

**PLANNING BOARD
RESOLUTION NO. 2018-_____**

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD RECOMMENDING AN ORDINANCE TO THE CITY COMMISSION AMENDING THE CITY'S COMPREHENSIVE PLAN, ADDING OBJECTIVE 1-1.17 AND ASSOCIATED POLICIES TO CHAPTER 1, "FUTURE LAND USE ELEMENT"; OBJECTIVE 1-1.17 SHALL BE KNOWN AS THE "WORKFORCE-AFFORDABLE HOUSING INITIATIVE" PROVIDING FOR AN ADDITIONAL 300 AFFORDABLE ALLOCATIONS TO AN ALLOCATION POOL TO BE IDENTIFIED AS THE "AFFORDABLE-EARLY EVACUATION POOL"; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR INCLUSION INTO THE CITY OF KEY WEST COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key West (the "City") has adopted a Comprehensive Plan which has been found to be in compliance by the State Department of Community Affairs ("DCA"), pursuant to Chapter 163, Florida Statutes; and

WHEREAS, the City is located within the Florida Keys Area of Critical State Concern (the "FKACSC") as established pursuant to Chapter 380, Florida Statutes; and

WHEREAS, pursuant to the provisions of Chapters 163, 166, and 380 of the Florida State Statutes, the City of Key West, Florida (the "City") proposes to amend Chapter 1, "Future Land Use Element," of the Comprehensive Plan; and

WHEREAS, adding Objective 1-1.17 "Workforce-Affordable Housing Initiative" and associated policies, will further the goals, objectives, and policies of the City Comprehensive Plan;

_____Chairman

_____Planning Director

WHEREAS, this proposed amendment to the Comprehensive Plan was presented to the Planning Board for a recommendation of approval at its regularly scheduled meeting on October 18, 2018; and

WHEREAS, the Planning Board finds that it is in the public interest to amend the City’s Comprehensive Plan, adding Objective 1-1.17 and associated policies to Chapter 1, “Future Land Use Element;” and Objective 1-1.17 shall be known as the “Workforce-Affordable Housing Initiative” providing for additional affordable allocations to an allocation pool to be identified as the Affordable-Early Evacuation Pool.

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. That the proposed amendment to the City’s Comprehensive Plan, adding Objective 1-1.17 and associated policies to Chapter 1, “Future Land Use Element,” is recommended for approval; the amendment is as follows:*

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

_____ Chairman
_____ Planning Director

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.

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).

Policy 1-1.17.2: Specific Standards and Requirements for Workforce-Affordable Housing.

Affordable-Early Evacuation residential units built under this program shall:

- a. be multiple-family structures;
- b. be rental units;
- c. require, at a minimum, adherence to the latest edition of the Florida Building Code as published by the Florida Building Commission;
- d. require on-site property management;
- e. comply with applicable habitat and other locational criteria and densities for multiple-family affordable housing units;
- f. incorporate resilient design principles into the overall site design;

_____ Chairman

_____ Planning Director

- g. ensure accessibility to employment centers and amenities;
- h. require deed-restrictions ensuring:
 - (i) the property remains workforce-affordable housing in perpetuity;
 - (ii) tenants evacuate during the Phase I evacuation period;
 - (iii) rental agreements contain a separate disclosure requiring tenants to acknowledge that failure to adhere to the evacuation requirement could result in severe penalties, including eviction, to the resident;

Policy 1-1.17.3: Evacuation exemptions. Persons living in workforce-affordable housing who are exempt from evacuation requirements of Policy 1-1.17.2.i.(ii) include first responders, correctional officers, healthcare professionals, or other first-responder workers required to remain in the lower keys during an emergency evacuation, provided the person claiming exemption under this policy has faithfully certified their status with property management.

Policy 1-1.17.4: ADA Compliance. All workforce-affordable housing developments must demonstrate compliance with all applicable federal standards for accessibility for persons with disabilities.

Policy 1-1.17.5: Evaluation and Report. The City of Key West shall provide the state land planning agency with an annual report on the progress and implementation of the Workforce-Affordable Housing Initiative. Reported information shall include documentation of the number of workforce-affordable units built, occupancy rates, and compliance with the requirement to evacuate the units in the Phase I evacuation.

*Coding: Added language is **underlined**; deleted language is **~~struck through~~** at first reading

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 Commission.

Section 7. 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 will 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 forty-five (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 forty-five (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 18th day of October 2018.

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

Sam Holland, Key West Planning Board Chairman Date

Attest:

Patrick Wright, Planning Director Date

Filed with the Clerk:

Cheryl Smith, City Clerk Date

_____ Chairman

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