



# MEMORANDUM

AGENDA ITEM #7d

DATE: DECEMBER 1, 2008

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: MONROE COUNTY ADOPTED COMPREHENSIVE PLAN AMENDMENT

## Introduction

On October 29, 2008 Council staff received adopted amendment package #08-2 to the Monroe County Year 2010 Comprehensive Plan for review of consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Proposed amendment #08-2 was reviewed at the July 7, 2008 Council meeting and was found to be generally consistent with the *SRPP*; however, the Council raised concerns about the proposed text amendment increasing allowable densities in Resolution #156-2008 and encouraged Monroe County to further coordinate with Council staff and the Naval Air Station (NAS) Key West. Staff review is undertaken pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes (F.S.), and Rules 9J-5 and 9J-11, Florida Administrative Code (F.A.C.).

## Community Profile

Monroe County, incorporated in 1824, is the southernmost county in the State of Florida. The County consists of a mainland portion (782 square miles) bordered by Collier County to the north and Miami-Dade County to the east, and an archipelago, known as the Florida Keys, extending from northeast to southwest for 120 miles (102 square miles), and separating the Gulf of Mexico from the Atlantic Ocean. The mainland portion is occupied by Everglades National Park and Big Cypress National Preserve and is virtually uninhabited. Monroe County's permanent resident population has declined in recent years, falling from 79,589 in 2000 to 78,987 in 2007. A similar decline has been observed in the resident population of the unincorporated portion of the county, which was estimated at 35,749 in 2007. The economy of Monroe County is based on tourism, fishing, retirees, and the military.

Monroe County's growth is constrained by a number of characteristics. The vast majority of the County is environmentally sensitive, comprised of mangrove wetlands, tropical hardwood hammocks, and rare and endangered species habitats, with world-renowned coral reefs offshore. With one main highway serving the entire population, traffic is a concern, particularly during hurricane evacuations. Lack of adequate infrastructure for stormwater and wastewater magnifies the effects of population growth on nearshore coastal waters. The desirability of the County as a place to live and the limited amount of developable land have made land costs prohibitively expensive, leading to shortages of affordable housing. With infrastructure and the environment showing signs of stress and over 10,000 undeveloped platted lots, most of the Florida Keys has been designated an Area of Critical State Concern, under Chapter 380.05, Florida Statutes.

Additional information regarding the County or the region may be found on the Council's website, [www.sfrpc.com](http://www.sfrpc.com).

### Summary of Staff Analysis

Adopted amendment package #08-2 includes five (5) amendments to the future land use map and one text amendment that revises policy in the Future Land Use Element of the Monroe County Year 2010 Comprehensive Plan in order to address issues related to affordable housing. One amendment to the future land use map contained in the original transmittal (Resolution 155-2008) was withdrawn and is not included in the adopted amendment package. In addition, a text amendment to the Future Land Use Element that would allocate residential density in the Education (E) future land use category to encourage school district housing creation was not included in the adopted amendment package. The general location of the County is exhibited as Attachment 1.

A summary of the adopted amendments in this package is listed below.

SUMMARY OF ADOPTED MAP AND TEXT AMENDMENTS			
Amendment	Description	Staff Recommendation	BOCC Vote
Ramrod Key Swimming Hole Ordinance #21-2008	FLUM Amendment, 0.94 acres (2 parcels) From: Residential Conservation (RC) To: Recreation (R)	<b>Generally Consistent with the SRPP</b>	5-0
Big Pine Key Park Ordinance #22-2008	FLUM Amendment, 10.01 acres From: Mixed Use / Commercial (MC) To: Recreation (R)	<b>Generally Consistent with the SRPP</b>	5-0
Crown Four, LLC Little Torch Key Ordinance #24-2008	FLUM Amendment, 0.89 acres (3 parcels) From: Institutional (INS) To: Mixed Use / Commercial (MC)	<b>Generally Consistent with the SRPP</b>	5-0
Seafarer Resort, LLC Key Largo Ordinance #25-2008	FLUM Amendment, 1.06 acres From: Residential Low (RL) To: Mixed Use / Commercial (MC)	<b>Generally Consistent with the SRPP</b>	4-0
El El Si, LLC Key Largo Ordinance #26-2008	FLUM Amendment, 1.90 acres upland, 0.71 acres bay bottom From: Residential High (RH) To: Mixed Use / Commercial (MC)	<b>Generally Consistent with the SRPP</b>	4-0
Maximum Densities Ordinance #23-2008	Text Amendment, changes Policy 101.4.21 of the Future Land Use Element to modify the calculation of the maximum net density to be based on gross acreage for development or redevelopment of affordable, workforce or employee housing	<b>Generally Consistent with the SRPP</b>	3-2

BOCC = Monroe County Board of County Commissioners

FLUM = Future Land Use Map

To view maps of the FLUM amendments, visit: [http://www.sfrpc.com/council/AgendaJuly08\\_6e.pdf](http://www.sfrpc.com/council/AgendaJuly08_6e.pdf)

On October 15, 2008 the Board of County Commissioners approved the adopted amendment package for transmittal.

### *Future Land Use Map Amendments*

Staff analysis confirms that the five (5) Future Land Use Map Amendments, which were adopted without changes from the transmittal, continue to be generally compatible with and supportive of the goals and policies of the *SRPP*.

***Future Land Use Element Text Amendment (Ordinance #23-2008)***

At transmittal, Council staff raised an objection, citing Goal 20 and Policy 20.1 of the *SRPP*, to the text amendment to Policy 101.4.21 of the Future Land Use Element, which changes the basis for calculation of the maximum net density to the gross acreage, because it failed to ensure residential uses would be compatible with adjacent uses. In particular, Council staff recommended that the amendment be revised to ensure that residential uses are compatible with applicable accident zones and noise contours of the Naval Air Station Key West. The Council, at its July 7, 2008 meeting, found the proposed amendment generally consistent with the *SRPP*; however, concerns were raised that the County coordinate with the Naval Air Station (NAS) Key West to ensure that residential development be minimized in Accident Potential Zones and mitigated in the 65 DNL and higher noise contours of the 2007 Air Installations Compatible Use Zones (AICUZ).

The Florida Department of Community Affairs (DCA) raised similar concerns in its Objections, Recommendations and Comments (ORC) report, dated August 29, 2008. DCA recommended that Monroe County amend the Comprehensive Plan to include criteria to be used to achieve compatibility with adjacent or closely proximate lands with military installations.

At this time, Monroe County has adopted the text amendment without change. Although the adopted amendment package does not include any explanation for the decision to adopt without change, Council staff is aware that Monroe County and DCA are currently engaged in settlement agreement discussions with regard to the "Working Waterfront" amendments adopted in amendment package #08-1, which was found not in compliance on March 31, 2008. The November 14, 2008 draft of the settlement agreement includes a paragraph in Policy 101.4.19 in the Future Land Use Element that reads as follows:

"No later than 90 days after the effective date of this policy, Monroe County, military installations in the County, and the state land planning agency shall initiate the comprehensive plan amendment process for adoption of a comprehensive plan amendment establishing County-wide policies for coordination with military installations and to establish criteria to ensure the compatibility of development with adjacent or closely proximate military installations as required by Fla. Stat. Sections 163.3175 and 163.3177(6)(a). The comprehensive plan amendment process shall be initiated by an initial meeting to negotiate the terms of such policies, and such meetings shall continue thereafter until the plan amendment is adopted by the County."

Staff analysis concludes that if the draft language above is adopted as part of the referenced settlement agreement, the concerns raised herein will be addressed through a future amendment to the Comprehensive Plan. On that basis, staff finds the adopted text amendment to be generally consistent with the *SRPP*.

**Recommendation**

Find the five (5) adopted Future Land Use Map amendments and Future Land Use Element text amendment in Ordinance #23-2008 of the adopted amendment package #08-2 to the Monroe County Year 2010 Comprehensive Plan to be generally consistent with the *Strategic Regional Policy Plan for South Florida*. Approve this staff report for transmittal to the Florida Department of Community Affairs.

## Attachment 1



### COMPREHENSIVE PLAN AMENDMENTS

#### General Location Map

Monroe County  
Adopted Amendment #08-2

Sources: FDEP, SFWMD, Monroe County, SFRPC.

Note: For planning purposes only. All distances are approximate.