

EXECUTIVE SUMMARY



To: Jim Scholl, City Manager

Through: Patrick Wright, Planning Director

From: Ginny Haller, Planner II

Meeting Date: June 5, 2018

Agenda Item: **Comprehensive Plan Text Amendment** – An ordinance of the City Commission amending Chapter 1: Future Land Use Element, § 1-1, Goal 1-1, Objective 1-1.16, Policy 1-1.16.1 entitled “Maintain a Building Permit Allocation Ordinance”; Policy 1-1.16.3 entitled “Permit Allocation System Ratios by Structure Type”; and Chapter 3: Housing Element, § 3-1, Goal 3-1, Objective 3-1.1, Policy 3-1.1.4 entitled “Building Permit Allocation System of the Comprehensive Plan; providing for the repeal of inconsistent provisions; an effective date; and providing for the inclusion into the City of Key West Comprehensive Plan.

Action Item/Background

The proposed ordinance to amend the City’s Comprehensive Plan is part of a process to address the affordable housing shortage in the City. The City Commission is hearing this Comprehensive Plan text amendment and also a text amendment to the Land Development Regulations (LDRs), which propose to eliminate future transient allocations and modify the point system of the Building Permit Allocation System (BPAS).

In an effort to have consistency between the Comprehensive Plan and the LDRs, this proposed ordinance eliminates transient allocations in Policy 1-1.16.1 in the Future Land Use Element and Policy 3-1.1.4 in the Housing Element in the City’s Comprehensive Plan. Given the will of the City Commission to not utilize future BPAS residential units for transient use in recognition of the critical need for workforce/affordable housing, planning staff recommends the attached text amendment to the Comprehensive Plan.

The proposed text amendment to the Comprehensive Plan:

- Policy 1-1.16.1: **Maintain a Building Permit Allocation Ordinance** is as follows*:

The City of Key West shall maintain and enforce its 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

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- *Coding: (Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

vacant lots of record. The permit allocation system shall limit the number of permits issued for new permanent ~~and transient~~ development to 910 units during the period from July 2013 to July 2023. The annual allocation will be ninety-one (91) single-family units or an equivalent combination of residential ~~and transient~~ types based on the equivalency factors established in Policy 1-1.16.3. The annual allocation limitation shall not apply to affordable housing allocations. 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 ten (2016 – 2023), a minimum of 50% of the total allocations shall be affordable. ~~Between years four (4) and 10, no more than 10 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.

- Policy 3-1.1.4: **Building Permit Allocation System** is as follows*:

The City of Key West shall allocate a total of 910 permits between years 2013 and 2023. 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), a minimum of 50% of the total allocations shall be affordable. ~~Between years four (4) and (10), no more than 10 percent may be transient.~~ During Year One (1) (July 2013 – 2014), 48 of the affordable units to be allocated will be in the transfer of Peary Court from military to private sector housing, which leaves 43 units to be allocated from the first allocation pool.

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City Actions:

Planning Board:	February 15, 2018
City Commission:	April 3, 2018 (first reading)
City Commission:	TBA (second reading)
DEO review period	Up to 45 days, following local appeal

Planning Analysis:

The purpose of Chapter 90, Article VI, Division 3 of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) is to provide a means for changing the text of the Comprehensive Plan. It is not intended to relieve particular hardships nor to confer special privileges or rights on any person, but only to make necessary adjustments in light of changed conditions. In determining whether to grant a requested amendment, the City Commission shall consider, in addition to the factors set forth in this subdivision, the consistency of the proposed amendment with the intent of the Comprehensive Plan.

Pursuant to Code Section 90-554(6), the Planning Board, regardless of the source of the proposed change in the Comprehensive Plan, shall hold a public hearing thereon with due public notice. The Planning Board shall consider recommendations of the City Planner, City Attorney, Building Official and other information submitted at the scheduled public hearing. The Planning Board shall transmit a written report and recommendation concerning the proposed text amendment to the City Commission for official action. In its deliberations, the Planning Board shall consider the criteria in Code Section 90-554.

Options/Advantages/Disadvantages:

Option 1. Approve the text amendment to the City’s Comprehensive Plan, as it is part of a process to address the affordable housing shortage in the City. The City Commission is hearing this Comprehensive Plan text amendment which proposes to eliminate future transient allocations as recommended by the Planning Board through Resolution 2018-07

Consistency with the City’s Strategic Plan, Vision and Mission: This would not be inconsistent with the City’s Strategic Plan, Vision and Mission.

Financial Impact: There would be no direct financial impact to the City if the proposed change to the Comprehensive Plan.

Option 2. Deny the text amendment to the City’s Comprehensive Plan which is part of a process to address the affordable housing shortage in the City. The City Commission is hearing this Comprehensive Plan text amendment which proposes to eliminate future transient allocations as recommended by the Planning Board through Resolution 2018-07

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Consistency with the City's Strategic Plan, Vision and Mission: There would be no direct financial impact to the City by the proposed change to the Land Development Regulations.

Financial Impact: There would be no cost to the City for denying the request.

RECOMMENDATION:

As per Resolution 2018-07, the Planning Board recommends the **APPROVAL** of the text amendment to the Comprehensive Plan.