



CHAPTER 3: HOUSING ELEMENT

§3-1: HOUSING GOALS, OBJECTIVES, AND IMPLEMENTING POLICIES. This section stipulates goals, objectives, and implementing policies for the Housing Element pursuant to Florida Statute.

GOAL 3-1: HOUSING. Allocate land area for accommodating a supply of housing responsive to the diverse housing needs of the existing and projected future population and served by adequate public facilities; assist the private sector in: providing affordable quality housing in neighborhoods protected from incompatible uses; promote best practices of land use planning, urban design, and landscaping.

OBJECTIVE 3-1.1: PROVIDE QUALITY AFFORDABLE HOUSING AND ADEQUATE SITES FOR LOW AND MODERATE INCOME HOUSING. The City shall implement the below-stated policies in order to assist in accommodating existing and projected housing need.

Monitoring Measure: Number of affordable housing units provided (public housing and deed restricted affordable housing) compared to current and projected demand.

Policy 3-1.1.1: Housing Assistance, Information and Referral Services. The Key West Housing Authority shall manage the City's public housing and shall serve as the City's Community Development Office for purposes of Community Development Block Grant administration and continuing grantsmanship and program management. The Key West Planning Department and the Key West Housing Authority shall provide technical assistance, information and referral services to the private sector in order to maintain a housing production capacity sufficient to meet the projected housing market demand and continue to advance fair housing and elimination of discrimination in housing.

Policy 3-1.1.2: Developing Public/Private Partnerships. Develop local government partnerships with the private sector in order to improve the efficiency and expand the capacity of the housing delivery system.

Policy 3-1.1.3: Ratio of Affordable Housing to Be Made Available City-Wide: At least thirty percent (30%) of the aggregate of all residential units constructed each year in the City shall be affordable as herein defined in accordance with the adopted Workforce Housing Ordinance. Residential or mixed-use projects of less than ten (10) residential units shall be required to either develop thirty (30) percent of the units as affordable units on- or off-site, or contribute a fee in lieu thereof. However, residential projects of ten (10) units or more shall 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 included in the updated Land Development Regulations.

Policy 3-1.1.4: Building Permit Allocation System. The City of Key West shall annually allocate 91 building permits per year between 2013 and 2023, for a total of 910 permits. In order to address the ongoing affordable housing shortage and affordable housing deed restrictions expected to expire, during the first three years (July 2013 – July 2016) 60 percent of the units allocated shall be affordable. Between years four (4) and 10 (2016 – 2023), 50% shall be affordable. Between years four (4) and 10, 80 percent of remaining (non-affordability restricted) units shall be permanent, and 20 percent may be transient. During Year One (1) (July 2013 – 2014), 48 of the affordable units to be allocated will be in the transfer of Peary Court from military to private sector housing, which leaves 43 units to be allocated from the first allocation pool.

Policy 3-1.1.5: Affordable Housing Trust Fund. The City shall maintain an "affordable housing trust fund" with revenue received from "fees in lieu" of constructing required affordable housing as herein stipulated that is earmarked for the support and production of low and moderate income housing.

Policy 3-1.1.6: Impacted Land Uses. Any new commercial industrial, hotel/motel or multi-family housing development shall be required to provide affordable housing or pay "fees in lieu" to the Housing Trust Fund.

Policy 3-1.1.7: Affordable Housing Dwelling Unit Eligibility Requirements. The following criteria shall be required for dwelling units to qualify as affordable housing to the extent lawful; however, a waiver mechanism shall be provided in the Land Development Regulations.

1. The dwelling unit shall have a sale price (including escrow requirements) less than or equal to three (3) times the median household income in Key West, or have rental rates, including sewer and solid waste charges, which are less than or equal to thirty (30) percent of median household income in Key West.
2. The dwelling unit shall be occupied by a household which meets all the "Applicant Eligibility Requirements for Affordable Housing" as herein stated.
3. The landlord of rental units shall perform routine maintenance and keep the units in standard condition.
4. The parcel and development shall meet all requirements of the City of Key West Land Development Regulations for the district in which the parcel is located.
5. Sites for affordable housing shall be approved if such sites have access to the following facilities, services and/or activity centers:
 - a. Serviced by potable water and central wastewater systems;
 - b. Accessible to employment centers, including shopping centers which accommodate stores offering household goods and services needed on a frequent and recurring basis;
 - c. Located on a paved street accessible to a major street (i.e., included in the City's major thoroughfare plan);
 - d. Accessible to public parks, recreation areas, and/or open space systems; and
 - e. Located on sites having adequate surface water management and solid waste collection and disposal.

Fees in lieu of construction of affordable housing shall be paid by developers if sites having required affordable housing do not have access to the facilities, services and/or activity centers listed above.

If possible, affordable housing sites should be accessible to social service centers which offer such services as counseling and day care.

6. Demonstration of continuing affordability shall be by permanent deed restriction or any other method that effectively runs with the land.
7. The City will give priority to fill affordable housing vacancies which are accessible to the elderly or disabled non-elderly as well as priority to veterans.
8. The City will direct priority to occupancy of larger sized affordable housing units by families with more than four members.

Policy 3-1.1.8: Affordable Housing Applicant Eligibility Requirements. The following eligibility criteria shall be required for households qualifying for affordable housing units to the extent lawful; however, a waiver mechanism shall be provided in the Land Development Regulations.

1. The household shall derive at least seventy percent (70%) of its household income from gainful employment in the City of Key West.
2. The total income of eligible households shall not exceed 140% of the median income for the City of Key West.
3. Eligibility is based on proof of legal residence in Key West for at least 12 months.
4. Single persons eligible for affordable housing shall be 18 years or older.
5. Priority shall be given to applicants whose head of household is elderly, disabled non-elderly, or a veteran.
6. Priority shall be given to larger families for larger sized affordable housing units.
7. The applicant shall execute a sworn affidavit stating the applicant's intention to occupy the dwelling unit.

Policy 3-1.1.9: Relocation. Low and moderate income families who meet the "Affordable Housing Applicant Eligibility Requirements" and occupy housing which meets "Affordable Housing Dwelling Unit Eligibility Requirements" as herein stated shall not be displaced off-site by redevelopment activities which permit residential use.

Policy 3-1.1.10: Design Guidelines for Affordable Housing. Design elements which have proven successful in affordable housing developments which shall be encouraged by the City include:

1. Use of familiar material and forms;
2. Residential appearance;
3. Generous natural light and ventilation;
4. Private, easily identifiable outdoor space such as front porches;
5. Safe, well-lit areas for mail collection and group activities;
6. Front entrances visible from street or public areas;
7. Clear separation between cars and people; and
8. Barrier-free design for the elderly and handicapped.
9. Use of alternative energy technology for purposes of conserving natural resources and reducing user costs.

Policy 3-1.1.11: Selecting Sites for Affordable Housing for Low and Moderate Income Households. The City shall continue to enforce its Land Development Regulations in order to include principles and criteria for locating low and moderate income housing. The City shall continue to promote access to a broad range of housing opportunities with a full complement of urban services through cooperation and coordination with the private sector and Monroe County.

Sites for affordable housing for low and moderate income households shall be approved if such sites have access to the following facilities, services and/or activity centers:

1. Serviced by potable water and central wastewater systems;
2. Accessible to employment centers, including shopping centers which accommodate stores offering household goods and services needed on a frequent and recurring basis;
3. Located on a paved street accessible to a major street (i.e., included in the City's major thoroughfare plan);
4. Accessible to public parks, recreation areas, and/or open space systems; and
5. Located on sites having adequate surface water management and solid waste collection and disposal.

Policy 3-1.1.12: Federal, State and Local Subsidy Programs. Annually the City shall promote the use of federal, state, and local subsidy programs, including Sec. 208 funding, to meet the need for affordable

housing. The City Planner or other City representative directed by the City Manager shall meet with the Monroe County Planning Director and the Director of the City of Key West Housing Authority and shall continue to perform annual evaluation of affordable housing needs within the incorporated and unincorporated areas. The program shall include annual assessments, including recommended actions for the ensuing year. The annual assessment of affordable housing needs shall be presented to the City Planning Board and the City Commission for action.

Policy 3-1.1.13: South Florida Regional Planning Council Initiatives. The City shall participate in South Florida Regional Planning council initiatives directed toward educating local governments of new techniques especially programs applicable to the region and/or the County, for promoting affordable housing. In drafting updated Land Development Regulations, the City shall ensure that regulatory techniques and review procedures do not create barriers to affordable housing. The City shall also promote nondiscrimination in access to housing within the City by promoting fair housing laws and practices.

Policy 3-1.1.14: Redevelopment of Sale of Former Military Properties. When military properties are redeveloped or sold for residential use, at least 30% of the units must be affordable.

OBJECTIVE 3-1.2: MAINTAIN HOUSING STOCK FREE OF SUBSTANDARD UNITS. The City of Key West shall continue to use the Community Development Block Grant Program and code enforcement programs to take necessary actions to correct existing deficiencies in order to achieve a housing stock free of substandard units.

Monitoring Measure: Number of substandard units that have been corrected through code enforcement action or rehabilitation programs.

Policy 3-1.2.1: Elimination of Substandard Housing Conditions and Structural and Aesthetic Improvement of Housing. The City shall continue to implement code enforcement provisions designed to enforce the housing code and the Florida Building Code in order to protect and preserve the structural integrity and aesthetics of the City's housing stock. Substandard housing units shall continue to be identified. The City shall contact owners of substandard housing units in order to communicate necessary corrective actions and assist by informing owners of available federal, state and local housing assistance programs. Similarly, the City shall use the Community Development Block program to attract funds for necessary improvements.

OBJECTIVE 3-1.3: MANUFACTURED HOUSING. The City of Key West shall accommodate the demand for manufactured housing within its corporate limits at appropriate sites. In the event that existing mobile home or manufactured housing sites are redeveloped, 30 percent of the units shall be affordable.

Monitoring Measure: Number of affordable housing deed restrictions that have resulted from the redevelopment of manufactured or mobile home sites.

Policy 3-1.3.1: Location and Building Code Compliance. Building Codes within the City shall be consistent with State mandated criteria governing construction in coastal area. The City's Land Development Regulations shall continue to allow manufactured housing in all residential zoning districts provided the manufactured housing complies with applicable Building Code and Land Development Regulations, including the City's historic guidelines which shall govern all structures with the Old Town Historic District.

OBJECTIVE 3-1.4: PROVIDE OPPORTUNITIES FOR GROUP HOMES, HOUSING FOR THE

ELDERLY AND FOSTER CARE FACILITIES. Pursuant to State requirements, the City shall promote housing opportunities to meet the unique housing needs of the elderly, dependent children, the physically and mentally handicapped, the developmentally disabled, and the homeless.

Monitoring Measure: Number of assisted units or shelter beds that are provided in the City to meet the needs of the homeless or special needs groups.

Policy 3-1.4.1: Group Homes. Group homes are allowed in multiple family zoning districts providing they meet criteria established by Florida. In addition, such facilities shall be regulated in order to manage their location and intensity, including impacts on infrastructure and to encourage development on sites accessible to public and private services generally required by group home residents.

Policy 3-1.4.2: Housing for the Elderly. The City shall encourage the development of housing alternatives specially designed for the elderly, including but not limited to adult care living facilities. Sites for housing for the elderly shall be approved if such sites have access to the following facilities, services and/or activity centers:

1. Serviced by potable water and central wastewater systems;
2. Accessible to employment centers, including shopping centers which accommodate stores offering household goods and services needed on a frequent and recurring basis;
3. Located on a paved street accessible to a major street (i.e., included in the City's major thoroughfare plan);
4. Accessible to public parks, recreation areas, and/or open space systems; and
5. Located on sites having adequate surface water management and solid waste collection and disposal.

Policy 3-1.4.3: Housing for the Homeless. The City shall identify methods, practices, funds and sites for the establishment of temporary and transitional housing and shelters for the homeless.

OBJECTIVE 3-1.5: PRESERVE HISTORICALLY SIGNIFICANT HOUSING. Housing resources identified as historically significant shall be preserved and protected for residential uses. The City shall continue to enforce the historic preservation guidelines adopted by the City's Historic Architectural Review Commission (HARC) in order to preserve the historic district (i.e., predominantly Old Town Key West, including the abundant housing resources of historic significance. Old Town defines an area of historic ambiance which is vital to the economic base of Key West since it attracts tourists and residents to this island community. The future development of Old Town shall continue to be carefully managed through the Land Development Regulations. These regulations shall protect and preserve waterfront areas, a major natural amenity of the historic district.

Monitoring Measure: Number of protected historically significant housing units.

Policy 3-1.5.1: Promote Identification of the City's Historically Significant Housing Resources. The City shall encourage the continued analysis, identification and preservation of the City's historical resources.

Policy 3-1.5.2: Rehabilitation and Adaptive Re-Use of Historically Significant Housing. Assist the rehabilitation and adaptive re-use of historically significant housing through available technical and economic assistance programs. These efforts shall be coordinated with the State Division of Historical Resources.

Policy 3-1.5.3: Use of Subsidies and Grantsmanship Activities for Housing. The City shall assist

households within the City in need of housing resources, home repair, low and moderate income housing, or funds to preserve historically significant housing by undertaking grantsmanship activities necessary to obtain available State, federal, and local subsidies to remedy the identified housing needs.

Policy 3-1.5.4: Identification of Conservation, Rehabilitation or Demolition Activities, and Historically Significant Housing or Neighborhoods. The City shall continue to maintain a program of housing stock conservation, rehabilitation and demolition as may be appropriate. The City shall work with the City's Historic Architectural Review Commission (HARC) in identifying all locally historically significant structures and shall regulate preservation of such structures through the historical preservation ordinance. Coordination with the private sector, and the transfer of information related to public assistance for the renovation of historically significant structures shall be encouraged. The City of Key West shall assist the Historic Architectural Review Commission (HARC) in its efforts to provide public information, education, and technical assistance relating to historic preservation programs.

Policy 3-1.5.5: Improving Condition of Historic Housing Resources. Identify substandard housing listed in the Florida Master Site File and initiate a technical assistance program using historic preservation as a tool to revitalize deteriorating housing without causing displacement utilizing a range of funding sources and approaches.

Policy 3-1.5.6: Consideration of Historic Resources in Planning Studies. All public sector planning studies of neighborhoods, housing, transportation, drainage, stormwater and utilities will identify the presence of historic resources and the impact of any proposals on these resources.

Policy 3-1.5.7: Public Improvement Strategy for Enhancing Historic Resources. Maintain public improvement programs for the National Register Historic District.

Policy 3-1.5.8: Design of Public Improvements in Historic Neighborhoods. When public improvements such as street lights, signage, sidewalks, traffic lights, and utilities are scheduled for replacements in recognized historic neighborhoods, those replacements shall be compatible with the character of the neighborhood. HARC shall review the design concepts and building materials to prevent intrusion by incompatible structures.

OBJECTIVE 3-1.6: RELOCATION HOUSING. Uniform and equitable treatment of persons and businesses displaced by State and local government programs shall be provided consistent with applicable State statutes.

Monitoring Measure: Number of households provided with relocation assistance.

Policy 3-1.6.1: Provide Alternative Housing Sites for Displaced Structures and Residents Thereof. Coordinate with the private sector in ensuring that alternative sites in comparable housing facilities are available to persons displaced through public action prior to their displacement.

OBJECTIVE 3-1.7: CONSERVE NEIGHBORHOOD QUALITY AND EXISTING HOUSING STOCK. Neighborhoods shall be preserved through encouraging rehabilitation and/or basic maintenance of housing stock. Emphasis shall be placed on conservation of natural resources, maintenance of community facilities and enforcement of Codes.

Monitoring Measure: Number of substandard units that have been corrected through code enforcement action or rehabilitation programs.

Policy 3-1.7.1: Promote Maintenance of Housing Stock and Neighborhood Conservation. The City

shall enforce all Building Code provisions and Land Development Regulations to promote maintenance of housing stock. Necessary corrective action shall be taken where non-compliance exists or when it comes into existence in the future.

Policy 3-1.7.2: Plan Supportive Facilities and Services Necessary for Quality Residential Neighborhoods. Sufficient systems for delivery of public facilities and services supportive to a quality residential environment shall be planned, designed and implemented. Such facilities shall include, but not be limited to, central water and wastewater services as well as maintenance of the roadway network and surface water management system. A capital improvement program and budget predicated on continuing review and evaluation of evolving housing problems and related infrastructure issues shall be the principal tool for realizing this objective.

Policy 3-1.7.3: Minimize Potential Blighting Influences. Potential blighting influences within residential areas shall be minimized by promoting use of best management principles and practices of land use planning, urban design and landscaping in development and site plan review. For instance, adverse impacts of land use transition shall be minimized by managing the location as well as the density or intensity of mixed or conflicting residential and nonresidential uses and by requiring adequate screening, landscaping, and other design features which promote land use compatibility and appropriate land use transition. The City shall continue to administer, and enforce a site plan review process. In addition, the City shall continue to implement a multi-agency technical review process to ensure greater efficiency in managing intergovernmental issues generated by large scale development.

Policy 3-1.7.4: Coordinate Public/Private Partnerships. In addressing housing issues requiring unique partnerships involving the public and private sector, the City shall promote effective communication and innovative approaches which involve partnerships between the public and private sectors.

Policy 3-1.7.5: Continuing Housing Programs. The City shall carry out the following housing related programs:

1. **Population and Housing Research and Information System.** Maintain and periodically update the population and housing information system.
2. **Housing Trends.** Monitor and evaluate population and housing trends. Analysis of land use interrelationships shall be included in the continuing evaluation.
3. **Review Plans and Policies.** Review and amend as necessary adopted plans and policies based on continuing analysis of problems and issues related to housing and other plan elements. Major shifts in the magnitude, distribution, and demographic characteristics of the population which are indicative of changes in housing demand shall be analyzed. Similarly, shifts in the magnitude, distribution and structural characteristics of the City's housing stock shall be analyzed on a continuing basis.
4. **Fiscal Management.** Review and evaluate residential development and infrastructure policy, including fiscal implications. Each year fiscal management policies including the capital improvement program and budget shall be reviewed, evaluated and refined to reflect current program priorities.
5. **Administer Housing Code and Other Related Codes.** Administer adopted housing and energy codes and other housing related codes.
6. **Public Assistance and Information Referral.** Provide housing information and referral services to the public pursuant to adopted goals, objectives and policies of this Housing Element.
7. **Intergovernmental Coordination.** Coordinate local housing program activities including discussions of related fiscal problems and issues with other public agencies at all levels of government pursuant to the Intergovernmental Element of this Plan.
8. **Manage Current Developmental Impacts.** Evaluate and manage impacts of proposed

development pursuant to existing ordinances, including, but not limited to, impacts on residential neighborhoods, local housing supply and demand, public facility impacts, and natural environmental factors.

9. **Continuing Refinement of Housing Policies.** The City shall maintain a continuing review and evaluation of housing policies as identified in this Element.

Policy 3-1.7.6: Special Housing Studies. In order to maintain housing policies responsive to changing conditions, problems, and issues, the City shall undertake special housing studies as needed in order to develop specific local strategies for resolving unanticipated housing problems and issues.

Policy 3-1.7.7: Energy Saving Design and Construction Features. The City shall adopt minimum requirements in its Land Development Regulations to require new residential development and redevelopment to incorporate energy saving design and construction features, such as adequate insulation, solar power, less heat-absorbent roofing materials, and increased tree canopies, into design, construction and site development plans. Prior to the inclusion of these requirements the City shall continue to promote and/or require energy and resource conservation measures (i.e. xeriscaping, landscaping standards) as a component of development and redevelopment to the maximum extent feasible.

OBJECTIVE 3-1.8: CONTINUING EVALUATION OF HOUSING ELEMENT EFFECTIVENESS. The City shall use the following policies as criteria in evaluating the effectiveness of the Housing Element.

Monitoring Measure: Conducting an assessment of housing needs as part of the Evaluation and Appraisal Report.

Policy 3-1.8.1: Review the Impact of Change Indicators on Housing Policy. Major shifts in the magnitude, distribution, and characteristics of population and housing shall serve as indicators of change in various aspects of housing supply and demand. The policy implications of major changes in housing supply and demand shall be evaluated on a continuing basis. Housing policy shall be refined as needed in order to remain responsive to changing problems and issues.

Policy 3-1.8.2: Schedule, Budget and Implementing Programmed Activities. The timely scheduling, programming, budgeting and implementation of housing programs identified in this Element shall be evidence of the City's effectiveness in carrying out a systematic program for implementing adopted housing goals, objectives, and policies.

Policy 3-1.8.3: Coordinate with Public and Private Sectors. While continually implementing and evaluating the Housing Element, the City shall maintain a process of intergovernmental coordination as well as coordination with private sector groups interested in housing policy and programs. The effectiveness of this approach shall be evaluated by the success of coordination mechanisms in resolving housing problems and issues.

Policy 3-1.8.4: Achieve Effective Resolution of Housing Goals, Objectives, and Policies. The effectiveness of the Housing Element shall be measured by the City's success in achieving housing goals, objectives, and policies. The Housing Element incorporates a systematic planning process for identifying housing problems and issues and corrective actions.