

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: January 19, 2012
Bulk Item: Yes X No

Division: Growth Management
Department: Planning & Environmental Resources
Staff Contact Person: Townsley Schwab/ Tiffany Stankiewicz
305 289- 2523 ,(305) 289- 2513

AGENDA ITEM WORDING: Approval of a resolution for a four (4) month reservation of sixteen (16) affordable dwelling unit ROGO allocation awards for Caya Place LLC on Big Pine Key on the eastern parcel (RE 00111078.000000) of property located at 30641 US Highway 1 (aka Skeeter's Marine).

ITEM BACKGROUND: The owner of the property, Richard C. Beal, has requested the reservation of sixteen (16) affordable dwelling unit ROGO allocation awards. Since early 2008, Mr. Beal has proposed development of "Caya Place" on Big Pine at a location commonly known as Skeeter's Marine. He received a minor conditional use permit by Development Order 01-09 to develop the affordable housing project. To date, the building permit application deadline has been extended twice. First, the applicant received a two year extension pursuant to Senate Bill 360. Second, the applicant received a one year extension pursuant to the Monroe County Land Development County Code. To date, a building permit application relating to the scope of work has not been submitted. Thereby, the current deadline(s) to submit a building permit application is October 28, 2012. All required certificates of occupancy shall be procured within two (2) years of the date of issuance of an initial building permit [approximately October 28, 2014].

The BOCC reserved 16 affordable housing ROGO allocations for Caya Place LLC in March 2008, February 2009, and March 2010. The last reservation expired March 31, 2011. As of December 13, 2011, Mr. Beal has not applied for Building Permits for the proposed employee/affordable housing. Mr. Beal has requested the affordable housing allocations be reserved for the fourth time (attached).

Big Pine/No Name Key has 40 affordable housing allocations over the life of the Master Plan/Incidental Take Permit at a rate of 2 per year over 20 years, beginning in 2003 through 2023. When Caya Place requested 16 allocations, 6 had been awarded to other users and 6 remained available in the pool (2003 to 2009 = 6 years times 2 per year = 12 available). In order to accommodate Caya Place, 10 affordable housing allocations were borrowed from the future, which means the allocation was reserved through ROGO Year 21, ending July 12, 2013. Now that the reservation has expired, the affordable housing allocations have been returned to the ROGO pool. Big Pine/No Name Key sub-area has 14 affordable housing allocations available for ROGO Year 20 (July 13, 2011-July 12, 2012).

As of December 13, 2011, the Monroe County Building Department has 4 affordable/employee building permit applications in review on Big Pine Key.

In order to accommodate 4 potential applicants in building review plus 16 reservations, the board will need to reserve 10 from ROGO Year 20 and borrow from the next 3 ROGO Years (21, 22, & 23) at a rate of 2 per year.

PREVIOUS RELEVANT COMMISSION ACTION:

December 14, 2011 – BOCC gave staff direction to prepare a resolution for consideration to grant a 4 month reservation for 16 affordable housing allocations for the January 2012 board meeting.

September 21, 2011 – BOCC denied request for extending reservation

March 17, 2010 – BOCC approved resolution 090-2010 reserving 16 affordable dwelling units and reserving "H" value necessary for Caya Place LLC which expired March 31, 2011.

February 19, 2009 – BOCC approved resolution 060-2009 reserving 16 affordable dwelling units and reserving "H" value necessary for Caya Place LLC which expires March 19, 2010.

October 15, 2008 - BOCC approved Resolution 346-2008 reserving the "H" value necessary for a proposed affordable dwelling unit development for Caya Place LLC.

March 19, 2008 - BOCC approved Resolution 077-2008 reserving 16 affordable dwelling unit allocations for Caya Place LLC.

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATION: Approval

TOTAL COST: N/A **INDIRECT COST:** _____ **BUDGETED:** Yes ___ No N/A

COST TO COUNTY: N/A **SOURCE OF FUNDS:** N/A

REVENUE PRODUCING: Yes ___ No N/A **AMOUNT PER MONTH:** N/A Year ___

APPROVED BY: County Attorney X OMB / Purchasing _____ Risk Management ___

DOCUMENTATION: Included X Not Required _____

DISPOSITION: _____ **AGENDA ITEM #** _____

RESOLUTION NO. _____-2012

A RESOLUTION OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING A FOUR MONTH RESERVATION FOR THE RESERVATION OF SIXTEEN AFFORDABLE DWELLING UNIT ALLOCATIONS FOR A PROPOSED AFFORDABLE/EMPLOYEE DWELLING UNIT DEVELOPMENT ON BIG PINE KEY FOR CAYA PLACE LLC ON THE EASTERN PARCEL (RE 00111078.000000) OF PROPERTY LOCATED AT 30641 US HIGHWAY 1 (COMMONLY KNOWN AS SKEETER'S MARINE)

WHEREAS, the State of Florida and all local governments in the Florida Keys (each subject to Area of Critical State Concern mandates relating to housing affordability) recognize the need for affordable housing throughout the state and particularly in the Florida Keys where developable land for housing is extremely limited and expensive; and

WHEREAS, the challenge of providing affordable housing opportunities in the Florida Keys is one requiring sensible and responsive use of residential unit allocations, including implementation of long-term preservation mechanisms; and

WHEREAS, due consideration should be given to relevant factors such as the capacity for allocation recipients to promptly transform allocation awards/reservations into finished and occupied affordable/workforce housing units; and

WHEREAS, the developers have legitimate needs for some assurance that allocations are in fact and will remain available and/or justified for a reasonable time so that follow-through on initial commitments will in fact be justified; and

WHEREAS, in accordance with Strategy 3.3 of the Master Plan for Future Development of Big Pine Key and No Name Key, the county shall retain and expand availability of affordable housing within the planning area to the greatest extent possible; and

WHEREAS, on March 19, 2008, the BOCC approved Resolution 077-2008 reserving 16 affordable dwelling unit allocations for Caya Place LLC; and

WHEREAS, the BOCC, on October 15, 2008 approved Resolution 346-2008 reserving the "H" value necessary for 16 proposed affordable dwelling units; and

WHEREAS, the BOCC, on February 19, 2009 approved Resolution 060-2009 extending the reservation of "H" value and 16 affordable housing ROGO allocations for the Caya Place LLC affordable housing project; and

WHEREAS, the BOCC, on March 10, 2010 approved Resolution 090-2010 extending the reservation of "H" value and 16 affordable housing ROGO allocations for the Caya Place LLC affordable housing project until March 31, 2011; and

WHEREAS, the developer did not commence construction of the 16 affordable housing units by March 31, 2011, therefore, the ROGO allocations and "H" reservation expired March 31, 2011; and

WHEREAS, the developer has requested an extension for the "H" value reservation and 16 affordable dwellings unit allocations; and

WHEREAS, because of the current economic conditions, the developer wants an assurance that the reserved ROGO allocations for the 16 affordable housing units for the proposed development at Caya Place LLC will be available; and

WHEREAS, an extension of the minor conditional use was granted so that the developer must apply for building permits no later than October 28, 2012; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1: The Monroe County Planning Department shall reserve sixteen (16) affordable ROGO allocations for employee housing for the Caya Place LLC project on Big Pine Key for four months or until May, 19th, 2012.

Section 2: The developer must obtain building permit(s) for the sixteen (16) affordable/employee housing units on or before May 19th, 2012.

Section 3: The developer shall comply with all Monroe County requirements, all applicable Building Code requirements, and any other oversight agencies.

Section 4: The Planning and Building Department Staff is hereby authorized to expeditiously process permit related applications for the above referenced project when received.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the 19th day of January, 2012.

Mayor David Rice _____
Mayor Pro Tem Kim Wigington _____
Commissioner Heather Carruthers _____
Commissioner George Neugent _____
Commissioner Sylvia Murphy _____

BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA

BY _____
Mayor David Rice

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

DEPUTY CLERK

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM
[Signature]
Date: 01-3-12