



THE CITY OF KEY WEST PLANNING BOARD

Staff Report

To: Chairman and Planning Board Members

Through: Taylor Brown, Planning Director

From: Ben Gagnon, Planner II

Meeting Date: May 21st, 2026

Agenda Item: **Final Determination of Award – Year 13 Building Permit Allocation System (BPAS)** - A determination of award for Year 13 Building Permit Allocation System (BPAS) applications, pursuant to Sections 108-995 and 108-997 of the Code of Ordinances of the City of Key West, Florida.

Request:

Approval of the final rankings of Year 13 (July 1, 2025 – June 30, 2026) BPAS applications for award of one (1) market-rate housing units, and three (3) affordable-rate housing units.

Background:

The Year 13 BPAS cycle opened on July 1, 2025, and will run through June 30, 2026. Pursuant to Section 108-995 of the Land Development Regulations, after year ten (10), 75 percent of units shall be deed restricted affordable. As of the date of this report, there are **4.84 BPAS allocations available for Year 13**. This number reflects units carried over and not allocated since the beginning of BPAS as well as any units returned to the City for reallocation. This also includes the reduction of one (1) Affordable Unit to 901 Fleming Street at 1.0 Equivalent Single Family Unit (ESFU) and one (1) ADU to 2929 Patterson Ave, at 0.78 ESFU, that were awarded out of cycle pursuant to section 108-997.

The deadline to submit applications for Year 13 was November 7, 2025, by 3 PM EST. As of that date the City received five (5) BPAS applications requesting a total of seven (7) market-rate units and five (5) affordable units. As of the February 14 final deadline for resubmittal the ratio is five (5) market-rate units and three (3) affordable-rate units. The applications for two (2) market-rate and two (2) affordable-

rate at 901 Fleming were withdrawn from consideration.

The applications were evaluated by staff for completeness. Applicants were notified of any deficiencies within their application and were allowed approximately one month to resolve the deficiencies and improve their BPAS score.

The final submittals are broken down in the following table. In summary, there were applications received for new units at two (2) properties. The City received an application for six (6) units total, three market-rate, and three affordable-rate units for 1111 Eaton Street, and 533 Whitehead street who applied for two (2) market-rate units.

The applicant at 1111 Eaton Street has noted that while market-rate is preferred the applicant would accept affordable-rate to secure the units.

The Year 13 BPAS applications are summarized in the following table:

Year 13 BPAS Applications	<u>1111 Eaton Street</u>	<u>533 Whitehead Street</u>
Existing/ Recognized Units	0	1 (Unit is undeveloped from recent TULT)
Proposed Market-rate Units	3	2
Proposed Affordable Units	3	0
Total Existing + Proposed Year 13 BPAS Units	(3 Market OR 3 Affordable)	3
Zoning	HRCC-1	HRO
Maximum Density (du/acre)	8 du/acre if Market-rate 12 du/acre if 40% Affordable 40 du/acre if 100% affordable	16 du/acre
Land Area	69,260.40 Sf (1.59 Acres)	8,665.00 sf (0.1989 Acres)
Maximum Dwelling Units Allowed*	12 if Market / 19 and up to 63 if Affordable	3

**Math has been rounded to the hundredth decimal place. Density is calculated not only by acreage of site x allowable du/acre, but also through any restrictions of leases, development plans, or other site restrictions. Density is rounded down to nearest whole number.*

Analysis:

Staff evaluated, scored, and ranked the final BPAS applications according to the prerequisites and criteria outlined in City Code Section 108-997 (b) and (c).

Not all remaining units are being awarded, the current recommendation is to give out 4.0 units out of the remaining 4.84. No additional units are recommended for award because the only remaining requested units are market-rate units, and awarding additional market-rate units would result in noncompliance with the required affordable-to-market ratio established in Section 108-995.

Below are the resulting scores and final rankings for the Year 13 BPAS. The Planning Department staff's evaluation of each final application is summarized in the score review sheet, which is attached to each application package. Pursuant to City Code Section 108-995, a maximum of 25% of units awarded may be market-rate units for Year 13 (July 1, 2025– June 30, 2026) of the BPAS cycle.

The Planning Department recommends the following: one (1) market-rate housing unit and three (3) affordable-rate housing units be awarded to the properties located at 1111 Eaton Street and 533 Whitehead Street as shown in the following tables.

YEAR 13 MARKET-RATE BPAS APPLICATIONS – RECOMMENDED FOR AWARD						
Rank	Project	Units Awarded/ Requested	ESFU Factor	ESFUs Requested	Major/Minor Renovation	Score
1	533 Whitehead St	1/2	1.00	2.00	Minor	5
2	1111 Eaton St	0/3	1.00	3.00	Major	0
	Total Market Awarded	1				

YEAR 13 AFFORDABLE-RATE BPAS APPLICATIONS – RECOMMENDED FOR AWARD						
Rank	Project	Units Awarded/ Requested	ESFU Factor	ESFUs Requested	Major/Minor Renovation	Score
1	1111 Eaton St	3/3	1.00	3.00	Major	0
	Total Affordable Awarded	3				

Break Down of Percentage of Affordable to Market	# of Affordable-rate Units		
901 Fleming & 2929 Patterson Ave (Applied for out of cycle in Year 13)	2		
1111 Eaton	3		
Total Affordable	5		
	# of Market-rate Units		
Market-rate % for 1 Market-rate Unit at 533 Whitehead St	1	% MR	17%
Market-rate % for 2 Market-rate Units at 533 Whitehead St	2	% MR	29%

Pursuant to section 108-995, “*After year ten (10), 75 percent of units shall be deemed restricted affordable...*” The Year 13 applications recommended for award would produce 80% affordable and 20% market-rate complying with the Land Development Regulations.

Recommendation:

Pursuant to 108-997 “*Upon ranking, in the event that two applications are determined to have the same numerical ranking score, and units are not available to provide awards to both projects, a drawing of lots will determine the awardee. Based on staff recommendation the planning board shall make the final determination of award.*” Staff has ranked the applications and provided the following recommendation.

Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, The Planning Department recommends the Planning Board **APPROVE** the final Year 13 BPAS rankings, approving the award of three (3) affordable-rate housing units to 1111 Eaton Street, and one (1) market-rate housing unit to 533 Whitehead Street contingent on the following conditions:

1. All projects awarded are subject to all applicable development review procedures.