

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING A MAJOR DEVELOPMENT PLAN AND CONDITIONAL USE TO CONSTRUCT A 16-BED MANAGED-CARE FACILITY IN THE POINCIANA HOUSING SPECIAL NEEDS AREA; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE;

WHEREAS, pursuant to Section 108-198, the City Commission shall review and act upon Major Development Plan proposals; and

WHEREAS, at its meeting of April 29, 2010, the Key West Planning Board recommended approval with conditions; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached Major Development Plan and Conditional Use for the construction of a 9-unit, 16-bed managed-care facility in the Poinciana Housing Special Needs area is conditionally approved in accordance with the site Plans attached hereto.

Section 2: That the plan is conditioned upon the applicant complying with the following five (5) conditions:

- (1) Obtain Building Permit Allocation System allocations;
- (2) Obtain landscape plan approval from the Tree Commission;
- (3) That the facility will provide managed care to chronically homeless women, or women recovering from substance abuse, and

in both cases, their children. Potential residents may only be allowed to live in the facility if they are infirm, and meet any of the following eligibility requirements:

- (a) Meet HUD criteria for chronic homelessness
- (b) Meet HUD disability criteria
- (c) Meet HUD income criteria
- (d) Have recently been released from a substance abuse treatment program

(4) Food shelter and care must be provided for residents, as required by the nursing home, rest home and convalescent home definition in Chapter 86. The facility will not provide permanent housing for individuals who are no longer infirm.

(5) That the facility will meet workforce housing requirements.

Section 3. That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission, 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 Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and

applications attached to or incorporated by reference in the development order; that within the forty five (45) day review period the DCA 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 or development order until the appeal is resolved by agreement or order.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2010.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2010.

Filed with the Clerk _____, 2010.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK