

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST CITY COMMISSION 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; DIRECTING BUILDING AND PLANNING DEPARTMENT STAFF TO DEFER THE ACCEPTANCE AND PROCESSING OF MAJOR DEVELOPMENT PLAN APPLICATIONS ASSOCIATED WITH THE LIMITED COMMERCIAL (CL) AND/OR GENERAL COMMERCIAL (CG) DISTRICTS WHICH INVOLVE PROJECTS WHOSE CONSTRUCTION COSTS MEET OR EXCEED \$1,500,000.00 IN VALUE AS DETERMINED BY THE CHIEF BUILDING OFFICIAL; CONTINUING 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 120 DAYS FROM THE DATE OF THIS RESOLUTION, WHICHEVER OCURS FIRST; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Key West City Commission desires 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

WHEREAS, the City of Key West City Commission wishes to definitively place all parties on notice that it is considering amendments to the Land Development Regulations (LDRs) and City Ordinances; and

WHEREAS, the City of Key West Planning Board passed Resolution No. 2024-013 recommending DENIAL of an ordinance to the City of Key West City Commission invoking the zoning in progress doctrine.

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

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

Section 2: Zoning in Progress. The city hereby recognizes that City planning and legal staff are preparing and processing ordinances (the "Pending Ordinances") that would adopt the Criteria. The Pending Ordinances, if adopted, will amend the City's LDR's. All affected property and business owners are hereby placed on notice with respect to the Pending Ordinances and the action being taken by the appropriate departments within the City.

Section 3: That this policy shall be in effect until new land development regulations or amended land development regulations are adopted by the city commission or until the passage of 120 days, whichever occurs first. This policy may be extended by Resolution of the City commission for additional 120 day periods to complete the tasks outlined herein.

Section 4: That Building and Planning Staff are hereby directed to defer the acceptance and processing of Major Development Plan applications received on or after February 15, 2024, associated with the Limited Commercial (CL) and/or General Commercial (CG) Districts which involve projects whose construction costs meet or exceed \$1,500,000.00 in value as determined by the Chief Building Official until such time as new permit regulations or amended LDR's are adopted by the City Commission or until the passage of 120 from the effective date of this resolution, whichever occurs first.

Section 5: Public Notice. The adoption of this Resolution shall be evidenced by placement of a notice in a newspaper of general circulation within the City, in accordance with Chapter 50, Florida Statutes, within two weeks of the adoption of this Resolution. A copy of this Resolution shall also be posted at City Hall for the next one hundred and twenty (120) days.

Section 6: 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 7: 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 8: 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.

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