



EXECUTIVE SUMMARY

(Revised for 2nd reading)

To: Greg Veliz, City Manager

From: Roy Bishop, Planning Director

Meeting Date: August 20, 2019 (1st reading)/December 3, 2019 (2nd Reading)

RE: **Text Amendment of the Land Development Regulations** – An Ordinance of the City of Key West, Florida, amending Chapter 122 of the Land Development Regulations, entitled “Zoning”, Article IV, entitled “Districts”, Division 4, entitled “Commercial Districts”; Subdivision III, entitled “General Commercial District (CG)”, Section 122-417, entitled, “Uses Permitted”; and Section 122-418 entitled “Conditional Uses” and Section 122-420, entitled “Dimensional Requirements” and Article V, entitled “Supplementary District Regulations”, Division 2 entitled “Uses”; and Section 122-1111, entitled “Table of Land Use by Districts”; Pursuant to Chapter 90, Article VI, Division 2; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

ACTION STATEMENT:

The purpose of this Ordinance is to amend the City’s Land Development Regulations to amend Chapter 122, to allow single-family/two family and multiple-family dwellings as permitted uses in the general commercial (CG) zoning district. Also, to increase the maximum allowable residential density from sixteen (16) dwelling units per acre to allow a density bonus of up to forty (40) dwelling units per acre, solely for affordable housing development in this CG zoning district.

BACKGROUND:

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

REQUEST:

The proposed text amendment to the LDRs is as follows*:

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

Section 122-417. – Uses permitted.

Uses permitted in the general commercial (CG) zoning district are as follows:

(1) Single-family/two-family residential dwellings for workforce affordable housing in compliance with Article V, Division 10, Work Force Housing.

(2) Multiple-family residential dwellings for workforce affordable housing in compliance with Article V, Division 10, Work Force Housing.

~~(3)~~ (3) Group homes with less than or equal to six residents as provided in section 122-1246.

~~(2)~~ (4) Cultural and civic activities.

~~(3)~~ (5) Hospitals and extensive care.

~~(4)~~ (6) Places of worship.

~~(5)~~ (7) Business and professional offices.

~~(6)~~ (8) Commercial retail low and medium intensity less than or equal to 10,000 square feet.

~~(7)~~ (9) Commercial retail high intensity less than or equal to 5,000 square feet.

~~(8)~~ (10) Hotels, motels, and transient lodging.

~~(9)~~ (11) Medical services.

~~(10)~~ (12) Parking lots and facilities.

~~(11)~~ (13) Restaurants, with or without drive-through.

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(12)(14) Veterinary medical services with or without outside kennels.

(Ord. No. 97-10, § 1(2-5.3.2(B)), 7-3-1997)

Sec. 122-418. - Conditional uses.

Conditional uses in the general commercial (CG) zoning district are as follows:

- 1) Single-family/two-family residential dwellings.
- 2) Multiple-family residential dwellings.
- 3) Group homes with seven to 14 residents as provided in section 122-1246.
- 4) Community centers, clubs and lodges.
- 5) Educational institutions and day care.
- 6) Nursing homes, rest homes and convalescent homes.
- 7) Parks and recreation, active and passive.
- 8) Protective services.
- 9) Public and private utilities.
- 10) Bars and lounges.
- 11) Boat sales and service.
- 12) Commercial retail low and medium intensity greater than 10,000 square feet.
- 13) Commercial retail high intensity greater than 5,000 square feet.

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14) Commercial amusement.

15) Funeral homes.

16) Gasoline stations.

17) Light industrial.

18) Marinas.

19) Small recreational power-driven equipment rentals (allowed only as an accessory use to a hotel/motel).

20) Vehicular sales and related services.

21) Tattoo establishments (see division 13 of article V).

22) Pain management clinics (see division 14 of article V).

(Ord. No. 97-10, § 1(2-5.3.2(C)), 7-3-1997; Ord. No. 07-14, § 1, 9-18-2007; Ord. No. 13-12, § 2, 7-2-2013)

Section 122-420. – Dimensional regulations.

The dimensional requirements in the general commercial (CG) zoning district are as follows:

- (1) Maximum density: 16 dwelling units per acre (16 du/acre). However, for the development of affordable housing, a density bonus of up to forty (40) dwelling units per acre (40 du/acre) will be allowed, in compliance with Article V, Division 10, Work Force Housing.

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Section 122-1111. Table of land use by districts.

TABLE OF LAND USE BY DISTRICT

	LDR-C	SF	MDR	MDR-C	HDR	HDR-1	CL	CG	CT	RO	PRD	HMDR	HSMDR	HHDR	HRCC-1	HRCC-2
Residential Uses																
Accessory residential units (reference section 122-171)		P														
Single-family dwellings	P	P	P	P	P		C	C <u>P12</u>	P	P	P	P	P	P	P	P
Duplexes/two-family dwellings		C1	P	P	P		C	C <u>P12</u>	P	P	P	P	P	P	P	P
Multiple-family dwellings			P	P	P	P	C	C <u>P12</u>	P	P	P	P	P	P	P	P
Foster homes/group homes with ≤ to 6 residents ²	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P
Group homes with 7-14 residents			C	C	C	C	C	C	C	C	C	C		C	C	C

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Footnotes: 12. In the CG Zoning District, single-family/two family residential dwellings and multiple-family dwellings are permitted for workforce affordable housing in compliance with Article V, Division 10, Work Force Housing.

City Actions:

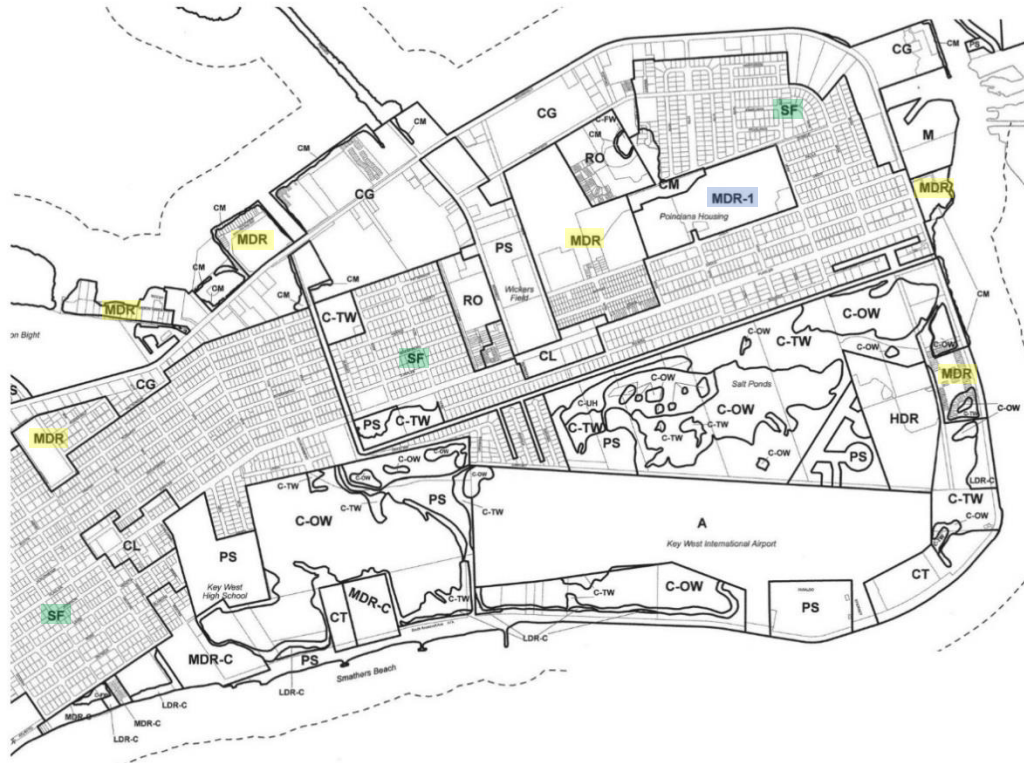
Planning Board: July 18, 2019 (Approved)
City Commission: August 20, 2019 (first reading)
City Commission: TBD
Local Appeal Period: 30 days
Render to DEO: 10 working days
DEO Notice of Intent (NOI)
Effective when NOI posted on DEO website

Planning Staff Analysis:

The purpose of Chapter 90, Article VI, Division 2 of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) is to provide a means for changing the text of the Land Development Regulations. It is not intended to relieve particular hardships nor to confer special privileges or rights on any person, but only to make necessary adjustments in light of changed conditions. In determining whether to grant a requested amendment, the City Commission shall consider, in addition to the factors set forth in this subdivision, the consistency of the proposed amendment with the intent of the Comprehensive Plan.

The current maximum allowable density of the General Commercial (CG) zoning district is sixteen (16) dwelling units per acre (16 du/acre), consistent with the adjoining medium density residential zoning districts. The maximum allowable density in the adjoining single-family (SF) zoning district is 8 dwelling units per acre (8 du/acre). The affordable housing density of up to 40 dwelling units per acre (40 du/acre) will promote the City’s urgent need to provide additional affordable housing. This density change will encourage private development and could provide employment in construction, retail employment and new shopping opportunities in mixed commercial/residential developments. In addition, more multi-modal transportation opportunities will be afforded in these mixed-use areas as people have more of an opportunity to walk or bike to work or to shop, or to use shuttles and other transportation, not just the private automobile. It is expected that a typical affordable housing development in this district will involve multiple units. There is ample opportunity for the City’s design review process to encourage compatibility with the scale of existing medium density and single-family land use in adjoining areas. In addition, traffic patterns will be carefully evaluated as well, to mitigate adverse effects.

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Options / Advantages / Disadvantages:

Option 1: Approve the text amendment to The City’s Land Development Regulations to amend Chapter 122 of the Land Development Regulations, entitled “Zoning”, Article IV, entitled “Districts”, Division 4, entitled “Commercial Districts”, Subdivision III, entitled “General Commercial District (CG)”, Section 122-417, entitled “Uses Permitted” and Section 122-418, entitled “Conditional Uses” and Section 122-420, entitled “Dimensional Regulations” and Article V, Supplementary District Regulations, Division 2, entitled “Uses” and Section 122-1111 entitled “Table of land uses by districts”, pursuant to Chapter 90, Article VI, Division 2; As recommended by the Planning Board through Resolution 2019-52.

a. Consistency with the City’s Strategic Plan, Vision, and Mission:

Goal #2 of the City’s Strategic Plan: Options for Housing are available to meet the needs of our population demographic.

Objective: Housing is available at various income levels.

Initiative: Support public and private efforts to make low and middle-income housing attainable.

These amendments support the above and will also promote the City’s urgent need to provide additional affordable housing by encouraging the private sector with density bonuses for affordable housing only.

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b. Financial Impact:

There is no financial impact if the proposed amendment is approved.

Option 2: Deny the text amendment to the City’s Land Development Regulations to amend Chapter 122 of the Land Development Regulations, entitled “Zoning”, Article IV, entitled “Districts”, Division 4, entitled “Commercial Districts”, Subdivision III, entitled “General Commercial District (CG)”, Section 122-417, entitled “Uses Permitted” and Section 122-418, entitled “Conditional Uses” and Section 122-420, entitled “Dimensional Regulations” and Article V, Supplementary District Regulations, Division 2, entitled “Uses” and Section 122-1111 entitled “Table of land uses by districts”, pursuant to Chapter 90, Article VI, Division 2; As recommended by the Planning Board through Resolution 2019-52.

a. Consistency with the City’s Strategic Plan, Vision, and Mission:

Denying the change will not promote the City’s urgent need to provide additional affordable housing by encouraging the private sector with density bonuses for affordable housing only.

b. Financial Impact:

There will be no cost to the City if this request is denied.

Recommendation:

As per Resolution No. 2019-52, the Planning Board recommends the **approval** of the text amendment to the Land Development Regulations.

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