

**PLANNING BOARD
RESOLUTION NO. 2024-013**

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD RECOMMENDING DENIAL OF AN ORDINANCE TO THE CITY COMMISSION INVOKING THE ZONING IN PROGRESS DOCTRINE; WHICH ORDINANCE WOULD DECLARE THAT THE CITY IS CONSIDERING AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS TO ADOPT INCLUSIONARY AFFORDABLE AND WORKFORCE HOUSING STANDARDS FOR COMMERCIAL PROPERTIES ALONG WITH ADDITIONAL MEASURES TO PROMOTE HOUSING OPPORTUNITIES FOR LOCAL WORKERS AND THOSE IN NEED OF AFFORDABLE AND WORKFORCE HOUSING OPPORTUNITIES; AND WHICH ORDINANCE WOULD DIRECT BUILDING AND PLANNING DEPARTMENT STAFF TO DEFER THE ACCEPTANCE AND PROCESSING OF APPLICATIONS ASSOCIATED WITH THE LIMITED COMMERCIAL (CL) AND/OR GENERAL COMMERCIAL (CG) DISTRICTS WHICH INVOLVE PROJECTS WHOSE CONSTRUCTION COSTS MEET OR EXCEED \$500,000.00 IN VALUE AS DETERMINED BY THE CHIEF BUILDING OFFICIAL; AND WHICH ORDINANCE WOULD CONTINUE THIS POLICY UNTIL NEW PERMIT REQUIREMENTS AND/OR AMENDED LAND DEVELOPMENT REGULATIONS AND COMPREHENSIVE PLAN POLICIES ARE ADOPTED BY THE CITY COMMISSION OR UNTIL AFTER THE PASSAGE OF 180 DAYS FROM THE DATE OF THIS RESOLUTION, WHICHEVER OCCURS FIRST; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Key West City Commission has expressed a desire to review existing Land Development Regulations (LDRs) to determine whether there is a need for additional measures to promote the development of affordable and workforce housing to meet the needs of local residents and workers within the City of Key West; and

WHEREAS, the City Commission and the City of Key West Planning Board have directed Planning staff to continue to develop innovative approaches to meeting the City's growing housing needs for local workers and residents for City Commission review and adoption; and

WHEREAS, the City Planner began documented efforts concerning the subject on or before February 15, 2024; and

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 fully set forth herein.

Section 2. That an ordinance invoking the Zoning in Progress Doctrine, declaring that the City is considering amendments to the Land Development Regulations to adopt inclusionary affordable and workforce housing standards for commercial properties along with additional measures to promote housing opportunities for local workers and those in need of affordable and workforce housing opportunities and directing Building and Planning Department staff to defer the acceptance and processing of applications associated with the Limited Commercial (CL) and/or General Commercial (CG) Districts which involve projects whose construction costs meet or exceed \$500,000.00 in value as determined by the Chief Building Official; is hereby recommended for denial.

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 City appeal period has expired, this permit or development order will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for forty-five (45) days after is has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference to this approval; that within the forty-five (45) day review period the DEO 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 until the appeal is resolved by agreement order.

Read and passed on first reading at a regular meeting held this 12th day of March, 2024.

Authenticated by the Chair of the Planning Board and the Planning Director.



Sam Holland, Planning Board Chair



Date

Attest:

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Chairman 

Planning Director 


Katie P. Halloran, Planning Director

4/3/2024

Date

Filed with the Clerk:


Keri O'Brien, City Clerk

4/4/2024

Date