



Islamorada, Village of Islands

ACHIEVABLE HOUSING CITIZENS ADVISORY COMMITTEE

October 16, 2023 - 5:00 PM

Administrative & Public Safety Headquarters
3rd Floor Conference Room and Zoom Communications
86800 Overseas Highway Islamorada, FL 33036

The Achievable Housing Citizens Advisory Committee has resumed the in-person regular meeting format. Virtual participation is still available to the public. Please see the last page of the agenda for participation details.

AGENDA

- I. CALL TO ORDER / ROLL CALL**
- II. ADDITIONS AND / OR DELETIONS TO THE AGENDA**
- III. PUBLIC COMMENT**
- IV. AGENDA ITEMS**
 - A.** Welcome and Introductions.
 - B.** Approval of meeting minutes from the last meeting.
 - C.** Election of Chair and Vice Chair.
 - D.** Create a work plan for the year.
 - E.** Comp Plan Update 300 affordable
- V. OLD BUSINESS**
- VI. STAFF UPDATE**
- VII. ACTION ITEMS LIST**
(A running list of items that the committee would like to work on in the future)
- VIII. ADJOURNMENT**

Options for Viewing the Achievable Housing Meeting:

If watching online via Zoom: Open the Zoom webinar link:

<https://us06web.zoom.us/j/98771999589> and follow the prompts to join the webinar.

Option 1: Email your comments.

1. Public comment should be submitted via email to: anita.muxo@islamorada.fl.us
2. The email should contain "Public Comment" in the subject line.
3. The name and address of the submitter shall be included in the email.
4. Public comment should be submitted by 9 a.m. the day of the meeting. Public comment will be sent to the committee members for consideration prior to the meeting. Public comments will not be read during the meeting.

Option 2: Call in During the Meeting.

If phoning in, dial 305-224-1968 and enter the webinar ID: **987 7199 9589** followed by **#**. When public comment opens pertaining to the agenda item you are interested in dial ***9** to be recognized by the Zoom meeting monitor.

ADA Assistance:

These meetings are open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the ADA Coordinator at (305) 664-6448 or by email at ADA@islamorada.fl.us at least 48 hours before the scheduled meeting



Islamorada, Village of Islands

ACHIEVABLE HOUSING CITIZENS ADVISORY COMMITTEE

May 15, 2023 - 5:00 PM

Administrative & Public Safety Headquarters
3rd Floor Conference Room and Zoom Communications
86800 Overseas Highway Islamorada, FL 33036

MINUTES

I. CALL TO ORDER / ROLL CALL

Chair Don Horton called the meeting to order at 05:00 PM. Present were Chair Don Horton, Vice Chair Lorie Lalonde, Committee Members Keith Douglass, Greg Dully, Lindsay Fast, Sue Miller, Village Consultant Rebecca Jetton and Recording Secretary Anita Muxo.

II. ADDITIONS AND / OR DELETIONS TO THE AGENDA

Affordable Housing Impact Fees - Sue Miller.
Update on Woods Avenue- Sue Miller.

III. PUBLIC COMMENT

Deb Gillis decided to attend because she can provide some background on inclusionary fees.

IV. AGENDA ITEMS

A. Approval of meeting minutes of April 24, 2023.

(10:38 minutes into the meeting) Keith Douglass made a motion to approve the minutes of the Monday, April 24, 2023 regular meeting. Sue Miller seconded the motion.

A vote was taken, (all ayes) and the motion passed 6 – 0.

B. Compliance Monitoring 2023.

(29:19 minutes into the meeting) Chair Don Horton stated that the Village is not getting any compliance monitoring done. The committee reviewed the affordable housing inventory list. Homestead vs. non-homestead properties were discussed as well as enforcement of income verification. It was agreed that compliance efforts should be geared toward rentals.

There are approximately 30 renter occupied deed restricted affordable units after you subtract Wet Net and Habitat that will need income verification follow up.

C. Review of the Director of Planning and Development Services update memo to the Village Council.

(12:12 minutes into the meeting) Chair Don Horton reviewed the April 24th memo put together by Dan Gulizio. Would like the memo to include:

- How many times has the consultant reached out to the owners of the affordable housing inventory?
- Costs associated with compliance monitoring.
- How many people have supplied the Village with income verification?
- Confirm the response rate and what the responses revealed.
- A date to revise the deed restrictions.

Chair Don Horton feels it is important for the Council to understand what is not being done.

Deb Gillis stated that Rick Casey had the original contract for compliance monitoring. Staff were dissatisfied with the work that was being done and brought the work in house. The work was not being done in-house and that is when it went out for bid. Corradino was then awarded the contract.

(24:45 minutes into the meeting) Inclusionary fees discussion ensued.

D. Achievable Housing Committee work moving forward.

(53:14 minutes into the meeting) At the last meeting, the new application for committee membership was discussed. Chair Don Horton mentioned that an email was sent out saying that every committee member must apply if they want to be on a committee. Keith Douglass will not reapply. The committee selection and interview process was discussed. Lindsay Fast has applied. Sue Miller is still considering. Lorie Lalonde would not confirm. Greg Dully plans to apply. Chair Don Horton never answered.

(1:03 minutes into the meeting) Chair Don Horton brought up the idea of changing the committee's name to the Workforce Affordable Housing Committee. Discussion on the subject ensued. The entire committee agreed to the name change.

E. Preliminary discussion of 300 affordable allocations from the state.

(1:07 minutes into the meeting)

How would the allocations be distributed?

Set up a BPAS system?

How many allocations are issued per year?

Village Consultant Rebecca Jetton suggested holding on to all the allocations Islamorada is awarded before sending them out to other jurisdictions.

Greg Dully brought up the dilemma that there is very little zoning in the Village, that is R2. It is not cost effective to build a single affordable housing home in a R1 lot.

Rebecca Jetton suggested the planning department look at R1 lots for potential rezoning to R2, R3, R4, etc.

Village Consultant Rebecca Jetton indicated she will have a conversation with the Director of Planning Dan Gulizio about some of these committee ideas. Ms. Jetton indicated that a code would have to be drafted for the 300.

V. OLD BUSINESS

(1:23 minutes into the meeting) Sue Miller brought up affordable housing in lieu of fees. Ms. Miller used the West Marine example, where they could either build 4 affordable housing units or pay in lieu fees of \$104,000. She suggested increasing the in lieu fee percentage to increase the affordable housing fund.

A brief discussion ensued about Gorman keeping the affordable housing allocations on Woods Avenue.

VI. STAFF UPDATE

- A. Next meeting date
Monday, June 19, 2023

VII. ACTION ITEMS LIST

(A running list of items that the committee would like to work on in the future)

- A. Vacation Rentals - Sue Miller

VIII. ADJOURNMENT

Lindsay Fast made a motion to adjourn. Lorie Lalonde seconded the motion. All ayes and the meeting adjourned at 6:36 PM.

ORDINANCE NO. 23-

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING POLICY 1-3.1.1, "ESTABLISH A BUILDING PERMIT ALLOCATION SYSTEM," OF THE VILLAGE COMPREHENSIVE PLAN RELATING TO ESTABLISHING ADDITIONAL NON-RESIDENTIAL BUILDING PERMIT ALLOCATIONS; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, Islamorada, Village of Islands, Florida (the "Village") proposes to amend (the "Amendment") the Village Comprehensive Plan (the "Comprehensive Plan"); and

WHEREAS, the Village's Comprehensive Plan became effective December 6, 2001; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to periodically assess the status of the adopted Comprehensive Plan in adequately addressing changing conditions; and

Whereas, The Village has a need for additional market rate units to address pending applications for residential development; and

Whereas, The Village needs additional Non-residential building allocations to implement Conditional Use applications which have been approved by Council; and

Whereas, The Village has access to 10.25 building permit allocations resulting from a 380.032 Fl. Statutes Agreement which must be documented within a Comprehensive Plan amendment.

WHEREAS, the Village has conducted duly noticed public hearings for the Comprehensive Plan Amendment pursuant to Section 163.3184(11), Florida Statutes; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes and Sections 30-101 of the Village Code, the Local Planning Agency publicly considered this Ordinance during a duly noticed public hearing; and

WHEREAS, the provisions of this Ordinance are consistent with the Village Comprehensive Plan and the principles for guiding development in the Florida Keys Area of Critical State Concern; and

WHEREAS, this Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act; and

WHEREAS, the Village Council finds that the adoption of this Ordinance is in the best interest of the Village and does comply with all applicable laws, as well as promotes the general health, safety, and welfare of the Village 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. Amendment to the Comprehensive Plan. That Chapter 1, "Future

Land Use Element", Policy 1-3.1.1, of the Comprehensive Plan is hereby amended as follows¹:

Future Land Use Element

Policy 1-3.1.1: Establish a Building Permit Allocation System (BPAS). The Village's Building Permit Allocation System shall award all building permits for new residential and non-residential construction unless otherwise exempted by ordinance or by provisions within this Plan. The annual allocation shall be approved if hurricane evacuation clearance time does not exceed 24 hours. The Village shall cease issuing permits under the annual allocation once the hurricane evacuation clearance time provided Monroe County, Key West and Marathon also cease issuing permits, except that the Village may voluntarily do so.

RESIDENTIAL AND NON-RESIDENTIAL SCHEDULE

YEAR	RESIDENTIAL DWELLING UNITS			NONRESIDENTIAL FLOOR AREA
CURRENT	Maximum Market Rate	Minimum Affordable Housing	Total	Square Feet
	22	6	28	2,500

RESIDENTIAL DWELLING UNITS			NONRESIDENTIAL FLOOR AREA
Maximum Market Rate	Early Out Affordable Housing	Minimum Affordable Housing	Square Feet Available
10	300	3	71,700
Allocations: 10 within first year of approval after adoption by DEO, then 0	Allocations: Any number authorized in public hearing up to 300 units	Allocations: 3 within first year of approval after DEO adoption, then 0	Allocations: 7,170 Square Feet annually through 2033

¹ Additions to text are underlined, deletions to text are ~~strikethrough~~.

	OR 30 per year with borrow forward approved by Council		
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source: Rule 28-19.300 FAC

Residential Building Permit Allocation System. The indicated allocations are the maximum annual allocations that shall be awarded by Islamorada, Village of Islands through the BPAS. Unused market rate allocations shall be available for Administrative Relief. Unused affordable housing allocations shall be rolled over into the following year's affordable housing allocation. Excluding those awarded through the beneficial use or administrative relief processes, no more than one development permit per Program Year may be allocated in a manner which would result in the clearing of high-quality hammock.

Pursuant to Rule 28-19 F.A.C., the Village shall allocate residential and non- residential allocations in a manner consistent with the requirement to maintain a 24-hour permanent population evacuation. Islamorada, Village of Islands reserves the right to accept its equitable share of the Keys-wide allocation to distribute consistent with the goals, objectives, and policies of this Plan. Detailed allocation procedures for distributing available awards shall be adopted through Land Development Regulations, including point criteria consistent with the goals, objectives, and policies of the revised Comprehensive Plan through 2033, the planning horizon. Any building allocation remaining from the original 380 awarded in 2013 will be distributed based upon current land development regulations. Should the Council determine that the quarterly allocations should be reduced per quarter, this will be adopted through a land development regulation approved by the State Land Planning Agency, Department of Commerce Economic Opportunity.

Non-Residential Building Permit Allocation System.

Development Regulations shall include procedures for the distribution of the available non- residential floor area shown in the schedule. All applications for the issuance of non-residential square footage must demonstrate the ability to bring the site into compliance with all applicable Land Development Regulations, including environmental standards, to be further considered. **In the event Workforce-Early Out Affordable units are transferred across jurisdictional lines, the transfer shall not become effective until the Village executes an interlocal agreement with the receiving local government and adopts a comprehensive plan amendment reducing the non-Residential allocation by 239 square feet for each Early out unit transferred across jurisdictional lines.** Thereafter, applications shall be evaluated and ranked based on project merit, including consideration of the following:

- A. Focus on redevelopment versus new development.

- B. The development potential of the site.
- C. Focus Provision of amenities associated with the proposed development.
- D. Provision of affordable housing in conjunction with the proposed project; and
- E. Policy 2-1.2.8: Address Long Term Strategies to Reduce Clearance Time.
 - 1. The Village shall address long term strategies to reduce clearance time and coordinate permit allocations by implementing the following program in coordination with FL Department of Transportation (FDOT), FL Department of Commerce ~~Economic Opportunity~~ and other local governments in the Keys and the Tourist Development Council to achieve consensus on long term strategies to further reduce clearance time and accommodate proposed allocations Keys-wide through the Year 2033 and revise any short term interagency/interlocal agreements to provide a schedule for implementing strategies, specify responsibilities for implementing the strategy, including shared funding, and determine the share of allocation available for each jurisdiction based on the ability to maintain clearance time at or below 24 hours.
 In any Keys-wide reduction in allocation, the Village asserts that the Administrative Commission should and will request it to consider and prorate any voluntary reduction in allocation adopted by the Village; and
 - 2. Amend data and analysis and plan to incorporate strategy; revise capital improvements schedule to incorporate necessary transportation projects adopted for Islamorada; and amend permit allocation system based on adopted strategy and ability to maintain clearance time at or below 24 hours.

Section 3. Transmittal. Pursuant to Sections 163.3184, Florida Statutes, the Village Clerk is authorized to forward a copy of this Comprehensive Plan Amendment to the State Department of Commerce.

Section 4. 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 5. Effective Date. This Ordinance shall not become effective until a Notice of Intent has been issued by the Department of Commerce finding the Comprehensive Plan Amendment to be in compliance as defined in Section 163.3184(1)(b), Florida Statutes. If timely challenged, the Comprehensive Plan Amendment shall not become effective until the Department of Commerce enters a final order determining the adopted Comprehensive Plan Amendments to be in compliance.

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

Mayor Joseph B. Pinder III _____

Vice Mayor Sharon Mahoney _____

Councilwoman Elizabeth Jolin _____

Councilman Mark Gregg _____

Councilman Henry Rosenthal _____

PASSED on first reading this _____ day of _____, 2023.

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

Mayor Joseph B. Pinder III

Vice Mayor Sharon Mahoney

Councilwoman Elizabeth Jolin

Councilman Mark Gregg

Councilman Henry Rosenthal

PASSED AND ADOPTED on the second reading this ____ day of _____, 2023.

JOSEPH B. PINDER, III, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN J. QUICK, INTERIM VILLAGE ATTORNEY