

Sponsored by: Burnett

**CITY OF MARATHON, FLORIDA
RESOLUTION 2008-125**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, PROVIDING AN ADJUSTMENT TO THE EMPLOYEE HOUSING LIVING SPACE PROVISIONS OF THE CITY OF MARATHON LAND DEVELOPMENT REGULATIONS, SECTION 104.25, HOTELS OR MOTELS, AS IS CONTEMPLATED TO OCCUR FROM TIME TO TIME AT THE DIRECTION OF THE CITY COUNCIL; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Chapter 104, Article 1 of the City of Marathon Land Development Regulations (the “LDRs”) provides Specific Use Regulations for certain land uses within the City; and

WHEREAS, Chapter 104.25, Hotels and Motels, of the LDRs provides Specific Use Regulations for the development or redevelopment of hotel and motel facilities located within the City; and

WHEREAS, Section 104.25 A. 4. of the LDRs states that “All hotel or motels shall provide on- or off-site employee housing living space in an amount equal to a minimum of 20 percent of the approved floor area in guest units...”; and

WHEREAS, Section 104.25 A. 4. of the LDRs contemplates that the City Council may from time to time adjust the percentage of required employee housing living space based upon relevant economic conditions; and

WHEREAS, on July 22, 2008 the City Council reviewed the existing requirements for affordable housing in the redevelopment of hotels and motels within the City; and

WHEREAS, based on their review, the City Council has made determined that in general a requirement that hotel or motel projects provide an employee housing living space component is critical and must remain in place in accordance with Section 104.25 A. 4. of the LDRs; and

WHEREAS, further based on their review, it is the direction of the City Council that in cases when proposed renovation or re-development of existing hotels or motels provides for a simple replacement of existing facilities, then no affordable housing component is required; and

WHEREAS, it is the City Council’s direction that this determination will be considered an adjustment in the policy regarding employee housing living space as contemplated in Section 104.25 A. 4. of the LDRs; and

WHEREAS, it is also the direction of the City Council that there be a clear concise set of criteria that staff will use to determine the applicability of this adjustment to Section 104.25 A. 4. of the LDRs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, that:

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

Section 2. City Council hereby approves the following criteria and instructs City staff that these criteria be utilized to determine when and if an exception to the requirement for employee housing living space for the redevelopment of hotels or motels shall be allowed:

An exception to the requirement for on- or off-site employee housing living space for hotel/motel redevelopment may be recommended by the Planning Director, the Planning Commission, and approved by the City Council as part of a Conditional Use and/or Development Agreement when the following criteria are met:

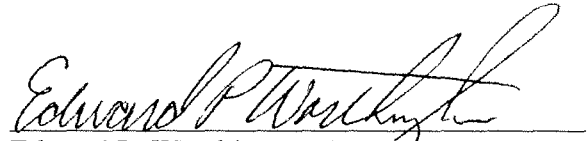
1. No increase in the number of hotel / motel transient units (unit as described in Section 104.25 A. 5. of the LDRs) if existing hotel / motel unit density is non-conforming as defined in Chapter 108 Article 3 of the LDRs and as specifically outlined in Section 108.12 of the LDRs; and
2. No use of transferable building rights (TBRs) (as described specifically in Section 107.14 B. of the;
3. No significant change (+ or – 10 %) in the current project floor area (Floor area as defined in Chapter 110, Article 3. of the LDRs);
4. No significant difference between the current and proposed uses of floor area;
5. No effort to move units off-site through TBRs as part of the proposed project, though they may be documented and preserved for future use; and
6. No significant change or increase in the size or type of project site amenities.

If each of the foregoing criteria is met in the estimation of Planning Director, then a recommendation that no employee housing living space is required of the proposed project may be made to the Planning Commission and for approval by the City Council as part of a Conditional Use and/or Development Agreement.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 12th day of August , 2008.

THE CITY OF MARATHON, FLORIDA


Edward P. Worthington, Mayor

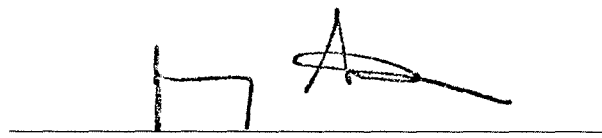
AYES: Bull, Cinque, Tempest, Vasil, Worthington
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:


Diane Clavier, City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:


Jimmy Morales, City Attorney