

**PLANNING BOARD
RESOLUTION NO. 2016-**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD
APPROVING BUILDING PERMIT ALLOCATION SYSTEM
(BPAS) RANKINGS AND MAKING THE FINAL
DETERMINATION OF AWARD OF 14.72 AFFORDABLE
AND 7 MARKET-RATE UNITS FROM YEAR 3 (JULY 1, 2015
– JUNE 30, 2016) PURSUANT TO SECTIONS 86-9 AND 108-
997 OF THE LAND DEVELOPMENT REGULATIONS OF
THE CODE OF ORDINANCES OF THE CITY OF KEY WEST,
FLORIDA; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the City of Key West, Florida (the “City”) adopted Ordinance No. 13-19, which became effective on February 27, 2014, establishing a Building Permit Allocation System (“BPAS”) in order to limit the amount of new permanent and transient residential development in the City pursuant to Objective 1-1.16 of the Comprehensive Plan; and

WHEREAS, the BPAS is now codified in Chapter 108, Article X of the Land Development Regulations (“LDRs”) of the Code of Ordinances (the “Code”); and

WHEREAS, City Code Section 108-995 identifies the annual amount of residential development that may be allocated by housing type (affordable, market-rate and transient) using the Equivalent Single-Family Unit (ESFU) Factors of City Code Section 108-994; and

WHEREAS, for Year 3 (July 1, 2015 – June 30, 2016), 46.54 affordable and 36 market-rate units are available for allocations; and

WHEREAS, City Code Section 86-9 provides that, upon ranking, in the event that two applications are determined to have the same numerical ranking score, and units are not available to provide awards to both projects, a drawing of lots will determine the awardee; and

_____Chairman

_____Planning Director

WHEREAS, on March 17, 2016, the Planning Board conducted a public hearing regarding the BPAS rankings and Final Determination of Award prepared by the Planning Director; and

WHEREAS, the Planning Board desires to approve the rankings and make the final determination of award for Year 3

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE CITY OF KEY WEST, FLORIDA:

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

Section 2. The Planning Board approves the attached rankings and makes its Final Determination of Award of 14.72 affordable units and 7 market-rate units from BPAS Year 3

Affordable:

- Eight (8) units with a 0.10 ESFU to 2700-2706 Flagler Avenue with 60 points;
- Two (2) units with a .78 ESFU to 725 Duval Street with 55 points;
- One (1) unit with a .78 ESFU to 1412 Johnson Street with 50 points;
- One hundred and eight (108) units with a 0.10 ESFU to Poinciana Gardens with 25 points;
- One (1) unit with a .78 ESFU to 2303 Linda Avenue with 25 points;

Market-Rate:

- Five (5) units with a 1.0 ESFU to 725 Duval Street with 55 points;
- One (1) unit with a 1.0 ESFU to 2 Go Lane with 50 points;
- One (1) unit with a 1.0 ESFU to 2303 Linda Avenue with 25 points;

Section 3. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Board.

Section 4. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order shall be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for 45 days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the 45-day review period, the DEO can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Read and passed on first reading at a regularly scheduled meeting held this 17th day of March, 2016.

Authenticated by the Chairman of the Planning Board and the Planning Director.

Sam Holland, Planning Board Chairman

Date

Attest:

Thaddeus Cohen, Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date