

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING THE CITY’S COMPREHENSIVE PLAN, CHAPTER 1, ENTITLED “FUTURE LAND USE ELEMENT”; TABLE 1-1.1.5, AND POLICY 1-1.3.2, ENTITLED “DESIGNATE VARIOUS TYPES OF MIXED USE COMMERCIAL NODES TO ACCOMMODATE DIVERSE COMMERCIAL USES”, PURSUANT TO CHAPTER 90, ARTICLE VI, DIVISION 3; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR INCLUSION INTO THE CITY OF KEY WEST COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key West (the “City”) has adopted a Comprehensive Plan which has been found to be in compliance by the Florida Department of Community Economic Opportunity (“DEO”), 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 Chapter 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 1-1.3.2 of the Comprehensive Plan; and

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

WHEREAS, the City Commission voted unanimously at first reading to pass this Ordinance.

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

**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 1-1.3.2 of the Comprehensive Plan are hereby amended as follows*:

Table 1-1.1.5

COMMERCIAL FUTURE LAND USE DISTRICT			
Zoning District	Density	Intensity	Uses & Limitations
(CT) Salt Pond Commercial Tourist	Maximum of 16 dwelling units per acre*	Maximum FAR of 0.8.	Allowable uses in areas zoned CT are motels, limited scale tourist facilities, customary accessory uses, and requisite community facilities including public schools.
(CG) General Commercial			Allowable commercial uses in areas zoned GC inclusive of, but not limited to, general retail sales and services, highway-oriented sales and services, other general commercial activities, customary accessory uses, and requisite community facilities including public schools. Residential uses are allowed and encouraged <u>in the (CG) General Commercial Zoning District</u> if in conformance with Policy 1-1.1.4 <u>with a *density bonus allowing up to 40 dwelling units per acre with the provision of deed restricted affordable housing in conformance with Policy 3-1.1.7. Density bonuses are solely for affordable housing. Market rate housing will be restricted to the maximum of 16 dwelling units per acre.</u>
(CL) Limited Commercial			Allowable commercial uses in areas zoned CL include but are not limited to low to medium intensity retail; small limited item shops and customary accessory uses, and requisite community facilities including public schools.

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Policy 1-1.3.2 Designate Various Types of Mixed Use Commercial Nodes to Accommodate Diverse Commercial Uses. A variety of commercial development designations shall be provided in order to adequately ensure availability of sites that accommodate the varied site and spatial requirements for such activities as: professional and business offices, limited commercial activities, and general retail sales and services. In addition, it is the intent of the City of Key West to encourage mixed use residential and commercial developments which include residential uses with particular emphasis on the provision of affordable housing.

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.

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

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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

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