APPLICATION 1. FUTURE LAND USE ELEMENT AMENDMENTS

Amend the Future Land Use Element as follows. Additions are denoted by underline; deletions by ~~strikethrough~~.

CHAPTER 1: FUTURE LAND USE ELEMENT
~~(Reference §9J-5.006(3), FAC)~~

§1-1: FUTURE LAND USE GOALS, OBJECTIVES AND POLICIES. This ~~section~~ Chapter ~~stipulates~~ specifies goals, objectives, and implementing policies for the Future Land Use Element pursuant to Florida Statute. ~~§163.3177(6)(3), FS, and §9J-5.006(3), FAC~~.

Reason for Amendment: To reflect changes in Florida Statutes.

GOAL 1-1: Ensure~~s~~ that the character and location of land uses incorporate best management practices and principles of resource conservation; enhances community appearances; promotes orderly land use transition, and; minimizes threats to health, safety, and welfare which may be caused by incompatible land uses, environmental degradation, hazards, and nuisances.

Reason for Amendment: Consistency with the Strategic Plan.

Objective __1-1.1 : Future Land Use Map
The Future Land Use Map depicts the City's vision for its current and future development through the provision and location of specific future land use districts. All development and redevelopment in the City shall be in accordance with the Map, as it may be amended from time to time.

Monitoring Measure(s):

1) **Number of Future Land Use Amendments**
2) **Amendment of Land Development Regulations to ensure consistency with amendments by 2015**

Reason for Amendment: Replaces existing language in the Comprehensive Plan (Goal 1-2) with a clear and concise description of the purpose of the Future Land Use Element.

Policy 1-1.1.1: Planning Horizons. The City's short term planning horizon shall be 5 years and the long term shall be 20 years. The Future Land Use Map shall contain an adequate supply of land in each district to meet the demands of the existing and future population, and the City shall ensure that infrastructure and services are or will be made available to meet the needs of this projected population. In the event that the City's land area increases through annexation or decreases, the projected population will be adjusted accordingly.

Reason for Amendment: Consistency with the Strategic Plan.

Policy 1-1.1.2: Density Defined. Maximum gross residential density shall be determined by dividing the "maximum allowable units" by the "gross acres of land" (i.e., dwelling units/ gross land acres). All residential densities denoted on the Future Land Use Map and Policy 1-1.1.5 below stipulate the maximum gross densities permitted for development on the land. Gross land area shall be defined as those contiguous land areas under common ownership proposed for residential development. In cases where developable land abuts jurisdictional waters of the State and transitional wetlands or uplands under State or federal jurisdictions, the boundary shall be delineated as established by the State or federal government and no density or floor ratio (FAR) credit shall be granted for undevelopable environmentally sensitive lands, including wetlands, transitional wetlands, mangroves, tidelands, submerged lands, upland hammocks, and waters of the State.

Reason for Amendment: Moved from Policy 1-2.1.1.

Policy 1-1.1.3: Intensity Defined. Floor Area Ratio (FAR) refers to the total floor area of a building(s) on any lot, parcel, or site. Floor areas do not apply to small residential developments. For purposes of calculating floor area, parking area located beneath the building shall not be counted. FAR computations shall include all uses on the lot, parcel or site, including both residential and non-residential floor area. The term "building height" as used in the Land Development Regulations shall mean the vertical distance from the crown of the nearest adjacent street to the highest point of the proposed building. The maximum FARs are further restricted by quantitative and qualitative criteria included in the Land Development Regulations, including but not limited to, such factors as minimum open space; concurrency management and level of service standards for traffic circulation; storm water management and other public facilities and services; off-street parking and internal circulation; height restrictions; landscaping; other required on-site improvements and design amenities required to achieve land use compatibility.

Reason for Amendment: Consolidates information regarding FAR from other areas of the Comprehensive Plan.

Policy 1-1.1.4: Affordable Housing and Compact Development Incentives. Within land use categories supporting mixed use development, the land development regulations shall include density and intensity bonuses that fall within the parameters of the Comprehensive Plan and Future Land Use Map to achieve the following objectives: provision of affordable housing immediately adjacent to employment opportunities; reduction in dependence on automobile travel for home/work travel; provision of a range of housing types, inclusive of apartments, townhouses, efficiencies, and single room occupancies; establishment of a variety of retail uses to support onsite or adjacent residential uses; provision of sufficient density of residential uses and presence of retail commercial to support transit demand; support of redevelopment of aging, traditional suburban shopping center retail; provision of open space and recreational uses within or immediately adjacent to the mixed use complex; provision of immediate access to and support of bicycle path networks in the City; increase efficiency of energy and water use;

increase solid waste diversion; increase stormwater harvesting; decrease inappropriate water use, and; creation of opportunities to provide substantial new landscaping to parking and housing/retail areas to reduce carbon footprints and support sustainability goals.

Reason for Amendment: To address the City's demonstrated need for affordable housing.

Policy 1-1.1.5: Future Land Use Districts and Zoning Districts: The City's Land Development Regulations shall conform to, and implement, the use, intensity and density standards prescribed for the land use districts provided on the Future Land Use Map, and detailed below.

FLUM District	Zoning Districts	Density	Intensity	Uses
Low Density Residential	Coastal Low Density Residential; Single Family Residential	Maximum eight (8) dwelling units per acre in areas zoned Single Family Residential. Maximum one dwelling unit per acre in areas zoned for Coastal Low Density Residential as of January 1, 2012[1].	n/a	Supportive community facilities and accessory land uses including public schools may be located within areas designated Low Density Residential as of January 1, 2012. The land development regulations shall provide regulatory procedures for considering such uses. Transient uses are not permitted. One accessory or detached unit is permitted per residential dwelling unit in areas designated Low Density Residential as of January 1, 2012 as outlined in Policy 1-1.1.7 under the condition that the unit is approved through the building permit allocation system outlined in Objective 1-1.16.
Medium Density Residential	Medium Density Residential Coastal; Medium	Eight (8) units per acre in areas zoned Medium Density Residential	1.0 FAR for areas zoned Medium Density Residential-1 as of January	Supportive community facilities and accessory land uses including public schools are allowed. Accessory uses, such as approved home occupations, may be allowed within residential structures if such uses are

[1] Note: The date January 1, 2012 is referenced throughout this Plan in order to prevent an inadvertent increase in maximum density or intensity, or changes in allowable uses, that might result from combining multiple zoning districts into a single Future Land Use District.

	Density Residential; Planned Redevelopment and Development	Coastal as of January 1, 2012; Maximum of sixteen (16) units per acre in areas zoned for Medium Density Residential as of January 1, 2012; Eight (8) units per acre for areas zoned Medium Density Residential-1 as of January 1, 2012. Eight (8) units per acre in mixed use residential and commercial development in areas zoned Planned Residential Development as of January 1, 2012. The intensity of group homes shall be	1, 2012. Maximum 1.0 FAR inclusive of mixed use residential and commercial development in areas zoned Planned Residential Development as of January 1, 2012. The intensity of group homes shall be measured in terms of FAR, not units per acre,	customarily incidental to and subordinate to the residential use. Transient uses are not permitted.

		measured in terms of FAR, not units per acre.		
High Density Residential	High Density Residential; Residential/Office	Maximum of 22 units per acre in areas zoned for High Density Residential as of January 1, 2012, and 16 units per acre in areas zoned Residential/Office as of January 1, 2012.	Maximum FAR of .8 for non-residential uses.	Supportive community facilities and accessory land uses including public schools are allowed in areas zoned for High Density Residential as of January 1, 2012. Accessory uses, such as approved home occupations, may be allowed within residential structures if such uses are customarily incidental to and subordinate to the residential use. Business and professional offices, customary accessory uses, and community facilities may be located in areas zoned Residential/Office as of January 1, 2012. Transient Uses are not permitted.
Historic Commercial	Historic Residential/ Office; Historic Residential Commercial Core; Historic Neighborhood Commercial; Historic Commercial Tourist	Maximum of twenty-two (22) units per acre in areas zoned Historic Commercial Tourist and Historic Residential Commercial Core (HRCC) as of January 1, 2012; Maximum sixteen (16) units per acre	Maximum FAR of 1.0 FAR for non-residential uses. See Policy 1-1.1.9.	Allowable non-residential uses in areas zoned Historic Residential/Office as of January 1, 2012 are business and professional offices, existing grandfathered transient residential uses, and customary accessory uses and community facilities including public schools. Allowable uses in areas zoned Historic Residential Commercial Core as of January 1, 2012 are in accordance with Policy 1-1.1.9. Allowable non-residential uses in areas zoned Historic Neighborhood

		in areas zoned Historic Neighborhood Commercial as of January 1, 2012.		Commercial as of January 1, 2012 are in accordance with Policy 1-1.2.9. Allowable non-residential uses in areas zoned Historic Commercial Tourist as of January 1, 2012 include but are not limited to hotels, motels, and/or transient lodging facilities, along with primarily tourist oriented commercial uses, including specialty shops, restaurants and drinking establishments, personal services, offices, customary accessory uses and community facilities including public schools, and similar activities
Commercial	Salt Pond Tourist Commercial; General Commercial; Limited Commercial	Maximum of sixteen (16) units per acre	Maximum FAR of 0.8 on lands designated Commercial	Allowable uses in areas zoned for Salt Pond Commercial Tourist as of January 1, 2012 are motels, limited scale tourist facilities, customary accessory uses, and requisite community facilities including public schools. Allowable commercial uses in areas zoned General Commercial as of January 1, 2012 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 if in conformance with Policy 1-12.4. Building heights in areas zoned General Commercial in the North Roosevelt Corridor from 7th Avenue west to Eisenhower and Jose Marti

				are limited to 30 feet. Allowable commercial uses in areas zoned Limited Commercial include but are not limited to neighborhood convenience stores; small limited item shops and customary accessory uses, and requisite community facilities including public schools.
Military	Military	n/a	n/a	Military jurisdiction, coordination in accordance with Florida Statutes
Public Service	Public Service; Airport	n/a	Maximum FAR of 0.8 for lands zoned Public Service; Maximum FAR of 0,3 for lands zoned Airport,	Allowable uses include public and semi-public facilities and other similar activities. The Airport (A) zoning designation is intended to accommodate lands comprising the Key West International Airport and associated facilities and uses. The Federal Aviation Administration (FAA) Regulations shall govern placement and specifications of structures within this area.
Conservation	Freshwater Wetlands; Outstanding Waters of the State; Tidal Wetlands of the State; Upland Hammock; Mangrove	Maximum of one (1) unit per ten acres (reference Policy 1.1.1.15).	Maximum of 0.10 FAR for areas designated Conservation (reference Policy 1.1.1.15)	Only minimal development in accordance with Policy 1.1.1.15.
Historic Residential	Historic High Density Residential;	Maximum of twenty-two (22) units per acre	A maximum FAR of 1.0 is allowed for	Allowable uses in areas zoned Historic High Density Residential and Historic Medium Density Residential

	Historic Medium Density Residential; Historic Special Medium Density Residential; Historic Planned Redevelopment and Development	are allowed in areas zoned Historic High Density Residential as of January 1, 2012. Maximum of sixteen (16) units per acre are allowed in areas zoned Historic Medium Density Residential as of January 1, 2012. Maximum of nine (9) units per acre are allowed in areas zoned Historic Special Medium Density Residential as of August 1, 2012. Maximum of twenty-two (22) units per acre are allowed for in areas zoned Historic Planned	mixed use development in areas zoned Historic Planned Redevelopment and Development as of January 1, 2012.	as of January 1, 2012 are single family, duplex and multi-family residential that preserve the historic character and quality of the Historic Preservation District central residential community. Accessory uses, including approved home occupations, and customary community facilities are also allowed. See Policy 1.1.1.8 for allowable uses in Historic Special Medium Density Residential. Residential and mixed use are allowable uses in areas zoned Historic Planned Redevelopment and Development as of January 1, 2012. Transient uses are not permitted.

		Redevelopment and Development as of January 1, 2012.		
Historic Public & Semi-Public	Historic Public Services	n/a	Maximum intensity of 1.0 FAR for properties zoned Historic Public Service, with exceptions for regional public facilities (see Policy 1.1.1.10).	See Policy 1-1.2.10 for allowed uses.

Reason for Amendment: To improve the user-friendliness of the Future Land Use Plan Map and consolidate the .various provisions relating to densities, intensities and uses in one place. The City, through the adoption of its new Future Land Use Map, is consolidating its Zoning Districts into Future Land Use Districts in accordance with Florida Statutes. This will avoid the burdensome chore of amending the Comprehensive Plan whenever a change of zoning classification is proposed.

Policy 1-1.1.6: Historic Preservation Areas: Areas delineated on the Future Land Use Map for historic preservation shall be planned and managed using a regulatory framework designed to preserve the form, function, image, and ambiance of the Historic Preservation District. Dependent upon the size and scope of development proposals, either the City's Historic Architectural Review Commission (HARC) and/or Historic Preservation Planner, in addition to the Planning Board and/or staff, shall review all development proposals within the City's designated historic districts. Any development plans for these areas shall be subject to site plan review and shall be designed in a manner compatible with historic structures within the vicinity.

Reason for Amendment: To address the designated Historic Preservation Areas on the Future Land Use Map.

Policy 1-1.1.7: Accessory Units in Low Density Residential: Areas designated Low Density Residential on the Future Land Use Map may include one (1) accessory attached or detached unit per principal dwelling unit if the accessory unit is approved pursuant to the provisions of this Policy. The ultimate number of accessory units that can be approved is limited by the Building Permit Allocation system that regulates all residential development. Accessory units have been found to have a lower impact on public facilities and trip generation than principal dwelling units because fewer persons reside in the units and fewer cars are associated with such units, and are therefore considered to be equivalent to .78 of one unit for purposes of measuring Level of Service Impacts and for allocating remaining units under the Building Permit Allocation System. Developers of new primary residents may build an accessory unit at the same time.

Accessory units must be affordable; restricted to occupancy by permanent residents; and cannot be sold separately as a condominium. When an accessory unit occupancy permit is originally initiated, the principal unit must be owned and occupied by a permanent resident; if the principal unit is under construction, occupancy is not a requirement. An accessory unit or SRO cannot take up more than forty percent (40%) of the principal structure nor can it exceed six hundred (600) square feet. No accessory unit shall have more than one bedroom unless an additional bedroom is approved as a variance by the Planning Board. If such variance is approved, the total square footage shall not exceed seven hundred (700) square feet.

Reason for Amendment: Moved provisions regarding accessory units in Residential from Policy 1-2.1.3.

Policy 1-1.1.8: Allowed Uses in the Historic Residential Commercial Core: The historic residential commercial core (HRCC) zoning district is designed to accommodate the historic Historic Preservation District residential commercial core mixed use center. The HRCC zoning district is intended to provide a management framework for preserving the nature, character and historic quality of the Historic Preservation District commercial core, including related residential development.

The **HRCC-1** zoning sub-district encompasses the Duval Street Gulf side tourist commercial core, which provides an intensely vibrant tourist commercial entertainment center characterized by specialty shops, sidewalk-oriented restaurants, lounges and bars with inviting live entertainment; and transient residential accommodations. The commercial entertainment center spans Duval Street generally from the Pier House south to Petronia Street, and is the most intense activity center in the historic commercial core.

The **HRCC-2** zoning sub-district encompasses the Key West Bight area and adjacent areas. The maximum floor area ratio shall be 0.5. Areas zoned HRCC-2 shall carry a base density of 16 units per gross acre.

The **HRCC-3** zoning sub-district comprises the Duval Street Oceanside corridor from Petronia Street south to United Street. This corridor serves as a center for arts, crafts, gifts, designer goods, restaurants, and tourist accommodations. Structures within this corridor generally have retained a front facade which is much less commercialized relative to the entertainment center on the Gulf side of Duval Street HRCC-1 District. The front facades generally have much smaller storefront windows and frequently incorporate a residential vernacular characterized by wood frame windows, equipped with mullions, and wood clapboard siding. This area shall be regulated by more restrictive performance standards than those applicable to the HRCC-1 area. The criteria shall require larger open space ratios, design standards which preserve and reinforce the physical characteristics of the area, and land use restrictions which exclude sidewalk bars and lounges which may produce excessive noise incompatible with surrounding residential activities.

The **HRCC-4** zoning sub-district comprises a portion of the Truman Waterfront Parcel of the Key West Base Reuse Plan. This district represents areas historically used by the military for marine-related services and port-related activities. Appropriate uses in the HRCC-4 sub-district include the following uses so long as they are water-dependent or water-related: light manufacturing, light industrial and warehousing, service and repair, terminal operations, port operations, cruise ship berthing, offices, marinas, and parks and recreation. Permanent residential units can be allowed as a conditional use so long as those units are less than 750 square feet or 25 percent of the other uses on-site, whichever is less. Cruise ship home porting and car ferries are prohibited.

Reason for Amendment: Moved provisions regarding allowed uses in Historic Residential Commercial Core from Policy 1-2.3.3.

Policy 1-1.1.9: Allowed Uses in Historic Neighborhood Commercial: Areas zoned Historic Neighborhood Commercial are intended to 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 of Key West. Residential activities within this designated area include single family and duplex structures and multiple-family structures. Commercial uses generally permitted in the area include:

- Professional offices;
- Restaurants;
- Banking and financial institutions;
- Personal service shops;
- Specialty shops;
- Retail sales and services, excluding automotive sales and services as well as drive-in or drive-through restaurants, theaters or other drive-in facilities which potentially generate similar traffic flow problems;
- Transient living accommodations and guest cottages; and
- Other similar uses which shall be identified in the land development regulations.

The HNC zoned areas may also accommodate community facilities.

These predominantly neighborhood-scale commercial uses are generally concentrated along portions of the following four corridors:

- Simonton Street: from Caroline Street south to United Street.
- Truman Avenue: from Simonton Street northeast to White Street.
- White Street: from Truman Avenue south to United Street, and from Eaton to Southard Street.
- The Petronia Street Corridor from near Duval Street to Emma Street.

In order to manage the impacts of future development on transportation and public facilities, the City shall limit the intensity of development within areas zoned "Historic Neighborhood Commercial" (HNC) by establishing the following thresholds within the HNC-1, HNC-2, and HNC-3 sub-districts, respectively:

1. Within areas zoned HNC-1, a FAR of 1.0.

2. Within areas zoned HNC-2, a FAR of 0.9.

3. Within areas zoned HNC-3, a FAR of 0.8.

Within HNC areas redevelopment or conversion of permanent housing structures to transient residential (excepting HNC-2 areas which do not allow transient uses), office, or other allowable commercial uses shall be permitted only if no on-site reduction in housing units for permanent residents occurs. The allowable maximum residential density shall be sixteen (16) units per acre. The maximum intensity for nonresidential activities shall not exceed a floor area ratio of 1.00 considering floor area allocated to all uses. Performance standards shall be included in the land development regulations which 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 incorporate other qualitative and quantitative standards which protect residential properties.

Reason for Amendment: Moved provisions regarding allowed uses in Historic Neighborhood Commercial from Policy 1-2.3.5.

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.

Reason for Amendment: Moved provisions regarding allowed uses in Historic Public and Semi-Public from Policy 1-2.3.5.

Policy 1-1.1.11: Historic Special Medium Density Residential (HSMDR). The area designated on the Future Land Use Map as Historic Special Medium Density Residential is designated to accommodate existing multifamily military housing properties at the time when the land and improvements are transferred to private civilian ownership and City jurisdiction. The designation is intended to maintain land use compatibility with the adjacent historic district. This designation is not intended to accommodate transient or commercial residential land use activities. The allowable residential density shall be a maximum of 8.6 units per acre. The maximum intensity of development shall not exceed a floor area ration (FAR) of 1.0 for all uses.

The land development regulations shall identify standards and processes to implement Policy 1-1.6.4, provide bulk and performance standards to implement the HSMDR

designation, and assure compliance with all other goals, objectives and policies of the Comprehensive Plan.

The Historic Preservation Planner and the Historic Architectural Review Commission shall have the discretion to review redevelopment and new development impacts for mass, scale, size, proportion and screening to ensure compatibility with the existing community fabric. The land development regulations shall be amended to include applicable review criteria for such historic architectural review standards.

Reason for Amendment: To address the transfer of Peary Court and other potential military residential properties from military to private sector use.

Policy 1-1.1.12: Tidal Waters: Pursuant to the Laws of Florida, the City of Key West shall exercise its extraterritorial zoning powers within an area extending 600 feet into the tidal waters adjacent to the corporate limits of the City of Key West.

Reason for Amendment: Moved language regarding Tidal Waters from Goal 1-2.

Policy 1-1.1.13: Airport Land Use Designation. The City shall continue to enforce performance criteria which require that land use changes adjacent to the Key West International Airport do not encroach on to the airport hazard zone. Furthermore, land uses proposed within noise impact areas defined in the FAA noise control regulations shall comply with FAA guidelines for managing noise impacts through land use regulation.

The City's land development regulations shall continue to establish the permitted uses and applicable restrictions within the air operations area.

Reason for Amendment: Moved from Policy 1-2.5.1.

Policy 1-1.1.14: Prepare for Future Sea Level Rise. The City, together with the private sector, shall consider proactive steps and pilot programs to adapt for sea level rise and storm surges, including but not limited to preserving transportation options, increasing residential building resiliency and indoor air quality, preserving landscaping and residential building aesthetics, and preserving water quality.

Reason for Amendment: To address the Climate Change Action Plan.

Policy 1-1.1.15: Development Rights in Conservation Areas. In cases where the agencies having jurisdiction determine that development rights should be granted on land within their respective jurisdiction, the City shall coordinate with the jurisdictional agencies for purposes of rendering legal, equitable, and environmentally sensitive determinations of the development rights to be permitted on such waters and/or lands under the jurisdiction of the State or federal government. The applicant shall bear the burden of proof in determining that development shall not adversely impact wetlands, transitional wetlands, upland hammocks, and other environmentally fragile natural systems; within these areas, the density shall be restricted to one (1) unit per ten (10) acres. In addition,

site alteration shall be limited to ten (10) percent of the entire site. (Note: Reference Policy 1.1.1.2).

Reason for Amendment: Moved from Policy 1-2.4.1.

FUTURE LAND USE MAP SERIES: FUTURE LAND USE

OBJECTIVE 1-1.2.1: PLAN AND DESIGN FOR RESIDENTIAL QUALITY. Sufficient space shall be provided for residential development and required community facilities to adequately meet the housing needs of the present and expected future population. Residential development shall be planned and designed to create and perpetuate stable residential neighborhoods and implement the policies stipulated below.

Monitoring Measure(s): Providing an adequate supply of residentially-designated lands on the Future Land Use Map to meet need of current and projected population.

Reason for Amendment: Include monitoring measure.

Policy 1-1.~~1~~2.1: Provide Access to Goods and Services and Protect Residential Areas from the Adverse Impacts of Transition in Land Use. Stable residential areas and projected future residential areas as delineated on the Future Land Use Map shall be protected from encroachment by incompatible development. This objective does not preclude necessary community facilities from locating within residential areas when such activities satisfy established criteria of this plan and the City's land development regulations.

Any potential adverse impacts caused by different land uses located adjacent to each other shall be minimized by landscaping, including vegetated berms with tree canopy where practical, or by other appropriate screening and buffering techniques. These landscaping techniques shall be incorporated into the design of new or redeveloping nonresidential projects located adjacent to existing or planned residential development.

Similarly, perimeter landscaping techniques shall be applied in multiple family residential developments in order to appropriately screen and buffer existing and planned single family home sites from residential development having differing structure types.

~~In addition, l~~Land development regulations shall ~~incorporate~~ maintain and continue to update standards and/or review criteria for mandating retention of open space and for regulating building design, including setbacks, building placement on site, and building orientation. These provisions shall be directed toward protecting privacy, as well as access to light, air and open space. Other reasonable design principles shall be included in the zoning code in order to alleviate adverse impacts of potentially incompatible land uses.

Reason for Amendment: Include monitoring measure.

Policy 1-1.~~1~~2.2: Promote Orderly Land Use Transition. Where it is infeasible to separate residential from nonresidential land uses, buffering shall be required to promote a smooth land use transition. Buffering may take the form of: 1) physical barriers, such as vegetative berms, hedges or other landscape cover; walls or fences aesthetically

designed for screening purposes; and open space systems with dense native vegetation and tree canopy; and/or 2) the development of a transitional use between the incompatible uses (such as low intensity office development between general retail commercial centers and residential areas).

~~**Policy 1-1.1.3: Promote Orderly Transition in Residential Densities.** Highest residential densities shall continue to be allocated to sites within the historic Historic Preservation District commercial mixed use center as well as adjacent to existing development with the same or higher density or less restrictive zoning districts. Residential densities shall be allocated in a manner compatible with available public services, natural features of land, and existing and anticipated future development.~~

Reason for Amendment: No longer relevant.

~~**Policy 1-1.1: Reinforce and Enhance Appearance of Residential Areas and Provide Amenities.** The City together with the private sector shall consider enhancing preservation of open space for scenic vistas, especially along gateway transportation corridors such as North and South Roosevelt Boulevard and along the waterfront shorelines. Such enhancement shall include application of community appearance criteria which reinforces good principles of design~~.

Reason for Amendment: To be provided for in the Urban Design Plan.

~~**Policy 1-1.1.5: Encourage Separation of Urban and Rural Land Uses.** The City of Key West contains no rural or agricultural lands.~~

Reason for Amendment: Not applicable.

OBJECTIVE 1-1.~~2~~3: ALLOCATING COMMERCIAL DEVELOPMENT. Land area shall be designated to accommodate a variety of commercial uses. The City shall promote the image, function, architecture, and ambiance of the Historic Preservation District as the City's center for commerce as well as civic and cultural enrichment. In this pursuit the City shall preserve and enhance the identity, design, and vitality of ~~Historic Preservation~~ the District~~, including the designated national historic preservation area and the fringe area of the preservation area~~.

The management of development and redevelopment activities shall promote preservation of the historic resources of the Historic Preservation District and ensure that new structures are compatible with the built environment. Along the North Roosevelt commercial corridor, the City shall promote redevelopment of mixed use and general commercial activities which fulfill market demands of the City's residents for affordable housing proximate to retail sales and services. The existing limited commercial area shall also be maintained ~~in the southern portion of New Town~~ for neighborhood commercial activities to meet consumer demands of residents within ~~this~~ the areas.

Monitoring Measure(s): Providing an adequate supply of commercially-designated lands on the Future Land Use Map to meet need of current and projected population.

Reason for Amendment: Update and include Monitoring Measure.

~~**Policy 1-1.2.1: General Considerations for Locating Commercial Development.** The location and distribution of specific types of commercial activities shall be determined based on the following considerations:~~

~~1. Trip generation characteristics, including impact on transportation facilities and off-street parking systems;~~

~~2. Location and site requirements based on specific needs of respective commercial activities, their market area, and anticipated employment generation and floor area requirements;~~

~~3. Compatibility with and impact on nearby residential and other surrounding commercial activities;~~

~~4. Relationship to surrounding land uses and natural systems; and~~

~~5. Impact on existing and planned community services and utilities.~~

Reason for Amendment: City is substantially developed. The designation of new commercial areas would require a Future Land Use Map change.

~~**Policy 1-1.2.2: General Pattern of Commercial Land Use.** In order to promote efficient flow of traffic, achieve orderly development and continue the Key West tradition of maximizing opportunity for well-planned working and living areas in close proximity, commercial development shall be concentrated in strategically located mixed use areas. These areas shall have location characteristics which best accommodate specific land, site, public facilities and market location requirements of respective commercial uses.~~

~~Similarly, proliferation of strip commercial development shall not be extended into stable residential areas. The existence of commercial areas on one corner of an intersection shall not dictate the development of all corners with the same or similar use; nor does the existence of commercial development on a major thoroughfare dictate that all frontages must be similarly used.~~

Reason for Amendment: City is substantially developed. The designation of new commercial areas would require a Future Land Use Map change.

Policy 1-1.~~2.~~3.1: Improve the Image and Function of the Historic Preservation District Commercial Core Area. Commercial development decisions shall promote the function of the Historic Preservation District commercial core as a center for government

and institutional services as well as a focal point for tourism, retail trade, business and professional offices, and civic and cultural enrichment. Land development regulations shall be directed to achieving a mix of land use activities consistent with Future Land Use Map policies.

The City shall coordinate with the Tourist Development Council, Chamber of Commerce and other private sector interest groups concerned with enhancing the central business district in order to direct efforts to achieve a public and private partnership in improving the image and function of the central commercial core area, including waterfront corridors. Design strategies shall provide physical themes for development and redevelopment opportunities that are consistent with and reinforce the historic character of architecture as well as its ambiance and urban design amenities.

Policy 1-1.3.2.4: 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.

The allocation of commercial uses shall recognize that respective commercial activities frequently have different site, spatial, and market area characteristics and generate significantly different impacts. Similarly, the commercial development designations on the Land Use Map shall be complemented by performance standards and site plan review requirements which shall provide a framework for managing and assessing impacts of development. These regulations shall ensure that proposed development of commercially designated sites is well planned and can be adapted to the proposed site. For instance, the lLand dDevelopment rRegulations shall address issues surrounding:

- Intensity of use
- Natural constraints to development
- Perimeter and internal landscaping
- Availability of public facilities at adequate levels of service
- Concurrency management
- Controlled access and egress
- Off-street parking as well as safe and convenient systems of vehicular, bicycle, and pedestrian circulation. The land development regulations shall include a regulatory framework for public and private partnership in providing strategically located parking facilities in order to restrict and/or minimize vehicular traffic in the Historic Preservation District.
- Open space preservation and maximum impervious surface
- Height and lot coverage
- Adequate building setbacks
- Urban design amenities, including, but not limited to, signage controls, pedestrian amenities, landscaping improvements, building height limitations, architectural controls in the Historic Preservation District, and other similar design features.
- Efficiency in natural resource use.

~~**OBJECTIVE 1-1.3: PLANNING FOR INDUSTRIAL DEVELOPMENT AND ECONOMIC BASE.** The City of Key West shall pursue only selective industrial development and redevelopment activities which are compatible with the island's sensitive ecosystem. The City's Future Land Use Map does not include a designation for manufacturing since the City has no intense manufacturing activities other than public utilities. The Key West Bight area formerly was the center of a maritime shrimp industry. However, this activity is near extinction. Similarly, the City of Key West electric plant, also located at the Key West Bight is being phased out. Tourism is the most significant component of the City of Key West economic base.~~

~~The City of Key West is a major tourist destination. Its principal attributes are its historic character, warm climate, extensive shoreline, water resources, the coral reef system, abundant water related and water-dependent activities, and the ambiance of Historic Preservation District. The historic district contains many old structures which do not comply with the City's size and dimension regulations since many structures pre-date these local regulations. Realizing the significant contributions of Historic Preservation District, especially the unique character of its structures and their historic and architectural significance, and realizing the substantial impact of tourism to the economic base, the City shall direct considerable attention to its growth management decisions to maintaining the historic character of Historic Preservation District and preserving tourism as a major contributor to the City's economic base. Similarly, the City shall carefully consider supply and demand factors impacting tourism and the local economy to ensure the long term economic stability.~~

Reason for Amendment: Not applicable. There are no areas suitable for Industrial Use within the City Limits.

~~**Policy 1-1.3.1: Mandatory Planning and Management Framework for Industrial Development.** Upon plan adoption the City of Key West shall adopt amended land development regulations which shall include a planning and management framework to regulate industrial activities. The City shall pursue only selective expansion of industrial activities, including public utility operations and other industrial activities found to be essential to the island's economy. The regulatory framework shall require that all future industrial development or redevelopment comply with mandated criteria to ensure that the characteristics, scale, and design of proposed industrial activities are consistent with the sensitive ecosystem of the island and do not unreasonably constrain infrastructure and natural resources.~~

~~The above cited regulatory system is necessary since the City of Key West has a unique and sensitive island ecosystem which is not adaptive to most intensive industrial operations. A mandatory planned development and redevelopment approach shall provide for limited industrial activity consistent with goals, objectives, and policies of the Comprehensive Plan.~~

Reason for Amendment: Not applicable. There are no areas suitable for Industrial Use within the City Limits.

~~**Policy 1-1.3.2: Pursue Nuisance Abatement Standards and Criteria.** The City shall continue to prevent nuisance impacts frequently associated with industrial and intensive commercial activities by maintaining performance standards for managing emission of noise, air pollutants, odor, vibration, fire or explosive hazard, and glare.~~

Reason for Amendment: Not applicable. There are no areas suitable for Industrial Use within the City Limits.

OBJECTIVE 1-1.4: ~~ACCOMMODATE INSTITUTIONAL~~ PUBLIC FACILITIES, INFRASTRUCTURE AND PUBLIC SERVICES. ~~The City's Future Land Use Map shall include appropriate allocations of land for public services. In addition, community facilities required to accommodate residential and nonresidential development shall be allowed within residential and mixed use areas when found consistent with applicable land development regulations.~~ The City shall ensure that needed public services and facilities are developed concurrent with new development~~. Upon plan adoption the City shall adopt an adequate facilities ordinance~~ through the implementation of the concurrency management system.

Monitoring Measure(s): Achievement of Level of Service standards.

Reason for Amendment: Update and include Monitoring Measures.

Policy 1-1.4.1: Concurrency Management System: The Concurrency Management System is presented in Objective 9-1.5 and 9-1.6, Policies 9-1.5.1 and 9.1.6.1 through 9-1.6.3 of the Capital Improvements Element, and included in the land development regulations. This Concurrency Management System shall be an integral part of the Future Land Use Element and shall be binding performance criteria to which all new development shall comply. Pursuant to Statute, the City of Key West shall issue no development order or permit for development unless the applicant provides narrative and graphic information demonstrating to the satisfaction of the City that public facilities required by the subject development shall be in place concurrent with the impacts of development. Furthermore, the applicant shall assure that the facilities operate at or above adopted level~~s~~ of service standards. The applicant's narrative and graphic information shall also demonstrate that the subject development shall not reduce the level~~s~~ of service (LOS) associated with public facilities serving the development below adopted LOS standards as part of the City's ~~l~~Land ~~d~~Development ~~r~~Regulations. In addition, the City shall use the capital improvement program and budget process to ~~pursue~~ advance acquisition of land required to provide recreation, conservation, and related public benefits and promote multiple use of public lands.

Policy 1-1.4.2: Resolving Concurrency Issues. Procedures for resolving concurrency management issues are stipulated in Policy 9-1.5.1, Objective 9-1.6 and Policy 9-1.6.1.

Reason for Amendment: Update.

Policy 1-1.4.~~2~~3: Coordinate Public and Private Investments in Land Improvements. ~~Upon plan adoption the~~ The City's land development regulations shall continue to provide performance criteria which ensure that the location, scale, timing, and design of necessary public services and semi-public uses shall be closely coordinated with development activities in order to promote improvements in delivery of requisite services.

Reason for Amendment: Update.

Policy 1-1.~~4~~2.~~2~~4: Maintain and Enforce Standards and Specifications for Design and Construction of Public and Semi-Public Services. The City shall maintain and enforce criteria and specifications for the design and construction of municipal services in order to promote cost effectiveness and quality control consistent with all applicable federal, state, regional, and local standards. ~~Municipal facilities include solid waste disposal, police and fire protection, emergency services, storm drainage and wastewater facilities.~~

In addition, the City shall ensure availability of other essential public and semi-public services provided by other public entities, including but not limited to: potable water services, public schools~~,~~ and health care.~~ Upon plan adoption T~~the City shall ~~adopt amended land development regulations which~~ continue to ensure that the regulatory process includes assurances that issues underlying available public services are adequately addressed in the site plan review process or in other development review procedures contained in the ~~l~~Land ~~d~~Development ~~r~~Regulations.

Reason for Amendment: Update.

Policy 1-1.4~~.3~~.5: Provision of On-Site and Off-Site Improvements. Prior to receiving a development permit, plans for all new development shall be evaluated by the City. Similarly, prior to receiving a development permit, the applicant's plans must incorporate necessary on- and off-site improvements or equitable contributions in lieu thereof which are required as part of a development application pursuant to the Comprehensive Plan or any other requirement of the Regulations and Ordinances, as exists or as may hereinafter be amended.

Supportive facilities, services, or other improvements (or equitable contributions in lieu thereof), as required by ordinance, shall be agreed to by the applicant prior to City approval of a development petition and facilities shall be constructed as agreed upon prior to issuance of a development permit. The intent of this policy is that all development applications include a satisfactory plan providing for the development of required on-site and off-site improvements, or equitable contribution in lieu thereof, in order to ensure that the City of Key West does not assume unanticipated fiscal liabilities for supportive facilities and services.

Policy 1.1.4.6: Increase Resilience of General Landscaping. The City shall use best available science and predictions for sea level rise and other climate change related issues to guide the long term health and appearance of landscape plantings. By 2014 the City shall work with sea level rise and native plant experts to create a "Climate Adaptation Planting Plan" ordinance to affect landscaping plans. This plan shall be reviewed every other year to stay up to date with climate change predictions.

Reason for Amendment: Address the Climate Change Action Plan.

OBJECTIVE 1-1.5: PROMOTE COMMUNITY APPEARANCE, NATURAL AMENITIES AND URBAN DESIGN PRINCIPLES. ~~Upon plan adoption the amended~~ The City's built environment should reflect Key West's values, architectural history, and characteristic mix of uses. The City shall establish and maintain a level of design excellence in accordance with Goal 2 of the 2011 Strategic Plan.

Monitoring Measure(s):Adoption of Urban Design Plan by 2015.

Reason for Amendment: Address the Strategic Plan and include Monitoring Measure.

Policy 1.1.5.1: Land Development Regulations for Gateway Corridors. The land development regulations shall ensure that improvements which potentially impact the appearance of gateway corridors such as U.S. 1, as well as major activity centers such as the Historic Preservation District, the City's shoreline, scenic views of the waterfront and tidal waters, public parks and other public grounds and institutions shall be managed and enhanced through application of the site plan review process. The Land Development Regulations will be amended to implement the Urban Design Plan, as appropriate.

Reason for Amendment: Update and address Urban Design Plan (moved from Objective 1-1.5.).

Policy 1-1.5.1: Reinforce and Enhance the City's Community Appearance. Major attributes shall be preserved through application of design review standards and management of signs, landscaping, open space, tree protection, and other urban design amenities. Special emphasis shall be placed on preserving and/or improving the character of major natural and man-made corridors, including the waterfront shoreline, scenic views of the waterfront and tidal waters, wetlands, major drainage corridors, and major transportation corridors which serve as a focal point for the motoring public.

Policy 1-1.5.2: Urban Design Plan. Buy 2015 the City shall adopt an Urban Design Plan in order to help achieve Objective 1-1.5. above. The Urban Design Plan will address a number of issues, including community appearance criteria, signage, lighting, shade trees, and seating to make streets inviting and enhance the experience of residents and visitors through high quality design in development and redevelopment.

Reason for Amendment: Update and address Urban Design Plan (moved from Objective 1-1.5.).

OBJECTIVE 1-1.6: INTEGRATE FORMER MILITARY SITES. Ensure that the integration of former military land provides for long-term, sustained, economic growth consistent with the community's vision for the City of Key West, as follows:

1. Provide meaningful integration of the sites into the community fabric;
2. Help diversify the economy;
3. Encourage balanced growth in the area's economy, including commercial and service sector job growth;
4. Provide employment opportunities for the region's unemployed and underemployed persons;
5. Strengthen the local tax base;
6. Help existing business and industries expand;
7. Help small businesses develop;
8. Provide affordable housing for Key West residents;
9. Provide public recreation and access opportunities, especially on the waterfront;
10. Provide opportunities for port, harbor and marina improvements;
11. Facilitate improvements and provide physical and economic links to Bahama Village;
12. Ensure environmental sensitivity and efficient resource use;
13. Provide opportunities for social services and special needs facilities;

Organizing principles specific to each former military use site are provided in the following policies.

Monitoring Measure(s): Examples of successful integration of former military sites.

Reason for Amendment: Update and include Monitoring Measure.

Policy 1-1.6.1. Affordability Requirement. In accordance with the City's affordability requirement, in the event of the transfer of military properties to the private sector for residential development or redevelopment, 30 percent of the units must be affordable.

Reason for Amendment: Ensure consistency with plans for Truman Waterfront.

Policy 1-1.6.2. Base Realignment and Closure Restrictions. The Base Realignment and Closure (BRAC) Restrictions that resulted from the BRAC 95 addressing the former Navy property at Truman Harbor shall be addressed in order to ensure compatibility with ongoing military missions. These restrictions shall be maintained in various transfer documents, including the deed.

Reason for Amendment: Ensure compatibility with BRAC 95.

Policy 1-1.6.3. Former Navy properties. Former Navy properties that require State-mandated land use controls as a result of former Navy use should be identified to ensure proper protection of human health and the environment. Any reuse of the sites must

consider ensuring visibility of potential hazards, limitations on allowable uses, and provisions to ensure compatibility within the environmental regulatory framework.

Reason for Amendment: Ensure compatibility with BRAC 95.

Policy 1-1.6.~~1~~4: Truman Waterfront Organizing Elements. All new development and redevelopment within the Truman Waterfront Parcel shall be consistent with the following key organizing elements:

1. Recreation and open space linked through landscaped multimodal green ways and view corridors with multiple access points connecting the large park and recreational area on the northwestern portion of the site

2. Uninterrupted public access to the waterfront through a wide promenade along the full length of the harbor.

3. Landscaped and hardscaped areas which are well-lit and designed to provide a safe area for use by a diverse mix of recreational users~~ including pedestrians, bicyclists and in-line skaters~~.

4. Affordable housing, neighborhood retail and social service uses which function as an extension of the neighborhood fabric of Bahama Village.

5. Educational and historical activity nodes.

6. Expanded use of the portions of the Truman Waterfront property for port activities.

7. Multiple ingress/egress points into the Truman Waterfront property.

8. High profile green design and livability principles, including but not limited to the International Dark Sky Association, the National Complete Streets Coalition, and highest level green building certifications.

Reason for Amendment: Ensure consistency with plans for Truman Waterfront and address the Climate Change Action Plan.

~~**Policy 1-1.6.2: Poinciana Housing Organizing Elements.** All new development and redevelopment within the Poinciana Housing Parcel shall be consistent with the following key organizing elements:~~

~~1. Reuse of existing structures which creates an affordable neighborhood which is well-integrated into the surrounding community.~~

~~2. Architectural elements of all new development and redevelopment especially porches, second floor terraces and roofing, which are compatible with the existing character of the surrounding neighborhood.~~

~~3. Space between the building pods used to create an open space/park system which includes a recreational curvilinear bike and pedestrian path which transverses the site and lush landscaping.~~

~~4. A wide paved loop running the perimeter of the site and connected to the internal path; as envisioned this pedestrian/bicycle network serves as a major neighborhood amenity, providing opportunities in appropriate areas for such activities as jogging, vita-course exercising, bicycling and in-line skating, and as access to existing and future mass-transit within the city.~~

~~5. A third entrance should connect the development with Duck Avenue westward of 18th Street.~~

Reason for Amendment: Ensure consistency with plans for Truman Waterfront.

Policy 1-1.6.~~3~~5: Peary Court Cemetery Organizing Element. All new development and redevelopment within the Peary Court Cemetery shall be consistent with the following key organizing element:

1. Maintain property as a cemetery and historic open space.

~~**OBJECTIVE 1-1.5: TRUMAN WATERFRONT PHASING AND INFRASTRUCTURE.** Ensure that the Truman Waterfront Site is served by adequate infrastructure through appropriate phasing, study and facility improvement.~~

Reason for Amendment: No longer applicable.

~~**Policy 1-1.7.1: Truman Waterfront Phasing.** Reuse of the Truman Waterfront site shall be phased as follows:~~

~~1. Phase I, consisting of: existing uses, including the cruise ship berth on Outer Mole Pier and the fire station in Building 149; rehabilitation of existing buildings and facilities necessary to keep them in good repair; and, reuse of existing structures when such reuse does not result in an increase in impacts over those generated by the former military use.~~

~~2. Phase II, consisting of new recreational development on the site.~~

~~3. Phase III, consisting of new development on the site.~~

Reason for Amendment: No longer applicable.

~~**Policy 1-1.7.2: Truman Waterfront Infrastructure.** Phase II and Phase III development Development on the Truman Waterfront Parcel shall not occur until the following actions have occurred:~~

~~1. The City of Key West has conducted the transportation studies identified in Policies 2-1.1.10 and 2-1.1.11, and adopted appropriate measures to implement the policies in the Comprehensive Plan; and,~~

~~2. The City of Key West has completed a stormwater masterplan for the site (either separately or as part of a larger planning and engineering study) which identifies site areas which do not meet current stormwater treatment standards and proposes methods to bring these areas up to standard; and,~~

~~3. Improvements recommended in the stormwater plan are completed for those areas where new development is proposed and the remaining improvements are scheduled in the city's five year capital plan.~~

Reason for Amendment: No longer applicable.

OBJECTIVE 1-1.7: IMPLEMENT WATER SUPPLY PLANNING IN ACCORDANCE WITH STATE GROWTH MANAGEMENT REQUIRMENTS.

Monitoring Measure(s): Adoption and Update of Water Supply Plan by 2012.

Reason for Amendment: Address Water Supply Plan and include Monitoring Measure.

Policy 1-1.7.1: The City of Key West, through the Land Development Regulations, will coordinate the land uses and future land use changes with the availability of water supplies and water supply facilities.

~~**§1-2: FUTURE LAND USE MAP**~~

~~**GOAL 1-2: FUTURE LAND USE MAP. Continue to maintain and manage a Future Land Use Map.**~~

~~**The Future Land Use Map series, Maps I-1 through I-7 herein, reflect City policy for managing the allocation of future land use. The Future Land Use Map series (base year 2010) is supported by the Comprehensive Plan Data Inventory and Analysis (1990). Land use designations on the Future Land Use Maps have been allocated pursuant to Goals, Objectives and Policies stipulated in the Comprehensive Plan, together with analysis of population, housing and land resources. The process of allocating these land use designations has considered the need to conserve natural resources including wetlands, waterfront shorelines, the water quality on land and within near- and off-shore waters, floodways, flood plains, fish and wildlife, management of capital improvement needs, and management of fiscal resources. Pursuant to Chapter 78-540, Section 8, Laws of Florida, the City of Key~~

~~**West shall exercise its extraterritorial zoning powers within an area extending 600 feet into the tidal waters adjacent to the corporate limits of the City of Key West. Accordingly, the Future Land Use Map shall apply a Future Land Use Map "Conservation-Outstanding Waters of the State (C-OW)" designation to the herein described tidal waters. These tidal waters are also a part of a recently designated National Marine Sanctuary. Cross reference Objective 1-2.4: "Managing Conservation Resources" and Policy 1-2.4.1 "Conservation Designation (C)."**~~

~~**The Future Land Use Map (FLUM) series follows, including a FLUM legend which identifies a standard range for the density and intensity of future development. The footnotes within the legend provide additional clarity regarding allowable density and intensity and explain additional constraints imposed by qualitative and quantitative performance criteria contained in the Comprehensive Plan and Land Development Regulations. For instance, concurrency management criteria shall require that infrastructure level of service (LOS) standards, including traffic circulation, shall be met. The concurrency management system shall require that LOS be met and maintained by all new development. This provision guarantees that the overall level of service conditions shall not deteriorate below adopted standards. Note: The FLUM legend and footnotes are herein enclosed.**~~

~~**This section of the Future Land Use Element shall define the nature, density and intensity of the allowable uses for each of the designations represented on the Future Land Use Map. Nothing in this section shall preclude necessary community facilities from locating within any future land use designation when such activity satisfies established criteria of this plan and the City's Code of Ordinances.**~~

~~**The Future Land Use Map series shall be Maps I-1 through I-7. The Future Land Use Map: Land Use Policy Designation, Map I-1, shall depict the proposed distribution, extent and location of land uses for the year 2010. The adopted Future Land Use Map Policy Designations are illustrated on the attached Map I-1, scale 1" = 400'. Maps I-2 through I-5 of the Future Land Use Map Series shall denote natural resources to be conserved through plan implementation. Map I-6 shall indicate City recreation resources. Map I-7 and Table I-1 denote the historically and archaeologically significant sites. The City has no agricultural lands. The City's historic approach to managing land use mix in commercial activity centers has been to allow residential development to co-exist within commercial activity centers. The City has no industrial activity centers.**~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**OBJECTIVE 1-2.1: ALLOCATING NEW TOWN RESIDENTIAL DEVELOPMENT.** Map I-1, identifying future land use policy, shall allocate residential density to areas within New Town (i.e. the area east of the Historic Preservation District historic area and the transition planned redevelopment area) based on the following considerations: past and projected future population and housing trends and characteristics; provision and maintenance of~~

~~quality residential environments; protection of environmentally fragile natural systems; the need to plan for smooth transition in residential densities; and provision and maintenance of traffic circulation and multiple-family improvements. Upon plan adoption the land development regulations shall provide performance standards impacting the allowable density on any specific site for which new development is proposed. These performance standards shall address:~~

- ~~Stormwater Management and Floodplain Protection~~
- ~~Traffic Impact Analysis~~
- ~~Minimum Open Space Criteria~~
- ~~Perimeter Landscaping, Screening and Buffering~~
- ~~Preservation of Wetlands~~
- ~~Concurrency Management System~~
- ~~Recreation Land and Facilities~~
- ~~Erosion and Sedimentation Control~~
- ~~Shoreline Protection~~
- ~~Protection of Flora and Fauna~~
- ~~Protecting Living Marine Resources~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.1.1: Density Defined.** Maximum gross residential density shall be determined by dividing the "maximum allowable units" by the "gross acres of land" (i.e., dwelling units/ gross land acres). All residential densities denoted on the Future land use Map stipulate the maximum gross densities permitted for development on the land. Gross land area shall be defined as those contiguous land areas under common ownership proposed for residential development. In cases where developable land abuts jurisdictional waters of the State and transitional wetlands or uplands under State or federal jurisdictions, the boundary shall be delineated as established by the State or federal government and no density or floor ratio (FAR) credit shall be granted for undevelopable environmentally sensitive lands, including wetlands, transitional wetlands, mangroves, upland hammocks, and waters of the State.~~

~~In cases where the agencies having jurisdiction determine that development rights should be granted on land within their respective jurisdiction, the City shall coordinate with the jurisdictional agencies for purposes of rendering legal, equitable, and environmentally sensitive determinations of the development rights to be permitted on such waters and/or lands under the jurisdiction of the State or federal government. The applicant shall bear the burden of proof in determining that development shall not adversely impact wetlands, transitional wetlands, upland hammocks, and other environmentally fragile natural systems. Within sensitive conservation areas, the density shall be restricted to one (1) unit per ten (10) acres.~~

~~Densities within environmentally sensitive wetlands shall be restricted to one (1) unit per ten (10) acres. A transfer of development right (TDR) shall be provided for wetlands~~

~~designated "Conservation Areas" located along the South A1A-Atlantic Boulevard corridor at a rate of one (1) unit per one (1) acre. These environmentally sensitive wetlands shall be designated as "sending areas" and land owners within such "sending areas" shall be able to sell their density rights on the open market to land owners of specific parcels of land within the Key West Bight Redevelopment Area which are identified by the City as "receiving areas."~~

~~In executing the "TDR" program, during the initial two year period following adoption of the Comprehensive Plan, "sending areas" shall be exclusively restricted to environmentally sensitive wetlands located within the South A1A-Atlantic Boulevard corridor, including but not limited to, the salt pond area. However, following the initial two year period, other sites may be identified as sending areas based on a thorough analysis of the effectiveness of the transfer of development rights program. The addition of new "sending areas" shall require amendment to the land development regulations.~~

~~Specific "receiving areas" must be identified in the comprehensive plan. These "receiving areas" shall be limited to approved sites in the Key West Bight Redevelopment Area which is designated "HRCC-2" on the Future Land Use Map. The addition of any areas other than the HRCC-2 area as a "receiving area" shall require a Comprehensive Plan amendment. The City must approve site plans for development of such receiving areas prior to commencement of activity. All transfers of density shall be recorded in the official records of Monroe County in a deed, contract for deed, or other legal document conveying property. Density in the Key West Bight receiving areas shall be consistent with Policy 1-2.3.3. In the Key West Bight area, clustering of residential units is encouraged to preserve waterfront views and open space.~~

~~The specific receiving area threshold must be approved by the City. Similarly, the City must approve each TDR from a sending area to a receiving area. Prior to approving the TDR, the City shall render a finding that the owner of land in the impacted sending area has provided the City with legal instruments acceptable to the City Attorney which dedicate conservation easements. The conservation easements shall prohibit development of all land comprising sending areas from which development rights have been transferred. The City shall prepare and maintain a system for tracking the sale and acquisition of development rights transferred from sending areas to receiving areas. The TDR tracking system shall serve as an official ledger of density transfers and as a minimum, shall record each approved TDR by real estate parcel citing landowners, zoning, land area, base density allowed by zoning, as well as dwelling unit capacity after each TDR is approved. The City shall adopt, maintain and enforce land development regulations to ensure proper implementation of Comprehensive Plan TDR policy cited herein. Upon plan adoption, the land development regulations shall provide a management framework for delineating "sending" and "receiving" areas and shall include regulatory measures for allocating specific density to receiving areas. Site plan review procedures shall also be stipulated. A statement shall be added that in the event Conservation Element policies conflict with mapped lines on the Future Land Use Map, the Conservation Element policies shall prevail.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~(1) Floor Area Ratio (FAR) refers to the total floor area of a building(s) on any lot, parcel, or site. For purposes of calculating floor area, parking area located beneath the building shall not be counted. FAR computations shall include all uses on the lot, parcel or site, including both residential and non-residential floor area. The term "building height" as used in the Land Development Regulations shall mean the vertical distance from the crown of the nearest adjacent street to the highest point of the proposed building. The maximum FARs are further restricted by quantitative and qualitative criteria included in the Land Development Regulations, including but not limited to, such factors as minimum open space; concurrency management and level of service standards for traffic circulation; storm water management and other public facilities and services; off-street parking and internal circulation; height restrictions; landscaping; other required on-site improvements and design amenities required to achieve land use compatibility.~~

~~Furthermore, the calculations of floor area ratios for determining allowable intensity in mixed developments on sites greater than one-half (1/2) acre specific shall apply specific formulas to avoid excessive intensity. Site less than one-half (1/2) acre may have all the allocated non-residential floor area and all of the allowed residential density. Upon adoption of the Comprehensive Plan Where common ownership exists on contiguous parcels, applicants for development must aggregate the land under common ownership into a single site plan. The maximum square footage which may be allocated to the residential component of a mixed use development shall be determined by the following formula:~~

~~**# of Units Proposed/Maximum Permitted Units Per Gross Acre x 43,560 x Site Area in Acres**~~

~~The maximum square footage which may be allocated to the commercial component of a mixed use development shall be determined by the following formula:~~

~~**Maximum # of Units Allowed Per Gross Acre Less Proposed # of Units/Max. Permitted Units Per Gross Acre x 43,560 x Site Area in Acres.**~~

~~(2) See Policy 1-2.3.3 for specific policies impacting density and intensity of use within the HRCC-2 area. The base density within the HRCC-2 district shall be eight (8) units per acre but may be increased through transfer of development rights/affordable housing options to higher densities (Ref. Policy 1-2.3.3).~~

~~(3) The maximum FAR for the HPS area shall be 1.0, excepting large scale regional public facilities, which require a community impact statement. The latter projects may have a higher FAR if approved by City Commission. However, prior to approving a 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 the land development regulations, including, but not limited to the adopted concurrency management policies.~~

~~(4) Outside the Historic Preservation District Historic area, as designated on the Zoning District Map, the maximum FAR for all public services, excepting recreation and open space, shall be eight-tenths (.8) while the maximum FAR for recreation and open space shall be two-tenths (.2).~~

~~(5) The City of Key West cannot regulate U.S. Military Land Use.~~

~~(6) The Coastal Medium Density Residential designation is an overlay designation which embraces all medium density residential properties, or portion thereof, which are located in the coastal high hazard area. All acreage designated "medium density residential" which is located within the coastal high hazard area along the South A1A - Atlantic Boulevard Corridor shall have a maximum density of eight (8) units per acre consistent with state policies mandated that concentrations of populations be directed away from coastal high hazard areas in order to protect against loss of life.~~

~~General Footnotes:~~
~~°No agricultural uses exist within the City of Key West.~~
~~°The City has no areas reserved exclusively for industrial development.~~
~~°Jurisdictional lines delineating conservation areas are approximate boundaries based on best available information. The specific metes and bounds shall be established based on field investigations by agencies having jurisdiction.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.1.2: Coastal Low Density Residential (LDR-C).** Areas delineated on the Future Land Use Map for coastal low density residential development are situated on the North side of South Roosevelt Boulevard on the very narrow strip of uplands lying between the "Bridle Path" easement and jurisdictional waters and lands of the State as well as certain undeveloped lands along Atlantic Boulevard fully within the coastal high hazard velocity (VE) zone as delineated by the Federal Emergency Management Agency (FEMA). These areas are restricted to residential development with a maximum density of one (1) unit per acre and shall not include transient lodging or guest homes. Supportive public community facilities and accessory land uses also may be located within areas designated for coastal low density residential use. The land development regulations shall provide regulatory procedures for implementing these policies.The coastal low density residential (LDR-C) designation is established to:~~

~~1. Provide an equitable development right for the LDR-C designated areas;~~
~~2. Protect remaining coastal wetlands;~~
~~3. Maintain water quality;~~
~~4. Protect marine habitats; and~~
~~5. Preserve a significant amount of open space for purposes of reducing surface water runoff and maintaining water quality in a major environmentally sensitive coastal area.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.1.3: Single Family Residential Development (SF).** Areas delineated on the Future Land Use Map for single family permanent residential development (SF) shall be developed, redeveloped and/or maintained as stable residential neighborhoods and shall include single family dwelling units and may also include one (1) accessory attached or detached unit per principal dwelling unit so long as the accessory unit is duly approved pursuant to the following building permit allocation ordinance and satisfies the criteria of the Comprehensive Plan. The building permit allocation methodology shall include a permit formula which includes a ratio of one (1) accessory unit or single room occupancy (SRO) equals .55 dwelling unit based on the lower ratio of automobiles per accessory unit or SRO and the reduced impact on other public facilities. The City estimates a demand for accessory units and SROs of approximately thirty (30) accessory units and SROs per year which will yield an impact factor of seventeen (17) units per year. Figure 1 demonstrates the methodology for the estimate. The land development regulations shall provide procedures for accommodating accessory units and single room occupancies.**Methodology for Estimating Accessory Units and SROs.** Calculated vacant lots and lots with only one (1) unit within areas zoned R-1, R-1B, and R-1A. The results are tabulated~~

~~**TABLE I-1**~~
~~**METHODOLOGY FOR ESTIMATING ACCESSORY UNITS AND SROs**~~

~~**Lots Capable of Supporting**~~	~~**Zoning Districts**~~	~~**Max. Potential Accessory**~~

~~Accessory Units/SROs~~				~~Units/SROs at Build Out~~
	~~R-1~~	~~R-1B~~	~~R-1A~~	
~~Lots with 1 unit~~	~~1382~~	~~546~~	~~66~~	~~1994~~
~~Vacant Lots~~	~~38~~	~~15~~	~~5~~	~~58~~
~~Total~~	~~1420~~	~~561~~	~~71~~	~~2052~~

~~**Estimated Annual Demand for Accessory Apartments.** The methodology is based on research documented in the following publication: "Accessory Units: The Back-Door Approach to Affordable Housing," in Zoning News, American Planning Association, April 1992. This report states that research indicates that annual demand for accessory units is estimated to be 1 to 1.5 percent (.01 to .015) of the maximum potential accessory units at build out.~~

~~The City chose to use the higher range based on the severity of the affordable housing shortage in Key West together with the scarcity of land for accommodating conventional housing. For the purpose of this analysis the single room occupancy (SRO) was assumed to possess similar demand characteristics as accessory units. This methodology yields the following:~~

~~**Calculation: (.015) x 2052 = 30 accessory units/SROs annually**~~

~~Upon the adoption of the Comprehensive Plan, the City shall amend the land development regulations and shall mandate that accessory units and single room occupancies (SRO's) are affordable; restricted to occupancy by permanent residents; and cannot be sold separately as a condominium. When an accessory unit occupancy permit is originally initiated, the principal unit must be owned and occupied by a permanent resident, if principal unit is under construction, occupancies is not a requirement. An accessory unit or SRO cannot take up more than forty percent (40%) of the principal structure nor can it exceed six hundred (600) square feet and the minimum size shall be three hundred (300) square feet. The maximum threshold shall be an interim standard which may be increased, if prior to the remedial plan adoption date, an analysis of the City's apartments concludes that the typical one-bedroom apartment unit is more than eight hundred (800) square feet threshold is not inconsistent with the Monroe County hurricane evacuation model. SRO's by definition shall be restricted to one room efficiencies. No accessory unit shall have more than one bedroom unless an additional bedroom is approved as a variance by the Board of Adjustment. If such variance is approved, the total square footage shall not exceed six hundred (600) square feet. The permit allocation system shall be coordinated with the County's analysis of~~

~~evacuation clearance times in order to maintain or decrease the standard time for such clearance. The City shall include the adjusted accessory unit and SRO impacts through 2010~~ 2022 ~~in the annual allocation of units in order to reflect the impact of these units on public facilities. The land development regulations shall provide procedures for accommodating accessory units and single room occupancies.~~

~~The maximum density for development within the SF designation shall be eight (8) principal dwelling units per acre. This land use designation shall not include transient accommodations. Specific densities on a site will be determined by such factors as natural features of the land, existing density and/or intensity of surrounding development, level of accessibility, adequacy of public facilities, and other factors which shall be identified in the land development regulations. Supportive community facilities and accessory land uses may be located within areas designated for single family residential uses. The land development regulations shall provide regulatory procedures for considering such uses.~~

~~The single family residential (SF) designation is established to:~~

1. ~~Protect the quality and character of existing single family neighborhoods;~~
2. ~~Preserve open space;~~
3. ~~Encourage densities which are compatible with existing and anticipated future developments;~~
4. ~~Promote compatibility with natural features of the land; and~~
5. ~~Minimize burden on supportive public services and facilities within the area.~~

~~The land development regulations shall include criteria regulating accessory units. These provisions shall require as a minimum the following:~~

1. ~~Preservation of thirty (30) percent of the site as porous green open space. Parking surfaces shall not be counted as open space.~~

2. ~~Compliance with landscaping requirement.~~

3. ~~Compliance with maximum threshold for lot coverage by impervious surfaces.~~

4. ~~Parking requirements shall be satisfied by both the principal and accessory unit.~~

5. ~~Density shall be calculated based on the number of principal units on a site.~~

6. ~~Accessory units shall be restricted to a maximum of five hundred (500) square feet.~~

~~7. Accessory units may be used only be permanent residents and no principal or accessory unit shall be granted an occupational license for transient rental housing.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.1.4: Medium Density Residential Development (MDR) including Coastal Medium Density Residential (MDR/C).** Areas delineated on the Future Land Use Map for medium density residential development (MDR) and coastal medium density residential (MDR/C) shall be developed, redeveloped and/or maintained as stable medium density residential neighborhoods. Medium density residential development shall be a maximum sixteen (16) units per acre in those cases where the property is outside the coastal high hazard area. Coastal medium density residential density shall be assigned a maximum of eight (8) units per acre. The coastal medium density residential designation shall be considered an overlay designation which shall be assigned to all properties, or portion thereof, which are designated for medium density residential development and are located within the coastal high hazard area. The purpose is to reinforce state policies mandating that concentrations of populations be directed away from coastal high hazard areas in order to protect against loss of life, especially along the south A1A - Atlantic Boulevard corridor.The medium density designation is intended to provide sufficient land area for developments of medium density residential development adequately supported by public services and facilities and compatible with existing and anticipated future land uses. The medium density policy designation includes a mixture of single and multiple family structure types. Supportive community facilities and accessory land uses may be located within areas designated MDR. This designation is not intended to accommodate transient lodging and guest homes, commercial uses or freestanding office buildings. However, accessory uses, including approved home occupations, conducted within the residential structures are permitted so long as all such accessory uses are customarily incidental to and subordinate to the residential use. Other customary accessory uses and community facilities may also be located in areas designated MDR.~~

~~Review of specific densities of developments shall be directed toward preserving stability of established residential areas. Sites for medium density residential developments should be located so that they provide a smooth transition between lower density residential areas and areas developed and/or designated for other more intense uses. Generally, medium density areas should be located between the perimeter of low density residential areas and areas of high density residential concentrations or other less restrictive uses. The Poinciana Housing Parcel has been assigned a new sub-designation, MDR-1. This new category allows the current and proposed residential and social service special needs uses contemplated in the Base Reuse Plan. The density is 8 units per acre which recognizes the existing density of 6.3 units per acre and is consistent with the permitted density of 8 units per acre in the SF District surrounding the parcel. In addition to single family, two family and multi family structures, group homes with less than 6 residents and special needs social service facilities are permitted as of right. Social services and special needs housing shall be defined as short term housing (of generally~~

~~less than six months) which provides a continuum of care services to a capacity of not more than 36 homeless persons with special needs.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.1.5: High Density Residential Development (HDR).** Areas delineated on the Future Land Use Map for high density residential development (HDR) shall be developed, redeveloped and/or maintained as stable high density residential neighborhoods. HDR development shall be a maximum twenty-two (22) units per acre. Ocean Walk, a large residential complex located northeast of the airport, was mandated by the Court and is the only property outside of Historic Preservation District which is designated HDR.~~

~~The high density designation shall only be approved for land accommodating HDR development adequately supported by public services and facilities and compatible with existing and anticipated future land uses. Supportive community facilities and accessory land uses may be located within areas designated HDR. This designation is not intended to accommodate transient lodging and guest homes, commercial uses or freestanding office buildings. However, accessory uses, including approved home occupations, conducted within the residential structures are permitted so long as all such accessory uses are customarily incidental to and subordinate to the residential use. Other customary accessory uses and community facilities may also be located in areas designated HDR.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**OBJECTIVE 1-2.2: ALLOCATING NEW TOWN COMMERCIAL MIXED USE DEVELOPMENT.** The Future Land Use Map shall allocate land for the following commercial and mixed use activities: 1) residential/offices; 2) /limited commercial development; 3) /general commercial development and 4) planned development or redevelopment. The allocation of land for commercial and mixed use development shall be compatible with goals and objectives identified in the Comprehensive Plan and consistent with supportive research and analysis. The policies stated hereinafter provide an explanation of the purpose, intent and character of the mixed use land use designations.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.2.1: Mixed Use Residential/Office (RO).** The mixed use residential/office (RO) policy designation is a land use designation designed to accommodate business and professional offices as well as single family, duplex, and multiple family residential structures. Customary accessory uses and community facilities also may locate within the areas designated RO. Areas designated RO are not intended to accommodate transient lodging.~~

~~The allowable maximum residential density shall be a maximum sixteen (16) units per acre. The maximum intensity of office or mixed use development shall not exceed a floor area ratio of eight-tenths (.8) considering total floor area allocation to all uses. This land use policy designation expressly excludes transient lodging and guest homes, general retail sales and services, warehousing, and outside storage. Furthermore, this policy designation is intended for areas which: 1. Are located in New Town and provide a land use transition located between areas designated "SF" and more intense mixed use areas;~~

~~2. Have access to a major thoroughfare and all required urban services;~~

~~3. Contain sufficient land area to accommodate good principles of urban design, including sufficient land area to provide adequate landscaping and buffers to separate existing as well as potential future adjacent land uses of differing intensity; and~~

~~4. Accommodate only residential uses as well as business and professional office buildings, including financial institutions, and medical facilities as regulated in the land development regulations.Land development regulations shall include performance standards requiring appropriate perimeter landscaping and screening consisting of a vegetative berm system, where feasible, and including an upper story tree canopy and lower story hedge or shrubbery, and/or an aesthetic decorative fence or wall to ensure privacy and promote compatibility among existing and anticipated future residential uses and office developments.Design techniques such as landscaping, screening and buffering, as described above, shall be applied to ensure smooth transition in residential structure types and densities. Generally, single family structures comprise the dominant structure type within these areas.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.2.2: Limited Commercial Development (CL).** The limited commercial (CL) areas are designated on the Future Land Use Map for purposes of accommodating limited commercial land use as shall upon plan adoption be defined in the land development regulations. This designation is not intended to accommodate transient residential land use activities. Single family, duplex and multiple family residential activities may be accommodated only if approved as special exceptions pursuant to conditions and procedures including affordable housing program strategies to be included in the amended land development regulations. The allowable maximum residential density shall be a maximum sixteen (16) units per acre. The maximum intensity of limited commercial development shall not exceed a floor area ratio of eight-tenths (.8) considering floor area allocated to all uses. In order to manage the impacts of future development on transportation and public facilities, the City shall limit the intensity of development within areas designated "Limited Commercial" (CL) on the Future Land Use map to activities generating no more than one hundred (100) trips per one-thousand (1000) square feet of gross leasable floor area per day. Sites within this designation are~~

~~intended to accommodate shops with limited inventory of goods which comply with the Comprehensive Plan and the land development regulations.Limited commercial activities shall include shops catering primarily to the following markets: neighborhood residential markets within the immediate vicinity as opposed to City-wide or regional markets; specialized markets with customized market demands; or tourist oriented markets in the immediate vicinity.Commercial development within the limited commercial district shall generally be restricted to the following uses: neighborhood convenience stores; small limited item shops and stores restricted to retail sales of convenience items and services including barber shops, beauty care, drug stores and pharmacies, optical stores, photography studios, and other personal services; small scale drug stores, laundry and dry cleaning pick-up stations; specialty shops; enclosed commercial amusements; customary accessory uses, and requisite community facilities.The CL designation is not intended for transient residential uses, including motels or hotels. However, existing motels within CL designated areas shall be "grandfathered" as lawful non-conforming uses. Areas designated for residential and limited commercial development are not intended to accommodate large scale retail sales and trade activities generally serving a city-wide or regional market. Such stores usually differ from limited commercial shops since the former generally require a larger floor area, carry a relatively larger inventory, and require a substantially greater off-street parking area.~~

~~Uses which are not intended to be accommodated within the limited commercial area include the following: large scale discount stores or supermarkets; department stores; wholesale and warehousing activities; sales, service or repair of motor vehicles, machine equipment or accessory parts, including tire and battery shops; automotive service centers; fast food establishments primarily serving in disposable containers and/or providing drive-in facilities; and other similar services to be expressly defined in the land development regulations.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.2.3: Salt Pond Commercial Tourist (CT).** The CT designation area within the Salt Ponds is intended to accommodate motels, limited scale tourist facilities, customary accessory uses and requisite community facilities. The CT designated area is located adjacent to the Key West International Airport and designated conservation areas. The CT area has long been designated for tourist accommodations and related tourist facilities, as opposed to general commercial activities. The intent of the CT designation is to preserve the area for such land use activities and to prevent encroachment by other general commercial retail uses. The allowable maximum density shall be sixteen (16) units per acre and the maximum floor area ratio shall not exceed 0.8. All lands designated Conservation on the Future Land Use Map shall be regulated pursuant to Objective 1-2.4 and Policy 1-2.4.1.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.2.4: General Commercial Development (CG).** The general commercial (CG) areas are designated on the Future Land Use Map for purposes of accommodating~~

~~general retail sales and services; highway oriented sales and services; other general commercial activities defined in the land development regulations; customary accessory uses; and requisite community facilities. The general commercial land use designation is intended to service the general commercial needs of residents and tourists which are not fulfilled in the Historic Preservation District commercial areas. The area is generally located along the North Roosevelt corridor. Land development regulations shall stipulate provisions regulating specific land uses. Single family, duplex and multiple family residential activities may be accommodated only if approved as a special exception pursuant to conditions and procedures to be included in the amended land development regulations. The maximum density of residential uses shall be 16 units per acre and the maximum intensity of general commercial development shall not exceed a maximum floor area ratio of eight-tenths (.8) considering total floor area allotted to all uses. There shall be a maximum height of thirty (30) feet imposed on CG designated lands along the N. Roosevelt corridor from 7th Avenue west to Eisenhower and José Marti, in order to ensure a more effective land use transition from adjacent and nearby single family neighborhoods.~~

~~The CG area is not intended to accommodate manufacturing of goods or other activities which may generate nuisance impacts, including glare, smoke or other air pollutants, noise, vibration or major fire hazards, or other impacts generally associated with more intensive industrial uses. On the other hand, transient lodging including hotels and motels, timesharing or fractional fee residential complexes, or other transient quarters may be located in areas designated for general commercial use if found to be consistent with land development regulations.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.2.5: Mixed Use Planned Redevelopment and Development (PRD).** The mixed use planned development and redevelopment (PRD) areas are designated on the Future Land Use Map for purposes of accommodating planned development or redevelopment of strategically located sites for large scale development. Such development or redevelopment generates community-wide impacts and requires a regulatory framework that provides for comprehensive impact assessment as well as flexibility in negotiating development agreements (reference §163.3220 et. seq., FS "Florida Local Government Development Agreement Act) which significantly further the goals, objections, and policies of the Comprehensive Plan.~~

~~Upon plan adoption the City of Key West shall adopt continue to enforce land development regulations which shall incorporate a planned redevelopment and development (PRD) regulatory framework for managing large scale development or redevelopment which generates potential community-wide impacts. Such large scale development and redevelopment activities may include redevelopment of large scale shopping centers along the N. Roosevelt corridor or the anticipated large scale residential development targeted for the municipal golf course. A "PRD" designation may also be appropriate for managing potential community-wide impacts generated by redevelopment of large scale and long established mobile home developments.The maximum intensity of~~

~~development shall not exceed a floor area ratio of eight tenths (.8) considering floor area allocated to all uses. Sites within this land use designation are intended to accommodate large scale residential development or mixed uses pursuant to specific land use designations on the Future Land Use Map. The density within the PRD designation shall be restricted to eight (8) units per acre.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**OBJECTIVE 1-2.3: MANAGING HISTORIC PRESERVATION DISTRICT REDEVELOPMENT AND PRESERVATION OF HISTORIC RESOURCES.** Areas delineated on the Future Land Use Map for historic preservation shall be planned and managed using a regulatory framework designed to preserve the form, function, image, and ambiance of the historic Historic Preservation District. The City's Historic Architectural Review Commission (HARC), in addition to the Planning Board, shall review all development proposals within the historic area designated by the National Register of Historic Places. The land development regulations shall be amended upon plan adoption to incorporate design guideline standards recently adopted by HARC.Development in any area of Historic Preservation District within and outside the HARC review area may impact the historic significance of Historic Preservation District. Any development plans for these areas shall be subject to site plan review and shall be designed in a manner compatible with historic structures within the vicinity.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.3.1: Historic High Density Residential Development (HHDR).** The historic high density residential (HHDR) designation on the Future Land Use Map is designed to accommodate historic Historic Preservation District high density residential development for permanent residents, including single family, duplex, and multiple family residential structures. The historic high density residential designation is intended to provide a management framework for preserving the residential character and historic quality of the Historic Preservation District central residential community.~~

~~The allowable maximum density of residential development in HHDR designated areas is twenty-two (22) units per acre. In addition, accessory uses, including duly approved home occupations, and customary community facilities can be located in HHDR designated areas. This area is not intended for transient residential uses, including guest homes, motels or hotels. Similarly, the area shall not accommodate freestanding commercial offices, retail, or other commercial uses after the effective date of this ordinance. Existing office or commercial uses shall be permitted to continue to exist as lawful nonconforming uses if such uses continue to comply with conditions invoked when the respective uses were approved.~~

~~Land development regulations shall provide performance criteria which include quantitative and qualitative measures for preserving the quality of the man-made and~~

~~natural environment and further the goals, objectives, and policies of the Comprehensive Plan.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.3.2: Historic Medium Density Residential (HMDR).** The historic medium density (HMDR) residential designation on the Future Land Use Map is designed to accommodate historic Historic Preservation District residential development for permanent residents, including single family, duplex, and multiple family residential structures. The historic medium density residential designation is intended to provide a management framework for preserving the residential character and historic quality of the medium density residential areas within Historic Preservation District.~~

~~The allowable maximum density of residential development in HMDR designated areas is sixteen (16) units per acre. In addition, accessory uses, including approved home occupations conducted within the residential structure, and customary community facilities can be located in the HMDR designated areas. This area is not intended for transient residential uses, including guest homes, motels or hotels. Similarly, the area shall not accommodate commercial office, retail, or other commercial uses developed after the effective date of this ordinance. Existing office or commercial uses shall be permitted to continue to exist as lawful nonconforming uses if such uses continue to comply with conditions invoked when the respective uses were approved. Land development regulations shall provide performance criteria which include quantitative and qualitative measures for preserving the quality of the man-made and natural environment and further the goals, objectives, and policies of the Comprehensive Plan.~~

~~In the event the city owns the portion of the Truman Waterfront Parcel designated HMDR, the site will be developed 100 percent for affordable housing. If the site is privately owned, one-third of the dwelling units will be affordable.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.3.3: Historic Residential Commercial Core (HRCC).** The historic residential commercial core (HRCC) designation on the Future Land Use Map is designed to accommodate the historic Historic Preservation District residential commercial core mixed use center. The HRCC designation is intended to provide a management framework for preserving the nature, character and historic quality of the Historic Preservation District commercial core, including related residential development.Except as otherwise specified herein, the allowed maximum density of residential development in the HRCC designated areas is twenty-two (22) units per acre. The maximum intensity of commercial core development shall not exceed a floor area ratio (FAR) of one (1) considering total floor area allocated to all uses. Land development regulations shall provide performance criteria which include quantitative and qualitative measures for preserving the quality of the man-made and natural environment and further the goals, objectives, and policies of the Comprehensive Plan.~~

~~The HRCC designated area has been assigned three (3) land use sub-categories in order to identify distinct legislative purposes consistent with the function, form, and development constraints associated with the respective sub-areas.First, the HRCC-1 Duval Street Gulf side tourist commercial core provides an intensely vibrant tourist commercial entertainment center characterized by specialty shops, sidewalk-oriented restaurants, lounges and bars with inviting live entertainment; and transient residential accommodations. The core of the commercial entertainment center spans generally from the Pier House south to Petronia Street as specifically referenced in the Future Land Use Map (FLUM). This segment of Duval Street is the most intense activity center in the historic commercial core.The following light manufacturing and warehousing uses are located within the eastern portion of the HRCC-1 designation: ° Strunk Lumber Yard~~

~~° Key West Aloe Processing Plant~~

~~° Key West Hand Print Fabric ShopThese light manufacturing and warehouse uses include real estate parcel numbers 24, 29, 36, 99, and 116, as delineated in the Monroe County Property Appraiser City of Key West Property Location Map dated January, 1991. In addition to uses generally allowed throughout the HRCC-1 area, the following light industrial and warehouse uses may locate exclusively within these areas (i.e., real estate parcels 24, 29, 36, 99, and 116) upon satisfying comprehensive performance criteria, including but not limited to nuisance abatement standards, screening and buffering, concurrency management, open space, and all such activities must be under roof with no open yard storage: ° Warehousing and wholesaling within enclosed buildings;~~

~~° Service and repair establishments (excluding vehicle and heavy machinery service and repair), business services, printing shops, and similar uses;~~

~~° Light manufacturing (excluding metal processing or fabrication) including light processing, assembly and distribution functions, electronics, research and development, and similar uses;~~

~~° Building materials supply and storage, and contractor's storage;~~

~~° Vocational trade schools;~~

~~° Enclosed parking facilities; and~~

~~° Accessory uses.~~

~~The Key West Bight area has been designated HRCC-2 on the FLUM. As stated in the land use analysis within the Data Inventory and Analysis, the Key West Bight area and the surrounding environs will be designated as a redevelopment area and a redevelopment plan has been commissioned and funded. The specific improvement areas shall be identified in the redevelopment plan. The redevelopment plan shall provide a formal basis for:~~

~~1. Preserving public waterfront access as well as waterfront views;~~

~~2. Improving pedestrian linkages with adjacent and nearby activity centers;~~

~~3. Protecting and enhancing opportunities for water-dependent and water-related land use activities, while preventing undue concentrations of population within the coastal high hazard area;~~

~~4. Accommodating public improvements necessary to achieve redevelopment plan objectives; and~~

~~5. Implementing urban design schemes which attract pedestrians, increase waterfront exposure, reinforce the ambiance of the waterfront, and regulate against structures which wall-off or otherwise inhibit access to waterfront views, strategic open spaces, or pedestrian linkages.~~

~~Based on the above-cited objectives, the redevelopment plan shall provide a basis for additional land development and redevelopment restrictions which shall be applied to portions of the HRCC-2 designated area in order to achieve public purposes identified in public policy 1-2.3.4. The redevelopment plan shall also serve as a basis for such regulation.~~

~~Within the HRCC-2 Key West Bight area, in order to curtail the likelihood of future property damage and/or human exposure to the potential peril of storm driven tides, wind, and waves, the land development regulations shall include performance criteria which restrict building mass and building intensity at strategic locations vulnerable to storm surge. Only water dependent uses shall be located within the first thirty (30) feet landward of the mean high water (MHW) or the bulkhead. Similarly, only water related uses shall be located between the thirty (30) feet setback and the one-hundred (100) feet setback from the MHW or the bulkhead. Within this one-hundred (100) feet setback area from MHW, the height of buildings shall be restricted to one inhabitable floor/story above base flood elevation and a minimum open space ratio of .50 shall be adopted and enforced within this 100 feet setback area. The open space restriction shall not apply to a ferry terminal if the Chevron property within the Key West Bight area is selected for the City ferry terminal. The Redevelopment Plan shall provide design criteria which shall protect waterfront views, mandate pedestrian access improvements, and ensure preservation of open space. No permanent residential use shall be located within one-hundred (100) feet of the mean high water and no transient residential uses shall be allowed within any portion of the areas designated HRCC-2 on the Future Land Use Map (FLUM). The maximum floor area ratio with the HRCC-2 area shall be 0.50. Density of areas designated HRCC-2 on the FLUM shall carry a base density of eight (8) units per gross acre. These HRCC-2 designated areas may develop to a density of twelve (12) units per acre under the "transfer of development" (TDR) program assuming that the owner/developer certifies by affidavit as described below that a minimum of forty (40) percent of the residential units to affordable housing as described below. Areas designated HRCC-2 on the FLUM may be increased to twenty (20) units per acre if all units within the development are certified by affidavit of the owner/developer as affordable residential units. All increases in density above the base density of eight (8) units per acre shall be only by "transfer of development rights." An affordable housing affidavit~~

~~shall guarantee that the affordable units shall be inhabited in perpetuity by residents whose income levels are consistent with income thresholds to be established in the City's affordable housing ordinance. This threshold shall be consistent with the limits established in section 420.9071 (20), FS, for moderate income persons. The HRCC-2 area is the only designated receiving area for transfers of density. If the City desires to consider designating additional lands outside the HRCC-2 area as "receiving areas," such designations will require a plan amendment.~~

~~The third component of the HRCC area is the Duval Street Oceanside corridor from Petronia Street south to United Street, an area designated HRCC-3 on the FLUM. Located toward the Oceanside end of Duval Street, this corridor serves as a center for arts, crafts, gifts, designer goods, restaurants, and tourist accommodations. Structures within this corridor generally have retained a front facade which is much less commercialized relative to the entertainment center on the Gulf side of Duval Street. The front facades generally have much smaller storefront windows and frequently incorporate a residential vernacular characterized by wood frame windows, equipped with mullions, and wood clapboard siding. This area shall be regulated by more restrictive performance standards than those applicable to the HRCC area north of Petronia Street. The criteria shall require larger open space ratios, design standards which preserve and reinforce the physical characteristics of the area, and land use restrictions which exclude sidewalk bars and lounges which may produce excessive noise incompatible with surrounding activities.~~

~~The fourth component of the HRCC designation, HRCC-4, is assigned to the area within the Truman Waterfront Parcel of the Key West Base Reuse Plan. This district represents areas historically used by the military for marine-related services and port-related activities. Appropriate uses in the HRCC-4 District include the following uses so long as they are water-dependent or water-related: light manufacturing, light industrial and warehousing, service and repair, terminal operations, port operations, cruise ship berthing, marinas, parks and recreation, and bicycle rentals. Permanent residential units can be allowed as a conditional use so long as those units are less than 750 square feet or 25 percent of the other use on-site, whichever is less. Cruise ship home porting and car ferries will be prohibited.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.3.4: Historic Planned Redevelopment and Development (HPRD).** The historic planned development and redevelopment (HPRD) designation is a management framework for directing future redevelopment in several redeveloping fringe areas within and outside the review area of the Historic Architectural Review Commission.~~

~~Upon plan adoption, the land development regulations shall be amended to include regulations applicable to historic planned redevelopment on HPRD designated sites. The maximum allowable density for HPRD residential development shall be sixteen to twenty-two (16-22) units per acre pursuant to performance criteria provisions of the amended land development regulations. The maximum intensity of development shall not exceed a~~

~~floor area ratio of one (1) including total floor area allocated to all uses in a mixed use development.~~

~~The following site is included in the historic planned development and redevelopment (HPRD) designation:~~

~~The Truman Annex is currently being redeveloped as a planned redevelopment area, including Sunset Island. The City and the developer entered into an agreement which shall enhance the short term supply of affordable housing. The amended land development regulations should mandate affordable housing formulas that provide a framework for regulating future development. The regulation shall be designed to achieve a greater longevity than existing affordable housing agreements, such that affordable units are deed restricted in perpetuity.~~

~~The historic planned redevelopment and development and redevelopment regulations shall provide a basis for encouraging additional development and redevelopment activities in other areas. Such new development and redevelopment shall be designed to advance the goals, objectives and policies of the Comprehensive Plan. For instance, the regulatory framework shall promote:~~

1. ~~Historic preservation;~~

2. ~~Neighborhood facility improvements;~~

3. ~~Architectural and urban design amenities which are consistent with the traditional Historic Preservation District historic character and which further sub-area design and improvement strategies;~~

4. ~~Increase the supply of affordable housing which is accessible to targeted income groups over a long term period. An interest bearing special fund could be established for collecting "fees in lieu" of constructing affordable housing units on site. This alternative would provide an opportunity for a developer to participate in an affordable housing incentive program by contributing a pro rata share to a special affordable housing fund. The City, the City Housing Authority, or other designated entity would manage the funds and the resources to construct off-site affordable housing resources; and~~

5. ~~Off-site parking facilities, including parking structures at strategically located areas through contributions to a special parking fund to be established to assist in financing construction of off-site centrally located parking facilities.~~

~~In addition, the land development regulations shall provide a regulatory framework which assists in resolving the following issues:~~

1. ~~Avoid displacement of low and moderate income families and generate additional affordable housing opportunities;~~

2. Retain and/or enhance access to the shoreline by the general public;

3. Prevent conversion of open space, loss of vegetation and specimen trees, and displacement of porous surfaces with impermeable surfaces which may intensify drainage problems;

4. Avoid replacement of permanent housing stock with transient lodging;

5. Prevent displacement of smaller but diverse shops;

6. Encourage diversity within Historic Preservation District structure types as opposed to "look alike" improvements; and

7. Maintain and enhance infrastructure levels of service consistent with the goals, objectives, and policies of the Comprehensive Plan.

The recently commissioned redevelopment study shall evaluate progress in meeting the above-stated management policies for redevelopment. In addition, the Plan shall assess progress in achieving strategically located parking facilities through public as well as public/private partnerships. This assessment should include consideration of improvements to the shuttle system which is intended to link motorists with Historic Preservation District activity centers (Cross reference: Policy 1-3.2.6).

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

Policy 1-2.3.5: Historic Neighborhood Commercial (HNC). The HNC designation is intended to 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 of Key West. Residential activities within this designated area include single family and duplex structures as well as multiple-family structures. Commercial uses generally permitted in the area include:

- Professional offices;
- Banking and financial institutions;
- Personal service shops;
- Specialty shops;
- Retail sales and services, excluding automotive sales and services as well as drive-in or drive-through restaurants, theaters or other drive-in facilities which potentially generate similar traffic flow problems;
- Transient living accommodations and guest cottages; and
- Other similar uses which shall be identified in the land development regulations.

The HNC designated areas may also accommodate customary accessory uses and community facilities. The land development regulations shall 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.~~

~~These predominantly neighborhood-scale commercial uses are generally concentrated along portions of three corridors as delineated on the Future Land Use Map (FLUM). These areas generally include:~~

- ~~Simonton Street: from Caroline Street south to United Street.~~
- ~~Truman Avenue: from Simonton Street northeast to White Street.~~
- ~~White Street: from Truman Avenue south to United Street.~~

~~In order to manage the impacts of future development on transportation and public facilities, the City shall limit the intensity of development within areas designated "Historic Neighborhood Commercial" (HNC) on the Future Land Use Map by establishing the following thresholds within areas designated HNC-1, HNC-2, and HNC-3, respectively:~~

~~Within areas designated HNC-1, excepting sites abutting Simonton Street and Truman Avenue, land use activities shall generate no more than one-hundred trips per one-thousand (1000) square feet of gross leasable floor area per day.~~

~~Within areas designated HNC-2 or HNC-3, land use activities shall generate no more than fifty (50) trips per one-thousand (1000) square feet of gross leasable floor area per day.~~

~~Within the HNC-2 transient accommodations shall be prohibited.~~

~~**HNC-1.** The neighborhood commercial development which is located along major segments of Simonton Street, Truman Avenue, and White Street (i.e., that segment of White Street south of Truman to United Street) generally includes larger scale commercial uses oriented toward the motoring public. These areas are designated "HNC-1" on the FLUM. Within areas designated HNC-1, excepting sites abutting Simonton Street and Truman Avenue land use activities shall generate no more than one-hundred trips per one-thousand (1000) square feet of gross leasable area per day.~~

~~In addition, several nodes of neighborhood commercial activities are located within predominantly residential neighborhoods northeast of Simonton Street in Historic Preservation District. These neighborhood commercial nodes are generally located at strategic intersections along the following streets:~~

- ~~Eaton Street~~
- ~~Fleming Street~~
- ~~Southard Street~~

~~As noted on the FLUM. In addition, several neighborhood commercial uses are located along segments of White Street, including the segment from Fleming Street south to Southard Street and from Newton Street to Pine Street.~~

~~Additional concentrations or neighborhood commercial uses are located southeast of Simonton Street in Historic Preservation District at strategic intersections along the following streets:~~

- ~~Catherine Street~~
- ~~Louisa Street~~
- ~~United Street~~
- ~~South Street~~

~~The latter concentration is generally bounded by Louisa Street, Vernon Avenue, South Street, and an irregular border in the vicinity of William Street. The area is anchored by the Southern Bell property.~~

~~**HNC-2.** The neighborhood commercial development located at the strategic intersections within larger residential neighborhoods and on appropriate areas of the Truman Waterfront Parcel of the Key West Base Reuse Plan as identified herein has been designated "HNC-2" on the FLUM. These "HNC-2" areas shall be restricted to small offices, neighborhood shops, restaurants with very limited seating, or other commercial uses similar in character to traditional neighborhood commercial services which have very limited square footage and generate low volumes of traffic. Within the HNC-2 areas transient accommodations shall be prohibited. Land use activities within HNC-2 areas shall be restricted to uses which generate no more than fifty (50) trips per one-thousand (1000) square feet of gross leasable floor area per day. In the future, in-fill within these strategically located neighborhood commercial centers within stable residential areas shall be strictly governed by performance criteria which ensure continued land use compatibility and stability of adjacent residential areas. These areas are currently comprised of both residential and commercial activities and shall continue to be allowed to develop as mixed use neighborhood centers. Qualitative and quantitative performance criteria shall be used to prevent encroachment by incompatible commercial uses characterized by excessive scale and intensity.~~

~~**HNC-3.** The HNC-3 designation shall also include the Bahama Village neighborhood commercial core along Petronia Street, approximately 200 feet west of Duval Street and extends westward to the rear property lines of lots abutting the west side of Emma Street. The Bahama Village neighborhood commercial core is linked to the Duval Street commercial core. This Village area is a City target for redevelopment and revitalization. The City initiated redevelopment program is intended to mobilize public and private initiatives in support of a village commercial center with rehabilitated housing resources. Future improvements strategies shall place a high priority on maintaining and/or revitalizing existing housing structures while preventing displacement of residents. Concurrency management policies shall ensure that redevelopment activities provide necessary infrastructure, including traffic improvements required to comply with~~

~~improvement and level of service mandates. As in HNC-2 areas, within HNC-3 areas land use activities shall not generate more than fifty (50) trips per one thousand (1000) square feet of gross leasable floor area per day.~~

~~Within HNC areas redevelopment or conversion of permanent housing structures to transient residential (excepting HNC-2 areas which do not allow transient uses), office, or other allowable commercial uses shall be permitted only if no on-site reduction in housing units for permanent residents occurs.~~

~~The allowable maximum residential density shall be sixteen (16) units per acre. The maximum intensity for nonresidential activities shall not exceed a floor area ratio of 1.00 considering floor area allocated to all uses. The HNC designation provides reasonable and equitable residential and neighborhood commercial land use options for properties located within this corridor. Performance standards shall be included in the land development regulations which 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.~~

~~**Policy 1-2.3.6: Historic Commercial Tourist (HCT).** The Historic Commercial Tourist (HCT) areas are comprised of areas having a high concentration of hotels, motels, and/or transient lodging facilities together with primarily tourist oriented commercial services, including specialty shops, restaurant and drinking establishments, personal services, offices, and other similar activities stipulated in the land development regulations.~~

~~The HCT designated areas may also accommodate customary accessory uses and community facilities. The land development regulations shall 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.~~

~~The allowable maximum residential density shall be twenty-two (22) units per acre. The maximum intensity for all activities shall not exceed a floor area ratio of 1.00.~~

~~The HTC area includes: the area delineated on the Future Land Use Map which is adjacent to the Atlantic Ocean, west of Reynolds Street, south of an irregular line formed by United Street, South Street, Waddell Avenue and Seminole Avenue; and east of a historic high density residential area delineated on the Future Land Use Map.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.3.7: Historic Residential/Office (HRO).** The historic residential/office (HRO) policy designation on the Future Land Use Map (FLUM) is designed to accommodate business and professional offices as well as single family, duplex, and multiple family residential structures within the historic Historic Preservation District. Customary accessory uses and community facilities also locate within the areas designated HRO. Areas designated HRO are not intended to accommodate transient lodging or guest houses. However, existing legal transient residential uses of record shall be considered as "grandfather" uses and may continue to exist so long as all conditions of approval are satisfied.~~

~~The allowable maximum residential density shall be a maximum sixteen (16) units per acre. The maximum intensity of office or mixed use development shall not exceed a floor area ratio of one (1.00) considering total floor area allocation to all uses. This land use policy designation expressly excludes transient lodging and guest homes, general retail sales and services, warehousing, and outside storage.~~

~~Land development regulations shall include performance 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 Comprehensive Plan implementation.~~

~~In order to manage the impacts of future development on transportation and public facilities, the City shall limit the intensity of development within areas designated "Historic Residential/Office" (HRO) on the Future Land Use Map to activities generating no more than fifty (50) trips per one-thousand (1000) square feet of gross leasable floor area per day.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.3.8: Historic Limited Commercial Development (HCL).** The historic limited commercial (HCL) areas are designated on the Future Land Use Map for purposes of accommodating limited commercial land use as shall upon plan adoption be defined in the land development regulations. This designation is not intended to accommodate transient residential land use activities. Single family, duplex and multiple family residential activities may be accommodated only if approved as special exceptions pursuant to conditions and procedures including affordable housing program strategies to be included in the amended land development regulations. The allowable maximum residential density shall be a maximum sixteen (16) units per acre. The maximum intensity of limited commercial development shall not exceed a floor area ration of eight-tenths (.8) considering floor area allocated to all uses. In order to manage the impacts of future development on transportation and public facilities, the City shall limit the intensity of development within areas designated "Historic Limited Commercial" (HCL) on the Future Land Use Map to activities generating no more than one hundred (100) average daily trips per one-thousand (1000) square feet. Sites within this designation are intended~~

~~to accommodate shops with limited inventory of goods which comply with the Comprehensive Plan and the land development regulations.~~

~~Historic limited commercial activities shall include shops catering primarily to the following markets: Neighborhood residential markets within the immediate vicinity as opposed to City-wide or regional markets; specialized markets with customized market demands; or tourist oriented markets in the immediate vicinity.Commercial development within the historic limited commercial district shall generally be restricted to the following uses: neighborhood convenience stores; small limited item shops and stores restricted to retail sales of convenience items and services including barber shops, beauty care, drug stores and pharmacies, optical stores, photography studios, and other personal services; small scale drug stores, laundry and dry cleaning pick-up stations; specialty shops; enclosed commercial amusements; customary accessory uses, and requisite community facilities.~~

~~The HCL designation is not intended for transient uses, including motels or hotels. Areas designated for residential and limited commercial development are not intended to accommodate large-scale retail sales and trade activities generally serving a city-wide or regional market. In accordance with considerations identified in the 1998 Bahama Village Plan, no fast-food restaurants, nor any commercial use which is affiliated with a regional, state or national concern, or which advertises by common theme of architecture, signage, or operations be allowed. Such stores usually differ from historic limited commercial shops since the former generally require a larger floor area, carry a relatively larger inventory and require a substantially greater off-street parking area. Uses which are not intended to be accommodated within the limited commercial area include the following: large scale discount stores or supermarkets; department stores; wholesale and warehousing activities; sales, service or repair of motor vehicles, machine equipment or accessory parts, including tire and battery shops; automotive service centers; fast food establishments primarily serving in disposable containers and/or providing drive-in facilities; and other similar services to be expressly defined in the land development regulations.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.3.9: Off-Street Parking Trust Fund.** The city shall establish an off-street parking trust fund for commercial land uses (excluding permanent and transient residential land uses) located within the following historic area Future Land Use Map designations: HRO; HRCC-1; HRCC-3; and the HNC-1 designation, excepting the area east of Elizabeth Street. Upon plan adoption the The City shall continue to identify strategically located sites near the fringe of the historic area which shall be developed as satellite parking areas for commercial land uses located within the above noted Future Land Use Map designations within the historic area. Development within these specifically referenced Future Land Use Map designations shall either provide required off-street parking or contribute fees to the City's off-street parking trust fund. This strategy shall also serve to encourage use of mass transit.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.3.10: Retention of Historic Character and All Permanent Single Family Housing Units.** The City desires to retain in perpetuity the existing character, density, and intensity of all historic sites and contributing sites within the historic district; and shall protect the entire City's permanent single family housing stock citywide which was legally established prior to the adoption of the plan on a legal single family lot of record. Therefore, the City shall protect and preserve these resources against natural disaster, including fire, hurricane, or other natural or man-made disaster, by allowing any permanent single family units within the City, or other structures located on historic sites or contributing sites, which are so damaged to be rebuilt as they previously existed. This policy is adopted to prevent the erosion of the permanent single family housing stock; to ensure the continuance of a viable local economy; and to preserve the historic density, intensity, scale, design, and ambiance of the Key West historic area of state and national significance.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**OBJECTIVE 1-2.4: MANAGING CONSERVATION RESOURCES.** The Future Land Use Map designates lands which are environmentally fragile conservation resources for long term "Conservation" land use. Environmentally sensitive conservation resources together with some lands under public ownership are generally designated for "Conservation" as defined in the below stated policies. Conservation resources generally include tidal and freshwater wetlands, tidal ponds, tidal waters extending 600 feet from the corporate limits of the City of Key West, upland hammocks, the yellow heart hammock, mangroves, beaches, natural shoreline, and land within the hurricane vulnerability zone (VE-zone) as identified on the Federal Emergency Management Administration (FEMA) flood insurance rate map. At least a portion of these areas also contain uplands which are generally adaptive to restricted development. However, in order to direct populations away from coastal high hazard areas along the South A1A - Atlantic Boulevard Corridor, density shall be restricted to eight (8) units per acre.~~

~~Upon plan adoption land development regulations shall be amended to incorporate a regulatory framework for ensuring preservation of "Conservation" designated lands.~~

~~The intent of the conservation resources management objective is to provide for the long term preservation of environmentally sensitive natural resource systems.~~
~~Upon plan adoption the land development regulations shall be amended and shall include performance criteria for preserving the value and function of such wetlands and other environmentally sensitive natural resources pursuant to the Comprehensive Plan goals, objectives, and policies within the Coastal Management and Conservation elements. Such regulations shall be consistent with federal and state regulatory policy affecting specific parcels. The subdivision and site plan review processes shall incorporate procedures for ensuring effective management of such natural resources.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.4.1: Conservation Designation (C).** The Future Land Use Map identifies and delineates the following land use sub-categories for all lands classified "Conservation"~~

~~- Outstanding Waters of the State (C-OW), including such tidal waters as designated by the State which are located within the Salt Ponds as well as all tidal waters extending 600 feet seaward from the corporate limits of the City of Key West.~~
~~- Freshwater Wetlands (C-FW)~~
~~- Tidal Wetlands of the State (C-TW)~~
~~- Mangrove (CM)~~
~~- Upland Hammock (C-UH)~~

~~No development is permitted within "Conservation" designated areas, except where State and/or federal agencies having jurisdiction allow for development rights. The applicant shall bear the burden of proof in determining that development shall not adversely impact wetlands, transitional wetlands, upland hammocks, living marine resources, and other environmentally fragile natural systems. Where the State and federal governments allow development rights within environmentally sensitive conservation areas, the density shall in no case exceed one (1) unit per ten acres. In addition, site alteration shall be limited to ten (10) percent of the entire site. In such cases, the Future Land Use Element stipulates procedures for ensuring governmental coordination in determining potential development rights. Cross-reference Policy 1-2.1.1.~~

~~As explained in the description of natural coastal resources in the Coastal Management Element Data Inventory and Analysis, motorized watercraft, including personal watercraft (commonly referred to as jet skis) are potentially damaging to living marine resources. The land development regulations shall apply the City's extraterritorial zoning powers within tidal waters extending 600 feet seaward from the corporate limits of the City. The land development regulations shall establish performance criteria to be used in directing the location of temporary or permanent structures, uses, and related activities within tidal waters as well as in regulating the intensity and character of activities that may endanger this sensitive marine ecosystem which constitutes a portion of a Florida Keys National Marine Sanctuary.~~

~~The delineation of these land use categories is based on the best available information from federal and State agencies having jurisdiction. Many "Conservation" lands within the Salt Ponds have been delineated following survey maps prepared by Post, Buckley, Schuh and Jernigan, Inc. (July 1987) as part of the City of Key West Salt Ponds C.A.R.L. Acquisition Project. These maps are on file with the City Planning Office. Within a designated "Conservation" area, the applicant shall be required to provide a site engineered delineation of lands within the jurisdiction of the State or federal government.~~

~~Upon adoption of the Comprehensive Plan, Land development regulations shall continue to be enforced to ensure that jurisdictional waters of the State or federal government as well as adjacent lands under their jurisdiction are preserved. No development shall be permitted unless the State or federal agency having jurisdiction allows such development rights. The City shall coordinate in the management of such decisions. The amended land development regulations shall establish procedures for such coordination. Also cross-reference Policy 1-2.1.1.~~

~~In addition, Policy 1-2.1.2 establishes a new land use classification for purposes of regulating land development options in the Salt Ponds area and on land adjacent to Atlantic Boulevard. These areas are delineated on the Future Land Use Map as "Coastal Low Density Residential". A maximum density of one unit per acre is permitted for these narrow upland remnants. The purpose of the reduced density is to protect remaining coastal wetlands, maintain water quality, and protect marine habitats immediately adjacent to these very narrow uplands. Policy 1-2.1.2 defines the purpose, intent, and land management objectives of this land use designation.~~

~~Densities within environmentally sensitive wetlands shall be restricted to one (1) unit per ten (10) acres. A transfer of development right (TDR) shall be provided for wetlands designated "Conservation Areas" located along the South A1A-Atlantic Boulevard corridor at a rate of one (1) unit per one (1) acre. These environmentally sensitive wetlands shall be designated as "sending areas" and land owners within such "sending areas" shall be able to sell their density rights on the open market to land owners of specific parcels of land within the Key West Bight Redevelopment Area which are identified by the City as "receiving areas."In executing the "TDR" program, during the initial two year period following adoption of the Comprehensive Plan, "sending areas" shall be exclusively restricted to environmentally sensitive wetlands located within the South A1A-Atlantic Boulevard corridor, including but not limited to, the salt pond area. However, following the initial two year period, other sites may be identified as sending areas based on a thorough analysis of the effectiveness of the transfer of development rights program. The addition of new "sending areas" shall require amendment to the land development regulations.Specific "receiving areas" must be identified in the comprehensive plan. These "receiving areas" shall be limited to approved sites in the Key West Bight Redevelopment Area which is designated "HRCC-2" on the Future Land Use Map. The addition of any areas other than the HRCC-2 area as a "receiving area" shall require a Comprehensive Plan amendment. The City must approve site plans for development of such receiving areas prior to commencement of activity. All transfers of development rights shall be recorded in the official records of Monroe County in a deed, contract for deed, or other legal document conveying property. Density in the Key West Bight receiving areas shall be consistent with Policy 1-2.3.3. In the Key West Bight area, clustering of residential units is encouraged to preserve waterfront views and open space. The specific receiving area threshold must be approved by the City. Similarly, the City must approve each TDR from a sending area to a receiving area. Prior to approving the TDR, the City shall render a finding that the owner of land in the impacted sending area has provided the City with legal instruments acceptable to the City Attorney which dedicate conservation easements. The conservation easements shall prohibit~~

~~development of all land comprising sending areas from which development rights have been transferred. The City shall prepare and maintain a system for tracking the sale and acquisition of development rights transferred from sending areas to receiving areas. The TDR tracking system shall serve as an official ledger of density transfers and as a minimum, shall record each approved TDR by real estate parcel citing landowners, zoning, land area, base density allowed by zoning, as well as dwelling unit capacity after each TDR is approved. The City shall adopt, maintain and enforce land development regulations to ensure proper implementation of Comprehensive Plan TDR policy cited herein. Upon plan adoption, the land development regulations shall provide a management framework for delineating "sending" and "receiving" areas and shall include regulatory measures for allocating specific density to receiving areas. Site plan review procedures shall also be stipulated. A statement shall be added that in the event Conservation Element policies conflict with mapped lines on the Future Land Use Map, the Conservation Element policies shall prevail.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**OBJECTIVE 1-2.5: MANAGING AIRPORT LANDS.** The Future Land Use Map has designated the Key West International Airport within an "Airport" land use designation. The Airport (A) land use designation is intended to accommodate lands comprising the Key West International Airport. The Airport (A) land use designation is intended to accommodate airport terminal, fixed base operators, airport hangars, landing, take-off or surface maneuvering of aircraft, including, but not limited to, requisite airport infrastructure such as runways, taxiways, ramps and aprons. The Federal Aviation Administration (FAA) Regulations shall govern placement and specifications of structures within this area.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.5.1: Implementing the Airport Land Use Designation.** Upon plan adoption the City shall amend its land development regulations to include performance criteria which require that land use changes adjacent to the Key West International Airport do not encroach on to the airport hazard zone. Furthermore, land uses proposed within noise impact areas defined in the FAA noise control regulations shall comply with FAA guidelines for managing noise impacts through land use regulation.~~

~~The City's amended land development regulations shall continue to establish the permitted uses and applicable restrictions within the air operations area. The maximum intensity of airport activity measured in terms of floor area shall not exceed three-tenths (.3).~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**OBJECTIVE 1-2.6: ALLOCATING LAND FOR PUBLIC SERVICES (PS) and (HPS).** The Future Land Use Map shall allocate land resources for public service institutional facilities and services in New Town (PS) and in historic Historic Preservation District (HPS) as specified in the policies stipulated below. The sites shall be compatible with adjacent land uses to the greatest practical extent. The sites shall also fulfill the unique site location requirements included in respective functional plans and shall be responsive to the needs identified in related demographic and supportive needs analysis.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.6.1: Public Service and Semi-Public Land Use Designation (PS) and HPS).** The public and semi-public service institutional (PS or HPS) land use designation is intended to accommodate existing public and semi-public services including: governmental administration buildings; public schools and not-for-profit educational institutions; hospital facilities and supportive health care units; arts and cultural or civic facilities; essential public services and facilities; cemeteries; the City landfill; fire and emergency operation facilities; public and private parks and recreation areas; utilities, including electrical substation; extensive open areas comprising major committed public and semi-public open spaces; and other similar activities as shall be are identified in the land development regulations. Lands designated for public services shall contain sufficient acreage and open space and be properly screened and buffered in order to minimize potential adverse impacts on adjacent land uses. The maximum intensity of institutional activity on lands designated PS, measured in terms of floor area ratio (FAR), shall not exceed eight-tenths (.8), including floor area allocated to all uses. The maximum FAR for recreation and open space shall be two-tenths (.2).The maximum FAR for the HPS area shall be 1.0, excepting large scale regional public facilities, which require a community impact statement. 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.Areas of the Truman Waterfront have been designated HPS-1. This designation is intended to limit development in those areas to the existing and proposed uses identified in the Military Base Reuse Plan. These uses include a harborwalk, open space, play fields and public recreation facilities.~~

~~The Peary Court Cemetery has been designated 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 Historic Preservation Plan contained in the Archeological and Historical Investigations for Proposed U.S. Navy Peary Court Housing Project, 1991.The City shall monitor the need for increased land area for institutional uses and shall ensure that the institutional land use designation on the Future Land Use Map is expanded to accommodate the development of public and semi-public facilities such as governmental administration buildings; fire, police and rescue services;~~

~~health care delivery services; educational institutions and other essential public services.Land uses such as places of worship, cultural or civic centers, and other similar public or private not-for-profit uses may be included within this land use designation or within any other land use designations appearing on the Future Land Use Map if the respective use satisfies the substantive and procedural conditions of the amended land development regulations.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

~~**Policy 1-2.6.2: Military Lands (M).** The Future Land Use Map designates land owned by the United States Navy as Military (M). The City of Key West has in the past exercised no regulatory land use controls directed toward managing land and water resources under military jurisdiction. However, under Chapter 380, the City is designated as an area of critical state concern and the State principles for guiding development specifically require the City to carry out regulatory programs directed to the: (1) "Protection of the value, efficiency, cost effectiveness, and amortized life of existing and proposed major public investments including the Key West Naval Air Station and other military facilities," and (2) Minimize the adverse impacts of proposed public investments on the natural and environmental resources of the City of Key West." The State principles for guiding development require that the city coordinate with the United States Navy in order to effectively manage the impacts of development on public infrastructure and natural resources.~~

Reason for Amendment: Addressed in new Objective 1.1 and implementing policies, and/or land development regulations.

OBJECTIVE 1-~~2~~1.~~7~~8: ANNEXATION STUDY. The City of Key West acknowledges a need to prevent urban sprawl and disjointed urban service delivery systems. In addition, the City desires to develop a plan for managing potential annexation~~, including areas such as South Stock Island and~~ of Key Haven.

Therefore, by ~~1995~~ 2017 the City of Key West shall prepare an annexation study which analyzes the potential for incorporating ~~South Stock Island and possibly~~ Key Haven. The study shall document issues surrounding potential development within the unincorporated urban area.

Monitoring Measure(s): Completion of Annexation Study by 2017.

Reason for Amendment: Update annexation priorities and include Monitoring Measure.

Policy 1-~~2~~1.8.1: Parameters of the Annexation Study. The City of Key West annexation study shall include:

1. Review and evaluation of Monroe County land development forecasts and supportive documentation associated with development within the unincorporated urban area comprising ~~South Stock Island and~~ Key Haven.

2. The analysis should consider at a minimum:

- Population and housing projections.
- Traffic circulation linkages and issues of mutual City/County concern.
- Water and wastewater service systems, including intergovernmental coordination issues.
- Drainage and natural water basins.
- Natural features restricting development.

3. Identify linkages established by employment and/or consumer good markets which may effectively link residents of ~~South Stock Island and~~ Key Haven with the City of Key West.

4. Analyze infrastructure issues, including improvement needs based on development forecasts.

5. Determine unincorporated areas which should logically be serviced by the City of Key West Utilities. Identify relative advantages and disadvantages. ~~For instance, the 201 Wastewater Facility Study recommended that the City of Key West service Stock Island~~.

6. Recommend a strategy for improving, planning and manag~~ement~~ing ~~of~~ development within ~~South Stock Island and~~ Key Haven, including annexation alternatives. The recommendations shall include but not be limited to:

- Procedures for intergovernmental coordination of land use policy governing development within these unincorporated areas; and
- Policies and or actions for developing efficient systems for: 1) delivering municipal services; and 2) achieving diversification of the municipal tax base.

Reason for Amendment: Update annexation priorities and include Monitoring Measure.

~~**§1-3: LAND USE ELEMENT IMPLEMENTATION.**~~

~~**GOAL 1-3: IMPLEMENTING LAND USE GOALS AND OBJECTIVES. Continue to monitor and evaluate development and resource conservation within the City pursuant to goals and objectives of the Comprehensive Plan Land Use Element and carry out an effective implementation program as herein established.**~~

~~**OBJECTIVE 1-3.1: CONCURRENCY MANAGEMENT.** The concurrency management system presented in Objective 9-1.5 and 9-1.6, Policies 9-1.5.1 and 9.1.6.1 through 9-1.6.3 shall be an integral part of the Future Land Use Element and shall be binding performance criteria to which all new development shall comply. Upon adoption of the plan, the City shall adopt continue to maintain a concurrency management program. Pursuant to Ch. 163, FS, and §9J-5, FAC, the City of Key West shall issue no development order or permit for development unless the applicant provides narrative and~~

~~graphic information demonstrating to the satisfaction of the City that public facilities required by the subject development shall be in place concurrent with the impacts of development. Furthermore, the applicant shall assure that the facilities operate at or above adopted levels of service standards. The applicant's narrative and graphic information shall also demonstrate that the subject development shall not reduce the levels of service (LOS) associated with public facilities serving the development below adopted LOS standards.~~

Reason for Amendment: Duplicative of Objective 1.1.4 and policies thereunder.

~~**Policy 1-3.1.1: Resolving Concurrency Issues.** Procedures for resolving concurrency management issues are stipulated in Policy 9-1.5.1, Objective 9-1.6 and Policy 9-1.6.1.~~

Reason for Amendment: Duplicative of Objective 1.1.4 and policies thereunder.

OBJECTIVE 1-~~3~~1.~~2~~9: MANAGE AND COORDINATE FUTURE LAND USE DECISIONS. ~~Upon adoption of the City's Comprehensive Plan, the~~ The City of Key West shall continue to update and enforce land development regulations which ensure that land development activities, resource conservation, and infrastructure issues are managed in a manner that includes timely coordination with County, regional, and State agencies having jurisdictional authority. Management of land and physical improvements identified on the Future Land Use Map will be regulated (especially lands identified in the land use element analysis of vacant lands) in order to protect and/or conserve natural systems, including topography, soil conditions, vegetation, natural habitat, potable water, wellfields, and other environmentally sensitive land and water resources. Land use shall also be predicated on availability of man-made infrastructure and service systems required to support respective land use activities.

Monitoring Measure(s): Amend Land Development Regulations to ensure consistency with the amended Comprehensive Plan by 2015.

Reason for Amendment: Update.

Policy 1-~~3~~1.~~2~~9.1: Future Land Use Map and Related Policies. The Future Land Use Map and related policies identified in ~~section 1-2 "Future Land Use Map," under~~ Objective 1 of this Element provide definitions of land use designations and qualitative standards which shall be applied in allocating future land uses.

Reason for Amendment: Update.

Policy 1-~~3~~1.~~2~~9.2: Comprehensive Plan Implementation and Land Development Regulations. ~~Upon adoption of the Comprehensive Plan the~~ The City shall continue to ensure that during the development review process the City shall enforce qualitative and quantitative performance criteria consistent with the Comprehensive Plan policies governing the preservation of environmentally sensitive lands, including wetlands ~~(Cross-reference: Policy 6-1.1.2, Objective 6-1.2, Policy 6-1.2.1, Policies 6-1.2.3 - 5, Policy 6-~~

~~1.2.7, Policy 6-1.2.9, Policies 6-1.3.1 - 2, Objective 6-1.4, Policies 6-1.4.1 - 3, Objectives 6-1.7, Policies 6-1.7.1 - 3, Objective 6-1.8, Policies 6-1.8.1 - 2, Objective 6-1.9, and Policy 6-1.9.1); open space retention (Cross-reference Policy 1-1.1.1)~~; stormwater management ~~(Cross-reference Policies 4-3.1.1 - 8)~~; convenient on-site traffic flow and vehicle parking ~~(Cross-reference Policy 2-1.1.7)~~; and all other requisite infrastructure both on- and off-site as stipulated within the Comprehensive Plan. Furthermore, the City shall require maintenance and continuing adherence to these standards. The City's existing land development regulations governing zoning; subdivision; signage; landscaping and tree protection; sustainability; and surface water management shall be enforced and shall be revised as needed in order to: 1) effectively regulate future land use activities and natural resources identified on the Future Land Use Map; 2) adequately protect property rights; and 3) implement the goals, objectives, and policies stipulated in the Comprehensive Plan.

The ~~l~~Land ~~d~~Development ~~r~~Regulations shall continue to include a regulatory framework to:

1. Regulate the subdivision of land;

2. Regulate the use of land and water consistent with this Element, ensure the compatibility of adjacent land uses, and provide for open space;

3. Protect the environmentally sensitive lands as well as flora and fauna as stipulated in the Comprehensive Plan;

4. Regulate land use and minimum building elevations in areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;

5. Regulate signage;

6. Ensure safe and convenient on-site and off-site traffic flow and vehicle parking needs and prohibit development within future rights-of-way.

7. Provide that development orders and permits shall not be issued which result in a reduction of levels of services for impacted public facilities below the levels of service standards which shall be adopted by the City Commission.

8. Ensure progress toward community greenhouse gas emissions reduction goals.

9. Provide safe pedestrian and bicycle connectivity throughout the City and especially on transportation corridors.

Reason for Amendment: Update and address Climate Change Action Plan.

~~**Policy 1-3.2.3: Standards for Residential Density.** Upon plan adoption, the City shall amend the land development regulations and shall incorporate performance criteria for~~

~~regulating density of new development and redevelopment activities. Residential development standards shall be based on and be consistent with the following standards for residential densities as elaborated in Goal §1-2 and Policy 1-2.1.1.~~

Reason for Amendment: Addressed in Objective 1-1.1 and the Land Development Regulations.

~~**Policy 1-3.2.4: Non-Residential Development Standards.** Upon plan adoption the amended land development regulations shall incorporate standards addressing the location and extent of nonresidential land uses. These regulations shall be enforced in a manner consistent with the Future Land Use Map and the policies and descriptions of types, sizes, and intensities of land uses contained in this Element.~~

Reason for Amendment: Addressed in Objective 1-1.1 and the Land Development Regulations.

Policy 1-~~3.2.5.~~1.9.3: Performance Standards. The following performance standards shall be ~~incorporated~~ maintained and enforced in the land development regulations and shall reflect best management principles and practices. Plan review functions shall be carried out by the Planning Department, the City Engineer, and other designated City officials.

1. Provide criteria for protecting wetlands;

2. Establish open space requirements;

3. Provide criteria for drainage and stormwater management;

4. ~~Draft~~ Provide criteria for off-street parking and internal traffic circulation as well as access to and egress from the street system;

5. Mandate availability of requisite services and infrastructure;

6. Stipulate criteria for perimeter screening and buffering land uses and facilities which may adversely impact adjacent development;

7. Establish standards for erosion and sedimentation control;

8. Provide a regulatory framework for Historic Architectural Review Commission (HARC) review of historically significant properties;

9. Stipulate criteria for siting locally unpopular land uses.

10. Require environmental impact assessment of development during site plan review or during the platting process if site plan review is not applicable. Stipulate appropriate performance criteria in the land development regulations.

11. Balance and protect private property rights and the public interest by incorporating legally defensible land use controls;

12. Require efficiencies in resource use to ensure long-term sustainability and availability of those resources.

Reason for Amendment: Update and address Climate Change Action Plan.

Policy 1-~~3~~1.~~2~~9.~~6~~4: Redevelopment Planning Activities. The City, through its Community Redevelopment Agency, shall continue to address the redevelopment needs of targeted areas of the City as per adopted Community Redevelopment Plans. ~~Based on ongoing land use management and development trends, the City anticipates that over the next five years several areas within the community will experience pressure for development and redevelopment which could impact:~~

~~° Established Land Use Patterns~~
~~° Land Use Compatibility~~
~~° Establishing Commercial Activity Centers~~
~~° Public Facilities~~
~~° Housing Resources~~
~~° Neighborhood Identity~~
~~° Urban Design and Open Space Systems~~

~~The areas identified as potential development and redevelopment areas include the:~~

~~1. **Land abutting the Key West Bight and its environs.** This area shall be managed to ensure the long term viability of this area as a strategically located, unique and accessible mixed use waterfront oriented resource that significantly contributes to the Historic Preservation District waterfront ambiance. The intent is to prevent "walling off" public access to waterfront activities. In addition, the intent shall be to maintain the widely accessible old market place environment and to prevent its displacement by new facilities which greatly restrict access.~~

~~2. **Bahama Village.** Recent public infrastructure improvements together with an infusion of private reinvestment have generated revitalization of subareas. New markets for retail trade and tourist commercial services are evolving. An improved redevelopment management framework shall provide greater flexibility for guiding future residential and nonresidential development alternatives while incorporating mandated qualitative standards directed toward furthering the goals, objectives, and policies of the Comprehensive Plan.~~

~~The above areas are generally cited in the map below.The City shall adopt amended land development regulations which include a framework for managing development and redevelopment in a manner consistent with goals, objectives and policies of the Comprehensive Plan. The purpose and intent is to ensure that potential community-wide impacts generated by future development are managed in a manner consistent with the Comprehensive Plan. In addition, the City shall by 1991 investigate the feasibility of~~

~~preparing redevelopment plans for the above cited areas. The redevelopment plans would provide a further basis for preparing the management framework to be included in the land development regulations. The land development regulations should address such issues as:~~

- ~~Historic Preservation~~
- ~~Neighborhood Facility Improvements~~
- ~~Architectural and Urban Design Amenities.~~
- ~~Affordable Housing~~
- ~~Off-Street Parking~~

~~In addition the land development regulations shall provide a regulatory framework which assists in resolving the following issues:~~

- ~~Displacement of residents and/or businesses~~
- ~~Retain and/or enhance access to the shoreline~~
- ~~Prevent loss of open space~~
- ~~Avoid net loss of permanent housing resources~~
- ~~Encourage diversity within Historic Preservation District~~
- ~~Maintain and enhance infrastructure levels of service consistent with the goals, objectives, and policies of the Comprehensive Plan~~
- ~~Traffic and pedestrian flow improvements.~~

~~Cross-reference Policy 1-2.3.3 for additional redevelopment policies.~~

Reason for Amendment: Update.

~~**OBJECTIVE 1-3.3: ENCOURAGE REDEVELOPMENT AND RENEWAL.** Upon plan adoption, the City shall amend the land development regulations and shall incorporate a regulatory framework for managing future redevelopment. Redevelopment planning activities shall direct highest priority to areas with local historical significance. In drafting the redevelopment program, the City shall coordinate public and private resources necessary to initiate needed improvements and/or redevelopment within these areas.~~

Reason for Amendment: No longer applicable – Land Development Regulations adopted.

~~**Policy 1-3.3.1: Regulatory Enforcement Activities.** Regulations enforcement activities shall be continued as an integral part of the City's regulation programs. The regulations enforcement program shall preserve and protect structurally sound land improvements and land uses consistent with the Comprehensive Plan.~~

Reason for Amendment: Duplicative.

~~**Policy 1-3.3.2: Public and Private Sector Partnerships.** The City shall coordinate redevelopment issues with the private sector in promoting mobilization of public and private resources necessary to effectively carry out redevelopment efforts.~~

Reason for Amendment: Duplicative.

Policy 1-~~3.2.6~~1.9.5: Land Use Consistency and Compatibility. ~~**OBJECTIVE 1-3.4: PREVENT LAND USE INCONSISTENT WITH CITY'S CHARACTER AND COORDINATE COASTAL AREA POPULATION DENSITIES WITH HURRICANE EVACUATION PLANS.**~~ ~~Upon adoption of the City's Comprehensive Plan, t~~The City of Key West shall continue to enforce land development regulations which ensure that future land uses shall be compatible with the Future Land Use Map, hurricane evacuation plans, and other applicable laws, ordinances, and administrative rules regulating land and water resource management.

~~The land development regulations to be adopted following the City's adoption of the Comprehensive Plan shall include administrative procedures which ensure that City land use decisions impacting population density within the coastal high hazard area are coordinated with the Monroe County Hurricane Evacuation Plan and applicable regional or State hurricane evacuation plans.~~

Reason for Amendment: Update.

~~**Policy 1-3.4.1: Managing Future Land Use.** Upon plan adoption the Future Land Use Map and related policies together with the land development regulations shall be applied as a planning and management tool in order to prevent development of land uses which do not conform to the City's character as reflected in the City's adopted Future Land Use Map.~~

~~Regulatory techniques such as conservation easements and qualitative standards requiring protection of historically and archaeologically significant sites shall be integrated into the Comprehensive Plan upon plan adoption.~~

Reason for Amendment: No longer applicable. Land Development Regulations adopted.

OBJECTIVE 1-~~3~~1.~~5~~10: PROTECTION OF ARCHAEOLOGICAL AND HISTORIC RESOURCES. ~~Upon adoption of the City's Comprehensive Plan, t~~The City shall maintain and enforce ~~adopt~~ land development regulations which ensure that future land development activities shall incorporate appropriate measures to prevent damage to archaeologically and historically significant resources of State significance. In addition, the City's regulatory framework shall require preserving locally significant historic resources as identified by the City's Historic Architecture Review Committee.

Monitoring Measure(s): Number of structures and sites protected through regulatory mechanisms.

Reason for Amendment: Update and include Monitoring Measure.

Policy 1-~~3~~1.~~5~~10.1: Programming for Archaeological and Historic Sites. The City shall continue to coordinate with the State and federal government in developing programs for implementing City, State, and federal policies for identifying, preserving, and enhancing sites of historical and archaeological significance. Programs for identification, evaluation of relative significance, protection, preservation, and enhancement shall be promoted, utilizing available public resources at the local, State, and Federal level as well as available private sector resources.

Reason for Amendment: Update.

Policy 1-~~3~~1.~~5~~10.2: Preventing Adverse Impact of Development on Historic or Archaeological Sites. The Land Development ~~activities~~ Regulations shall include precautions necessary to prevent the following adverse impacts to historic or archaeological sites of significance: 1) destruction or alteration of all or part of such site; 2) isolation from or significant alteration to its surrounding environment; 3) introduction of visible, audible, or atmospheric elements that are out of character with the property or significantly alter its setting; 4) transfer or sale of a site of significance without adequate conditions or restrictions regarding preservation, maintenance, or use; and 5) other forms of neglect resulting in its deterioration.

Policy 1-~~3.5~~1.10.3: Retention of Historic Character and All Permanent Single Family Housing Units. The City desires to retain in perpetuity the existing character, density, and intensity of all historic sites and contributing sites within the historic district; and shall protect the entire City's permanent single family housing stock citywide which was legally established prior to the adoption of the plan on a legal lot of record. Therefore, the City shall protect and preserve these resources against natural disaster, including fire, hurricane, or other natural or man-made disaster, by allowing any permanent units within the City, or other structures located on historic sites or contributing sites, which are so damaged to be rebuilt as they previously existed. This policy is adopted to prevent the erosion of the permanent housing stock; to ensure the continuance of a viable local economy; and to preserve the historic density, intensity, scale, design, and ambiance of the Key West historic area of state and national significance.

Reason for Amendment: Underscore commitment to historic preservation in the City.

OBJECTIVE 1-~~3~~1.~~6~~11: PROTECTION OF NATURAL RESOURCES. ~~Upon adoption of the City's Comprehensive Plan,~~ tThe City shall maintain and enforce land development regulations which ensure that development and conservation activities shall protect natural resources as directed by the below stated policies.

Monitoring Measure(s): Number of acres preserved through conservation measures and activities.

Reason for Amendment: Update and include monitoring measure.

Policy 1-~~3~~1.~~6~~11.1: Future Land Use Policies for Managing Environmentally Sensitive Lands. Policies in the Conservation Element for managing environmentally sensitive natural systems, including, but not limited to, water resources, wetlands, upland hammocks, mangroves, sea grasses, coral reef, other living marine resources, and other environmentally sensitive resources shall be carried out through performance criteria in the land development regulations.

These and other natural resources identified on the Future Land Use Map series shall be protected and/or preserved pursuant to goals, objectives, and policies stipulated in the Conservation Element. In addition, land development regulations provide more detailed procedures and performance criteria to implement conservation and natural resource protection.

~~These land development regulations shall also provide for wetland preservation, compensatory wetland mitigation, dedication of conservation easements for preserving open space, and reservation of strategic points of shoreline access for the general public.~~

Reason for Amendment: Update – Land Development Regulations have been adopted.

Policy 1-~~3~~1.~~6~~11.2: Intergovernmental Coordination and Natural Resource Management. The City shall continue to coordinate with the State, the South Florida Water Management District, the South Florida Regional Planning Council, Monroe County, state agencies, and other agencies concerned with managing natural resources. Such intergovernmental coordinating activities shall be directed toward protecting the values and functions of respective natural systems.

Reason for Amendment: Update.

Policy 1-~~3~~1.~~6~~11.3: Protecting Flora and Fauna Having Special Status. The habitat of rare and endangered species of flora and fauna and others having special status as identified in the Conservation Element shall be protected.

Policy 1-~~3~~1.~~6~~11.4: Managing Stormwater Run-off. The developer/owner of any site shall be responsible for managing on-site run-off. All new development shall comply with adopted level of service standards for surface water management which shall include stormwater harvesting goals.

Reason for Amendment: To address the Climate Change Action Plan.

Policy 1-~~3~~1.~~6~~11.5: Conservation of Potable Water Supply. The potable water supply shall be conserved by enforcing potable water standards and stormwater harvesting~~to be developed as part of~~ in the land development regulations.

Reason for Amendment: Update and address the Climate Change Action Plan.

Policy 1-1.11.6: Energy Efficient Financing. The City shall consider innovative energy efficiency financing programs including but not limited to Property Assessed Clean Energy and Revolving Loans to assist the public and private sectors to access capital.

Reason for Amendment: To address the Climate Change Action Plan

~~**OBJECTIVE 1-3.7: PREVENT PROLIFERATION OF URBAN SPRAWL AND DEVELOP EFFICIENT SYSTEMS FOR COORDINATING THE TIMING AND STAGING OF PUBLIC AND PRIVATE DEVELOPMENT.** Upon plan adoption the City shall adopt land development regulations which include performance standards ensuring that the location, scale, timing, and design of development shall be coordinated with public facilities and services in order to prevent the proliferation of urban sprawl and achieve cost effective land development patterns. Upon plan adoption performance standards shall be included in the land development regulations which shall direct future development only to those areas where provision of public facilities necessary to meet levels of service standards are available concurrent with the impacts of the development. Consistent with Policy 8-1.1.3 the City shall pursue resolution of development and growth management issues with impacts transcending the City's political jurisdiction, by participating in the Monroe County Technical Coordination Committee. Annexation issues shall be coordinated with other public or private entities providing public services of mutual benefit to the City and County.~~

Reason for Amendment: Update – Land Development Regulations adopted.

~~**Policy 1-3.7.1: Development Orders and Permitting Process.** Development orders and permits for all future development shall be timed and staged to ensure that requisite infrastructure and services are available to respective developments concurrent with the impacts of the development.~~

Reason for Amendment: Update – Land Development Regulations adopted.

~~**Policy 1-3.7.2: Design of Public Facilities and Utilities.** Public facilities and utilities shall be located and designed to: 1) maximize the efficiency of services provided; 2) minimize related costs; and 3) minimize adverse impacts on natural systems.~~

Reason for Amendment: Update – Land Development Regulations adopted.

~~**Policy 1-3.7.3: Developments Not Served by Public Water and/or Wastewater systems.** All developments in areas not serviced by public water and/or wastewater systems shall be governed by applicable State and local laws and administrative regulations. Where conflict may exist in applying such laws and regulations, the more restrictive shall prevail.~~

Reason for Amendment: Update – Land Development Regulations adopted.

~~**Policy 1-3.7.4: Accommodating Requisite Infrastructure.** During the subdivision review, site plan review, and permitting processes the City shall ensure that respective future developments allocate sufficient land area for infrastructure required to support proposed development. Issues surrounding North and South Stock Island shall be addressed in reviewing the golf course PRD and related wastewater service issues identified in the 201 facility study and in the recent study by CH2M HILL.~~

Reason for Amendment: Update – Land Development Regulations adopted.

OBJECTIVE 1-~~3~~1.~~8~~12: CONSIDER APPLICATION OF INNOVATIVE LAND AND WATER RESOURCE MANAGEMENT, CLIMATE ADAPTATION, AND ENERGY CONSERVATION CONCEPTS. ~~Upon plan adoption t~~The City of Key West shall ~~adopt~~ maintain land development regulations which incorporate concepts for managing land, water, and energy resources which are responsive to unique development and conservation issues identified in the City's Comprehensive Plan. The City of Key West shall adopt land development regulations which incorporate concepts for managing land, water, and the built environment which are responsive to climate change issues including but not limited to sea level rise and increased frequency of intense rainfall events.

Monitoring Measure(s): Number of structures and sites protected through regulatory mechanisms.

Reason for Amendment: Update, include Monitoring Measures, and address Climate Change Action Plan.

Policy 1-~~3~~1.~~8~~12.1: Incorporate Innovative Techniques in the Land Development Regulations. ~~Upon plan adoption, t~~The City's ~~l~~Land ~~d~~Development ~~r~~Regulations shall ~~incorporate~~ maintain land and water resource management techniques which have been demonstrated to be successful and cost effective in resolving development and conservation issues such as surface water management, soil erosion and sedimentation control, land clearing and excessive tree removal, loss of mature plants and wildlife habitat, and conservation of water supply. The City's land development regulations shall incorporate climate adaptation techniques which have been demonstrated to be successful and cost effective in adapting to climate change issues including but not limited to sea level rise, intense rainfall events, surface water management, soil erosion and sedimentation control, loss of mature plants and wildlife habitat, and conservation of water supply.

Reason for Amendment: Update and address Climate Change Action Plan.

Policy 1-~~3~~1.~~8~~12.2: Coordination of Energy Management. The City shall participate in regional, State, or local initiatives directed at coordinating energy management within the public and private sectors. These tasks may include joint formulation of energy related decisions with concerned federal, state, regional, and county agencies as well as with concerned private entities. Such activities shall be directed toward maximizing awareness of energy related problems, issues, alternative techniques for resolving energy

related problems and issues, and to identify future areas where joint efforts may enhance mutual goals and objectives.

Policy 1-~~3~~1.~~8~~12.3: Energy Efficiency in Plans. The City shall promote a systematic approach to the development of pedestrian and bicycle path networks by the public and private sectors in order to improve energy efficient transportation links between major activity areas such as residential neighborhoods, employment centers, shopping areas, parks, and schools.

Policy 1-~~3~~1.~~8~~12.4: Energy Conservation in Building and Construction. The City shall enforce energy efficient building codes and promote efficient energy conservation in building heating and cooling systems. The City shall promote attendance at regional training workshops in energy efficiency in construction and continue to foster cooperative relationships between building trades, architects, engineers and building officials.

Policy 1.1.12.5: Increased Height: The City shall consider allowing increased heights for new construction or redevelopment if such additional height is justified based on adopted Coastal High Hazard Maps and Storm Surge Flood Maps in order to promote safe new development and redevelopment based on sea level rise predictions. Such additional height must be compatible with surrounding development.

Reason for Amendment: Consistency with Climate Action Plan.

OBJECTIVE 1-~~3~~1.~~9~~13: INTERGOVERNMENTAL COORDINATION. ~~Upon plan adoption t~~The City shall ~~adopt~~ maintain and update ~~amended~~ land development regulations incorporating administrative procedures to ensure efficient coordination of land and water management issues surrounding proposed development are carried out in a timely manner with all public entities having jurisdictional authority.

Monitoring Measure(s): Achievement of implementing policies.

Reason for Amendment: Update and include Monitoring Measures.

Policy 1-~~3~~1.~~9~~13.1: Implementing Intergovernmental Coordination. The City of Key West shall require that development applications be coordinated, as appropriate, with Monroe County, the Monroe County School Board, other special districts, the South Florida Regional Planning Council (SFRPC), the South Florida Water Management District, United States Naval Air Station Key West, as well as applicable State and Federal agencies prior to issuance of a development order or permit. The City shall coordinate with the SFRPC in meeting regional policies contained in the Regional Plan for South Florida. The City shall establish a multi-agency review during the site plan review process for all large scale developments. The powers of the multi-agency review team shall be advisory to the City of Key West Planning Board.

Reason for Amendment: Update.

Policy 1-1.13.2~~-3.9.2~~: The City of Key West shall promote and encourage the compatibility of lands adjacent to or closely proximate to military installations within the corporate City limits. The City of Key West shall exchange relevant information to achieve compatible land uses.

Reason for Amendment: Address statutory requirements for ensuring land use compatibility with military installations.

Policy 1-1.13.3: The City of Key West shall transmit to the commanding officer of Naval Air Station Key West information relating to proposed changes to comprehensive plans, plan amendments, Future Land Use amendments, and proposed changes to Land Development Regulations which, if approved, would affect the intensity, density, or use of the land adjacent to or in close proximity to the Naval Air Station Key West.

Reason for Amendment: Address statutory requirements for ensuring land use compatibility with military installations.

Policy 1-1.13.4: Within 30 days of the date of receipt from the City of Key West of proposed changes, the Naval Air Station Key West commanding officer or his or her designee may provide comments to the City on the impact proposed changes may have on the mission of the military installation. The City of Key West shall forward any comments regarding Comprehensive Plan Amendments or Land Development Regulation amendments to the State Land Planning Agency. The City shall take into consideration any comments provided by the Naval Air Station Key West commanding officer or his or her designee and shall also be sensitive to private property rights and not be unduly restrictive of those rights.

Reason for Amendment: Address statutory requirements for ensuring land use compatibility with military installations.

Policy 1-1.13.5: The City of Key West shall include a representative of Naval Air Station Key West as an ex- officio, nonvoting member of the City of Key West Planning Board.

Reason for Amendment: Address statutory requirements for ensuring land use compatibility with military installations.

Policy 1-1.13.6: The City of Key West shall notify the Naval Air Station Key West commanding officer or his or her designee of any development proposals that are scheduled for the City of Key West Development Review Committee (DRC) at the earliest date possible. The City of Key West shall include a representative of Naval Air Station Key West as an ex-officio, nonvoting member of the DRC. Naval Air Station Key West may provide comments on proposals to the DRC.

Reason for Amendment: Address statutory requirements for ensuring land use compatibility with military installations.

Policy 1-1.13.7: The City shall acknowledge the Encroachment Challenges Synopsis provided by the Naval Air Station Key West, and adopt the 2007 Air Installations Compatible Use Zones (AICUZ) Study by reference and when subsequent updates to the Study are published, the City will update the Comprehensive Plan by amendment.

The Encroachment Challenges Synopsis identifies potential impacts as follows:

1. Urban Development (population growth);
2. Airborne noise;
3. Competition for air space, land, and sea space;
4. Competition for scarce resources;
5. Threatened and endangered species;
6. Maritime issues;
7. Ordnance- Unexploded Ordnance (UXO)/Munitions;
8. Safety Arcs and footprints (Explosive Safety Quantity Distance (ESQD) Arcs, Surface Danger Zones, Weapons Safety Footprint Areas;
9. Frequency Spectrum;
10. Air Quality;
11. Water Quality;
12. Interpretation of Historical/Environmental regulations;
13. Interagency Coordination; and
14. Legislative Initiatives.

The City shall adopt into the Land Development Regulations encroachment compatibility factors based upon the Encroachment Challenges Synopsis as well as the 2007 AICUZ Study. These encroachment protection criteria shall be reviewed when proposed development, redevelopment, changes of use, intensification of density or intensity, expansion, legislative changes, or other land use proposals adjacent or proximate to military installations are being considered by the City.

Reason for Amendment: Address the 2007 AICUZ Study.

OBJECTIVE 1-~~3~~1.1~~0~~4: CONTINUING LAND USE PROGRAMS. The City shall implement land use goals and objectives by carrying out a continuing program of land use activities below cited.

Monitoring Measure(s): Achievement of implementing policies.

Reason for Amendment: Update and include Monitoring Measures.

Policy 1-~~3~~1.1~~0~~4.1: Land Use Information System. Maintain and periodically update the land use information system, integration of the Tax Appraiser property files, City Planning Department field data, building permit files, engineering base maps, and all other relevant land use data files.

Policy 1-~~3~~1.1~~0~~4.2: Land Use Trends. The City shall ~~M~~monitor and evaluate population and land use trends.~~ The City shall by the end of 1991 complete a parcel by parcel land use survey in order to provide an accurate land use database, including but not limited to: land use by parcel, acreage in use, undeveloped or vacant lands, housing conditions, number of housing units, building height, building square footage, number of structures, on site parking, and number of transient units by structure type. This study shall be coordinated and shared with DCA, Monroe County and DOT.~~

Reason for Amendment: Update

Policy 1-~~3~~1.1~~0~~4.3: Fiscal Management. The City shall ~~I~~implement fiscal management policies of the capital improvement program and budget.

Policy 1-~~3~~1.1~~0~~4.4: Administer Land Use Controls. The City shall ~~A~~administer adopted land use controls, including the zoning ordinance, subdivision regulations, building regulations, housing regulations, water and sewer codes, traffic regulations, and regulations governing streets and sidewalks.

Policy 1-~~3~~1.1~~0~~4.5: Public Assistance. The City shall ~~P~~provide continuing land use information and assistance to the public.

Policy 1-~~3~~1.1~~0~~4.6: Intergovernmental Coordination. The City shall ~~C~~coordinate land development issues where applicable with other public agencies at all levels of government pursuant to the Intergovernmental Coordination Element of this plan.

Policy 1-~~3~~1.1~~0~~4.7: Manage Current Developmental Impacts. The City shall ~~E~~evaluate and manage impacts of proposed development pursuant to existing ordinances, including, but not limited to, public facilities, natural environment, and impact on stable residential neighborhoods.

Policy 1-~~3~~1.1~~0~~4.8: Urban Design and Community Appearance. The City shall apply ~~G~~good principles of urban design shall be applied through site plan review procedures in order to enhance general community appearance as well as to preserve and enhance open space and landscape. This program shall assist in protecting major natural and man-made resources within the City.

Policy 1-~~3~~1.1~~0~~4.9: Special Land Use Studies. In order to maintain land use policies responsive to changing conditions, problems, and issues, the City shall undertake special studies as needed to develop specific local strategies for resolving unanticipated land use problems and issues.

OBJECTIVE 1-~~3~~1.1~~1~~5: CONTINUING EVALUATION OF LAND USE ELEMENT EFFECTIVENESS. The City shall use the following policies as criteria in evaluating the effectiveness of the Land Use Element.

Policy 1-~~3~~1.1~~1~~5.1: Review the Impact of Change Indicators on Land Use Policy. Trends in the magnitude, distribution, and characteristics of population and land use shall serve as indicators of possible changes in land use needs. The policy implications of major trends in land use characteristics shall be evaluated by the City on a continuing basis. Land use policy shall be refined as needed in order to remain responsive to evolving problems and issues.

Policy 1-~~3~~1.1~~1~~5.2: Schedule, Budget and Implement Programmed Activities. The timely scheduling, programming, budgeting and implementation of programmed land use activities identified in this ~~Element~~ Plan shall be evidence of the City's effectiveness in carrying out a systematic program for implementing adopted land use goals, objectives and policies.

Policy 1-~~3~~1.1~~1~~5.3: Coordinate with Public and Private Sectors. While continually implementing and evaluating the Land Use Element, the City shall maintain a process of intergovernmental coordination as well as coordination with private sector groups interested in land use policy and programs. The effectiveness of this approach shall be evaluated by the success of coordination mechanisms in resolving land use problems and issues.

Policy 1-~~3~~1.1~~1~~5.4: Achieve Effective Resolution of Land Use Goals, Objectives, and Policies. The effectiveness of the Land Use Element shall be measured by the City's success in achieving land use goals, objectives, and policies. The Land Use Element incorporates a systematic planning process for identifying land use problems and issues and implementing corrective actions.

OBJECTIVE 1-~~3~~1.1~~2~~6: MANAGING BUILDING PERMIT ALLOCATION. ~~(Cross reference Policy 5-1.6.4: Building Permit Allocation and Hurricane Evacuation, herein Section XII). The State of Florida, Monroe County and its municipalities have concluded that: 1) the present hurricane evacuation clearance time in the Florida Keys is unacceptably high; and 2) based on a continuation of historic rates of growth within the County incorporated and unincorporated areas; clearance time will continue to increase.~~
In order to protect the health and safety of the residents in the Florida Keys, the City of Key West shall continue to regulate the rate of population growth commensurate with planned increases in evacuation capacity in order to ~~prevent further unacceptable increases in~~ maintain and improve hurricane evacuation clearance times. Regulation of the rate of growth ~~will~~ also ~~assist in~~ prevent~~ing~~s further deterioration of public facility service levels. Therefore, in concert with Monroe ~~County and the Cities of Key Colony Beach and Layton, upon plan adoption~~, its municipalities, and the State of Florida, the City shall manage the rate of growth in order to maintain ~~reduce the 1990 hurricane~~ an evacuation clearance times of 24 ~~35~~ hours ~~to 30 hours by the year 2002 and to 24 hours by the year 2010. The Florida Keys hurricane evacuation studies (Post, Buckley, Schuh & Jernigan, 1991) and the "Lower Southeast Florida Hurricane Evacuation Study Update" (US Army Corps of Engineers, June 1991) provided the basis for the 1990 hurricane evacuation clearance time and also provide the basis for projecting the targeted evacuation clearance times.~~

Monitoring Measure(s): Number of building permits allocated annually in accordance with the implementing policies.

Reason for Amendment: To reflect the Memorandum of Understanding that resulted for the 2012 Monroe County Hurricane Evacuation Modeling Workshops conducted by the Florida Department of Economic Opportunity.

Policy 1-~~3~~1.1~~2~~6.1: ~~Establishing~~ Maintain a Building Permit Allocation Ordinance. ~~Upon plan adoption, t~~The City of Key West shall ~~adopt~~ maintain and enforce its~~a~~ building permit allocation ordinance as follows: Between 85 and 100 units will be reserved as beneficial use permits to address property rights associated with existing vacant lots of record. ~~The building permit allocation ordinance shall establish a permit allocation system for managing new permanent and transient residential development.~~ The permit allocation system shall limit the number of permits issued for new permanent and transient development to ~~5,786~~910 units during the period from ~~April 1, 1990~~July 2013 to July 2023. ~~(i.e., the starting date used in the 1991 Florida Keys hurricane evacuation study) to September 2002 including those permitted in Monroe County and in the Cities of Key Colony Beach and Layton. The City of Key West will permit an estimated total of 1,093 new permanent and transient units during the period April~~ 1, ~~1990 to the April 2002~~. The annual allocation will be ninety-one units (91) single-family units or an equivalent combination of residential and transient types based on the equivalency factors established in Policy 1-~~3.12~~1.15.3. In order to address the ongoing affordable housing shortage and affordable housing deed restrictions expected to expire, during the first three years (July 2013 – July 2016) 60 percent of the units allocated shall be affordable. Between years four (4) and 10 (2016 – 2023), 50% shall be affordable. Between years four (4) and 10, 80 percent of remaining (non-affordability restricted) units shall be permanent, and 20 percent may be transient. During Year One (1) (July 2013 – 2014), 48 of the affordable units to be allocated will be dedicated for use at the Peary Court Housing complex property, being transferred from military to private sector housing, in the transfer of Peary Court from military to private sector housing.

The annual building permit allocation period will begin on July 1 of each year. Applications will be accepted between July 1 and September 30. Applications will be reviewed and processed by City staff and the appropriate boards between October 1 and April 1. Applicants will be allowed to amend their application to address review comments during that timeframe. Final award will occur on or around July 1 or the year following receipt of the application. Staff may consider the following criteria in ranking applications: 1) building one to two feet higher than the base flood elevation; 2) exceeding the minimum required percentage of affordable housing; 3) compliance with green building standards; 4) compliance with adopted urban design standards, and; 5) a minimum contribution to a sustainability and open space recreation fund.

Building permits shall be pulled within two years of the development approval date. If a building permit is not pulled within that timeframe the allocated units will revert back to the City for allocation during the next allocation season. If the recovered units are not

allocated within one year they will revert to the County for beneficial use purposes and/or affordable housing.

~~However, the above figures for new permanent and transient units and annual allocation may change should the final methodology used by the local governments involved or the final figures derived there from differ from those currently employed. By August 1, 1993, the City shall adopt a building permit allocation ordinance designed to implement the Building permit allocation system presented in the City of Key West Comprehensive Plan. Similarly, by August 1, 1993, the City shall adopt an ordinance which shall provide a regulatory system for administering "vested rights" issues. The regulations shall provide a procedure for vested rights determinations, through hearing or other procedure containing due process safeguards, and shall address the continuing effect of existing judicial, administrative, and executive determinations granting development rights to particular property owners, as well as (where applicable) the expiration of such rights. The City shall continue to consider, through periodic amendment of its regulations and procedures, new developments in the law of "vested rights" and "takings." When the vested rights of developments have expired, such developments shall, thereafter, comply with the building permit allocation ordinance.The building permit allocation ordinance shall contain, inter alia, the following general criteria:~~

~~1. Any developments of whatever use classification (residential, transient, commercial, or other) contained in an approved DRI, approval for which has not expired, shall be considered vested at the time of remedial plan amendment adoption.2. Any developments of whatever use classification which have been through all preliminary City approval procedures and reviews and have obtained all necessary City development orders, the time for appeal from which by the state land planning agency has expired, and which have substantially relied upon and acted in furtherance thereof, and which have commenced construction and are proceeding in good faith and in a timely manner toward completion, shall be considered vested at the time of remedial plan amendment adoption.~~

~~3. Developments which have obtained a final judicial order or decree at the time of the remedial plan adoption and have complied with all applicable laws and ordinances shall be considered vested as of said date. The City shall comply with the terms of all judicial orders concerning vested rights in particular cases.~~

~~4. The City may by ordinance institute a hearing procedure for determining the vested rights of properties not falling under the above provisions. The City may retain an independent hearing examiner to conduct hearings and make determinations regarding vested rights. There shall be the right of an appeal to the Circuit Court from the final determination of the City Commission as provided below.~~

~~The Building Permit Allocation Ordinance shall include the following concepts in its procedural provisions governing determination of vested rights and beneficial use and the effect of such determinations:~~

~~1. A determination of vested rights and beneficial use shall require: a. An application to be submitted by the applicant to the City Planner within one (1) year after the effective date of the Comprehensive Plan;~~

~~b. The City may appoint a hearing officer or other qualified person or entity who shall give notice, schedule, and conduct a public hearing on the application;~~

~~c. The preparation of a proposed determination including findings of fact and conclusions of law which shall be submitted to the City Commissioners; and~~

~~d. A final determination that shall specify the development rights that are vested or the beneficial use to which the landowner is entitled, including:~~

~~i. The geographic scope of the determination in relation to the total area of the development site;~~

~~ii. The duration of the determination and an expiration date;~~

~~iii. The substantive scope of the determination;~~

~~iv. The applicability of existing and future City land development regulations;~~

~~v. verification that construction has commenced and quarterly reporting requirements to ensure that the development is continuing in good faith; and~~

~~vi. Such other limitations and conditions necessary to assure compliance with the Comprehensive Plan.~~

~~2. A determination of vested rights shall be based upon one or more valid, unexpired permits or approvals issued by the City of Key West prior to the effective date of this Comprehensive Plan. The determination of vested rights shall be limited to the development expressly contemplated by said permits or approvals and to those aspects of development which meet the standards and criteria below cited.The applicant for a vested rights determination shall have the burden of proving that:~~

~~a. The applicant has reasonably relied upon an official act by the City. For the purpose of a vested rights determination pursuant to this Comprehensive Plan, any of the following may constitute an official act:~~

~~i. One or more valid, unexpired permits or approvals issued by the City, provided that the zoning or land use designation of property shall not be deemed to constitute a permit or approval for the purpose of a determination of vested rights; or~~

~~ii. A subdivision plat recorded in the records of the Monroe County Courthouse prior to June 8, 1993 which fulfills the criteria established in Section 380.05 (18), FS; or~~

~~iii. A valid, unexpired building permit issued prior to the effective date of the Comprehensive Plan; and~~

~~b. The applicant, acting in good faith, has incurred such extensive obligations and expenses that it would be highly inequitable or unjust to affect such rights by requiring the applicant to now conform to current City Comprehensive Plan and land development regulations. Substantial changes of position or expenditures incurred prior to the official City act upon which the vested rights claim is based shall not be considered in making the vested rights determination; and~~

~~c. That the development has commenced and has continued in good faith without substantial interruption.Following the effective date of this Comprehensive Plan, landowners with a valid, unexpired Development of Regional Impact (DRI) approval granted by the City shall be vested, but only with respect to the portion of the DRI expressly covered by such approval.~~

~~3. A vested rights determination shall not preclude the City from subjecting the proposed development to City land development regulations in effect on the date of the vested rights determination or adopted subsequent to the vested rights determination unless the development is shown to be vested with regard to the subject matter addressed by prior development order and specific requirements pursuant to the procedures and criteria of stated above in sub-sections (1) and (2).~~

~~4. A vested rights determination shall specify an expiration date by which all building permits necessary for development shall have been issued. The expiration date shall be reasonable and in no event later than the date specified in the original development order.~~

~~5. It is the policy of the City of Key West that neither provisions of this Comprehensive Plan nor the land development regulations shall deprive a property owner of all reasonable economic use of a parcel of real property which is a lot or parcel of record as of the date of the adoption of the Comprehensive Plan. Accordingly, the City shall adopt a beneficial use procedure under which an owner of real property may apply for relief from the literal application of applicable land use regulations or of this plan when such application would have the effect of denying all economically reasonable or viable use of that property unless such deprivation is shown to be necessary to prevent a nuisance under Florida law or in the exercise of the City's police power to protect the health, safety, and welfare of its citizens. For the purpose of this policy, all reasonable economic use shall mean the minimum use of the property necessary to avoid a taking within a reasonable period of time as established by land use case law. a. The relief to which an owner shall be entitled may be provided through the use of one or a combination of the following:~~

~~i. Granting of a permit for development which shall be deducted from the permit allocation system;~~

~~ii. Granting of use of transferable development rights (TDRs) consistent with the Comprehensive Plan;~~

~~iii. City purchase of all or a portion of the lots or parcels upon which all beneficial use is prohibited;~~

~~iv. Such other relief as the City may deem appropriate and adequate.~~

~~The relief granted shall be the minimum necessary to avoid a "taking" of the property under existing state and federal law.b. Development approved pursuant to a beneficial use determination shall be consistent with all other objectives and policies of the Comprehensive Plan and land development regulations unless specifically exempted for such requirements in the final beneficial use determination.~~

Reason for Amendment: To reflect the Memorandum of Understanding that resulted for the 2012 Monroe County Hurricane Evacuation Modeling Workshops conducted by the Florida Department of Economic Opportunity.

Policy 1-~~3~~.1~~2~~6.2: Building Permit Allocation Ordinance and Affordable Housing. The City permit allocation system shall require that sixty ~~thirty~~ percent (~~3~~60%) of all new permanent residential units be affordable units based on definitions and criteria contained in Policy 3-1.1.3 between July 1, 2013 and July 1, 2016, and that fifty (50%) be affordable between July 1, 206 and July 1, 2023. ~~(Cross reference Section XI herein)~~.

Reason for Amendment: To reflect the updated Building Permit Allocation System.

Policy 1-~~3~~1.1~~2~~6.3: Permit Allocation System Ratios by Structure Type. The permit allocation system shall be sensitive to differing trip generating characteristics of permanent and transient residential units as well as single-family units, accessory apartment units and multi-family residential units. The annual allocation shall be ninety-one units (91) single-family units based on the Monroe County Model. The permit allocation system shall incorporate a series of equivalent single-family unit (ESFU) values in applying the annual permit allocation threshold established in the building permit allocation ordinance as hereinafter explained.

~~The following table illustrating the allocation of building permits by structure type shall be subject to evaluation by the City Commission every six (6) months and the allocation by structure type may be adjusted. However, these adjustments shall not cause the transient unit allocation to exceed a maximum of twenty-five (25) percent of total equivalent single family units. Similarly, adjustments shall not cause the total base allocation to become inconsistent with the Monroe County hurricane evacuation model.~~

Residential Structure Type	**Column A**	**~~Column B~~**	**~~Column C~~**
	Equivalent Single-Family	**~~Maximum Annual~~**	**~~Maximum ESFU (Column~~**

	Unit Value (ESFU) (1)	~~Allocation By Structure Type (2)~~	~~B/Column A)~~
Single-Family	**1.00 (a)**	**~~32~~**	**~~32~~**
Accessory Apt./SRO	**.~~55~~.78 (b)**	**~~17~~**	**~~30~~**
Multi-Family	**1.00 (c)**	**~~32~~**	**~~32~~**
Transient Unit	**.~~58~~ .86(d)**	**~~10~~**	**~~17~~**
~~Total~~	**~~NA~~**	**~~91~~**	**~~111~~**

(1) The equivalent single family unit values are predicated on the ratio of the average number of vehicles per unit based on the ~~1990~~ 2010 US Census for the respective residential structure types divided by the vehicles per single family units (i.e., 1.~~0~~28 vehicles per unit). The computations are as follows:

(a) Single family: 1.~~8~~28/1.~~8~~28 = 1.00
(b) Accessory Apt. or Single Room Occupancy (SRO): 1.00/1.~~80~~28 = .~~55~~78. The former Fl. Department of Community Affairs (now Department of Economic Opportunity) approved the estimated average vehicles per accessory unit or single room occupancy (SRO) as one (1) vehicle per accessory unit or SRO. ~~Cross reference Comprehensive Plan Policy 1-2.1.3.~~
(c) Multi-family: 1.~~8~~28/1.~~8~~ 28= 1.00
(d) Transient Unit: 1.10/1.28 = .86 ~~Fl, Department of Community Affairs approved .58 as representing a factor consistent with the traffic generating assumptions of the Monroe County Hurricane Evacuation Model~~ Based on the Hurricane Evacuation Study 1.10 vehicles per transient unit in Monroe County.

~~(2) The ninety-one (91) units represent the estimated annual City allocation for the period April 1990 to April 2002 or 1093 single family units allocated by County Model divided by 12 equals' 91 units. The City has assigned weighted factors to each structure type. The first priority was to ensure that at least thirty-five (35) percent of the total unweighted units are single family units. Based on past trends, future demands are not anticipated to exceed this estimate. Secondly, the methodology for projecting total need for accessory units and single room occupancies is presented in Policy 1-2.1.3 (Cross reference Policy 1-2.1.3 in Section XIII herein). The number of transient units reflect a preference for preserving housing opportunities for permanent residents as opposed to transient residents since historical trends indicate an erosion of the permanent housing stock which is largely attributed to conversion of permanent housing units to transient housing.~~

Reason for Amendment: Updated based on 2010 Census and other relevant information.

~~**Policy 1-3.12.4: Future Evaluation of Residential Permit System.** The City of Key West recognizes that uncertainty exists regarding the number of units potentially vested in the City and County. Therefore, the City shall coordinate with Monroe County and the Cities of Layton and Key Colony Beach in re-evaluating the hurricane model assumptions, its policy implications, and the allocation of permits between jurisdictions. By September 1993, the City shall enter into an interlocal agreement with these jurisdictions to address further refinements to the model and permit allocation methodology.~~

Reason for Amendment: No longer applicable.

Policy 1-~~3~~1.1~~2~~6.~~5~~4: Building Permit Allocation System. The designation of Future Land Use Classifications which allow residential densities within the Truman Waterfront Parcel does not in itself provide any allocation of units through the Building Permit Allocation System for that area. In order to facilitate redevelopment of the Truman Waterfront Parcel, equivalent single-family unit values and associated development rights may be transferred from any where within the city to land use classifications within the Truman Waterfront Parcel which allow residential development. This is not a transfer of density; rather, it pertains to the transfer of units which are allocated or vested in accordance with the Building Permit Allocation Ordinance. Any density associated with the unit host site will remain on that site; however, once the unit is transferred, the density on the host site cannot be developed until units are allocated through the Building Permit Allocation Ordinance. The City Manager or his designee shall maintain records of the transfer of units under this provision.