

January 24, 2023

Marisa Button, Director
Florida Housing Finance Agency
227 North Bronough Street, Suite 5000
Tallahassee, Florida 32301

Dear Ms. Button:

This letter is written on behalf of the Islamorada Achievable Housing Committee and follows our telephone discussion last week. Specifically, we are inquiring as to the ability of the FI Housing Finance Agency to revise rules governing the small counties “set aside” for the Florida Keys (Monroe County) to focus funding on “acquisition of apartments” rather than new construction.

At your suggestion, I am documenting the technical reasons for this request with the following background regarding the Florida Keys Area of Critical State Concern Program authorized by chapter 380.0552 Florida Statutes.

Since 1992, local governments within the Florida Keys have limited residential growth to ensure the ability of the population of the Florida Keys to safely evacuate within 24 hours -notice of anticipated landfall of a category 3-5 hurricane (s 380.0552(9)(a)2 F.S..).

The Florida Cabinet directed the Department of Economic Opportunity (DEO) and the local governments of the Florida Keys to conduct hurricane evacuation modeling to determine the maximum development that could occur in the keys (build out) and still comply with the 24-hour evacuation time. This computer modeling effort was facilitated by the Florida Division of Emergency Management and resulted in a Memorandum of Understanding with the DEO, Division of Emergency Management, and between the local governments regarding the data assumptions that would be utilized. The “Transportation Interface for Modeling Evacuations (TIME) Model”, a state-of-the-art transportation evacuation model developed for the Florida Division of Emergency Management for statewide application.

It was determined that 3, 550 allocations could be constructed through 2023 and remain under 24 hours. As this date neared, Key West, Monroe County and Marathon reduced annual allocations to extend the time to 2026 and to allow time for DEO to conduct additional modeling exercises utilizing the 2020 census data. DEO is currently developing a contract to secure services for the model to be run and to understand what the current evacuation time is for the Florida Keys. In Islamorada, our allocations for construction of new residential structures will expire in June of 2023.

To further complicate matters, the Scott Administration, 1300 affordable allocations were awarded to the local governments with the condition that the occupants would evacuate early, 48 hours prior to anticipated land fall of hurricane force winds, instead of 24 hours. This allocation of 1300 units was litigated and appealed to the 3rd District Court of Appeals. The 3rd District Court ruled that the “early out” affordable units conflicted with chapter 380.0552 FS requiring evacuation within 24 hours.

We have recently collaborated with the Florida Housing Coalition to gain insight regarding funding programs and to hear recommendations for improving services for affordable housing. The lack of allocations for new development means that we must develop new approaches for increasing the supply of affordable housing. One such approach is the purchase of existing multi-family structures which could be deed restricted affordable and would not require new allocations or have new infrastructure impacts.

To summarize, until hurricane modeling is conducted which demonstrates the FI Keys can be evacuated within 24 hours or the statute is modified, there are no new allocations within the Village of Islamorada. We seek your assistance as your agency initiates rule promulgation over the next few months. Please consider our situation and assist us in obtaining a set aside for purchase of "existing units" in addition to or instead of constructing new units.

Thank you for your assistance and please contact me at 850-766-2139 for further information.

Sincerely,

Rebecca Jetton, Islamorada Achievable Housing Consultant

Cc: Daniel Gulizio, Community Development Director