



## EXECUTIVE SUMMARY

(Revised for 2<sup>nd</sup> Reading)

To: Greg Veliz, City Manager

Through: Katie P. Halloran, Planning Director

From: Daniel Sobczak, Planner, AICP-C

Meeting Date: January 7, 2020 (approved on first reading)  
December 2, 2020 (second reading)

Agenda Item: **Text Amendment of the Land Development Regulations**– An Ordinance to the City Commission amending Chapter 122 of the Land Development Regulations, entitled “Zoning”, Article IV, entitled “Districts”, Division 8 entitled “Historic Neighborhood Commercial Districts”, to create a new zoning district entitled the “Historic Neighborhood Commercial District Bahama Village Truman Waterfront” (HNC-4), providing amendments to section 122-92, entitled "Future land use map designations and zoning districts", section 122-1111, entitled “Table of land use by districts”, section 122-1112, entitled “Table of permitted and conditional commercial retail uses by districts”, and section 122-1151, entitled “Size and dimension”; providing for intent, permitted uses, conditional uses, prohibited uses, and dimensional requirements; providing for a residential density of up to 40 units per acre; 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 (the “LDRs”) to create a new zoning district.

### Background:

The proposed ordinance to amend the City’s LDRs is an essential part of an effort to promote the Bahama Village community, encourage the redevelopment of vacant City-owned properties, and encourage local business and workforce housing in the Bahama Village community. The City acquired the former Navy properties to the southwest of Fort Street and northwest of Angela Street in 2002. The proposed zoning district is designed to expand the Bahama Village neighborhood and encourage mixed-use development including neighborhood retail, educational and historical nodes, recreation facilities, and high density mixed income housing including affordable workforce housing. The Land Development Regulations of the City of Key West define workforce housing as deed restricted housing required to be 30% of the aggregate total of all market rate units proposed on any one site. Affordable work force housing shall include low income, median income, moderate income and middle-income housing, per Section 86-9 and Chapter 122, Division 10, Work Force Housing. The City Commission is hearing this LDR amendment and an amendment to the Comprehensive Plan in order to create a new zoning district, to be named the “Historic Neighborhood Commercial District Bahama Village Truman Waterfront - 4” (HNC-4), which will allow for high-density mixed-income and affordable workforce housing proposed at forty (40) dwelling units per acre and neighborhood oriented non-residential uses.

The Bahama Village Redevelopment Advisory Committee (BVRAC) approved the Bahama Village Visioning and Capital Projects Workplan on August 10, 2017; it was adopted by the Bahama Village Community Redevelopment Agency (CRA) on January 17, 2018. The workplan lists seven (7) recommended capital projects. Capital project number four (4) recommends an affordable housing and mixed-use development on a 3.2-acre portion of the 5.57-acre parcel at 918 Fort Street. The recommended project is a critical priority for the Committee, the Agency, and the City.

The proposed ordinance to amend the City's LDRs was previously passed by the Planning Board and has been transmitted to the Department of Economic Opportunity (DEO) by the Key West City Commission after the first reading of the proposed ordinance. The DEO responded with comments regarding how the City will ensure the new zoning district will encourage the development of affordable housing. In response, the City added new language to the Intent section of the proposed ordinance to amend the City's Land Development Regulations for HNC-4. The revised language was presented to the Planning Board on September 17<sup>th</sup>, 2020. The Planning Board voted in the affirmative to approve the update and recommended approval to the City Commission.

Subsequently, the City received input from community members requesting that the City ensure the intent of the HNC-4 zoning district include the community-oriented uses and intent written in the Historic Commercial Limited (HCL) zoning district. Property currently zoned HCL would be incorporated into the new proposed HNC-4 district. For continued public outreach, the City then scheduled a public meeting to gather additional community input at a duly scheduled BVRAC meeting on November 5<sup>th</sup>, 2020. To incorporate public comments, Planning staff drafted revised language for the HNC-4 Bahama Village Truman Waterfront Zoning District to more closely reflect the HCL Zoning District's land uses and intent. The revised draft language is the following: "The Historic Neighborhood Commercial – Bahama Village Truman Waterfront (HNC-4) zoning district shall expand the Bahama Village community and link Historic Bahama Village with the Truman Waterfront. The zoning district shall provide open spaces linked with multimodal green ways, public access to Truman Waterfront, affordable housing, neighborhood retail, social services, and historical and educational nodes that shall serve as an extension of the neighborhood fabric of Bahama Village.

The HNC-4 zoning district shall accommodate neighborhood scale mixed use development that shall include high density mixed income and affordable workforce housing with a density of 40 dwelling units per acre. At least 30% of any new multi-family development shall be deed-restricted affordable workforce housing pursuant to Section 122-1467 requirements for affordable workforce housing, however, linkage exceptions shall not be permitted for mixed-use or multi-family developments within this district. Locally owned and operated neighborhood scale markets, commercial shops, and restaurants shall be encouraged. High intensity commercial uses shall not be accommodated."

**Request / Proposed Map Amendment:**

**DIVISION 8. - HISTORIC NEIGHBORHOOD COMMERCIAL DISTRICTS**

Subdivision I. - In General

**Sec. 122-776. - Intent.**

- (a) The historic neighborhood commercial districts, HNC-1 through ~~3~~ 4 districts, are established to implement comprehensive plan policies for areas designated "HNC-1 through ~~3~~ 4" on the

comprehensive plan future land use map. The HNC districts shall accommodate both residential and neighborhood commercial uses typically located along major thoroughfares which lead into or are adjacent to the central core commercial area of the city. Residential activities permitted within the HNC-1 through 4 districts include single-family and duplex structures as well as multiple-family structures. Commercial uses generally permitted in these districts include the following:

- (1) Professional offices;
  - (2) Banking and financial institutions;
  - (3) Personal service shops;
  - (4) Specialty shops;
  - (5) Retail sales and services, excluding automotive sales and services as well as drive-through restaurants, theaters or other drive-through facilities which potentially generate similar traffic flow problems; and
  - (6) Transient living accommodations and guest cottages within the HNC-1 and HNC-3 districts but not within the HNC-2 and HNC-4 districts.
- (b) The HNC-1 through ~~3~~ 4 districts may also accommodate customary accessory uses and community facilities. The HNC district regulations include criteria for managing issues surrounding land use compatibility; historic preservation; access to public facilities with available capacity; urban design amenities; and related issues which must be managed to ensure effective implementation of the comprehensive plan goals, objectives, and policies. Within the HNC districts redevelopment or conversion of permanent housing structures to transient residential, office, or other allowable commercial uses shall be permitted only if no on-site reduction in housing units for permanent residents occurs. Within the HNC-1 through 3 districts, the minimum size dwelling shall be 750 square feet.
- (c) Performance standards shall restrict the allowable neighborhood commercial uses to very limited square footage in order to maintain land use compatibility with residential uses in the vicinity. In addition, the performance standards shall require minimum open space ratios, restrict the floor area based on traffic-generating characteristics, and incorporate other qualitative and quantitative standards which protect residential properties.
- (d) In order to manage the impacts of future development on transportation and public facilities, the city shall limit the intensity of development within the HNC district by establishing the following thresholds within subdistricts HNC-1, HNC-2, ~~and HNC-3,~~ and HNC-4, respectively:
- (1) Within the HNC-1 subdistrict, excepting sites abutting Simonton Street and Truman Avenue, and HNC-4 on a conditional use, land use activities shall generate no more than 100 trips per 1,000 square feet of gross leasable floor area per day.
  - (2) Within the HNC-2, ~~and HNC-3,~~ and HNC-4 subdistricts, land use activities shall generate no more than 50 trips per 1,000 square feet of gross leasable floor area per day.
  - (3) Within the HNC-2 and HNC-4 subdistricts, transient accommodations shall be prohibited.

(e) The HNC subdistricts are generally located on the official zoning map as provided in subdivisions II through ~~IV~~ V of this division.

(Ord. No. 97-10, § 1(2-5.5.4), 7-3-1997)

**Secs. 122-777—122-805. - Reserved.**

Subdivision II. - Historic Neighborhood Commercial District—Truman/Simonton (HNC-1)

**Sec. 122-806. - Intent.**

The historic neighborhood commercial district—Truman/Simonton (HNC-1) consists of Simonton, Truman Avenue, and White Street South Corridors. The HNC-1 district is located along major segments of Simonton Street, from Caroline South to United Street; Truman Avenue, from Simonton Street northeast to White Street; and White Street, from Truman Avenue south to United Street; and generally includes larger scale commercial uses oriented toward the motoring public.

(Ord. No. 97-10, § 1(2-5.5.4(1)(A)), 7-3-1997)

**Sec. 122-807. – Uses permitted.**

Within the historic neighborhood commercial (HNC) districts, redevelopment or conversion of permanent housing structures to transient residential, office, or other allowable commercial uses shall be permitted only if no on-site reduction in housing units for permanent residents occurs. Uses permitted include the following:

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Group homes with less than or equal to six residents as provided in section 122-1246.
- (4) Places of worship.
- (5) Business and professional offices.
- (6) Commercial retail low and medium intensity less than or equal to 2,500 square feet.
- (7) Hotels, motels and transient lodging.
- (8) Medical services.
- (9) Parking lots and facilities.
- (10) Veterinary medical services without outside kennels.

(Ord. No. 97-10, § 1(2-5.5.4(1)(B)), 7-3-1997)

**Sec. 122-808. - Conditional uses.**

Conditional uses in the historic neighborhood commercial district—Truman/Simonton (HNC-1) 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) Nursing homes, rest homes and convalescent homes.
- (6) Parks and recreation, active and passive.
- (7) Protective services.
- (8) Public and private utilities.
- (9) Commercial retail low and medium intensity greater than 2,500 square feet.
- (10) Commercial retail high intensity.
- (11) Funeral homes.
- (12) Light industrial.
- (13) Restaurants, excluding drive-through.
- (14) Small recreational power-driven equipment rentals.

(Ord. No. 97-10, § 1(2-5.5.4(1)(C)), 7-3-1997)

**Sec. 122-809. - Prohibited uses.**

In the historic neighborhood commercial district—Truman/Simonton (HNC-1), all uses not specifically or provisionally provided for in this subdivision are prohibited.

(Ord. No. 97-10, § 1(2-5.5.4(1)(D)), 7-3-1997)

**Sec. 122-810. - Dimensional requirements.**

The dimensional requirements in the historic neighborhood commercial district— Truman/Simonton (HNC-1) are as follows; however, construction may be limited by proportion, scale and mass considerations as expressed through the historic architectural review commission design guidelines:

- (1) Maximum density: 16 dwelling units per acre (16 du/acre).

(2) Maximum floor area ratio: 1.0. Refer to section 122-776 for additional restrictions that regulate the square footage of gross leasable floor area based on trip generation within HNC areas.

(3) Maximum height: 35 feet.

(4) Maximum lot coverage:

- a. Maximum building coverage: 50 percent.
- b. Impervious surface ratio: 60 percent.

(5) Minimum lot size: 4,000 square feet.

- a. Minimum lot width: 40 feet.
- b. Minimum lot depth: 100 feet.

(6) Minimum setbacks:

- a. Front: 5 feet.
- b. Side: 5 feet.
- c. Rear: 15 feet.
- d. Street side: 7.5 feet.

(Ord. No. 97-10, § 1(2-5.5.4(1)(E)), 7-3-1997; Ord. No. 10-04, § 10, 1-5-2010)

**~~Secs. 122-811 – 122-835. Reserved.~~**

Subdivision V. - Historic Neighborhood Commercial District Bahama Village Truman Waterfront (HNC-4)

**Sec. 122-871. - Intent.**

The Historic Neighborhood Commercial – Bahama Village Truman Waterfront (HNC-4) zoning district shall expand the Bahama Village community and link Historic Bahama Village with the Truman Waterfront. The zoning district shall provide open spaces linked with multimodal green ways, public access to Truman Waterfront, affordable housing, neighborhood retail, social services, and historical and educational nodes that shall serve as an extension of the neighborhood fabric of Bahama Village.

The HNC-4 zoning district shall accommodate neighborhood scale mixed use development that shall include high density mixed income and affordable workforce housing with a density of at 40 dwelling units per acre. At least 30% of any new multi-family development shall be deed-restricted affordable workforce housing pursuant to Section 122-1467 requirements for affordable workforce housing, however, linkage exceptions shall not be permitted for mixed-use or multi-family developments within this district. Locally owned and operated neighborhood scale markets, commercial shops, and restaurants shall be encouraged, while high intensity commercial uses shall not be accommodated.

**Sec. 122-872. - Uses permitted.**

Uses permitted in the historic neighborhood commercial district Bahama Village Truman Waterfront (HNC-4) are as follows:

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Group homes with less than or equal to six residents as provided in section 122-1246.
- (4) Business and professional offices.
- (5) Commercial retail low intensity.
- (6) Medical services.
- (7) Parks and recreation, passive and active.
- ~~(8) Parking lots and facilities.~~
- (8) Restaurants, excluding drive-through facilities that generate less than or equal to 50 pm peak hour vehicle trips per 1,000 square feet of gross leasable floor area.
- (9) Open air vending and mobile vending consistent with other city regulations
- (10) Cultural and Civic Activities
- (11) Social Services

**Sec. 122-873. - Conditional uses.**

Conditional uses in the historic neighborhood commercial district Bahama Village Truman Waterfront (HNC-4) are as follows:

- ~~(1) Group homes with seven to 14 residents as provided in section 122-1246.~~
- ~~(2) Cultural and civic activities.~~
- (2) Educational institutions and day care.
- ~~(3) Nursing homes, rest homes, assisted living facilities, and convalescent homes.~~
- ~~(4) Protective services.~~
- ~~(5) Public and private utilities.~~
- ~~(6) Commercial retail medium intensity.~~
- ~~(7) Restaurants, excluding drive-through, that generate between 50 and 100 pm peak hour vehicle trips per 1,000 square feet.~~
- ~~(8) Places of worship.~~

(9) Community centers, clubs, and lodges.

(10) Veterinary medical services.

(11) Parking lots and facilities.

**Sec. 122-874. - Prohibited uses.**

In the historic neighborhood commercial district Bahama Village Truman Waterfront (HNC-4), all uses not specifically or provisionally provided for in this subdivision are prohibited.

**Sec. 122-875. - Dimensional requirements.**

The dimensional requirements in the historic neighborhood commercial district Bahama Village Truman Waterfront (HNC-4) are as follows; however, construction may be limited by proportion, scale and mass considerations as expressed through the historic architectural review commission design guidelines:

(1) Maximum density: 40 dwelling units per acre (40 du/acre).

(2) Maximum floor area ratio: 1.0. Refer to section 122-776 for additional restrictions that regulate the square footage of gross leasable floor area based on trip generation within HNC areas.

(3) Maximum height: 35 feet or 40-feet upon approval by the Board of Adjustments.

(4) Maximum lot coverage:

a. Maximum building coverage: 50 percent.

b. Impervious surface ratio: 70 percent.

(5) Minimum lot size: 4,000 square feet.

a. Minimum lot width: 40 feet.

b. Minimum lot depth: 100 feet.

(6) Minimum setbacks:

a. Front: 5 feet.

b. Side: 5 feet.

c. Rear: 10 feet.

d. Street side: 5 feet.

e. Additional setback criteria may apply to parcels abutting government property.

**Secs. 122-876—122-895. - Reserved.**

*This same map in more detailed format is available at City Planning Department offices.*



Sec. 122-92. - Future land use map designations and zoning districts.

The following table references adopted future land use map designations contained in the land use element of the city comprehensive plan and identifies corresponding zoning districts which are established in order to implement the future land use map designations, respectively:

FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS

<i>Residential</i>	
LDR-C	Low density residential—coastal
SF	Single-family units
MDR-C	Medium density residential—coastal
MDR	Medium density residential
HDR	High density residential
HDR-1	High Density Residential College Road
<i>Commercial Development</i>	
CL	Limited commercial
CG	General commercial
CT	Salt Pond tourist commercial
<i>Mixed Use New Town Development</i>	
RO	Residential/office
PRD	Planned redevelopment and development
<i>Old Town Historic Preservation</i>	
HRO	Historic residential/office
HRCC-1	High density residential/commercial core: Bay side
HRCC-2	High density residential/commercial core: Key West Bight

HRCC-3	High density residential/commercial core: Atlantic side
HMDR	Medium density residential
HSMDR	Historic special medium density residential
HPRD	Planned development and redevelopment
HNC-1	Neighborhood commercial: Simonton, Truman, and S. White Street corridors
HNC-2	Neighborhood commercial: Old Town northeast and southeast
HNC-3	Neighborhood commercial: Bahama Village
<u>HNC-4</u>	<u>Neighborhood commercial: Bahama Village Truman Waterfront</u>
HCT	Tourist commercial
HPS	Public service, including recreation and open space
HHDR	High density residential
<i>Institutional</i>	
PS	Public services <sup>(1)</sup>
A	Airport
<i>Conservation</i>	
C	Conservation <sup>(2)</sup>
(1)	"Public services" includes all lands designated "public services" or "military" on the comprehensive plan future land use map series which are located within the city limits.
(2)	"Conservation" incorporates all lands designated "conservation" on the comprehensive plan future land use map series, including tidal and freshwater wetlands, mangroves, upland hammocks, and waters of the state, including an area extending 600 feet into the tidal waters adjacent to the corporate city limits.

(Ord. No. 97-10, § 1(2-4.2), 7-3-1997; Ord. No. 12-33, § 1, 9-18-2012; Ord. No. 18-04, § 1, 2-7-2018)

**Sec. 122-1111. - Table of land use by districts.**

- (a) The table of land use by districts as set forth in this section stipulates the permitted and conditional uses by district.
- (b) Permitted uses are uses allowed by right, provided all applicable sections within the land development regulations are satisfied as well as all other applicable laws and administration regulations. Conditional uses are allowable only if approved by the city pursuant to administrative procedures found in article III of this chapter. The applicant requesting a conditional use must demonstrate compliance with conditional use criteria set forth in article III of this chapter.
- (c) No permitted use or conditional use shall be approved unless a site plan for such use is first submitted by the applicant. The applicant shall bear the burden of proof in demonstrating compliance with all applicable laws and ordinances during the site plan review process. The site plan review process is set forth in article II of chapter 108.

TABLE OF LAND USE BY DISTRICT

	LDR-C	SF	MDR	MDR-C	HDR	HDR-1	CL	CG	CT	RO	PRD	HMDR	HSMR	HHR	HRC-C-1	HRC-C-2	HRC-C-3	HPR-D	HNC-1	HNC-2	HNC-3	HNC-4	HCT	HRO	HPS	HPS-1	PS	C	A5	
Residential Uses																														
Accessory residential units (reference section 122-171)		P																												
Single-family dwellings	P	P	P	P	P		C	C <sub>p</sub> <sup>12</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4		
Duplexes/two-family dwellings		C1	P	P	P		C	C <sub>p</sub> <sup>12</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4		
Multiple-family dwellings			P	P	P	P	C	C <sub>p</sub> <sup>12</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4		
Foster homes/group homes with ≤ 6 residents <sup>2</sup>	P	P	P	P	P	P	P	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	C	C	C	C	C	C	C						
Approved home occupations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						
Accessory uses and structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				4	C	
Community Facilities																														
Airport facilities																														P
Cemeteries																										C		C		
Community centers, clubs and lodges							C	C	C	C	C		C		C	C	C	C	C			C	C	C			P		P	
Cultural and civic activities							P	P	P	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C					C	
Educational institutions		C	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C				P	P	





District	Allowed by Right	Allowed as Conditional Use
CL, CT and HCT	Low and medium intensity > 5,000 sq. ft.	Low and medium intensity > 5,000 sq. ft. High intensity
CG	Low and medium intensity & lte; 10,000 sq. ft. High intensity & lte; 5,000 sq. ft.	Low and medium intensity > 10,000 sq. ft. High intensity > 5,000 sq. ft.
PRD	None	Low, medium and high intensity
HRCC-1	Low and medium intensity & lte; 5,000 sq. ft. High intensity & lte; 2,500 sq. ft.	Low and medium intensity > 5,000 sq. ft. High intensity > 2,500 sq. ft.
HRCC-2 and HRCC-3	Low and medium intensity & lte; 5,000 sq. ft.	Low and medium intensity > 5,000 sq. ft. High intensity
HPRD	None	Low, medium and high intensity
HNC-1	Low and medium intensity & lte; 2,500 sq. ft.	Low and medium intensity > 2,500 sq. ft. High intensity
HNC-2 and HNC-3	Low intensity & lte; 2,500 sq. ft.	Low intensity > 2,500 sq. ft. to & lte; 5,000 sq. ft.
<u>HNC-4</u>	<u>Low intensity</u>	<u>Medium Intensity</u>
A	None	Low and medium intensity

Note: The total area as stated above includes both sales area under roof and any outside sales area.

(Ord. No. 97-10, § 1(2-5.8(A)), 7-3-1997)

**Sec. 122-1151. - Size and dimension.**

Size and dimension regulations for zoning districts shall be as follows:

TABLE OF SIZE AND DIMENSION REGULATIONS

District	Minimum Area (sq. ft.)	Minimum Width (sq. ft.)	Minimum Depth (sq. ft.)	Impervious Surface Ratio	Maximum Building Coverage	Minimum Setback Requirements				Maximum Height (feet)	Max Floor Area Ratio	Maximum Density (du/acre)
						Front (feet)	Street Side (feet) <sub>1</sub>	Side (feet)	Rear <sup>2</sup> (feet)			
<i>Residential</i>												
LDR-C low density residential coastal	1 acre	100	100	50	40	30	15	15 <sup>3</sup>	25	30	n/a	1
MDR-C medium density residential coastal <sup>4</sup>	½ acre	70 <sup>5</sup>	100	50	40	30 <sup>6</sup> 30	10 20	7 <sup>3</sup> 20	20 25	30	n/a	8
SF single-family residential <sup>4</sup>	6,000 <sup>7</sup> ½ acre <sub>4</sub>	50 100	100 100	50 60	35 <sup>7</sup> 40	30 <sup>6</sup> 30	10 20	5 15	25 25	25 <sup>20</sup> 25	n/a n/a	8
MDR medium density residential	½ acre 1 acre	70 <sup>5</sup> 80	100 100	50 60	35 40	30 <sup>6</sup> 30	10 25	7 25	20 25	35	n/a	16
HDR high density residential	1 acre 1 acre	70 <sup>5</sup> 80	100	60	40	30 <sup>6</sup> 30	10 25	7 25	20 25	40	n/a	22

HDR-1 high density residential college road	1 acre	80	100	60	40	20	10	10	10	25*	NA	40
*Unless otherwise increased by referendum												
<i>Commercial</i>												
CL limited commercial	10,000	70	100	60	40	25 <sup>8</sup>	20	15 <sup>3</sup>	25 <sup>8</sup>	40	0.8	16
CG general commercial	15,000	150	100	60	40	25 <sup>8</sup>	20	15 <sup>3</sup>	25 <sup>8</sup>	40 <sup>9</sup>	0.8	16
CT tourist commercial	30,000	150	100	60	40	25 <sup>8</sup>	20	15 <sup>3</sup>	25 <sup>8</sup>	40	0.8	16
RO residential/office	10,000	70	100	60	40	30	15	15	25	35	0.8	16
PRD planned redevelopment/d development <sup>10</sup>	1 acre	n/a	n/a	60	40	25 <sup>8</sup>	20	20	40	35	0.8	8
HMDR historic medium density residential <sup>21</sup>	4,000	40	90	60	40	10	7.5	5	15	30	1.0	16
HSMDR historic special medium density residential	5,000	50	100	60	40	10	7.5	5	15	30	1.0 <sup>22</sup>	8.6
HHDR historic high density residential <sup>21</sup>	4,000	40	90	60	50	10	5	5 <sup>11</sup>	20	30	1.0	22
HRCC-1 historic commercial core, Duval GS <sup>21</sup>	4,000	40	100	70	50	0	0	2.5	10	35 <sup>19</sup>	1.0	22
HRCC-2 historic commercial core, KW Bight <sup>12, 21</sup>	5,000	50	100	60 <sup>12</sup>	50	10	7.5	5	15 <sup>2</sup>	35 <sup>12</sup>	0.5	8 <sup>13</sup>
HRCC-3 historic commercial core Duval OS <sup>21</sup>	4,000	40	90	60	50	5	7.5	5	15	35 <sup>19</sup>	1.0	22
HRCC-4 historic residential commercial core-4	n/a	n/a	n/a	50	30	7.5	7.5	7.5	7.5	35	0.8	n/a
HNC-1 historic neighborhood commercial <sup>21</sup>	4,000	40	100	60	50	5	7.5	5	15	35	1.0 <sup>14</sup>	16
HNC-2 historic neighborhood commercial <sup>21</sup>	4,000	40	90	60	40	10	7.5	5	15	30	1.0 <sup>14</sup>	16
15												

HNC-3 historic neighborhood commercial <sup>21</sup>	4,000	40	90	60	40	0	7.5	5	15	30	1.0 <sup>14</sup>	16
<u>HNC-4 historic neighborhood commercial <sup>21</sup></u>	<u>4,000</u>	<u>40</u>	<u>100</u>	<u>70</u>	<u>50</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>10</u>	<u>35</u>	<u>1.0 <sup>14</sup></u>	<u>40</u>
HCT historic commercial tourist <sup>17, 21</sup>	10,000	75	100	70	50	5	5	5	10	35	1.0	22
HRO historic residential office <sup>21</sup>	5,000	50	100	60	50	5	5	5	10	30	1.0 <sup>14</sup>	16
HPS historic public/semipublic service <sup>21</sup>	5,000	50	100	50	40	20	10	5 <sup>11</sup>	20 <sup>2</sup>	25	1.0	16
HPS-1 historic public and semi-public service-1	n/a	n/a	n/a	50	30	7.5	7.5	7.5	7.5	25	0.8	n/a
HPRD historic planned redevelopment/development <sup>21</sup>	1 acre	50	100	50	40	5	5	2.5	10	35	1.0	22
PS public/semipublic service	6,000	50	100	50	40	20	15	15	20 <sup>2</sup>	25	0.8 <sup>15</sup>	n/a
A airport	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	<sup>16</sup>	0.3	n/a
C conservation	10 acres	n/a	n/a	5	5	<sup>18</sup>	<sup>18</sup>	<sup>18</sup>	<sup>18</sup>	25	0.01	0.1

Footnotes:

(Ord. No. 97-10, § 1(2-5.9), 7-3-1997; Ord. No. 09-06, §§ 3—5, 4-7-2009; Ord. No. 10-04, §§ 20, 21, 1-5-2010; Ord. No. 12-33, § 4, 9-18-2012; Ord. No. 13-25, § 3, 12-3-2013; Ord. No. 18-04, § 4, 2-7-2018; Ord. No. 19-15, § 2, 5-21-2019)

*\*Coding: Added language is **underlined**; deleted language is ~~struck through~~ at first reading.*

**Land Development Regulations Text Amendment Process:**

Planning Board: November 21, 2019 (Planning Board Res. 2019-88)  
City Commission: January 7, 2020 (passed on first reading)  
Planning Board: September 17, 2020 (Res. 2020-30)  
BVRAC: November 5, 2020 (For discussion and additional public input)  
City Commission: November 17, 2020 (second reading)  
Local Appeal Period: 30 Days



City Clerk renders to DEO: 10 working Days  
DEO Review: Up to 45 Days  
DEO Final Order: LDR amendment becomes effective when the final order is received

**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.

A full planning staff analysis is available in the planning board staff report.

**Other Matters:**

According to the Monroe County Property Appraiser, the total land area of the proposed zone is 6.635 acres, or 289,029-square-feet. The new zone will allow for the future development of deed-restricted affordable & permanent housing and the redevelopment of blighted public parcels.

In addition, the Bahama Village Visioning and Capital Projects Workplan, recommended for approval by the BVRAC on August 10, 2017, and adopted by the CRA on January 17, 2018, lists seven (7) recommended capital projects. Capital project number four (4) recommends an affordable housing and mixed-use development project on a 3.2-acre portion of the 5.57-acre parcel at 918 Fort Street. The recommended project is listed as “critical” on the prioritization level. However, without amendments to the LDRs, it is unlikely the development can move forward.

**Options / Advantages / Disadvantages:**

**Option 1:**

Approve the proposed text amendment to Chapter 122 - Article IV - Division 8, Section 122-92, Section 122-1111, Section 122-1112, and Section 122-1151 of the Land Development Regulations as recommended by the Planning Board through Resolution No. 2020-31 WITH FURTHER MODIFICATIONS to reflect public input as described herein. The proposed ordinance will include staff and Planning Board changes from 1<sup>st</sup> reading to 2<sup>nd</sup> reading and will reflect further public comment.

a. Financial Impact:

There will be no cost to the City if this request is denied. Incorporating permitted and conditional residential and commercial uses in this zoning district may facilitate redevelopment and new construction that will increase property values, thus augmenting the Bahama Village Community Redevelopment Trust Fund.

**Option 2:**

Approve the proposed text amendment to Chapter 122 - Article IV - Division 8, Section 122-92, Section 122-1111, Section 122-1112, and Section 122-1151 of the Land Development Regulations as recommended by the Planning Board through Resolution No. 2020-31. The proposed ordinance will include Planning Board changes from 1<sup>st</sup> reading to 2<sup>nd</sup> reading.

a. Financial Impact:

There will be no cost to the City if this request is approved. Incorporating permitted and conditional residential and commercial uses in this zoning district may facilitate redevelopment and new construction that will increase property values, thus augmenting the Bahama Village Community Redevelopment Trust Fund.

**Option 3:**

Deny the proposed text amendment to Chapter 122 - Article IV - Division 8, Section 122-92, Section 122-1111, Section 122-1112, and Section 122-1151 of the Land Development Regulations.

a. Financial Impact:

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

**Recommendation:**

Staff supports Planning Board Resolution No. 2020-30, and further recommends approval of modifications as proposed through public input, therefore recommends approval of OPTION 1.