



Application for Future Land Use Map & Zoning Map Amendment

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040 • 305-809-3764 • www.cityofkeywest-fl.gov

FUTURE LAND USE MAP AND ZONING MAP AMENDMENT APPLICATION

Application Fee: \$7,665.00

(includes \$210.00 advertising/noticing fee and \$105.00 fire review fee)

All applications must be deemed complete and in compliance with the City code prior to the item being scheduled. The city commission, the planning board, the city manager or the owner of real property within the city or the agent of the owner may propose amendments to the zoning map. Applications for amendments to the Future Land Use Map may only be filed by the City Manager, City Commission, a City Commissioner, Planning Director or owner of property subject to the amendment.

Please note the timeframes for processing. With the exception of items pertaining directly to affordable housing, the City can only send Future Land Use Map amendments twice a year to the State Department of Community Affairs (DCA) for review. The City sends these amendments to the DCA in February and August of each year. Depending on the time an application is submitted to the City, a proposed Future Land Use Map amendment may be subject to processing in accordance with the twice year transmittal dates. Because of the submittal restrictions, an approved change to the Future Land Use and Official Zoning Maps may take as long as 18 months for an application without objections or appeal. Amendments to the Official Zoning Map may take upwards of nine (9) months to become effective without objections or appeal. Please see attached Comprehensive Plan Process sheet for Future Land Use Map amendment process.

PROPERTY OWNER NAME: _____

Mailing Address: _____

Phone Number:(Home) _____(Other) _____

Email Address: _____

The application shall include a verified statement showing each and every individual person having a legal and/or equitable ownership interest in the property upon which the application for amendment is sought, except publicly held corporations, in which case the names and addresses of the corporate officers shall be sufficient.

AGENT NAME/TITLE: _____

Mailing Address: _____

Phone Number: (Office/Fax) _____

Email Address: _____

Note: Applicant must submit a notarized letter authorizing the agent to act on their behalf and stating the agent's name, address and phone number.

LEGAL DESCRIPTION OF PROPERTY:

Subdivision: _____ Lot: _____ Block: _____

If in metes and bounds, attach warranty deed and legal description on separate sheet.

Real Estate Number(s): _____

Has an Application Been Submitted for This Site Within the Past Two Years? If Yes, please provide the following information: Type of application, name of applicant and date of application:

PROPERTY DESCRIPTION

1. Street Address of Property: _____

2. Current Future Land Use Map Category: _____

3. Proposed Future Land Use Map Category: _____

4. Current Land Use District Map Designation: _____

5. Proposed Land Use District Map Designation: _____

6. Size of Parcel (acres): _____

Existing Use: If the property is developed, describe, in general terms, the existing use of the property such as the type of use, number of residential units, or the gross floor area of the commercial development. (If the property contains structures, submit a site plan in addition to your verbal description).

Future Land Use Map Amendment. All Future Land Use Map amendments are evaluated based on the consistency with the City of Key West Comprehensive Plan and compatibility with Florida Administrative Code, Chapter 28-36, Principles for Guiding Development (Key West Area of

Critical State Concern). The Principles for Guiding Development are attached to this application. Please explain how Future Land Use Map Amendment Application your application meets these.

Rezoning. The purpose of a rezoning is not intended to relieve particular hardships, nor to confer special privileges or rights on any person, nor to permit a change in community character, as analyzed in the comprehensive plan, but only to make necessary adjustments in light of changed conditions. In determining whether to grant a requested amendment, the City Commission shall consider, in addition to the factors set forth in this division, the consistency of the proposed amendment with the provisions and intent of the comprehensive plan.

In evaluating proposed changes to the comprehensive plan future land use map, the city shall consider the following criteria:

- (1) *Consistency with plan.* Whether the proposal is consistent with the overall purpose of the comprehensive plan and relevant policies within the comprehensive plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.
- (2) *Conformance with ordinances.* Whether the proposal is in conformance with all applicable requirements of the Code of Ordinances.
- (3) *Changed conditions.* Whether, and the extent to which, land use and development conditions have changed since the comprehensive plan's effective date and whether such conditions support or work against the proposed change.
- (4) *Land use compatibility.* Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved.
- (5) *Adequate public facilities.* Whether, and the extent to which, the proposal would result in demands on public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including transportation, water and wastewater services, solid waste disposal, drainage, recreation, education, emergency services, and similar necessary facilities and services. Approval of a plan amendment does not constitute a concurrency determination, and the applicant will be required to a concurrency determination pursuant to chapter 94.
- (6) *Natural environment.* Whether, and to the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetlands protection, preservation of groundwater aquifer, wildlife habitats, and vegetative communities.
- (7) *Economic effects.* Whether, and the extent to which, the proposal would adversely affect the property values in the area or the general welfare.
- (8) *Orderly development.* Whether the proposal would result in an orderly and compatible land use pattern. Any negative effects on such pattern shall be identified.
- (9) *Public interest; enabling act.* Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and interest of this subpart B and its enabling legislation.
- (10) *Other matters.* Other matters which the planning board and the city commission may deem appropriate.

Please provide an explanation of how your application satisfies these.

Submittal Requirements. The following information is required to be submitted with this completed application **(20 copies of each for a FLUM and Rezoning Application,**

15 copies of each for a Rezoning Application):

1. Property survey.
2. Include photographs of the subject parcel(s). Only original photos or color copies will be accepted. Aerial photos may not be used to meet this requirement but may be used for support information.
3. A copy of the zoning map, clearly marking the boundaries of the property being considered. The Planning Department will be able to assist you in obtaining a copy of the zoning map.
4. Attach proof of ownership (i.e. copy of deed or tax bill). Include a copy of the property record card from the property appraiser's office.
5. Justification as required by Section 90-554 of the City of Key West City Code. The need and justification for the proposed change. The evaluation shall address but shall not be limited to the following issues:
 - a. *Comprehensive plan consistency.* Identifying impacts of the proposed change in the comprehensive plan future land use map on the overall purpose of the comprehensive plan and consistency with applicable policies within the comprehensive plan.
 - b. *Impact on surrounding properties and infrastructure.* The effect of the change, if any, on the particular property and all surrounding properties. Identify potential land use incompatibility and impacts on infrastructure.
 - c. *Avoidance of special treatment.* The proposed change shall not:
 1. Single out a small piece of land and confer special and privileged treatment not provided to abutting properties with similar characteristics and land use relationships; and
 2. Provide for land use activities which are not in the overall public interest but only for the benefit of the landowner.
 - d. *Undeveloped land with similar comprehensive plan future land use map designation.* The amount of undeveloped land in the general area and in the city having the same zoning classification as that requested shall be stated.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate. I certify that all information required, as listed on Attachment A has been provided.

Signature of Applicant or Agent

Date

STATE OF FLORIDA NOTARY PUBLIC

The foregoing signature was acknowledged before me this ____ day of _____,
20_____

by _____, who is personally known to me

_____ or has produced _____

_____ as identification.

Notary Public Signature

Seal:

My Commission Expires _____

**City of Key Area of Critical State Concern - Principles for Guiding Development.
Florida Administrative Code, Annotated, Chapter 28-36.003.**

(1) Objectives to Be Achieved.

- (a) Strengthen local government capabilities for managing land use and development;
- (b) Protection of tidal mangroves and associated shoreline and marine resources and wildlife;
- (c) Minimize the adverse impacts of development of the quality of water in and around the City of Key West and throughout the Florida Keys;
- (d) Protection of scenic resources of the City of Key West and promotion of the management of unique, tropical vegetation;
- (e) Protection of the historical heritage of Key West and the Key West Historical Preservation District;
- (f) Protection of the value, efficiency, cost-effectiveness and amortized life of existing and proposed major public investments, including:
 - 1. The Florida Keys Aqueduct and water supply facilities,
 - 2. Sewage collection and disposal facilities,
 - 3. Solid waste collection and disposal facilities,
 - 4. Key West Naval Air Station,
 - 5. The maintenance and expansion of transportation facilities, and
 - 6. Other utilities, as appropriate;
- (g) Minimize the adverse impacts of proposed public investments on the natural and environmental resources of the City of Key West; and
- (h) Protection of the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.

(2) Elements Requiring Regulation.

(a) Planning and Administration.

- 1. The City of Key West shall modify the Comprehensive Plan which guides development within its boundaries to be consistent with these principles. The Comprehensive Plan shall be implemented through development regulations, including zoning ordinances and maps, which are kept current and made available for reasonable public distribution and

inspection. Development orders shall be issued only in conformance with the policies and standards of the Comprehensive Plan, development regulations and maps.

2. The City of Key West shall prepare and implement Capital Improvement Plans based on viable funding sources to provide adequate infrastructure for existing and future development.
3. Issuance of development orders shall be coordinated with and contingent upon provisions contained within the Capital Improvement Plan. Development shall not be approved which is inconsistent with or exceeds the services specified in the Plan.
4. Special planning and zoning districts shall be created for:
 - a. Environmentally sensitive areas including, without limitation, mangrove communities. Such areas shall be zoned with a maximum use density of one dwelling unit per acre. Site alteration in these areas shall be limited to 10% of the total site size. Density credit should be considered by local governments as an incentive for the preservation of environmentally sensitive areas.
 - b. Noise and hazard zones of the Key West Naval Air Station as delineated by the U. S. Navy Office of the Chief of Naval Operations. Development within such zones should be limited to that compatible with air operations. Implementation of this section should be closely coordinated with the Office of the Chief of Naval Operations. Similar districts should be created around civilian airfields in cooperation with the Florida Department of Transportation and the Federal Aviation Administration. Codes for airfield districts should clearly specify height limits for structures and other appropriate restrictions on development necessary to protect air operations and public health and safety.
5. A community impact statement shall be designed to enable local governmental officials to determine the proposed development's favorable or unfavorable impact on the environment, natural resources, economy and the potential of the project to meet local or regional housing needs. The statement shall also require information relative to the project's potential impact on public facilities, including without limitation, water, sewer, solid waste disposal and transportation facilities. A community impact assessment statement shall be submitted and approved prior to the issuance of development orders or site plan approval for the following developments:
 - a. Any development which includes building(s) in excess of 45 feet in height;
 - b. Any intensive land uses including residential uses of 10 or more dwelling units per acre or 50 or more total dwelling units; and
 - c. Intensive business, commercial, or industrial uses.
6. Developments shall be encouraged in the Comprehensive Plan and development regulations to use clustering and other design techniques which would reduce public

facilities costs, produce energy savings, and improve the scenic quality of the development. In addition, they shall conform to appropriate setback and open space requirements, stringent landscaping and land use compatibility requirements. Building and siting requirements shall reduce hurricane and fire damage potential and control access to City thoroughfares.

7. An evacuation plan consistent with regional and County plans shall be prepared and adopted which provides an opportunity for residents and visitors to evacuate to a place of safety during a natural disaster.

(b) Site Alteration Regulations.

Site alteration and landscaping regulations shall provide for:

1. A land clearing permit of limited duration issued upon approval of a site plan which includes a natural vegetation map, excepting minimal clearing required for survey.
2. Limitation of the size and species of trees allowed to be removed in clearing, including reasonable exceptions for structure sites and public safety. The ordinance shall provide protection for native tropical vegetation and tree species characteristic of West Indian tropical hardwood hammocks.
3. Revegetation and landscaping of cleared sites after construction.

(c) Waste Control and Water Quality Protection.

1. The City of Key West, in cooperation with the Monroe County Waste Collection and Disposal District, shall establish criteria and regulations for the methods and location of the disposal of all solid waste and waste-water effluents and residuals.
2. Site alteration and subdivision regulations shall provide for:
 - a. Retention of runoff or discharge of such runoff into adequately sized natural vegetative filtration areas in a manner approximating the natural runoff regime.
 - b. Permanent drainage systems which make maximum use of natural drainage patterns, vegetative retention and filtration.
 - c. Maintenance of habitat for wildlife species, prevent the introduction of noxious vegetation, and minimize the alteration of transitional wetlands.

(d) Protection of Public Facilities and Investments.

1. The City of Key West, in cooperation with the Florida Keys Aqueduct Authority, shall amend all applicable plumbing codes to provide for the mandatory installation of water conserving fixtures in all new development and redevelopment.

2. Business, commercial and industrial development shall provide off street parking and limited controlled access points to City thoroughfares.
3. Existing and future waste treatment and disposal sites shall be protected from encroachment by land uses which would endanger their functions or existence.

(e) Historical Resource Protection.

1. A management and enforcement plan and ordinance shall be adopted by the City of Key West providing that designs and uses of development reconstruction within the Key West Historical Preservation District shall be compatible with the existing unique architectural styles and shall protect the historical values of the District.
2. The City of Key West shall maintain an architectural review board established pursuant to [Section 266.207\(2\), Florida Statutes](#). Furthermore, the architectural review board shall receive notice of all applications for development within the City of Key West and participate in hearings as appropriate.