

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
AMENDING CHAPTER 86 OF THE CODE OF ORDINANCES
ENTITLED "GENERAL PROVISIONS" BY AMENDING
SECTION 86-9 TO AMEND THE DEFINITION OF
AFFORDABLE HOUSING (VERY LOW INCOME);
PROVIDING FOR SEVERABILITY; PROVIDING FOR
REPEAL OF INCONSISTENT PROVISIONS; PROVIDING
FOR AN EFFECTIVE DATE

WHEREAS, at its regular meeting of _____, 2020, the Key West Planning Board recommended approval of this amendment to section 86-9; and

WHEREAS, this amendment will amend the definition of very low income rental housing, to be included as a component of certain housing development or redevelopment projects; and

WHEREAS, the City Commission has a vested interest in promoting affordable workforce housing across all income levels and finds that the proposed amendment would promote the health, safety and welfare of the citizens of Key West;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST,
FLORIDA:

Section 1: That section 86-9 of the Code of Ordinances is hereby amended as follows*:

Sec. 86-9. Definition of terms.

* * * *

Affordable housing shall be in accordance with F.S 420.0004, and means a dwelling unit in which a household spends no more than 30 percent of its gross income on housing costs. Eligibility income levels are very low, low, median, middle and moderate as defined herein. Rental housing costs include contract rent and utilities. Owner occupied housing costs include mortgage principal and interest, property taxes, insurance, and where applicable, homeowners' association fees. Permanent deed restrictions are required to maintain affordability and must be executed prior to certificate of occupancy.

Affordable housing (low income) for a rental dwelling unit shall mean a dwelling unit whose monthly rent, not including utilities, does not exceed 25 percent of that amount which represents 80 percent of the monthly median household income

*(Coding: Added language is underlined; deleted language is ~~struck through~~.)

(adjusted for family size). For an owner occupied dwelling unit, affordable housing (low income) shall mean a dwelling unit whose sales price shall not exceed two and one-half times the annual median household income (adjusted for family size) for Monroe County, in accordance with [section 122-1472](#).

Affordable housing (median income) for a rental dwelling unit shall mean a dwelling unit whose monthly rent, not including utilities, does not exceed 25 percent of that amount which represents 100 percent of the monthly median household income (adjusted for family size) for Monroe County. For an owner-occupied dwelling unit, affordable housing (median income) shall mean a dwelling unit whose sales price shall not exceed three and one-half times the annual median household income (adjusted for family size) for Monroe County, in accordance with [section 122-1472](#). The definition of "affordable housing median income" shall be applied to all required deed restrictions for units constructed or built prior to July 1, 2005.

Affordable housing (middle income) for a rental dwelling unit shall mean a dwelling unit whose monthly rent, not including utilities, does not exceed 25 percent of that amount which represents 140 percent of the monthly median household income

(adjusted for family size) for Monroe County. For an owner-occupied dwelling unit, affordable housing (middle income) shall mean a dwelling unit whose sales price shall not exceed six and one-half times the annual median household income (adjusted for family size) for Monroe County, in accordance with section 122-1472.

Affordable housing (moderate income) for a rental dwelling unit shall mean a dwelling unit whose monthly rent, not including utilities, does not exceed 25 percent of that amount which represents 120 percent of the monthly median household income (adjusted for family size) for Monroe County. For an owner-occupied dwelling unit, affordable housing (moderate income) shall mean a dwelling unit whose sales price shall not exceed five times the annual median household income (adjusted for family size) for Monroe County, in accordance with

section 122-1472.

Affordable housing (very low income) for a rental dwelling unit shall mean a dwelling unit whose monthly rent, not including utilities, does not exceeded ~~30~~ 25 percent of that amount which represents 60 percent of the monthly median income (adjusted for family size).

Affordable Work Force Housing Trust Fund shall mean the trust fund established and maintained by the city for revenues from fees in lieu of constructing affordable work force housing, and revenues

from any other source earmarked for the trust fund by land development regulation, ordinance or donation.

Affordable work force housing means affordable deed restricted housing required to be 30% of the aggregate total of all market rate units proposed on any one site subject to specific eligibility requirements and performance criteria as contained in division 10, work force housing, chapter 122. Affordable work force housing shall include very low income, low income, median income, moderate income and middle income housing.

* * * *

Section 2: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 4: This Ordinance 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 [and approval by the Florida Department of Economic Opportunity, pursuant to Chapter 380, Florida Statutes].

Read and passed on first reading at a regular meeting held this _____ day of _____, 2020.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2020.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2020.

Filed with the Clerk _____, 2020.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK