



THE CITY OF KEY WEST  
CITY CLERK'S OFFICE

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3831; E-mail: [csmith@cityofkeywest-fl.gov](mailto:csmith@cityofkeywest-fl.gov)

SENT VIA US CERTIFIED MAIL : 7018 0040 0000 6066 5160

RECEIVED

DEC 21 2018

SFRPC

*Key West  
18-4ACSC  
(Proposed)*

December 6, 2018

DEO - Bureau of Comprehensive Planning  
Ray Eubanks, State Land Planning Agency  
Caldwell Building  
107 E. Madison MSC160  
Tallahassee, FL 32399-4120

**RE: An Ordinance of the City of Key West, Florida, amending the City's Comprehensive Plan, adding Objective 1-1.17 and associated policies to Chapter 1, "Future Land Use Element"; Objective 1-1.17 shall be known as the "Workforce-Affordable Housing Initiative" providing for an additional 300 affordable allocations to an allocation pool to be identified as the "Affordable-Early Evacuation Pool", pursuant to Chapter 90, Article VI, Division 3; Providing for severability; Providing for repeal of inconsistent provisions; Providing for inclusion into the City of Key West Comprehensive Plan; and providing for an effective date.**

Pursuant to Chapter 163.3184(4), Florida Statutes, the City of Key West City Commission, acting within the jurisdiction of the Florida Keys Area of Critical State Concern (designated pursuant to Section 380.05, F.S.), hereby transmits one (1) hard copy and two (2) compact discs of a proposed amendment to the Comprehensive Land Use Plan. This amendment is subject to State Coordinated Review Process, Section 163.3184(4), Florida Statutes, and the City requests the State Land Planning Agency to formally review the proposed Comprehensive Plan amendment. This amendment was heard and passed by the Key West Planning Board on October 18, 2018 and heard and passed on 1<sup>st</sup> Reading at a regular meeting of the City Commission on November 20, 2018.

Copies of the entire amendment package are also being provided to the Monroe County Planning and Environmental Resources Department, the South Florida Regional Planning Council, Department of State Florida Bureau of Historic Preservation, Florida Department of Environmental Protection, Florida Department of Transportation, United States Navy (Naval Air Station Key West – Boca Chica), Department of Education and South Florida Water Management District.



**THE CITY OF KEY WEST  
CITY CLERK'S OFFICE**

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3831; E-mail: [csmith@cityofkeywest-fl.gov](mailto:csmith@cityofkeywest-fl.gov)

**Amendment Name/Description:**

An Ordinance of the City of Key West, Florida, amending the City's Comprehensive Plan, adding Objective 1-1.17 and associated policies to Chapter 1, "Future Land Use Element"; Objective 1-1.17 shall be known as the "Workforce-Affordable Housing Initiative" providing for an additional 300 affordable allocations to an allocation pool to be identified as the "Affordable-Early Evacuation Pool", pursuant to Chapter 90, Article VI, Division 3; Providing for severability; Providing for repeal of inconsistent provisions; Providing for inclusion into the City of Key West Comprehensive Plan; and Providing for an effective date

Thank you in advance for your timely review of these materials. Should you have any questions about the proposed Comprehensive Plan Amendment Ordinance, please contact Patrick Wright, Director of Planning at (305) 809-3778 and [pwright@cityofkeywest-fl.gov](mailto:pwright@cityofkeywest-fl.gov).

Sincerely,

A handwritten signature in cursive script that reads "Cheryl Smith".

Cheryl Smith, CPM, MMC  
City Clerk

Enclosures  
CS/sph

cc: Bureau of Comprehensive Planning, Department of Economic Opportunity  
Plan Review, Florida Department of Environmental Protection  
Deena Woodward, Florida Department of State, Bureau of Historic Preservation  
Kenneth Jeffries, Florida Department of Transportation  
Tim Manning, South Florida Water Management District  
Ron Demes, United States Navy, Boca Chica Naval Air Station  
Tracy D. Suber, Florida Department of Education  
Isabel Cosio Carballo, South Florida Regional Planning Council  
Mayte Santamaria, Monroe County Planning & Environmental Resources

**ORDINANCE NO. 18-**

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN, ADDING OBJECTIVE 1-1.17 AND ASSOCIATED POLICIES TO CHAPTER 1, "FUTURE LAND USE ELEMENT"; OBJECTIVE 1-1.17 SHALL BE KNOWN AS THE "WORKFORCE-AFFORDABLE HOUSING INITIATIVE" PROVIDING FOR AN ADDITIONAL 300 AFFORDABLE ALLOCATIONS TO AN ALLOCATION POOL TO BE IDENTIFIED AS THE "AFFORDABLE-EARLY EVACUATION POOL", PURSUANT TO CHAPTER 90, ARTICLE VI, DIVISION 3; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR INCLUSION INTO THE CITY OF KEY WEST COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Key West (the "City") has adopted a Comprehensive Plan which has been found to be in compliance by the State Department of Community Affairs ("DCA"), pursuant to Chapter 163, Florida Statutes; and

**WHEREAS**, the City is located within the Florida Keys Area of Critical State Concern (the "FKACSC") as established pursuant to Chapter 380, Florida Statutes; and

**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 1, "Future Land Use Element," of the Comprehensive Plan; and

**WHEREAS**, adding Objective 1-1.17 "Workforce-Affordable Housing Initiative" and associated policies, will further the goals, objectives, and policies of the City Comprehensive Plan; and

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

The Comprehensive Plan is hereby amended as follows\*:

**OBJECTIVE 1-1.17: WORKFORCE-AFFORDABLE HOUSING INITIATIVE.** To support the City of Key West's workforce by alleviating constraints on affordable housing, the City shall participate in the Workforce-Affordable Housing Initiative, as approved during the June 13, 2018 meeting of the Florida Administration Commission. The Workforce-Affordable Housing Initiative will require new construction that participates to commit to evacuating tenants in the Phase I clearance window of evacuation. The City, thereby, shall establish a new limited category to be known as the "Affordable – Early Evacuation Pool" which will provide 300 workforce-affordable building permit allocations for the Workforce-Affordable Housing Initiative, as well as any additional allocations which may be authorized by the Florida Administration Commission or transferred to Key West that are not accepted by other Florida Keys municipalities or Monroe County. These allocations are in addition to the building permit allocations identified in Objective 1-1.16. The City shall be responsible for the management, distribution, and enforcement of requirements associated with the Early Evacuation Affordable allocations. The City of Key West shall ensure adherence to these requirements through implementation of the policies of this objective.

---

\*(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 1-1.17.1: Distribution of Workforce-Affordable Housing Allocations.** Workforce-Affordable Housing allocations shall be available for allocation on a first-come first-served basis and distributed at any time following adequate public notice and hearing procedures pursuant to Chapter 108 of the City's Land Development Regulations. In the event applications received exceed the allocations authorized herein, the competing applications shall be ranked in accordance with the BPAS ranking procedures in Chapter 108, Section 997 (c).

**Policy 1-1.17.2: Specific Standards and Requirements for Workforce-Affordable Housing.**

Affordable-Early Evacuation residential units built under this program shall:

- a. be multiple-family structures;
- b. be rental units;
- c. require, at a minimum, adherence to the latest edition of the Florida Building Code as published by the Florida Building Commission;
- d. require on-site property management;
- e. comply with applicable habitat and other locational criteria and densities for multiple-family affordable housing units;
- f. incorporate resilient design principles into the overall site design;
- g. ensure accessibility to employment centers and amenities;
- h. require deed-restrictions ensuring:
  - (i) the property remains workforce-affordable housing in perpetuity;
  - (ii) tenants evacuate during the Phase I evacuation period;
  - (iii) rental agreements contain a separate disclosure requiring tenants to acknowledge that failure to adhere to the evacuation requirement could result in severe penalties, including eviction, to the resident;

**Policy 1-1.17.3: Evacuation exemptions.** Persons living in workforce-affordable housing who are exempt from evacuation requirements of Policy 1-1.17.2.i.(ii) include first responders, correctional officers, healthcare professionals, or other first-responder workers required to remain in the lower keys during an emergency evacuation, provided the person claiming exemption under this policy has faithfully certified their status with property management.

**Policy 1-1.17.4: ADA Compliance.** All workforce-affordable housing developments must demonstrate compliance with all applicable federal standards for accessibility for persons with disabilities.

**Policy 1-1.17.5: Evaluation and Report.** The City of Key West shall provide the state land planning agency with an annual report on the progress and implementation of the Workforce-Affordable Housing Initiative. Reported information shall include documentation of the number of workforce-affordable units built, occupancy rates, and compliance with the requirement to evacuate the units in the Phase I evacuation.

---

**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 provision of this Ordinance shall be deemed severable therefrom and shall be constructed 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 by the City Commission at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Read and passed on final reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Authenticated by the presiding officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Filed with the Clerk \_\_\_\_\_, 20\_\_\_\_\_.

Mayor Teri Johnston	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____
Vice Mayor Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
TERI JOHNSTON, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK



## EXECUTIVE SUMMARY

**To:** Jim Scholl, City Manager  
**Through:** Patrick Wright, Planning Director  
**From:** Vanessa Sellers, Planner II  
**Meeting Date:** November 20, 2018

**RE:** **Text Amendment of the Comprehensive Plan** – An ordinance of the City of Key West, Florida, amending the City’s Comprehensive Plan, adding Objective 1-1.17 and associated policies to Chapter 1, “Future Land Use Element”; Objective 1-1.17 shall be known as the “Workforce-Affordable Housing Initiative” providing for an additional 300 affordable allocations to an allocation pool to be identified as the “Affordable-Early Evacuation Pool”, pursuant to Chapter 90, Article VI, Division 3; providing for severability; providing for repeal of inconsistent provisions; providing for inclusion into the City of Key West Comprehensive Plan; and providing for an effective date.

### **ACTION STATEMENT:**

The purpose of this ordinance is to amend the City’s Comprehensive Plan, adding Objective 1-1.17 and associated policies to Chapter 1, “Future Land Use Element.” Objective 1-1.17 shall be known as the “Workforce-Affordable Housing Initiative” providing for an additional 300 affordable allocations to an allocation pool to be identified as the “Affordable-Early Evacuation Pool.”

### **BACKGROUND:**

The proposed ordinance to amend the City’s Comprehensive Plan is part of a process to address the affordable housing shortage in the City and the County. The City Commission is hearing this Comprehensive Plan text amendment and also a text amendment to the Land Development Regulations which will allow the City to participate in the “Workforce-Affordable Housing Initiative,” as approved during the June 13, 2018 meeting of the State of Florida Administration Commission. This Comprehensive Plan text amendment will establish a new objective (1-1.17) for 300 workforce-affordable building permit allocations in addition to the allocations described in Chapter 108, Article X, of the Land Development Regulations (the “LDRs”), as well as any additional allocations which may be authorized by the Florida Administration Commission or transferred to Key West that are not accepted by other Florida Keys municipalities or Monroe County. The text amendment will also establish supplementary policies.



**REQUEST:**

The proposed text amendment to the Comprehensive Plan is as follows\*:

**OBJECTIVE 1-1.17: WORKFORCE-AFFORDABLE HOUSING INITIATIVE.** To support the City of Key West's workforce by alleviating constraints on affordable housing, the City shall participate in the Workforce-Affordable Housing Initiative, as approved during the June 13, 2018 meeting of the Florida Administration Commission. The Workforce-Affordable Housing Initiative will require new construction that participates to commit to evacuating tenants in the Phase I clearance window of evacuation. The City, thereby, shall establish a new limited category to be known as the "Affordable – Early Evacuation Pool" which will provide 300 workforce-affordable building permit allocations for the Workforce-Affordable Housing Initiative, as well as any additional allocations which may be authorized by the Florida Administration Commission or transferred to Key West that are not accepted by other Florida Keys municipalities or Monroe County. These allocations are in addition to the building permit allocations identified in Objective 1-1.16. The City shall be responsible for the management, distribution, and enforcement of requirements associated with the Early Evacuation Affordable allocations. The City of Key West shall ensure adherence to these requirements through implementation of the policies of this objective.

**Policy 1-1.17.1: Distribution of Workforce-Affordable Housing Allocations.** Workforce-Affordable Housing allocations shall be available for allocation on a first-come first-served basis and distributed at any time following adequate public notice and hearing procedures pursuant to Chapter 108 of the City's Land Development Regulations. In the event applications received exceed the allocations authorized herein, the competing applications shall be ranked in accordance with the BPAS ranking procedures in Chapter 108, Section 997 (c).

**Policy 1-1.17.2: Specific Standards and Requirements for Workforce-Affordable Housing.** Affordable-Early Evacuation residential units built under this program shall:

- a. be multiple-family structures;
- b. be rental units;
- c. require, at a minimum, adherence to the latest edition of the Florida Building Code as published by the Florida Building Commission;
- d. require on-site property management;
- e. comply with applicable habitat and other locational criteria and densities for multiple-family affordable housing units;
- f. incorporate resilient design principles into the overall site design;
- g. ensure accessibility to employment centers and amenities;
- h. require deed-restrictions ensuring;

- (i) the property remains workforce-affordable housing in perpetuity;
- (ii) tenants evacuate during the Phase I evacuation period;
- (iii) rental agreements contain a separate disclosure requiring tenants to acknowledge that failure to adhere to the evacuation requirement could result in severe penalties, including eviction, to the resident;

**Policy 1-1.17.3: Evacuation exemptions.** Persons living in workforce-affordable housing who are exempt from evacuation requirements of Policy 1-1.17.2.i.(ii) include first responders, correctional officers, healthcare professionals, or other first-responder workers required to remain in the lower keys during an emergency evacuation, provided the person claiming exemption under this policy has faithfully certified their status with property management.

**Policy 1-1.17.4: ADA Compliance.** All workforce-affordable housing developments must demonstrate compliance with all applicable federal standards for accessibility for persons with disabilities.

**Policy 1-1.17.5: Evaluation and Report.** The City of Key West shall provide the state land planning agency with an annual report on the progress and implementation of the Workforce-Affordable Housing Initiative. Reported information shall include documentation of the number of workforce-affordable units built, occupancy rates, and compliance with the requirement to evacuate the units in the Phase I evacuation.

---

\*Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading.

**City Actions:**

<b>Planning Board:</b>	<b>October 18, 2018 (approved)</b>
<b>City Commission:</b>	<b>November 20, 2018 (first reading)</b>
<b>DEO (ORC – Objections, Recommendation, and Comments):</b>	<b>TBA</b>
<b>City Commission:</b>	<b>TBA (second reading)</b>

**Planning Staff Analysis:**

The purpose of Chapter 90, Article VI, Division 3 of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) is to provide a means for changing the text of the Comprehensive Plan. It is not intended to relieve particular hardships nor to confer special privileges or rights on any person, but only to make necessary adjustments in light of changed conditions. In determining whether to grant a requested amendment, the City Commission shall consider, in addition to the factors set forth in this subdivision, the consistency of the proposed amendment with the intent of the Comprehensive Plan.

**Options / Advantages / Disadvantages:**

**Option 1:** Approve the text amendment to the City's Comprehensive Plan to amend Chapter 108, adding Objective 1-1.17 and associated policies to Chapter 1, "Future Land Use Element," as recommended by the Planning Board through Resolution no. 2018-55.

**a. Consistency with the City's Strategic Plan, Vision, and Mission:**  
The Strategic Plan is silent on this issue.

**b. Financial Impact:**  
There will be no cost to the City if this request is approved.

**Option 2:** Deny the text amendment to the City's Comprehensive Plan to amend Chapter 108, adding Objective 1-1.17 and associated policies to Chapter 1, "Future Land Use Element," as recommended by the Planning Board through Resolution no. 2018-55.

**a. Consistency with the City's Strategic Plan, Vision, and Mission:**  
The Strategic Plan is silent on this issue.

**b. Financial Impact:**  
There will be no cost to the City if this request is denied.

**Recommendation:**

As per Resolution 2018-55, the Planning Board recommends the **approval** of the text amendment to the Comprehensive Plan.



Search this site...

ESPAÑOL | KREYÒL

Reemployment Assistance Service Center

Business Growth & Partnerships

Labor Market Information

Community Planning, Development & Services

## DEO Press Releases

Home > News Center > DEO Press Releases

### Gov. Scott Directs DEO to Enhance Workforce Housing in the Florida Keys

May 02, 2018

TALLAHASSEE, Fla. – Governor Scott today directed the Department of Economic Opportunity (DEO) to propose enhanced workforce housing in the Florida Keys as part of the continued efforts to recover from the tremendous impact Hurricane Irma had on the Keys. Hurricane Irma destroyed much of the housing that served the workforce population and proposed Keys Workforce Housing Initiative will allow local governments to grant additional building permits for rental properties. This initiative will be presented to the Florida Cabinet at the next meeting.

Governor Scott said, "Hurricane Irma left a devastating impact on our state, especially in the Florida Keys and since the storm we have been working hard to rebuild even stronger before. For business owners across the Keys, the availability of affordable workforce housing has been a challenge that was compounded by Hurricane Irma. The Keys Workforce Housing Initiative will provide much-needed access to workforce housing, allowing businesses the opportunity to grow while providing a plan to ensure Keys residents can evacuate before a storm."

DEO is charged with reviewing local development decisions in the Florida Keys due to its legislative designation as an Area of Critical State Concern. State law requires that growth limited in the Keys to ensure that residents can evacuate safely within 24 hours in advance of a hurricane. To meet the increased demand for workforce housing, the innovative Keys Workforce Housing Initiative will require new construction that participates to commit to evacuating renters in the 48-hour window of evacuation.

The initiative will allow up to 1,300 new building permits for workforce housing throughout the Florida Keys. Local governments that choose to participate in the initiative will work with DEO to amend their comprehensive plans to allow for additional building permits that meet these safety requirements.

Cissy Proctor, Executive Director of DEO, said, "As I have toured the damage from Hurricane Irma, the number one priority of business and community leaders is the need for more workforce housing. We are proud to provide an option to local governments that will help businesses have the talent they need to remain in the Keys and grow their companies. This solution will not only provide workforce housing for private-sector businesses but public servants, like law enforcement and teachers, as well. Our agency is committed to working with partners in the Keys to provide ample workforce housing without compromising the safety of Floridians. We appreciate our partners at the Florida Division of Emergency Management working with us to make sure Keys residents are still able to safely evacuate."

Representative Holly Rescheln said, "Hurricane Irma pushed the affordable housing problem in the Florida Keys to a critical state, decimating an already strained stock of housing for the workforce. I have discussed this concern with Governor Scott and the Department of Economic Opportunity (DEO) both in Tallahassee and during the Governor's many visits to the Keys as he's led us through our recovery efforts. The plan Governor Scott has directed DEO to bring before Cabinet is a creative solution to the most pressing recovery challenge still facing the Florida Keys and I encourage all Cabinet members to support this proposal."

Wes Maul, Director of the Florida Division of Emergency Management, said, "Our agency's primary goal is the safety of Florida residents during disasters. The Keys Workforce Housing Initiative ensures the safety of tourists and residents of the Keys during major storms, while allowing critical economic development activities to continue. We appreciate DEO's partnership in this endeavor."

###

Reemployment Assistance Service Center

Business Growth & Partnerships

Labor Market Information

Community Planning Development & Services

Workforce Board Resources

About Us Home Call

© 2017 State of Florida Department of Economic Opportunity



An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers on this website may be reached by persons using TTY/TDD equipment via the Florida Relay Service.



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### Planning Board

---

Thursday, October 18, 2018

6:00 PM

City Hall

---

**ADA Assistance:** It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

**ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**Call Meeting To Order 6:00 PM**

**Pledge of Allegiance to the Flag**

**Roll Call**

**Absent** 1 - Pike

**Present** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Mr. Gilleran, and Chairman Holland

**Approval of Agenda**

**Old Business**

**1**

Variance - 3228 Flagler Avenue - (RE# 00069040-000000) - A request for a variance to the minimum side yard setback requirement in order to construct eight residential units on property located within the Commercial Limited (CL) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

A motion was made by Mr. Lloyd, seconded by Mr. Russo, that the Board finds that all the standards set forth in code Section 90-395(A) have been met by the Applicant, that the Applicant has demonstrated a "Good Neighbor Policy" and that the Variance be Passed subject to the conditions set forth on the staff report. The motion carried by the following vote:

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**2** Minor Development Plan, Conditional Use, and Landscape Waiver - 3228 Flagler Avenue (RE#00069040-000000) - A request for minor development plan, Conditional Use and landscape waiver approvals for the construction of eight (8) non-transient units on property located within the Commercial Limited (CL) Zoning District pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Lloyd, seconded by Mr. Russo, that the Board finds that Applicant's proposed conditional use demonstrates all the requirements of the Code Section 122-62(C) have been met by the Applicant, that the Applicant has demonstrated a "Good Neighbor Policy" and that the Application be granted subject to the conditions set forth on the staff report. The motion carried by the following vote:**

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**3** Exception for Outdoor Merchandise Display - 407 A & B Front Street (RE # 00000180-000000) - A request for exception for outdoor merchandise display on property located within the Historic Residential Commercial Core Duval Street Gulfside (HRCC-1) Zoning District pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Russo, seconded by Mr. Varela, that the Planning Resolution be Passed. The motion carried by the following vote:**

**No:** 2 - Mr. Browning, and Mr. Lloyd

**Absent:** 1 - Mr. Pike

**Yes:** 4 - Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**4** An After-the-Fact Variance - 3302 Harriet Avenue - (RE# 00031440-000100) - A request for variances to maintain a 6 foot solid fence on the front of the property and a eight foot gate entry on the side of the property located within the Medium Density Residential (MDR) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Browning, seconded by Mr. Lloyd, that the Board finds that all the standards set forth in code Section 90-395(A) have been met by the Applicant, that the Applicant has demonstrated a "Good Neighbor Policy" and that the After the fact Varlance be Passed subject to the conditions set forth on the staff report. The motion carried by the following vote:**

**No:** 1 - Chairman Holland

**Absent:** 1 - Mr. Pike

Yes: 5 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, and Vice Chair Gilleran

**New Business**

**5** Comprehensive Plan Text Amendment - A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission amending the City's Comprehensive Plan, adding Objective 1-1.17 and associated policies to Chapter 1, "Future Land Use Element"; and Objective 1-1.17 shall be known as the "Workforce-Affordable Housing Initiative" providing for an additional 300 affordable allocations to an allocation pool to be identified as the "Affordable-Early Evacuation Pool", pursuant to Chapter 90, Article VI, Division 3; Providing for severability; Providing for repeal of inconsistent provisions; Providing for inclusion into the City of Key West Comprehensive Plan; Providing for an effective date.

A motion was made by Mr. Browning, seconded by Mr. Varela, that the Planning Resolution be Passed. The motion carried by the following vote:

No: 1 - Mr. Lloyd

Absent: 1 - Mr. Pike

Yes: 5 - Mr. Browning, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

*NOTE* *5-1 (1 ABSENT)*

**6** Text Amendment of the Land Development Regulations - 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, to create a new Article XII, to be titled the "Workforce Affordable Housing Initiative", for the purpose of implementing Comprehensive Plan Objective 1-1.17, authorizing the acceptance of 300 "Affordable-Early Evacuation Pool" BPAS units; pursuant to Chapter 90, Article VI, Division 2; Providing for definitions, findings, purpose and intent, applicability, application, review of application, and monitoring; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

A motion was made by Vice Chair Gilleran, seconded by Mr. Russo, that the Planning Resolution be Passed. The motion carried by the following vote:

No: 1 - Mr. Lloyd

Absent: 1 - Mr. Pike

Yes: 5 - Mr. Browning, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

- 7 Major Development Plan - 638 United Street (RE # 00036600-000000) - A request for a major development plan approval and landscape modifications/waiver for the construction of five (5) residential units on property located within Historic Residential/Office (HRO) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

A motion was made by Vice Chair Gilleran, seconded by Mr. Browning, that the Planning Resolution be Passed, Prior or simultaneous to issuance of a Certificate of Occupancy for this development the project at 3228 Flagler Avenue must receive a Certificate of Occupancy. The motion carried by the following vote:

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

- 8 POSTPONED BY STAFF - 000000, and 00065060-000000) - A request for an extension of an approved Amended and Restated Development Agreement in the General Commercial (CG) Zoning District pursuant to Chapter 90, Article IX and Section 122-416 through 122-420 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

A motion was made by Mr. Michael Browning, seconded by Mr. Michael Browning, that the Planning Resolution be Postponed to November 15. The motion passed by an unanimous vote.

- 9 Variance - 2800 Staples Avenue - (RE# 00067000-000000) - A request for a variance to the maximum building coverage allowed in order to construct an accessory structure in the rear yard. The property is located within the Single Family (SF) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

A motion was made by Mr. Lloyd, seconded by Mr. Russo, that the Board finds that all the standards set forth in code Section 90-395(A) have been met by the Applicant, that the Applicant has demonstrated a "Good Neighbor Policy" and that the Variance be Passed subject to the conditions set forth on the staff report. The motion carried by the following vote:

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland



- 10 Variance - 1124 Truman Avenue (RE # 00032360-000000) - A request for a variance to the minimum rear yard setback requirement in order to construct a 133-square-foot addition at property located within the Historic Neighborhood Commercial - Truman / Simonton (HNC-1) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Lloyd, seconded by Mr. Russo, that the Board finds that all the standards set forth in code Section 90-395(A) have been met by the Applicant, that the Applicant has demonstrated a "Good Neighbor Policy" and that the Variance be Passed subject to the conditions set forth on the staff report. The motion carried by the following vote:**

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

- 11 Conditional Use - 1124 Truman Avenue (RE # 00032360-000000) - A request for conditional use approval to allow for the expansion of an existing restaurant to include on site consumption area at property located within the Historic Neighborhood Commercial - Truman / Simonton (HNC-1) zoning district pursuant to Sections 122-62 and 122-808 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Browning, seconded by Mr. Russo, that the Board finds that Applicant's proposed conditional use demonstrates all the requirements of the Code Section 122-62(C) have been met by the Applicant, that the Applicant has demonstrated a "Good Neighbor Policy" and that the Application be granted subject to the conditions set forth on the staff report. The motion carried by the following vote:**

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

- 12 Transient Unit/License Transfer - Unit/License in Unassigned Status (formerly 501 Amelia Street RE # 00027670-000100) to 215 Eanes Lane (RE # 00017950-000000) - A request to transfer one transient unit and license in unassigned status to property located within the Historic Residential Commercial Core -3 Duval Street Oceanside (HRCC-3) zoning district pursuant to Section 122-1338 and 122-1339 the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Vice Chair Gilleran, seconded by Mr. Varela, that the Planning Resolution be Passed. The motion carried by the following vote:**

**No:** 1 - Mr. Lloyd

**Absent:** 1 - Mr. Pike

**Yes:** 5 - Mr. Browning, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

13

Exception for Outdoor Merchandise Display - 205 Elizabeth Street, Unit A, A1, B - (RE# 00072082-003903) - A request an exception for outdoor merchandise display on property located on Lazy Way Lane, Unit A, A-1, B in the Historic Residential Commercial Core Duval Street Gulfside (HRCC-1) zoning district per the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Browning, seconded by Mr. Russo, that the Planning Resolution be Passed. The motion carried by the following vote:**

**No:** 1 - Mr. Lloyd

**Absent:** 1 - Mr. Pike

**Yes:** 5 - Mr. Browning, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

14

Exception for Outdoor Merchandise Display - 205 Elizabeth Street, Unit G - (RE# 00072082-003903) - A request an exception for outdoor merchandise display on property located on Lazy Way Lane, Unit G in the Historic Residential Commercial Core Duval Street Gulfside (HRCC-1) zoning district per the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Russo, seconded by Mr. Varela, that the Planning Resolution be Passed. The motion carried by the following vote:**

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**Public Comment**

**Reports**

**Adjournment 9:09 PM**