



EXECUTIVE SUMMARY

To: Jim Scholl, City Manager

Through: Patrick Wright, Planning Director

From: Vanessa Sellers, Planner II

Meeting Date: November 20, 2018

RE: **Text Amendment of the Comprehensive Plan** – An ordinance of the City of Key West, Florida, amending the City’s Comprehensive Plan, adding Objective 1-1.17 and associated policies to Chapter 1, “Future Land Use Element”; Objective 1-1.17 shall be known as the “Workforce-Affordable Housing Initiative” providing for an additional 300 affordable allocations to an allocation pool to be identified as the “Affordable-Early Evacuation Pool”, pursuant to Chapter 90, Article VI, Division 3; providing for severability; providing for repeal of inconsistent provisions; providing for inclusion into the City of Key West Comprehensive Plan; and providing for an effective date.

ACTION STATEMENT:

The purpose of this ordinance is to amend the City’s Comprehensive Plan, adding Objective 1-1.17 and associated policies to Chapter 1, “Future Land Use Element.” Objective 1-1.17 shall be known as the “Workforce-Affordable Housing Initiative” providing for an additional 300 affordable allocations to an allocation pool to be identified as the “Affordable-Early Evacuation Pool.”

BACKGROUND:

The proposed ordinance to amend the City’s Comprehensive Plan is part of a process to address the affordable housing shortage in the City and the County. The City Commission is hearing this Comprehensive Plan text amendment and also a text amendment to the Land Development Regulations which will allow the City to participate in the “Workforce-Affordable Housing Initiative,” as approved during the June 13, 2018 meeting of the State of Florida Administration Commission. This Comprehensive Plan text amendment will establish a new objective (1-1.17) for 300 workforce-affordable building permit allocations in addition to the allocations described in Chapter 108, Article X, of the Land Development Regulations (the “LDRs”), as well as any additional allocations which may be authorized by the Florida Administration Commission or transferred to Key West that are not accepted by other Florida Keys municipalities or Monroe County. The text amendment will also establish supplementary policies.

REQUEST:

The proposed text amendment to the Comprehensive Plan is as follows*:

OBJECTIVE 1-1.17: WORKFORCE-AFFORDABLE HOUSING INITIATIVE. To support the City of Key West’s workforce by alleviating constraints on affordable housing, the City shall participate in the Workforce-Affordable Housing Initiative, as approved during the June 13, 2018 meeting of the Florida Administration Commission. The Workforce-Affordable Housing Initiative will require new construction that participates to commit to evacuating tenants in the Phase I clearance window of evacuation. The City, thereby, shall establish a new limited category to be known as the “Affordable – Early Evacuation Pool” which will provide 300 workforce-affordable building permit allocations for the Workforce-Affordable Housing Initiative, as well as any additional allocations which may be authorized by the Florida Administration Commission or transferred to Key West that are not accepted by other Florida Keys municipalities or Monroe County. These allocations are in addition to the building permit allocations identified in Objective 1-1.16. The City shall be responsible for the management, distribution, and enforcement of requirements associated with the Early Evacuation Affordable allocations. The City of Key West shall ensure adherence to these requirements through implementation of the policies of this objective.

Policy 1-1.17.1: Distribution of Workforce-Affordable Housing Allocations. Workforce-Affordable Housing 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 pursuant to Chapter 108 of the City’s Land Development Regulations. In the event applications received exceed the allocations authorized herein, the competing applications shall be ranked in accordance with the BPAS ranking procedures in Chapter 108, Section 997 (c).

Policy 1-1.17.2: Specific Standards and Requirements for Workforce-Affordable Housing. Affordable-Early Evacuation residential units built under this program shall:

- a. be multiple-family structures;
- b. be rental units;
- c. require, at a minimum, adherence to the latest edition of the Florida Building Code as published by the Florida Building Commission;
- d. require on-site property management;
- e. comply with applicable habitat and other locational criteria and densities for multiple-family affordable housing units;
- f. incorporate resilient design principles into the overall site design;
- g. ensure accessibility to employment centers and amenities;
- h. require deed-restrictions ensuring;

- (i) the property remains workforce-affordable housing in perpetuity;
- (ii) tenants evacuate during the Phase I evacuation period;
- (iii) rental agreements contain a separate disclosure requiring tenants to acknowledge that failure to adhere to the evacuation requirement could result in severe penalties, including eviction, to the resident;

Policy 1-1.17.3: Evacuation exemptions. Persons living in workforce-affordable housing who are exempt from evacuation requirements of Policy 1-1.17.2.h(ii) include first responders, correctional officers, healthcare professionals, or other first-responder workers required to remain in the lower keys during an emergency evacuation, provided the person claiming exemption under this policy has faithfully certified their status with property management.

Policy 1-1.17.4: ADA Compliance. All workforce-affordable housing developments must demonstrate compliance with all applicable federal standards for accessibility for persons with disabilities.

Policy 1-1.17.5: Evaluation and Report. The City of Key West shall provide the state land planning agency with an annual report on the progress and implementation of the Workforce-Affordable Housing Initiative. Reported information shall include documentation of the number of workforce-affordable units built, occupancy rates, and compliance with the requirement to evacuate the units in the Phase I evacuation.

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

City Actions:

Planning Board:	October 18, 2018 (approved)
City Commission:	November 20, 2018 (first reading)
DEO (ORC – Objections, Recommendation, and Comments):	TBA
City Commission:	March 5, 2019 (second reading)

Planning Staff Analysis:

The purpose of Chapter 90, Article VI, Division 3 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 Comprehensive Plan. 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.

Options / Advantages / Disadvantages:

Option 1: **Approve** the text amendment to the City’s Comprehensive Plan to amend Chapter 108, adding Objective 1-1.17 and associated policies to Chapter 1, “Future Land Use Element,” as recommended by the Planning Board through Resolution no. 2018-55.

a. Consistency with the City’s Strategic Plan, Vision, and Mission:
The Strategic Plan is silent on this issue.

b. Financial Impact:
There will be no cost to the City if this request is approved.

Option 2: **Deny** the text amendment to the City’s Comprehensive Plan to amend Chapter 108, adding Objective 1-1.17 and associated policies to Chapter 1, “Future Land Use Element,” as recommended by the Planning Board through Resolution no. 2018-55.

a. Consistency with the City’s Strategic Plan, Vision, and Mission:
The Strategic Plan is silent on this issue.

b. Financial Impact:
There will be no cost to the City if this request is denied.

Recommendation:

As per Resolution 2018-55, the Planning Board recommends the **approval** of the text amendment to the Comprehensive Plan.