

**PLANNING BOARD  
RESOLUTION NO. 2018-**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD  
APPROVING BUILDING PERMIT ALLOCATION SYSTEM  
(BPAS) RANKINGS AND MAKING THE FINAL  
DETERMINATION OF AWARD OF 5 AFFORDABLE AND 46  
MARKET-RATE UNITS FROM YEAR 5 (JULY 1, 2017 –  
JUNE 30, 2018) PURSUANT TO SECTIONS 86-9 AND 108-997  
OF THE LAND DEVELOPMENT REGULATIONS OF THE  
CODE OF ORDINANCES OF THE CITY OF KEY WEST,  
FLORIDA; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Key West, Florida (the “City”) adopted Ordinance No. 13-19, which became effective on February 27, 2014, establishing a Building Permit Allocation System (“BPAS”) in order to limit the amount of new permanent and transient residential development in the City pursuant to Objective 1-1.16 of the Comprehensive Plan; and

**WHEREAS**, the BPAS is now codified in Chapter 108, Article X of the Land Development Regulations (“LDRs”) of the Code of Ordinances (the “Code”); and

**WHEREAS**, City Code Section 108-995 identifies the annual amount of residential development that may be allocated by housing type (affordable, market-rate, and transient) using the Equivalent Single-Family Unit (ESFU) Factors of City Code Section 108-994; and

**WHEREAS**, for Year 5 (July 1, 2017 – June 30, 2018), a maximum of 46 market-rate units (of which 10 may be transient) and a minimum of 45 affordable units are available for allocation; and

**WHEREAS**, City Code Section 86-9 provides that, upon ranking, in the event that two

applications are determined to have the same numerical ranking score, and units are not available to provide awards to both projects, a drawing of lots will determine the awardee; and

**WHEREAS**, on April 19, 2018, the Planning Board conducted a public hearing regarding the BPAS rankings and Final Determination of Award prepared by the Planning Director; and

**WHEREAS**, the Planning Board desires to approve the rankings and make the final determination of award for Year 5:

**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.** The Planning Board approves the attached rankings and makes its Final Determination of Award of 46 market-rate units, 5 affordable units, and 0 transient units from BPAS Year 5:

Market-Rate:

- Four (4) units with a 1.00 ESFU to 3228 Flagler Avenue with 130 points;
- One (1) unit with a 1.00 ESFU to 1300 Angela Street with 120 points;
- (after the drawing of lots) five (5) units with a 1.00 ESFU will be awarded to 638 United Street with 115 points and thirty-six (36) units with a 1.00 ESFU will be awarded to 1213 14<sup>th</sup> Street with 115 points; or all forty-one (41) units with a 1.00 ESFU will be awarded to 1213 14<sup>th</sup> Street with 115 points.

Affordable:

- Four (4) units with a 1.0 ESFU to 3228 Flagler Avenue with 130 points;
- One (1) unit with a 0.78 ESFU to 2907 Seidenberg Avenue with 5 points;

Transient:

- Zero (0) units with a 0.86 ESFU;

**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 Clerk of the Board.

**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 shall 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 45 days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the 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 or order.

Read and passed on first reading at a regularly scheduled meeting held this 19th day of April  
2018.

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

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Sam Holland, Planning Board Chairman

Date

**Attest:**

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Patrick Wright, Planning Director

Date

**Filed with the Clerk:**

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Cheryl Smith, City Clerk

Date