

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
TO AMEND THE CITY OF KEY WEST COMPREHENSIVE PLAN
CHAPTER 3 - HOUSING ELEMENT TO AMEND THE REQUIREMENTS
FOR AFFORDABLE AND WORK FORCE HOUSING; PROVIDING FOR
SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT
PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 3 (Housing Element) of the City of Key West Comprehensive Plan, the City of Key West has established Goals, Policies, and Objectives to promote the development of Work Force and Affordable Housing; and

WHEREAS, the need for Work Force and Affordable Housing continues to grow as local families, emergency service personnel, municipal employees and private sector employees continue to be priced out of the housing market; and

WHEREAS, The City of Key West recognizes the need to provide a variety of housing types to meet the needs and tastes of its residents across a broad range of income levels; and

WHEREAS, the establishment of additional Work Force and Affordable Housing opportunities is in the best interest of the public health, safety and welfare; and

WHEREAS, the establishment of Work Force and Affordable Housing policies related to commercial (non-residential) development will help to better meet today's growing need for Work Force and Affordable Housing; and

WHEREAS, in accordance with Chapter 90 (Administration) the City may amend its Comprehensive Plan to better promote the health, safety, and general welfare of the public; and

Whereas, pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations, the Planning Board held a noticed public hearing on July 23, 2024 where based on the consideration of recommendations of the City Planner and City Attorney, and other information, the Board recommended approval of the proposed amendments to the Comprehensive Plan through Planning Board Resolution _____; and

WHEREAS, the City Commission has also determined that the proposed changes are consistent with Chapter 90, Article VI, Division 3 of the Land Development Regulations, are consistent with the Comprehensive Plan; in conformance with all applicable requirements of the Code of Ordinances; are stimulated by changed conditions after the effective date of the existing regulation; will promote land use compatibility; will not result in additional demand on public facilities; will have no impact on the natural environment; will not negatively impact property values or the general welfare; will result in more orderly and compatible land use patterns; and are in the public interest;

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

Section 1: That Comprehensive Plan Chapter 3 - Housing

element is, is hereby amended as follows*:

*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

Policy 3-1.1.3: - Ratio of Affordable Housing to Be Made Available City-Wide.

At least ~~30~~ 45 percent of the aggregate of all residential units constructed each year in the City shall be affordable as herein defined in accordance with the adopted Workforce Housing Ordinance. Residential or mixed-use projects of less than ten residential units shall be required to either develop 30 percent of the units as affordable units on- or off-site, or contribute a fee in lieu thereof. However, residential projects of ten units or more shall provide affordable units on- or off-site and will not have the option of fees in lieu of construction. Commercial developments shall be required to provide affordable housing units or fees in lieu thereof based on provisions included in the updated Land Development Regulations.

Policy 3-1.1.8: - Affordable Housing Applicant Eligibility Requirements.

The following eligibility criteria shall be required for households qualifying for affordable housing units to the extent lawful; however, a waiver mechanism shall be provided in the Land Development Regulations.

1. The household shall derive at least 70 percent of its household income from gainful employment in the City of Key West.
2. The total income of eligible households shall not exceed ~~140~~ 160 percent of the median income for the City of Key West.
3. Eligibility is based on proof of legal residence in the City of Key West.
4. Single persons eligible for affordable housing shall be 18 years or older.
5. Priority shall be given to applicants whose head of household is elderly, disabled non-elderly, or a veteran.
6. Priority shall be given to larger families for larger sized affordable housing units.
7. The applicant shall execute a sworn affidavit stating the applicant's intention to occupy the dwelling unit.

*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

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 _____, 2024.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2024.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2024.

Filed with the Clerk _____, 2024.

Mayor Teri Johnston _____

Vice Mayor Sam Kaufman _____

Commissioner Lissette Carey _____

Commissioner Mary Lou Hoover _____

Commissioner Clayton Lopez _____

Commissioner Billy Wardlow _____

Commissioner Jimmy Weekley _____

TERI JOHNSTON, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK