

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING TABLE 1-1.1.5 AND POLICY 1-1.1.10, ENTITLED “ALLOWED USES IN HISTORIC PUBLIC AND SEMI-PUBLIC,” OF THE CITY’S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE INCLUSION INTO THE CITY OF KEY WEST COMPREHENSIVE PLAN.

WHEREAS, the City of Key West (the “City”) has adopted a Comprehensive Plan which has been found to be in compliance by the State Department of Community Affairs (“DCA”), pursuant to Chapter 163, Florida Statutes; and

WHEREAS, the City is located within the Florida Keys Area of Critical State Concern (the “FKACSC”) as established pursuant to Chapter 380, Florida Statutes; and

WHEREAS, pursuant to the provisions of Chapters 163, 166, and 380 of the Florida State Statutes, the City of Key West, Florida (the “City”) proposes to amend Table 1-1.1.5 and Policy 1-1.1.10, entitled “Allowed Uses in Historic Public and Semi-Public,” of the Comprehensive Plan; and

WHEREAS, the proposed amendment will further the goals, objectives, and policies of the City Comprehensive Plan; and

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

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

Section 2. That Table 1-1.1.5 and Policy 1-1.1.10 of the Comprehensive Plan is hereby amended as follows*:

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

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

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

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

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

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

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

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

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

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

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

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

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

Filed with the Clerk _____, 2019.

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

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK