



## EXECUTIVE SUMMARY

To: Patti McLauchlin, City Manager

From: Katie P. Halloran, Planning Director

Meeting Date: May 17, 2022

Agenda Item: **Text Amendment of the Comprehensive Plan** - An Ordinance of the City of Key West, Florida, amending Comprehensive Plan Chapter 1, Future Land Use Element, Objective 1-1.17: - Workforce-Affordable Housing Initiative, and Policy 1-1.17.1: - Distribution of Workforce-Affordable Housing Allocations., to provide for building permit allocation system units for the properties at 241 Trumbo Road (RE# 00001720-000100) and 240 Trumbo Road (RE# 00001720-000300); providing for transmittal to the State Land Planning Agency; providing for the filing with Secretary of State; providing for severability; providing for repeal of inconsistent provisions; providing for the inclusion in the City of Key West Comprehensive Plan; and providing for an effective date.

### Action Statement:

The purpose of this ordinance is to amend the City's Comprehensive Plan to set aside Building Permit Allocation System units to allow for the Monroe County School Board to redevelop underutilized properties at 240 and 241 Trumbo Road (RE#00001720-000100 & 00001720-000300) for affordable workforce housing.

### Background:

The proposed ordinance to amend the City's Comprehensive Plan will set aside 150 "Affordable – Early Evacuation Pool" building permit allocations to allow for the redevelopment of approximately six acres of land owned by the Monroe County School District. The District has written that they will endeavor to proactively address the affordable housing shortage in Key West that is affecting their ability to hire and retain educators by constructing housing units for current and prospective School District staff.

The City will allocate these units contingent upon the success of litigation associated with the 300 units previously allocated to the City through the State of Florida's Workforce-Affordable Housing Initiative.

**Request / Proposed Text Amendment:** *Proposed new language is underlined below and deleted language is ~~struck through~~ at first reading.*

### Objective 1-1.17: Workforce-Affordable Housing Initiative.

To support the City of Key West's workforce by alleviating constraints on affordable housing, the City shall participate in the Workforce-Affordable Housing Initiative, as approved during the June 13, 2018 meeting of the Florida Administration Commission. The Workforce-Affordable Housing Initiative will require new construction that participates to commit to evacuating tenants in the Phase I clearance window of

evacuation. The City, thereby, shall establish a new limited category to be known as the "Affordable - Early Evacuation Pool" which will provide 300 workforce-affordable building permit allocations for the Workforce-Affordable Housing Initiative, as well as any additional allocations which may be authorized by the Florida Administration Commission or transferred to Key West that are not accepted by other Florida Keys municipalities or Monroe County. These allocations are in addition to the building permit allocations identified in Objective 1-1.16. The City shall be responsible for the management, distribution, and enforcement of requirements associated with the Early Evacuation Affordable allocations. The City of Key West shall ensure adherence to these requirements through implementation of the policies of this objective.

(Ord. No. 19-06 , 3-5-2019)

Policy 1-1.17.1: Distribution of Workforce-Affordable Housing Allocations.

Workforce-Affordable Housing allocations shall be available for allocation on a first-come first-served basis and distributed at any time following adequate public notice and hearing procedures pursuant to Chapter 108 of the City's Land Development Regulations. In the event applications received exceed the allocations authorized herein, the competing applications shall be ranked in accordance with the BPAS ranking procedures in Chapter 108, Section 997(c).

The City of Key West shall transfer one hundred fifty (150) previously unallocated Affordable – Early Evacuation Pool units to the School Board of Monroe County, Florida, for affordable housing development at the property commonly known as 240 and 241 Trumbo Road, Key West, Florida. Transfer of the aforementioned units shall be contingent on receipt of a sufficient number of Affordable – Early Evacuation Pool or equivalent affordable units by the City of Key West. All development associated with these 150 units shall be reviewed and approved as per City of Key West Land Development Regulations, notably Chapter 108, Article II. – Development Plan. The School Board of Monroe County, Florida, shall provide recorded Declarations of Affordable Housing Restrictions for these units acceptable to the City of Key West prior to the issuance of certificates of occupancy by the City. In the event building permits to construct affordable housing at 240-241 Trumbo Road have not been issued on or before June 30, 2026, these Affordable – Early Evacuation Pool units shall be released to the City of Key West and shall be re-allocated only for affordable housing purposes within the City of Key West limits. All units transferred under this policy shall be considered as contributing to the 50 percent minimum affordable housing allocation of Policy 1-1.6.1.

(Ord. No. 19-06 , 3-5-2019)

**Comprehensive Plan Amendment Process:**

Planning Board:	March 17, 2022 (Planning Board Res. 2022-016)
City Commission:	May 17, 2022 (first reading)
City Clerk renders to DEO:	Up to 60 days
City Commission:	TBD (second reading)
Local Appeal Period:	30 Days
City Clerk renders to DEO:	10 working Days
DEO Review:	TBD
DEO Final Order:	Comprehensive Plan amendment becomes effective when the final order is received.

**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 allow for Comprehensive Plan map and text amendments. The Section 90-551 states that the purpose of these amendments, “... 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 division, the consistency of the proposed amendment with the intent of the comprehensive plan.”

Changed conditions are present in this instance: the City of Key West’s deficit of affordable housing has worsened and been exacerbated by national Covid-19 employment trends. This proposed amendment does not confer special privileges or rights; the City of Key West Building Permit Allocation System and the Affordable-Early Evacuation Pool units are available to all property owners within the city limits.

The proposed Comprehensive Plan text amendment was reviewed as per the criteria of Section 90 554(6) and was found to be in compliance. A full planning staff analysis is available in the Planning Board staff report.

**Other Matters:**

N/A

**Options / Advantages / Disadvantages:**

**Option 1:**

Approve the proposed Comprehensive Plan text amendment to Comprehensive Plan Chapter 1, Future Land Use Element, Objective 1-1.17: - Workforce-Affordable Housing Initiative, and Policy 1-1.17.1: - Distribution of Workforce-Affordable Housing Allocations., to provide for building permit allocation system units for the properties at 241 Trumbo Road (RE# 00001720-000100) and 240 Trumbo Road (RE# 00001720-000300) as recommended by the Planning Board through Resolution No. 2022-016.

**Option 2:**

Deny the proposed Comprehensive Plan text amendment to Comprehensive Plan Chapter 1, Future Land Use Element, Objective 1-1.17: - Workforce-Affordable Housing Initiative, and Policy 1-1.17.1: - Distribution of Workforce-Affordable Housing Allocations., to provide for building permit allocation system units for the properties at 241 Trumbo Road (RE# 00001720-000100) and 240 Trumbo Road (RE# 00001720-000300).

**Recommendation:**

As per Resolution No. 2022-16, the Planning Board recommended to the City Commission Option 1 for approval of the text amendments to the Comprehensive Plan. Staff supports Planning Board Resolution No. 2022-16, and also recommends approval of Option 1.