified plan for signage with established deed restrictions or covenants governing the type, height, number, size, design and location of all signs in the development. The intent of the plan is to minimize sign proliferation, maximize the architectural integrity, and provide an overall plan ensuring harmony in the color theme, and design of all signage.

(Ord. No. 97-10, § 1(4-20.1(I)), 7-3-1997)

Sec. 107-169. - Subdivision improvements and urban design amenities.

In addition to requirements of chapter 118 pertaining to subdivision, all urban design amenities such as signage, open space systems, pedestrian walkways, and street furniture in the planned redevelopment and development (PRD) shall reflect accepted principles and practices of urban design, including streetscape amenities which promote a harmonious and aesthetic environment for pedestrians and other user groups within the proposed development. This requirement shall be enforced in order to implement the purpose and intent of the PRD.

(Ord. No. 97-10, § 1(4-20.1(J)), 7-3-1997)

Sec. 107-170. - Requirements continuing.

- (a) The requirements of article III of chapter 106 pertaining to nuisance abatement shall be continuing and enforceable against any planned redevelopment and development (PRD) approved pursuant to this chapter. The requirements shall run with the land and shall be enforceable regardless of transition in ownership.
- (b) The respective uses shall be allowed only after a finding that the use complies with the appropriate conditional use criteria and all other applicable sections of this subpart B. The city commission shall determine if such conditions and provisions are satisfied after first considering the recommendations of the planning board.

(Ord. No. 97-10, § 1(4-20.1(K)), 7-3-1997)

Secs. 107-171—107-195. - Reserved.

Key West, Florida, Code of Ordinances >> Subpart B - LAND DEVELOPMENT REGULATIONS >> Chapter 107 - PLANNED REDEVELOPMENT AND DEVELOPMENT DISTRICT >> ARTICLE III. - REGULATIONS >> DIVISION 2. - SIZE AND DIMENSION >>

DIVISION 2. - SIZE AND DIMENSION

- Sec. 107-196. - Generally.
- Sec. 107-197. - Maximum density/intensity.
- Sec. 107-198. - Open space ratio.
- Sec. 107-199. - Impervious surface ratio.
- Sec. 107-200. - Frontage and accessibility.
- Sec. 107-201. - Lot size.
- Sec. 107-202. - Setbacks.
- Sec. 107-203. - Height.
- Sec. 107-204. - Building configuration and open space.

Sec. 107-196. - Generally.

- (a) Within all planned redevelopment and development districts, the location, size, dimensions, and design of yards, building setbacks, points of vehicular access, parking areas, building characteristics, and all other planned site improvements shall provide for the following:
 - (1) Safe and convenient internal vehicular circulation, including access and sufficient area for effective delivery of emergency services such as fire protection;
 - (2) Buildings with safe entry and exit from the front and the rear of respective buildings; and
 - (3) Convenient, well-landscaped, and designed pedestrian ways and open space systems.
- (b) The size and dimension standards in sections 107-197 through 107-204 shall be applicable throughout the PRD district.

(Ord. No. 97-10, § 1(4-20.1(F)), 7-3-1997)

Sec. 107-197. - Maximum density/intensity.

- (a) The density and intensity of development within the HPRD and PRD districts shall be consistent with the comprehensive plan and the table in section 122-1151. The density and intensity expressed in the table in section 122-1151 is the maximum density/intensity which can be achieved. However, the maximum density/intensity is not guaranteed by right.
- (b) Maximum gross residential densities shall be construed to represent the maximum allowable units which may be constructed on the gross land area, determined by dividing the maximum allowable units by the gross land area (i.e., dwelling units/gross land area).
- (c) Gross land area shall be construed to represent all land under common ownership proposed for residential development.
- (d) Density designations shall be restricted or reduced for the following circumstances:
 - (1) Waters of the state shall not be included as gross land area.
 - (2) Land area which encompasses wetlands, transitional wetlands, mangroves, upland hammocks, or other environmentally sensitive land areas designated on the future land use map as "conservation" shall be restricted to development densities established in the table in section 122-1151. No development shall be permitted within jurisdictional lands and waters of the state or federal government, except when agencies having jurisdiction determine that development rights exist. In the latter case section 122-1142 applies.
- (e) In reviewing applications/site plans for development of particular building sites, the specific residential density approved by the city shall include the following considerations:
 - (1) Protect neighborhood cohesiveness and stability of residential characters;
 - (2) Ensure compatible transitions in land use density and intensity;
 - (3) Protect environmentally sensitive areas, particularly wetlands and floodplains;
 - (4) Minimize impacts of flood hazards to development;
 - (5) Require that all applicable land development regulations are satisfied, including but not limited to performance criteria of article II of chapter 108 pertaining to development plan review procedures;
 - (6) Ensure that the number of units proposed is suitable for the site and that the site plan incorporates design features which are consistent with the requirements of the land development regulations.
- (f)

The maximum intensity stipulated for nonresidential activities is stated in terms of floor area ratio (FAR). The city shall reserve the power to mandate changes in the site plan as well as mandate reductions in the density and/or intensity of development proposed by an applicant/developer if the city finds that the proposed site plan does not satisfy provisions of the comprehensive plan and the land development regulations. See the floor area ratio illustration in section 122-1142

(Ord. No. 97-10, § 1(4-20.1(F)(1)), 7-3-1997)

Sec. 107-198. - Open space ratio.

The minimum percentage of permeable green open space in the planned redevelopment and development (PRD) shall be based on the type of land use proposed and shall comply with the minimum open space ratios stipulated in the table in section 122-1151 pertaining to size and dimension regulations.

(Ord. No. 97-10, § 1(4-20.1(F)(2)), 7-3-1997)

Sec. 107-199. - Impervious surface ratio.

The term "impervious surface" is defined in section 122-1143. The maximum impervious surface ratio allowed by land use type in the planned redevelopment and development (PRD) is cited in the table in section 122-1151.

(Ord. No. 97-10, § 1(4-20.1(F)(3)), 7-3-1997)

Sec. 107-200. - Frontage and accessibility.

Every land use permitted in the planned redevelopment and development (PRD) shall have access to a paved street which meets standards for local city streets.

(Ord. No. 97-10, § 1(4-20.1(F)(4)), 7-3-1997)

Sec. 107-201. - Lot size.

There is no minimum required lot size for residential and nonresidential land uses in the planned redevelopment and development (PRD), including mixed use structures. However, the development plan must demonstrate compliance with the comprehensive plan and the land development regulations, especially performance criteria cited in article II of chapter 108 pertaining to development plan review procedures.

(Ord. No. 97-10, § 1(4-20.1(F)(5)), 7-3-1997)

Sec. 107-202. - Setbacks.

- (a) Minimum setbacks shall be stipulated for typical lots proposed in the conceptual development plan for the planned redevelopment and development (PRD). The preliminary development plan shall provide detailed information on all setbacks for each respective lot. There shall be no minimum setbacks aside from perimeter boundary setbacks. However, the city shall retain the authority to mandate minimum setbacks during development plan review based on specific site plan considerations and consistent with sound application of urban design principles and practices.
- (b) Consideration shall be directed toward provision of usable open space, privacy, fenestration (i.e., roofline, placement and design of windows and doors), access to light and air, preservation of natural vegetation, landscaping, pedestrian and vehicular access, surface water management, pedestrian plazas, and other similar attributes of urban design which impact lot configuration, building layout and arrangement of open spaces.

(Ord. No. 97-10, § 1(4-20.1(F)(6)), 7-3-1997)

Sec. 107-203. - Height.

The height of structures in the planned redevelopment and development (PRD) shall not exceed 30 feet.

(Ord. No. 97-10, § 1(4-20.1(F)(7)), 7-3-1997)

Sec. 107-204. - Building configuration and open space.

The arrangement and orientation of structures, open space, landscaping, and pedestrian and vehicular circulation improvements in the planned redevelopment and development (PRD) shall provide a functional and an aesthetically pleasing environment for pedestrian users.

(Ord. No. 97-10, § 1(4-20.1(F)(8)), 7-3-1997)

Key West, Florida, Code of Ordinances >> Subpart B - LAND DEVELOPMENT REGULATIONS >> Chapter 122 - ZONING >> ARTICLE IV. - DISTRICTS >> DIVISION 5. - MIXED USE DISTRICTS >> Subdivision III. - Mixed Use Planned Redevelopment/Development District (PRD) >>

Subdivision III. - Mixed Use Planned Redevelopment/Development District (PRD)

[136]

Sec. 122-536. - Intent.

Sec. 122-537. - Uses permitted.

Sec. 122-538. - Conditional uses.

Sec. 122-539. - Prohibited uses.

Sec. 122-540. - Dimensional requirements.

Sec. 122-541. - Dimensional requirements for Key West golf club development.

Sec. 122-542. - Accessory structures, swimming pools and spas in the Key West golf club development.

Sec. 122-543. - Key West golf club residential lots; unity of title.

Secs. 122-544—122-565. - Reserved.

Sec. 122-536. - Intent.

- (a) The mixed use planned redevelopment/development district (PRD) is established to implement comprehensive plan policies for areas designated "PRD" on the comprehensive plan future land use map. The PRD district shall accommodate planned development or redevelopment of strategically located sites for large scale development. Such development or redevelopment generates communitywide impacts and requires a regulatory framework that provides for comprehensive impact assessment as well as flexibility in negotiating development agreements (reference F.S. § 163.3220 et seq., the Florida Local Government Development Agreement Act) which significantly further the goals, objections, and policies of the comprehensive plan.
- (b) The PRD district regulations provide a regulatory framework for managing large scale development or redevelopment which generates potential communitywide impacts. Such large scale development and redevelopment activities may include redevelopment of large scale shopping centers along the North Roosevelt Corridor or the anticipated large scale residential development targeted for the municipal golf course. A PRD designation may also be appropriate for managing potential communitywide impacts generated by redevelopment of large scale and long established mobile home developments.

(Ord. No. 97-10, § 1(2-5.4.2(A)), 7-3-1997)

Sec. 122-537. - Uses permitted.

Uses permitted in the mixed use planned redevelopment/development district (PRD) are as follows:

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings (except in the Key West golf club development).
- (3) Group homes with less than or equal to six residents as provided in section 122-1246

(Ord. No. 97-10, § 1(2-5.4.2(B)), 7-3-1997; Ord. No. 04-02, § 1, 1-21-2004)

Sec. 122-538. - Conditional uses.

Conditional uses in the mixed use planned redevelopment/development district (PRD) are as follows:

- (1) Group homes with seven to 14 residents as provided in section 122-1246
- (2) Community centers, clubs and lodges.
- (3) Cultural and civic activities.
- (4) Educational institutions and day care.
- (5) Golf course facilities which maintain ten percent native vegetative uplands.
- (6) Nursing homes, rest homes and convalescent homes (except in the Key West golf club development).
- (7) Parks and recreation, active and passive.
- (8) Places of worship.
- (9) Protective services.
- (10) Public and private utilities.
- (11) Business and professional offices.
- (12) Commercial retail low, medium and high intensity.
- (13) Medical services (except in the Key West golf club development).

- (14) Parking lots and facilities.
- (15) Restaurants, excluding drive-through.
(Ord. No. 97-10, § 1(2-5.4.2(C)), 7-3-1997; Ord. No. 04-02, § 2, 1-21-2004)

Sec. 122-539. - Prohibited uses.

In the mixed use planned redevelopment/development district (PRD), all uses not specifically or provisionally provided for in this subdivision are prohibited.

(Ord. No. 97-10, § 1(2-5.4.2(D)), 7-3-1997)

Sec. 122-540. - Dimensional requirements.

The dimensional requirements in the mixed use planned redevelopment/development district (PRD), except as provided in section 122-541, are as follows:

- (1) Maximum density: eight dwelling units per acre (8 du/acre).
- (2) Maximum floor area ratio: 0.8.
- (3) Maximum height: 35 feet.
- (4) Maximum lot coverage:
 - a. Maximum building coverage: 40 percent.
 - b. Maximum impervious surface ratio: 60 percent.
- (5) Minimum setbacks:
 - a. Front: minimum of 25 feet or as an alternative 10 percent of lot depth for buildings up to 25 feet in height or 20 percent of lot depth for buildings over 25 [feet] in height; provided, however, the maximum setback shall be 50 feet.
 - b. Side: 20 feet.
 - c. Rear: 40 feet or 35 feet when abutting an alley.
 - d. Street side: 20 feet.

(Ord. No. 97-10, § 1(2-5.4.2(E)), 7-3-1997; Ord. No. 04-02, § 3, 1-21-2004)

Sec. 122-541. - Dimensional requirements for Key West golf club development.

The dimensional requirements in the mixed use planned redevelopment/development district (PRD) applicable to the Key West golf club development are as follows:

- (1) Maximum density: one dwelling unit per lot existing on January 1, 2003.
- (2) Maximum floor area ratio: 0.8.
- (3) Maximum height: 35 feet.
- (4) Maximum lot coverage:
 - a. Maximum building coverage: 40 percent.
 - b. Maximum impervious surface ratio: 60 percent.
- (5) Minimum setbacks:
 - a. Front: 5 feet.
 - b. Side: 5 feet (0 feet for air conditioning equipment, pool enclosures, pool equipment, carports and garbage enclosure areas) (2.5 feet for pools). Structures in existence on the effective date of this ordinance, however, shall be entitled to retain their existing side setbacks.
 - c. Rear: 5 feet (0 feet for pools, pool enclosures, pool equipment and garbage enclosure areas).
 - d. Street side: 5 feet.

(Ord. No. 04-02, § 4, 1-21-2004)

Sec. 122-542. - Accessory structures, swimming pools and spas in the Key West golf club development.

The following provisions apply to accessory structures, swimming pools and spas constructed within the Key West golf club development:

- (a) Accessory structures and additions to existing homes are permitted to be constructed on lots, consistent with the conditions set forth in this section. Accessory structures shall include, but not be limited to: patios, decks, fences, gazebos, arbors, trellises, sheds, pools, spas, and mechanical swimming pool or spa equipment. The Key West Golf Club Homeowners Association must provide the City of Key West a written approval of a proposed accessory structure or a proposed addition to an existing house, as a condition of issuance of a building permit. Swimming pools and spas are prohibited on those lots identified on the attached Exhibit A as lots 56, 57, 59, 60, 61, 62, 63, 64, 65, 66A, 66B, 67A, 67B, 68, 69, 87, 88, 89, 90, 95, 96, 97, 98, 99, 100, 101, 102, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147A, 147B, 148A, 148B, 149A, 149B, 151, 152, 153A,

153B, 154A, 154B, 155A, 155B, 156A, 156B, 157A, 157B, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299 and 300. On these lots where swimming pools and spas are prohibited, the following rear-yard accessory structures and additions must be screened as a further condition of issuance of a building permit: decks elevated above 30 inches, porches and balconies.

- (b) On the following lots or portions thereof, as indicated on Exhibit A by a circle, which are subject to existing restrictive covenants, no improvements including swimming pools and spas shall be constructed except the certain landscaping as permitted in the restrictive covenants: the rear (northerly) 8.0 feet of 47RY, the rear (southerly) 28.92 feet of 120 RY, the rear (southerly) 27.90 feet of 121RY and all of 283RY.
- (c) A fence or hedge designed to shield a yard from errant golf shots may be up to 9.5 feet high.
- (d) There shall be no variance of the prohibition against swimming pools and spas on the lots enumerated in subsection (a).

(Ord. No. 04-02, § 5, 1-21-2004)

Editor's note—

Exhibit A cited in § 122-542 is not set out in this Code but is available for review in the office of the city clerk.

Sec. 122-543. - Key West golf club residential lots; unity of title.

- (a) The residential lots authorized for the Key West golf club development are limited to those lots depicted on the final lot survey of the Key West golf club development approved in Key West Resolution Number 04-041. No other lot may be created, nor may any lot be subdivided. The final lot survey, dated September 22, 2003, is on file with the city clerk.
- (b) Those lots designated on the final lot survey of Key West golf club as sub-lots (with "RY" suffix) may be conveyed only to the owner of the contiguous lot bearing the same lot number as the sub-lot, and once conveyed, may not be separately re-conveyed or otherwise separately alienated; i.e., conveyance of the sub-lot shall establish an indivisible unity of title joining the title of the sub-lot with title to the correspondingly numbered contiguous lot.
- (c) No principal use may be constructed on a Key West golf course sub-lot.

(Ord. No. 04-02, § 6, 1-21-2004)

Secs. 122-544—122-565. - Reserved.

FOOTNOTE(S):

⁽¹³⁶⁾ **Cross reference—** *Planning and development, ch. 54; planning and development, ch. 108. (Back)*

Public Notices
(radius map & mailing list)

Public Meeting Notice

The Key West Planning Board will hold a public hearing at 6:00 p.m., October 20, 2011 at Old City Hall, 510 Greene Street, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Zoning in Progress - A resolution of the City of Key West Planning Board recommending to the City Commission the invoking of Zoning in Progress for the property known as Peary Court (RE# 00006730-000000); directing Planning staff to consider appropriate amendments to the Future Land Use Element of the Comprehensive Plan and Land Development Regulations in response to the proposed sale of the military property to a non-governmental entity, and assigning an interim zoning designation to the property; providing for an effective date.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at www.keywestcity.com.



L AIR STATION
COURT ANNEX

Public Meeting Notice

WARNING

STATION
T ANNEX

Public
Meeting
Notice

T UNION

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

Request: Zoning in Progress - A resolution of the City of Key West Planning Board recommending to the City Commission the invoking of Zoning in Progress for the property known as Peary Court (RE# 00006730-000000); directing Planning staff to consider appropriate amendments to the Future Land Use Element of the Comprehensive Plan and Land Development Regulations in response to the proposed sale of the military property to a non-governmental entity, and assigning an interim zoning designation to the property; providing for an effective date.

Applicant:	City of Key West	Owner:	US Government / Southeast Housing, LLC.
Project Location:	Peary Court	Date of Hearing:	Thursday, October 20, 2011
Time of Hearing:	6:00 PM	Location of Hearing:	Old City Hall, City Commission Chambers 510 Greene St

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm. **Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas.**

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email ccowart@keywestcity.com .

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the ADA Coordinator at 305-809-3951 between the hours of 8:00 a.m. and 5:00 p.m., or information on access available to individuals with disabilities. To request materials in accessible format, a sign language interpreter or other assistance (5 days advance notice required), please call 305-809-1000 for assistance.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

Request: Zoning in Progress - A resolution of the City of Key West Planning Board recommending to the City Commission the invoking of Zoning in Progress for the property known as Peary Court (RE# 00006730-000000); directing Planning staff to consider appropriate amendments to the Future Land Use Element of the Comprehensive Plan and Land Development Regulations in response to the proposed sale of the military property to a non-governmental entity, and assigning an interim zoning designation to the property; providing for an effective date.

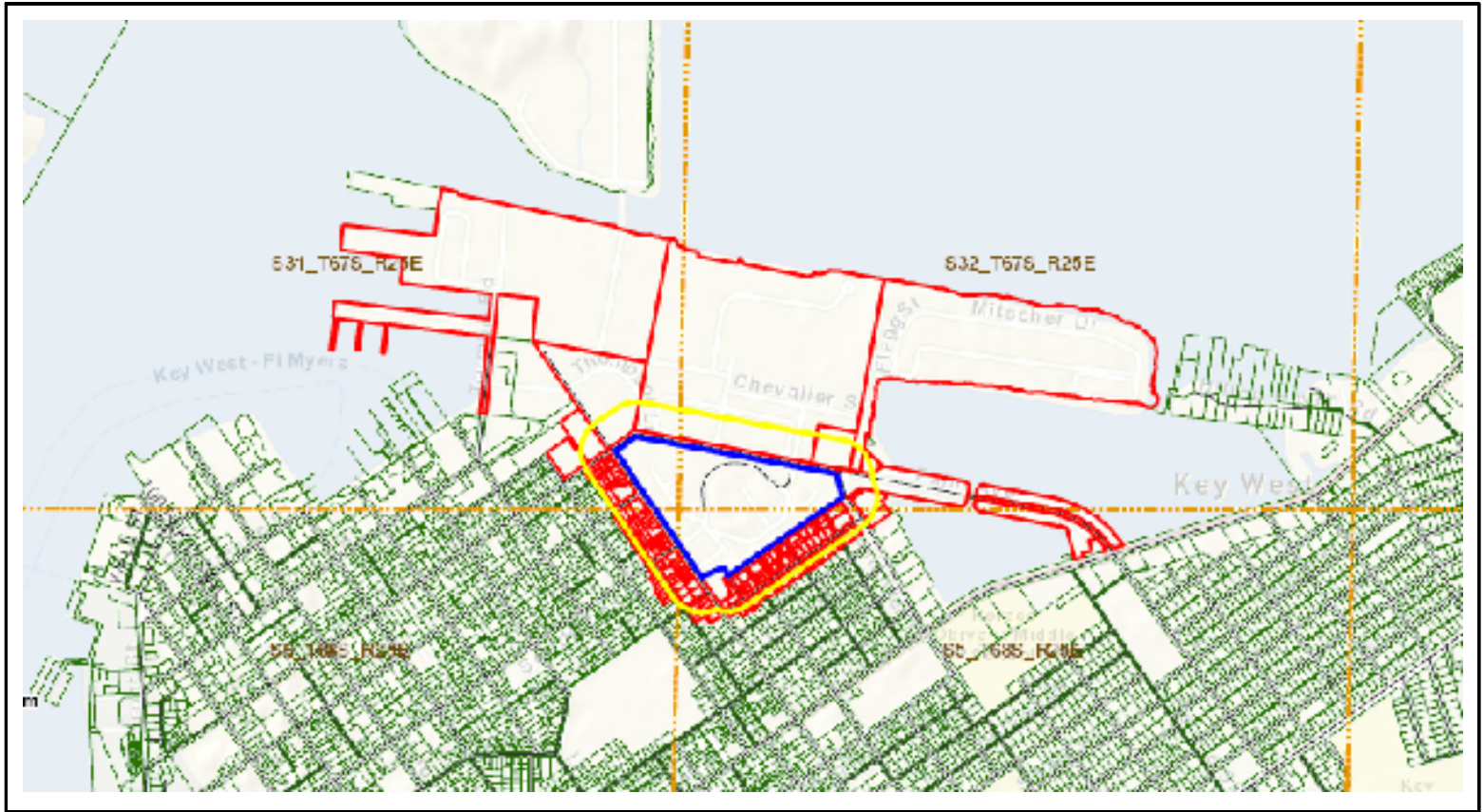
Applicant:	City of Key West	Owner:	US Government / Southeast Housing, LLC.
Project Location:	Peary Court	Date of Hearing:	Thursday, October 20, 2011
Time of Hearing:	6:00 PM	Location of Hearing:	Old City Hall, City Commission Chambers 510 Greene St

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm. **Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas.**

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Monroe County, Florida

Peary Court

Printed: Oct 14, 2011

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
1 BLIVES YAKOV	1 BAY DR		KEY WEST	FL	33040	
2 JANSEN CHRISTINE E	1000 WEST AVE APT 1424		MIAMI BEACH	FL	33139-4729	
3 610 WHITE STREET LLC	1015 FLAGLER AVE		KEY WEST	FL	33040-4815	
4 HINCHCLIFFE STEPHEN M	109 KEY HAVEN RD		KEY WEST	FL	33040	
5 LEROY VIVE A	1107 KEY PLAZA	PMB 332	KEY WEST	FL	33040	
6 TORRES ORLANDO FRANCISCO	1112 CURRY LN		KEY WEST	FL	33040	
7 KNOWLES ELLA MAE L/E	1112 EATON ST		KEY WEST	FL	33040-6927	
8 OESTERLING EMIL AND JOAN M	1113 CURRY LN		KEY WEST	FL	33040	
9 RODRIGUEZ JOSE AND JOY STICKNEY	1113 STUMP LN		KEY WEST	FL	33040	
10 SHELTON CALEDON J	1117 FLEMING ST		KEY WEST	FL	33040	
11 WOOTEN FRANK F	1118 EATON ST		KEY WEST	FL	33040	
12 TORRES REAL ESTATE LLC	1118 FLEMING ST		KEY WEST	FL	33040	
13 POPOVICE MICHAEL	1119 SOUTHARD ST		KEY WEST	FL	33040	
14 DAVIS ELIZABETH	1121 ELGIN LN		KEY WEST	FL	33040	
15 VON SEGGERN CHRISTINA	1121 SOUTHARD ST		KEY WEST	FL	33040	
16 LANE WILLIAM T	1122 ANGELA ST		KEY WEST	FL	33040	
17 MYREN BRENDA LYNN	1123 STUMP LN		KEY WEST	FL	33040	
18 HILDENBOROUGH HOTELS LIMITED INC	1129 FLEMING ST		KEY WEST	FL	33040	
19 COLL DANIEL A	114 CUTTHROAT DR		SUMMERLAND KI	FL	33042-4223	
20 LANGAN ELIZABETH	1203 NEWTON ST	UNIT 1	KEY WEST	FL	33040	
21 NEWTON PARK A CONDOMINIUM	1203 NEWTON ST		KEY WEST	FL	33040	
22 SEACRIST ROGER D	1203 NEWTON ST	UNIT 4	KEY WEST	FL	33040	
23 TEACHOUT STEPHEN V	1203 NEWTON ST	UNIT 3	KEY WEST	FL	33040	
24 SORENSEN SERENA	1203-2 NEWTON ST		KEY WEST	FL	33040	
25 STEINKAMP WYNN RAYMOND	1205 NEWTON ST APT 2		KEY WEST	FL	33040-7067	
26 POTTER JOHN FRANKLIN AND KUEI MEI	1208 NEWTON ST		KEY WEST	FL	33040	
27 DAWKINS STEPHEN P AND JANE HAILE JOINT REV TR AG	1212 ANGELA ST		KEY WEST	FL	33040	
28 GIRARD D'ALBISSIN ARNAUD AND NAJA	1214 NEWTON ST		KEY WEST	FL	33040	
29 KING KENNETH MARSHALL	1216 ANGELA ST		KEY WEST	FL	33040	
30 MORROW PHILIP I	1217 NEWTON ST		KEY WEST	FL	33040-7053	
31 MIRA EDNA RUBY L/E	1219 NEWTON ST		KEY WEST	FL	33040	
32 NEWTON STREET CONDOMINIUM	1220 NEWTON ST		KEY WEST	FL	33040	
33 SHEEDY ROBERT M	1220 NEWTON ST	UNIT 4	KEY WEST	FL	33040	
34 FRIEND KELLY J	1220 NEWTON ST APT 1		KEY WEST	FL	33040-7038	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
35 CARMACK WILLIAM L AND MARYANN S	1221 NEWTON ST		KEY WEST	FL	33040	
36 WEITZEN ELAINE G	130 1/2 EAST 65TH ST		NEW YORK	NY	10001	
37 DAY EDNA L L/E	1300 ANGELA ST		KEY WEST	FL	33040	
38 PARK CHARLES I JR DEC TRUST 3/22/1999	1300 NEWTON ST		KEY WEST	FL	33040	
39 DAMBROSIO JOSEPH M AND NELLA	1301 NEWTON ST		KEY WEST	FL	33040-7025	
40 WASSYLENKO PETER M	1305 NEWTON ST		KEY WEST	FL	33040	
41 ROHRSCHEIDER JANE	1306 ANGELA ST		KEY WEST	FL	33040	
42 HOLDEN BRIAN J	1309 NEWTON ST		KEY WEST	FL	33040	
43 SONGER MARK E AND LOIS P	1310 NEWTON ST		KEY WEST	FL	33040	
44 FREISTAK FRANK R	1311 NEWTON ST		KEY WEST	FL	33040	
45 LOEFFLER ROBERT D AND GLORIA R	1314 NEWTON ST		KEY WEST	FL	33040	
46 CASAS DIANA G L/E	1315 NEWTON ST		KEY WEST	FL	33040-7025	
47 LEVIN ARTHUR M	1318 ANGELA ST		KEY WEST	FL	33040	
48 ROTHUS PAUL AND THERESA	1319 NEWTON ST		KEY WEST	FL	33040	
49 CHRISTATOS MICHAEL AND LESLIE A	1324 NEWTON ST		KEY WEST	FL	33040	
50 ROBERTS KEITH AND JUDY	1375 DEAL RD		MOORESVILLE	NC	28115	
51 BORN GEORGE W	14 ARLINGTON ST APT 2		SOMERVILLE	MA	02145-3319	
52 RUDOLPHI ROSEANNE	14 WALNUT DR		SHOREHAM	NY	11786	
53 HOUSING AUTHORITY KEY WEST	1400 KENNEDY DR		KEY WEST	FL	33040	
54 BAUER ANDREA W	1400 NEWTON ST		KEY WEST	FL	33040	
55 BUNGEROTH MARC R K	1404 NEWTON ST		KEY WEST	FL	33040	
56 GRAY DONALD D AND JACQUELINE M	1405 NEWTON ST		KEY WEST	FL	33040	
57 BETHEL DALBERT D	1407 NEWTON ST		KEY WEST	FL	33040	
58 CORMACK BRENDA L/E	1410 ANGELA ST		KEY WEST	FL	33040	
59 LYNCH BEVERLY J	1410 NEWTON ST		KEY WEST	FL	33040	
60 JANICKI STANISLAW K	1413 6TH ST		KEY WEST	FL	33040	
61 SHIELD LINDA M DEC OF TRUST	1414 ANGELA ST		KEY WEST	FL	33040	
62 APPELLIS MICHEL	1414 NEWTON ST		KEY WEST	FL	33040	
63 HENSON AGNES G L/E	1415 ATLANTIC BLVD		KEY WEST	FL	33040	
64 HENSON STEVE R AND DEBORAH	1415 ATLANTIC BLVD		KEY WEST	FL	33040	
65 KRABILL MELISSA D	1415 NEWTON ST		KEY WEST	FL	33040	
66 FELDMAN DONNA	1418 ANGELA ST		KEY WEST	FL	33040	
67 ZEMLICKA RONALD L	1419 NEWTON ST		KEY WEST	FL	33040	
68 516 WHITE STREET LLC	1424 WHITE ST		KEY WEST	FL	33040	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
69 SONI AND SONS LIMITED PARTNERSHIP	1425 LAKE FRONT CIRCLE	STE 100	THE WOODLAND	TX	77380	
70 HALLGREN WENDY	1425 NEWTON ST		KEY WEST	FL	33040	
71 MCCLURE JACQUELYN R	1509 CONSTASO CT		SAN JOSE	CA	95129	
72 GOBLE ROBERT T AND CAMILLA JANE	159 RUDDER CT		LEXINGTON	SC	29072	
73 WOOD JOHN E REV TRUST 9/30/99	1617 RIGGS PL NW		WASHINGTON	DC	20009	
74 BEHRENS J DOUGLAS AND LINDA	16235 HUTCHINS MILL RD		MONKTON	MD	21111	
75 BURY CATHERINE J	175 W 93RD ST APT 11C		NEW YORK	NY	10025-9335	
76 KEYS PARADISE HOLDINGS LLC	1824 FLAGLER AVE	UNIT 179	KEY WEST	FL	33040	
77 MYERS LAWRENCE R AND BROOKE DECAMP	1870 WYOMING AVE		WASHINGTON	DC	20009	
78 GINGRAS GARY E	203 LOUDON RD	APT 122	CONCORD	NH	03301-6043	
79 WILLISON MALCOM R & HUGGINS MARTHA D	2101 BURGUNDY ST UNIT 2		NEW ORLEANS	LA	70116	
80 OROPEZA CARLEEN A REV TRUST 2/3/95	224 KEY HAVEN RD		KEY WEST	FL	33040	
81 STICKNEY CLYDE P	233 CROSSGATE DR		ELMORE	AL	36025-1039	
82 AULL KEVIN J AND MELISSA K	2357 HANOVER DR		DUNEDIN	FL	34698-2561	
83 WHITMAN DOUGLAS F REVOCABLE TRUST DTD 7/6/01	24950 W 119TH ST		OLATHE	KS	66061	
84 ENDERBY RALPH T	257 NW 87TH TERR		CORAL SPRINGS	FL	33071	
85 VALDEZ JOSE R	2604 SEIDENBERG AVE		KEY WEST	FL	33040	
86 HSBC BANK NA	2691 E OAKLAND PARK BLVD	STE 303	FORT LAUDERDA	FL	33306	
87 MCNALLY TERRENCE	29 E 9TH ST		NEW YORK	NY	10003	
88 PECKOLICK ALAN J REV TR 8/10/2004 T/C	30 E 10TH ST APT 11S		NEW YORK	NY	10003-6218	
89 JACOBSON JEROME	3247 COUNTY ROUTE 15		PULASKI	NY	13142-2260	
90 MATHEWS DEVELOPMENT CO INC	3320 W HIGHWAY 30-A		SANTA ROSA BE	FL	32459	
91 WUNSCH RICHARD E	3516 17TH TER		KEY WEST	FL	33040	
92 TOWNSHEND ROBERT WILLIAM ESTATE	3529 SUNRISE DR		KEY WEST	FL	33040	
93 KANE DANIEL M	354 SUGARTOWN RD		DEVON	PA	19333-1384	
94 LEWIN KURT C AND MONICA A	404 WHITE ST		KEY WEST	FL	33040	
95 COIRA STANLEY MD TRUST AGR 4/23/2001	4140 BONITA AVE		COCONUT GROV	FL	33133	
96 ATKYNS SUZANNE J	416 WHITE ST		KEY WEST	FL	33040-6960	
97 OLEKSAK MARGARET	420 GULF BLVD		INDIAN ROCKS B	FL	33785	
98 NILES FAMILY LIVING TRUST 10/28/2002	4768 CAPE MAY AVE		SAN DIEGO	CA	92107	
99 ARITAS JOSEPH ESTATE	518 WHITE ST		KEY WEST	FL	33040	
100 AVILA BARBARA	522 WHITE ST		KEY WEST	FL	33040-7170	
101 WELCH DONALD P AND KATHERINE K	524 WHITE ST		KEY WEST	FL	33040-7170	
102 MATARAZZO KURT	532 DUVAL ST		KEY WEST	FL	33040-6568	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
103 KERRY ALECIA JUNE	540 WHITE ST		KEY WEST	FL	33040-7169	
104 TRUESDELL BRUCE AND ADA	5409 OVERSEAS HWY	UNIT 340	MARATHON	FL	33050	
105 LEVIN JAY J	5516 PUTNAM DR		WEST BLOOMFIE MI		48323	
106 BALDWIN MAUREEN K TRUST	60 CANNEY RD		DURHAM	NH	03824	
107 THE STUDIOS KEY WEST INC	600 WHITE ST		KEY WEST	FL	33040-7153	
108 COGGINS ARLEEN	605 2ND AVE		MARMORA	NJ	08223-1710	
109 SCHETTIG ROBERT C AND CELESTE M	609 FRANCES ST		KEY WEST	FL	33040	
110 PADGET-DEKKER HOLDINGS LTD	611 FRANCES ST		KEY WEST	FL	33040	
111 ELLIS CHRISTOPHER GERARD AND MICHELLE LYNN	612 WHITE ST		KEY WEST	FL	33040-7153	
112 MALLOY KEVIN P AND HOLLY J	614 WHITE ST		KEY WEST	FL	33040	
113 BAUMGARTNER EDWARD L	615 ASHE ST		KEY WEST	FL	33040	
114 GRIBIK SUZANNE J	616 ASHE ST		KEY WEST	FL	33040	
115 JACOBSON CHRISTOPHER N	618 WHITE ST		KEY WEST	FL	33040	
116 JACKSON THOMAS A AND DEBORAH ANN	620 ASHE ST		KEY WEST	FL	33040-7111	
117 EMSHOFF CLARENCE E	670 ISLAND WAY	UNIT 606	CLEARWATER	FL	33767	
118 KEY WEST LODGE NO 1760 LOYAL ORDER OF THE MOOSI	700 EISENHOWER		KEY WEST	FL	33040	
119 FABISIEWICZ WALTER AND LOUISE LIV TR 12/2/2010	700 WHITE ST		KEY WEST	FL	33040	
120 WEGMAN TIMOTHY G	702 PEARL ST		KEY WEST	FL	33040	
121 COOK KAREN M	703 FLORIDA ST		KEY WEST	FL	33040	
122 BURD RONALD P AND JOYCE W	710 HARVARD RD		BALA CYNWYD	PA	19004	
123 ISLAND TRANQUILITY INC	711 EISENHOWER DR		KEY WEST	FL	33040	
124 OFFICERS QUARTERS CONDOMINIUM	715 WHITE ST		KEY WEST	FL	33040	
125 BERMAN ANDREW N AND LINDA C	716 ELIZABETH ST		KEY WEST	FL	33040-6402	
126 GRIFFITH RICHARD P LIVING TRUST 8/29/95	717 FLEMING ST		KEY WEST	FL	33040	
127 MOEN TRUST 4/23/02	718 EISENHOWER DR		KEY WEST	FL	33040	
128 MAC DONALD STEPHEN	75 OLD CLOVE RD		HIGH FALLS	NY	12440	
129 ARIF KHADIJA AKHTER D	7701 NW 62ND WAY		PARKLAND	FL	33067	
130 HOLMES RONALD	7953 FORD RIDGE RD		NINEVEH	IN	46164	
131 EPPY GREG S AND DOREEN S	8 AZALEA DR		KEY WEST	FL	33040	
132 HENDERSON JOHN E AND NANCY P	809 OAK TER		POINT PLEASANT NJ		08742	
133 LUONGO EILEEN	8300 SW 44 CT		DAVIE	FL	33328	
134 J-LEX PROPERTIES, LLC	9026 S RIDGE RD		PLAINFIELD	IL	60586	
135 SAUNDERS ANDREW W JR AND HELEN	911 TRINITY DR		KEY WEST	FL	33040	
136 HOWE STEPHANIE	914 PACKER ST APT 2		KEY WEST	FL	33040-6435	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
137 SEMICH J WILLIAM	915 JOHNSON ST		KEY WEST	FL	33040-4745	
138 VAN STEELANDT NAOMI R	916 CENTER ST		KEY WEST	FL	33040	
139 RICH DONALD T REV TRUST U/D DTD 12/12/06	919 N RIVER RD		MCHENRY	IL	60051	
140 STUBBLEFIELD JOY L	D-7 10TH AVE		KEY WEST	FL	33040	
141 AKERS ROGER W	HCR 62 BOX 42		RATON	NM	87740	
142 SFI OF THE KEYS INC	P O BOX 1199		KEY WEST	FL	33041	
143 COUGHLIN ENTERPRISE LLC	P O BOX 1548		KEY WEST	FL	33041-1548	
144 DUNN LEE H AND THARON S	P O BOX 1846		NANTUCKET	MA	02554	
145 SIEMON DOUGLAS	P O BOX 420228		SUMMERLAND KI	FL	33042	
146 KENDRICK MELISSA	P O BOX 6391		KEY WEST	FL	33041	
147 WEYMOUTH LISA A	P O BOX 791249		PAIA	HI	96779	
148 BURRUSS CAROLYN S AND WILLIAM F JR	P O BOX 981		KEY WEST	FL	33041	
149 STRUNK ACE HARDWARE INC	PO BOX 1199		KEY WEST	FL	33041-1199	
150 UNION CROSSING REALTY TRUST	PO BOX 1990		NORTH FALMOU	MA	02556-1990	
151 RODEL CHARITABLE FOUNDATION	PO BOX 4014		KEY WEST	FL	33041-4014	
152 ADAMS MARTHA L REV TRUST 06/20/2003	PO BOX 4122		KEY WEST	FL	33040	
153 MATTSON WILLIAM LOWELL	PO BOX 4873		KEY WEST	FL	33041-4873	
154 GLASSER MARC AND HEIDI	PO BOX 9000 STE 161		EDGARTOWN	MA	02539-9000	
155 PHILLIPS JEFFREY W	PO BOX 910		SAUGATUCK	MI	49453	
156 COLLINS GEORGE E AND MARKETA	RIMSKA 10		PRAGUE 2		120 00	CZECH REPUE
157 BERGERON CHARLES	216 BALLANTYNE AVE N		MONTREAL	QUEBI	H4X 2C2	CANADA
158 BERGERY BENJAMIN	29 BIS RUE BOURET		PARIS		F75019	FRANCE