

DEVELOPMENT REVIEW COMMITTEE

MINUTES

May 5, 2009

PURSUANT TO Florida Statute 286.011(1), the Development Review Committee of Monroe County will conduct a meeting on May 5, 2009 beginning at 1:00 PM at the Marathon Government Center, 2<sup>nd</sup> Floor, 2798 Overseas Highway, Marathon, Florida.

**CALL TO ORDER** by Townsley Schwab, Director of Planning

**1:04 PM**

**ROLL CALL** by Debby Tedesco, Coordinator

**DRC MEMBERS:**

Townsley Schwab, Senior Director of Planning and Environmental Resources  
Janis Vaseris, Biologist  
Patricia A. Ivey, DOT Representative  
Steve Zavalney, Fire Marshall  
Judith Clarke, Director of Engineering Services

**Present**  
**Present**  
**Absent**  
**Absent**

**STAFF MEMBERS PRESENTING THE FOLLOWING AGENDA ITEMS:**

Mitch Harvey, Comprehensive Plan Manager  
Kathy Grasser, Comprehensive Planner  
Joe Haberman, Sr. Current Planner  
Bill Harbert, Planner

**CHANGES TO THE AGENDA**

None

**MEETING**

**NEW ITEMS:**

**1. Toppino Land Trust LLC & FPT Land Trust Number 1, East Rockland Key, Mile Marker 9:** A request for approval of a minor conditional use permit in order to construct a wastewater treatment facility to gather and treat water collected from the washing of industrial vehicles and carry out associated site improvements on the property. The subject parcel is legally described as part Lot 6, Section 21, Township 67, Range 26, BB67621-11.1, East Rockland Key, Monroe County, Florida, having real estate number 00122040.000000.

Read into record by Debby Tedesco, Coordinator

Staff report presented by Bill Harbert  
Standards reviewed  
Biologist's required setback of 30' discussed and will be addressed  
All coordination letters are needed to issue D.O:  
Traffic, Fire, SFWM, DOH, DEP,  
D.O. Approval will be issued with conditions & revised site plan  
July 31<sup>st</sup> deadline with DEP was noted

**Comprehensive Plan Amendment Chapters 163 & 380, Florida Statutes**

2. AN ORDINANCE CREATING POLICY 101.6.6 OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN PROVIDING THAT ADMINISTRATIVE RELIEF IN THE FORM OF THE ISSUANCE OF A BUILDING PERMIT IS NOT ALLOWED FOR LANDS WITHIN THE FLORIDA FOREVER TARGETED ACQUISITION AREA OR TIER 1 LANDS UNLESS, AFTER 60 DAYS FROM THE RECEIPT OF A COMPLETE APPLICATION FOR ADMINISTRATIVE RELIEF, IT HAS BEEN DETERMINED THE PARCEL WILL NOT BE PURCHASED FOR CONSERVATION PURPOSES BY ANY COUNTY, STATE OR FEDERAL AGENCY OR ANY PRIVATE ENTITY; REQUIRING NOTIFICATION BY MONROE COUNTY TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF UPCOMING ADMINISTRATIVE RELIEF REQUESTS AT LEAST SIX (6) MONTHS PRIOR TO THE DEADLINE FOR

ADMINISTRATIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; AND DIRECTING THE CLERK OF THE BOARD TO FORWARD A CERTIFIED COPY OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Read into record by Debby Tedesco, Coordinator

Staff Report and background presented by Kathy Grasser

Stated purpose: Guides development away from sensitive lands (Tier 1 lands, for example)

Public: Ron Miller – Someday we can look at other incentives besides money, like TDR's. Alternate exchanges are needed and this needs to be explored.

Townsley Schwab agreed and directed staff to look at other incentives (besides money) such as TDR's as mentioned above, as an alternative to money.

**3. AN ORDINANCE CREATING POLICY 101.4.20 OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN DISCOURAGING PRIVATE APPLICATIONS FOR FUTURE LAND USE CHANGES WHICH INCREASE ALLOWABLE DENSITY AND INTENSITY;** REQUIRING A NEEDS ANALYSIS BASED UPON THE AMOUNT OF VACANT LANDS, FUTURE LAND USE DESIGNATIONS AND THEIR ASSIGNED DENSITY, THE PROJECTED POPULATION AND THE AVAILABILITY OF PUBLIC FACILITIES AND SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; AND DIRECTING THE CLERK OF THE BOARD TO FORWARD A CERTIFIED COPY OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Read into record by Debby Tedesco, Coordinator

Staff Report and background presented by Kathy Grasser

Stated purpose: To discourage private applications, not to disallow them. Per Mitch Harvey, there will be more scrutiny and that there are sufficient facilities (infrastructure) to support development.

Public Comment from Donna Bosold of the Craig Company: She noted the word "discourage" is not in MC CODE. The word "discourage" was used prior and it equals "prohibited". She noted there is no structure within LDR's to support "discouragement".

Kathy Grasser's comment: Applications will be scrutinized more closely much like DCA does.

Mitch Harvey's comments: Guidance to work program to come out of Area of Critical Concern. The State Of Florida wants to make sure we're following proper process especially if and when the State of Florida excludes the Florida Keys from being an Area of Critical Concern.

**4. AN ORDINANCE AMENDING POLICY 101.2.6 OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN REQUIRING THE ADOPTION OF LAND DEVELOPMENT REGULATIONS WHICH PROHIBIT NEW TRANSIENT UNIT ALLOCATIONS UNDER THE RATE OF GROWTH ORDINANCE;** PROVIDING FOR TEN PERCENT (10%) OF ANNUAL RATE OF GROWTH ALLOCATIONS FOR TRANSIENT UNITS WHEN THE ANNUAL AVERAGE OCCUPANCY RATE EXCEEDS NINETY PERCENT (90%); PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; AND DIRECTING THE CLERK OF THE BOARD TO FORWARD A CERTIFIED COPY OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Read into record by Debby Tedesco, Coordinator

Staff Report Presented by Mitch Harvey

Public Comments by Ron Miller and Kay Thacker

**ADJOURNMENT** by Townsley Schwab, Director of Planning

1:49 PM