

Rick Scott  
GOVERNOR



Doug Darling  
EXECUTIVE DIRECTOR

November 14, 2011

Mr. Don Craig, Planning Director  
City of Key West Planning Department  
3140 Flagler Avenue  
Key West, Florida 33040

Dear Mr. Craig:

This letter responds to a recent telephone discussion regarding the City's efforts to recognize the recent sale of Peary Court by the Boca Chica Naval Air Station. I have carefully reviewed the Comprehensive Plan and the Peary Court construction background. The Key West Comprehensive Plan contains Policy 3-1.1.3 which provides the following:

**Policy 3-1.1.3: Additions to LDRs.** Based on the Comprehensive Plan analysis of the "growth management", the City shall repeal the growth management ordinance and adopt as part of the land development regulations: (1) an affordable housing ordinance; and (2) a rate of growth ordinance.

**Ratio of Affordable Housing to be made available City-wide: 1990-2010.** The affordable housing ordinance shall stipulate that at least 30 percent of all residential units constructed each year shall be affordable as herein defined. Residential or mixed use projects of less than ten residential units shall be required to either develop thirty percent of the units as affordable on or off site, or contribute a fee in lieu thereof. However, residential projects of ten or more shall be required to provide affordable units on or off site and will not have the option of fees in lieu of construction. Commercial developments shall be required to provide affordable housing units or fees in lieu thereof based on provisions to be included in the updated land development regulations.

It is my understanding that Peary Court was constructed by the Federal Government and the City and the Department of Community Affairs took the position that the Naval Air Station is not required to obtain Rate of Growth allocations. Recently, the Boca Chica NAS has elected to sell the Peary Court units in the private sector.

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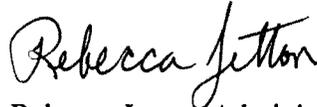
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Policy 3-1.1.3 clearly articulates the intent to set aside thirty percent of new units as affordable housing. Since these units are "new" to the City and private sector, it is my opinion that the units are subject to the 30% affordable set aside. Please telephone (850) 717-8494 for any additional information that is needed.

Sincerely,

A handwritten signature in black ink that reads "Rebecca Jetton". The signature is written in a cursive, flowing style.

Rebecca Jetton, Administrator  
Area of Critical State Concern Program