



Islamorada, Village of Islands

SENT VIA EMAIL AND FED EX

January 15, 2018

Mr. Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity
Caldwell Building
107 East Madison Street – MSC 160
Tallahassee, Florida 32399

**RE: Compliance Review of Proposed Comprehensive Plan Amendments
Islamorada, Village of Islands, Submittal Package
State Land Planning Agency Amendment ID #: 19-01ACSC**

Dear Mr. Eubanks:

Pursuant to Chapter 163, Part II, Florida Statutes, the Islamorada, Village of Islands Planning and Development Services Department, acting within the Florida Keys Area of Critical State Concern, hereby transmits three (3) copies of its proposed Plan Amendment Submittal Package 19-01 ACSC of the Islamorada, Village of Islands Comprehensive Plan and hereby requests that the Florida Department of Economic Opportunity review the adopted amendments. **The amendments are subject to State Coordinated Review process pursuant to Section 163.3184(4), Florida Statutes.** One (1) copy of each package is paper and two (2) copies are on CD-ROM in PDF format.

There is one (1) proposed ordinance in the package, summarized in the table below. The ordinance does not amend the future land use map. The proposed amendment affects Chapter 1: Future Land Use Element of the Comprehensive Plan.

One copy of each plan amendment submittal package was transmitted concurrently to each of the following agencies and governments for their review and written response:

- South Florida Regional Planning Council
- Monroe County, Florida
- Florida Department of Environmental Protection
- Florida Department of Transportation
- South Florida Water Management District
- Florida Department of State
- Florida Department of Education

Summary of the Plan Amendment Submittal Package Content: Each plan amendment listed below includes the proposed text, copies of recommendations and support documents, including any required data and analysis.

RECEIVED

JAN 25 2019

SFRPC

Islamorada
19-1 ACSC
(proposed)

Ord No.	Amendment Name	Amendment Title	LPA Hearing Date	1st VC Hearing Date	2nd VC Hearing Date
n/a	PROPOSED TEXT AMENDMENT ESTABLISHING GOAL 3-2	AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 3 "HOUSING ELEMENT" AND ASSOCIATED OBJECTIVES AND POLICIES OF THE VILLAGE'S COMPREHENSIVE PLAN; ESTABLISHING GOAL 3-2 ENTITLED "WORKFORCE-AFFORDABLE HOUSING INITIATIVE" TO PROVIDE FOR AN ADDITIONAL 300 AFFORDABLE UNIT ALLOCATIONS TO BE IDENTIFIED AS THE "AFFORDABLEEARLY EVACUATION POOL"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.	12/10/18	12/13/18	Tent. 3/14/19

- The proposed amendment is related to the Florida Keys Area of Critical State Concern, pursuant to Section 380.05, Florida Statutes.
- The plan amendment is not within Orange, Lake or Seminole Counties and, therefore, the plan amendments do not apply to the Wekiva River Protection Area pursuant to Chapter 369, Part III, Florida Statutes.
- A copy of the complete amendment package including supporting data and analysis has been mailed to all of the required review agencies on the date of this letter.
- The amendment is not proposed to be adopted under a joint planning agreement pursuant to Section 163.3171, Florida Statutes.
- The proposed amendment does not update the five-year schedule of Capital Improvements.
- There were no requests for citizen courtesy information.

The following person is familiar with the proposed amendments and is responsible for ensuring that the materials transmitted are complete:

Ty Harris, Esq.
Director of Planning
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, Florida 33036-3162
Phone 305.664.6422 Fax 305.664.6464
PlanningDirector@islamorada.fl.us

Thank you in advance for your timely review of these materials. Should you have any questions about the proposed amendments, please contact us.

Sincerely,



Ty Harris, Esq.
Director of Planning

Encl.

Cc:	Corey Aitken, Resiliency Planner & Economic Development, SFRPC	Sent Electronically
	Isabel Moreno, Administrative Assistant, SFRPC	Sent Electronically
	Emily Schemper, Asst. Director, Monroe County Planning and Environmental Resources	Sent Electronically
	Plan Reviewer, FDEP	Sent Electronically
	Dat Huynh, Transportation Planner, FDOT District 6	Sent Electronically
	Terese Manning, Policy and Planning Analyst, SFWMD	Sent Electronically
	Deena Woodward, Historic Preservation Planner, FDOS	Sent Electronically
	Barbara Powell, Areas of Critical State Concern Administrator, DEO	Sent Electronically
	Kylene J. Casey, Growth Management & Legislative Liaison, FDOE	Sent Electronically
	Village Council (no enclosures)	Sent Electronically
	Seth Lawless, Village Manager (no enclosures)	Sent Electronically
	Roget. V. Bryan, Village Attorney (no enclosures)	Sent Electronically



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Page 1 of 3

86800 Overseas Highway • Islamorada, Florida 33036-3162
Office 305-664-6400 • Fax 305-664-6467 • www.islamorada.fl.us

Ord No.	Amendment Name	Amendment Title	LPA Hearing Date	1st VC Hearing Date	2nd VC Hearing Date
n/a	PROPOSED TEXT AMENDMENT ESTABLISHING GOAL 3-2	AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 3 “HOUSING ELEMENT” AND ASSOCIATED OBJECTIVES AND POLICIES OF THE VILLAGE’S COMPREHENSIVE PLAN; ESTABLISHING GOAL 3-2 ENTITLED “WORKFORCE-AFFORDABLE HOUSING INITIATIVE” TO PROVIDE FOR AN ADDITIONAL 300 AFFORDABLE UNIT ALLOCATIONS TO BE IDENTIFIED AS THE “AFFORDABLEEARLY EVACUATION POOL”; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.	12/10/18	12/13/18	Tent. 3/14/19

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Commented [JL1]: CHANGED FROM KAREN HAMILTON

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Dat Huynh, Planning & Environmental Manager, 305-470-5217

Commented [JL3]: Barbara Powell

Commented [JL4]: Kylene J. Casey
Growth Management & Legislative Liaison
Phone: 850-245-9526
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Email: Kylene.Casey@fdoe.org

ORDINANCE NO.

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 3 “HOUSING ELEMENT” AND ASSOCIATED OBJECTIVES AND POLICIES OF THE VILLAGE’S COMPREHENSIVE PLAN; ESTABLISHING GOAL 3-2 ENTITLED “WORKFORCE-AFFORDABLE HOUSING INITIATIVE” TO PROVIDE FOR AN ADDITIONAL 300 AFFORDABLE UNIT ALLOCATIONS TO BE IDENTIFIED AS THE “AFFORDABLE-EARLY EVACUATION POOL”; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

WHEREAS, in 2001, Islamorada, Village of Islands, Florida (the “Village”) adopted the Village Comprehensive Plan Village Comprehensive Plan (the “Comprehensive Plan”) which has been determined to be compliant by the State Department of Economic Opportunity (“DEO”), formally the Department of Community Affairs (“DCA”); and

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

WHEREAS, Section 163.3184, F.S., establishes a process for adoption of comprehensive plans and Plan Amendments; and

WHEREAS, pursuant to Chapter 163, Part II, Chapter 166 and Chapter 380 Florida Statutes (F.S.), the Village proposes to amend Chapter 3 “Housing Element” of the Comprehensive

Plan by adding Goal 3-2 “Workforce-Affordable Housing Initiative” and associated Objectives and Policies; and

WHEREAS, the proposed amendments further the goals, objectives and policies of the Village Comprehensive Plan; and

WHEREAS, pursuant to Florida Statutes and the Village Code of Ordinances (the “Code”) the Local Planning Agency (LPA) held a public hearing on January 9, 2017 to review the proposed text amendments to the Comprehensive Plan; and

WHEREAS, the Village Council held public hearings to review the proposed amendments to the Comprehensive Plan; and

WHEREAS, the Village Council finds that the proposed amendments to the Comprehensive Plan are consistent with the Village Comprehensive Plan, the Principles for Guiding Development in the Florida Keys Area of Critical State Concern and are in the best interests of the Village and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Amending Chapter 3 “Housing Element” to Establish Goal 3-2 “Workforce-Affordable Housing Initiative. The amendment to the Comprehensive Plan is to amend Chapter 3 “Housing Element” to Establish Goal 3-2 “Workforce-Affordable Housing Initiative and related objectives and policies as follows:

Goal 3-2 – Workforce-Affordable Housing Initiative.

To support the Village of Islamorada’s workforce by alleviating constraints on affordable housing, the Village shall participate in the Workforce-Affordable Housing Initiative, as approved by the Florida Administration Commission during its June 13, 2018 meeting. The Workforce-Affordable

Housing Initiative will require any participating new construction or repurposed structures to commit to evacuating renters within the 48 to 24-hour window of evacuation from the Village.

Objective 3-2.1 – Provide Workforce-Affordable Housing Building Permit Allocations.

Pursuant to Objective 3-1.1, the Village has worked with the State Department of Economic Opportunity to “provide alternative solutions to improve access to affordable housing.” The Village therefore shall establish a new limited category to be known as the “Affordable-Early Evacuation Pool” for 300 workforce-affordable building permit allocations to participate in the Workforce-Affordable Housing Initiative. These allocations are in addition to the maximum allocations identified in Rules 28-19, Florida Administrative Code. The Village shall be responsible for the management, distribution, and enforcement of requirements associated with the POA allocations. The Village of Islamorada shall ensure adherence to these requirements through implementing the policies of this objective.

Policy 3-2.1.1 – Distribution of Workforce-Affordable Housing Allocations.

Workforce-affordable housing allocations shall be distributed at any time through adequate public notice and hearing procedures as set forth in Chapter 30 of the Village’s Land Development Regulations and in accordance with the BPAS ranking procedures established in Chapter 30 Article 4, Division 11 “Building Permit Allocation System (BPAS).

Policy 3-2.1.2 - Specific Standards and Requirements for Workforce-Affordable Housing.

Workforce-affordable housing units built under this program shall:

- a. be multifamily 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. not be placed in the V-Zone or within the Coastal Barrier Resource Systems;
- e. require on-site property management;
- f. comply with applicable habitat and other locational criteria and densities for multifamily affordable housing units;
- g. shall not be placed in any habitat defined as mangroves, saltmarsh & buttonwood, tropical hardwood hammock or fresh water wetlands (except for disturbed categories);
- h. incorporate sustainable and resilient design principles into the overall site design;
- i. ensure accessibility to employment centers and amenities;
- j. require deed-restrictions ensuring that:
 - i. the property remains workforce-affordable housing in perpetuity;
 - ii. tenants evacuate during the period in which transient units are required to evacuate;

- iii. rental agreements contain a separate disclosure requiring renters to acknowledge that failure to adhere to the evacuation requirement could result in severe penalties, including eviction, to the resident;
- iv. onsite property managers are formally trained in evacuation procedures.

Policy 3-2.1.3 – Evacuation exemptions. Persons living in workforce-affordable housing who are exempt from evacuation requirements of Policy 2-1.2.9 includes all first responders, correction officers, health care professionals, or other first-response workers required to remain during an emergency, provided that the person claiming exemption under this policy has faithfully certified their status with property management.

Policy 3-2.1.4 – ADA Compliance. All workforce-affordable housing developments must demonstrate compliance with all applicable federal standards for accessibility for persons with disabilities.

Policy 3-2.1.4 -Evaluation and Report. The Village of Islamorada shall provide an Annual Report to the state land planning agency on the progress and implementation of the Workforce-Affordable Housing Initiative. Reported information for each year shall include documentation of the number of workforce-affordable units built, occupancy rates, and compliance with the requirement to evacuate the units within the Phase I evacuation. Such report shall be provided to the State in a timely manner such that the State may include the information in the required Annual Report to the Governor and Cabinet on the Village of Islamorada's progress toward completion of its Work Program pursuant to Rule 28-19 of the F.A.C.

Section 4. Transmittal. Pursuant to Sections 163.3184 and 163.3187(6)(a), Florida Statutes, the Village Clerk is authorized to forward a copy of this Ordinance to the State Department of Economic Opportunity (the "DEO").

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Effective Date. This Ordinance shall not be effective immediately upon adoption. However, the Amendment shall not take effect until the date the final order is issued by the Department of Economic Opportunity to be in compliance in accordance with Chapter 163.3184, Florida Statutes. The Department of Economic Opportunity (“DEO”) notice of intent to find the Amendment in compliance shall be deemed to be the final order if no timely petition challenging the Amendment is filed.

The foregoing Ordinance was offered by Councilman Ken Davis, who moved its adoption on first reading. This motion was seconded by Councilman Jim Mooney, and upon being put to a vote, the vote was as follows:

Mayor Deb Gillis	YES
Vice-Mayor Mike Forster	YES
Councilman Ken Davis	YES
Councilwoman Cheryl Meads	YES
Councilman Jim Mooney	YES

PASSED on first reading this 13th day of December, 2018.

The foregoing Ordinance was offered by _____, who moved for its adoption. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Deb Gillis	___
Vice-Mayor Mike Forster	___
Councilman Ken Davis	___
Councilwoman Cheryl Meads	___
Councilman Jim Mooney	___

PASSED AND ADOPTED on the second reading ___ day of _____, 2018.

DEB GILLIS, MAYOR

ATTEST:

KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS ONLY

ROGET V. BRYAN, VILLAGE ATTORNEY



Council Communication

To: Mayor and Village Council

Through: Seth Lawless, Village Manager

From: Ty Harris, Planning Director

Date: December 13, 2018

SUBJECT: COMPREHENSIVE PLAN ORDINANCE PROVIDING FOR 300 AFFORDABLE HOUSING ALLOCATIONS UNDER THE STATE "WORKFORCE-AFFORDABLE HOUSING INITIATIVE"

Summary:

This proposed Comprehensive Plan Amendment and companion LDR ordinance will add the Workforce-Affordable Housing Initiative to the City's adopted Comprehensive Plan and LDR's allowing the allocation of up to 300 new affordable residential units identified as "Early Evacuation" Affordable Residential Allocations.

Background:

On May 2, 2018, Governor Scott 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. The Workforce-Affordable Housing Initiative was approved by the Florida Administration Commission during its June 13, 2018 meeting. Hurricane Irma destroyed much of the housing that served the workforce population and the proposed Keys Workforce Housing Initiative allows local governments to grant additional building permits for affordable units. Hurricane Irma destroyed an estimated 1,200 homes and commercial structures in the Keys, many of them mobile homes and single-family units used by people who work on the islands. For Islamorada, the impact on affordable housing was severe. Both the community of San Pedro and Sea Breeze were destroyed during Hurricane Irma. These two communities represented a significant portion of the affordable housing in Islamorada. One hundred and forty-four (144) homes were destroyed in these two communities alone. The Village's initial damage assessment determined that the Village lost 193 homes due to damage from Hurricane Irma.¹ Many of the homeowners impacted by Hurricane Irma cannot afford to rebuild their homes up to code, they are selling their property to investors building vacation homes. By

¹ Village of Islamorada Damage Assessment Summary Spreadsheet

allowing up to 300 additional housing units the Village, through The Keys Workforce Housing Initiative, can enforce its own requirements on new affordable housing by amending the Comprehensive Plans and companion LDR's.

Analysis:

The Village has a total of 36 affordable housing allocations available until 2023. There are twelve (12) affordable housing allocations for 2019. This includes six (6) allocations established for 2019 through BPAS plus six (6) rollover allocations for 2018. To date, the Village has been approached with five new affordable housing projects which will need ninety-five (95) affordable housing allocations. If the Village utilizes the remaining allocation for all the remaining years until 2023, the Village will still be fifty-nine (59) affordable allocations short in meeting the immediate demand. This proposed Comprehensive Plan Amendment will add the Workforce-Affordable Housing Initiative to the City's adopted Comprehensive Plan allowing the allocation of up to 300 new affordable residential units identified as "Early Evacuation" Affordable Residential Allocations which should meet the anticipated yearly demand for new affordable housing in the Village.

The current Land Development Regulations provide guidance concerning the review of a proposed Comprehensive Plan Amendments through Section 30-393. Section 30-395(5) provides that proposed comprehensive plan amendments shall be by ordinance in accordance with Florida Statute section 163.3164 and Florida Statute, section 163.3187. Chapter 163 promulgate process rather than establishing criteria for the development of a proposed Comprehensive Plan Amendment. Chapter 163.3184, Process for adoption of comprehensive plan or plan amendment, define the sequential process for transmittal, review, and approval of a Comprehensive Plan Amendment. Most relevant to this delineation of process is the definition of "compliance" which is recited for review below:

163.3184 Process for adoption of comprehensive plan or plan amendment.-- (1) DEFINITIONS.--As used in this section, the term: (b) "In compliance" means consistent with the requirements of ss. 163.3177, when a local government adopts an educational facilities element, 163.3178, 163.3180, 163.3191, and 163.3245, with the state comprehensive plan, with the appropriate strategic regional policy plan, and with chapter 9J-5, Florida Administrative Code, where such rule is not inconsistent with this part and with the principles for guiding development in designated areas of critical state concern and with part III of chapter 369, where applicable. Thus, leading through an exhaustive process, the State Land Planning Agency must find a Comprehensive Plan or Plan Amendment in compliance in accordance with the above definition. Process as further defined in the section leads from Local Government Transmittal through review by the State Land Planning Agency and other required local and state government bodies to a finding of "in compliance" by the State Land Planning Agency.

Review is contemplated and expected to be completed by such agencies as the South Florida Regional Planning Council, whose responsibility it is to review the proposal for consistency with the Strategic Regional Policy Plan. Such review is not therefore, the responsibility of the local government to determine consistency in this regard and will not be addressed herein. Though referenced in the definition of compliance and elsewhere Chapters 163.3177, 163.3191, 163.3245, and 369 will not be reviewed as a compliance matter. Chapter 163.3177 defines required elements in a comprehensive plan. The Village has an approved comprehensive plan which must be assumed to have all required elements. Chapter 163.3191 refers to the required Evaluation and Appraisal Report (EAR); a review of an approved comprehensive plan required of the Village every seven

years. The Village is not subject to an EAR at this juncture and therefore is not relevant as a criterion to the review herein. Finally, Chapter 163.3245 refers to the development of an optional sector plan. This optional element of an approved comprehensive plan was not adopted by the Village and therefore will not be used as a criterion for review in this proposed amendment. Chapter 369 refers to invasive aquatic plant control and the Wekiva River area and similarly will not be the subject of compliance review herein.

Other pertinent review elements leading to a determination of compliance are found in Chapter 163.3178 Coastal management, Chapter 163.3180 Concurrency and the principals for guiding development in the Florida Keys Area of Critical State Concern. This application will be analyzed against the limited compliance issues found in sections of Chapter 163 F.S. and Chapter 380 F.S.

I. Comprehensive Plan Text Amendment

Compliance Discussion

Criteria promulgated in Chapters 163 and 380 F.S. outline the critical concerns more specifically identified in the Village comprehensive plan:

- Natural Resource Protection
 - Wetlands
 - Estuaries
 - Living marine resources
 - Beaches / Dunes
 - Unique wildlife habitat
 - Water Quality
- Historical Resources
- Infrastructure / Concurrency Management
 - Wastewater
 - Stormwater
 - Potable Water
 - Solid Waste
 - Transportation
- Affordable Housing
- Hazard Mitigation
 - CHHA
 - Hurricane Evacuation
- Ports
 - Marina Siting
- Land Acquisition
 - Conservation
 - CHHA
 - Public Services

Natural Resources

The Village Comprehensive Plan places significant emphasis on the protection of its environmental resources while protecting the property rights of its citizens. The proposed amendment through the implementation of the existing Comprehensive Plan and Land Development Regulations and the restriction of the use of habitats such as hammock, salt march and buttonwood, mangroves, and fresh water wetlands, will not further impact natural resources protected by the Village's regulations.

Historical and Cultural Resources

Elements of the Village Land Development Regulations, Division 7, Section 30-1691, protect existing historic and cultural resources. No Significant Impact would result from the proposed change.

Infrastructure

No Significant Impact would result from the proposed change.

Wastewater infrastructure

No Significant Impact would result from the proposed change.

Stormwater infrastructure

No Significant Impact would result from the proposed change.

Potable Water

No Significant Impact would result from the proposed change.

Solid Waste

No Significant Impact would result from the proposed change.

Transportation

LOS for U.S. 1 and adjoining streets is well within LOS standards for transportation. No Significant Impact would result from the proposed change.

Affordable Housing

The proposed amendment will significantly enhance the Village's continuing efforts to enhance affordable housing in the Keys.

Hazard Mitigation

No Significant Impact would result from the proposed change.

Coastal High Hazard Areas

No Significant Impact would result from the proposed change.

Hurricane Evacuation

No Significant Impact would result from the proposed change. All Early Evacuation units (tenants) would be required to evacuate within the first 24 hours of a 48-hour evacuation window. The Village's (and County's) obligation is to be prepared to evacuate at 24 hours before the impacts of Tropical Storm Force Winds in the Keys. Already, the Emergency Management Departments within the Florida Keys coordinate the evacuation of not only their permanent residents, but the temporary residents visiting the Keys in the short term. Conceptually, adding the "Early Evacuation Residential units to the list of facilities and residential units that leave the Keys in the first 24 hours is relatively simple. By statute, the Village cannot exceed the 24-hour evacuation time for its permanent residents. The Statue, on the other hand, does not define how, the County and municipalities of the Florida Keys accomplishes this statutory axiom. Thus, requiring that some permanent residents lave early, the Village believes, meets the intent of the statutes. Already, Emergency Management officials require that individuals living in low lying areas evacuate early.

Ports – Marina Siting

No Significant Impact would result from the proposed change.

Public Use – Access to Water

No Significant Impact would result from the proposed change.

Land Acquisition

The proposed amendment will utilize existing land acquisition mechanisms to further the purposes of providing affordable housing within the Village. Because of the critical nature and need for affordable housing at this time, funding provided to the Monroe County Land Authority and funds provided through the Stewardship Act have been prioritized for the acquisition of lands for affordable housing. In addition, some of the Recovery funds provided through CDBG-DR and similar sources may be utilized for the purchase of such lands.

II. Land Development Regulation (LDR) Text Amendment

Section 30-411(d)(4) of the Land Development Regulations requires that the following standards and criteria to be considered for any proposed text amendment. Each criteria and explanation of relevance to this proposed amendment are listed below:

Section 30-411(d)(4)(b). The village council must find that the application is consistent with the comprehensive plan, that the applicant has complied with all procedural requirements of this section and that the maintenance of the existing zoning on the property does not accomplish a legitimate public purpose. The village council shall make its determination on legitimate public purpose based on one or more of the following factors:

1. Demand for the proposed zoning district in the village in relation to the amount of land currently zoned and available to accommodate that demand. *Not applicable.*

2. Compatibility of the site's physical, geological, hydrological and other environmental features, with the uses permitted in the proposed zoning district. *Not applicable.*

3. Data errors, including errors in mapping, vegetative types and natural features described in the comprehensive plan. *Not applicable.*

4. New issues. *Not applicable.*

5. Recognition of a need for additional detail or comprehensiveness. *Not applicable.*

6. Compatibility of the proposed district with the property surrounding the site of the requested rezoning and any applicable neighborhood or redevelopment plan. *Not applicable.*

7. Consistency with the Village Comprehensive Plan as a component of Section 30-411(d)(4)(b).

The Village is limited in the number of BPAS allocations allowed within the Village as provided in Rule 28-18, F.A.C. However, there is an extreme need for affordable housing BPAS allocations both as a reality of the costs of living in the Florida Keys and because of the significant impact felt by the affordable housing sector as a result of Hurricane Irma (September 10, 2017). Comprehensive Plan Goal 3-1, requires that the Village "shall develop programs and strategies to achieve adequate, affordable and safe housing to meet current and future residents needs..." The necessity for new affordable housing is overwhelming because of the impacts of the storm and the significant loss of affordable units to Hurricane Irma. With a total of only 36 affordable housing allocations left to the Village, the addition of the proposed 300 new units is prudent and needed now.

Conclusion:

The proposed Amendment is consistent with and furthers the goals of the Village's Comprehensive Plan and Land Development Regulations. Moreover, the proposed amendment meets the intent of the Workforce-Affordable Housing Initiative set forth by the Administration Commission.

Recommendation:

It is recommended that the Village Council pass and adopt the proposed ordinances and transmit to the State Department of Economic Opportunity.