


**PLANNING BOARD
RESOLUTION NO. 2022-048**

TEXT AMENDMENT OF THE COMPREHENSIVE PLAN - A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD RECOMMENDING AN ORDINANCE TO THE CITY COMMISSION AMENDING COMPREHENSIVE PLAN INTRODUCTION, ENTITLED "INTRODUCTION CITY OF KEY WEST COMPREHENSIVE PLAN"; CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT", SECTION 1, ENTITLED "FUTURE LAND USE GOALS, OBJECTIVES, AND POLICIES", POLICY 1-1.16.1 ENTITLED "MAINTAIN A BUILDING PERMIT ALLOCATION ORDINANCE" AND POLICY 1-1.16.2, ENTITLED "BUILDING PERMIT ALLOCATION ORDINANCE AND AFFORDABLE HOUSING"; CHAPTER 2, ENTITLED "TRANSPORTATION ELEMENT", SECTION 1, ENTITLED "TRANSPORTATION GOALS, OBJECTIVES, AND IMPLEMENTING POLICIES", POLICY 2-1.6.4 ENTITLED "TRANSPORTATION CONCURRENCY EXCEPTION AREA"; AND CHAPTER 3, ENTITLED "HOUSING ELEMENT", SECTION 1, ENTITLED "HOUSING GOALS, OBJECTIVES, AND IMPLEMENTING POLICIES", POLICY 3-1.1.4, ENTITLED "BUILDING PERMIT ALLOCATION SYSTEM" TO PROVIDE FOR AN EXTENSION OF THE BUILDING PERMIT ALLOCATION SYSTEM AWARD PERIOD TO ALLOW FOR THE DISTRIBUTION OF UNALLOCATED UNITS AFTER JUNE 30, 2023; 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.

WHEREAS, new residential development in the City of Key West is strictly controlled by the State of Florida, which has designated the City as an Area of Critical State Concern; and

WHEREAS, the City regulates residential development through the Building Permit



Chairman



Planning Director

Allocation System (BPAS); and

WHEREAS, the Comprehensive Plan and City Land Development Regulations provide for the allocation of BPAS units between 2013 and 2023; and

WHEREAS, it is in the best interest of the City to utilize all available BPAS units, which may include allocating units after 2023; and

WHEREAS, these proposed amendments to the Comprehensive Plan were presented to the Planning Board at its regularly scheduled meeting on September 15, 2022; and

WHEREAS, the Planning Board recommended approval of the proposed amendments with one substantive modification to require 75% of any remaining units allocation after Year 10 to be deed restricted affordable, but to allow up to 25% of future unit allocations during any one yearly cycle to be for market rate units in order to balance the need to promote workforce housing with the flexibility to develop mixed income projects; and

WHEREAS, the Planning Board finds that it is in the public's interest to amend the City's Land Development Regulations as proposed herein.

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 amendments to the Comprehensive Plan are recommended for approval, and the draft ordinance is attached.

Section 3. This Resolution shall go into effect immediately upon its passage and

 USL Chairman
 KPH Planning Director

adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

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 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 to 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 order.

Read and passed at a regular meeting held September 15, 2022.

Page 3 of 4
Resolution No. 2022-048

CSB Chairman

KPT Planning Director

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

Sam Holland 10-4-22
Sam Holland, Planning Board Chair Date

Attest:

Katie P. Halloran 10/4/2022
Katie P. Halloran, Planning Director Date

Filed with the Clerk:

Cheryl Smith 10-4-22
Cheryl Smith, City Clerk Date

CSH Chairman
KPH Planning Director