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**CITY OF MARATHON, FLORIDA
RESOLUTION 2016-26**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, OPPOSING THE PROPOSED DRAFT VACANT LOT RETIREMENT AND HOTEL UNITY ALLOCATION RULE, ALSO KNOWN AS “3 FOR 1 RULE”, WITHIN THE FLORIDA KEYS AREA OF STATE CRITICAL CONCERN; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Marathon (the “City”) is located within the Florida Keys, a designated Area of Critical State Concern; and

WHEREAS, the City Council of Marathon (the “City Council”) is elected to represent the best interests of City residents; and

WHEREAS, the City desires to provide a community that values safety and a high quality of life for its residents and businesses; and

WHEREAS, both an accelerating need for and shortage of affordable workforce housing has been identified as one of the most critical issues facing Marathon and Monroe County at this time; and

WHEREAS, the Florida Department of Economic Opportunity (“DEO”) administers the Florida Keys Area of Critical State Concern (“ACSC”) and publishes an annual report on the progress made by Monroe County (the “County”) and the municipalities therein in fulfilling the recommendations of DEO; and

WHEREAS, the 2014 DEO annual report emphasized the hurricane evacuation time limits and the fact that the number of building permit allocations to be awarded County-wide through the year 2023 are insufficient to provide building permits for all vacant parcels in the Florida Keys; and

WHEREAS, DEO has proposed a “Vacant Lot Retirement and Hotel Unity Allocation Rule” (the “3 for 1 Rule”) which would provide for the allocation of up to 300 hotel units to be allocated in Marathon, unincorporated Monroe County and Islamorada, Village of Islands contingent upon the affected local governments establishing a Hotel Unit Allocation Program that extinguishes residential development rights on a 3:1 ratio; and

WHEREAS, the proposed 3 for 1 Rule would specifically require that for every 1 hotel unit awarded, development rights would be extinguished on 3 private buildable platted lots; and

WHEREAS, City staff finds that the creation of new transient units has a direct correlation to the need for more affordable housing and that building additional transient units will potentially add to the severity of the traffic problems within Marathon and Monroe County; and

WHEREAS, the City Council has determined that the proposed 3 for 1 Rule would potentially exacerbate the affordable housing shortage and traffic problems within Marathon by allowing development of more transient units that by necessity require a workforce that is heavily reliant upon affordable housing; and

WHEREAS, the City Council has determined that the proposed 3 for 1 Rule is not in the best interests of the City and its residents.

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.

Section 2. Opposing the Proposed 3 for 1 Rule. The City Council of the City of Marathon hereby states its opposition to the proposed 3 for 1 Rule within the Florida Keys Area of Critical State Concern due to the potentially harmful impacts on the residents, businesses and resources of the City and throughout Monroe County. The City Council hereby requests that the State of Florida not include the City as an eligible/participating community within the proposed 3 for 1 rulemaking process.

Section 3. Transmittal. The City Council hereby directs that a copy of this Resolution be transmitted to the Governor of the State of Florida, the Florida Department of Economic Opportunity, the Monroe County Board of County Commissioners, Islamorada, Village of Islands, and any other appropriate parties as soon as possible.

Section 4. Effective Date. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 22nd day of March, 2016

THE CITY OF MARATHON, FLORIDA



Mark Senmartin Mayor

AYES: Bartus, Coldiron, Kelly, Zieg, Senmartin
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:**



David Migut, City Attorney