

**PLANNING BOARD
RESOLUTION NO. 2021-05**

A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission amending Chapter 108 of the Land Development Regulations, entitled “Planning and Development”, Article X entitled “Building Permit Allocation System”, Division 2 entitled “Building Permit Allocation System”, to create Section 108-1001. – Density Limited to Building Permit Allocation System; pursuant to Chapter 90, Article VI, Division 2; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

WHEREAS, pursuant to the provisions of Chapters 163, 166, and 380 of the Florida State Statutes, the City of Key West, Florida (the “City”) proposes to amend Chapter 108 of the Land Development Regulations (the “LDRs”); and

WHEREAS, this amendment will add a code section and language to clarify that residential and mixed-use density associated with all real property within the City of Key West is limited by the Building Permit Allocation System (BPAS); and

WHEREAS, the City recognizes the finite nature of the Building Permit Allocation System, and that in 2023, or when all BPAS units have been allocated, whichever comes last, the City may no longer be authorized to issue permits for new residential units;

WHEREAS, the proposed amendment to the Land Development Regulations were presented to the Planning Board with a recommendation of approval at its regularly scheduled meeting on March 18th, 2021; and

WHEREAS, the Planning Board finds that it is in the public’s interest to amend the City’s Land Development Regulations to add Section 108-1001 of the Land

 Chairperson
 Planning Director

Development Regulations to add language that clarifies density associated with real property located in the City of Key West is limited by the BPAS.

NOW, THEREFORE BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

Section 2. That the proposed amendment to Chapter 108 of the Land Development Regulations are recommended for approval hereby as follows*:

Sec. 108-1001. – Density limited to Building Permit Allocation System.

The City of Key West recognizes the finite nature of the Building Permit Allocation System, which establishes that in 2023, or when all BPAS units have been allocated, whichever comes last, the City may no longer be authorized to issue permits for new residential units. Residential density associated with all real property within the city limits is recognized to be limited by the BPAS; existing density recorded through zoning shall not constitute rights to construct new units.

*(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 3. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the city clerk.

Section 4. This Resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the

