

# Key West Planning Department FAQs

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## DEFINITIONS

**LDR's:** Land Development Regulations, including zoning districts, allowed and conditional uses, as part of the Code of Ordinances, Volume II.

**Zoning Districts:** The land use and associated dimensional allowances provided within the LDR's.

**Planning Board:** The acting body, selected by the Mayor and City Commissioners, to review and oversee the implementation of the LDR's regarding land development of any type.

**Development:** The carrying out of any building activity, including the making of any material change in the use or appearance of any structure or land, or the dividing of land into two or more parcels.

**Allowed Use:** Any land use that is allowed, as of right and is clearly outlined in the LDR's. Any of these uses do not require review by the Planning Board.

**Conditional Use:** Any land use that is allowed conditionally and clearly outlined in the LDR's. These uses require review by the Planning Board at a regularly scheduled meeting.

**Conditional Use Permit:** Land uses that are approved conditionally by the Planning Board and require annual review for compliance with the original approval per Section 18-610. (*insert link to Ordinance*)

**Variances:** Relaxation of the requirements of the LDR's where, due to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the LDR's would result in an unnecessary hardship to the property owner.

**Subdivision:** The division and recording in accordance with the city's LDR's of a parcel of land into two or more lots or blocks for the purpose of transfer of ownership or development for development, sale or lease.

## FREQUENTLY ASKED QUESTIONS

**Q: Where can I find the City's Code of Ordinances and Land Development Regulations (LDR's)?**

A: The Code of Ordinances can be found at [www.municode.com](http://www.municode.com), then search Key West. The LDR's can be found within that document from Chapters 86 through 122. Zoning is found under Chapter 122.

**Q: In what zoning district is my property located?**

A: There is a zoning map available on the City's website under the Planning Department's heading "In This Department." (*insert link*)

**Q: What can I do with my property?**

A: The use of your property is determined by the zoning district's Permitted and Conditional Uses. Once you have identified the zoning district of the property, zoning regulations can be found under Section 122 of the LDR's. *(insert link)*

**Q: Can I rent my property?**

A: Property can be rented so long as an occupational license is obtained for non-transient rental use.

**Q: How can I rent my property transiently?**

A: Your property can be rented transiently if it is in a zoning district that allows for this use. Those districts are HRCC-1, HRCC-3, HCT, HNC-1 and HNC-3. Redevelopment or conversion of permanent housing to transient or other commercial uses shall be permitted only if no onsite reduction of permanent housing occurs within the HNC-1&3 districts. Please contact our Department for further clarification. *(insert link)*

**Q: How many dwelling units are associated with my property?**

A: Each zoning district has a density calculation for the number of units allowed per acre. Please contact our Licensing Department at 809.3957 to determine the number of legal units associated with your property.

**Q: Can I subdivide my property to create a new lot?**

A: A property may be subdivided so long as the lots created through the subdivision meet the minimum lot size per the zoning district requirements. Additional information can be found in the LDR's under Chapter 118. *(insert link)*

**Q: What is required to build an addition on my house?**

A: The addition shall meet the zoning district's dimensional requirements to building coverage, impervious surface ratio and setbacks. Construction will require building and site plans prepared by a registered architect or engineer and be approved and permitted by the Building Department.

**Q: Do I need a building permit or other permits to erect a fence, shed or other accessory structure?**

A: Yes, please see Section 122-1181 through 122-1187. *(insert link)*

**Q: Who do I contact if I believe unpermitted construction is occurring?**

A: Code Compliance can be reached at 809.3736.

**Q: Do I need a permit to cut down a tree?**

A: Yes. Urban Forestry can be reached at 809.3764

**Q: What are the sign regulations for my business?**

A: Sign regulations vary depending upon location within a particular zoning district. The sign regulations for the Historic District on pages 49, 50 and 51*(insert link)* and can be found on the City's website under the Planning Department's "In This Department." *(insert link)*

**Q: Can I operate a business out of my house?**

A: A home based business is allowed so long as the use does not exceed 20% of the existing floor area and that there is no customer traffic to the property.

**Q: Who do I ask about building/construction occurring in my neighborhood?**

A: Please contact the Building Department at 809.3956.

**Q: When do I need a variance to the LDR's?**

A: If you intend to construct or add to a structure and the proposed construction would not meet standards or other requirements in the LDR's. *(insert link)*