



MEMORANDUM

AGENDA ITEM #6d

DATE: MARCH 2, 2009

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: MONROE COUNTY PROPOSED COMPREHENSIVE PLAN AMENDMENT

Introduction

On February 3, 2009, Council staff received proposed amendment package #09-1 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. The economy of Monroe County is based on tourism, fishing, retirees, and the military.

Monroe County's growth is affected by a number of characteristics. The (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. The desirability of the County as a place to live and the limited amount of developable land have made land costs expensive, which can impact affordable housing supplies. In addition, 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.

Summary of Staff Analysis

Proposed amendment package #09-1 includes three amendments to the Future Land Use Map (FLUM) and three text amendments. The text amendments would add polices in the Potable Water, Transportation, Recreation and Open Space, and Intergovernmental Coordination Elements of the Monroe County Year 2010 Comprehensive Plan in order to address issues related to (1) adoption of a 10-Year Water Supply Facilities Work Plan, and (2) support for the Florida Keys Scenic Highway and Florida Keys Overseas Heritage Trail. Additional text amendments are proposed in the Livable CommuniKeys Master Plan for Big Pine Key and No Name Key in order to address inconsistencies with the Habitat Conservation Plan, Incidental Take Permit, and Monroe County Code. The general location of the County is exhibited as Attachment 1. Specific locations of the proposed map changes are shown as Attachments 2 through 4.

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

SUMMARY OF PROPOSED MAP AND TEXT AMENDMENTS				
Amendment	Description	Attach-ment	Staff Recommendation	BOCC Vote
Sievers Marine, Inc., Key Largo Resolution #001-2009	FLUM Amendment, 21,240 square feet (3 parcels) From: Residential Medium (RM) To: Mixed Use / Commercial (MC)	2	Generally Consistent with the SRPP	5-0
Lloyd A. Good, Jr., Sugarloaf Key Resolution #002-2009	FLUM Amendment, 376 square feet (part of a parcel) From: Residential Conservation (RC) To: Mixed Use / Commercial (MC)	3	Generally Consistent with the SRPP	5-0
Roseann & Rudolph Krause, Ramrod Key Resolution #003-2009	FLUM Amendment, 11.5 acres (one parcel and a portion of another) From: Residential Low (RL) and Residential Conservation (RC) To: Mixed Use / Commercial (MC)	4	Generally Consistent with the SRPP	5-0
Potable Water and Intergovernmental Coordination Elements Resolution #004-2009	Text Amendment proposes new policies and adopts the 10-Year Water Supply Facilities Work Plan	n.a.	Generally Consistent with the SRPP	5-0
Transportation, Recreation and Open Space and Intergovernmental Coordination Elements Resolution #005-2009	Text Amendment proposes new policies to support the Florida Keys Scenic Highway and the Florida Keys Overseas Heritage Trail	n.a.	Generally Consistent with the SRPP	5-0
Livable CommuniKeys Master Plan for Big Pine Key and No Name Key Resolution #006-2009	Text Amendment proposes revisions to Action Steps in the Master Plan to resolve conflicts with the Habitat Conservation Plan, Incidental Take Permit and Monroe County Code	n.a.	Generally Consistent with the SRPP	5-0

BOCC = Monroe County Board of County Commissioners

FLUM = Future Land Use Map

On January 26, 2009, the Monroe Board of County Commissioners unanimously approved all six resolutions in the proposed amendment package for transmittal.

Staff analysis confirms that the three map and three text amendments are generally compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*. Staff will continue to work with the County staff throughout the amendment process.

Recommendation

Find the three proposed map and three text amendments in proposed amendment package #09-1 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.

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

**South Florida Regional Planning Council
March 2009**

**PROPOSED AMENDMENT PACKAGE #09-1
TO THE
MONROE COUNTY COMPREHENSIVE PLAN**

Summary of Staff Analysis

Proposed amendment package #09-1 includes three amendments to the Future Land Use Map (FLUM) and three text amendments. Text amendments would add polices in the Potable Water, Transportation, Recreation and Open Space, and Intergovernmental Coordination Elements of the Monroe County Year 2010 Comprehensive Plan in order to address issues related to (1) adoption of a 10-Year Water Supply Facilities Work Plan, and (2) support for the Florida Keys Scenic Highway and Florida Keys Overseas Heritage Trail. Additional text amendments are proposed in the Livable CommuniKeys Master Plan for Big Pine Key and No Name Key in order to address inconsistencies with the Habitat Conservation Plan, Incidental Take Permit, and Monroe County Code. The general location of the County is exhibited as Attachment 1. Specific locations of the proposed map changes are shown as Attachments 2 through 4.

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

Sievers Marine, Inc. FLUM Amendment (Resolution #001-2009)

The amendment proposes to change the Future Land Use Map (FLUM) from Residential Medium (RM) to Mixed Use / Commercial (MC) for Block 1, Lots 11, 12 and 13, Ocean Isles Estates, in Key Largo, totaling approximately 21,240 square feet. Attachment 2 presents an aerial photograph of the amendment site, which is located close to Mile Marker 106, adjacent to US 1 where State Road 905 (Card Sound Road) splits off.

The lots are currently vacant and scarified. Adjacent uses include Conservation (C) to the northeast, Residential Medium (RM) to the east and south, and Mixed Use / Commercial (MC) across US 1. The amendment site is within the area encompassed by the Key Largo Livable CommuniKeys Plan, and was found by County staff to be consistent with Consensus Goals 1, 6 and 10 of that plan, which direct future growth to lands that are most suitable for development, encourage redevelopment and infill development, and provide adequate public facilities to serve existing and future needs of the planning area.

The Monroe County Board of County Commissioners voted 5-0 to approve the proposed amendment on January 26, 2009.

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*.

Lloyd A. Good, Jr. FLUM Amendment (Resolution #002-2009)

The amendment proposes to change the Future Land Use Map (FLUM) from Residential Conservation (RC) to Mixed Use / Commercial (MC) for an area of 376 square feet within a parcel located at 17075 Overseas Highway, Sugarloaf Key. Attachment 3 presents an aerial photograph of the amendment site, which is located close to Mile Marker 17.

A portion of the larger parcel within which the subject area is currently designated Mixed Use / Commercial (MC); the remainder, including the subject area, is designated Residential Conservation

(RC). The portion of the parcel that is designated MC is built with a hotel, restaurant, marina, bank, real estate office, gas station and convenience store. County staff states that the subject area was cleared and filled with legal permits. The proposed amendment is intended to unify the upland scarified portions of the parcel under the same Future Land Use Map designation.

The Monroe County Board of County Commissioners voted 5-0 to approve the proposed amendment on January 26, 2009.

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*.

Roseann and Rudolph Krause FLUM Amendment (Resolution #003-2009)

The amendment proposes to change the Future Land Use Map (FLUM) from Residential Low (RL) to Mixed Use / Commercial (MC) on a 2.6 acre parcel, and from Residential Low (RL) and Residential Conservation (RC) to Mixed Use / Commercial (MC) on approximately 8.47 acres of an adjacent parcel, located at 26351 Old State Road 4A, Ramrod Key. Attachment 4 presents an aerial photograph of the amendment site, which is located at Mile Marker 26.5.

The smaller parcel is located in the southwest corner of the amendment site, and was decoupled from the larger, adjacent parcel in 2002. The smaller parcel and the western portion of the larger parcel are cleared and scarified, and designated RL. Current uses include a single-family residence and guest house, a construction office, construction equipment storage, recreational vehicle and boat storage, two broadcasting towers, and storage sheds. Most of the eastern portion of the larger parcel is environmentally sensitive, contains freshwater marsh, pinelands, saltmarsh, mangroves and water, and includes Marsh Rabbit habitat. This area of the larger parcel is designated RC. Only the westernmost portion of this area is included in this amendment. The northeastern corner of the larger parcel is already designated Mixed Use / Commercial (MC), and has an auto repair shop as its current use.

Comment

As proposed, this amendment would change areas that currently are designated Residential Low (RL) to Mixed Use / Commercial (MC). However, the map submitted as part of the County staff report shows that the area to be changed includes a portion of the larger parcel that has a current designation of Residential Conservation (RC). Council staff recommends that County staff clarify this discrepancy prior to adoption of the amendment.

The Monroe County Board of County Commissioners voted 5-0 to approve the proposed amendment on January 26, 2009.

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*.

10-Year Water Supply Facilities Work Plan Amendment (Resolution #004-2009)

Water Supply Planning

This text amendment has been transmitted pursuant to 2005 Growth Management legislation. Chapter 163.3177(6)(c) of the Florida Statutes requires local governments to adopt a Water Supply Facilities Work Plan (Work Plan) into their comprehensive plan within 18 months after the jurisdictional water management district approves a regional water supply plan or its update. The *Lower East Coast Water Supply Plan (LECWSP) Update* was approved by the South Florida Water Management District (SFWMD)

on February 15, 2007. Therefore, the deadline for local governments within the Lower East Coast jurisdiction to adopt a Work Plan was August 15, 2008. The state granted a six-month extension of the deadline for local governments in the Florida Keys.

The Work Plan is intended for local governments to identify and plan for water supply facilities and sources needed for existing and new development or population. The emphasis on the preparation of the Work Plan is to coordinate local comprehensive planning with the regional water supply plan, as well as promote coordination among local governments, the SFWMD, and water supply utilities within and across local government jurisdictions. The Work Plan should address the following related to water supply planning: regional and local issues; current and projected population, water supply, and demand; Level of Service (LOS) standards; conservation and reuse; alternative water supplies (AWS); and capital improvement updates for implementation.

The Goals, Objectives, and Policies (GOPs) of a local government's Comprehensive Plan are required to reflect adoption and content of the Work Plan. The Infrastructure, Capital Improvements, Intergovernmental Coordination, Conservation, and Future Land Use Elements may need to be revised for consistency of water supply planning.

A summary analysis of the Monroe County proposed 10-Year Water Supply Facilities Work Plan (Work Plan) and related text amendments follow.

Work Plan and Related Text Amendments

The Florida Keys Aqueduct Authority (FKAA) serves the entire population of Monroe County. The FKAA wellfield is located west of Florida City in Miami-Dade County, and water is transmitted over a 130-mile long pipeline to serve users in Monroe County. Since Monroe County is dependent upon FKAA for its current and future water supply needs, the Work Plan has been drafted for consistency with the FKAA 20-Year Water System Capital Improvement Master Plan (FKAA Master Plan) dated December 2006. Monroe County has an adopted potable water residential level of service of 66.6 gallons per capita per day, and a non-residential level of service of 0.35 gallons per square foot per day. The Work Plan refers to the FKAA's conservation, reuse and capital improvement projects for alternative water supplies, and various capacity and facility improvements that are being planned to meet the water supply needs of Monroe County.

Aside from adopting the 10-Year Water Supply Plan, Monroe County proposes the addition of three new policies under Goal 701 in the Potable Water Element and two new policies under Goal 1301 in the Intergovernmental Coordination Element of the Monroe County Year 2010 Comprehensive Plan. These policies would require Monroe County to implement a concurrency management system that is consistent with the SFWMD *LECWSP* and the FKAA Master Plan; prepare, maintain and update the County's Work Plan; consult with FKAA to confirm the availability of water supply prior to the issuance of a building permit; and initiate an interlocal agreement with FKAA to coordinate on water supply issues.

Goal 701 in the Potable Water Element of the Monroe County Year 2010 Comprehensive Plan requires the County to "support the Florida Keys Aqueduct Authority (FKAA) in the fulfillment of their statutory obligation and authority to provide for a safe, high quality and adequate supply, treatment, distribution, and conservation of potable water to meet the needs of present and future residents." Numerous policies under the goal specify dates for the completion of tasks related to this goal that are now in the past (i.e., 701.1.2, 701.1.3, 701.4.2, 701.6.1, 701.6.2, 701.8.1, 701.8.2, 701.9.1, 701.9.7 and 701.10.1). County staff indicates that the timeframes and policies will be updated as part of the next evaluation and appraisal cycle, which will be due in August 2011.

The Monroe County Board of County Commissioners voted 5-0 to approve the proposed amendment on January 26, 2009.

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*.

Florida Keys Scenic Highway and Florida Keys Overseas Heritage Trail Amendment (Resolution #005-2009)

The Florida Keys Scenic Highway was designated by the Florida Department of Transportation as a Florida Scenic Highway in May 2001. A Florida Keys Scenic Highway Interpretive Master Plan, which included a Visitation Plan, Corridor Facilities Plan, Interpretive Plan and Implementation Plan, was completed in March 2006. A Five-Year Corridor Management Plan Update was completed in October 2008. The Florida Department of Environmental Protection maintains the Florida Keys Overseas Heritage Trail, a pedestrian and bicycle trail located along US1, in accordance with the Florida Keys Overseas Heritage Trail Master Plan.

This text amendment proposes to adopt new policies in support of the Florida Keys Scenic Highway, the Florida Keys Overseas Heritage Trail, and the nomination for National Scenic Byway All American Road. Two, new policies each in the Transportation Element, the Recreation and Open Space Element, and the Intergovernmental Coordination Element all commit the County's support and assistance for these initiatives.

The Monroe County Board of County Commissioners voted 5-0 to approve the proposed amendment on January 26, 2009.

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*.

Revisions to the Livable CommuniKeys Master Plan for Big Pine Key and No Name Key (Resolution #006-2009)

The Livable CommuniKeys Master Plan for Future Development of Big Pine Key and No Name Key (LCP) was adopted by the Board of County Commissioners, incorporating it into the Monroe County Year 2010 Comprehensive Plan, on August 18, 2004. Two, federally-mandated documents specify land use policies required to protect the Key Deer, Marsh Rabbit and Indigo Stake through habitat preservation and conservation in Big Pine Key and no Name Key: (1) the Habitat Conservation Plan (HCP) for Florida Key Deer, prepared by Monroe County for the US Fish and Wildlife Service in April 2003 and updated in April 2006; and (2) the Incidental Take Permit (ITP), prepared by the US Fish and Wildlife Service and became effective on June 9, 2006. County staff identified conflicts between these plans that require resolution in order to provide clear guidance for future development decisions on Big Pine Key and No Name Key.

This text amendment proposes to revise five action items specified in the LCP to bring them into consistency with the HCP and the ITP. The LCP included a separate set of criteria for permit allocation requirements under the Rate of Growth Ordinance (ROGO). The proposed amendment would bring ROGO implementation under the same criteria established in the Comprehensive Plan. New fences would not be allowed on Tier I lands except as authorized by the US Fish and Wildlife Service.

The Monroe County Board of County Commissioners voted 5-0 to approve the proposed amendment on January 26, 2009.

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*.

Recommendation

Find the three proposed map and three text amendments in proposed amendment package #09-1 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

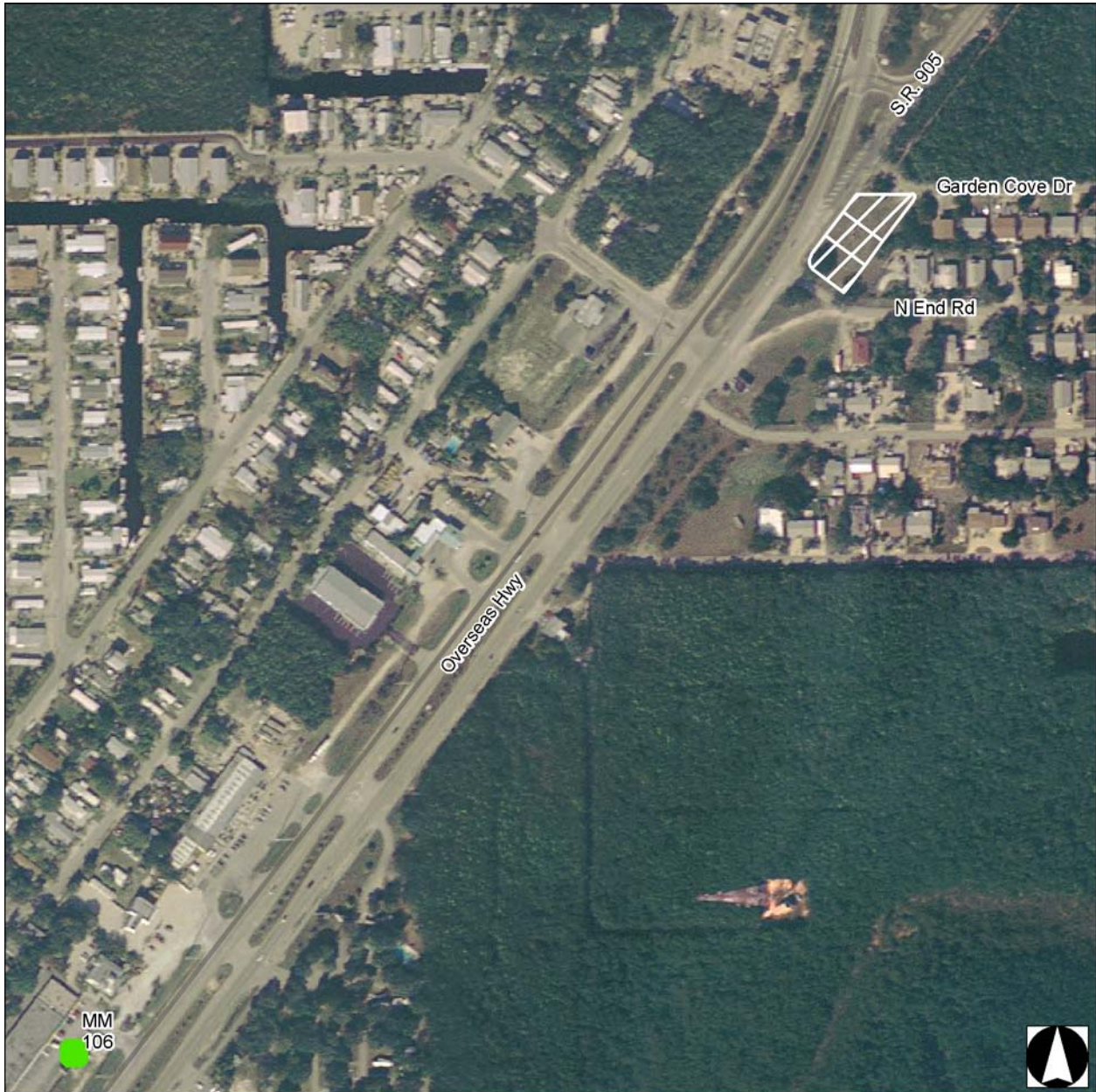
General Location Map

Monroe County
Proposed Amendment #09-1

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 #09-1

Resolution #001-2009

Sievers Marine, Inc. (near MM 106)

From: Residential Medium (RM)

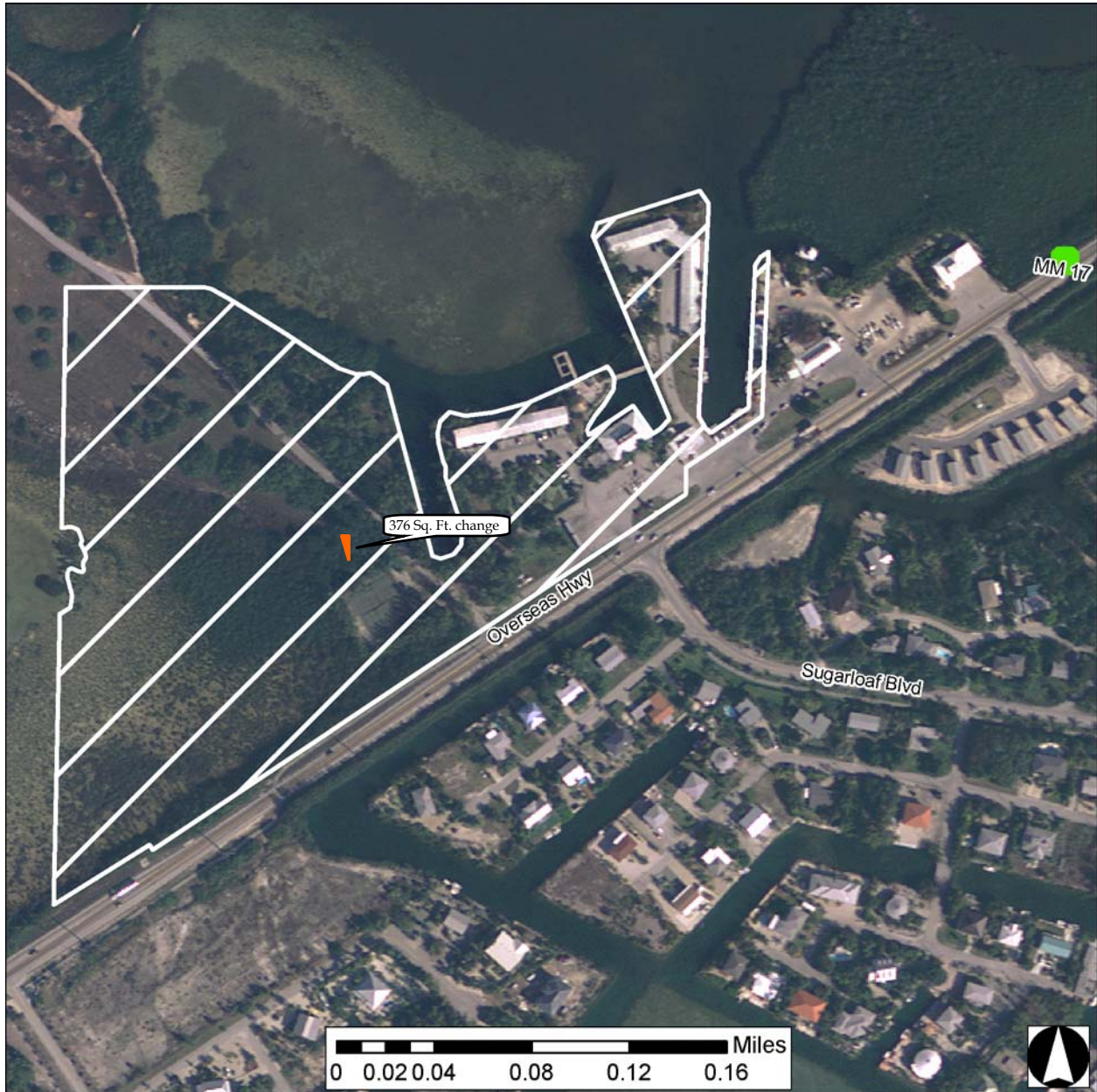
To: Mixed Use / Commercial (MC)

21,240 square feet (3 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 #09-1

Resolution #002-2009

Lloyd A. Good, Jr., Sugarloaf Key (close to MM 17)

From: Residential Conservation (RC)

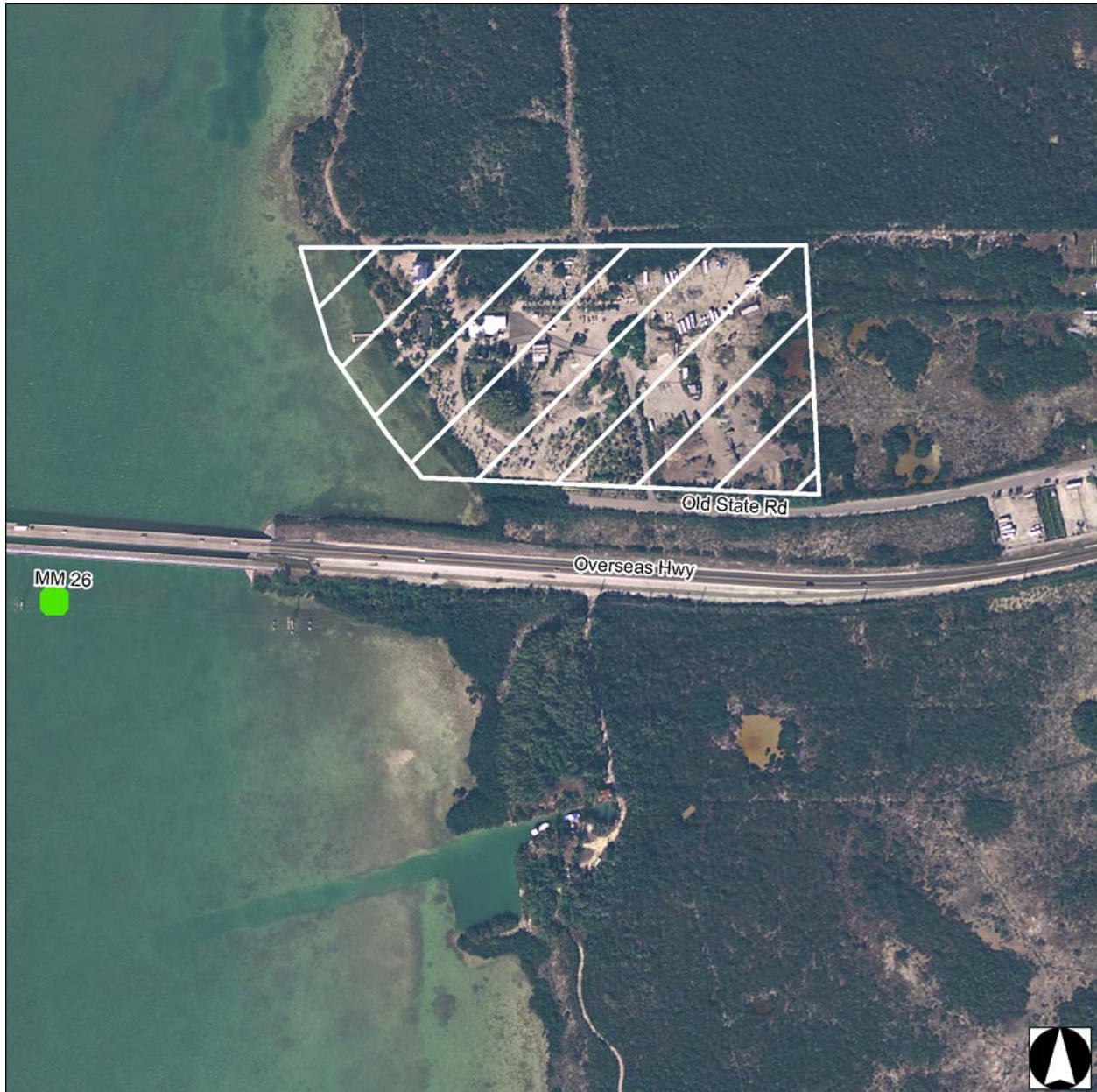
To: Mixed Use / Commercial (MC)

376 square feet

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 #09-1

Resolution #003-2009

Roseann and Rudolph Krause, Ramrod Key (close to MM 26.5)

From: Residential Low (RL) and Residential Conservation (RC)

To: Mixed Use / Commercial (MC)

11.47 acres (2 parcels)

Sources: FDEP, SFWMD, Monroe County, SFRPC.

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