

EXECUTIVE SUMMARY



To: Patti McLauchlin, City Manager

From: Katie P. Halloran, Planning Director

Meeting Date: May 17, 2022

Agenda Item: **Text Amendment of the Land Development Regulations**– An Ordinance of the City of Key West, Florida, amending Chapter 108 of the Land Development Regulations, entitled “Planning and Development”, Article XII entitled “Workforce-Affordable Housing Initiative”, Section 108-1153 entitled, “Period of allocation and distribution”, 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 concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Action Statement:

The purpose of this ordinance is to amend the City’s Land Development Regulations (the “LDRs”) to set aside 150 “Affordable - Early Evacuation Pool” building permit allocations to allow for the redevelopment of underutilized properties at 240 and 241 Trumbo Road for affordable workforce housing. This text amendment is accompanied by a proposed text amendment to the City’s Comprehensive Plan to achieve the same purpose. These amendments reflect an application received by the City from the Monroe County School Board, representing the School District. City staff collaborated with the District’s attorney to provide the proposed text amendment language.

Background:

The School District has indicated that teachers and District staff, needed to fulfill the District’s core mission, are resigning due to lack of affordable housing. The District intends to repurpose the roughly six acre parcel on Trumbo Road to construct affordable housing for these employees. The City of Key West currently has no remaining affordable Building Permit Allocation System (BPAS) permits; instead, the City will allocate 150 Affordable – Early Evacuation Pool permits for the project. These permits are contingent upon resolution of litigation regarding the issuance of these Early Evacuation permits.

The School Board, the City of Key West, and the Key West Housing Authority convened an interagency meeting on June 8, 2021, to discuss their collective visions to redevelop adjacent properties owned by these agencies, including 240 and 241 Trumbo Road. The Monroe County Sheriff’s Office also participated in this event and discussed their housing plans. This waterfront area is within the Caroline Street Corridor redevelopment area and adjacent to the Harborwalk, which the Key West Bight Board intends to expand along Trumbo Road to create additional public access to the Key West Bight. The Planning Department recommends these adjacent property owners strive to design their respective sites with an area-wide concept and in compliance with the intent of historic plans and the intent of the Historic Residential Commercial Core Key West Bight zoning district, particularly Section 122-716 “Intent”.

The proposed language of the text amendment codifies the District’s intent to adhere to all City of Key West Land Development Regulations for redevelopment at this site, and to surrender permits if unneeded by June 30, 2026.

Request / Proposed Amendment: **Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading.*

Sec. 108-1153. Period of allocation and distribution.

Workforce-affordable early evacuation 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. In the event applications received by the City exceed the allocations authorized herein, the competing applications shall be ranked in accordance with the BPAS ranking procedures in section 108-997(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 minimum affordable housing allocation of Section 108-995. All development associated with these Affordable-Early Evacuation Pool units shall be in compliance with this Article; the School Board shall timely submit annual progress reports to the City to comply with Section 108-1157.

(Ord. No. 19-05, § 1, 3-5-2019)

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Land Development Regulations Text Amendment Process:

Planning Board:	March 17, 2022 (Planning Board Res. 2022-017)
City Commission:	May 17, 2022 (first reading)
Local Appeal Period:	30 Days
City Clerk renders to DEO:	10 working Days
DEO Review:	Up to 45 Days
DEO Final Order:	LDR amendment becomes effective when the final order is received

Analysis:

The purpose of Chapter 90, Article VI, Division 2 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 Land Development Regulations. 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.

This Land Development Regulations amendment, will facilitate development of deed- restricted affordable workforce housing for Monroe County School District educators and District staff. 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 text amendment to Chapter 108 of the Land Development Regulations, entitled Section 108-1153 entitled, “Period of allocation and distribution”, 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. 2022-017.

Option 2:

Deny the proposed text amendment to Chapter 108 of the Land Development Regulations, entitled “Planning and Development”, Article X entitled “Building Permit Allocation System”, Division 2 entitled “Building Permit Allocation System, Section 108-997 – Period of allocation and ranking/review of applications.

Recommendation:

Staff supports Planning Board Resolution No. 2022-017, and further recommends approval of these amendments as stated in OPTION 1.