



# MEMORANDUM

AGENDA ITEM #6e

---

DATE: JULY 7, 2008

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: MONROE COUNTY PROPOSED COMPREHENSIVE PLAN AMENDMENT

---

## Introduction

On June 12, 2008 Council staff received proposed 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)*. 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

Proposed amendment package #08-2 includes six (6) amendments to the future land use map and two (2) text amendments that would revise polices in the Future Land Use Element of the Monroe County Year 2010 Comprehensive Plan in order to address issues related to affordable housing. The general location of the County is exhibited as Attachment 1. Specific locations of the map changes are shown as Attachments 2 through 7.

A summary of the proposed amendments in this package is listed below. A detailed analysis is included in the attached staff report.

<b>SUMMARY OF PROPOSED MAP AND TEXT AMENDMENTS</b>				
<b>Amendment</b>	<b>Description</b>	<b>Attach-ment</b>	<b>Staff Recommendation</b>	<b>BCC Vote</b>
Ramrod Key Swimming Hole Resolution #150-2008	FLUM Amendment, 0.94 acres (2 parcels) From: Residential Conservation (RC) To: Recreation (R)	2	<b>Generally Consistent with the SRPP</b>	5-0
Big Pine Key Park Resolution #151-2008	FLUM Amendment, 10.01 acres From: Mixed Use / Commercial (MC) To: Recreation (R)	3	<b>Generally Consistent with the SRPP</b>	5-0
Crown Four, LLC, Little Torch Key Resolution #152-2008	FLUM Amendment, 0.89 acres (3 parcels) From: Institutional (INS) To: Mixed Use / Commercial (MC)	4	<b>Generally Consistent with the SRPP</b>	5-0
Seafarer Resort, LLC, Key Largo Resolution #153-2008	FLUM Amendment, 1.06 acres From: Residential Low (RL) To: Mixed Use / Commercial (MC)	5	<b>Generally Consistent with the SRPP</b>	4-1
El El Si, LLC, Key Largo Resolution #154-2008	FLUM Amendment, 1.90 acres upland, 0.71 acres bay bottom From: Residential High (RH) To: Mixed Use / Commercial (MC)	6	<b>Generally Consistent with the SRPP</b>	4-1
Dancing Bear Properties, LLC, Key Largo Resolution #155-2008	FLUM Amendment, 1.80 acres upland, 0.63 acres bay bottom (3 parcels) From: Residential Medium (RM) To: Mixed Use / Commercial (MC)	7	<b>Generally Consistent with the SRPP</b>	3-2
Maximum Densities Resolution #156-2008	Text Amendment, modifies 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	n.a.	<b>Generally Inconsistent with the SRPP (Goal 20 and Policy 20.1)</b>	3-2
Education Future Land Use Resolution #157-2008	Text Amendment, modifies Policies 101.4.11 and 101.4.21 of the Future Land Use Element to allocate residential density in the Education (E) future land use category to encourage school district housing creation	n.a.	<b>Generally Consistent with the SRPP</b>	4-1

BCC = Monroe County Board of County Commissioners

FLUM = Future Land Use Map

On May 23, 2008 the Board of County Commissioners approved the proposed amendment package for transmittal.

Staff analysis confirms that the six (6) Future Land Use Map Amendments are generally compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*. Council Staff has provided comments on two of the map amendments to help clarify supporting documentation provided by the County. Staff analysis also confirms that the text amendment in Resolution #157-2008, that would allocate residential density to the Education Future Land Use, is generally compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*.

Council staff has raised an objection to the text amendment to Policy 101.4.21 of the Future Land Use Element that would change the basis for calculation of the maximum net density to the gross acreage because it fails to ensure residential uses are compatible with adjacent uses, citing Goal 20 and Policy 20.1. In particular, Council staff recommends that the amendment to the Future Land Use Element of the Monroe County Year 2010 Comprehensive Plan be revised to ensure that residential uses are compatible with applicable accident zones and noise contours of the Naval Air Station Key West.

Staff will continue to work with the County staff throughout the amendment process.

#### Recommendation

Find the six (6) proposed Future Land Use Map amendments and text amendment in Resolution #157-2008 of the proposed 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*; and

Find the proposed text amendment in Resolution #156-2008 of the proposed amendment package #08-2 to the Monroe County Year 2010 Comprehensive Plan to be generally inconsistent with the *Strategic Regional Policy Plan for South Florida*, particularly with Goal 20 and Policy 20.1.

Approve this staff report for transmittal to the Florida Department of Community Affairs.

#### Council Action

**At its July 7, 2008 meeting, the Council found the following for the Monroe County Year 2010 Comprehensive Plan proposed amendment package #08-2:**

**Find the six (6) proposed Future Land Use Map amendments and the text amendment in Resolution #157-2008 generally consistent with the *Strategic Regional Policy Plan for South Florida*; and**

**Find the proposed text amendment in Resolution #156-2008 generally consistent with the *Strategic Regional Policy Plan for South Florida*; however, concerns were raised that the County coordinate with the Naval Air Station 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. The Council also encouraged additional coordination between Council staff and Monroe County staff through the adoption stage of this amendment.**

**Approve this staff report for transmittal to the Florida Department of Community Affairs.**

**Proposed Comprehensive Plan Amendment Review  
Staff Report  
for  
Monroe County**

**South Florida Regional Planning Council  
July 2008**

**PROPOSED AMENDMENT PACKAGE #08-2  
TO THE  
MONROE COUNTY COMPREHENSIVE PLAN**

Summary of Staff Analysis

Proposed amendment package #08-2 includes six (6) amendments to the future land use map and two (2) text amendments that would revise polices in the Future Land Use Element of the Monroe County Year 2010 Comprehensive Plan in order to address issues related to affordable housing. The general location of the County is exhibited as Attachment 1. Specific locations of the map changes are shown as Attachments 2 through 7.

A detailed analysis of the proposed amendments in this package is included below.

**Ramrod Key Swimming Hole FLUM Amendment (Resolution #150-2008)**

The amendment would change the Future Land Use Map (FLUM) from Residential Conservation (RC) to Recreation (R) for Block 3, Lots 3 and 4, of Silver Shores Estates, on Ramrod Key, totaling approximately 0.94 acres. Attachment 2 presents an aerial photograph of the amendment site, which is located close to Mile Marker 27.

On June 20, 2007, the Monroe County Board of County Commissioners established the adjacent Block 3, Lot 2 as a passive community park. Lots 3 and 4 are owned by Monroe County, and are used today by park visitors. However, they were not incorporated into the park at the time because the existing future land use (Residential Conservation - RC) and zoning (Native Area - NA) do not permit park uses. The proposed change will make it possible to incorporate this area into the park.

Staff analysis confirms that the proposed amendment is compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*.

**Big Pine Key Park FLUM Amendment (Resolution #151-2008)**

The amendment would change the Future Land Use Map (FLUM) from Mixed Use / Commercial (MC) to Recreation (R) for a 10.01-acre parcel on Big Pine Key. Attachment 3 presents an aerial photograph of the amendment site, which is located close to Mile Marker 31.

As part of the Livable CommuniKeys planning process for Big Pine Key and No Name Key, the parcel was identified as a location that would fulfill a community need for one large recreational site. Based upon that determination, in 2002 the Monroe County Comprehensive Plan Land Authority purchased the property and conveyed it to the Monroe County Board of County Commissioners for development as a park. The proposed change in the future land use, and the corresponding change in the zoning from Sub-Urban Commercial (SC) to Park and Refuge (PR), will facilitate the review process for building permits to develop the park.

Staff analysis confirms that the proposed amendment is compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*.

### **Crown Four, LLC, Little Torch Key FLUM Amendment (Resolution #152-2008)**

The amendment would change the Future Land Use Map (FLUM) from Institutional (INS) to Mixed Use / Commercial (MC), for 3 parcels totaling approximately 0.89 acres under separate ownership located northeast of the intersection of US 1 and Barry Avenue, in Little Torch Key. Attachment 4 presents an aerial photograph of the amendment site, which is located at Mile Marker 28.5.

Monroe County staff traced the current future land use designations on the three parcels and states that only one parcel has had an institutional use in the past. The original use of the building on that parcel was a restaurant/bar/residence, later converted to a Jehovah's Witness Kingdom Hall. Since 2005, the building has remained empty, and the Trustees of the Big Pine Key Congregation of Jehovah's Witnesses Trust have indicated their intent to sell the property. Monroe County staff states that the other two parcels under consideration were assigned a future land use of Institutional (INS) in error at the time the Future Land Use Maps were adopted, and have never had institutional uses. At that time, one parcel had a single family residential use, and the other (a small portion of a much larger lot) had a combination of commercial retail and multi-family residential (mobile homes and recreational vehicles). All three properties are currently zoned Sub Urban Commercial (SC), which is consistent with current uses, and no change in zoning is proposed.

#### **Comment**

**The color map included in the County staff report shows a large area outside of the boundaries of the three referenced parcels, between them and US 1 (Overseas Highway), for which the future land use would be modified from Institutional (INS) to Mixed Use / Commercial (MC). This additional area is not otherwise referenced in the accompanying staff report. Prior to adoption, the geographic scope of the amendment should be clarified.**

Staff analysis confirms that the proposed amendment is compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*.

### **Seafarer Resort, LLC, Key Largo FLUM Amendment (Resolution #153-2008)**

The amendment would change the Future Land Use Map (FLUM) from Residential Low (RL) to Mixed Use / Commercial (MC), for an unplatted parcel in Key Largo, totaling approximately 1.06 acres. Attachment 5 presents an aerial photograph of the amendment site, which is located at Mile Marker 97.6.

County staff states that the Seafarer Resort Motel and Dive Center (the current use on the parcel) is identified in the Key Largo Livable CommuniKeys Plan as a water-related and water-dependent commercial use. The zoning associated with the proposed change (Sub Urban Commercial - SC) would increase the allowable density for the parcel to up to 18 units or 25 hotel/motel rooms per buildable acre. It also would increase the allowable non-residential intensity. Adjacent uses include Residential High (RH) on the south and Residential Low (RL) on the north, with Mixed Use / Commercial (MC) across Overseas Highway and elsewhere in the vicinity. The parcel to the south is also proposed to be amended to Mixed Use / Commercial (MC) as part of this amendment package (see Resolution #154-2008).

#### **Comment**

**The color map included in the County staff report shows the future land use designation of the adjacent parcel to the north of the subject property is Residential Low (RL) and that no change is proposed in the designation for that parcel. However, the accompanying text in the County staff report states that the future land use designation of the adjacent parcel to the north is Mixed Use /**

**Commercial (MC). Prior to adoption, the future land use of the adjacent parcel to the north should be clarified.**

Staff analysis confirms that the proposed amendment is compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*.

**El El Si, LLC, Key Largo FLUM Amendment (Resolution #154-2008)**

The amendment would change the Future Land Use Map (FLUM) from Residential High (RH) to Mixed Use / Commercial (MC), for an unplatted parcel in Key Largo, totaling approximately 1.90 acres of upland and 0.71 acres of bay bottom. Attachment 6 presents an aerial photograph of the amendment site, which is located at Mile Marker 97.6.

County staff states that the Riptide RV Park and Marina (the current use on the parcel) is identified in the Key Largo Livable CommuniKeys Plan as a water-related use that is economically enhanced by location on the water. The zoning associated with the proposed change (Sub Urban Commercial - SC) could allow up to 18 dwelling units or 25 hotel/motel rooms per buildable acre. It also would increase the allowable non-residential intensity. Adjacent uses include Residential High (RH) on the south and Residential Low (RL) on the north, with Mixed Use / Commercial (MC) across Overseas Highway and elsewhere in the vicinity. The parcel to the north is also proposed to be amended to Mixed Use / Commercial (MC) as part of this amendment package (see Resolution #153-2008).

Staff analysis confirms that the proposed amendment is compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*.

**Dancing Bear Properties, LLC, Key Largo FLUM Amendment (Resolution #155-2008)**

The amendment would change the Future Land Use Map (FLUM) from Residential Medium (RM) to Mixed Use / Commercial (MC), for three parcels in Key Largo, totaling approximately 1.80 acres of upland and 0.63 acres of bay bottom. Four additional parcels, all fronting on US 1, were included in the amendment package initially submitted to the County, but were withdrawn prior to the final review by the Board of County Commissioners. Attachment 7 presents an aerial photograph of the amendment site, which is located close to Mile Marker 94.5.

This proposed amendment is within the area of the Tavernier Livable CommuniKeys Plan, which was adopted in 2005. The County staff report states that the main parcel has three commercial structures on it, housing Snapper's Restaurant, an office, two bars, four transient units and a marina. The other two parcels currently are used for parking associated with the restaurant. The surrounding future land uses are predominantly residential, but also include the Dove Creek Lodge, immediately adjacent to the southwest. The proposed future land use is consistent with the current uses.

Staff analysis confirms that the proposed amendment is compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*.

**Maximum Densities Text Amendment (Resolution #156-2008)**

This text amendment proposes to revise Policy 101.4.21 of the Future Land Use Element to base the calculation of maximum net density on gross acreage or total square footage without first subtracting the land area required for open space, setbacks and buffer areas for development or redevelopment parcels

where the residential component is for affordable, workforce or employee housing. Housing authorized under the proposed policy would qualify if defined as affordable, workforce or employee housing by any local, state or federal law or regulation. The modification does not remove the requirement for open space, setbacks and buffer areas; it increases the allowable density in order to support an increase in the supply of affordable housing.

The need for additional affordable, workforce and employee housing in Monroe County is well-documented. The County has aggressive policies in place in the comprehensive plan to encourage affordable housing, and this policy could encourage the clustering of housing that would support the local workforce in need of more affordable housing.

### **Objection**

**The Naval Air Station Key West raised concerns with the proposed amendment based on the failure to exclude properties located in the 65 DNL and higher noise contours of the 2007 Air Installations Compatible Use Zones (AICUZ) Update, as well as the Accident Potential Zones. County efforts to encourage development of affordable housing should ensure the safety of residents and keep them away from areas that are inconsistent with air traffic at the existing Naval Air Station.**

**Staff analysis confirms the proposed text amendment in Resolution #156-2000 is inconsistent with Goal 20 and Policy 20.1 of the *Strategic Regional Policy Plan for South Florida*, which encourage local governments to achieve sustainable development patterns and provide for the compatibility of adjacent land uses.**

**GOAL 20      Achieve long-term efficient and sustainable development patterns that protect natural resources and connect diverse housing, transportation, education, and employment opportunities.**

**Policy 20.1    Provide for the compatibility of adjacent land uses and assess the impacts of land uses on the surrounding environment in comprehensive plans and development regulations.**

### **Recommendation**

**County staff should coordinate with the Naval Air Station and incorporate policy to reduce the potential for the incompatibility of adjacent uses in the construction of affordable housing.**

Staff analysis confirms that the proposed amendment is generally inconsistent with the Goal 20 and Policy 21 of the *Strategic Regional Policy Plan for South Florida*.

### **Education Future Land Use Amendment (Resolution #157-2008)**

This text amendment proposes to revise Policies 101.4.11 and 101.4.21 of the Future Land Use Element to allow workforce and employee housing to be built at existing and future school sites and properties within the Educational land use category that overlays the school district's sites. Policy 101.4.11 defines the Education (E) future land use category, and would be modified to allow for affordable housing of various types, sizes and price ranges. Policy 101.4.21 would be modified to allocate density of up to 25 units per acre to areas in the specified future land use category.

Florida Statute allows school boards to use portions of school sites for affordable housing. The Monroe County School Board wishes to construct housing for its employees. The proposed policy changes do not provide for housing built on school properties to be exempt from other land development regulations



that affect the number of residential units that may be built in the Florida Keys and related environmental controls.

Staff analysis confirms that the proposed amendment is compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*.

#### Recommendation

Find the six (6) proposed Future Land Use Map amendments and text amendment in Resolution #157-2008 of the proposed 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*; and

Find the proposed text amendment in Resolution #156-2008 of the proposed amendment package #08-2 to the Monroe County Year 2010 Comprehensive Plan to be generally inconsistent with the *Strategic Regional Policy Plan for South Florida*, particularly with Goal 20 and Policy 20.1.

Approve this staff report for transmittal to the Florida Department of Community Affairs.

#### Council Action

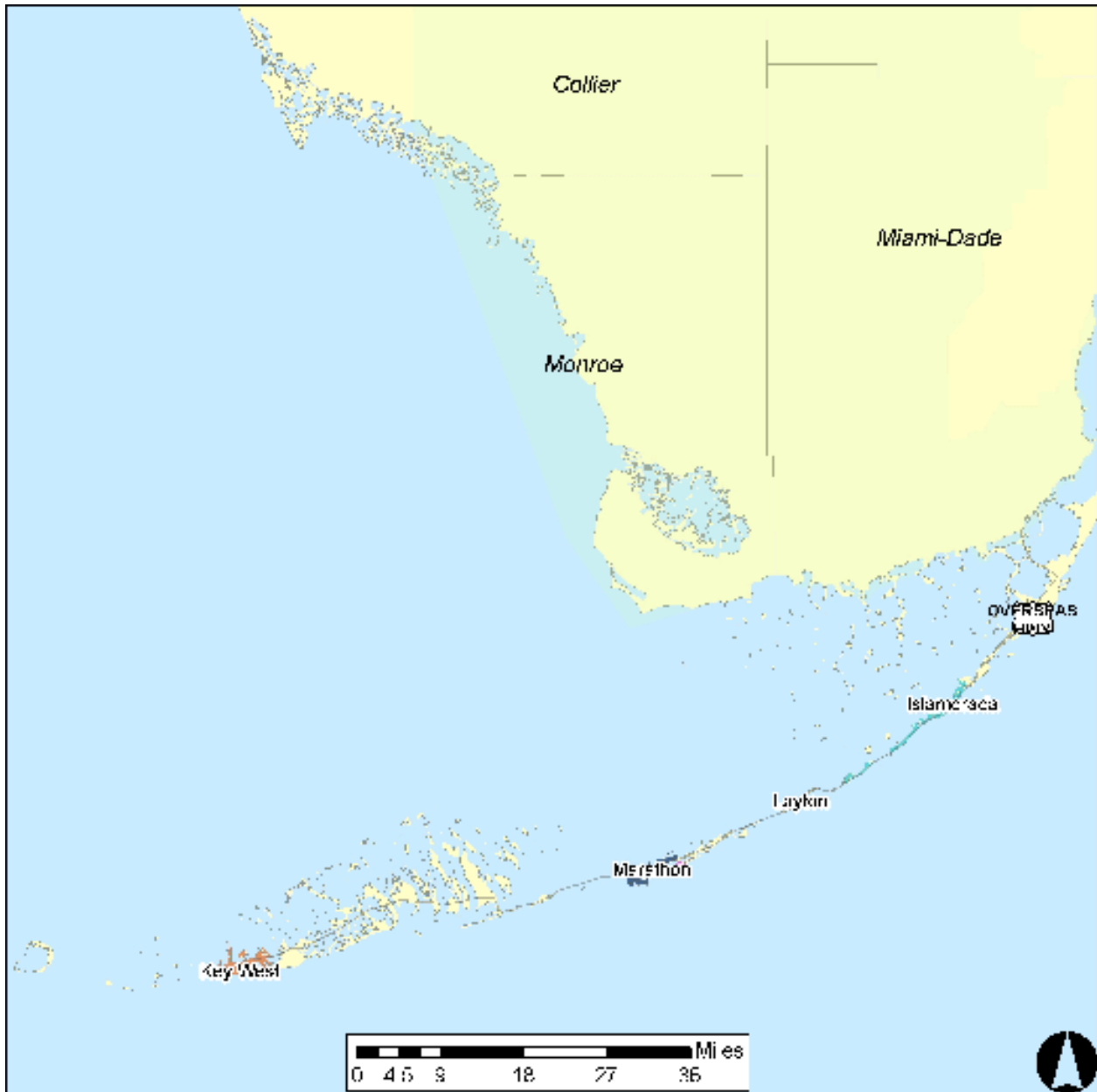
At its July 7, 2008 meeting, the Council found the following for the Monroe County Year 2010 Comprehensive Plan proposed amendment package #08-2:

**Find the six (6) proposed Future Land Use Map amendments and the text amendment in Resolution #157-2008 generally consistent with the *Strategic Regional Policy Plan for South Florida*; and**

**Find the proposed text amendment in Resolution #156-2008 generally consistent with the *Strategic Regional Policy Plan for South Florida*; however, concerns were raised that the County coordinate with the Naval Air Station 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. The Council also encouraged additional coordination between Council staff and Monroe County staff through the adoption stage of this amendment.**

**Approve this staff report for transmittal to the Florida Department of Community Affairs.**

Attachment 1



COMPREHENSIVE PLAN AMENDMENTS

General Location Map

Monroe County  
Proposed Amendment #08-2

Sources: FDEP, SFWMD, Monroe County, SFRPC.

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

**Attachment 2**



**COMPREHENSIVE PLAN AMENDMENTS**

**Aerial Map**

Monroe County Proposed Amendment #08-2  
Resolution #150-2008  
Ramrod Key Swimming Hole (close to MM 27)

From: Residential Conservation (RC)  
To: Recreation (R)  
0.94 acres (2 parcels)

Sources: FDEP, SFWMD, Monroe County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment 3



COMPREHENSIVE PLAN AMENDMENTS

**Aerial Map**

Monroe County Proposed Amendment #08-2

Resolution #151-2008

Big Pine Key Park (close to MM 31)

From: Mixed Use / Commercial (MC)

To: Recreation (R)

10.01 acres

Sources: FDEP, SFWMD, Monroe County, SFRPC.

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

Attachment 4



COMPREHENSIVE PLAN AMENDMENTS

**Aerial Map**

Monroe County Proposed Amendment #08-2  
Resolution #152-2008  
Crown Four, LLC, Little Torch Key (at MM 28.5)

From: Institutional (INS)  
To: Mixed Use / Commercial (MC)  
0.89 acres (3 parcels)

Sources: FDEP, SFWMD, Monroe County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment 5



COMPREHENSIVE PLAN AMENDMENTS

**Aerial Map**

Monroe County Proposed Amendment #08-2

Resolution #153-2008

Seafarer Resort, LLC, Key Largo (at MM 97.6)

From: Residential Low (RL)

To: Mixed Use / Commercial (MC)

1.06 acres

Sources: FDEP, SFWMD, Monroe County, SFRPC.

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

## Attachment 6



### COMPREHENSIVE PLAN AMENDMENTS

#### Aerial Map

Monroe County Proposed Amendment #08-2

Resolution #154-2008

El El Si, LLC, Key Largo (at MM 97.6)

From: Residential High (RH)

To: Mixed Use / Commercial (MC)

1.90 acres upland and 0.71 acres bay bottom

Sources: FDEP, SFWMD, Monroe County, SFRPC.

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

**Attachment 7**



**COMPREHENSIVE PLAN AMENDMENTS**

**Aerial Map**

Monroe County Proposed Amendment #08-2

Resolution #155-2008

Dancing Bear Properties, LLC, Key Largo (close to MM 95)

From: Residential Medium (RM)

To: Mixed Use / Commercial (MC)

1.80 acres upland and 0.63 acres bay bottom (3 parcels)

Sources: FDEP, SFWMD, Monroe County, SFRPC.

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