AGENDA

PLANNING COMMISSION
MONROE COUNTY
February 24, 2016
10:00 A.M.

MARATHON GOV'T CENTER
2798 OVERSEAS HIGHWAY
MARATHON, FL 33050

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSION:
Denise Werling, Chairman
William Wiatt
Elizabeth Lustberg
Ron Miller
Beth Ramsay-Vickrey

STAFF:
Mayte Santamaria, Sr. Director of Planning and Environmental Resources
Steve Williams, Assistant County Attorney
John Wolfe, Planning Commission Counsel
Mike Roberts, Sr. Administrator, Environmental Resources
Tiffany Stankiewicz, Development Administrator
Emily Schemper, Comprehensive Planning Manager
Kevin Bond, Planning & Development Review Manager
Matt Coyle, Sr. Planner
Devin Rains, Sr. Planner
Thomas Broadrick, Sr. Planner
Barbara Bauman, Planner
Mitzi Crystal, Transportation Planner
Gail Creech, Sr. Planning Commission Coordinator

COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

-
SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

-
SWEARING OF COUNTY STAFF

CHANGES TO THE AGENDA

-
APPROVAL OF MINUTES: January 27, 2016 approved

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-
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MEETING

New Items:

1. A PUBLIC HEARING TO CONSIDER AND FINALIZE THE RANKING OF APPLICATIONS IN THE DWELLING UNIT ALLOCATION

SYSTEM FOR OCTOBER 14, 2015, THROUGH JANUARY 12, 2016, ROGO (2nd QUARTER YEAR 24). ALLOCATION AWARDS WILL BE ALLOCATED FOR ALL UNINCORPORATED MONROE COUNTY.
(File 2015-192)
2015-192 SR PC 02.24.16 - Website.PDF

2. A PUBLIC HEARING TO CONSIDER AND FINALIZE THE RANKING OF APPLICATIONS IN THE DWELLING UNIT ALLOCATION SYSTEM FOR THE BIG PINE KEY/NO NAME KEY SUBAREA. ALLOCATION AWARDS TO BE ALLOCATED, IF AVAILABLE, TO APPLICANTS PREVIOUSLY DEFERRED WITHIN THE BIG PINE KEY/NO NAME KEY SUBAREA.
(File 2015-192)
2015-192 SR PC 02.24.16 Deferred BPK.PDF

3. PLAYA LARGO RESORT, 97450 OVERSEAS HWY, KEY LARGO, MILE MARKER 97.4: A PUBLIC HEARING CONCERNING A REQUEST FOR A 6COP-S ALCOHOLIC BEVERAGE USE PERMIT, WHICH WOULD ALLOW BEER, WINE, AND LIQUOR IN CONNECTION WITH OPERATION OF HOTEL, MOTEL, MOTOR COURT OR CONDOMINIUM; SALE BY THE DRINK FOR CONSUMPTION ON PREMISES AND PACKAGE SALES IN SEALED CONTAINERS. THE SUBJECT PARCEL IS LEGALLY DESCRIBED AS TRACTS 4B AND 5B OF AMENDED PLAT OF MANDALAY ON KEY LARGO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA AND ALSO A TRACT OF SUBMERGED LAND IN THE BAY OF FLORIDA FRONTING SAID TRACT 5B, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00555010-000000.
(File 2016-014)
2016-014 SR PC 02.24.16.PDF
2016-014 FILE.PDF
2016-014 COMBINED Plans.pdf

4. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING POLICY 101.5.31 TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-006)
2015-006 SR PC 02.24.16 Final.pdf

5. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY LAND DEVELOPMENT CODE AMENDING SECTION 101-1 TO CREATE DEFINITIONS RELATED TO FLOOD PROTECTION HEIGHT EXCEPTIONS; AND AMENDING SECTION 130-187 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS AND TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.
(File # 2015-171)
2015-171 SR PC 02.24.16 Final.pdf

6. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING A DEFINITION OF OFFSHORE ISLAND; AMENDING POLICIES 101.5.8 AND 101.13.5 WITHIN THE FUTURE LAND USE ELEMENT AND POLICY 207.1.2 WITHIN THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO FURTHER CLARIFY THE DEVELOPMENT OF OFFSHORE ISLANDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

(File 2015-007)
2015-007 SR PC 02.24.16 Final.pdf

Pursuant to Section 286.0105 Florida Statutes and Monroe County Resolution 131-1992, if a person decides to appeal any decision of the Planning Commission, he or she shall provide a transcript of the hearing before the Planning Commission, prepared by a certified court reporter at the appellant's expense. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

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BOARD DISCUSSION

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GROWTH MANAGEMENT COMMENTS

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RESOLUTIONS FOR SIGNATURE

ADJOURNMENT

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT
We strive to be caring, professional and fair

To: Planning Commission

Through: Mayté Santamaria, Sr. Director of Planning and Environmental Resources

From: Tiffany Stankiewicz, Development Administrator

Date: February 5, 2016

Subject: Residential Dwelling Unit Evaluation Report for Quarter 2, Year 24

Meeting Date: February 24, 2016

This report has been prepared pursuant to Section 138-26 of the Land Development Regulations (LDRs). The proposed residential dwelling unit rankings attached to this report are for the second quarter of year twenty-four which covers the period October 14, 2015 through January 12, 2016.

I) BACKGROUND INFORMATION:

On June 23, 1992, the Monroe County Board of County Commissioners (BOCC) adopted Ordinance #016-92, implementing the Residential Dwelling Unit Allocation System. The Ordinance became effective on July 13, 1992, and has been amended periodically.

On March 15, 2006, the BOCC adopted Ordinance 009-2006 to implement the Tier System, and subsequently, it was challenged by Florida Keys Citizens Coalition, Inc. and Protect Key West and the Florida Keys, Inc., d/b/a Last Stand. Thomas G. Pelham, Secretary, Department of Community Affairs signed the final order deciding the challenge on September 26, 2007 (amended Final Order issued January 2, 2008). The Rate of Growth Ordinance (ROGO) utilizing the Tier System and overlays, made changes such as subarea boundary districts for allocation distribution, basis of scoring applications, and administrative relief.

On September 21, 2012, the BOCC adopted Ordinance #021-2012, revising the ROGO allocation scoring system regarding land dedications and Tier III properties containing wetlands adjacent to Tier 1 properties. The ordinance became effective on December 31, 2012.

The following background information regarding applications reviewed this quarter is divided into subarea districts: A) Lower Keys Subarea and Upper Keys Subarea and B) Big Pine Key and No Name Key Subarea.

A. <u>Applications reviewed this quarter for Lower & Upper Keys Subareas</u>:

	Market Rate	Affordable Housing
*Lower Keys	17	0
** Lower Keys (Adm. Relief)	0	0
***Upper Keys	16	0
****Upper Keys (Adm. Relief)	0	0
TOTAL	**33**	**0**

* 4 application rollovers or reapplications from previous quarters.
** 0 applications are rollovers or reapplications from previous quarters.
*** 5 application rollovers or reapplications from previous quarters.
**** 0 applications are rollovers or reapplications from previous quarters.

B. Big Pine Key and No Name Key Subarea:

1) On June 23, 1992, the Monroe County Board of County Commissioners adopted Ordinance 016-1992, implementing the Residential Dwelling Unit Allocation System. The ordinance became effective on July 13, 1992 and has been amended from time to time.

2) In 1998, the Florida Department of Transportation, Monroe County, the Florida Department of Community Affairs, the U.S. Fish and Wildlife Service, and the Florida Fish and Wildlife Conservation Commission signed a Memorandum of Agreement to develop a Habitat Conservation Plan (HCP) for the Key Deer and other protected species in the project area.

3) The Livable Communikeys Program (LCP), Master Plan for Future Development of Big Pine Key and No Name Key was adopted on August 18, 2004 under Ordinance 029-2004. The LCP envisioned the issuance of 200 residential dwelling units over a 20-year period at a rate of approximately 10 units per year. A minimum of twenty percent of the 10 units per year are to be set aside for affordable housing development. Below is a table tracking LCP allocations remaining at the conclusion of Quarter 1 Year 24.

Liveable Communikeys Master Plan (LCP) 2003-2023					
	Beginning Balance	Allocated through Quarter 1 Year 24	Balance of LCP Allocations *	Deferred Allocations	Balance including Deferred Allocations
Market Rate Allocations	160	108	54	3	51
Affordable Housing Allocations	40	10	18	0	18
Totals	200	118	72	3	69

* Means the total adjusted to account for expired allocation, reserved allocatons and re-use of allocations.

4) The LCP Master Plan Action Item 3.2.6 limits allocation awards in Tier 1 to no more than five percent of all residential units permitted over the 20-year planning period (*i.e.*, a maximum of 10 units) or a total of H = 0.022 (two percent of the total H), whichever results in the lower H. Development in Tier 1 is tracked from December 27, 2004, the effective date of the Livable CommuniKeys Plan that established the Tier System for Big Pine Key and No Name Key. (Ordinance 020-2009).

5) On September 22, 2005, the Monroe County Board of Commissioners adopted Ordinance 025-2005 which revised the ROGO to utilize the Tier overlay as the basis for the competitive point system. The ordinance became effective on February 5, 2006.

6) On June 9, 2006, the U.S. Fish and Wildlife Service issued a Threatened and Endangered Species Incidental Take Permit (ITP) to Monroe County (Growth Management Division), The Florida Department of Transportation, and The Florida Department of Community Affairs. The ITP allows the issuance of 200 new residential units through the year 2023.

7) The ITP (Federal ITP #TE083411-0) requires the Permittees (Monroe County, Growth Management Division, the Florida Department of Transportation, and the Florida Department of Community Affairs to ensure that the take of the covered species is minimized and mitigated. The permittees are responsible for meeting the terms and conditions of the ITP and implementing the HCP.

8) The ITP specifies in item G5 that "New residential development in Tier 1 (Tiers defined in HCP, Table 2.7) areas will be limited to no more than five percent of all residential units permitted over the 20-year life of the HCP (i.e., a maximum of 10 units) or a total H of 0.022), whichever results in a lower H."

9) The ITP provides specific development limitations on Big Pine Key and No Name Key, including, but not limited to:
   - The total impact of commercial, institutional (including public projects such as wastewater and roads), and residential development over the 20-year life of the HCP shall not exceed H=1.1.
   - For each H value unit of development, 3 H units of conservation lands shall be acquired, restored, and protected in perpetuity. Over the term of this permit, lands with a cumulative H value of 3.3 shall be acquired.
   - New residential development will be limited to a maximum of 200 dwelling units over the 20 year life of the HCP.
   - New residential development in Tier 1 areas will be limited to no more than 5% of all residential units permitted over the 20 year life of the HCP (no more than 10 units) or H=0.022 whichever results in a lower H.
   - No new development other than single-family residential and accessory uses will be permitted in Tier I areas.

As of December 31, 2014 (11 years into the 20-year permit), the County has issued 103 allocations of the 200 building permits allowed to be issued. The properties comprise 35.3% (0.3887 H) of the total 1.1 'H' allowed, while 86% (2.8428 'H') of the total 3.3 'H' mitigation required by the HCP and ITP has been acquired.

As noted above, the ITP allows development of 10 dwelling units or 0.022 H impact, whichever results in a lower H in Tier I areas on Big Pine Key and No Name Key. ROGO allocations for 4 dwelling units totaling 0.0074 H have been issued to date, with 4 of these allocations resulting in building permits totaling 0.0074 'H'.

10) **Tier 1 applications previously deferred on Big Pine Key/No Name Key Subarea:**

Key (Island)	Permit Number	Deferred Allocation type	Quarter, Year Deferred	Real Estate Number	H-value
No Name	96101467	Market Rate	Q3Y22 (2014)	00319494.000700	0.0034
No Name	96101468	Market Rate	Q4Y22 (2014)	00319494.000800	0.0025
No Name	96101471	Market Rate	Q1Y23 (2014)	00319494.001100	0.0027

Note: This section will be updated in a separate report to Planning Commission on February 24, 2016.

11) **Applications reviewed this quarter for the Big Pine Key and No Name Key Subarea:**

	Market Rate	Affordable Housing
*Big Pine Key and No Name Key	22	0

* 22 applications are rollovers or reapplications from previous quarters.

II) ALLOCATION FACTORS:

A. Pursuant to Section 138-24 the number of annual allocations available is 197.

B. Section 138-24(c) allows any unused portion of affordable housing allocations to be retained and rolled over into the next dwelling unit allocation year.

C. Section 138-24(a)(4) allows the Planning Commission to amend the affordable housing proportions during any ROGO quarter.

D. Section 138-27(g) limits administrative relief allocations per quarter. The number of allocations that may be awarded under administrative relief in any subarea quarter shall be no more than fifty percent (50%) of the total available market rate allocations.

E. Section 138-24(a)(6) limits the number of allocation awards in Tier I. The annual number of allocation awards in Tier I shall be limited to no more than three (3) in the Upper Keys

Subarea and no more than three (3) in the Lower Keys Subarea. The ITP limits Big Pine Key and No Name Key Subarea to ten (10) allocations over a twenty year period or

H =0.0220 whichever is lower. Below is a table tracking the Tier 1 allocations by Quarter/Year.

Tier 1 Award limits	Key (Island)	Permit Number	Allocation type	Quarter, Year	Real Estate Number	H-value	Permit Issue Date	Certificate of Occupancy (C/O) Date	Current Status	Tier 1 Allocations Update
Limited to a maximum 10 or H= .022 whichever is lower over the life of the ITP.	Big Pine	95101813	Market Rate	Q3Y4 (1996)	00285550.000000	0.0028	6/1/2005	9/4/2012	C/O	Big Pine/No Name Keys Subarea: Used 4 not including expireds (since 1996) out of a maximum potential of 10 or less depending on H allowance whichever comes first. Based on permits issued to properties in Tier 1 and pending permits with allocation awards the H total is .0074 (since Dec. 27, 2004).
	Big Pine	96101622	Market Rate	Q2Y6 (1998)	00289510.000000	0.0022	5/1/2006	3/6/2008	C/O	
	Big Pine	03102303	Adm. Relief	Q2Y16 (2008)	00289710.000000	0.0013	4/29/2008	8/4/2010	C/O	
	Big Pine	97101361	Market Rate	Q1Y17 (2008)	00296820.000000	0.0011	12/16/2009	3/29/2012	C/O	
	No Name	96101472 (Not used)	Market Rate	Q2Y19 (2011)	00319494.001300				Expired	
	No Name	96101470	Market Rate	Q2Y20 (2012)	00319494.001000				Expired (7/22/2015)	
	No Name	96101469	Market Rate	Q2Y20 (2012)	00319494.000900				Expired (7/22/2015)	
	No Name	96101464	Market Rate	Q3Y20 (2012)	00319494.000500				Expired (7/22/2015)	
	No Name	96101463	Market Rate	Q4Y20 (2012)	00319494.000400				Expired (7/22/2015)	
	No Name	96101473	Market Rate	Q4Y20 (2012)	00319494.001400				Expired (7/22/2015)	
	No Name	96101462	Market Rate	Q4Y21 (2013)	00319494.000300				Expired (1/30/2016)	
	No Name	96101461	Market Rate	Q2Y22 (2014)	00319494.000200				Expired (1/30/2016)	
	No Name	96101460	Market Rate	Q2Y22 (2014)	00319494.000100				Expired (1/30/2016)	
	No Name	96101465	Market Rate	Q3Y22 (2014)	00319494.000600				Expired (1/30/2016)	
						0.0074				
Subarea Lower: Begin July 14, 2015-July 12, 2016 (Year 24)										
Lower Keys maximum annual allocations in Tier 1 is limited to 3.										Lower Keys: Used 0 out of the 3 allowed in Year 24.
Subarea Upper: Begin July 14, 2015-July 12, 2016 (Year 24)										
Upper Keys maximum annual allocations in Tier 1 is limited to 3.										Upper Keys: Used 0 out of the 3 allowed in Year 24.

Based on the Code, Comprehensive Plan, Livable CommuniKeys, Habitat Conservation Plan, and the Incidental Take Permit:

1) Within the Big Pine Key and No Name Key Subarea, new residential development in Tier 1 is limited to no more than five percent of all residential units permitted over the twenty year planning period (*i.e.*, a maximum of 10 units) or H=0.0220, whichever results in a lower H over the life of the ITP (2003-2023). A review of the H-impacts used to date (0.0074), shows 0.0146 H remains available for Tier 1 (H limit of 0.0220 - 0.0074 H used = 0.0146).

2) Lower Keys Subarea has three Tier 1 allocations available in Year 24; and

3) Upper Keys Subarea has three Tier 1 allocations available in Year 24.

F. Item G5 in the ITP specifies, "New residential development in Tier 1 (Tiers defined in HCP, Table 2.7) areas is limited to no more than five percent of all residential units permitted over the 20-year life of the HCP (i.e., a maximum of 10 units) or a total H-0.0220, whichever results in a lower H."

G. LCP, Action Item 3.2.6: Limits allocation awards in Tier I to no more than five percent of all residential units permitted over the twenty year planning period (i.e., a maximum of 10 units) or a total H-0.0220 (two percent of the total H), whichever results in a lower H.

H. Monroe County Code Section 138-24(a)(5) Big Pine Key and No Name Key states: All allocation awards on Big Pine Key and No Name Key are subject to the provisions of the Incidental Take Permit and the Habitat Conservation Plan for the Florida Key Deer and other covered species, which may affect ROGO allocations under this article.

I. Monroe County Code Section 138-25(f) Expiration of allocation award: Except as provided for in this division, an allocation award shall expire when its corresponding building permit is not picked up after sixty (60) days of notification by certified mail of the award or, after issuance of the building permit, upon expiration of the permit or after failure of the applicant to submit required plan revisons by the required date set for in subsection (j).

Key (Island)	Permit Number	Allocation type	Real Estate Number	H-value	Permit Issue Date	Current Status
No Name	96101462	Market Rate	00319494.000300	0.0026	Not Issued	Expired (1/30/2016)
No Name	96101461	Market Rate	00319494.000200	0.0022	Not Issued	Expired (1/30/2016)
No Name	96101460	Market Rate	00319494.000100	0.0043	Not Issued	Expired (1/30/2016)
No Name	96101465	Market Rate	00319494.000600	0.0026	Not Issued	Expired (1/30/2016)
			Total H-value	0.0117		

J. Monroe County Section 138-24 allows a total of 197 allocations per year (126 Market Rate and 71 Affordable Housing).

Year 24 Allocation Allotment Breakdown by Quarter (July 14, 2015 –July 12, 2016)

Market Rate:	MCC allotment by subarea	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Lower Keys	**57**	**14**	**14**	**14**	**15**
Big Pine Key and No Name Key	**8**	**2**	**2**	**2**	**2**
Upper Keys	**61**	**15**	**15**	**15**	**16**
Total:	**126**	**31**	**31**	**31**	**33**
Affordable Housing:					
Big Pine/No Name Keys	**6***				
Lower/Upper Keys	**220****				

Beginning balances for table on previous page:

*Big Pine Key and No Name Key Subarea affordable housing allocation breakdown into the two income categories are as follows: 1) very low, low, & median income (8 allocations rollover from Year 23 + 1 new allocation for Year 24 = 9 allocations) and 2) moderate income (8 allocations rollover from Year 23+ 4 Expired allocations + 1 new allocation for Year 24 = 13 allocations). On September 16, 2015, the Board of County Commissioners approved Resolution 249-2015 reserving 16 allocation awards (8 moderate income and 8 median income) for Dick Beal aka Caya Placa for property with real estate number 001110780.000000. Therefore, after the reservation the affordable housing allocation breakdown is 1) very low, low, & median income (5 allocations) and 2) moderate income (1 allocation); and

**unincorporated Monroe County excluding the Big Pine and No Name Key Subarea affordable housing allocation breakdown into the two income categories are as follows: 1) very low income, low income and median income (122 allocations rollover from Year 23 + 34.5 new allocation for Year 24 = 156.5) allocations and 2) moderate (111 allocations rollover from Year 23 + 34.5 new allocation for Year 24 = 145.5) allocations. On September 16, 2015, the Board of County Commissioners approved two Inter-local Agreements with the City of Marathon for the following: 1) Vaca Bay Senior Apartments 46 from the very low/low income categories and 2) Anchorage Homes 36 from the very low/low income categories. Therefore, after the transfer of allocations agreed to in the Interlocal Agreements the affordable housing allocation breakdown is 1) very low, low, & median income (74.5 allocations) and 2) moderate income (145.5 allocations);

K. Monroe County Code Section 138-26 allows the adjustment of residential ROGO allocations at the end of each quarterly allocation period of additions or subtractions to the basic allocation available by subarea such as the number of dwelling unit allocation awards that expired prior to the issuance of a corresponding building permit.

Key (Island)	Permit Number	Allocation type	Real Estate Number	H-value	Permit Issue Date	Current Status
No Name	98101462	Market Rate	00319494.000300	0.0026	Not Issued	Expired (1/30/2016)
No Name	98101461	Market Rate	00319494.000200	0.0022	Not Issued	Expired (1/30/2016)
No Name	98101460	Market Rate	00319494.000100	0.0043	Not Issued	Expired (1/30/2016)
No Name	98101465	Market Rate	00319494.000600	0.0026	Not Issued	Expired (1/30/2016)
			Total H-value	0.0117		

L. Florida Administrative Rule 28-20.140 Comprehensive Plan (2)(b) states: "The number of permits issued annually for residential development under the Rate of Growth Ordinance shall not exceed a total annual unit cap of 197, plus any available unused ROGO allocations from a previous ROGO year. Each year's ROGO allocation of 197 units shall be split with a minimum of 71 units allocated for affordable housing in perpetuity and market rate allocations not to exceed 126 residential units per year. Unused ROGO allocations may be retained and made available only for affordable housing and Administrative Relief from ROGO year to ROGO year. Unused allocations for market rate shall be available for Administrative Relief. Any unused affordable allocations will roll over to affordable housing. A ROGO year means the twelve-month period beginning on July 13.

	Unused Market Rate from Yr 19	Unused Market Rate from Yr 20	Unused Market Rate from Yr 21	Unused Market Rate from Yr 22	Unused Market Rate from Yr 23	Total Unused Market Rate Allocations
Lower Keys Subarea	11	44	14	22	7	98
Big Pine/No Name Key Subarea	0	0	0	0	0	0
Upper Keys Subarea	0	0	0	14	15	29
Total Allocations	11	44	14	36	22	105

Note: This table does not include all expired market allocations and may be revised to included expired allocation awards.

III) EVALUATION AND RANKING:

The evaluation of the allocation applications was performed by the Planning & Environmental Resources Department pursuant to Monroe County Code and Comprehensive Plan. Positive and negative points were granted in compliance with the evaluation criteria contained in Comprehensive Plan Policy 101.5.4 and Section 138-28 of the LDRs for the Lower, Upper Keys, and Big Pine Key and No Name Key Subarea. An evaluation report has been provided in accordance with Monroe County Code Section 138-26.

Based on the total points scored, each allocation was ranked by subarea. If applications received identical scores, they were first ranked by date and time. Please note that any excess allocations approved must be deducted from the next quarterly allocation period pursuant to Monroe County Code Section 138-26(e).

IV) RECOMMENDATIONS:

A. Market Rate Allocations Quarter 2 Year 24:

The number of applications in the Lower Keys, Big Pine Key and No Name Keys, and Upper Keys Subareas was greater than the quarterly allocation awards available. Per Section 138-26(b)(7) of the code, the rankings indicate which applications are within the quarterly allocation, and those applications whose rankings puts them outside the quarterly allocation. An additional page is attached which identifies the location of each proposed allocation by island and subdivision.

The Market Rate applications recommended for Quarter 2 Year 24 approval that are within the quarterly allocations are as follows:

Lower Keys: Applicants ranked 1 through 14.

Lower Keys Administrative Relief: No Applicants.

Big Pine Key/No Name Key: Applicant ranked 1 through 2 is recommended for allocation award subject to mitigation availability at the time of permitting.

Upper Keys: Applicants ranked 1 through 15.

Upper Keys Administrative Relief: No Applicants.

B. Affordable Housing Allocations for the Lower & Upper Keys Quarter 2 Year 24:

There are two affordable housing allocation categories: 1) very low, low, & median income and 2) moderate income. A total of 220 affordable housing allocations are available in the two categories 1) very low income, low income and median income (74.5 allocations) and 2) moderate income (145.5 allocations). The Planning Commission may amend the ratio proportions for affordable housing during any ROGO quarter pursuant to MCC §138-24(a)(4).

There were zero (0) affordable housing applications submitted this quarter in the moderate income category and there were zero (0) affordable housing applications submitted this quarter in the very low, low & median income category.

C. <u>Affordable Housing Allocations for the Big Pine Key and No Name Key Quarter 2 Year 24:</u>

There are two affordable housing allocation categories: 1) very low, low, & median income and 2) moderate income. A total of 6 affordable housing allocations are available in the two categories 1) very low income, low income and median income (5 allocations) and 2) moderate income (1 allocation). The Planning Commission may amend the ratio proportions for affordable housing during any ROGO quarter pursuant to MCC §138-24(a)(4).

There were zero (0) affordable housing applications submitted this quarter in the moderate income category and there were zero (0) affordable housing applications submitted this quarter in the very low, low & median income category.

MARKET RATE
RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
LOWER KEYS -YEAR 24, QUARTER 2 (OCTOBER 14, 2015 TO JANUARY 12, 2016)

Tier Rank		Permit #	Name	Date and Time of Application Date	Time	Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50% -3	Wetlands: Tier III adj to Tier I with < 50% -5	Lot Agg Pts. Sec. 138-23(4) 4	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6) 6	Flood Zone 'V' -4	BAT/ AWT 4	First Four Years 1	Each Add. Years Sec. 138-23(12) 2	Payment to Acq. Fund up to 2	Total
MARKET RATE DWELLING UNITS																							
1	*	15105005	Krieger, Steven	28-Oct-15	2:00 PM	Little Torch	Mates Beach Plat #3	73		00219710.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
2	*	15105031	Yukantakitwithya Inc	15-Nov-15	8:30 AM	Summerland	Summerland Key Cove Add. #1	5	6	00190140.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
3	*	15105608	Southernmost Homes Inc.	20-Nov-15	11:00 AM	Cudjoe	Cutthroat Harbor Est.	10	18	00180080.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
4	*	15204256	Brownco Capital LLC	2-Dec-15	3:00 PM	Duck	Plantation Island Sec3 Pt2 Toms Harbor	20	3	00383150.000100	3	30	0	0	0	0	0	0	4	0	N/A	0	34
5	*	15204257	Brownco Capital LLC	2-Dec-15	3:01 PM	Duck	Plantation Island Sec3 Pt2 Toms Harbor	21	3	00383150.000200	3	30	0	0	0	0	0	0	4	0	N/A	0	34
6	*	15105617	Hernandez, Jorge	8-Dec-15	8:45 AM	Cudjoe	Cudjoe Ocean Shores	6	2	00187360.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
7	*	15106317	PP Keys August 15 LLC	29-Dec-15	8:40 AM	Ramrod	Breezeswept Beach Est.	19	4	00202280.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
8	*	15106151	Horton, Carol	8-Jan-16	11:15 AM	Sugarloaf	Sugarloaf Shores Sec. F Rev.	Pt. Lt 81		00166976.008100	3	30	0	0	0	0	0	0	4	0	N/A	0	34
9	*	15106308	Hull-Balne, Doug	11-Jan-16	10:00 AM	Ramrod	Breezeswept Beach Est.	18	7	00203280.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
10	*	15106599	Finer Lines, Inc	11-Jan-16	1:19 PM	Sugarloaf Key	Orchid Park	37		00166977.003700	3	30	0	0	0	0	0	0	4	0	N/A	0	34
11	*	15105411	Southernmost Homes Inc.	12-Jan-16	8:45 AM	Ramrod	Ramrod Shores 1st Add	10	11	00209150.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
12	*	15103690	Alvis, Jason	6-Aug-15	4:46 PM	Cudjoe	Cutthroat Harbor Estates	17	26	00182420.000000	3	30	0	0	0	0	0	-4	4	0	N/A	0	30
13	*	15103306	Southernmost Homes	10-Sep-15	1:10 PM	Sugarloaf	Indian Mounds Estates	13	7	00169870.000000	3	30	0	0	0	0	0	-4	4	0	N/A	0	30
14	*	15104859	Aurrecoechea, Pedro	25-Nov-15	1:50 PM	Cudjoe	Cutthroat Harbor Est. 1st Add.	8	11	00185400.000000	3	30	0	0	0	0	0	-4	4	0	N/A	0	30
15		15106449	PP Keys August 15 LLC	8-Jan-16	8:45 AM	Cudjoe	Cutthroat Harbor Est. 1st Add.	3	3	00184100.000000	3	30	0	0	0	0	0	-4	4	0	N/A	0	30
16	@	15201297	Merrill Property Division Tr	13-Oct-15	2:10 PM	Tom's Harbour		Govt 1,2,3,4		00098970.000000	1	10	0	0	0	8	0	-4	0	0	N/A	2	16
17		13103520	Sampson, Nathanel	24-Feb-14	11:30 AM	Sugarloaf	N Sugarloaf Acres Sec 2	27	13	00117510.005601	1	10	0	0	0	0	0	0	4	1	N/A	0	15

* Indicates a ranking sufficient to receive an allocation award.
@ Indicates a ranking subject to additional reviews and approvals.
Point evaluation criteria pursuant to Monroe County Code Section 138.28.
Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007.
Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Buidling Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

PROPOSED
PC MEETING 2/24/2016

ADMINISTRATIVE RELIEF
RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
LOWER KEYS - YEAR 24, QUARTER 2 (OCTOBER 14, 2015 TO JANUARY 12, 2016)

Tier Rank	Permit #	BOCC Resolution	Name	Date and Time of Application: Date	Time	Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50% -3	Wetlands: Tier III adj to Tier I with < 50% -5	Lot Agg Pts. Sec. 138-23(4) 4	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6) 6	Flood Zone 'V' -4	BAT/A WT 4	First Four Years 1	Each Add. Years Sec. 138-2	Payment to Acq. Fund up to 2	Total
MARKET RATE DWELLING UNITS (ADMINISTRATIVE RELIEF)																							

* Indicates a ranking sufficient to receive an allocation award.
@ Indicates a ranking subject to additional reviews and approvals.
Point evaluation criteria pursuant to Monroe County Code Section 138.28.
Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007.
Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Buidling Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

PROPOSED
PC MEETING 2/24/2016

MARKET RATE
RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
UPPER KEYS - YEAR 24, QUARTER 2 (OCTOBER 14, 2015 TO JANUARY 12, 2016)

Tier Rank		Permit #	Name	Date and Time of Application Date	Time	Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50% -3	Wetlands: Tier III adj to Tier I with < 50% -5	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6) 6	Flood Zone 'V' -4	BAT/ AWT 4	First Four Years 1	Each Add. Years Sec. 138-23(12) 2	Payment to Acq. Fund up to 2	Total
MARKET RATE DWELLING UNITS																							
1	*@	15305380	Correa, Francisco	8-Jan-16	01:13 PM	Largo	Lazy Lagoon	6	2	00496870.000000	3	30	0	0	4	0	0	0	4	0	N/A	0	38
2	*	15304343	Gessel, Patricia	13-Oct-15	11:50 AM	Largo	Twin Lakes	6	7	00548790.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
3	*	14305267	Abramo, Louis	27-Oct-15	01:45 PM	Largo	Ocean Park Village	7	2	00445680.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
4	*	14305180	Sanchez, Gabriel	30-Oct-15	02:30 PM	Largo	Winston Waterways #2	33	6	00547040.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
5	*	15304308	E & T Investment Group LLC	18-Nov-15	10:10 AM	Largo	Ocean Isle Estates	11	2	00538410.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
6	*	15304522	Stoky, Robert	18-Nov-15	10:15 AM	Largo	Largo Sound Park	13	11	00476230.000100	3	30	0	0	0	0	0	0	4	0	N/A	0	34
7	*	15304351	M&M Investment Key Inc.	23-Nov-15	02:15 PM	Largo	Bermuda Shores	153		00551006-015300	3	30	0	0	0	0	0	0	4	0	N/A	0	34
8	*	15305305	Nolt, Thomas	23-Nov-15	03:45 PM	Largo	South Creek Village	19	9	00468110-000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
9	*	15306079	Emerlad Homes LLC	11-Jan-16	03:12 PM	Largo	Riviera Village Rev. Amd.	16	2	00510320.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
10	*	15305283	CTO General Construction	11-Jan-16	04:00 PM	Largo	Ocean Shores Amd. & Ext.	8	1	00497670.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
11	*	15305381	Correa, Francisco	12-Jan-16	10:10 AM	Largo	Ocean Isle Estates	3	3	00538650.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
12	*	15300845	TNT Funding LLC	8-Oct-15	01:09 PM	Largo	Harris Ocean Park Estates	1	3	00447610.000000	3-A	20	0	0	0	0	0	0	4	0	N/A	0	24
13	*	14300626	Martin, Sharon	13-Oct-15	12:10 PM	Largo	Largo Sound Park	8	17	00473700.000000	3-A	20	0	0	0	0	0	0	4	0	N/A	0	24
14	*	15304558	Munoz, Adrian	29-Dec-15	11:15 AM	Largo	Bowens Add Riviera Village	27	11	00512960.000000	3-A	20	0	0	0	0	0	0	4	0	N/A	0	24
15	*	10303865	Dietrich, Susanne	13-Apr-12	03:05 PM	Largo	Ocean Reef Shores	113		00569041.010000	1	10	N/A	N/A	0	0	0	0	4	3	N/A	0	17
16		15303881	TD Group Holdings LLC	8-Oct-15	09:40 AM	Largo	Harris Ocean Park Estates	32	4	00448380.000000	1	10	0	0	0	0	0	0	4	0	N/A	0	14

* Indicates a ranking sufficient to receive an allocation award.
@ Indicates a ranking subject to additional reviews and approvals.
Point evaluation criteria pursuant to Monroe County Code Section 138.28.
Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007.
Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.
M Indicates additional issues to be monitored and addressed prior to permit issuance.

The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Buidling Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

PROPOSED
PC MEETING 2/24/2016

ADMINISTRATIVE RELIEF
RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
UPPER KEYS - YEAR 24, QUARTER 2 (OCTOBER 14, 2015 TO JANUARY 12, 2016)

Tier Rank	Permit #	BOCC Resolution	Name	Date and Time of Application: Date	Time	Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6)	Flood Zone 'V'	BAT/A WT	First Four Years	Each Add. Years Sec. 138-23(12)	Payment to Acq. Fund	Total
													-3	-5	4		6	-4	4	1	2	up to 2	
MARKET RATE DWELLING UNITS (ADMINISTRATIVE RELIEF)																							

* Indicates a ranking sufficient to receive an allocation award.
@ Indicates a ranking subject to additional reviews and approvals.
Point evaluation criteria pursuant to Monroe County Code Section 138.28.
Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007.
Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Buidling Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

PROPOSED
PC MEETING 2/24/2016

AFFORDABLE HOUSING RESIDENTIAL DWELLING UNIT ALLOCATION RANKING, AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR UPPER AND LOWER KEYS - YEAR 24, QUARTER 2 (OCTOBER 14, 2015 TO JANUARY 12, 2016)

Rank	Permit #	Name	Date and Time of Application: Date	Time	Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50% -3	Wetlands: Tier III adj to Tier I with < 50% -5	Lot Agg Pts. Sec. 138-23(4) 4	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6) 6	Flood Zone 'V' -4	BAT/AWT 4	First Four Years 1	Each Add. Years Sec. 2	Payment to Acq. Fund up to 2	Total
AFFORDABLE DWELLING UNITS Very Low, Low, Median Income																						
No applicants under Very Low, Low, Median Income																						
AFFORDABLE DWELLING UNITS Moderate Income																						
No applicants under Very Low, Low, Median Income																						

* Indicates a ranking sufficient to receive an allocation award.
@ Indicates a ranking subject to additional reviews and approvals.
Point evaluation criteria pursuant to Monroe County Code Section 138.28.
Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007.
Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Buidling Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

PROPOSED
PC MEETING 2/24/2016

MARKET RATE
RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
BIG PINE KEY and NO NAME KEY - YEAR 24, QUARTER 2 (OCTOBER 14, 2015 TO JANUARY 12, 2016)

Rank		Permit #	Name	Date and Time of Application: Date	Time	Key	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Located on No Name	Marsch Rabbit/ Buffer	Key Deer Corridor	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-	Payment to Acq. Fund	Mkt in Emp./ AFH projec	BAT/ AWT	Flood Zone 'V'	First Four Years	Each Add. Years Sec.	Total
										-3	-5	-10	-10	-10	3	2	up to 2	6	4	-4	1	2	
MARKET RATE DWELLING UNITS																							
1	*	13103839	Garcia, Pedro	30-Oct-13	3:25 PM	Big Pine	00248140.000000	3	20	0	0	0	0	0	0	0	2	0	0	0	2	N/A	24
2	*	07102535	Wheeler, Scott	24-Aug-07	8:45 AM	Big Pine	00269190.000000	2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	8	22
3		07102238	Akins, Candace	10-Sep-07	2:45 AM	Big Pine	00271270.000000	2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	8	22
4		07103911	Shearin, Jerry	24-Oct-07	8:50 AM	Big Pine	00310490.000000	2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	8	22
5		14102226	Anchor CNGO Corp.	13-Jun-14	10:47 AM	Big Pine	00285380.000000	3	20	0	0	0	0	0	0	0	0	0	0	0	1	N/A	21
6		14103524	Severson, Joshua	29-Aug-14	11:04 AM	Big Pine	00285491.002600	3	20	0	0	0	0	0	0	0	0	0	0	0	1	N/A	21
7		06100507	Sampson, James	31-Jul-06	11:15 AM	Big Pine	00312571.000500	2	10	N/A	N/A	0	0	0	0	0	0	0	0	-4	4	10	20
8		15101689	Wheeler, Charles	7-May-15	10:00 AM	Big Pine	00248540.000000	3	20	0	0	0	0	0	0	0	0	0	0	0	0	N/A	20
9		15103163	Miller, Rochele	10-Jul-15	9:09 AM	Big Pine	00244810.000000	3	20	0	0	0	0	0	0	0	0	0	0	0	0	N/A	20
10		14101545	Wise, Alan	14-Jul-14	1:45 PM	Big Pine	00249560.000000	3	20	0	0	0	0	0	0	0	0	0	0	-4	1	N/A	17
11		05105438	Derovanesian, Jack	13-Jan-06	10:14 AM	Big Pine	00285660.000000	1	0	N/A	N/A	0	0	0	0	0	0	0	0	0	4	10	14
12		05104831	Menge, Robert	20-Jan-06	11:00 AM	Big Pine	00295360.000000	1	0	N/A	N/A	0	0	0	0	0	0	0	0	0	4	10	14
13		08101995	Perez, Orlando	24-Jul-08	9:47 AM	Big Pine	00312890.000000	2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	14
14		08102801	Bahn (Rev. Trust)	14-Oct-08	2:27 PM	Big Pine	00311610.000000	2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	14
15		05100259	Vasquez, Jovan	10-Aug-09	8:55 AM	Big Pine	00312572.000600	2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	14
16		09102047	Eline, William	9-Nov-09	1:34 PM	Big Pine	00271260.000000	2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	14
17		10103101	Mackenzie, William	17-Sep-10	10:40 AM	Big Pine	00111880.000205	3	20	N/A	N/A	0	-10	0	0	0	0	0	0	0	4	N/A	14
18		12100011	Peterson, Mark	9-Apr-12	12:37 PM	Big Pine	00312571.001500	2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	3	N/A	13
19	@	14102030	Strickland, Stephen	21-Sep-15	10:10 AM	Big Pine	00312020.000000	2	10	0	0	0	0	0	3	0	0	0	0	0	0	N/A	13
20		15103055	Booher, David	12-Aug-15	2:20 PM	Big Pine	00312571.001400	2	10	0	0	0	0	0	0	0	0	0	0	0	0	N/A	10
21		09102784	Pereira, Carlos	22-Oct-09	10:44 AM	Big Pine	00290190.000000	1	0	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	4
22		15104795	Radenhausen, Keith	9-Oct-15	11:00 AM	Big Pine	00293150.000000	1	0	0	0	0	0	0	0	0	0	0	0	0	0	N/A	0

* Indicates a ranking sufficient to receive an allocation award which is subject to mitigation availability at the time of permitting.
***D** Indicates a ranking deferred due to pending ongoing litigation with the County (see Galleon Bay v. Monroe County and State of Florida, Circuit Court Case NO. CA-K-02-595) and until ownership issues are resolved.
@ Indicates a ranking subject to Growth Management Division Director approval.
Point evaluation criteria pursuant to Monroe County Code Section 138.28.
Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007.
Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

New development is subject to the Habitat Conservation Plan and Incidental Take Permit (ITP) TE083411-0.
The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

PROPOSED
PC MEETING 2/24/2016

AFFORDABLE HOUSING RESIDENTIAL DWELLING UNIT ALLOCATION RANKING, AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR BIG PINE KEY AND NO NAME KEY YEAR 24, QUARTER 2 (OCTOBER 14, 2015 TO JANUARY 12, 2016)

Rank	Permit #	Name	Date and Time of Application: Date	Time	Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50% -3	Wetlands: Tier III adj to Tier I with < 50% -5	Located on No Name -10	Marsch Rabbit/ Buffer -10	Key Deer Corridor -10	Lot Agg Pts. Sec. 138-23(4) 3	Land Ded Sec. 138-23(5) 2	Payment to Acq. Fund up to 2	Mkt in Emp./AFH project Sec. 138-6	BAT/AWT 4	Flood Zone 'V' -4	First Four Years 1	Each Add. Years Sec. 138-2	Total

AFFORDABLE DWELLING UNITS
Very Low, Low, Median Income

No applicants under Very Low, Low, Median Income

AFFORDABLE DWELLING UNITS
Moderate Income

No applicants under Very Low, Low, Median Income

* Indicates a ranking sufficient to receive an allocation award which is subject to mitigation availability at the time of permitting.
@ Indicates a ranking subject to Growth Management Division Director approval.
Point evaluation criteria pursuant to Monroe County Code Section 138.28.
Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007.
Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

New development is subject to the Habitat Conservation Plan and Incidental Take Permit (ITP) TE083411-0.
The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

Item #2 ROGO Deferred BPK/NNK
Staff Report

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT
We strive to be caring, professional and fair

To: Planning Commission

Through: Mayté Santamaria, Sr. Director of Planning and Environmental Resources

From: Tiffany Stankiewicz, Development Administrator

Date: February 5, 2016

Subject: Allocation Awards to be allocated, if available, to applicants previously deferred within the Big Pine Key/No Name Key Subarea

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Meeting Date: February 24, 2016

This report has been prepared to identify allocation awards which expired January 30, 2016, and to award allocations to applicants previously deferred within the Big Pine Key/ No Name Key Subarea.

I) BACKGROUND INFORMATION:

Big Pine/No Name Key Sub-area:

1) On June 23, 1992, the Monroe County Board of Commissioners adopted Ordinance 016-1992, implementing the Residential Dwelling Unit Allocation System. The ordinance became effective on July 13, 1992 and has been amended from time to time.

2) In 1998, the Florida Department of Transportation, Monroe County, the Florida Department of Community Affairs, the U.S. Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission signed a Memorandum of Agreement to develop a Habitat Conservation Plan (HCP) for the Key Deer and other protected species in the project area.

3) The Livable Communikeys Program (LCP), Master Plan for Future Development of Big Pine Key and No Name Key was adopted on August 18, 2004 under Ordinance 029-2004. The LCP envisioned the issuance of 200 residential dwelling units over 20 years at a rate of roughly 10 per year. A minimum of twenty percent of the 10 units per year are to be set aside for

affordable housing development. Below is a table tracking LCP allocations remaining at the conclusion of Quarter 1 Year 24.

Liveable Communikeys Master Plan (LCP) 2003-2023					
	Beginning Balance	Allocated through Quarter 1 Year 24	Balance of LCP Allocations *	Deferred Allocations	Balance including Deferred Allocations
Market Rate Allocations	160	108	54	3	51
Affordable Housing Allocations	40	10	18	0	18
Totals	200	118	72	3	69

* Means the total adjusted to account for expired allocation, reserved allocatons and re-use of allocations.

4) On September 22, 2005, the Monroe County Board of Commissioners adopted Ordinance 025-2005 which revised the ROGO to utilize the Tier overlay as the basis for the competitive point system. The ordinance became effective on February 5, 2006.

5) On June 9, 2006, the U.S. Fish and Wildlife Permit was issued to 1) Monroe County, Growth Management Division, 2) Florida Department of Transportation, and 3) Florida Department of Community Affairs for Threatened and Endangered Species Incidental Take Permit (ITP) as defined within the geographic area covered by the HCP.

6) Livable CommuniKeys Master Plan *Action Item 3.2.6*: Limit allocation awards in Tier I to no more than five percent of all residential units permitted over the twenty-year planning period (*i.e.*, a maximum of 10 units) or a total of H = 0.022 (two percent of the total H), whichever results in the lower H. Development in Tier 1 is tracked from December 27, 2004, the effective date of the Livable CommuniKeys Plan, which established the Tier System for Big Pine, and No Name Key. (Ordinance 020-2009)

7) The ITP (Federal ITP #TE083411-0) requires the Permittees [1. Monroe County, Growth Management Division, 2. Florida Department of Transportation, and 3. Florida Department of Community Affairs] to ensure that the take of the covered species is minimized and mitigated. The Permittees are responsible for meeting the terms and conditions of the ITP and implementing the HCP.

8) The ITP specifies in G5, "New residential development in Tier 1 (Tiers defined in HCP, Table 2.7) areas will be limited to no more than five percent of all residential units permitted over the 20-year life of the HCP (i.e., a maximum of 10 units) or a total H of 0.022), whichever results in a lower H."

9) The Incidental Take Permit (ITP) provides specific development limitations on Big Pine Key/No Name Key, including, but not limited to:

- The total impact of commercial, institutional (including public projects such as wastewater and roads), and residential development over the 20-year life of the HCP shall not exceed H=1.1.
- For each H value unit of development, 3 H units of conservation lands shall be acquired, restored, and protected in perpetuity. Over the term of this permit, lands with a cumulative H value of 3.3 shall be acquired.
- New residential development will be limited to a maximum of 200 dwelling units over the 20 year life of the HCP.
- New residential development in Tier 1 areas will be limited to no more than 5% of all residential units permitted over the 20 year life of the HCP (no more than 10 units) or H=0.022 whichever results in a lower H.
- No new development other than single-family residential and accessory uses will be permitted in Tier I areas.

As of December 31, 2014 (11 years into the 20-year permit), the County has issued 103 allocations of the 200 building permits allowed to be issued. The properties comprise 35.3% (0.3887 H) of the total 1.1 'H' allowed, while 86% (2.8428 'H') of the total 3.3 'H' mitigation required by the HCP and ITP has been acquired.

As noted above, the ITP allows development of 10 dwelling units or 0.022 H impact, whichever results in a lower H in Tier I areas on Big Pine/No Name Keys. Over this time period, there have been 14 ROGO allocations issued; however, 10 of the 14 allocation awards have expired. The remaining 4 of these allocations were issued building permits and certificate of occupancies. The total H-value for the residential units completed is 0.0074 'H'.

10) **Tier 1 applications previously deferred on Big Pine Key/No Name Key Sub-area:**

Key (Island)	Permit Number	Deferred Allocation type	Quarter, Year Deferred	Real Estate Number	H-value
No Name	96101467	Market Rate	Q3Y22 (2014)	00319494.000700	0.0034
No Name	96101468	Market Rate	Q4Y22 (2014)	00319494.000800	0.0025
No Name	96101471	Market Rate	Q1Y23 (2014)	00319494.001100	0.0027

II) ALLOCATION FACTORS:

A. The ITP limits Big Pine/No Name Key to ten (10) allocations over a twenty year period or H =0.022 whichever is lower. Below is a table tracking the Tier 1 allocations by Quarter/Year.

Tier 1 Award limits	Key (Island)	Permit Number		Allocation type	Quarter, Year	Real Estate Number	H-value	Permit Issue Date	Certificate of Occupancy (C/O) Date	Current Status	Tier 1 Allocations Update
Limited to a maximum 10 or H= .022 whichever is lower over the life of the ITP.	Big Pine	95101613		Market Rate	Q3Y4 (1996)	00285550.000000	0.0028	6/1/2005	9/4/2012	C/O	Big Pine/No Name Keys Subarea: Used 4 (since 1996) out of a maximum potential of 10 or less depending on H allowance whichever comes first. Based on permits issued to properties in Tier 1 and pending permits with allocation awards the H total is .0074 (since Dec. 27, 2004).
	Big Pine	96101622		Market Rate	Q2Y6 (1998)	00289510.000000	0.0022	5/1/2006	3/6/2008	C/O	
	Big Pine	03102303		Adm. Relief	Q2Y16 (2008)	00289710.000000	0.0013	4/29/2008	8/4/2010	C/O	
	Big Pine	97101361		Market Rate	Q1Y17 (2008)	00296820.000000	0.0011	12/16/2009	3/29/2012	C/O	
	No Name	96101472 (Not used)	Schleu, Vivienne	Market Rate	Q2Y19 (2011)	00319494.001300	**0.0026**	**Not Issued**		Expired	
	No Name	96101470 (Not used)	Schleu, Vivienne	Market Rate	Q2Y20 (2012)	00319494.001000	**0.0029**	**Not Issued**		**Expired (7/22/2015)**	
	No Name	96101469 (Not used)	Schleu, Vivienne	Market Rate	Q2Y20 (2012)	00319494.000900	**0.0032**	**Not Issued**		**Expired (7/22/2015)**	
	No Name	96101464 (Not used)	Schleu, Vivienne	Market Rate	Q3Y20 (2012)	00319494.000500	**0.0024**	**Not Issued**		**Expired (7/22/2015)**	
	No Name	96101463 (Not used)	Schleu, Vivienne	Market Rate	Q4Y20 (2012)	00319494.000400	**0.0019**	**Not Issued**		**Expired (7/22/2015)**	
	No Name	96101473 (Not used)	Schleu, Vivienne	Market Rate	Q4Y20 (2012)	00319494.001400	**0.0023**	**Not Issued**		**Expired (7/22/2015)**	
	No Name	96101462	Schleu, Vivienne	Market Rate	Q4Y21 (2013)	00319494.000300	**0.0026**	**Not Issued**		**Expired (1/30/2016)**	
	No Name	96101461	Schleu, Vivienne	Market Rate	Q2Y22 (2014)	00319494.000200	**0.0022**	**Not Issued**		**Expired (1/30/2016)**	
	No Name	96101460	Schleu, Vivienne	Market Rate	Q2Y22 (2014)	00319494.000100	**0.0043**	**Not Issued**		**Expired (1/30/2016)**	
	No Name	96101465	Schleu, Vivienne	Market Rate	Q3Y22 (2014)	00319494.000600	**0.0026**	**Not Issued**		**Expired (1/30/2016)**	

Based on the Code, Comprehensive Plan, Livable CommuniKeys Plan, Habitat Conservation Plan, and Incidental Take Permit within the Big Pine/No Name Key Sub-area, new residential development in Tier 1 is limited to no more than five percent of all residential units permitted over the twenty year planning period (*i.e.*, a maximum of 10 units) or H=0.022, whichever results in a lower H over the life of the ITP (2003-2023). A review of the H-impacts used (0.0074) to date, shows 0.0146 remains available for Tier 1 (H limit is 0.022 - 0.0074 used = 0.0146).

B. G5 in the ITP specifies, "New residential development in Tier 1 (Tiers defined in HCP, Table 2.7) areas is limited to no more than five percent of all residential units permitted over the 20-year life of the HCP (i.e., a maximum of 10 units) or a total H- 0.022), whichever results in a lower H."

C. LCP, Action Item 3.2.6: Limits allocation awards in Tier I to no more than five percent of all residential units permitted over the twenty year planning period (i.e., a maximum of 10 units) or a total H-0.022 (two percent of the total H), whichever results in a lower H.

D. Monroe County Code Section 138-24(a)(5) Big Pine Key and No Name Key.
All allocation awards on Big Pine Key and No Name Key are subject to the provisions of the Incidental Take Permit and the Habitat Conservation Plan for the Florida Key Deer and other covered species, which may affect ROGO allocations under this article.

E. Monroe County Code Section 138-25(f) Expiration of allocation award: Except as provided for in this division, an allocation award shall expire when its corresponding building permit is not picked up after sixty (60) days of notification by certified mail of the award or after issuance of the building permit, upon expiration of the permit or after failure of the applicant to submit required plan revisons by the required date set for in subsection (j).

Key (Island)	Permit Number	Allocation type	Quarter, Year	Real Estate Number	H-value	Permit Issue Date	Current Status
No Name	96101462	Market Rate	Q4Y21 (2013)	00319494.000300	0.0026	Not issued	Expired (1/30/2016)
No Name	96101461	Market Rate	Q2Y22 (2014)	00319494.000200	0.0022	Not issued	Expired (1/30/2016)
No Name	96101460	Market Rate	Q2Y22 (2014)	00319494.000100	0.0043	Not issued	Expired (1/30/2016)
No Name	96101465	Market Rate	Q3Y22 (2014)	00319494.000600	0.0026	Not issued	Expired (1/30/2016)
				Total H-value	0.0117		

III) CONCLUSION:

Market Rate Allocations:

Recommend approval of the market rate allocation awards for the following previously deferred allocations. The allocation awards are made subject to the H availability and availability of H mitigation at the time of permitting.

Big Pine Key/No Name Key previosly deferred Tier 1 Market Rate Allocation Awards within the LCP, HCP & ITP allowances										
Quarter Year	Planning Commission Resolution	Permit #	Name	Key	Subdivision	Lot	Block	RE#	Tier Designation	Parcel H value
Quarter 3 Year 22	P15-14	96101467	Schleu, Vivienne	No Name	Rev. Plat Galleon Bay	7	N/A	00319494.000700	1	0.0034
Quarter 4 Year 22	P29-14	96101468	Schleu, Vivienne	No Name	Rev. Plat Galleon Bay	8	N/A	00319494.000800	1	0.0025
Quarter 1 Year 23	P38-14	96101471	Schleu, Vivienne	No Name	Galleon Bay, Rev. Plat	11	N/A	00319494.001100	1	0.0027
									Total H =	**0.0086**

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Planning Commission

Through: Mayté Santamaria, Senior Director of Planning & Environmental Resources

From: Devin Rains, Senior Planner

Date: February 11, 2016

Subject: *Request for a 6COP S (Beer, Wine, and Liquor in connection with operation of hotel, motel, motor court or condominium; sale by the drink for consumption on premises and package sales in sealed containers) Alcoholic Beverage Use Permit, Playa Largo Hotel, 97450 Overseas Highway, Key Largo, Mile Marker 97.4. The subject parcel is legally described as Tracts 4B and 5B of Amended Plat of Mandalay on Key Largo, according to the plat thereof as recorded in Plat Book 2, Page 25, Public Records of Monroe County, Florida and also a tract of submerged land in the Bay of Florida fronting said Tract 5B, Monroe County, Florida, having Real Estate number 00555010-000000. (File #2016-014)*

Meeting: February 24, 2016

I REQUEST:

The applicant is requesting issuance of an Alcoholic Beverage Use Permit for a 6COP S license allowing on-premises consumption and package sales of beer, wine, and liquor.

Subject Property with Land Use Districts Overlaid (Aerial dated 2015)

II BACKGROUND INFORMATION:

Address: 97450 Overseas Highway, Key Largo, Mile Marker 97.4 (Florida Bay side of the Overseas Highway)

Legal Description: Tracts 4B and 5B of Amended Plat of Mandalay on Key Largo, according to the plat thereof as recorded in Plat Book 2, Page 25, Public Records of Monroe County, Florida and also a tract of submerged land in the Bay of Florida fronting said Tract 5B, Monroe County, Florida (a complete legal description in metes and bounds is provided in the application/file)

Real Estate Number: 00555010-000000

Property Owner/Applicant: Key Largo Hospitality Land Trust c/o Key Largo Hospitality Group, LLC

Agent: Nicholas W. Mulick

Size of Site: 11.83 acres of upland and 2.31 acres of submerged land (based on Monroe County's Property Record Card)

Land Use District: Recreational Vehicle (RV)

Future Land Use Map (FLUM) Designation: Mixed Use/Commercial (MC)

Tier Designation: III-A Special Protection Area

Existing Use: Approved development under construction: transient hotel units, hotel accessory uses, one commercial apartment, and commercial retail nonresidential floor area. Previously developed as an RV park.

Existing Vegetation / Habitat: Partially scarified with landscaped areas throughout the site, some areas of hammocks, submerged land.

Community Character of Immediate Vicinity: Single-family residential to the southwest; multi-family residential to the northeast; commercial to the south and east (within median of US1).

Flood Zone: Part X, Part AE-EL 9, Part AE-EL 10, & Part VE-EL 13

III RELEVANT PRIOR COUNTY ACTIONS:

In 2005, the Planning Commission approved a request by Mandalay Resort LLC for an amendment to the property's major conditional use permit in order to redevelop a 154-unit RV park with a 92-unit hotel, a commercial apartment, and other accessory development. The approval was memorialized in Planning Commission Resolution No. P51-05. The redevelopment plan was not completed and subsequently modified in 2007.

In 2007, the Planning Commission approved requests by Mandalay Resort LLC for an off-street parking variance (P39-07) and an amendment to the property's major conditional use permit in order to redevelop the site with a 124-unit hotel, a commercial apartment, and other accessory development. As per the staff report dated June 29, 2007 regarding the Request for Parking Variance: "because the proposed development includes gated access, which is limited to guests no additional spaces need to be allocated for nonresidential development." The staff report further states, "The applicant asserts that the development will be closed to the public and the minimum public service requirements have been met." The staff report also states "...the provisions of dining and entertainment facilities on-site reduces the demand for vehicular access as a guest of the facility." The approvals were memorialized in

Planning Commission Resolution No. P39-07 (parking variance) and No. P40-07 (major conditional use permit). Resolution No. P40-07 was filed and recorded on January 31, 2008. The major conditional use permit was effective upon recording date. By its terms, it was effective for three years, initially set to expire on January 30, 2011. Since the approval of Resolution No. P40-07, the County's definition of a hotel "unit" has changed. Based on the number of bedroom-bathroom combinations, the 124-unit hotel approved by Resolution No. P40-07 is now considered to be a 154-unit hotel under current land development regulations.

In 2010, a time extension was granted in accordance with Florida Senate Bill 360. The project was provided a new expiration date of January 29, 2013 to acquire all required certificates of occupancy.

In 2012, a time extension was granted in accordance with Florida House Bill 7207. The project was provided a new expiration date of January 29, 2015 to acquire all required certificates of occupancy.

On September 21, 2012, the applicant received a minor deviation to the major conditional use permit to allow a) the reconfiguration and consolidation of the approved buildings into fewer buildings; b) an increase in the number of parking spaces from 147 to 161, and; c) the addition of three accessory playing courts.

On October 11, 2013, the applicant received a minor deviation to the major conditional use permit to allow a) minor modifications to the approved buildings and b) a mulched exercise pathway.

On October 18, 2013, Building Permit # 13300330 was issued for site work associated with the project. Planning approval of this permit was based on the site plan associated with the minor deviation approved on 9/21/2012. Among other items, this permit included approvals for stormwater management, clearing areas, and mitigation fees.

The following building permits have been issued thus far for buildings within the proposed development:
#13304880, issued on 8/20/14 for construction of the "beach lounge" building;
#13304881, issued on 9/9/2014 for construction of one (1) commercial apartment;
#13304882, issued on 9/9/2014 for a restaurant building – the Marina Grill;
#13304883, issued on 8/20/2014 for four (4) bungalows;
#13304884, issued on 8/20/2014 for five (5) bungalows;
#13304885, issued on 9/9/2014 for one (1) ADA compliant bungalow;
#13305054, issued on 3/20/2014 for the hotel building (based on 10/11/2013 minor deviation);
#14304585, issued on 2/11/2015 for a pool;
#15300306, issued on 2/11/2015 for fire alarm;
#15302746, issued on 11/23/2015 for Phase II Building C;
#15305483, issued on 1/6/2016 for fire protection system;
#15305485, issued on 1/6/2016 for fire protection system;
#15305486, issued on 1/6/2016 for fire protection system;

#15305487, issued on 1/6/2016 for fire protection system;
#15305489, issued on 1/6/2016 for fire protection system;
#15305490, issued on 1/6/2016 for fire protection system; and
#15305936, issued on 12/21/2015 for landscape electrical.

On May 28, 2014, a time extension was granted in accordance with Section 110-73 of the Monroe County Land Development Code. The project was provided with a new expiration date of January 29, 2017 to acquire all required certificates of occupancy.

On November 21, 2014, the applicant received a minor deviation to the major conditional use permit to allow a) minor modifications to the approved site plan, including the addition of 16 parking spaces, and b) eight (8) additional hotel rooms (for a total of 162 transient units).

On May 27, 2015, the applicant received an amendment to a Major Conditional Use Permit to allow the addition of 15 transient units to the previously approved site plan, for a total of 177 transient hotel units, hotel-associated accessory uses, one (1) commercial apartment, and 2,500 square feet of commercial retail nonresidential floor area. The approval was memorialized in Planning Commission Resolution No. P12-15. Resolution No. P12-15 was signed on May 27, 2015; filed on July 24, 2015; and recorded on October 9, 2015 with copy of approved plan.

IV <u>REVIEW OF APPLICATION:</u>

Pursuant to Section 3-6(e) of the Monroe County Code of Ordinances, the Planning Commission shall give due consideration to the following factors as they may apply to the particular application prior to rendering its decision to grant or deny the requested permit:

(1) The effect of such use upon surrounding properties and the immediate neighborhood as represented by property owners within 500 feet of the premises;

The subject property is located within the RV Land Use District along the north side of US-1. Hotels providing 50 or more rooms are permitted as major conditional uses in the RV Land Use District. A Major Conditional Use Permit was approved and memorialized in Planning Commission Resolution No. P40-07. Deviations to the Major CUP were granted in 2012, 2013, and 2014. The major conditional use permit was amended as memorialized in Planning Commission Resolution No. P12-15. Public input was considered in the review and approval process of the conditional use permit and amendments in keeping with Code Chapter 110 Development Review, Article III Conditional Uses. Staff does not have any evidence that approving the requested permit for a 6COP S license would adversely affect neighboring properties.

There are a number of businesses in the vicinity that have alcoholic beverage licenses.

Known Alcohol Beverage License in the Vicinity:
(Source: Florida Department of Business & Professional Regulation online services)

Surrounding Property	Business Type	Type of Alcoholic Beverage License
BALLYHOO'S ISLAND GRILLE (97860 Overseas Hwy)	Restaurant	2COP Beer and wine, on-premises and package
HILTON KEY LARGO BEACH RESORT (97000 Overseas Hwy)	Resort	6COP Beer, wine and liquor, on-premises and package
DENNYS (97630 Overseas Hwy)	Restaurant	6COP Beer, wine and liquor, on-premises and package
KEY LARGO MARATHON (98210 Overseas Hwy)	C-Store	2APS Beer, package only
TOM THUMB FOOD STORES INC (97901 Overseas Hwy)	C-Store	2APS Beer, package only

Please note that, as of the date of this report, no members of the community, either in support or opposition to the application, have contacted the Planning and Environmental Resources Department.

(2) *The suitability of the premises in regard to its location, site characteristics and intended purpose. Lighting on the permitted premises shall be shuttered and shielded from surrounding properties, and construction of such permitted properties shall be soundproofed. In the event music and entertainment are permitted, the premises shall be air conditioned;*

The use is consistent with Code Section 130-42 Purpose of the recreational vehicle district (RV) Land Use District, which states "The purpose of the RV districts is to establish areas suitable for the development of destination resorts for recreational vehicles and other transient units such as seasonal residential units". The suitability of the premises was reviewed under the major conditional use permit and subsequent deviations and amendment.

The site is developed to the Code requirements for parking lot landscaping, district boundary bufferyards, major street bufferyards and amount of parking and loading zone spaces required in accordance with: amendment to Major CUP Resolution No. P51-05; parking variance Resolution No. P39-07; major conditional use permit Resolution No. P40-07; deviation September 21, 2012; deviation October 11, 2013; site work permit # 13300330; deviation November 21, 2014; and amendment to major CUP Resolution No. P12-15.

As new or replacement lighting is installed, it shall be required to be shuttered and shielded from the surrounding properties. Condition 7 of Planning Commission Resolution No. P40-07 also states: "Prior to the issuance of a building permit, the permit

shall be conditioned to prohibit lighting directed towards Rock Harbor Condominium Assoc."

Condition 8 of Planning Commission Resolution No. P40-07 states: "Prior to the issuance of a building permit, the permit shall be conditioned to prevent entertainment at Playa Cristal past the hour of 10:00 p.m. is directly prohibited."

(3) Access, traffic generation, road capacities, and parking requirements;

The site is accessed from US 1. The applicant did not submit a traffic study with this application; however, a traffic study was provided as part of the major conditional use permit. Staff does not anticipate that the requested 6COP S license would significantly increase traffic to the site.

The site is conforming to the off-street parking and loading spaces required per Code Chapter 114, Article III on the premises in keeping with: parking variance Resolution No. P39-07, the conditional use permit, and deviation of 9/21/2012 as reviewed and approved in building permit 13300330. The granting of the requested 6COP S license would not increase the off-street parking requirements for the site.

(4) Demands upon utilities, community facilities and public services;

It is not anticipated that the approval of the requested 6COP S license would increase demands on utilities, community facilities or public services.

(5) Compliance with the county's restrictions or requirements and any valid regulations;

Hotels providing 50 or more rooms with or without alcohol sales are permitted in the Recreational Vehicle Land Use District with a major conditional use permit.

Also, as of the date of this report, there are not any open code compliance cases related to the property.

V <u>RECOMMENDATION:</u>

Staff recommends APPROVAL to the Planning Commission of the requested Alcoholic Beverage Use Permit for a 6COP S license allowing Beer, Wine, and Liquor in connection with operation of a hotel, motel, motor court or condominium; sale by the drink for consumption on premises and package sales in sealed containers with the following conditions. However, valid objections from surrounding property owners at the public hearing may lead staff to reevaluate the recommendation conditions.

1. Alcoholic Beverage Use Permits issued by virtue of the Monroe County Code shall be deemed to be a privilege running with the land. The sale of the real property which has been granted an Alcoholic Beverage Use Permit shall automatically vest the purchaser

thereof with all rights and obligations originally granted or imposed to or on the applicant. Such privilege may not be separated from the fee simple interest in the realty.

2. In keeping with parking variance approved by Planning Commission Resolution No. P39-07, alcoholic beverage sales shall be limited to registered guests of the hotel.

3. In the event that the holder's license by the Florida Department of Business and Professional Regulation expires and lapses, this Alcoholic Beverage Special Use Permit approval shall be null and void as of the date of that expiration. Additional approval by the Planning Commission shall be required to renew the Alcoholic Beverage Special Use Permit.

Attachment: Monroe County Code Chapter 3 - Alcoholic Beverages, Section 3-6.

Sec. 3-6. - Regulation and control over sale.

(a) Establishment of use permit procedure. This section is designed and intended to provide for reasonable regulation and control over the sale of alcoholic beverages within the unincorporated areas of the county by establishing an alcoholic beverage use permit procedure and providing criteria to be used to ensure that all future proliferation of alcoholic beverage use enterprises within the unincorporated areas of the county be compatible with adjoining and surrounding land uses and the county's comprehensive plan, and that alcoholic beverage use permits not be granted where such uses will have an adverse impact upon the health, safety and welfare of the citizens and residents of the county. All persons, firms, partnerships or corporations who have received approval from the zoning board or board of county commissioners under the former provisions of section 19-218 of the Monroe County Code, as same heretofore existed, shall retain all rights and privileges heretofore granted under such section.

(b) New applicants for permit. All persons desiring to sell alcoholic beverages upon any premises located within the unincorporated areas of the county and who desire to do so upon a premises not heretofore approved by the zoning board or board of county commissioners under the former section 19-218, shall obtain an alcoholic beverage use permit using the procedure outlined in subsection (d) of this section.

(c) Classifications. Corresponding to those alcoholic beverage license classifications as heretofore and hereafter adopted by the state, alcoholic beverage use permits hereafter issued pursuant to this chapter shall be classified as follows:

(1) 1APS: Beer, package only;

(2) 1COP: Beer, on-premises and package;

(3) 2APS: Beer and wine, package only;

(4) 2COP: Beer and wine, on-premises and package;

(5) 6COP: Beer, wine and liquor, on-premises and package;

(6) 6COP SRX: Restaurant, no package sales;

(7) 6COP SR: Restaurant, package sale;

(8) 6COP S: Motel, package sales;

(9) 6COP SBX: Bowling, no package sales;

(10) 6COP SPX: Boat, no package sales;

(11) 3BPS: Beer, wine and liquor, package sales only;

(12) 3M: Additional license for 6COP, over three bars; and

(13) 12RT: Racetrack, liquor, no package sales.

(d) Procedure. The following procedure shall be followed on any application for an alcoholic beverage use permit hereafter made:

(1) Applications for alcoholic beverage use permits shall be submitted to the director of planning in writing on forms provided by the director. Such applications must be signed by the owner of the real property for which the permit is requested. Lessees of the premises may apply for such permits, provided that proper authorization from the owner of the premises is given and the application for permit is cosigned by such owner.

(2) Upon receipt of a properly completed and executed application for an alcoholic beverage use permit stating the exact classification requested along with the necessary fee, the director of planning shall schedule a public hearing before the planning commission and shall advise the applicant of the date and place of the public hearing.

(3) Notice of the application and of the public hearing thereon shall be mailed by the director of planning to all owners of real property within a radius of 500 feet of the affected premises. In the case of a shopping

center, the 500 feet shall be measured from the perimeter of the entire shopping center itself rather than from the individual unit for which approval is sought. Notice shall also be provided in a newspaper of general circulation in the manner prescribed in section 110-5. For the purposes of this section, the term "shopping center" means a contiguous group of individual units, in any combination, devoted to commercial retail low-intensity uses, commercial retail medium-intensity uses, commercial retail high-intensity uses, and office uses, as those phrases are defined in section 101-1, with immediate off-street parking facilities, and originally planned and developed as a single project. The shopping center's single project status shall not be affected by the nature of the ownership of any of the individual office or commercial retail units, within the shopping center.

(4) At the hearing before the planning commission, all persons wishing to speak for or against the application shall be heard. Recommendations or other input from the director of planning may also be heard prior to any decision by the planning commission.

(e) Criteria. The planning commission shall give due consideration to the following factors as they may apply to the particular application prior to rendering its decision to grant or deny the requested permit:

(1) The effect of such use upon surrounding properties and the immediate neighborhood as represented by property owners within 500 feet of the premises. For the purposes of this section, the term "premises" means the entire project site of a shopping center;

(2) The suitability of the premises in regard to its location, site characteristics and intended purpose. Lighting on the permitted premises shall be shuttered and shielded from surrounding properties, and construction of such permitted properties shall be soundproofed. In the event music and entertainment are permitted, the premises shall be air conditioned;

(3) Access, traffic generation, road capacities, and parking requirements;

(4) Demands upon utilities, community facilities and public services; and

(5) Compliance with the county's restrictions or requirements and any valid regulations.

(f) Approval by planning commission. The planning commission may grant approval based on reasonable conditions considering the criteria outlined herein.

(g) Where permitted. Alcoholic beverage use permits may be granted in the following land use districts: urban commercial; suburban commercial; suburban residential where the site abuts U.S. 1; destination resort; mixed use; industrial and maritime industries. Notwithstanding the foregoing, alcoholic beverage sales may be permitted at restaurants, hotels, marinas and campgrounds regardless of the land use district in which they are located. Nothing contained herein shall exempt an applicant from obtaining a major or minor conditional use approval when such is otherwise required by the county development regulations in part II of this Code.

(h) Transferability. Alcoholic beverage use permits issued by virtue of this section shall be deemed to be a privilege running with the land. The sale of the real property that has been granted an alcoholic beverage use permit shall automatically vest the purchaser thereof with all rights and obligations originally granted or imposed to or on the applicant. Such privilege may not be separated from the fee simple interest in the realty.

(i) Appeals. All persons aggrieved by the actions of the planning commission in granting or denying requested alcoholic beverage permits may request an appeal hearing before a hearing officer under chapter 102, article VI, division 2 by filing the notice required by that article within 30 days after the date of the written decision of the planning commission.

(j) Successive applications. Whenever any application for alcoholic beverage approval is denied for failure to meet the substantive requirements of these regulations, an application for alcoholic beverage approval for all or a portion of the same property shall not be considered for a period of two years unless a super-majority of the planning commission decides that the original decision was based on a material mistake of fact or that there exists changed conditions and new facts, not existing at the time of the original decision, that would justify entertaining a new application before the expiration of the two-year period. However, in the case of a shopping center, as defined in subsection (d)(3) of this section, this subsection shall only apply to the commercial retail unit within the shopping center for which approval was sought and not the entire shopping center site itself.

Item #3 KL Hospitality Land Trust-Alc Bev File

File #: **2016-014**

Owner's Name: Key Largo Hospitality Land Trust

Applicant: Key Largo Hospitality Land Trust

Agent: Nicholas W. Mulick

Type of Application: Alcoholic Beverage

Key: Key Largo

RE: 00555010.000000

Additional Information added to File 2016-014

Creech-Gail

From: rains-devin
Sent: Thursday, February 04, 2016 10:39 AM
To: Creech-Gail
Subject: FW: Playa Largo - Alcoholic Beverage Use Permit
Attachments: Playa Largo RE Legal Description.pdf; FW: Playa Largo

Follow Up Flag: Follow up
Flag Status: Flagged

Gail,

Attached please find the corrected legal description for Alcoholic Beverage Use Permit 2016-014. This will need to be placed in the file. The attached e-mail content should also be placed in the file folder. I will be happy to bring up printed copies if you would like.

Thank you,

Devin Rains
Senior Planner
Monroe County | Planning and Environmental Resources
2798 Overseas Highway, Suite 400, Marathon, FL 33050
305.289.2532

From: Tricia Bow [mailto:reception@mulicklaw.com]
Sent: Wednesday, February 03, 2016 5:58 PM
To: rains-devin
Cc: Nancy Mulick
Subject: RE: Playa Largo - Alcoholic Beverage Use Permit

Devin,

Thanks for the heads up! Attached is a copy of the corrected legal description for inclusion in the File.

By the way, if you need any assistance in gaining access to any part of the property (construction is still ongoing) let me know and I will contact the appropriate person to allow access.

Nick

Tricia Bow
Legal Assistant

NICHOLAS W. MULICK, PA

From: rains-devin [mailto:Rains-Devin@MonroeCounty-FL.Gov]
Sent: Wednesday, February 03, 2016 5:29 PM

To: Lisa Carey
Subject: Playa Largo - Alcoholic Beverage Use Permit

Mr. Mulick,

I am the staff member assigned your application for Alcoholic Beverage Use Permit.

I have been able to get this on the agenda for the February 24, 2016 Planning Commission Meeting. At this time you should have received an e-mail from Gail Creech regarding posting of the property. As per her e-mail, it is important the property is posted and the affidavit of posting is executed prior to February 8.

Please note: upon review of the application documents, the legal description provided contains typos. Upon comparison to the Warranty Deed and property record card you will see that where the numbers 48 and 58 appear in your document, they should be 4B and 5B. Please revise and resubmit the legal description for the file. You can e-mail this to me if you would like.

I will be stopping by the Playa Largo Hotel site tomorrow morning to better familiarize myself with the site for the purposes of writing the Staff Report.

Thank you,

Devin Rains
Senior Planner
Monroe County | Planning and Environmental Resources
2798 Overseas Highway, Suite 400, Marathon, FL 33050
305.289.2532

Legal Description

Parcel ID# 00555010-000000

Tracts 4B and 5B of Amended Plat of Mandalay on Key Largo, according to the plat thereof as recorded in Plat Book 2, Page 25, Public Records of Monroe County, Florida, and also a tract of submerged land in the Bay of Florida fronting said Tract 5B, conveyed by Trustees of the Internal Improvement Fund of the State of Florida by its Deed No. 22416, more particularly described as follows:

From the intersection of the dividing line between Tracts 4B and 5B, according to said Amended Plat of Mandalay, with the Northwesterly right of way line of State Road No. 5, run North 49°55'40" West along said dividing line, a distance of 500 ft. to the mean high tide on the shore of the Bay of Florida and the point of beginning of the tract hereinafter described; thence meandering said mean high tide line in a Northeasterly direction, a distance of 537 ft. more or less to the South line of Lot 9, as shown on plat of "Gov. Lots 5 & 6 and the NW- 1/4 of the NW-1/4 of Section 5 and Lots 1 & 2 of Sec. 6 Tp 62 S, R 39 E" and recorded in Plat Book 1, Page 59, Public Records of Monroe Co., Fla.; thence North 88°55' West along the said South line of Lot 9, a distance of 75 ft. more or less to the most Westerly corner of said Lot 9, as shown on said plat; thence North 44°22' West, a distance of 145 ft; thence South 40°21' West, a distance of 509.6 ft. to the Northwesterly prolongation of the dividing line between Tracts 4B and 5B, according to said Amended Plat of Mandalay; thence South 49°55'40" East, along said Northwesterly prolongation, a distance of 200 ft. to the POINT OF BEGINNING.

Creech-Gail

From: Bond-Kevin
Sent: Monday, February 01, 2016 7:19 PM
To: rains-devin
Subject: FW: Playa Largo

Devin, see below regarding the Alcoholic Beverage Use Permit application, File # 2016-014. Thanks.

From: Tricia Bow [mailto:reception@mulicklaw.com]
Sent: Monday, February 01, 2016 4:59 PM
To: Bond-Kevin
Cc: Julie Beth Dussinger Esq. (jdussinger@shanercorp.com); Nancy H. Rush (nrush@shanercorp.com); Trey Mills Esq. (tmills@rtlaw.com); Susan Acosta (sacosta@rtlaw.com); Nancy Mulick
Subject: RE: Playa Largo

Kevin,

As you may know, I recently submitted an application for an Alcoholic Beverage Permit on behalf of my client Key Largo Hospitality Land Trust c/o Key Largo Hospitality Group, LLC to allow the service of alcoholic beverages at restaurants on their newly constructed Playa Largo Resort located at MM 97.5. The resort is due to be opened to the public by late February.

To expedite the review process of the application, it was filed with the box checked next to the 5COP license series designation. The application, last revised in 2009, does not include the 6COP series designation.

At the time the application was filed, the Florida Department of Alcoholic Beverages and Tobacco had not yet determined whether the 5COP or 6COP series was the proper license for the resort operation. The Department has since informed my client that 6COP-S is the appropriate designation.

Although there is no substantial difference between the 5COP and the 6COP licenses, I thought it appropriate to notify you that the application should now reflect that my client is applying for a 6COP-S alcoholic beverage license.

Contact me if you have any questions or require any additional information to assist in your review of the application.

Thanks,

Nick

Tricia Bow
Legal Assistant

NICHOLAS W. MULICK, PA
91645 Overseas Hwy
Tavernier, FL 33070

305-852-9292
305-852-8880 fax
reception@mulicklaw.com

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Creech-Gail

From: Bond-Kevin
Sent: Monday, February 01, 2016 5:04 PM
To: Creech-Gail
Cc: Santamaria-Mayte
Subject: FW: Playa Largo

Follow Up Flag: Follow up
Flag Status: Flagged

Gail, please include this email in the project file, Alcoholic Beverage Use Permit, File # 2016-014. Thank you.

From: Tricia Bow [mailto:reception@mulicklaw.com]
Sent: Monday, February 01, 2016 4:59 PM
To: Bond-Kevin
Cc: Julie Beth Dussinger Esq. (jdussinger@shanercorp.com); Nancy H. Rush (nrush@shanercorp.com); Trey Mills Esq. (tmills@rtlaw.com); Susan Acosta (sacosta@rtlaw.com); Nancy Mulick
Subject: RE: Playa Largo

Kevin,

As you may know, I recently submitted an application for an Alcoholic Beverage Permit on behalf of my client Key Largo Hospitality Land Trust c/o Key Largo Hospitality Group, LLC to allow the service of alcoholic beverages at restaurants on their newly constructed Playa Largo Resort located at MM 97.5. The resort is due to be opened to the public by late February.

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Contact me if you have any questions or require any additional information to assist in your review of the application.

Thanks,

Nick

Tricia Bow
Legal Assistant

NICHOLAS W. MULICK, PA
91645 Overseas Hwy
Tavernier, FL 33070
305-852-9292
305-852-8880 fax
reception@mulicklaw.com

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County of Monroe

Planning & Environmental Resources Department
2798 Overseas Highway, Suite 410
Marathon, FL 33050
Voice: (305) 289-2500
FAX: (305) 289-2536

Board of County Commissioners
Mayor Heather Carruthers, Dist. 3
Mayor Pro Tem George Neugent, Dist. 2
Danny L. Kolhage, Dist. 1
David Rice, Dist. 4
Sylvia Murphy, Dist. 5

We strive to be caring, professional, and fair.

Date: 1.25.16
Time: _____

Dear Applicant:

This is to acknowledge submittal of your application for Alcoholic Beverage
Type of application

Key Largo Hospitality Land Trust to the Monroe County Planning Department.
Project / Name

Thank you.

Gail Creech

Planning Staff

MCPA GIS Public Portal
Scott P. Russell, CFA

- Pan
- Legend
- Zoom In
- Full
- Zoom Out
- Address
- Find
- Identify
- Select
- Buffer
- Measure
- Print

Help

Check out our Getting Started tutorial!

Zoom-inZoom-in to a defined extent...
Zoom-outZoom-out to a defined extent...
Full ExtentZoom to the full extent tool was clicked!
Pan Pan the map
Scale: 1:9627 Latitude: 24.677162 Longitude: -80.470107

Basemap Select a basemap , o Locate Clear

Buffer Results151 features found Zoom Remove highlight
Export results to "|" Delimited Go

Search:

OBJECTID	SDE.DBO.W_PARCELS.ID	SDE.DBO.W_PARCELS.RECHAR	SDE.DBO.W_PARCELS.GEO_FEAT

MCPA GIS Public Portal
Major Road
Monroe Outline
Subdivisions
Section Lines
SECTION TEXT
Parcels
Shoreline
Lot Lines
Hooks Leads
Easements
2015 Condo
Expand All
2014 Condo
2013 Condo
2012 Condo
2011 Condo
2010 Condo
2009 Condo
2008 Condo
2015 Sales
2014 Sales
2013 Sales
2012 Sales
2011 Sales
2010 Sales
2009 Sales
2008 Sales
Road Centerline
Road Block Name

- MCPA GIS Public Portal
  - Monroe Overlay
  - Subdivisions
  - Section Lines
  - Parcels
  - Shoreline
  - Lot Lines
  - Hooks Leads
  - Easements
  - Text Displays
  - Qualified Condo Sales
  - Qualified Sales
  - Transportation

Verified GC

97 PALMS SOUTH L C
9357 CALLIANDRA DR
BOYNTON BEACH, FL 33436-3034

97501 MARINERS CLUB LLC
515 E LAS OLAS BLVD STE 860
FORT LAUDERDALE, FL 33301-2268

ACKERMANN DONALD W AND MARILYN
97652 OVERSEAS HWY APT HH1
KEY LARGO, FL 33037-2207

ADAM RYAN A REV TR OF 05/13/05
600 S ATLANTIC AVE
DAYTONA BEACH, FL 32118-4510

APARICIO RENE AND BLANCA
1500 SW 12TH AVE
MIAMI, FL 33129-2638

BAKER KEITH A
7555 CONIFER DR
COLORADO SPRINGS, CO 80920-4529

BANKS ROBERT W
3831 SW 56TH ST
FORT LAUDERDALE, FL 33312-6207

BELLIS STEPHEN L AND MARTHA A LIV TR
DTD 11/23/05
PO BOX 524
INDIAN RIVER, MI 49749-0524

BENNARDO MARIANNE DECLARATION OF
TRUST 7/10/2013
1009 AZALEA RD
DELRAY BEACH, FL 33483-6601

BERNAT DOLORES P TRUST AGR
4/23/1998
12832 QUAIL CT
PALOS HEIGHTS, IL 60463-2282

BESADA MARCIA
521 MAJORCA AVE
CORAL GABLES, FL 33134-4221

BITTO ALISA
20 OCEAN DR
KEY LARGO, FL 33037-4034

BLACK BASS 1 LLC
PO BOX 439
PALM CITY, FL 34991-0439

BLAKE KEITH W
240 CENTRAL AVE
LONG PRAIRIE, MN 56347-1303

BOCA MARINA COURT LLC
31 SENECA RD
SEA RANCH LAKES, FL 33308-2325

BODKER TERRI L
97652 OVERSEAS HWY APT P4
KEY LARGO, FL 33037-2206

~~BOLAND CECIL SAMUEL REVOCABLE~~
~~TRUST 10/1/2015~~
~~97652 OVERSEAS HWY HH 7~~
~~KEY LARGO, FL 33037-2221~~

BOLAND CECIL SAMUEL REVOCABLE
TRUST 10/1/2015
97652 OVERSEAS HWY APT HH7
KEY LARGO, FL 33037-2201

BORKOWSKI RICHARD V & CATHERINE M
5 GREENWICH CT
SHOREHAM, NY 11786-2017

BROCK LISA M
14606 JOCKEYS RIDGE DR
CHARLOTTE, NC 28277-3716

BURGESS CHRISTOPHER R & ANGELA D
15440 SW 148 PL
MIAMI, FL 33187

BURKARD JONATHAN W
106 S SEWALLS POINT RD
STUART, FL 34996-6319

BUSMAN-MORIARTY CLAUDIA
97625 OVERSEAS HWY
KEY LARGO, FL 33037-4029

CAMILLE'S FOODS INC
PO BOX 371532
KEY LARGO, FL 33037-1532

CAMMAROTA ARMAND A JR
305 EAST BAY TREE CIR
VERNON HILLS, IL 60061

CAPUTO MARNI
237 LA PALOMA RD
KEY LARGO, FL 33037-4652

CARDENAS VICENTE AND MARTA M
5793 E 4TH AVE
HIALEAH, FL 33013

CARTER JOHN E JR TRUST(EST UNDER J
E CARTER SR TR)
9155 S DADELAND BLVD STE 1718
MIAMI, FL 33156-2742

CHARUR CARLOS AND MARIA CHRISTINA
9155 S DADELAND BLVD STE 1818
MIAMI, FL 33156-2742

CHILDREE RONALD M
97652 OVERSEAS HWY APT T12
KEY LARGO, FL 33037-2226

Labels GC 1 of 5 ★ = added to applicant labels

CLARK JAMES C AND DIANA
1673 SOUTH ST
NEW HAVEN, VT 05472-4051

COPLAN JANET SUE TRUST 4/30/2014
97652 OVERSEAS HWY APT C8
KEY LARGO, FL 33037-2223

CORRADINI CAROL ANN LIV TR 06/06/2006
7744 SW 193RD ST
CUTLER BAY, FL 33157-7389

COX PATRICIA A
22 OCEAN DR
KEY LARGO, FL 33037-4034

CULLEN ROBERT F JR AND KAREN J
14641 SW 67TH AVENUE
MIAMI, FL 33101

DALOIA KATHERINE
1469 OXFORD DR
BUFFALO GROVE, IL 60089-1011

DICKER CRAIG L
9000 NEW DELHI PL
DULLES, VA 20189-9005

DILLON WILLIAM
30800 S WIXOM RD
WIXOM, MI 48393-2418

DOT/ST.OF FL
TRANSPORTATION)
TALLAHASSEE, FL 32399

DUYOS RAFAEL E JR
PO BOX 370426
KEY LARGO, FL 33037-0426

ELIADES STEVEN AND JEANNE
31 STARLIGHT DR
HOPEWELL JUNCTION, NY 12533-5524

ESPY ALEXANDRA BEATON
PO BOX 123
DILLON, CO 80435-0123

FAGGIONI RONALD A AND CAROLYN I
2073 HENDRICKS AVE
BELLMORE, NY 11710-3058

FAMILY TRUST U/W/O CAROLINE P
BRUMBAUGH 7/27/1998
6479 SUNSET DR
MIAMI, FL 33143-4676

FELDMAN FRED AND FRIEDA
PO BOX 370443
KEY LARGO, FL 33037-0443

FIRST MIDWEST TRUST COMPANY
PO BOX 990
MOLINE, IL 61266-0990

FIRST STATE BANK OF THE FLORIDA KEYS
3406 N ROOSEVELT BLVD
KEY WEST, FL 33040-4266

FOX AMY M
97652 OVERSEAS HWY APT P5
KEY LARGO, FL 33037-2206

FRANZ P AND L FAMILY TRUST 1/12/1990
97652 OVERSEAS HWY APT HH45
KEY LARGO, FL 33037-2220

GABRI RICHARD
14532 GRAFTON RD
CARLETON, MI 48117-9220

GAC MARIA U
573 SHERIDAN RD
GLENCOE, IL 60022-1764

GARCIA AVELINO AND MONICA G
8401 SW 84TH TER
MIAMI, FL 33143-6919

GOLDSTEIN AMBER E L/E
97652 OVERSEAS HWY APT S5
KEY LARGO, FL 33037-2203

GREENSPAN RICHARD R AND YVETTE M
16073 BRIER CREEK DR
DELRAY BEACH, FL 33446-9561

HAAS DENNIS
97652 OVERSEAS HWY APT T6
KEY LARGO, FL 33037-2205

HALEY JAMES A TRUST
11034 SW 37TH MNR
DAVIE, FL 33328-1318

HARRELSON PEGGY GREGSON
REVOCABLE TRUST 3/14/14
1119 S 3RD AVE
BOZEMAN, MT 59715-5264

HARRIS MARGARET M
424 SPRUCE AVE
WEST ISLIP, NY 11795-2712

HAYNIE J NEIL AND SUSAN INCE
1700 SW 12 AVE
BOCA RATON, FL 33486

HEELY CATHERINE G
9 NOCTURNE ROAD
MONROE TOWNSHIP, NJ 08831-7971

HEINER FREDERICK H AND DONNA E
97652 OVERSEAS HWY APT T9
KEY LARGO, FL 33037-2226

HEINRICH LAURA J
97652 OVERSEAS HWY PH 2
KEY LARGO, FL 33037-2220

HELLER MARGARUITTE AND ERICH E
97652 OVERSEAS HWY APT M12
KEY LARGO, FL 33037-2225

HELSEL ZANE AND JOAN E
2144 PENNINGTON RD
EWING, NJ 08638-1433

HENRIQUES ROBERT C
11 CHESTER SQ
GLOUCESTER, MA 01930-1313

HILLEND DAVID V
97652 OVERSEAS HWY APT C11
KEY LARGO, FL 33037-2223

HOLTON TIMOTHY R AND JENNIFER A
296 WASHINGTON AVE
MEMPHIS, TN 38103

KALATZIS DIMITRIOS AND JOANNE
97652 OVERSEAS HWY APT M7
KEY LARGO, FL 33037-2225

KATZMAN HOWARD E AND SHIRLEY R
7255 SW 140TH TER
PALMETTO BAY, FL 33158-1265

KERCKAERT MICHAEL AND SHANNON
5825 HEMPSTEAD RD
OXFORD, MI 48371-1233

~~KEY LARGO HOSPITALITY LAND TRUST~~
~~4651 SHERIDAN ST STE 480~~
~~HOLLYWOOD, FL 33021-3430~~

KEY MARINA DEVELOPMENT LLC
52 RILEY RD
KISSIMMEE, FL 34747-5420

KLASFELD ILENE AND JON
1908 NW 4TH AVE APT 112
BOCA RATON, FL 33432-1501

KLUMPENAAR BRAM
296 CLAUDE AVE
DORVAL, QUEBEC H95 3B2
CANADA

KRAUSE JOSEPH AND FRANCES
2637 NW 23RD WAY
BOCA RATON, FL 33431-4015

KRIEGER IRA S AND ANITA
1354 CLEVELAND RD
MIAMI BEACH, FL 33141-1713

KROHN JOHN RAMON JR
61 BITTERN DR
GETTYSBURG, PA 17325-8611

KUKULSKI MITCHELL
17 OLD STATE RD
KEY LARGO, FL 33037-4010

LAPIANA MICHELLE
26 OCEAN DR
KEY LARGO, FL 33037-4034

LESPERANCE LISA V
1351 NW 16TH ST
MIAMI, FL 33125-2493

LEVY BARUCH AND JANE
2708 OAKMONT CT
WESTON, FL 33332-1834

LISOR SUZANNE K REV TR
1103 SPRING BROOKE DR
GOSHEN, IN 46528-5059

MACLEOD RONALD A AND LINDA
23 N BLACKWATER LN
KEY LARGO, FL 33037

MAJOY CHRISTOPHER O AND MARLENE M
1149 SHELTERED BROOK DR
HURON, OH 44839-2824

MARINERS CLUB HOMEOWNERS ASSOC INC
97501 OVERSEAS HWY STE 1
KEY LARGO, FL 33037-4017

MAYER ANN E FINN AND ROBERT T
3 FAIRVIEW TER
GREENLAND, NH 03840-2242

MCCASSEY EVERETT A AND MICHELLE M
117 AKIOHALA PL
KAILUA, HI 96734-3902

MCGEE LAWRENCE U
5110 PALMERSTON LN
WINSTON SALEM, NC 27104-1431

MCGLADE ROSEAMME M
1013 SEASHORE RD
CAPE MAY, NJ 08204-4211

MILANESE GARY
97652 OVERSEAS HWY APT T4
KEY LARGO, FL 33037-2205

MOFFITT GREGORY P AND REGINA A
29453 CEDAR NECK RD
OCEAN VIEW, DE 19970

MONROE COUNTY COMPREHENSIVE
PLAN LAND AUTHORITY
1200 TRUMAN AVE STE 207
KEY WEST, FL 33040-7270

MONROE COUNTY FLORIDA
1100 SIMONTON ST
KEY WEST, FL 33040

MOSS STEPHEN E
42 ONEIDA AVE
OAKLAND, NJ 07436-3731

MURRAY JAMES PATRICK
24 OCEAN DR
KEY LARGO, FL 33037-4034

OKUN THEODORE
97652 OVERSEAS HWY PH 7
KEY LARGO, FL 33037-2221

ORIHUELA PEDRO ENRIQUE
17911 NW 9TH CT
PEMBROKE PINES, FL 33029

ORTON STEPHEN J AND CYNTHIA A
97501 OVERSEAS HWY UNIT 907
KEY LARGO, FL 33037-4047

OSTERMAN DAVID C
1628 E OVERLOOK RD
MONTEREY, TN 38574-7208

OUTDOOR SYSTEMS INC
6904 CYPRESS PARK DR
TAMPA, FL 33634

PEREZ ROBERT L AND VIOLET M
1919 DRISCOLL ST
HOUSTON, TX 77019-6101

PIMM STUART L REV LIV TRUST 11/18/09
97501 OVERSEAS HWY UNIT 904
KEY LARGO, FL 33037-4047

POPS TRIPLE J AND Z FAMILY TRUST
1/22/2015
11451 SW 193RD TER
MIAMI, FL 33157-8128

RAHAIM ANDREW D AND JEAN T
6 AUSPICE CIR
NEWARK, DE 19711-2976

ROBINSON JOHN G AND BARBARA J
97652 OVERSEAS HWY OFC
KEY LARGO, FL 33037-2216

RODRIGUEZ-OJEA JORGE AND ISABEL
11021 SW 121ST ST
MIAMI, FL 33176-4538

SANTANA RAMON R AND YOLANDA
ACEBAL
PO BOX 901368
HOMESTEAD, FL 33090-1368

SANTE CHRIS D
PO BOX 373006
KEY LARGO, FL 33037-3006

SCHOTT DEANA L
2056 HUTTON PT
LONGWOOD, FL 32779-2855

SCULL PROPERTIES LLC
7960 OLD GEORGETOWN RD STE 8C
BETHESDA, MD 20814-2418

SEVERSON DONALD R AND LOUANNE
DEC TRUST 11/12/1996
PO BOX 886
ELKHORN, WI 53121-0886

SHUCK RONALD E AND LISA L
7485 CADY RD
NORTH ROYALTON, OH 44133-6338

SHUGG ROBERT C AND ELIZABETH A
97652 OVERSEAS HWY APT M10
KEY LARGO, FL 33037-2225

SIMPSON JOHN AND MARY
541 FOREST GATE CRES
WATERLOO, ONTARIO N2V 2X3
CANADA

SINISCALCO WAYNE P AND LORIN BLAKE
97652 OVERSEAS HWY APT HH31
KEY LARGO, FL 33037-2218

SMITH BRIAN R T AND PENELOPE J
97652 OVERSEAS HWY APT T5
KEY LARGO, FL 33037-2205

SOMOGYI ROBERT J AND MARILYN B
42 W COLLEGE AVE APT 314S
YARDLEY, PA 19067-1553

SPRINKLE GEORGE C JR AND MELISSA B
17205 SW 256TH ST
HOMESTEAD, FL 33031

STELRI LLC
3532 E HIGGINS DR
MOUNT PLEASANT, SC 29466-6890

STONE THOMAS J TRUST 7/21/2000
PO BOX 372880
KEY LARGO, FL 33037-7880

THE HARBORAGE CONDO CORP
59 OCEAN DR
KEY LARGO, FL 33037

TIELEN GISELA B
97652 OVERSEAS HWY APT HH4
KEY LARGO, FL 33037-2207

TINNEY HENRY CLAY III AND LORA
97270 OVERSEAS HWY
KEY LARGO, FL 33037

TUCKER ROBERT J AND CHARLENE A
401 CLOVER MILL RD
EXTON, PA 19341-2502

VALDES CARLOS AND ELOINA
97675 OVERSEAS HWY
KEY LARGO, FL 33037

VALERIUS THOMAS F AND LYNN C
9200 SW 85TH ST
MIAMI, FL 33173-4527

VEIL MARK AND TINA
107 WOODSMUIR CT
PALM BEACH GARDENS, FL 33418-8020

VISABELLA LLC
17050 N BAY RD APT 1207
SUNNY ISLES BEACH, FL 33160-3696

WAGNER JOHN AND JOYCE 2005 REV TR
6/6/2005
23310 111TH ST
TREVOR, WI 53179-9557

WALSH FRANK B JR REVOCABLE TRUST
11/30/1996
97652 OVERSEAS HWY APT HH33
KEY LARGO, FL 33037-2203

WALTZMAN STUART REV TRUST 12/4/1998
333 E 30TH ST APT 18J
NEW YORK, NY 10016-6459

WATERMAN JAMES HENRY TRUST AGR
3/19/1997
193 ATLANTIC BLVD
KEY LARGO, FL 33037-4339

WESTER DAVID A AND SHARON M
4244 CHASE AVE
MIAMI BEACH, FL 33140-3008

WORLEY JOE W JR AND JEAN E
10 GAYTON PL
KEY LARGO, FL 33037

~~YAVUZ AHMET MURAT~~
~~KUCUKTEPE SOKAH 22~~
~~YENIKOY ISTANBUL, 34464~~
~~TURKEY~~

YAVUZ AHMET MURAT
KUCUKTEPE SOK 26-10 YENIKOY TEKSER
ISTANBUL, 34464
TURKEY

ZEBROWSKI JAMES
8 GAYTON PL
KEY LARGO, FL 33037

End of Additional File 2016-014

LAW OFFICES OF
NICHOLAS W. MULICK
A PROFESSIONAL ASSOCIATION

91645 Overseas Highway
Tavernier, Florida 33070

Tel (305) 852-9292
Fax (305) 852-8880

January 22, 2016

via hand-delivery to Key Largo branch

Gail Creech,
Planning Commission Coordinator
Monroe County Planning & Environmental Resources
2798 Overseas Highway, #400
Marathon, FL 33050

Re: Key Largo Hospitality Land Trust c/o Key Largo Hospitality Group, LLC
Alcoholic Beverage Use Permit Application

Dear Ms. Creech:

Enclosed is an original Application for an Alcoholic Beverage Use Permit, along with the required documents listed below, submitted on behalf of my client, Key Largo Hospitality Land Trust c/o Key Largo Hospitality Group, LLC. I have also enclosed my firm's check in the amount of $1,914.00 for the application fee, advertising costs and surrounding property owner notification fee.

1. Proof of ownership (i.e. Warranty Deed);
2. Current Property Record Card from the Monroe County Property Appraiser;
3. Location map;
4. Photograph(s) of site from adjacent roadway(s);
5. 10 copies of Site Plan
6. Typed name and address mailing labels, along with the Monroe County Property Appraiser 500' Radius Map and report;
7. Notarized Agent Authorization Letter.

Please let me know whether I can provide any additional information to assist in the processing of this application.

Very truly yours,

NICHOLAS W. MULICK, PA

By: _____

NWM/pb

Enclosures

cc: Key Largo Hospitality Land Trust, via electronic mail, w/o enclosures

APPLICATION

MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
JAN 25 2016
MONROE CO. PLANNING DEPT

Alcoholic Beverage Use Permit

An application must be deemed complete and in compliance with the Monroe County Code by the Staff prior to the item being scheduled for review

Alcoholic Beverage Use Permit Application Fee: $1,264.00

In addition to the application fee, the following fees also apply:
Advertising Costs: $245.00
Surrounding Property Owner Notification: $3.00 for each property owner required to be noticed

Date of Submittal: _____/_____/_____
Month Day Year

Property Owner:

Key Largo Hospitality Land Trust
c/o Key Largo Hospitaliy Group, LLC
Name

4651 Sheridan St., #480, Hollywood, FL 33021-3430
Mailing Address (Street, City, State, Zip Code)

814-278-7563
Daytime Phone

jdussinger@shanercorp.com
Email Address

Agent (if applicable):

Nicholas W. Mulick
Name

91645 Overseas Highway, Tavernier, FL 33070
Mailing Address (Street, City, State, Zip Code)

305-852-9292
Daytime Phone

Lisa@mulicklaw.com
Email Address

Name of Lessee of Property:
(If property is leased, applicant must submit a notarized statement from the owner approving the submittal of this application)

N/A
Name

Mailing Address (Street, City, State, Zip Code)

Daytime Phone

Email Address

APPLICATION

Legal Description of Property:
(If in metes and bounds, attach legal description on separate sheet)

	See Legal Description attached		Key Largo
Block	Lot	Subdivision	Key
0055010-000000		1680508	
Real Estate (RE) Number		Alternate Key Number	
97450 Overseas Highway, Key Largo, FL 33037		MM 97.5	
Street Address (Street, City, State, Zip Code)		Approximate Mile Marker	

Land Use District Designation(s): Recreational Vehicle

Present Land Use of the Property: Hotel / Resort

Total Land Area: Approximately 11.7 acres of upland

Requested Type of Alcoholic Beverage: (Please check one)

- ☐ **1APS** **BEER, package only**
- ☐ **1COP** **BEER, on premise and package**
- ☐ **2APS** **BEER and WINE, package only**
- ☐ **2COP** **BEER and WINE, on premise and package**
- ☐ **3APS** **PACKAGE ONLY, included beer, wine and liquor**
- ☒ **5COP** **BEER, WINE and LIQUOR, on premise and package**
- ☐ **5SRX** **RESTAURANT, no package sales**
- ☐ **5SR** **RESTAURANT, package sales**
- ☐ **5S** **HOTEL, package sales**
- ☐ **5SPX** **EXCURSION BOAT, no package sales**
- ☐ **11C** **PRIVATE CLUB; CABANA CLUB**
- ☐ **12RT** **RACETRACK, LIQUOR, no package sales**

All of the following must be submitted in order to have a complete application submittal:

- ☒ **Complete alcoholic beverage application** (unaltered and unbound);
- ☒ **Correct fee** (check or money order to Monroe County Planning & Environmental Resources);
- ☒ **Proof of ownership (i.e. Warranty Deed);**
- ☒ **Current Property Record Card(s) from the Monroe County Property Appraiser;**
- ☒ **Location map;**
- ☒ **Photograph(s) of site from adjacent roadway(s);**
- ☒ **Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor – sixteen (16) sets** or **Signed and Sealed Site Plan, prepared by a Florida registered architect, engineer or landscape architect– sixteen (16) sets** (drawn to a scale of 1 inch equals 20 feet, except where impractical and the

Director of Planning authorizes a different scale). At a minimum, the boundary survey or site plan should include the following:

- ☐ Date, north point and graphic scale;
- ☐ Boundary lines of site, including all property lines and mean high-water lines;
- ☐ Locations and dimensions of all existing structures and drives;
- ☐ Adjacent roadways;
- ☐ Location and dimensions of all parking spaces (including handicap accessible, bicycle and scooter) and loading zones;

☒ **Typed name and address mailing labels of all property owners within a 500 foot radius of the property.** This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 500 foot radius, each unit owner must be included;

☐ **A certificate of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation or the Department of Agriculture and Consumer Services or the Department of Health or the Monroe County Health Department,** stating that the place of business wherein the business is to be conducted meets all of the sanitary requirements of the state

If applicable, the following must be submitted in order to have a complete application submittal:

☒ **Notarized Agent Authorization Letter** (note: authorization is needed from all owner(s) of the subject property)

☐ **Traffic Study, prepared by a licensed traffic engineer**

If deemed necessary to complete a full review of the application, the Planning & Environmental Resources Department reserves the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant: _____ **Date:** 1/19/16

Sworn before me this 19 day of January 2016

Brooke Fox
COMMISSION # FF052985
EXPIRES: OCT. 11, 2017
WWW.AARONNOTARY.com

Notary Public
My Commission Expires

Please send the complete application package to the Monroe County Planning & Environmental Resources Department, Marathon Government Center, 2798 Overseas Highway, Suite 400, Marathon, FL 33050.

Legal Description

Parcel ID# 00555010-000000

Tracts 48 and 58 of Amended Plat of Mandalay on Key Largo, according to the plat thereof as recorded in Plat Book 2, Page 25, Public Records of Monroe County, Florida, and also a tract of submerged land in the Bay of Florida fronting said Tract 58, conveyed by Trustees of the Internal Improvement Fund of the State of Florida by its Deed No. 22416, more particularly described as follows:

From the intersection of the dividing line between Tracts 48 and 58, according to said Amended Plat of Mandalay, with the Northwesterly right of way line of State Road No. 5, run North 49 55'40" West along said dividing line, a distance of 500 ft. to the mean high tide on the shore of the Bay of Florida and the point of beginning of the tract hereinafter described; thence meandering said mean high tide line in a Northeasterly direction, a distance of 53 7 ft. more or less to the South line of Lot 9, as shown on plat of "Gov. Lots 5 & 6 and the NW- 1/4 of the NW-1/4 of Section 5 and Lots 1 & 2 of Sec. 6 Tp 62 S, R 39 E" and recorded in Plat Book 1, Page 59, Public Records of Monroe Co., Fla.; thence North 88 55' West along the said South line of Lot 9, a distance of 75 ft. more or less to the most Westerly comer of said Lot 9, as shown on said plat; thence North 44 22' West, a distance of 145 ft; thence South 40 21' West, a distance of 509.6 ft. to the Northwesterly prolongation of the dividing line between Tracts 48 and 58, according to said Amended Plat of Mandalay; thence South 49 55'40" East, along said Northwesterly prolongation, a distance of 200 ft. to the POINT OF BEGINNING

AGENT AUTHORIZATION

I hereby authorize Nicholas W. Mulick, P.A. be listed as authorized agent
(Name of Agent)
for Key Largo Hospitality Land Trust c/o Key Largo Hospitality Group, LLC for
(Name of Property Owner(s) the Applicant(s))
the Alcoholic Beverage Permit application submittal for

Property described as: See Legal Description attached,
Subdivision: Amended Plat of Mandalay, Key (island): Key Largo
and Real Estate number: 00555010-000000.

This authorization becomes effective on the date this affidavit is notarized and shall remain in effect until terminated by the undersigned. This authorization acts as a durable power of attorney only for the purposes stated.

The undersigned understands the risks and liabilities involved in the granting of this agency and accepts full responsibility for any and all of the actions of the agent named herein related to the processing of the services requested, application(s) and/or the acquisition of approvals/permits for the aforementioned applicant. The applicant(s) hereby indemnifies and holds harmless Monroe County, its officers, agents and employees for any damage to applicant caused by its agent or arising from this agency authorization.

Note: Authorization is needed from each owner of the subject property. Therefore, one or more authorization forms must be submitted with the application if there are multiple owners.

Key Largo Hospitality Land Trust

By: Steven B. Greenfield, Trustee

STATE OF FL
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 19 day of January, 2016, by Steven B. Greenfield, who is personally known to me ✓ or produced identification ___ in the form of _____.

My Commission Expires:

NOTARY PUBLIC, State of _____

Print Name: Brooke Fox

Brooke Fox
COMMISSION # FF052985
EXPIRES: OCT. 11, 2017
www.AaronNotary.com

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Florida Limited Liability Company

KEY LARGO HOSPITALITY GROUP, LLC

Filing Information

Document Number	L12000039735
FEI/EIN Number	46-1237019
Date Filed	03/21/2012
Effective Date	03/21/2012
State	FL
Status	ACTIVE

Principal Address

4651 SHERIDAN STREET
480
HOLLYWOOD, FL 33021

Mailing Address

4651 SHERIDAN STREET
480
HOLLYWOOD, FL 33021

Registered Agent Name & Address

GREENFIELD, STEVEN B, Esq.
6111 Broken Sound Parkway NW
Suite 350
Boca Raton, FL 33487

Name Changed: 04/15/2014

Address Changed: 04/15/2014

Authorized Person(s) Detail

Name & Address

Title MGR

PHG AT KEY LARGO, LLC
4651 SHERIDAN STREET STE 480
HOLLYWOOD, FL 33021

Title MGR

SHANER KEY LARGO, L.P.

1965 WADDLE ROAD
STATE COLLEGE, PA 16803

Annual Reports

Report Year	Filed Date
2013	04/18/2013
2014	04/15/2014
2015	03/25/2015

Document Images

03/25/2015 -- ANNUAL REPORT	View image in PDF format
04/15/2014 -- ANNUAL REPORT	View image in PDF format
04/18/2013 -- ANNUAL REPORT	View image in PDF format
03/21/2012 -- Florida Limited Liability	View image in PDF format

Copyright © and Privacy Policies
State of Florida, Department of State

Doc# 1912251 12/17/2012 2:03PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

Prepared by and Return to:
N. Dwayne Gray, Jr., Esquire
Zimmerman, Kiser & Sutcliffe, P.A.
315 East Robinson Street, Suite 600
Orlando, Florida 32801
Our File Number: 10048-358

12/17/2012 2:03PM
DEED DOC STAMP CL: DS $51,100.00

Parcel ID: 00555010-00000066239

Doc# 1912251
Bk# 2604 Pg# 637

SPECIAL WARRANTY DEED

STATE OF FLORIDA
COUNTY OF MONROE

THIS SPECIAL WARRANTY DEED, made this November 20, 2012, between **WALNUT & VINE PROPERTIES I, LLC, a Delaware limited liability company**, whose mailing address is: 120 E. Palmetto Park Road, Suite 100, Boca Raton, FL 33432, hereinafter called the "Grantor", to **Key Largo Hospitality Land Trust, Steven B. Greenfield as Trustee**, whose mailing address is: c/o Key Largo Hospitality Group, LLC, 4651 Sheridan Street, #480, Hollywood, FL 33021, hereinafter called the "Grantee":

Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, as the successors and assigns of corporations.

W I T N E S S E T H: That the Grantor, for and in consideration of the sum of TEN ANDNO/100 DOLLARS ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain real property located in Monroe County Florida, thereto, as described as follows (hereinafter collectively the "Property"):

Tracts 4B and 5B of Amended Plat of Mandalay on Key Largo, according to the plat thereof as recorded in Plat Book 2, Page 25, Public Records of Monroe County, Florida, and also a tract of submerged land in the Bay of Florida fronting said Tract 5B, conveyed by Trustees of the Internal Improvement Fund of the State of Florida by its Deed No. 22416, more particularly described as follows:

From the intersection of the dividing line between Tracts 4B and 5B, according to said Amended Plat of Mandalay, with the Northwesterly right of way line of State Road No. 5, run North 49°55'40" West along said dividing line, a distance of 500 ft. to the mean high tide on the shore of the Bay of Florida and the Point of Beginning of the tract hereinafter described; thence meandering said mean high tide line in a Northeasterly direction, a distance of 537 ft. more or less to the South line of Lot 9, as shown on plat of "Gov. Lots 5 & 6 and the NW - 1/4 of the NW - 1/4 of Section 5 and Lots 1 & 2 of Sec. 6, Tp 62 S, R 39 E" and recorded in Plat Book 1, Page 59, Public Records of Monroe Co., Fla.; thence North 88°55' West along the said South line of Lot 9, a distance of 75 ft. more or less to the most Westerly corner of said Lot 9, as shown on said plat; thence North 44°22' West, a distance of 145 ft.; thence South 40°21' West, a distance of 509.6 ft. to the Northwesterly prolongation of the dividing line between Tracts 4B and 5B, according to said Amended Plat of Mandalay; thence South 49°55'40" East, along said Northwesterly prolongation, a distance of 200 ft. to the Point of Beginning.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

This Special Warranty Deed confers on the trustee the power and authority to protect, to conserve, to sell, to lease, to encumber, or otherwise to manage and dispose of the real property described in this instrument.

AND, the Grantor hereby covenants with said Grantee, that the Grantor is lawfully seized of said Property in fee simple: that the Grantor has good right and lawful authority to sell and convey said Property; that the Grantor hereby warrants the title to said Property only against the lawful claims of persons claiming by, through or under Grantor, but not otherwise; subject to taxes accruing subsequent to DECEMBER 31, 2012; covenants, conditions and restrictions of record; zoning and use restictions in effect or which may hereafter come into existence due to government action; and matters shown on the plat, however said reference shall not serve to re-impose same on the Property.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:

Linda M Phillips
Witness signature

Linda M Phillips
Print witness name

Witness signature

Deborah J Minerva
Print witness name

Walnut & Vine Properties I, LLC, a Delaware limited liability company

By: Clyde J Measey
Print Name: Clyde Measey
Title: Vice President

State of Florida
County of Collier

THE FOREGOING INSTRUMENT was acknowledged before me this 20th day of November, 2012 by Clyde Measey, as Vice President of Walnut & Vine Properties I, LLC, a Delaware limited liability company, who is personally known to me or who has produced _____ as identification.

Linda M Phillips
Notary Public

Print Notary Name

NOTARY PUBLIC STATE OF FLORIDA
Linda M. Phillips
Commission # EE039252
Expires: NOV. 25, 2014
BONDED THRU ATLANTIC BONDING CO., INC.

My Commission Expires:

Notary Seal

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:

Anila Kosta
Witness signature
ANILA KOSTA
Print witness name

Witness signature
BRAD BOERSMA
Print witness name

Walnut & Vine Properties I, LLC, a Delaware limited liability company

By: Lisa M. Wilcoxson
Print Name: Lisa Wilcoxson
Title: Assistant Vice President

State of Florida
County of Collier

THE FOREGOING INSTRUMENT was acknowledged before me this 20th day of November, 2012 by Lisa Wilcoxson, as Assistant Vice President of Walnut & Vine Properties I, LLC, a Delaware limited liability company, who is personally known to me or who has produced _____ as identification.

ANILA KOSTA
MY COMMISSION #DD951439
EXPIRES: JAN 11, 2014
Bonded through 1st State Insurance

Anila Kosta
Notary Public
ANILA KOSTA
Print Notary Name

My Commission Expires: 01/11/2014

Notary Seal

MONROE COUNTY
OFFICIAL RECORDS

Scott P. Russell, CFA
Property Appraiser
Monroe County, Florida

Key West (305) 292-3420
Marathon (305) 289-2550
Plantation Key (305) 852-7130

The offices of the Property Appraiser will be closed Monday the 18th for Martin Luther King Day

Website tested on IE8, IE9, & Firefox.
Requires Adobe Flash 10.3 or higher

Property Record Card -
Maps are now launching the new map application version.

Alternate Key: 1680508 Parcel ID: 00555010-000000

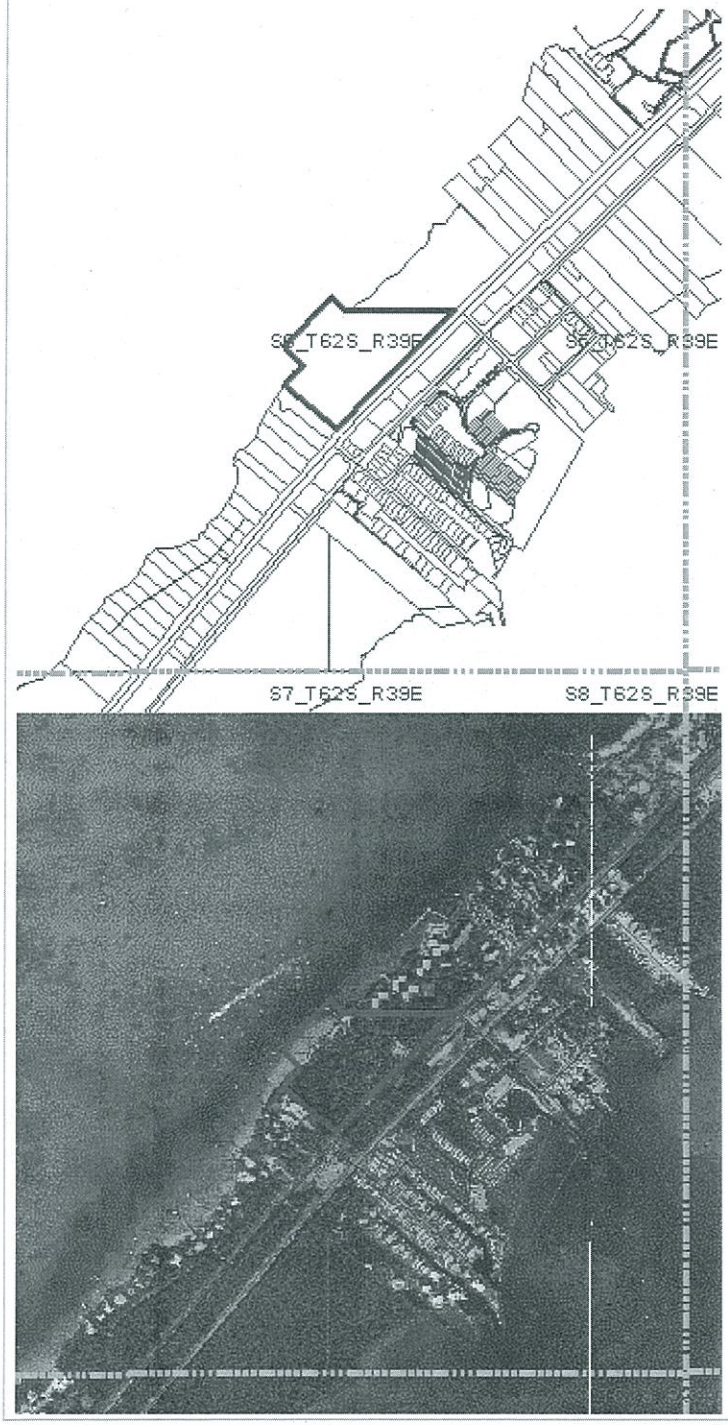
Ownership Details

Mailing Address:
KEY LARGO HOSPITALITY LAND TRUST
C/O KEY LARGO HOSPITALITY GROUP LLC
4651 SHERIDAN ST STE 480
HOLLYWOOD, FL 33021-3430

Property Details

PC Code: 10 - VACANT COMMERCIAL
Millage Group: 500K
Affordable Housing: No
Section-Township-Range: 06-62-39
Property Location: 97450 OVERSEAS HWY KEY LARGO
Legal Description: AMD PLAT OF MANDALAY PB2-25 KEY LARGO TRACT 4-B (2.4AC) AND TRACT 5-B (9.32AC) & ADJ BAY BTM (2.31AC) II NO 22416 OR288-282/86 OR477-589/90 OR531-864 OR668-315 OR826-2489E OR926-1722/1723 OR2125-102/05 OR2485-16/16A OR2485-2431/34AMDC/T OR2604-637/40

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
100W - COMMERCIAL WATERFRON	0	0	11.83 AC
000X - ENVIRONMENTALLY SENS	0	0	2.31 AC

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life

0	BR2:BOAT RAMP	600 SF	30	20	1975	2006	1	60
1	RW2:RETAINING WALL	1,086 SF	362	3	1975	1976	4	50
2	AP2:ASPHALT PAVING	6,500 SF	0	0	1975	1976	2	25
3	FN2:FENCES	720 SF	120	6	1975	1976	2	30
4	CL2:CH LINK FENCE	12,300 SF	2,050	6	1981	1982	1	30
6	FN2:FENCES	510 SF	85	6	1983	1984	2	30
7	DK4:WOOD DOCKS	2,510 SF	0	0	1983	1984	5	40
8	DK4:WOOD DOCKS	100 SF	0	0	1983	1984	4	40

Appraiser Notes

AMERICAN OUTDOOR RESORTS BLDG #1 = BAITSTORE BLDG #2 = BATHHOUSE BLDG #3 = MOBILEHOME W/ROOF OVER BLDG #4 = MOBILEHOME BLDG #5 = OFFICE-STORE-RESTROOMS W/2ND FLOOR ADDITION ADDED IN 1990 (1/95) 115 RV SITES AS PER SITE PLAN
2/15/08 PLAZA CRYSTAL RESORT
PROPERTY BEING REDEVELOPED INTO CONDOS
AS OF 02/15/08 ONLY 2 BLDGS LEFT ON PROPERTY- SALES OFFICE AT HWY & DOCKSIDE BLDG (OLD REST.) THE REST DEMOED 06-07
MONROE COUNTY PLANNING COMMISSION APPROVING AN AMENDMENT TO MAJOR CONDITIONAL USE PERMIT-RESOLUTION P40-07
PLANNING COMMISSION RESOLUTION NO P40-07 - AMENDMENT TO GRANT REVISIONS TO PREVIOUSLY GRANTED MAJOR CONDITIONAL USE FOR PROPERTY PURSUANT TO P51-05 SIGNED NOVEMBER 15 2005 -RE-RECORDED AT OR2767-1083 TO INCLUDE COPY OF SURVEY
PLANNING COMMISSION RESOLUTION NO P40-07 - AMENDMENT TO GRANT REVISIONS TO A PREVIOUSLY GRANTED MAJOR CONDITIONAL USE TO INCORPORATE COTTAGE-STYLE TRANSIENT UNITS AND REMOVE THE CENTRAL HOTEL FACILITY AS WELL AS GRANT CHANGES TO ACCESSORY USES AND PARKING -IN ADDITION THE MINOR CONDITIONAL USE PERMIT MEMORIALIZED BY RESOLUTION NO P40-07 IS HEREBY EXTENDED TO JANUARY 29 2015 - ALL REQUIRED CERTIFICATES OF OCCUPANCY MUST BE ACQUIRED BY THIS DATE UNLESS ADDITIONAL EXTENSION IS GRANTED -DOCUMENT FORWARDED TO KEY LARGO APPRAISAL FOR REVIEW OF IMPACT TO 2013 VALUE
CONDITIONAL USE PERMIT EXTENDED FOR TWO (2) YEARS UNTIL JANUARY 29, 2013, NO FURTHER EXTENSION CAN BE GIVEN - HOWEVER A 1 YEAR EXTENSION MAYBE APPLIED FOR NO LATER THAN JANUARY 29, 2013.
PLANNING COMMISSION RESOLUTION NO P40-07 TO PERMIT DEVELOPMENT OF A 124 UNIT HOTEL RESORT WITH ACCESSORY USES AND 1 COMMERCIAL APARTMENT FOR GUESTS

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	13305054	03/20/2014		1		COMMERCIAL BUILDING
	14301635	06/26/2014	08/08/2014	3,000		DEMO WASTE WATER PLANT
	13304884	08/20/2014		1		COMMERCIAL BUILDING (MARRIOTT BUNGALOW 2)
	13304883	08/20/2014		1		COMMERCIAL BLDG (MARRIOTT BUNGALOW #1)
	13304880	08/20/2014		1		COMMERCIAL BLDG (MARRIOTT BEACH LOUNGE)
	13304881	09/09/2014		1		COMMERCIAL BUILDING
	13304885	09/09/2014		1		COMMERCIAL BLDG/ADA BUNGALOW
	13304882	09/09/2014		1		COMMERCIAL BLDG/MARRIOTT MARINA GRILL
	14304404	11/14/2014	02/27/2015	17,000		DEMO OF EXISTING STRUCTURE
	14304585	02/11/2015		292,000		POOL
	14304586	02/11/2015		129,900		FOUNTAIN & WATER FEATURE
	14304587	10/05/2015		94,000		CONSTRUCT POOL

15302746	11/23/2015		2,731,947	ADDITION - PHASE II BLDG C
13300330	10/18/2013		1	SITE WORK: INSTALL STORMWATER MGMT SYSTEM
9832893	05/27/1999	11/16/1999	1	SEWAGE TREATMENT
06306159	10/30/2006	01/16/2007	1	DEMO BLDGS & ROADWAYS

Parcel Value History

Certified Roll Values.

View Taxes for this Parcel.

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2015	0	71,373	6,208,881	6,280,254	6,280,254	0	6,280,254
2014	0	64,862	6,208,881	6,273,743	6,273,743	0	6,273,743
2013	0	64,862	6,208,881	6,273,743	6,273,743	0	6,273,743
2012	0	64,862	6,153,231	6,218,093	6,218,093	0	6,218,093
2011	0	65,042	6,153,231	6,218,273	6,218,273	0	6,218,273
2010	0	65,132	7,721,231	7,786,363	7,786,363	0	7,786,363
2009	0	65,312	9,375,731	9,441,043	9,441,043	0	9,441,043
2008	230,557	65,492	13,787,731	23,249,844	23,249,844	0	23,249,844
2007	219,867	23,099	13,787,731	23,249,844	23,249,844	0	23,249,844
2006	618,401	60,152	13,787,731	14,466,284	14,466,284	0	14,466,284
2005	558,736	59,575	1,723,669	4,653,315	4,653,315	0	4,653,315
2004	544,109	61,522	1,723,669	4,653,315	4,653,315	0	4,653,315
2003	544,109	64,245	1,723,669	4,653,315	4,653,315	0	4,653,315
2002	505,567	66,192	1,723,669	4,653,315	4,653,315	0	4,653,315
2001	505,567	68,969	2,413,044	4,653,315	4,653,315	0	4,653,315
2000	505,567	42,100	2,413,044	3,013,952	3,013,952	0	3,013,952
1999	505,567	43,842	2,413,044	3,013,952	3,013,952	0	3,013,952
1998	353,123	45,078	2,413,044	3,013,952	3,013,952	0	3,013,952
1997	353,123	46,828	2,413,044	3,013,952	3,013,952	0	3,013,952
1996	325,211	48,053	2,413,044	3,013,952	3,013,952	0	3,013,952
1995	325,211	49,807	2,413,044	3,013,952	3,013,952	0	3,013,952
1994	304,338	51,038	1,930,481	3,013,952	3,013,952	0	3,013,952
1993	304,338	52,808	1,930,481	2,543,427	2,543,427	0	2,543,427
1992	304,338	54,083	1,930,481	2,582,156	2,582,156	0	2,582,156
1991	303,280	55,861	1,930,481	2,582,156	2,582,156	0	2,582,156
1990	303,337	57,707	1,930,481	2,582,156	2,582,156	0	2,582,156
1989	216,499	60,093	1,930,481	2,582,156	2,582,156	0	2,582,156
1988	194,642	41,678	1,930,273	2,210,811	2,210,811	0	2,210,811
1987	191,533	43,248	1,034,984	1,738,884	1,738,884	0	1,738,884
1986	191,943	44,501	874,684	1,558,189	1,558,189	0	1,558,189
1985	149,376	46,075	874,684	1,595,114	1,595,114	0	1,595,114
1984	91,191	12,862	873,991	1,373,664	1,373,664	0	1,373,664

1983	91,191	12,908	837,572	941,671	941,671	0	941,671
1982	86,709	11,802	837,572	936,083	936,083	0	936,083

Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
11/20/2012	2604 / 637	7,300,000	WD	01
9/27/2010	2485 / 2431	0	CT	11
9/16/2010	2485 / 16	100	CT	12
6/9/2005	2125 / 102	28,000,000	WD	Z

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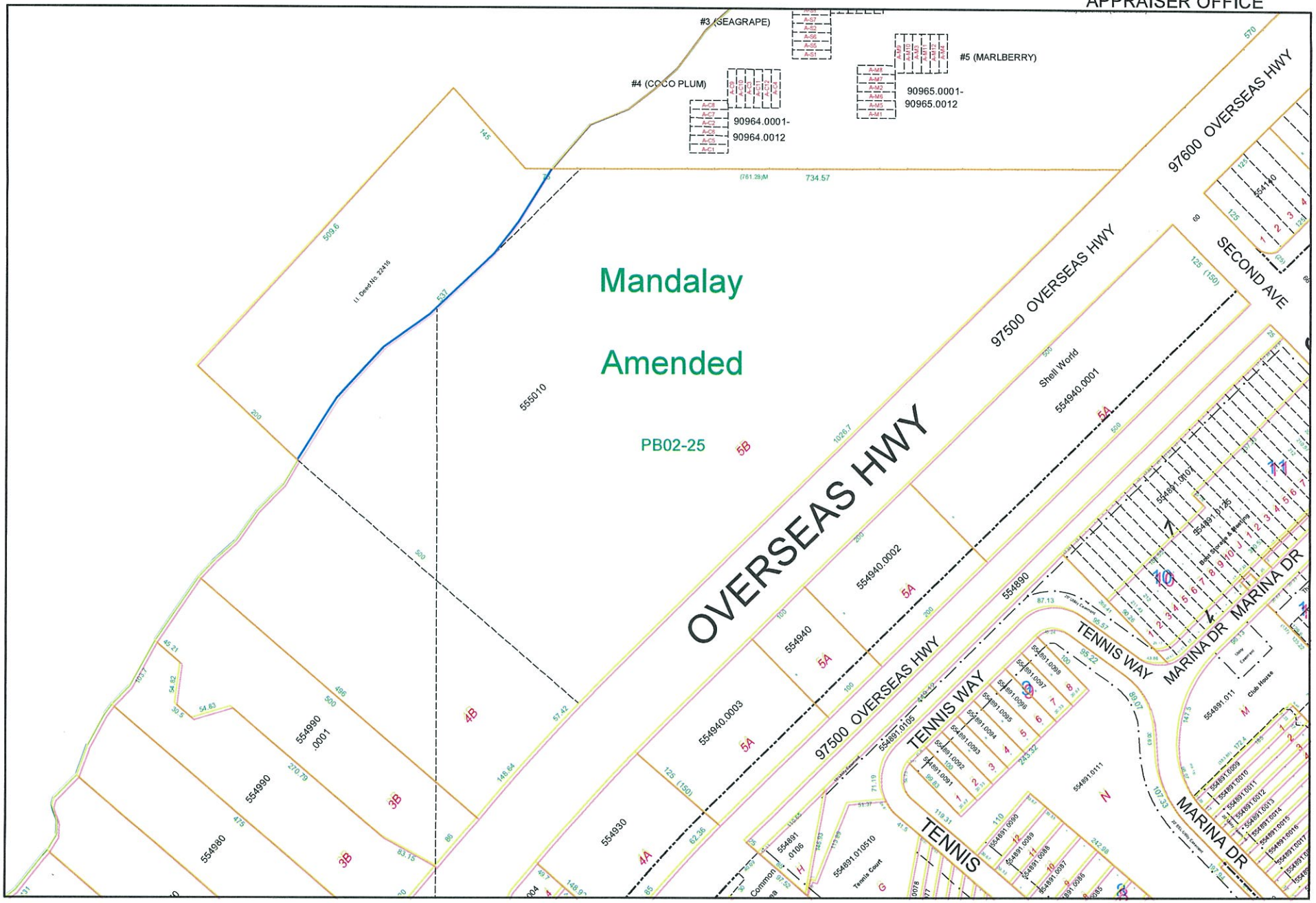
Monroe County Property Appraiser
Scott P. Russell, CFA
P.O. Box 1176 Key West, FL 33041-1176

Key Largo Hospitality Land Trust

Location Map

MONROE COUNTY PROPERTY
APPRAISER OFFICE



THIS PROPERTY LOCATION MAP HAS BEEN COMPILED FOR INTERNAL OFFICE USE AS AN AID IN THE PREPARATION OF THE MONROE COUNTY TAX ROLL. IT IS NOT A SURVEY AND THE OWNERSHIP INFORMATION DEPICTED THEREON SHOULD NOT BE RELIED UPON FOR TITLE PURPOSES. NEITHER MONROE COUNTY NOR THE OFFICE OF THE PROPERTY APPRAISER ASSUMES RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS.

1:2,378

Date: 1/14/2016

Key Largo Hospitality Land Trust

Location Map

MONROE COUNTY PROPERTY
APPRAISER OFFICE

THIS PROPERTY LOCATION MAP HAS BEEN COMPILED FOR INTERNAL OFFICE USE AS AN AID IN THE PREPARATION OF THE MONROE COUNTY TAX ROLL. IT IS NOT A SURVEY AND THE OWNERSHIP INFORMATION DEPICTED THEREON SHOULD NOT BE RELIED UPON FOR TITLE PURPOSES. NEITHER MONROE COUNTY NOR THE OFFICE OF THE PROPERTY APPRAISER ASSUMES RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS.

1:2,378

Date: 1/14/2016

Amy M. Fox
Rock Harbor Club - Poinciana House
97652 Overseas Hwy, Apt P5
Key Largo, FL 33037-2206

Ronald A. & Carolyn I. Faggioni
2073 Hendricks Ave
Bellmore, NY 11710-3058

Robert J. & Marilyn B. Somogyi
42 W College Ave, Apt 314 S
Yardley, PA 19067-1553

Margaruitte & Erich E. Heller
Rock Harbor Club - Mulberry
97652 Overseas Hwy, Apt M12
Key Largo, FL 33037-2225

Mark & Tina Veil
107 Woodsmuir Ct
Palm Bch Gdns, FL 33418-8020

Amber E. Goldstein L/E
Rock Harbor Club - Sea Grape
97652 Overseas Hwy, Apt S5
Key Largo, FL 33037-2203

Carol Ann Corradini
Living Trust dated 6-6-06
7744 SW 193rd St
Cutler Bay, FL 33157-7389

Dolores P. Bernat
Trust Agreement dated 4-23-98
12832 Quail Ct
Palos Heights, IL 60463-2282

Avelino & Monica G. Garcia
8401 SW 84th Terr
Miami, FL 33143-6919

Richard & Catherine Borkowski
5 Greenwich Ct
Shoreham, NY 11786-2017

Craig L. Dicker
Rock Harbor Club - Tamarind
97652 Overseas Hwy, Apt T11
Key Largo, FL 33037-2226

Suzanne K. Lisor
Revocable Trust
1103 Spring Brooke Dr
Goshen, IN 46528-5059

Keith A. Baker
7555 Conifer Dr
Colorado Spgs, CO 80920-4529

Ramon Santana & Yolanda Acebal
PO Box 901368
Homestead, FL 33090-1368

George C. & Melissa B. Sprinkle, Jr.
17205 SW 256th St
Homestead, FL 33031

John & Mary Simpson
541 Forest Gate Crescent
Waterloo, Ontario N2V 2X3
Canada

William Dillon
30800 S Wixom Rd
Wixom, MI 48393-2418

Zane & Joan E. Helsel
2144 Pennington Rd
Ewing, NJ 08638-1433

Michael & Shannon Kerckaert
5825 Hempstead Rd
Oxford, MI 48371-1233

Peter J. & Mary P. Dottl
Jt Rev Trust dated 1-11-06
5426 County Hwy A
Brooklyn, WI 53521

Ronald M. Childree
Rock Harbor Club - Tamarind
97652 Overseas Hwy, Apt T12
Key Largo, FL 33037-2226

Boca Marina Court LLC
31 Seneca Rd
Sea Ranch Lakes, FL 33308-2325

Richard R. & Yvette M. Greenspan
16073 Brier Creek Dr
Delray Beach, FL 33446-9561

Ilene & Jon Klasfeld
1908 NW 4th Ave, Apt 112
Boca Raton, FL 33432-1501

Thomas F. & Lynn C. Valerius
9200 SW 85th St
Miami, FL 33173-4527

James A. Haley Trust
11034 SW 37th Mnr
Davie, FL 33328-1318

Robert J. & Charlene A. Tucker
401 Clover Mill Rd
Exton, PA 19341-2502

Baruch & Jane Levy
2708 Oakmont Ct
Weston, FL 33332-1834

P & L Franz Family Trust 1-12-90
Rock Harbor Club - Harbor House
97652 Overseas Hwy, Apt HH45
Key Largo, FL 33037-2220

Stuart Waltzman
Rev Trust 12-4-98
333 E 30th St, Apt 18J
New York, NY 10016-6459

James C. & Diana Clark
1673 South St
New Haven, VT 05472-4051

Deana L. Schott
2056 Hutton Pt
Longwood, FL 32779-2855

Donald R. & Louanne Severson
Dec Trust 11-12-96
PO Box 886
Elkhorn, WI 53121-0886

Marcia Besada
521 Majorca Ave
Coral Gables, FL 33134-4221

Andrew D. & Jean T. Rahaim
6 Auspice Cir
Newark, DE 19711-2976

Robert F. & Karen J. Cullen, Jr.
14641 SW 67th Ave
Miami, FL 33101

Dennis Haas
Rock Harbor Club - Tamarind
97652 Overseas Hwy, Apt T6
Key Largo, FL 33037-2205

Mariners Club Key Largo, Inc.
Mariners Club HOA, Inc.
97501 Overseas Hwy, Ste 1
Key Largo, FL 33037-4017

Christopher & Angela Burgess
15440 SW 148th Pl
Miami, FL 33187

Ronald E. & Lisa L. Shuck
7485 Cady Rd
North Royalton, OH 44133-6338

Stephen E. Moss
42 Oneida Ave
Oakland, NJ 07436-3731

Stephen L. & Martha A. Bellis
Liv Tr Dtd 11-23-05
PO Box 524
Indian River, MI 49749-0524

Gisela B. Tielen
Rock Harbor Club - Harbor House
97652 Overseas Hwy, Apt HH4
Key Largo, FL 33037-2207

Christopher & Marlene Majoy
1149 Sheltered Brook Dr
Huron, OH 44839-2824

J. Neil Haynie & Susan Ince
1700 SW 12th Ave
Boca Raton, FL 33486

Dimitrios & Joanne Kalatzis
Rock Harbor Club - Mulberry
97652 Overseas Hwy, Apt M7
Key Largo, FL 33037-2225

Robert C. Henriques
11 Chester Square
Gloucester, MA 01930-1313

Timothy & Jennifer Holton
296 Washington Ave
Memphis, TN 38103

Thomas J. Stone
Trust 7/21/2000
PO Box 372880
Key Largo, FL 33037-7880

Monroe County Comprehensive
Plan Land Authority
1200 Truman Ave, Ste 207
Key West, FL 33040-7270

Cecil Samuel Boland
Revocable Trust 10-1-15
Rock Harbor Club - Harbor House
97652 Overseas Hwy, Apt HH7
Key Largo, FL 33037-2201

Frederick H. & Donna E. Heiner
Rock Harbor Club - Tamarind
97652 Overseas Hwy, Apt T9
Key Largo, FL 33037-2226

Joseph & Frances Krause
2637 NW 23rd Way
Boca Raton, FL 33431-4015

Maria U. Gac
573 Sheridan Rd
Glencoe, IL 60022-1764

Peggy Gregson Harrelson
Revocable Trust 3-14-14
c/o Harrelson Mike, Co-trustee
1119 S 3rd Ave
Bozeman, MT 59715-5264

Ryan A. Adam
Rev Tr of 05-13-05
600 S Atlantic Ave
Daytona Beach, FL 32118-4510

Bram Klumpenaar
296 Claude Ave
Dorval, Quebec H95 3B2
Canada

Jonathan W. Burkard
106 S Sewalls Point Rd
Stuart, FL 34996-6319

Katherine Daloia
1469 Oxford Dr
Buffalo Grove, IL 60089-1011

Laura J. Heinrich
Rock Harbor Club - Harbor House
97652 Overseas Hwy, PH 2
Key Largo, FL 33037-2220

Ann E. Finn & Robert T. Mayer
3 Fairview Terr
Greenland, NH 03840-2242

First Midwest Trust Company
c/o First Midwest Bank Tr Div
PO Box 990
Moline, IL 61266-0990

Camille's Foods, Inc.
PO Box 371532
Key Largo, FL 33037-1532

Stelri, LLC
c/o Leroy
3532 E Higgins Dr
Mount Pleasant, SC 29466-6890

James Henry Waterman
Trust Agr 3-19-97
193 Atlantic Blvd
Key Largo, FL 33037-4339

Emilio Charur
9155 S Dadeland Blvd, Ste 1818
Miami, FL 33156-2742

Everett & Michelle McCassey
117 Akiohala Pl
Kailua, HI 96734-3902

Lisa V. Lesperance
1351 NW 16th St
Miami, FL 33125-2493

Howard & Shirley Katzman
7255 SW 140th Terr
Palmetto Bay, FL 33158-1265

David V. Hillend
Rock Harbor Club - Cocoplum
97652 Overseas Hwy, Apt C11
Key Largo, FL 33037-2223

Armand A. Cammarota, Jr.
305 East Bay Tree Cir
Vernon Hills, IL 60061

Gregory & Regina Moffitt
29453 Cedar Neck Rd
Ocean View, DE 19970

Theodore Okun
Rock Harbor Club - Harbor House
97652 Overseas Hwy, PH 7
Key Largo, FL 33037-2221

Marianne Bennardo
Dec of Trust 7-10-13
1009 Azalea Rd
Delray Beach, FL 33483-6601

Steven & Jeanne Eliades
31 Starlight Dr
Hopewell Jct, NY 12533-5524

Florida Dept of Transportation
Attn: Jim Boxold, Secretary
605 Suwannee St
Tallahassee, FL 32399-0450

Triple J & Z Pops Family Trust 1-22-15
c/o Vigo Joed, Trustee
11451 SW 193rd Terr
Miami, FL 33157-8128

David A. & Sharon M. Wester
4244 Chase Ave
Miami Beach, FL 33140-3008

Robert L. & Violet M. Perez
1919 Driscoll St
Houston, TX 77019-6101

Robert W. Banks
3831 SW 56th St
Ft Lauderdale, FL 33312-6207

Alexandra Beaton Espy
PO Box 123
Dillon, CO 80435-0123

Henry Clay & Lora Tinney, III
97270 Overseas Hwy
Key Largo, FL 33037

John & Joyce Wagner
2005 Rev Tr 6-6-05
23310 111th St
Trevor, WI 53179-9557

James Zebrowski
8 Gayton Pl
Key Largo, FL 33037

Lisa M. Brock
14606 Jockeys Ridge Dr
Charlotte, NC 28277-3716

Brian & Penelope Smith
Rock Harbor Club - Tamarind
97652 Overseas Hwy, Apt T5
Key Largo, FL 33037-2205

Margaret M. Harris
424 Spruce Ave
West Islip, NY 11795-2712

Robert & Elizabeth Shugg
Rock Harbor Club - Mulberry
97652 Overseas Hwy, Apt M10
Key Largo, FL 33037-2225

Frank B. Walsh, Jr.
Revocable Trust 11-30-96
Rock Harbor Club - Harbor House
97652 Overseas Hwy, Apt HH33
Key Largo, FL 33037-2218

Lawrence U. McGee
5110 Palmerston Ln
Winston Salem, NC 27104-1431

Scull Properties, LLC
c/o David Scull
7960 Old Georgetown Rd, Ste 8C
Bethesda, MD 20814-2418

John & Barbara Robinson
97652 Overseas Hwy, OFFICE
Key Largo, FL 33037-2216

Jorge & Isabel Rodriguez-Ojea
11021 SW 121st St
Miami, FL 33176-4538

Monroe County, Florida
1100 Simonton St
Key West, FL 33040

Rene & Blanca Aparicio
1500 SW 12th Ave
Miami, FL 33129-2638

The Harborage Condo Corp
59 Ocean Dr
Key Largo, FL 33037

Vicente & Marta M. Cardenas
5793 E 4th Ave
Hialeah, FL 33013

James Patrick Murray
24 Ocean Dr
Key Largo, FL 33037-4034

Fred & Frieda Feldman
PO Box 370443
Key Largo, FL 33037-0443

Marni Caputo
237 La Paloma Rd
Key Largo, FL 33037-4652

Mitchell Kukulski
17 Old State Rd
Key Largo, FL 33037-4010

John Ramon Krohn, Jr.
61 Bittern Dr
Gettysburg, PA 17325-8611

Gary Milanese
Rock Harbor Club - Tamarind
97652 Overseas Hwy, Apt T4
Key Largo, FL 33037-2205

Family Trust U/W/O
Caroline Brumbaugh 7-27-98
c/o John Brumbaugh, Trustee
6479 Sunset Dr
Miami, FL 33143-4676

Catherine G. Heely
9 Nocturne Rd
Monroe Twp, NJ 08831-7971

Carlos & Eloina Valdes
97675 Overseas Hwy
Key Largo, FL 33037

First State Bank of the FL Keys
c/o Accounts Payable
3406 N Roosevelt Blvd
Key West, FL 33040-4266

Upper Keys Commerce Ctr, Inc.
Attn: Chris D. Sante
PO Box 373006
Key Largo, FL 33037-3006

Ronald & Linda Macleod
23 N Blackwater Ln
Key Largo, FL 33037

Michelle Lapiana
26 Ocean Dr
Key Largo, FL 33037-4034

John E. Carter, Jr. Trust
(est under J E Carter Sr Tr)
c/o Nelson C. Keshen, Trustee
9155 S Dadeland Blvd, Ste 1718
Miami, FL 33156-2742

Patricia A. Cox
22 Ocean Dr
Key Largo, FL 33037-4034

Rafael E. Duyos, Jr.
PO Box 370426
Key Largo, FL 33037-0426

Janet Sue Coplan Trust 4-30-14
Rock Harbor Club - Cocoplum
97652 Overseas Hwy, Apt C8
Key Largo, FL 33037-2223

Wayne Siniscalco & Lorin Blake
Rock Harbor Club - Harbor House
97652 Overseas Hwy, Apt HH31
Key Largo, FL 33037-2218

Alisa Bitto
20 Ocean Dr
Key Largo, FL 33037-4034

Roseanne M. McGlade
1013 Seashore Rd
Cape May, NJ 08204-4211

Ira S. & Anita Krieger
1354 Cleveland Rd
Miami Beach, FL 33141-1713

Joe W. & Jean E. Worley, Jr.
10 Gayton Pl
Key Largo, FL 33037

Claudia Busman-Moriarty
97625 Overseas Hwy
Key Largo, FL 33037-4029

Ahmet Murat Yavuz
Kucuktepe Sokah 22
Kucuktepe Sok 26-10 Tekser
Yenikoy Istanbul, 34464
Turkey

JPMorgan Chase Bank
c/o Caliber Home Loans
13801 Wireless Way
Oklahoma City, OK 73134-2500

Pedro Enrique Orihuela
17911 NW 9th Ct
Pembroke Pines, FL 33029

Visabella, LLC
17050 N Bay Rd, Apt 1207
Sunny Isles Bch, FL 33160-3696

Richard Gabri
14532 Grafton Rd
Carleton, MI 48117-9220

David C. Osterman
1628 E Overlook Rd
Monterey, TN 38574-7208

Stephen J. & Cynthia A. Orton
Mariner's Resort Villas & Marinas
97501 Overseas Hwy, Unit 907
Key Largo, FL 33037-4047

Terri L. Bodker
Rock Harbor Club - Poinciana House
97652 Overseas Hwy, Apt P4
Key Largo, FL 33037-2206

Stuart L. Pimm Rev Liv Trust 11-18-09
Mariner's Resort Villas & Marinas
97501 Overseas Hwy, Unit 904
Key Largo, FL 33037-4047

Key Marina Development, LLC
52 Riley Rd
Kissimmee, FL 34747-5420

Carlos & Maria Christina Charur
9155 S Dadeland Blvd, Ste 1818
Miami, FL 33156-2742

97501 Mariners Club, LLC
515 E Las Olas Blvd, Ste 860
Ft Lauderdale, FL 33301-2268

Outdoor Systems, Inc.
6904 Cypress Park Dr
Tampa, FL 33634

97 Palms South L C
c/o Kathy Tufts, MGRM
9357 Calliandra Dr
Boynton Beach, FL 33436-3034

Keith W. Blake
240 Central Ave
Long Prairie, MN 56347-1303

Monroe County Property Appraiser - Radius Report

AK: 8632894 **Parcel ID:** 00554891-010700 **Physical Location** VACANT LAND KEY LARGO
Legal Description: PT TRACTS J AND K AND PT BLKS 10 AND 11 KEY LARGO NORTH PB7-22 .843 AC OR838-285/87 OR915-69/7
Owners Name: MARINERS CLUB HOMEOWNERS ASSOC INC
Address: 97501 OVERSEAS HWY STE 1 KEY LARGO FL 33037-4017

AK: 9094148 **Parcel ID:** 00554891-010510 **Physical Location** TENNIS COURTS KEY LARGO
Legal Description: PT TR G KEY LARGO NORTH PB7-22 OR838-285/87 OR97 1-814/15C/T OR1077-180/82 OR1106-795/96C OR113
Owners Name: MARINERS CLUB KEY LARGO INC
Address: 97501 OVERSEAS HWY STE 1 KEY LARGO FL 33037-4017

AK: 8632860 **Parcel ID:** 00554891-010500 **Physical Location** VACANT LAND KEY LARGO
Legal Description: PT TR G KEY LARGO NORTH PB7-22 OR838-285/87 OR97 1-814/15C/T OR1077-180/82 OR1106-795/96C OR113
Owners Name: MARINERS CLUB HOMEOWNERS ASSOC INC
Address: 97501 OVERSEAS HWY STE 1 KEY LARGO FL 33037-4017

AK: 1679917 **Parcel ID:** 00554420-000000 **Physical Location** VACANT LAND KEY LARGO
Legal Description: BK 2 LOTS 1 THRU 8 AND LOTS 30 THRU 33 MANDALAY PB 1-194 KEY LARGO OR534-798E OR634-726 OR654-
Owners Name: KEY MARINA DEVELOPMENT LLC
Address: 52 RILEY RD KISSIMMEE FL 34747-5420

AK: 8633092 **Parcel ID:** 00554891-012500 **Physical Location** MARINA DR KEY LARGO
Legal Description: PT TRACTS J AND K AND PT BLKS 10 AND 11 (A/K/A BOA T STORAGE/MEETING BUILDING) 1.12 AC KEY
Owners Name: MARINERS CLUB KEY LARGO INC
Address: 97501 OVERSEAS HWY STE 1 KEY LARGO FL 33037-4017

AK: 1103951 **Parcel ID:** 00090961-000500 **Physical Location** 97652 OVERSEAS UNIT P5 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO APT NO & 8.5% COMMON ELEMENTS OR686-779 OR815-
Owners Name: FOX AMY M
Address: 97652 OVERSEAS HWY APT P5 KEY LARGO FL 33037-2206

AK: 1103934 **Parcel ID:** 00090961-000300 **Physical Location** 97652 OVERSEAS UNIT P3 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO APT NO 3 8.3% COMMON ELEMENTS OR650-72/73 OR853-11
Owners Name: GARCIA AVELINO AND MONICA G
Address: 8401 SW 84TH TER MIAMI FL 33143-6919

AK: 1104027 **Parcel ID:** 00090961-001200 **Physical Location** 97652 OVERSEAS UNIT P12 KEY LARGO
Legal Description: APT 12 ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO 3-645 OR775-640 OR799-395 OR1553-392
Owners Name: WALTZMAN STUART REV TRUST 12/4/1998
Address: 333 E 30TH ST APT 18J NEW YORK NY 10016-6459

AK: 1103918 **Parcel ID:** 00090961-000100 **Physical Location** 97652 OVERSEAS UNIT P1 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO APT NO 1 8.3% COMMON ELEMENTS OR625-855/856
Owners Name: CULLEN ROBERT F JR AND KAREN J
Address: 14641 SW 67TH AVENUE MIAMI FL 33101

AK: 1680427 **Parcel ID:** 00554940-000200 **Physical Location** VACANT LAND KEY LARGO
Legal Description: AMD PLAT OF MANDALAY KEY LARGO PB2-25 PT TR 5A O R545-778 OR556-536 OR808-1087/1088 OR1011-158
Owners Name: MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY
Address: 1200 TRUMAN AVE STE 207 KEY WEST FL 33040-7270

AK: 1104060 **Parcel ID:** 00090962-000300 **Physical Location** 97652 OVERSEAS UNIT T3 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO APT NO 3 8.3% COMMON ELEMENTS OR646-388 OR823-245
Owners Name: BROCK LISA M
Address: 14606 JOCKEYS RIDGE DR CHARLOTTE NC 28277-3716

AK: 1104043 **Parcel ID:** 00090962-000100 **Physical Location** 97652 OVERSEAS UNIT T1 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO APT NO 1 8.3% COMMON ELEMENTS OR656-111/12 OR1314-
Owners Name: BANKS ROBERT W
Address: 3831 SW 56TH ST FORT LAUDERDALE FL 33312-6207

AK: 1104051 **Parcel ID:** 00090962-000200 **Physical Location** 97652 OVERSEAS UNIT T2 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO APT NO 2 8.3% COMMON ELEMENTS OR636-276 OR990-65/6
Owners Name: MOSS STEPHEN E
Address: 42 ONEIDA AVE OAKLAND NJ 07436-3731

AK: 1104001 **Parcel ID:** 00090961-001000 **Physical Location** 97652 OVERSEAS UNIT P10 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO APT NO 8.5% COMMON ELEMENTS OR661-839
Owners Name: HALEY JAMES A TRUST
Address: 11034 SW 37TH MNR DAVIE FL 33328-1318

AK: 1103977 **Parcel ID:** 00090961-000700 **Physical Location** 97652 OVERSEAS UNIT P7 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO APT NO 7 658-334-335 OR1259-1360/61 OR1540-2442/43 OR15(
Owners Name: BURGESS CHRISTOPHER R AND ANGELA D
Address: 15440 SW 148 PL MIAMI FL 33187

AK: 1103993 **Parcel ID:** 00090961-000900 **Physical Location** 97652 OVERSEAS UNIT P9 KEY LARGO
Legal Description: APT 9 ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO -249 OR841-1101 OR914-2290/91 OR1548-1009/12 OI
Owners Name: SHUCK RONALD E AND LISA L
Address: 7485 CADY RD NORTH ROYALTON OH 44133-6338

AK: 1680401 **Parcel ID:** 00554940-000000 **Physical Location** VACANT LAND KEY LARGO
Legal Description: AMD PLAT OF MANDALAY KEY LARGO PB2-25 PT TRACT 5A OR596-275 OR792-1071Q/C OR815-779 OR933-247:
Owners Name: MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY
Address: 1200 TRUMAN AVE STE 207 KEY WEST FL 33040-7270

AK: 1103985 **Parcel ID:** 00090961-000800 **Physical Location** 97652 OVERSEAS UNIT P8 KEY LARGO
Legal Description: APT 8 ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO -832-833 OR888-1836 OR1213-909/10 OR1753-2265C
Owners Name: SCHOTT DEANA L
Address: 2056 HUTTON PT LONGWOOD FL 32779-2855

AK: 1680419 **Parcel ID:** 00554940-000100 **Physical Location** 97600 OVERSEAS KEY LARGO
Legal Description: PT TR 5A AMD PLAT OF MANDALAY KEY LARGO PB2-25 35-174 OR787-1458 OR1007-87/88 OR1452-2208/10T
Owners Name: WATERMAN JAMES HENRY TRUST AGR 3/19/1997
Address: 193 ATLANTIC BLVD KEY LARGO FL 33037-4339

AK: 1103926 **Parcel ID:** 00090961-000200 **Physical Location** 97652 OVERSEAS UNIT P2 KEY LARGO
Legal Description: UNIT 2 ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO OR607-350 OR1315-839D/C OR1317-1183/93EST-PR
Owners Name: SIMPSON JOHN AND MARY
Address: 541 FOREST GATE CRES WATERLOO ONT N2V 2X3 CANADA

AK: 1103969 **Parcel ID:** 00090961-000600 **Physical Location** 97652 OVERSEAS UNIT P6 KEY LARGO
Legal Description: APT 6 ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO -615 OR665-500 OR670-729 OR824-1095 OR824-109(
Owners Name: DILLON WILLIAM
Address: 30800 S WIXOM RD WIXOM MI 48393-2418

AK: 1104019 **Parcel ID:** 00090961-001100 **Physical Location** 97652 OVERSEAS UNIT P11 KEY LARGO
Legal Description: UNIT 11 ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO 53-256/57 OR688-274/75 OR748-514 OR1110-654 OR
Owners Name: MAYER ANN E FINN AND ROBERT T
Address: 3 FAIRVIEW TER GREENLAND NH 03840-2242

AK: 8497628 **Parcel ID:** 00090961-000400 **Physical Location** 97652 OVERSEAS UNIT P4 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO APT NO 4 7.1% COMMON ELEMENTS OR612-553 OR810-31
Owners Name: BODKER TERRI L
Address: 97652 OVERSEAS HWY APT P4 KEY LARGO FL 33037-2206

AK: 1681377 **Parcel ID:** 00555040-000000 **Physical Location** VACANT LAND KEY LARGO
Legal Description: BK LT 1 ROCK HARBOR YACHT HAVEN KEY LARGO PB4-80 R536-635E OR540-17 OR778-1219 OR1056-1556Q/C(
Owners Name: DUYOS RAFAEL E JR
Address: PO BOX 370426 KEY LARGO FL 33037-0426

AK: 1680478 **Parcel ID:** 00554980-000000 **Physical Location** 97280 OVERSEAS KEY LARGO
Legal Description: NE PT TR 2 B AMD PLAT OF MANDALAY PB2-25 OR540-16 OR543-1025 OR937-1885 OR1117-490 OR1149-2385I
Owners Name: 97 PALMS SOUTH L C C/O TUFTS KATHY
Address: 9357 CALLIANDRA DR BOYNTON BEACH FL 33436-3034

AK: 1104124 **Parcel ID:** 00090962-000900 **Physical Location** 97652 OVERSEAS UNIT T9 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO APT NO & 8.5% COMMON ELEMENTS OR655-67-68 OR828-
Owners Name: HEINER FREDERICK H AND DONNA E
Address: 97652 OVERSEAS HWY APT T9 KEY LARGO FL 33037-2226

AK: 1680451 **Parcel ID:** 00554960-000000 **Physical Location** 97260 OVERSEAS KEY LARGO
Legal Description: AMD PLAT OF MANDALAY KEY LARGO PB2-25 PT TR 1B G63 -58/59 OR170-451/52 OR398-570/73DC OR1073-129/1
Owners Name: CARTER JOHN E JR TRUST(EST UNDER J E CARTER SR TR) C/O KESHEN NELSON C TRUSTEE
Address: 9155 S DADELAND BLVD STE 1718 MIAMI FL 33156-2742

AK: 1104752 **Parcel ID:** 00090966-002000 **Physical Location** 97652 OVERSEAS UNIT HH43 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM #6 APT 43 & 3.07% LEMENTS OR778-231 OR920-529/30 OR1408-649/5(
Owners Name: HAYNIE J NEIL AND SUSAN INCE
Address: 1700 SW 12 AVE BOCA RATON FL 33486

AK: 1104493 **Parcel ID:** 00090965-000700 **Physical Location** 97652 OVERSEAS UNIT M7 KEY LARGO
Legal Description: APT 7 ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO 14-296 OR860-1470 OR1067-348 OR1440-1734 OR15:
Owners Name: KALATZIS DIMITRIOS AND JOANNE
Address: 97652 OVERSEAS HWY APT M7 KEY LARGO FL 33037-2225

AK: 1104230 **Parcel ID:** 00090963-000700 **Physical Location** 97652 OVERSEAS UNIT S7 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 7 8.5% COMMON ELEMENTS OR604-838 OR756-179'
Owners Name: SOMOGYI ROBERT J AND MARILYN B
Address: 42 W COLLEGE AVE APT 314S YARDLEY PA 19067-1553

AK: 1104434 **Parcel ID:** 00090965-000100 **Physical Location** 97652 OVERSEAS UNIT M1 KEY LARGO
Legal Description: APT 1 ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO -402/03 OR824-335 OR1009-2027 OR1270-1348 OR1:
Owners Name: BAKER KEITH A
Address: 7555 CONIFER DR COLORADO SPRINGS CO 80920-4529

AK: 1104841 **Parcel ID:** 00090966-002900 **Physical Location** 97652 OVERSEAS UNIT PH5 KEY LARGO
Legal Description: APT P5 ROCK HARBOR CONDOMINIUM #6 OR778-1326 OR8 07-1971 OR822-411 OR1626-1988/90 OR1682-764 (U]
Owners Name: STONE THOMAS J TRUST 7/21/2000
Address: PO BOX 372880 KEY LARGO FL 33037-7880

AK: 1680435 **Parcel ID:** 00554940-000300 **Physical Location** VACANT LAND KEY LARGO
Legal Description: AMD PLAT OF MANDALAY KEY LARGO PB2-25 PT TR 5A O R562-411 OR1028-35TR OR1813-1460/61 OR1813-14
Owners Name: MONROE COUNTY FLORIDA
Address: 1100 SIMONTON ST KEY WEST FL 33040

AK: 1680567 **Parcel ID:** 00555011-000900 **Physical Location** 11 OLD STATE RD KEY LARGO
Legal Description: LT 9 THE HARBORAGE KEY LARGO PB6-46 OR513-518 OR75 1-386 OR1115-1805 OR1115-1807AFF OR1117-1243I
Owners Name: RODRIGUEZ-OJEA JORGE AND ISABEL
Address: 11021 SW 121ST ST MIAMI FL 33176-4538

AK: 8632771 **Parcel ID:** 00554891-009700 **Physical Location** 97501 OVERSEAS UNIT 902 KEY LARGO
Legal Description: BK 9 LT 7 KEY LARGO NORTH PB7-22 (A/K/A UNIT 902 M ARINER'S CLUB) OR835-1880/81 OR838-285/87 OI
Owners Name: VISABELLA LLC
Address: 17050 N BAY RD APT 1207 SUNNY ISLES BEACH FL 33160-3696

AK: 1104809 **Parcel ID:** 00090966-002500 **Physical Location** 97652 OVERSEAS UNIT PH1 KEY LARGO
Legal Description: APT P-1 ROCK HARBOR CONDOMINIUM 6 OR778-694 OR2340 -817/18D/C OR2374-99 OR2635-102021R/S
Owners Name: KROHN JOHN RAMON JR
Address: 61 BITTERN DR GETTYSBURG PA 17325-8611

AK: 1104353 **Parcel ID:** 00090964-000600 **Physical Location** 97652 OVERSEAS UNIT C6 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 6 8.5% COMMON ELEMENTS OR698-778 OR940-775/
Owners Name: HELSEL ZANE AND JOAN E
Address: 2144 PENNINGTON RD EWING NJ 08638-1433

AK: 8848692 **Parcel ID:** 00554990-000100 **Physical Location** 97360 OVERSEAS KEY LARGO
Legal Description: AMD PLAT OF MANDALAY PB2-25 KEY LARGO PORTION T 3-B (NE) OR577-629 OR573-479 OR784-749 OR784
Owners Name: CHARUR CARLOS AND MARIA CHRISTINA
Address: 9155 S DADELAND BLVD STE 1818 MIAMI FL 33156-2742

AK: 1680524 **Parcel ID:** 00555011-000400 **Physical Location** VACANT LAND KEY LARGO
Legal Description: THE HARBORAGE KEY LARGO PB 6-46 LOT 4 & 2.00% COMM ON ELEMENTS OR632-85
Owners Name: THE HARBORAGE CONDO CORP
Address: 59 OCEAN DR KEY LARGO FL 33037

AK: 1104396 **Parcel ID:** 00090964-001000 **Physical Location** 97652 OVERSEAS UNIT C10 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 8.5% COMMON ELEMENTS OR714-758 OR1078-21
Owners Name: GREENSPAN RICHARD R AND YVETTE M
Address: 16073 BRIER CREEK DR DELRAY BEACH FL 33446-9561

AK: 1104191 **Parcel ID:** 00090963-000300 **Physical Location** 97652 OVERSEAS UNIT S3 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 3 8.3% COMMON ELEMENTS OR612-635 OR823-601
Owners Name: LISOR SUZANNE K REV TR
Address: 1103 SPRING BROOKE DR GOSHEN IN 46528-5059

AK: 1104531 **Parcel ID:** 00090965-001100 **Physical Location** 97652 OVERSEAS UNIT M11 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO R700-308 OR806-919 OR1310-204/05 OR1585-2162 C
Owners Name: BELLIS STEPHEN L AND MARTHA A LIV TR DTD 11/23/05
Address: PO BOX 524 INDIAN RIVER MI 49749-0524

AK: 1104612 **Parcel ID:** 00090966-000600 **Physical Location** 97652 OVERSEAS UNIT HH7 KEY LARGO
Legal Description: APT 7 ROCK HARBOR CONDOMINIUM 6 OR778-705 OR847-69 7 OR931-2309 OR1015-1892 OR1168-973/74 OR1518-
Owners Name: BOLAND CECIL SAMUEL REVOCABLE TRUST 10/1/2015
Address: 97652 OVERSEAS HWY HH 7 KEY LARGO FL 33037-2221

AK: 1104469 **Parcel ID:** 00090965-000400 **Physical Location** 97652 OVERSEAS UNIT M4 KEY LARGO
Legal Description: APT 4 ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO -118 OR1023-2374 OR1597-957/58
Owners Name: LESPERANCE LISA V
Address: 1351 NW 16TH ST MIAMI FL 33125-2493

AK: 1680605 **Parcel ID:** 00555011-001300 **Physical Location** 18 GAYTON PL KEY LARGO
Legal Description: LT 13 THE HARBORAGE KEY LARGO PB 6-46 OR470-634 OR 606-269 OR1450-234/35AFF/DC OR1450-236/37AFF
Owners Name: APARICIO RENE AND BLANCA
Address: 1500 SW 12TH AVE MIAMI FL 33129-2638

AK: 1104175 **Parcel ID:** 00090963-000100 **Physical Location** 97652 OVERSEAS UNIT S1 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 1 8.3% COMMON ELEMENTS OR624-177 OR801-610/
Owners Name: KRAUSE JOSEPH AND FRANCES
Address: 2637 NW 23RD WAY BOCA RATON FL 33431-4015

AK: 1680541 **Parcel ID:** 00555011-000600 **Physical Location** VACANT LAND KEY LARGO
Legal Description: THE HARBORAGE KEY LARGO PB 6-46 LOT 6 & 2.00% COMM ON ELEMENTS OR632-85
Owners Name: THE HARBORAGE CONDO CORP
Address: 59 OCEAN DR KEY LARGO FL 33037

AK: 1104442 **Parcel ID:** 00090965-000200 **Physical Location** 97652 OVERSEAS UNIT M2 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO 2 680-188 OR784-131 OR840-491 OR870-1860FJ CASE
Owners Name: ADAM RYAN A REV TR OF 05/13/05
Address: 600 S ATLANTIC AVE DAYTONA BEACH FL 32118-4510

AK: 1104388 **Parcel ID:** 00090964-000900 **Physical Location** 97652 OVERSEAS UNIT C9 KEY LARGO
Legal Description: APT NO 9 ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO OR716-566 OR1078-2160AFF OR1331-394AFF OR13
Owners Name: HARRELSON PEGGY GREGSON REVOCABLE TRUST 3/14/14 C/O HARRELSON MIKE CO-TRUSTEE
Address: 1119 S 3RD AVE BOZEMAN MT 59715-5264

AK: 1104655 **Parcel ID:** 00090966-001000 **Physical Location** 97652 OVERSEAS UNIT HH25 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM #6 APT 25 & 3.07% LEMENTS OR778-217 OR829-1608 OR951-1864/186
Owners Name: MOFFITT GREGORY P AND REGINA A
Address: 29453 CEDAR NECK RD OCEAN VIEW DE 19970

AK: 8632568 **Parcel ID:** 00554891-007800 **Physical Location** 97501 OVERSEAS UNIT 712 KEY LARGO
Legal Description: BK 7 LT 12 KEY LARGO NORTH PB7-22 (A/K/A UNIT 712 MARINER'S CLUB) OR838-285/87 OR915-69/70S/D
Owners Name: ORIHUELA PEDRO ENRIQUE
Address: 17911 NW 9TH CT PEMBROKE PINES FL 33029

AK: 1104591 **Parcel ID:** 00090966-000400 **Physical Location** 97652 OVERSEAS UNIT HH5 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 6 APT 5 OR781-1574 O R826-2121 OR1407-124 OR1780-75/77 OR1780-78AF
Owners Name: SPRINKLE GEORGE C JR AND MELISSA B
Address: 17205 SW 256TH ST HOMESTEAD FL 33031

AK: 1104710 **Parcel ID:** 00090966-001600 **Physical Location** 97652 OVERSEAS UNIT HH35 KEY LARGO
Legal Description: APT 35 ROCK HARBOR CONDOMINIUM 6 OR778-886 OR812-4 19 OR817-280 OR1038-1684/93 OR1335-590/91M/T C
Owners Name: VEIL MARK AND TINA
Address: 107 WOODSMUIR CT PALM BEACH FL 33418-8020

AK: 1104451 **Parcel ID:** 00090965-000300 **Physical Location** 97652 OVERSEAS UNIT M3 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO 3 8.3% COMMON ELEMENTS OR654-185/86 OR1014-
Owners Name: SANTANA RAMON R AND YOLANDA ACEBAL
Address: PO BOX 901368 HOMESTEAD FL 33090-1368

AK: 8632754 **Parcel ID:** 00554891-009500 **Physical Location** 97501 OVERSEAS UNIT 904 KEY LARGO
Legal Description: BK 9 LT 5 KEY LARGO NORTH PB7-22 (A/K/A UNIT 904 M ARINER'S CLUB) OR835-1880/1881 OR838-285/287
Owners Name: PIMM STUART L REV LIV TRUST 11/18/09
Address: 97501 OVERSEAS HWY UNIT 904 KEY LARGO FL 33037-4047

AK: 1104604 **Parcel ID:** 00090966-000500 **Physical Location** 97652 OVERSEAS UNIT HH6 KEY LARGO
Legal Description: APT 6 ROCK HARBOR CONDOMINIUM PT 6 OR778-238 -305 OR877-2423 OR1055-2109 OR1055-2110/2112 O
Owners Name: ROBINSON JOHN G AND BARBARA J
Address: 97652 OVERSEAS HWY OFC KEY LARGO FL 33037-2216

AK: 1104418 **Parcel ID:** 00090964-001200 **Physical Location** 97652 OVERSEAS UNIT C12 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 8.5% COMMON ELEMENTS OR681-204 OR786-90/
Owners Name: KLASFELD ILENE AND JON
Address: 1908 NW 4TH AVE APT 112 BOCA RATON FL 33432-1501

AK: 1680508 **Parcel ID:** 00555010-000000 **Physical Location** 97450 OVERSEAS KEY LARGO
Legal Description: AMD PLAT OF MANDALAY PB2-25 KEY LARGO TRACT 4-B (2 .4AC) AND TRACT 5-B (9.32AC) & ADJ BAY BTM (2
Owners Name: KEY LARGO HOSPITALITY LAND TRUST C/O KEY LARGO HOSPITALITY GROUP LLC
Address: 4651 SHERIDAN ST STE 480 HOLLYWOOD FL 33021-3430

AK: 1680371 **Parcel ID:** 00554900-000000 **Physical Location** VACANT LAND KEY LARGO
Legal Description: AMD PLAT OF MANDALAY KEY LARGO TR 1A PB2-25 G49-58 1/582 OR769-388/389 OR1071-1153/1154 OR1587-23
Owners Name: OUTDOOR SYSTEMS INC
Address: 6904 CYPRESS PARK DR TAMPA FL 33634

AK: 1104337 **Parcel ID:** 00090964-000400 **Physical Location** 97652 OVERSEAS UNIT C4 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 4 646-439 OR844-809 OR1314-1906 OR1445-1730/31R
Owners Name: BOLAND CECIL SAMUEL REVOCABLE TRUST 10/1/2015
Address: 97652 OVERSEAS HWY APT HH7 KEY LARGO FL 33037-2201

AK: 1680648 **Parcel ID:** 00555011-001700 **Physical Location** 10 GAYTON PL KEY LARGO
Legal Description: THE HARBORAGE KEY LARGO PB 6-46 LOT 17 & 1.00% COM MON ELEMENTS OR545-721 OR836-1275 OR1241-
Owners Name: WORLEY JOE W JR AND JEAN E
Address: 10 GAYTON PL KEY LARGO FL 33037

AK: 1680575 **Parcel ID:** 00555011-001000 **Physical Location** 13 OLD HWY KEY LARGO
Legal Description: THE HARBORAGE KEY LARGO PB 6-46 LOT 10 & 1.00% COM MON ELEMENTS OR495-242 OR525-326 OR808-6
Owners Name: MACLEOD RONALD A AND LINDA
Address: 23 N BLACKWATER LN KEY LARGO FL 33037

AK: 1680591 **Parcel ID:** 00555011-001200 **Physical Location** 17 OLD STATE RD KEY LARGO
Legal Description: LT 12 THE HARBORAGE KEY LARGO PB 6-46 OR495-242 OR 525-326 OR654-208 OR806-1892 OR849-203/05 OR87
Owners Name: KUKULSKI MITCHELL
Address: 17 OLD STATE RD KEY LARGO FL 33037-4010

AK: 1104868 **Parcel ID:** 00090966-003100 **Physical Location** 97652 OVERSEAS UNIT PH7 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM 6 APT P7 OR778-882 OR975-1 981 OR 975-1982AFF OR1429-1640/41 OR1745-2127/
Owners Name: OKUN THEODORE
Address: 97652 OVERSEAS HWY PH 7 KEY LARGO FL 33037-2221

AK: 1104540 **Parcel ID:** 00090965-001200 **Physical Location** 97652 OVERSEAS UNIT M12 KEY LARGO
Legal Description: APT NO 12 ROCK HARBOR CONDOMINIUM NO 5 KEY OR725-511 OR1099-1314 OR1103-1352C OR1255-84
Owners Name: HELLER MARGARUITTE AND ERICH E
Address: 97652 OVERSEAS HWY APT M12 KEY LARGO FL 33037-2225

AK: 1104647 **Parcel ID:** 00090966-000900 **Physical Location** 97652 OVERSEAS UNIT HH24 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM #6 APT 24 & 3.72% LEMENTS OR778-888 OR1014-289 OR1174-1140/42
Owners Name: VALERIUS THOMAS F AND LYNN C
Address: 9200 SW 85TH ST MIAMI FL 33173-4527

AK: 1104141 **Parcel ID:** 00090962-001100 **Physical Location** 97652 OVERSEAS UNIT T11 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO APT NO 8.5% COMMON ELEMENTS OR682-753 OR835-135
Owners Name: DICKER CRAIG L
Address: 97652 OVERSEAS HWY APT T11 KEY LARGO FL 33037-2226

AK: 1680630 **Parcel ID:** 00555011-001600 **Physical Location** 12 GAYTON PL KEY LARGO
Legal Description: THE HARBORAGE KEY LARGO PB 6-46 LT 16 OR476-605 OR 614-640 OR684-409 OR1002-2480 OR1170-812 OR18
Owners Name: WAGNER JOHN AND JOYCE 2005 REV TR 6/6/2005
Address: 23310 111TH ST TREVOR WI 53179-9557

AK: 1104663 **Parcel ID:** 00090966-001100 **Physical Location** 97652 OVERSEAS UNIT HH26 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM #6 APT 26 & 3.07% ELEMENTS OR778-192 (UR WD & TRUST ON FIL
Owners Name: LEVY BARUCH AND JANE
Address: 2708 OAKMONT CT WESTON FL 33332-1834

AK: 1680397 **Parcel ID:** 00554930-000000 **Physical Location** VACANT LAND KEY LARGO
Legal Description: AMD PLAT OF MANDALAY KEY LARGO PB2-25 TR 4A OR38 9-878 OR732-318 CASE #80-326-CP-12 OR835-2404
Owners Name: MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY
Address: 1200 TRUMAN AVE STE 207 KEY WEST FL 33040-7270

AK: 1680559 **Parcel ID:** 00555011-000800 **Physical Location** 9 OLD STATE RD KEY LARGO
Legal Description: LT 8 THE HARBORAGE KEY LARGO PB 6-46 OR617-73 OR11 32-2180 OR1324-43/44 OR1517-15/16 OR1768-644/45
Owners Name: POPS TRIPLE J AND Z FAMILY TRUST 1/22/2015 C/O VIGO JOED TRUSTEE
Address: 11451 SW 193RD TER MIAMI FL 33157-8128

AK: 1680613 **Parcel ID:** 00555011-001400 **Physical Location** 16 GAYTON PL KEY LARGO
Legal Description: THE HARBORAGE KEY LARGO PB 6-46 LOT 14 & 1.00% COM MON ELEMENTS OR588-413 OR727-117/118 OR12
Owners Name: BLAKE KEITH W
Address: 240 CENTRAL AVE LONG PRAIRIE MN 56347-1303

AK: 1104302 **Parcel ID:** 00090964-000100 **Physical Location** 97652 OVERSEAS UNIT C1 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO & 8.3% COMMON ELEMENTS OR664-649/650 OR1
Owners Name: BESADA MARCIA
Address: 521 MAJORCA AVE CORAL GABLES FL 33134-4221

AK: 1104507 **Parcel ID:** 00090965-000800 **Physical Location** 97652 OVERSEAS UNIT M8 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO & 8.5% COMMON ELEMENTS OR670-40/41 OR941-
Owners Name: RAHAIM ANDREW D AND JEAN T
Address: 6 AUSPICE CIR NEWARK DE 19711-2976

AK: 1104680 **Parcel ID:** 00090966-001300 **Physical Location** 97652 OVERSEAS UNIT HH31 KEY LARGO
Legal Description: APT 31 ROCK HARBOR CONDOMINIUM #6 OR781-1588 OR 839-971 OR839-972Q/C OR951-810/13 OR951-815AF
Owners Name: SINISCALCO WAYNE P AND LORIN BLAKE
Address: 97652 OVERSEAS HWY APT HH31 KEY LARGO FL 33037-2218

AK: 1104205 **Parcel ID:** 00090963-000400 **Physical Location** 97652 OVERSEAS UNIT S4 KEY LARGO
Legal Description: APT NO 4 ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO OR601-508 OR808-2105 OR820-297 OR844-183 OR1(
Owners Name: FAGGIONI RONALD A AND CAROLYN I
Address: 2073 HENDRICKS AVE BELLMORE NY 11710-3058

AK: 1104272 **Parcel ID:** 00090963-001100 **Physical Location** 97652 OVERSEAS UNIT S11 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 8.5% COMMON ELEMENTS OR682-773 OR798-24
Owners Name: HEELY CATHERINE G
Address: 9 NOCTURNE ROAD MONROE TOWNSHIP NJ 08831-7971

AK: 1104574 **Parcel ID:** 00090966-000200 **Physical Location** 97652 OVERSEAS UNIT HH3 KEY LARGO
Legal Description: APT 3 ROCK HARBOR CONDOMINIUM 6 OR778-892 OR811-18 01 OR1110-1647 OR2456-881
Owners Name: HENRIQUES ROBERT C
Address: 11 CHESTER SQ GLOUCESTER MA 01930-1313

AK: 1104361 **Parcel ID:** 00090964-000700 **Physical Location** 97652 OVERSEAS UNIT C7 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 7 8.5% COMMON ELEMENTS OR687-592 OR789-763
Owners Name: TUCKER ROBERT J AND CHARLENE A
Address: 401 CLOVER MILL RD EXTON PA 19341-2502

AK: 1104515 **Parcel ID:** 00090965-000900 **Physical Location** 97652 OVERSEAS UNIT M9 KEY LARGO
Legal Description: APT 9 ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO -463 OR1631-1804 OR2731-2209
Owners Name: BURKARD JONATHAN W
Address: 106 S SEWALLS POINT RD STUART FL 34996-6319

AK: 1104698 **Parcel ID:** 00090966-001400 **Physical Location** 97652 OVERSEAS UNIT HH33 KEY LARGO
Legal Description: APT 33 ROCK HARBOR CONDOMINIUM 6 OR778-224 OR2581- 1245/53WILL OR2591-1497
Owners Name: WALSH FRANK B JR REVOCABLE TRUST 11/30/1996
Address: 97652 OVERSEAS HWY APT HH33 KEY LARGO FL 33037-2203

AK: 1104221 **Parcel ID:** 00090963-000600 **Physical Location** 97652 OVERSEAS UNIT S6 KEY LARGO
Legal Description: APT NO 6 ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO 600-486 OR785-1214/1216 OR814-348 OR925-388/38
Owners Name: GAC MARIA U
Address: 573 SHERIDAN RD GLENCOE IL 60022-1764

AK: 1680583 **Parcel ID:** 00555011-001100 **Physical Location** 15 OLD HWY KEY LARGO
Legal Description: THE HARBORAGE KEY LARGO PB6-46 LOT 11 OR630-319 OR 805-28 OR1050-1966 OR1094-356FJ OR1101-650 OR
Owners Name: CARDENAS VICENTE AND MARTA M
Address: 5793 E 4TH AVE HIALEAH FL 33013

AK: 1680656 **Parcel ID:** 00555011-001800 **Physical Location** 8 GAYTON PL KEY LARGO
Legal Description: THE HARBORAGE KEY LARGO PB 6-46 LOT 18 & 1.00% COM MON ELEMENTS OR606-782 OR670-761 OR807-15
Owners Name: ZEBROWSKI JAMES
Address: 8 GAYTON PL KEY LARGO FL 33037

AK: 1104213 **Parcel ID:** 00090963-000500 **Physical Location** 97652 OVERSEAS UNIT S5 KEY LARGO
Legal Description: APT 5 ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO -835 OR1096-1281/82 OR1096-1284 OR1243-1005/06
Owners Name: GOLDSTEIN AMBER E L/E
Address: 97652 OVERSEAS HWY APT S5 KEY LARGO FL 33037-2203

AK: 1104523 **Parcel ID:** 00090965-001000 **Physical Location** 97652 OVERSEAS UNIT M10 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO 8.5% COMMON ELEMENTS OR704-431 OR1190-
Owners Name: SHUGG ROBERT C AND ELIZABETH A
Address: 97652 OVERSEAS HWY APT M10 KEY LARGO FL 33037-2225

AK: 1104132 **Parcel ID:** 00090962-001000 **Physical Location** 97652 OVERSEAS UNIT T10 KEY LARGO
Legal Description: APT NO 10 ROCK HARBOR CONDOMINIUM NO 2 KEY R656-173/74 OR1103-446 OR1614-562
Owners Name: WESTER DAVID A AND SHARON M
Address: 4244 CHASE AVE MIAMI BEACH FL 33140-3008

AK: 8632703 **Parcel ID:** 00554891-009200 **Physical Location** 97501 OVERSEAS UNIT 907 KEY LARGO
Legal Description: BK 9 LT 2 KEY LARGO NORTH PB7-22 (A/K/A UNIT 907 M ARINER'S CLUB) OR835-1880/1881 OR838-285/287
Owners Name: ORTON STEPHEN J AND CYNTHIA A
Address: 97501 OVERSEAS HWY UNIT 907 KEY LARGO FL 33037-4047

AK: 1679976 **Parcel ID:** 00554480-000000 **Physical Location** 97675 OVERSEAS KEY LARGO
Legal Description: BK 2 LTS 13 & 14 MANDALAY PB1-194 KEY LARGO OR502- 995 OR806-955Q/C OR1324-1799Q/C OR2096-704Q/(
Owners Name: VALDES CARLOS AND ELOINA
Address: 97675 OVERSEAS HWY KEY LARGO FL 33037

AK: 1104248 **Parcel ID:** 00090963-000800 **Physical Location** 97652 OVERSEAS UNIT S8 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 8 8.5% COMMON ELEMENTS OR630-580 OR785-373
Owners Name: SEVERSON DONALD R AND LOUANNE DEC TRUST 11/12/1996
Address: PO BOX 886 ELKHORN WI 53121-0886

AK: 1104256 **Parcel ID:** 00090963-000900 **Physical Location** 97652 OVERSEAS UNIT S9 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 9 8.5% COMMON ELEMENTS OR600-479 OR764-125
Owners Name: SCULL PROPERTIES LLC C/O SCULL DAVID
Address: 7960 OLD GEORGETOWN RD STE 8C BETHESDA MD 20814-2418

AK: 1680117 **Parcel ID:** 00554620-000000 **Physical Location** 34 E FIRST ST KEY LARGO
Legal Description: BK 2 LT 29 MANDALAY PB1-194 KEY LARGO OR389-130/13 1 OR940-1735 OR1943-2052(LG)
Owners Name: CAPUTO MARNI
Address: 237 LA PALOMA RD KEY LARGO FL 33037-4652

AK: 1679925 **Parcel ID:** 00554430-000000 **Physical Location** 97625 OVERSEAS KEY LARGO
Legal Description: BK 2 LOTS 9 AND 10 MANDALAY PB1-194 KEY LARGO G71- 398-399 OR321-248-249 OR535-460E OR799-1053 OI
Owners Name: BUSMAN-MORIARTY CLAUDIA
Address: 97625 OVERSEAS HWY KEY LARGO FL 33037-4029

AK: 1679950 **Parcel ID:** 00554460-000000 **Physical Location** 97645 OVERSEAS KEY LARGO
Legal Description: MANDALAY PB1-194 KEY LARGO LOTS 11-12 BK 2 OR506-3 92 OR900-2AFF OR900-3D/C OR1293-1979 (RE 5544
Owners Name: SANTE CHRIS D
Address: PO BOX 373006 KEY LARGO FL 33037-3006

AK: 1681091 **Parcel ID:** 00555011-006000 **Physical Location** 22 OCEAN DR KEY LARGO
Legal Description: LT 60 THE HARBORAGE KEY LARGO PB 6-46 OR574-15 OR6 08-613 OR614-77 OR794-825 OR1321-929/30 OR1321
Owners Name: COX PATRICIA A
Address: 22 OCEAN DR KEY LARGO FL 33037-4034

AK: 1681083 **Parcel ID:** 00555011-005900 **Physical Location** 20 OCEAN DR KEY LARGO
Legal Description: THE HARBORAGE KEY LARGO PB 6-46 LOT 59 AND 1.00% C OMMON ELEMENTS OR614-852 OR795-915 OR835
Owners Name: BITTO ALISA
Address: 20 OCEAN DR KEY LARGO FL 33037-4034

AK: 8632878 **Parcel ID:** 00554891-010600 **Physical Location** VACANT LAND KEY LARGO
Legal Description: TRACT H KEY LARGO NORTH PB7-22 OR838-285/87 OR915- 69/70 OR971-814/15C/T OR1077-180/82 OR1106-795/
Owners Name: MARINERS CLUB HOMEOWNERS ASSOC INC
Address: 97501 OVERSEAS HWY STE 1 KEY LARGO FL 33037-4017

AK: 1104329 **Parcel ID:** 00090964-000300 **Physical Location** 97652 OVERSEAS UNIT C3 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 3 8.3% COMMON ELEMENTS OR641-215/16 OR764-5
Owners Name: CORRADINI CAROL ANN LIV TR 06/06/2006
Address: 7744 SW 193RD ST CUTLER BAY FL 33157-7389

AK: 1104701 **Parcel ID:** 00090966-001500 **Physical Location** 97652 OVERSEAS UNIT HH34 KEY LARGO
Legal Description: APT 34 ROCK HARBOR CONDOMINIUM NO 6 OR778-203 3-2023 OR864-1526 OR1531-599/600
Owners Name: BERNAT DOLORES P TRUST AGR 4/23/1998
Address: 12832 QUAIL CT PALOS HEIGHTS IL 60463-2282

AK: 1104850 **Parcel ID:** 00090966-003000 **Physical Location** 97652 OVERSEAS UNIT PH6 KEY LARGO
Legal Description: UNIT P-6 ROCK HARBOR CONDOMINIUM OR781-1566 2107 OR2612-1154
Owners Name: MCGEE LAWRENCE U
Address: 5110 PALMERSTON LN WINSTON SALEM NC 27104-1431

AK: 1104345 **Parcel ID:** 00090964-000500 **Physical Location** 97652 OVERSEAS UNIT C5 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 5 OR717-362 OR1487-302 OR2001-1701
Owners Name: MCCASSEY EVERETT A AND MICHELLE M
Address: 117 AKIOHALA PL KAILUA HI 96734-3902

AK: 1104159 **Parcel ID:** 00090962-001200 **Physical Location** 97652 OVERSEAS UNIT T12 KEY LARGO
Legal Description: APT 12 ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO 1-658 OR1145-2385/87 OR1558-325 OR1775-1979/79
Owners Name: CHILDREE RONALD M
Address: 97652 OVERSEAS HWY APT T12 KEY LARGO FL 33037-2226

AK: 1104183 **Parcel ID:** 00090963-000200 **Physical Location** 97652 OVERSEAS UNIT S2 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 2 8.3% COMMON ELEMENTS OR621-822 OR807-949
Owners Name: KATZMAN HOWARD E AND SHIRLEY R
Address: 7255 SW 140TH TER PALMETTO BAY FL 33158-1265

AK: 1680621 **Parcel ID:** 00555011-001500 **Physical Location** 14 GAYTON PL KEY LARGO
Legal Description: THE HARBORAGE KEY LARGO PB 6-46 LOT 15 & 1.00% COM MON ELEMENTS OR495-242 OR666-860 OR685-74
Owners Name: FELDMAN FRED AND FRIEDA
Address: PO BOX 370443 KEY LARGO FL 33037-0443

AK: 8632789 **Parcel ID:** 00554891-009800 **Physical Location** 97501 OVERSEAS UNIT 901 KEY LARGO
Legal Description: BK 9 LT 8 KEY LARGO NORTH PB7-22 (A/K/A UNIT 901 M ARINER'S CLUB) OR835-1880/1881 OR838-285/287
Owners Name: GABRI RICHARD
Address: 14532 GRAFTON RD CARLETON MI 48117-9220

AK: 8632690 **Parcel ID:** 00554891-009100 **Physical Location** 97501 OVERSEAS UNIT 908 KEY LARGO
Legal Description: BK 9 LT 1 KEY LARGO NORTH PB7-22 (A/K/A UNIT 908 MARINER'S CLUB) OR835-1880/1881 OR838-285/
Owners Name: KRIEGER IRA S AND ANITA
Address: 1354 CLEVELAND RD MIAMI BEACH FL 33141-1713

AK: 1104728 **Parcel ID:** 00090966-001700 **Physical Location** 97652 OVERSEAS UNIT HH36 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NUMBER 6 APT 36 OR2356-1470(PROB44-2008-CP-43-P) OR2385-1067/
Owners Name: CLARK JAMES C AND DIANA
Address: 1673 SOUTH ST NEW HAVEN VT 05472-4051

AK: 1104833 **Parcel ID:** 00090966-002800 **Physical Location** 97652 OVERSEAS UNIT PH4 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM #6 APT P4 OR780-28 OR799-7 46 OR832-1933OR919-2188Q/C OR978-1621 OR1093
Owners Name: STELRI LLC C/O LEROY
Address: 3532 E HIGGINS DR MOUNT PLEASANT SC 29466-6890

AK: 1104787 **Parcel ID:** 00090966-002300 **Physical Location** 97652 OVERSEAS UNIT HH46 KEY LARGO
Legal Description: APT 46 ROCK HARBOR CONDOMINIUM NO 6 OR781-723 6-359/368 OR856-1231 OR905-1919/1920 OR2005-19
Owners Name: ELIADES STEVEN AND JEANNE
Address: 31 STARLIGHT DR HOPEWELL JUNCTION NY 12533-5524

AK: 1104639 **Parcel ID:** 00090966-000800 **Physical Location** 97652 OVERSEAS UNIT HH23 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM #6 APT 23 OR778-890 OR820 -1742 OR994-317 OR1248-2330/2331 OR1682-1837/3
Owners Name: CAMMAROTA ARMAND A JR
Address: 305 EAST BAY TREE CIR VERNON HILLS IL 60061

AK: 1104281 **Parcel ID:** 00090963-001200 **Physical Location** 97652 OVERSEAS UNIT S12 KEY LARGO
Legal Description: APT 12 ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO 3-588 OR845-227 OR1117-316/317 OR1475-963/67
Owners Name: FIRST MIDWEST TRUST COMPANY C/O FIRST MIDWEST BANK TRUST
Address: PO BOX 990 MOLINE IL 61266-0990

AK: 1104671 **Parcel ID:** 00090966-001200 **Physical Location** 97652 OVERSEAS UNIT HH27 KEY LARGO
Legal Description: APT 27 ROCK HARBOR CONDOMINIUM NO 6 OR778-690 3-1625 OR1115-1803 OR1571-1092/93 OR2695-2272/
Owners Name: MAJOY CHRISTOPHER O AND MARLENE M
Address: 1149 SHELTERED BROOK DR HURON OH 44839-2824

AK: 1104116 **Parcel ID:** 00090962-000800 **Physical Location** 97652 OVERSEAS UNIT T8 KEY LARGO
Legal Description: APT 8 ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO -119 OR687-883 OR696-646C OR781-788 OR781-789
Owners Name: FAMILY TRUST U/W/O CAROLINE P BRUMBAUGH 7/27/1998 C/O BRUMBAUGH JOHN M TRUSTEE
Address: 6479 SUNSET DR MIAMI FL 33143-4676

AK: 1104311 **Parcel ID:** 00090964-000200 **Physical Location** 97652 OVERSEAS UNIT C2 KEY LARGO
Legal Description: APT 2 ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO -607 OR789-1598 OR857-1931/32 OR957-2367/68 OR
Owners Name: BOCA MARINA COURT LLC
Address: 31 SENECA RD SEA RANCH LAKES FL 33308-2325

AK: 1680532 **Parcel ID:** 00555011-000500 **Physical Location** VACANT LAND KEY LARGO
Legal Description: THE HARBORAGE KEY LARGO PB 6-46 LOT 5 & 2.00% COMM ON ELEMENTS OR632-85
Owners Name: THE HARBORAGE CONDO CORP
Address: 59 OCEAN DR KEY LARGO FL 33037

AK: 1104582 **Parcel ID:** 00090966-000300 **Physical Location** 97652 OVERSEAS UNIT HH4 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM #6 APT 4 & 4.65% COMMON EMENTS OR778-247
Owners Name: TIELEN GISELA B
Address: 97652 OVERSEAS HWY APT HH4 KEY LARGO FL 33037-2207

AK: 1104779 **Parcel ID:** 00090966-002200 **Physical Location** 97652 OVERSEAS UNIT HH45 KEY LARGO
Legal Description: APT 45 & 3.07% COMMON ELEMENTS ROCK HARBOR OMINIUM #6 OR778-884 OR901-1425 OR949-1272
Owners Name: FRANZ P AND L FAMILY TRUST 1/12/1990
Address: 97652 OVERSEAS HWY APT HH45 KEY LARGO FL 33037-2220

AK: 1104744 **Parcel ID:** 00090966-001900 **Physical Location** 97652 OVERSEAS UNIT HH41 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 6 APT 41 OR781-1567 932-333 OR1001-2499Q/C OR2337-79/92F/J OR2411-
Owners Name: HOLTON TIMOTHY R AND JENNIFER A
Address: 296 WASHINGTON AVE MEMPHIS TN 38103

AK: 8632541 **Parcel ID:** 00554891-007600 **Physical Location** 97501 OVERSEAS UNIT 710 KEY LARGO
Legal Description: BK 7 LT 10 KEY LARGO NORTH PB7-22 (A/K/A UNIT 710 MARINER'S CLUB) OR838-285/287 OR915-69/70S/D
Owners Name: YAVUZ AHMET MURAT
Address: KUCUKTEPE SOK 26-10 YENIKOY TEKSER ISTANBUL 34464 TURKEY

AK: 1104817 **Parcel ID:** 00090966-002600 **Physical Location** 97652 OVERSEAS UNIT PH2 KEY LARGO
Legal Description: APT P2 ROCK HARBOR CONDOMINIUM NO 6 OR783-1853 820-2384 OR1076-544 OR1224-2417/18 OR1241-2493
Owners Name: HEINRICH LAURA J
Address: 97652 OVERSEAS HWY PH 2 KEY LARGO FL 33037-2220

AK: 1104086 **Parcel ID:** 00090962-000500 **Physical Location** 97652 OVERSEAS UNIT T5 KEY LARGO
Legal Description: APT 5 ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO 691-480 OR1295-646
Owners Name: SMITH BRIAN R T AND PENELOPE J
Address: 97652 OVERSEAS HWY APT T5 KEY LARGO FL 33037-2205

AK: 1104264 **Parcel ID:** 00090963-001000 **Physical Location** 97652 OVERSEAS UNIT S10 KEY LARGO
Legal Description: APT 10 ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO 4-706 OR917-871 OR1035-2355 OR1282-2394 OR272
Owners Name: HARRIS MARGARET M
Address: 424 SPRUCE AVE WEST ISLIP NY 11795-2712

AK: 1104761 **Parcel ID:** 00090966-002100 **Physical Location** 97652 OVERSEAS UNIT HH44 KEY LARGO
Legal Description: APT 44 ROCK HARBOR CONDOMINIUM 6 OR778-1710 OR855- 2477 OR1003-2340 OR1151-2443 OR1276-28AFF OR
Owners Name: BENNARDO MARIANNE DECLARATION OF TRUST 7/10/2013
Address: 1009 AZALEA RD DELRAY BEACH FL 33483-6601

AK: 1104078 **Parcel ID:** 00090962-000400 **Physical Location** 97652 OVERSEAS UNIT T4 KEY LARGO
Legal Description: APT 4 ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO -699 OR692-638 OR789-1698 OR1131-961 OR1250-4(
Owners Name: MILANESE GARY
Address: 97652 OVERSEAS HWY APT T4 KEY LARGO FL 33037-2205

AK: 1104108 **Parcel ID:** 00090962-000700 **Physical Location** 97652 OVERSEAS UNIT T7 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO APT NO 7 8.5% COMMON ELEMENTS OR677-110 OR788-946
Owners Name: BORKOWSKI RICHARD V AND CATHERINE M
Address: 5 GREENWICH CT SHOREHAM NY 11786-2017

AK: 1104795 **Parcel ID:** 00090966-002400 **Physical Location** 97652 OVERSEAS UNIT HH47 KEY LARGO
Legal Description: APT 47 ROCK HARBOR CONDOMINIUM 6 OR778-698 OR864-2 329/2330 OR1366-2375/77TR/MT OR1543-2033 OR27
Owners Name: DALOIA KATHERINE
Address: 1469 OXFORD DR BUFFALO GROVE IL 60089-1011

AK: 1104825 **Parcel ID:** 00090966-002700 **Physical Location** 97652 OVERSEAS UNIT PH3 KEY LARGO
Legal Description: UNIT P3 ROCK HARBOR CONDOMINIUM 6 OR779-320 2188Q/C OR964-702 OR1169-880/82 OR2465-2406/07
Owners Name: ESPY ALEXANDRA BEATON
Address: PO BOX 123 DILLON CO 80435-0123

AK: 1680389 **Parcel ID:** 00554910-000000 **Physical Location** 97300 OVERSEAS KEY LARGO
Legal Description: AMD PLAT OF MANDALAY KEY LARGO PB2-25 TR 2A & 1 2 & 3 THE HARBORAGE PB6-46 OR495-405 OR4
Owners Name: UPPER KEYS COMMERCE CENTER INC
Address: PO BOX 373006 KEY LARGO FL 33037-3006

AK: 1104370 **Parcel ID:** 00090964-000800 **Physical Location** 97652 OVERSEAS UNIT C8 KEY LARGO
Legal Description: APT 8 ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO -551 OR820-1090 OR820-1091/92 OR1030-1367/68 OI
Owners Name: COPLAN JANET SUE TRUST 4/30/2014
Address: 97652 OVERSEAS HWY APT C8 KEY LARGO FL 33037-2223

AK: 1104736 **Parcel ID:** 00090966-001800 **Physical Location** 97652 OVERSEAS UNIT HH37 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NUMBER 6 APT 37 0 OR812-1221 OR905-1921/1922 OR2356-1470(PROE
Owners Name: CLARK JAMES C AND DIANA
Address: 1673 SOUTH ST NEW HAVEN VT 05472-4051

AK: 1104621 **Parcel ID:** 00090966-000700 **Physical Location** 97652 OVERSEAS UNIT HH21 KEY LARGO
Legal Description: APT 21 ROCK HARBOR CONDOMINIUM 6 OR778-196 OR1070- 2029 OR1190-395/408FJ OR1430-420/21C OR1430-4
Owners Name: PEREZ ROBERT L AND VIOLET M
Address: 1919 DRISCOLL ST HOUSTON TX 77019-6101

AK: 1104477 **Parcel ID:** 00090965-000500 **Physical Location** 97652 OVERSEAS UNIT M5 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO 5 8.5% COMMON ELEMENTS OR718-69 OR888-1086
Owners Name: KERCKAERT MICHAEL AND SHANNON
Address: 5825 HEMPSTEAD RD OXFORD MI 48371-1233

AK: 1680362 **Parcel ID:** 00554890-000000 **Physical Location** VACANT LAND KEY LARGO
Legal Description: AMD PLAT OF MANDALAY KEY LARGO PB2-25 PT TR 5 (NW 25' TR 5) OR539-409E OR566-255 OR764-23/24 (REM
Owners Name: DOT/ST.OF FL (STATE OF FLORIDA DEPT OF
Address: TRANSPORTATION) TALLAHASSEE FL 32399

AK: 8632932 **Parcel ID:** 00554891-011100 **Physical Location** VACANT LAND KEY LARGO
Legal Description: KEY LARGO NORTH PB7-22 PT TRACT N OR838-285/87 OR9 15-69/70 OR971-814/15C/T OR1077-180/82 OR1106-7
Owners Name: MARINERS CLUB HOMEOWNERS ASSOC INC
Address: 97501 OVERSEAS HWY STE 1 KEY LARGO FL 33037-4017

AK: 1681105 **Parcel ID:** 00555011-006100 **Physical Location** 24 OCEAN DR KEY LARGO
Legal Description: LT 61 THE HARBORAGE KEY LARGO PB 6-46 OR603-840 OR 672-217 OR769-1301 OR2481-1478/79ORD OR2514-2
Owners Name: MURRAY JAMES PATRICK
Address: 24 OCEAN DR KEY LARGO FL 33037-4034

AK: 1681113 **Parcel ID:** 00555011-006200 **Physical Location** 26 OCEAN DR KEY LARGO
Legal Description: LT 62 THE HARBORAGE KEY LARGO PB 6-46 OR490-608/09 OR770-9 OR770-10 OR775-945 OR807-2418 OR909-:
Owners Name: LAPIANA MICHELLE
Address: 26 OCEAN DR KEY LARGO FL 33037-4034

AK: 1681393 **Parcel ID:** 00555060-000000 **Physical Location** 97275 OVERSEAS KEY LARGO
Legal Description: BK LT 3 ROCK HARBOR YACHT HAVEN KEY LARGO PB4-80 R536-635E OR540-18
Owners Name: DUYOS RAFAEL E JR
Address: PO BOX 370426 KEY LARGO FL 33037-0426

AK: 1681385 **Parcel ID:** 00555050-000000 **Physical Location** VACANT LAND KEY LARGO
Legal Description: LOT 2 ROCK HARBOR YACHT HAVEN KEY LARGO 241 OR109-191-192 OR709-288 OR1145-46D/C OR11
Owners Name: MCGLADE ROSEAMME M
Address: 1013 SEASHORE RD CAPE MAY NJ 08204-4211

AK: 1680460 **Parcel ID:** 00554970-000000 **Physical Location** 97270 OVERSEAS KEY LARGO
Legal Description: AMD PLAT OF MANDALAY PB2-25 KEY LARGO SW PT TR 2B OR534-843 OR540-16 OR1205-2018/19 OR1231-484/8
Owners Name: TINNEY HENRY CLAY III AND LORA
Address: 97270 OVERSEAS HWY KEY LARGO FL 33037

AK: 8632746 **Parcel ID:** 00554891-009400 **Physical Location** 97501 OVERSEAS UNIT 905 KEY LARGO
Legal Description: BK 9 LT 4 KEY LARGO NORTH PB7-22 (A/K/A UNIT 905 M ARINER'S CLUB) OR835-1880/81 OR838-285/87 OR:
Owners Name: 97501 MARINERS CLUB LLC
Address: 515 E LAS OLAS BLVD STE 860 FORT LAUDERDALE FL 33301-2268

AK: 1680486 **Parcel ID:** 00554990-000000 **Physical Location** 97340 OVERSEAS KEY LARGO
Legal Description: AMD PLAT OF MANDALAY PB2-25 KEY LARGO PORTION T 3-B (SW) OR577-629 OR573-479 OR784-749 OR78
Owners Name: CHARUR EMILIO
Address: 9155 S DADELAND BLVD STE 1818 MIAMI FL 33156-2742

AK: 1104400 **Parcel ID:** 00090964-001100 **Physical Location** 97652 OVERSEAS UNIT C11 KEY LARGO
Legal Description: APT NO 11 ROCK HARBOR CONDOMINIUM NO 4 KEY R700-574 OR1653-2488 OR2232-2213TR OR2635-18(
Owners Name: HILLEND DAVID V
Address: 97652 OVERSEAS HWY APT C11 KEY LARGO FL 33037-2223

AK: 1104485 **Parcel ID:** 00090965-000600 **Physical Location** 97652 OVERSEAS UNIT M6 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO 6 8.5% COMMON ELEMENTS OR704-422 OR877-242:
Owners Name: KLUMPENAAR BRAM
Address: 296 CLAUDE AVE DORVAL QUI H95 3B2 CANADA

AK: 1104094 **Parcel ID:** 00090962-000600 **Physical Location** 97652 OVERSEAS UNIT T6 KEY LARGO
Legal Description: APT 6 ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO -105 OR792-1342 OR1187-66 OR1238-1631/40 OR124
Owners Name: HAAS DENNIS
Address: 97652 OVERSEAS HWY APT T6 KEY LARGO FL 33037-2205

AK: 1104566 **Parcel ID:** 00090966-000100 **Physical Location** 97652 OVERSEAS UNIT HH1 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM 6 APT 1 OR781-1581 OR873-1 041 OR1215-2248 OR1547-1851 OR2420-116/18
Owners Name: DOTTL PETER J AND MARY P JT REV TR 01/11/06
Address: 5426 COUNTY HWY A BROOKLYN WI 53521

AK: 8632762 **Parcel ID:** 00554891-009600 **Physical Location** 97501 OVERSEAS UNIT 903 KEY LARGO
Legal Description: BK 9 LT 6 KEY LARGO NORTH PB7-22 (A/K/A UNIT 903 M ARINER'S CLUB) OR835-1880/1881 OR838-285/287
Owners Name: OSTERMAN DAVID C
Address: 1628 E OVERLOOK RD MONTEREY TN 38574-7208

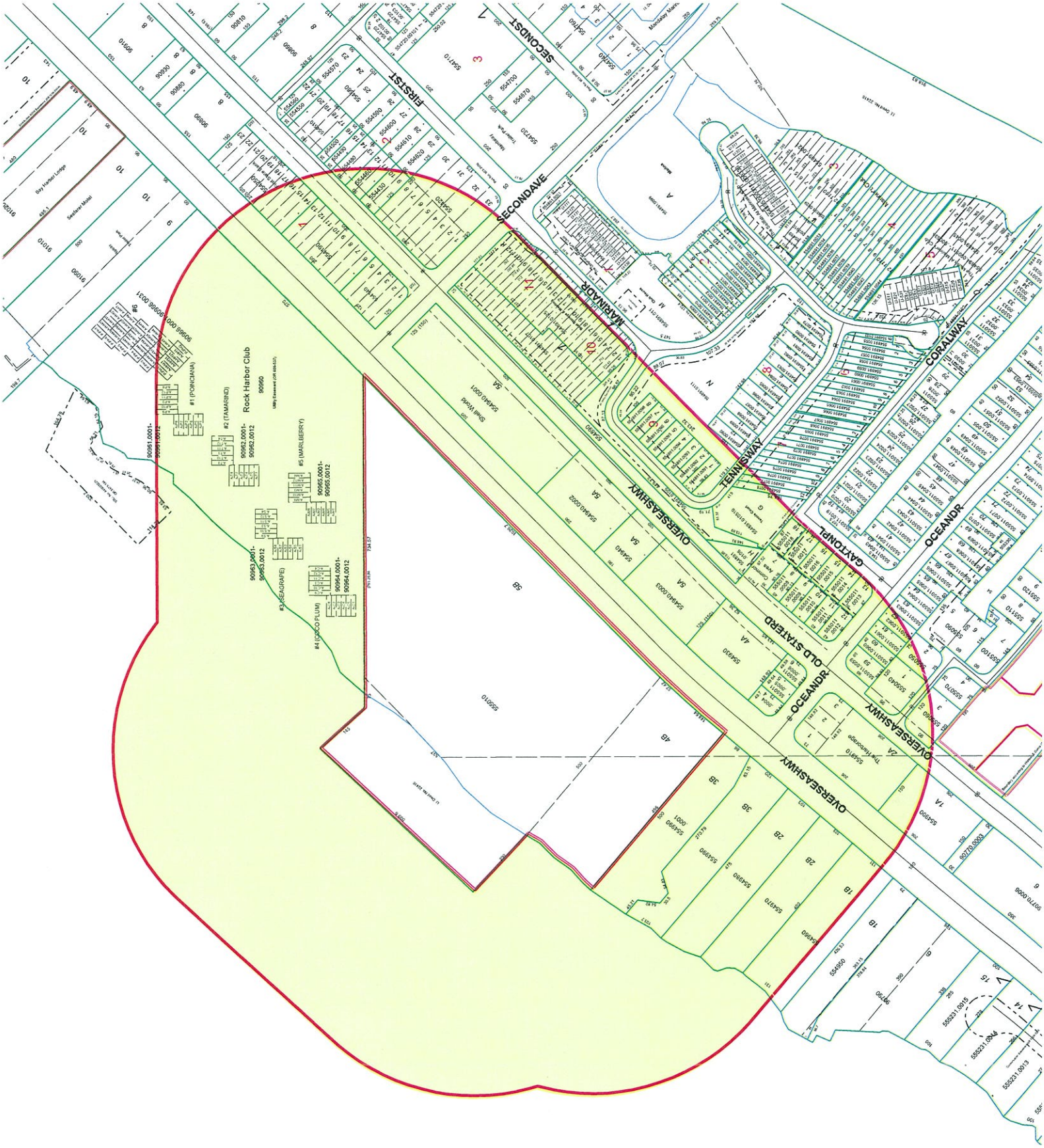
AK: 8632550 **Parcel ID:** 00554891-007700 **Physical Location** 97501 OVERSEAS UNIT 711 KEY LARGO
Legal Description: BK 7 LT 11 KEY LARGO NORTH PB7-22 (A/K/A UNIT 711 MARINER'S CLUB) OR838-285/287 OR915-69/70S/D
Owners Name: YAVUZ AHMET MURAT
Address: KUCUKTEPE SOKAH 22 YENIKOY ISTANBUL 34464 TURKEY

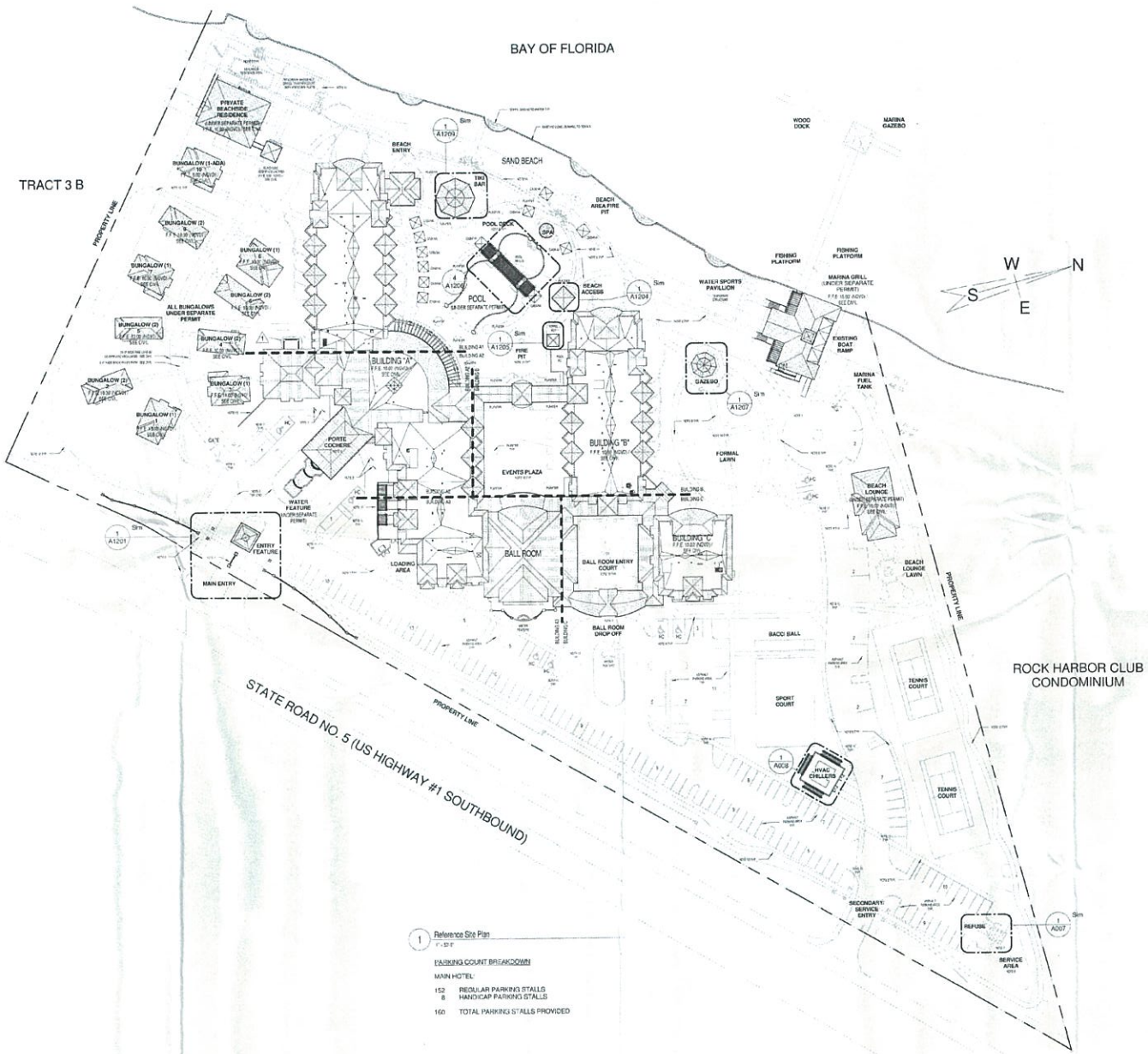
AK: 8632738 **Parcel ID:** 00554891-009300 **Physical Location** 906 TENNIS WAY KEY LARGO
Legal Description: BK 9 LT 3 KEY LARGO NORTH PB7-22 (A/K/A UNIT 906 M ARINER'S CLUB) OR835-1880/1881 OR838-285/287
Owners Name: JPMORGAN CHASE BANK C/O CALIBER HOME LOANS
Address: 13801 WIRELESS WAY OKLAHOMA CITY OK 73134-2500

AK: 1679682 **Parcel ID:** 00554190-000000 **Physical Location** 97630 OVERSEAS KEY LARGO
Legal Description: BK 1 LTS 6-13 MANDALAY PB1-194 KEY LARGO OR34-258 OR534-802E OR600-654 OR618-417 OR718-243 OR8
Owners Name: CAMILLE'S FOODS INC
Address: PO BOX 371532 KEY LARGO FL 33037-1532

AK: 1679747 **Parcel ID:** 00554250-000000 **Physical Location** 97670 OVERSEAS KEY LARGO
Legal Description: BK 1 LT MANDALAY PB1-194 KEY LARGO LOTS 14, 15, 16 , 17, 18, 19, 20, 21, 22 & 23 (RE'S:55426 THRU 554
Owners Name: FIRST STATE BANK OF THE FLORIDA KEYS C/O ACCOUNT PAYABLE
Address: 3406 N ROOSEVELT BLVD KEY WEST FL 33040-4266

AK: 1679631 **Parcel ID:** 00554140-000000 **Physical Location** 97610 OVERSEAS KEY LARGO
Legal Description: BK 1 LOTS 1-5 MANDALAY PB1-194 KEY LARGO OR171-548 /49 OR534-800E OR777-938 OR846-190D/C OR1007-
Owners Name: WATERMAN JAMES HENRY TRUST AGR 3/19/1997
Address: 193 ATLANTIC BLVD KEY LARGO FL 33037-4339


Rock Harbor Club
90960
#1 (PORNCIANA)
#2 (TAMARIND)
#3 (SEAGRAPE)
#4 (COCO PLUM)
#5 (MARLBERRY)
SECONDAVE
FIRST
SECOND
MARINADR
TENNISWAY
OVERSEASHWY
OLD STATERD
OCEANDR
CAYTONPL
CORALWAY
Small Vessel
Bay Harbor Lodge
Seabrer Motel



1 Reference Site Plan
1" = 50'-0"

PARKING COUNT BREAKDOWN

MAIN HOTEL:

152 REGULAR PARKING STALLS
8 HANDICAP PARKING STALLS

160 TOTAL PARKING STALLS PROVIDED

SITE PLAN NOTES

REFER TO APPROVED SITE PLAN. THIS SITE PLAN IS SHOWN FOR REFERENCE ONLY.

1. REFER TO CIVIL ENGINEERING PLANS FOR A.) SITE DETAILS, GRADE AND FINISH FLOOR ELEVATIONS, DRAINAGE AND RETENTION CALCULATIONS, ELEVATIONS SHOWN ON THIS PLAN ARE FOR REFERENCE PURPOSES ONLY.

2. REFER TO SURVEY FOR EXACT BUILDING LOCATION AND APPLICABLE PLAT INFORMATION.

3. REFER TO LANDSCAPE ARCHITECT DRAWINGS FOR ALL EXTERIOR HARDSCAPE FINISHES, SPECIFICATIONS AND PLANTING.

4. SEE SHOP DRAWINGS FOR EXACT POOL AND WATER FEATURE DESIGN. DESIGN TO CONFORM ALL WITH ALL APPLICABLE HEALTH, POOL AND SPA CODES - LATEST EDITION. SUBMIT SHOP DRAWINGS FOR APPROVAL.

5. POOL ENTRANCE TO BE EQUIPPED WITH SELF CLOSING, SELF LATCHING GATE PER ALL APPLICABLE LOCAL AND STATE SWIMMING POOL AND SPA CODE REQUIREMENTS.

6. POOL FENCE, MIN. 4'-0" HOLMAN, POKER FENCE OR APPROVED EQUAL TO MEET ALL LOCAL AND STATE SWIMMING POOL AND SPA CODE REQUIREMENTS.

7. MAINTAIN APPROPRIATE SIGHT LINES AT DRIVEWAY ENTRANCE AND EXITS.

8. PROVIDE DECORATIVE LANDSCAPE SCREENING AT MECHANICAL EQUIPMENT LOCATIONS ALL EQUIPMENT (INCLUDING SERVICE VENTS) MUST BE SCREENED WITH LANDSCAPING OR OTHER MEANS.

9. FIRE PROTECTION MARKINGS: PROVIDE BUILDING ADDRESS SIGN AT ENTERANCE HEIGHT ELEVATION. BUILDING ADDRESS NUMBERS SHALL BE PLACED IN A POSITION TO BE PLAINLY VISIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING PROPERTY. ADDRESS NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND AND NUMERALS SHALL BE NOT LESS THAN 4" IN HEIGHT. ALL PROTECTION MARKINGS SHALL COMPLY WITH NFPA 1 FIRE CODE SECTION 10.12.

ADA ACCESSIBLE ROUTE shall meet the following minimum requirements of Florida Accessibility Code for Building Construction - Latest Edition (refer to ADA sheets for details)

(1) At least one accessible route complying with Section 206 and Chapter 4 shall be provided within the boundary of the site from public transportation stops, accessible parking spaces, passenger loading zones if provided, and public streets or sidewalks, to an accessible building entrance.

(2) At least one accessible route complying with Chapter 4 shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site.

(3) All objects that protrude from surfaces or posts into circulation paths shall comply with Section 307.

(4) Walking surfaces along accessible routes and in accessible spaces shall comply with Section 403.

(5) CATCH BASINS ARE TO BE PLACED SO AS NOT TO INTERFERE WITH CLEARANCES AND MAXIMUM SLOPES ALONG DESIGNATED ACCESSIBLE ROUTES.

(6) LOOSE EX FROM ACCESSIBLE RE MUST BE LOCATED IN A WAY THAT MAINTAINS A 36" WIDE ACCESSIBLE ROUTE MIN. MUM.

(7) SLOPE OF POOL DECK AREA MUST NOT EXCEED 1:48 IN ANY DIRECTION.

ADA PARKING:

Accessible spaces complying with Section 502 shall be provided in parking area. Self spaces shall be designed and marked for exclusive use of those individuals. The number of accessible parking spaces shall comply with the minimum required per Table 208.2 Parking Spaces.

ACCESSIBLE PATH OF TRAVEL FROM EACH EMERGENCY EXIT TO PUBLIC WAY SHALL MEET NFPA 101 7.1.6

- 1/2" LEVEL MAX VERTICAL DIFFERENCE IN FLOOR SURFACE
- 44" MIN. PATH OF TRAVEL WIDTH
- 1:20 MAX PATH OF TRAVEL SLOPE
- 1:12 MAX COMPLIANT RAMP SLOPE
- 1:50 MAX CROSS SLOPE

SITE PLAN KEY NOTES

ALL NOTES MAY NOT APPLY.

NOTE 1: ACCESSIBLE PASSENGER DROP OFF AREA WITH ADJACENT CLEAR ACCESS AISLE - DROP OFF & ACCESS AISLE SHALL BE AT THE SAME LEVEL & SHALL HAVE A 5-0 RISE NOT TO EXCEED 1:48

NOTE 2: 1'-0" WIDE CONCRETE APRON/BORDER SEE CIVIL ENGINEERING PLANS.

NOTE 3: FLAG POLE LOCATION. REFER TO NOTE: BRAND STANDARDS.

NOTE 4: MONUMENT SIGN LOCATION

NOTE 5: EXTERIOR POOL DECK. POOL DECK SHALL COMPLY WITH FBC ACCESSIBILITY REQUIREMENTS. REFER TO ADA DETAILS AND GENERAL NOTES.

NOTE 6: EXTERIOR STORAGE.

NOTE 7: TRASH ENCLOSURE

NOTE 8: WALKWAY SLOPE NOT TO EXCEED 1:48 IN ANY DIRECTION

NOTE 9: ACCESSIBLE ROUTE TO PUBLIC RIGHT OF WAY (IS REQUIRED). MAX. RUNNING SLOPE OF 1:20 AND MAX. CROSS SLOPE OF 1:48. ALL PAVED SURFACES, CURB RAMPS AND TRANSITIONS ALONG PATH TO MEET FBC ACCESSIBILITY REQUIREMENTS.

NOTE 10: EXCAVATED NON-SLIP PAVER FINISH OR APPROVED EQUAL. SEE LANDSCAPE ARCHITECT DRAWINGS FOR ALL HARDSCAPE MATERIALS AND SPECIFICATIONS. SUBMIT PATTERN FOR ARCHITECT APPROVAL.

NOTE 11: CURB RAMP TO MEET ALL FBC ACCESSIBILITY REQUIREMENTS. SEE CIVIL ENGINEERING DRAWINGS FOR DETAILS AND SPECIFICATIONS.

NOTE 12: MULCH EXERCISE PATHWAY TO MAINTAIN AROUND EXISTING VEGETATION. TYP. SEE LANDSCAPE & APPROVED SITE PLAN.

NOTE 13: RETAINING WALL - SEE STRUCTURAL PLANS

NOTE 14: NATURAL CORAL CUT BOULDER RETAINING WALL - SEE LANDSCAPE PLANS.

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Playa Largo Hotel

97450 Overseas Highway
Key Largo FL 33037

Revision Schedule

No.	Description	Date
1	Facebook Permit	05-30-13

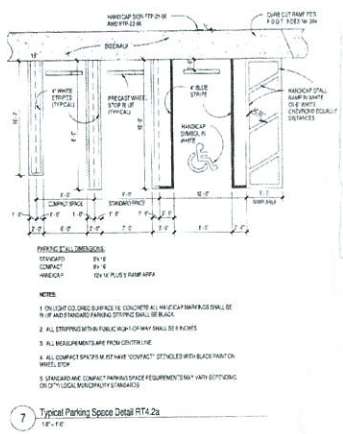
Reference Site Plan

Client Name:	Key Largo Hospitality Group LLC
Project number:	
Date:	12-10-13
Project Status:	Permit Set
Checked by:	Project Team

A006

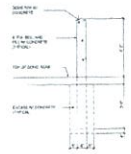
Scale 1" = 50'-0"

12-17-2013 11:22:26 AM

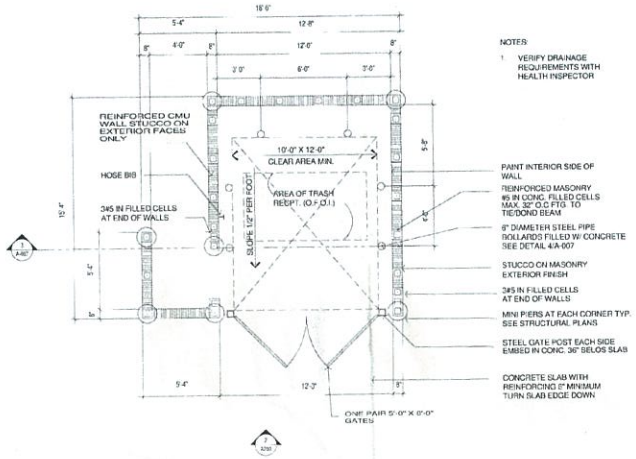


7 Typical Parking Space Detail RT4.2a

1/8" = 1'-0"



4 BOLLARD DETAIL

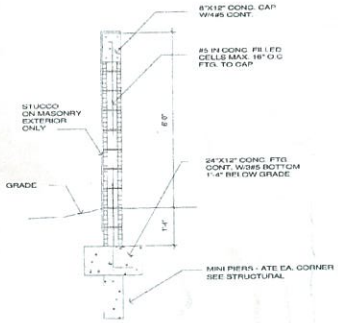


NOTES:

1. VERIFY DRAINAGE REQUIREMENTS WITH HEALTH INSPECTOR

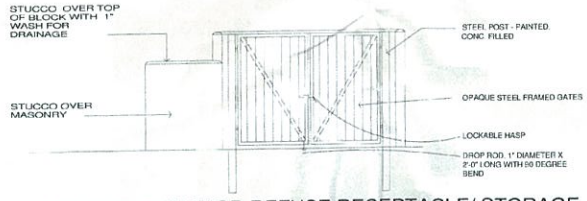
1 PLAN- EXTERIOR REFUSE RECEPTACLE

1/4" = 1'-0"



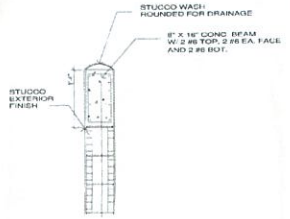
5 WALL SECTION AT POOL EQ. ENCLOSURE

1/2" = 1'-0"



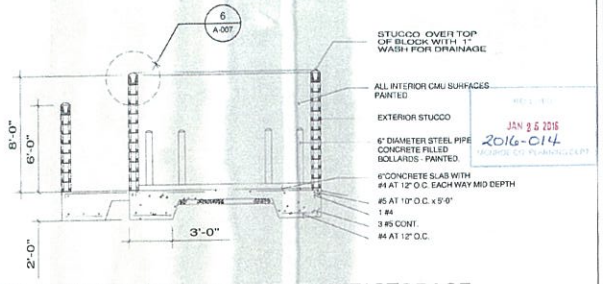
2 ELEVATION- EXTERIOR REFUSE RECEPTACLE/ STORAGE

1/4" = 1'-0"



6 WALL CAP DETAIL

3/4" = 1'-0"



3 SECTION- EXTERIOR REFUSE RECEPTACLE/ STORAGE

1/4" = 1'-0"

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Playa Largo Hotel

97450 Overseas Highway
Key Largo FL 33037

Revision Schedule		
No.	Description	Date

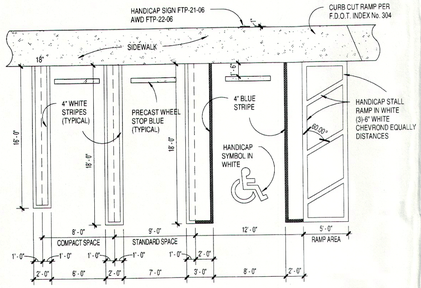
Site Details

Client Name:	Key Largo Hospitality Group LLC
Project number:	
Date:	12-15-10
Project Status:	Permit Set
Checked by:	Checker

A007

Scale As Indicated

12/17/2015 11:02:59 AM



PARKING STALL DIMENSIONS:

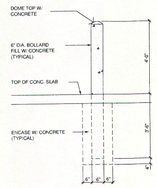
STANDARD	9'x 18'
COMPACT	8'x 16'
HANDICAP	12'x 18' PLUS 5' RAMP AREA

NOTES:

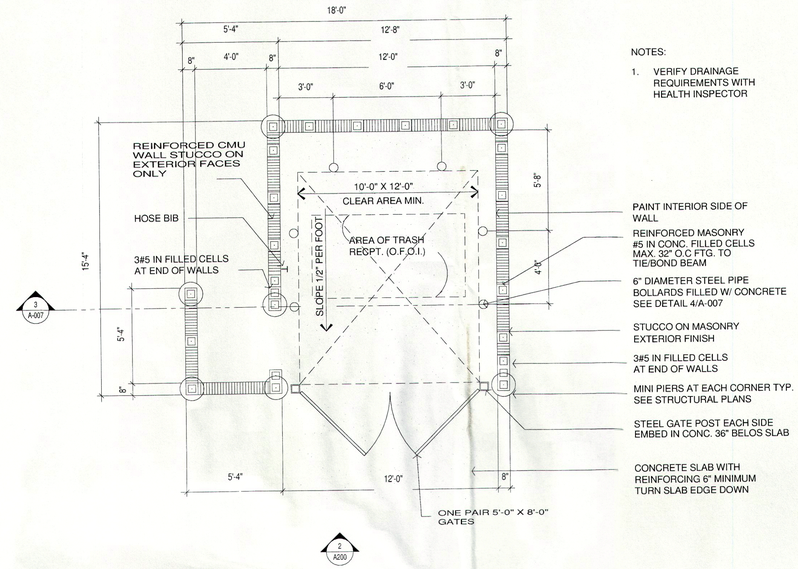
1. ON LIGHT COLORED SURFACE I.E. CONCRETE ALL HANDICAP MARKINGS SHALL BE BLUE AND STANDARD PARKING STRIPING SHALL BE BLACK.
2. ALL STRIPPING WITHIN PUBLIC RIGHT-OF-WAY SHALL BE 6 INCHES.
3. ALL MEASUREMENTS ARE FROM CENTER LINE.
4. ALL COMPACT SPACES MUST HAVE "COMPACT" STENCILED WITH BLACK PAINT ON WHEEL STOP.
5. STANDARD AND COMPACT PARKING SPACE REQUIREMENTS MAY VARY DEPENDING ON CITY/ LOCAL MUNICIPALITY STANDARDS.

7 Typical Parking Space Detail RT4.2a

1/8" = 1'-0"



4 BOLLARD DETAIL



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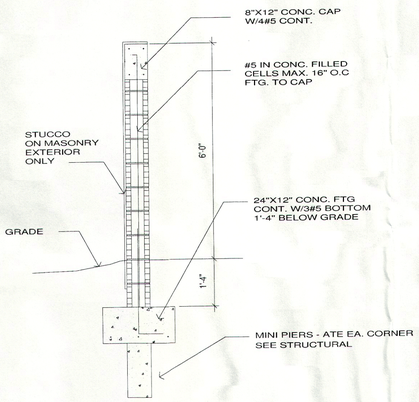

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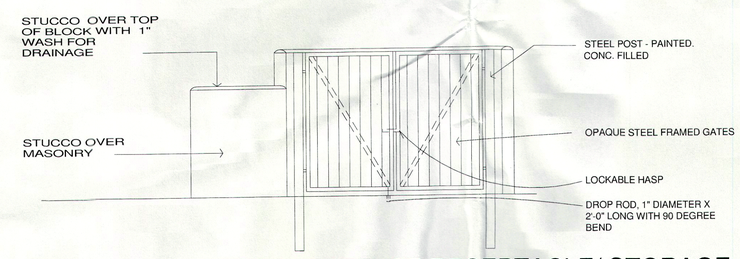
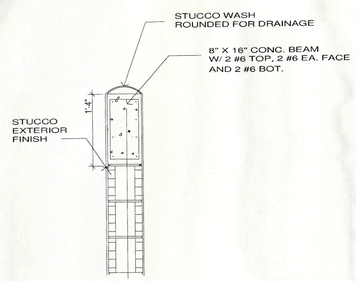
1/2" = 1'-0"



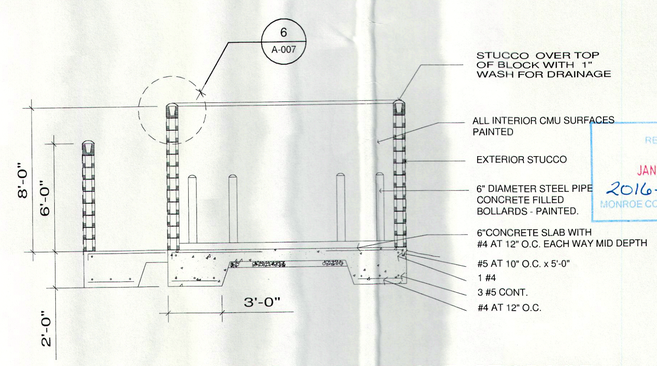
2 ELEVATION- EXTERIOR REFUSE RECEPTACLE/ STORAGE

1/4" = 1'-0"



6 WALL CAP DETAIL

3/4" = 1'-0"



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3 SECTION- EXTERIOR REFUSE RECEPTACLE/ STORAGE

1/4" = 1'-0"

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Playa Largo Hotel
97450 Overseas Highway
Key Largo FL 33037

Revision Schedule		
No.	Description	Date

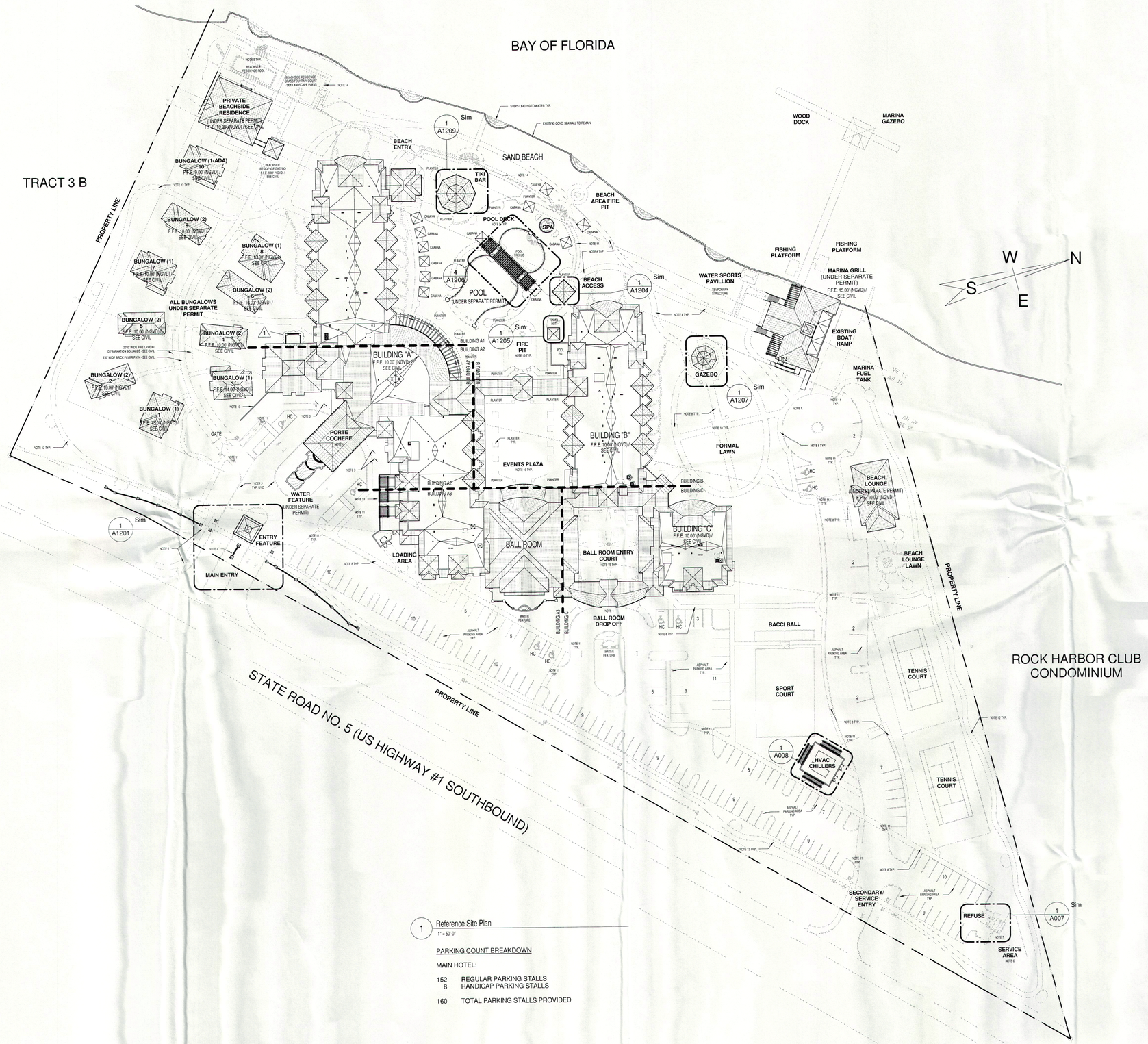
Site Details

Client Name:	Key Largo Hospitality Group LLC
Project number:	
Date:	12-16-13
Project Status:	Permit Set
Checked by:	Checker

A007

Scale: As indicated

12/17/2013 11:22:38 AM



1 Reference Site Plan
1" = 50'-0"

PARKING COUNT BREAKDOWN

MAIN HOTEL:

152	REGULAR PARKING STALLS
8	HANDICAP PARKING STALLS
160	TOTAL PARKING STALLS PROVIDED

SITE PLAN NOTES

REFER TO APPROVED SITE PLAN. THIS SITE PLAN IS SHOWN FOR REFERENCE ONLY.

1. REFER TO CIVIL ENGINEERING PLANS FOR ALL SITE DETAILS. GRADE AND FINISH FLOOR ELEVATIONS, DRAINAGE AND RETENTION CALCULATIONS, ELEVATIONS SHOWN ON THIS PLAN ARE FOR REFERENCE PURPOSES ONLY.

2. REFER TO SURVEY FOR EXACT BUILDING LOCATION AND APPLICABLE PLAT INFORMATION.

3. REFER TO LANDSCAPE ARCHITECT DRAWINGS FOR ALL EXTERIOR HARD-SCAPE FINISHES, SPECIFICATIONS AND PLANTING.

4. SEE SHOP DRAWINGS FOR EXACT POOL AND WATER FEATURE DESIGN. DESIGN TO CONFORM FULLY WITH ALL APPLICABLE HEALTH, POOL AND SPA CODES- LATEST EDITION. SUBMIT SHOP DRAWINGS FOR APPROVAL.

5. POOL ENTRANCE TO BE EQUIPPED WITH SELF CLOSING, SELF LATCHING GATE PER ALL APPLICABLE LOCAL AND STATE SWIMMING POOL AND SPA CODE REQUIREMENTS.

6. POOL FENCE: MIN. 4'-0" HIGH AL. PICKET FENCE OR APPROVED EQUAL TO MEET ALL LOCAL AND STATE SWIMMING POOL AND SPA CODE REQUIREMENTS.

7. MAINTAIN APPROPRIATE SIGHT-LINES AT DRIVEWAY ENTRANCE AND EXITS.

8. PROVIDE DENSE LANDSCAPE SCREENING AT MECHANICAL EQUIPMENT LOCATIONS. ALL EQUIPMENT (INCLUDING DRYER VENTS) MUST BE SCREENED WITH LANDSCAPING OR OTHER MEANS.

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ADA ACCESSIBLE ROUTE shall meet the following minimum requirements of Florida Accessibility Code For Building Construction - Latest Edition (refer to ADA sheets for details):

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(2) At least one accessible route complying with Chapter 4 shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site.

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ADA PARKING:

Accessible spaces complying with Section 502 shall be provided in parking area. Such spaces shall be designed and marked for exclusive use of those individuals. The number of accessible parking spaces shall comply with the minimum required per Table 208.2 Parking Spaces.

ACCESSIBLE PATH OF TRAVEL FROM EACH EMERGENCY EXIT TO PUBLIC WAY SHALL MEET WITH NFPA 101: 7.1.6

- 1/2" BEVEL MAX VERTICAL DIFFERENCE IN FLOOR SURFACE
- 44" MIN. PATH OF TRAVEL WIDTH
- 1:20 MAX PATH OF TRAVEL SLOPE
- 1:12 MAX COMPLIANT RAMP SLOPE
- 1:50 MAX CROSS SLOPE

SITE PLAN KEY NOTES

ALL NOTES MAY NOT APPLY.

NOTE 1: ACCESSIBLE PASSENGER DROP OFF AREA WITH ADJACENT CLEAR ACCESS AISLE - DROP OFF & ACCESS AISLE SHALL BE AT THE SAME LEVEL & SHALL HAVE A SLOPE NOT TO EXCEED 1:48.

NOTE 2: 1'-0" WIDE CONCRETE APRON / BORDER. SEE CIVIL ENGINEERING PLANS.

NOTE 3: FLAG POLE LOCATION. REFER TO HOTEL BRAND STANDARDS.

NOTE 4: MONUMENT SIGN LOCATION.

NOTE 5: EXTERIOR POOL DECK. POOL DECK SHALL COMPLY WITH FBC ACCESSIBILITY REQUIREMENTS. REFER TO ADA DETAILS AND GENERAL NOTES.

NOTE 6: EXTERIOR STORAGE.

NOTE 7: TRASH ENCLOSURE.

NOTE 8: WALKWAY SLOPE NOT TO EXCEED 1:48 IN ANY DIRECTION

NOTE 9: ACCESSIBLE ROUTE TO PUBLIC RIGHT OF WAY (1 REQUIRED). MAX. RUNNING SLOPE OF 1:20 AND MAX. CROSS SLOPE OF 1:48. ALL PAVED SURFACES, CURB RAMPS AND TRANSITIONS ALONG PATH TO MEET FBC ACCESSIBILITY REQUIREMENTS.

NOTE 10: DECORATIVE NON-SLIP PAVER FINISH OR APPROVED EQUAL. SEE LANDSCAPE ARCHITECT DRAWINGS FOR ALL HARDSCAPE MATERIALS AND SPECIFICATIONS. SUBMIT PATTERN FOR ARCHITECT APPROVAL.

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NOTE 14: NATURAL CORAL CUT BOULDER RETAINING WALL - SEE LANDSCAPE PLANS.

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Playa Largo Hotel

97450 Overseas Highway
Key Largo FL 33037

Revision Schedule		
No.	Description	Date
1	Foundation Permit	09-30-13

Reference Site Plan

Client Name:	Key Largo Hospitality Group LLC
Project number:	
Date:	12-16-13
Project Status:	Permit Set
Checked by:	Project Team

A006

Scale 1" = 50'-0"

12/17/2013 11:22:26 AM

MEMORANDUM
MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Planning Commission

From: Mayté Santamaria, Senior Director of Planning & Environmental Resources
Emily Schemper, Comprehensive Planning Manager

Date: February 12, 2016

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING POLICY 101.5.31 TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File # 2015-006)

Meeting: **February 24, 2016**

I. REQUEST

The Monroe County Planning & Environmental Resources is proposing amendments to create Policy 101.5.31 to address non-habitable architectural decorative features within the Ocean Reef community; and create Policies 101.5.32 and 101.5.33 to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs.

II. BACKGROUND INFORMATION

The County has been working on the Comprehensive Plan update and has held numerous public hearings on the proposed amendments. Most recently, the Board of County Commissioners (BOCC) held special public meetings on March 21, 2014, April 23, 2014 and May 22, 2014, to review proposed amendments to the Comprehensive Plan. A special BOCC public hearing was held on July 23, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and this hearing was continued to October 7, 2014.

The Monroe County Board of County Commissioners held a special meeting on October 7, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan)

to the Florida Department of Economic Opportunity (DEO) and the hearing was continued to December 10, 2014, to discuss the following:

- *Policies 101.5.31 and 101.5.32: BOCC directed staff to work on height policies for addressing the replacement of existing buildings which exceed the 35ft height limit, architectural features, flood protection purposes and affordable housing. Staff to present drafts during the regular December BOCC meeting.*
- *BOCC directed staff to work on an inventory/data of privately-owned offshore islands. Staff to present draft during the regular December BOCC meeting.*

A transcription of the BOCC height discussion, from the October 7, 2014 public hearing, is attached as Exhibit 1.

During the regular December 10, 2014 BOCC meeting, a public hearing was held to discuss proposed height and offshore island policies and to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the DEO. The BOCC directed staff to maintain the existing adopted height and offshore island policies and to extract the proposed changes to the height limit policy and process it as a separate amendment.

DRC: At its regularly scheduled meeting on March 24, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the March 24, 2015 DRC is attached as Exhibit 2. Minutes from the March 24, 2015 DRC are attached as Exhibit 3.

DRC: At its regularly scheduled meeting on May 26, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the May 26, 2015 DRC is attached as Exhibit 4. Minutes from the May 26, 2015 DRC are attached as Exhibit 5.

DRC: At its regularly scheduled meeting on August 25, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the August 25, 2015 DRC is attached as Exhibit 6. Minutes from the August 25, 2015 DRC are attached as Exhibit 7.

DRC: At its regularly scheduled meeting on October 27, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process.

The staff report from the October 27, 2015 DRC is attached as Exhibit 8. Minutes from the October 27, 2015 DRC are attached as Exhibit 9.

DRC: At its regularly scheduled meeting on January 26, 2016, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The staff report from the January 26, 2016 DRC is attached as Exhibit 12. Minutes from the January 26, 2016 DRC are not available as of the date of this staff report.

III. ANALYSIS OF PROPOSED AMENDMENT

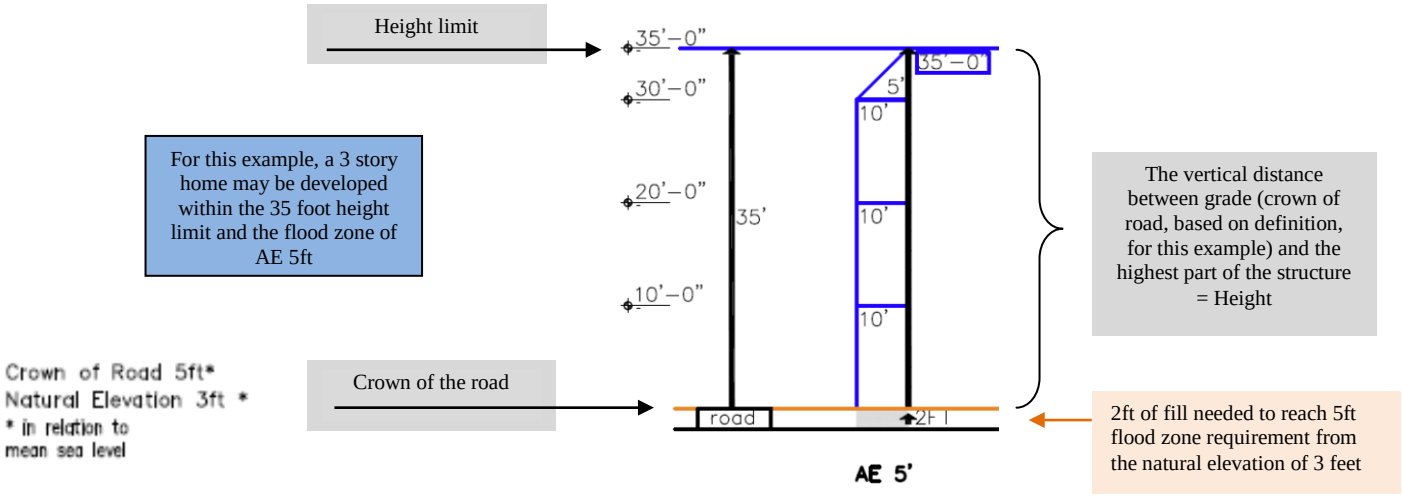
HEIGHT:

In unincorporated Monroe County, height and grade are defined as follows:

HEIGHT is defined as: ***the vertical distance between grade and the highest part of any structure****, including mechanical equipment, but excluding chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the applicable height limitations. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply*.

GRADE means ***the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher****. To confirm the natural elevation of the ground surface, the county shall utilize the Light Detection and Ranging (LiDAR) dataset for Monroe County prepared in 2007. In the event 2007 LiDAR data is not available for a given parcel, the county shall use the best available data, including, but not limited to, pre-construction boundary surveys with elevations, pre-construction topographic surveys, elevation certificates and/or other optical remote sensing data.*

Based on the adopted definitions the following is a basic depiction of: *height = the vertical distance between grade and the highest part of any structure.* In this depiction, the crown of the nearest road directly adjacent to the structure is *higher* than natural elevation of the ground surface (prior to construction, next to the proposed walls of a structure). As such, the crown of the road is the starting point, for this example, in measuring the vertical distance of the structure.



In the Comprehensive Plan update, recommendations to amend and expand the height policy have been made to clarify the measurement of height to match the recently amended land development code (Ordinance 003-2011) and to address new issues, such as: anticipating new FEMA flood maps and creating a mechanism to assist property owners to protect their property from flooding and reduce flood insurance costs as well as issues in permitting relative to architectural decorative features.

National Flood Insurance Program & Biggert-Waters Flood Insurance Reform Act

In 1968, Congress created the National Flood Insurance Program (NFIP) to provide a means for property owners to protect themselves financially from flood events. The NFIP offers flood insurance to homeowners, renters and business owners if their community participates in the NFIP. Participating communities agree to adopt and enforce floodplain management ordinances that meet or exceed FEMA requirements.

Flood maps inform communities about the local flood risk and help set minimum floodplain standards for communities to build with safety and resiliency in mind. Flood maps determine the cost of flood insurance, which helps property owners to financially protect themselves against flooding. The lower the risk, the lower flood insurance premiums will be. Flood maps are also the basis for flood insurance rates through the NFIP.

As risks change, insurance premiums also change to reflect those risks. [Note, FEMA is in the process of re-mapping the Florida Keys] Flood insurance premium may be going up; however, property owners may be able to reduce premiums if they build their home or business to be safer, higher, and stronger.

The Biggert-Waters Flood Insurance Reform Act of 2012 provides long-term changes to the National Flood Insurance Program. This additional legislation has been enacted with the intent to strengthen the program, ensure its fiscal soundness and inform its mapping and insurance rate-setting through expert consultation, reports and studies.

Today the program is focused on implementing recent legislation by adjusting premium increases, issuing new rates and map updates, supporting mitigation and ensuring special advocacy to connect policyholders with the information they need to better understand the program.

Recent legislation phases out subsidies for some older buildings in high-risk flood areas. As a result, rates for these buildings will rise until they reach full-risk rates. In addition, all policyholders will be subject to new assessments and surcharges. [https://www.floodsmart.gov/floodsmart/pages/hfiaa-2014.jsp].

See FEMA data sheets on Rebuilding in Flood zones and 'Reduce Your Risk, Reduce Your Premium' which are attached as Exhibit 13.

Monroe County Green Keys Project

Excerpt below from a recent GreenKeys! Project, including vulnerability assessment of homes and commercial building structures and to model adaptation scenarios within Monroe County in Key Largo and a cost benefit ratios of elevating and floodproofing buildings:

ANALYSIS OF DAMAGES FROM STORM SURGE AND SEA LEVEL RISE FOR THE GEOGRAPHIC REGIONS OF KEY LARGO AND STOCK ISLAND, MONROE COUNTY, FL USING THE COASTAL ADAPTATION TO SEA LEVEL RISE TOOL (COAST)

Jonathan T. Lockman, AICP
Samuel B. Merrill, PhD
Alexander Gray, MS

CATALYSIS ADAPTATION PARTNERS, LLC | 242 Sawyer Street, South Portland, ME 04106
18 November 2015

GREENKEYS!

ERIN L. DEADY, P.A.

Catalysis

Entire report can be accessed here: http://fl-monroecountyclimate.civicplus.com/DocumentCenter/View/103

1 EXECUTIVE SUMMARY

Catalysis Adaptation Partners, LLC (Catalysis) specializes in analyzing impacts from storm surges and long-term sea level rise using its COastal Adaptation to Sea level rise Tool (COAST). COAST modeling software mimics floods from storms and sea level rise on community assets such as homes and businesses, then tallies the cumulative damages over time so communities can better understand the cost to them of not adapting (vulnerability assessment), as well as the costs and benefits (damage reduction) of implementing various adaptation actions.

Catalysis was contracted by Erin L. Deady, P.A. to use COAST to perform a vulnerability assessment of homes and commercial building structures and to model adaptation scenarios within Monroe County in Key Largo as part of the GreenKeys! project. Working with Erin L. Deady, P.A., Catalysis conducted three (3) community workshops in October, November and December 2014, during which County residents in Key Largo voted on modeling parameters and assumptions for "no-action" and three (3) adaptation action scenarios: 1) Elevating and floodproofing buildings; 2) building barriers close to shore; and 3) purchasing properties vulnerable to sea level rise through a voluntary buyout program. Voting occurred during Workshops #2 and #3 (results can be found in the appendix Section 6 of this report) and focused on certain model parameters as well as whether or not actions should be further evaluated.

The "asset" selected for analysis was the value of residential and commercial buildings, obtained from Monroe County tax records. Sea Level Rise assumptions were based upon the Unified Sea Level Rise Projection for Southeast Florida[1]. Those projections included a low and high estimate of sea level rise in 2030 of 3" and 7" respectively, as well as a low and high estimate of sea level rise in 2060 of 9" and 24" respectively. As requested by workshop participants, a lower sea level rise projection was also employed in the analysis based only on the rate of sea level rise that has occurred over the last 100 years, outside of the official Unified Sea Level Rise Projection document. A straight line projection of the tide gauge trend was added to the modeling parameters, for a very low scenario of sea level rise of 1.82" in 2030 and 4.53" in 2060. Surge values from various sized storms were obtained from the most recent Federal Emergency Management Act (FEMA) Flood Insurance Study. Key findings from the worst case vulnerability assessment included one-time damage estimates of $2.0 Million from a nuisance flood in 2060 under a high sea level rise scenario of 24"and $289.2 Million from a Hurricane Wilma-sized flood in 2060 under the same sea level rise scenario. Cumulative damages over time from storms of various sizes resulted in significantly higher damage estimates by 2060, with $1.673 Billion in damages under the very low sea level rise scenario of 4.53", and $2.130 Billion in damages under a high sea level rise scenario of 24". The value of properties (buildings and land) permanently inundated by sea level rise alone by 2060 (from daily flooding at high tide) ranged from $206.9 Million (very low scenario) to $705.6 Million (high scenario). Once the modeling indicated such properties would be flooded by the daily high tide, the software no longer subjected it to continuing cumulative damages from that point in time forward.

The three (3) adaptation actions to model identified by the Project Team and County Staff included:

- Elevating and floodproofing buildings

[1] Southeast Florida Regional Climate Change Compact Counties, Sea Level Rise Ad Hoc Technical Working Group (April 2011).

- Building barriers close to the coast (to protect from storm surge but not sea level rise); and
- Purchase of properties vulnerable to sea level rise through a voluntary buyout program over a phased timeframe.

For each action, costs were determined by the consultant and staff team, and in some cases, modified by workshop participants by polling. Modeling parameters (e.g., building elevation heights, the distance between the barrier and the coast as well as the height of the barrier, the number of residents accepting a buyout for their properties, etc.) also were established by workshop participants through a keypad polling process. Catalysis then used COAST again with the adaptation actions in place to quantify the predicted reduction in damages over the same time period as the vulnerability assessment.

These results were converted into benefit-cost ratios. Ratios greater than 1 represented actions that reduced more in damages in the future than it cost to implement them. Ratios less than 1 represented actions that would cost more than the amount of reduced damages in the future (i.e., not cost effective). The action that had the best benefit-cost ratio was **elevating and floodproofing buildings** (accounting for those not already elevated or floodproofed in the area of Key Largo within Monroe County), which had a benefit-cost ratio between 5.48 and 13.70 (meaning for every $1.00 spent on elevating and floodproofing, the avoided damages would range from $5.48 to $13.70), depending on the sea level rise scenario (high, low or tide gauge trend) and construction cost estimates (high and low). **Building barriers** had the second highest benefit-cost ratios, but with all results below 1 (0.40 to 0.93). The voluntary buyout program had benefit-cost ratios ranging from 0.02 to 1.21. The only result with a value greater than 1 was for the tide gauge trend sea level rise scenario, however. Aside from the model outputs, there were other factors which contributed to these results as discussed in this document. A similar analysis for Stock Island was completed at a later date and can be found in Appendix 6.

These benefit-cost ratios were presented to County residents and keypad polling technology was used to evaluate their opinions. After looking at the COAST model results and participating in the group discussions, residents voted that elevating and floodproofing buildings was their most preferred action. In addition, residents thought the County should pursue sources of funding to help private property owners implement this strategy.

The modeling results and community engagement process enabled the Project Team to provide the County residents with a context for beginning more difficult conversations and decision-making processes regarding their vulnerabilities. Discussions of factors outside of the model should lead to diverse co-benefits (e.g., choosing to restore mangrove forests to not only improve coastal ecosystems but also protect buildings from wave attenuation) and planning outcomes. Importantly, benefit-cost ratios resulting from this work tend to open difficult conversations about exactly what is most important to a community in planning how to adapt to sea level rise and future storm surges.

However, these results do not mean that the County should begin implementing a program to elevate and floodproof residential and commercial buildings. Catalysis recommends that the County use this information to:

- Further discuss sea level rise vulnerability with County residents and the importance of having a method to weigh different adaptation actions against one another (benefit-cost analysis)

- Develop a framework for using new knowledge to engage with residents so that consensus on an eventual adaptation action is data- and stakeholder-driven
- Share this information with neighboring communities so that more regional communication can take place and strengthen any local momentum towards adaptation
- Document any progress or failures towards adaptation so that other communities around the country have lessons from which they can learn.

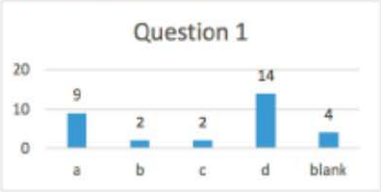
6 Appendix: Public Input and Cost Considerations of Proposed Strategies

6.1 Keypad Polling Results from Community Workshop #2

GreenKEYS! Keypad Polling Results from the COAST community modeling exercise conducted November 5 2014 at the Nelson Government Center in Key Largo, FL

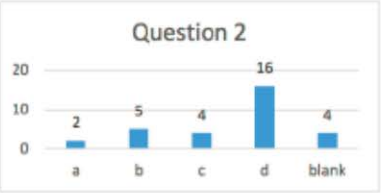
Question #1: Currently in Key Largo, 40% of properties are already elevated. What percentage of additional Key Largo V-zone buildings do you want to see elevated in this model?

1	a	25%	9	29%
	b	50%	2	6%
	c	75%	2	6%
	d	**The draft input of 100%**	**14**	**45%**
	blank		4	13%
	Total		31	100%



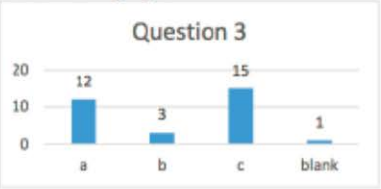
Question #2: What percentage of Key Largo A-zone buildings do you want to see floodproofed in this model?

2	a	25%	2	6%
	b	50%	5	16%
	c	75%	4	13%
	d	**The draft input of 100%**	**16**	**52%**
	blank		4	13%
	Total		31	100%



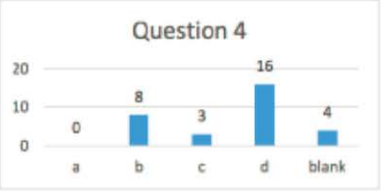
Question #3: Currently in Key Largo, new buildings are required to be elevated to the 100-year flood elevation, which ranges from 6 to 15 feet across the Key. For parcels that will be elevated in the model, do you want them to be elevated up to this code or to something higher?

3	a	Up to current code	12	39%
	b	Up to current code plus 1 f	3	10%
	c	**Up to current code plus 3**	**15**	**48%**
	blank		1	3%
	Total		31	100%



Question #4: The model estimates floodproofing to a certain height. How high would you like to see parcels floodproofed?

4	a	1 ft	0	0%
	b	3 ft	8	26%
	c	6 ft	3	10%
	d	**The draft input of 8 ft**	**16**	**52%**
	blank		4	13%
	Total		31	100%



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IV. PROPOSED AMENDMENT (Deletions are ~~stricken through~~ and additions are underlined.)

Land Development Code amendments are being processed separately.

Policy 101.4~~5~~.~~26~~30

In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including landfills to 35 feet. Height is defined as the vertical distance between grade and the highest part of any structure, including mechanical equipment, but excluding spires and/or steeples on structures used for institutional and/or public uses only; chimneys; radio and/or television antennas; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antennas and/or collocations. However, in no event shall any of the exclusions enumerated above be construed to permit any habitable or usable space to exceed the applicable height limitations, except as specifically permitted in Policies 101.5.31, 101.5.32 and 101.5.33. ~~Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.~~ In the case of airport districts, there shall be no exceptions to the 35-foot height limitation.

Policy 101.5.31

For Ocean Reef, a gated master planned community which is inaccessible to the surrounding community, and has a distinct community character, buildings may include non-habitable architectural decorative features (such as finials, railings, widow's walk, parapets) that exceed the 35-foot height limit in Policy 101.5.30, but such features shall not exceed 5 feet above the building's roof-line. This exception shall not result in a building together with any architectural decorative feature with a height that would exceed 40 feet.

As used in this policy, a master planned community means a planned community of 100 or more acres in area subject to a master plan or other development order approved by the county where public access is restricted and the community is operated and maintained by the community including the provision of comprehensive, private utilities and transportation facilities and services within its boundaries and a homeowners association or similar entity which regulates development standards and monitors development requests by its members.

Note, Ocean Reef Club has requested additional amendments, attached as Exhibit 11. To date, sufficient data has not been submitted to evaluate the requested amendments.

Policy 101.5.32

Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception to Policy 101.5.30 to promote public health, safety and general welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A Flood Protection Height Exception of up to a maximum of five (5) feet above the 35-foot height limit shall be provided to allow buildings to be voluntarily elevated up to three (3) feet above FEMA base flood elevation in order to promote flood

protection, minimize flood damage, reduce flood insurance premiums and minimize future expenditures of public funds for recovery from flood events. In no case shall a Flood Protection Height Exception result in a building exceeding a maximum height of 40 feet.

Policy 101.5.33
Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception for lawfully established existing buildings which exceed the 35-foot height limit, to promote public health, safety and general welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A lawfully established existing building may be repaired, improved, redeveloped and/or elevated to meet required FEMA base flood elevation (BFE) provided the building does not exceed a total maximum building height of 40 feet, and the building is limited to the existing lawfully established intensity, floor area, building envelope (floor to floor height), density and type of use. For lawfully established existing buildings that are proposed to exceed a total height of 40 feet, a public hearing before the Planning Commission and the Board of County Commissioners shall be required to review and specify the maximum approved height prior to issuance of any county permit or development approval. The Planning Commission shall provide a recommendation to the BOCC on the maximum height of a building. The BOCC shall adopt a resolution specifying the maximum approved height.

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Policy 217.1.4
Monroe County shall continue its policy of reviewing the current Building Code and, as appropriate, adopting structural standards and site alteration restrictions that meet or exceed the minimum FEMA requirements. The Building Code shall be reviewed and revised at least every five years. The recommendations of the applicable interagency hazard mitigation report shall be considered in revisions to the Code.

Policy 217.1.5
Monroe County shall continue to participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) to the maximum extent possible and shall seek to improve its current CRS Class 9 rating.

Policy 217.1.6
Monroe County shall continue to enforce federal, state and local setback and elevation requirements to promote the protection and safety of life and property. Revisions to the existing setback requirements contained in the Land Development Regulations shall be considered as a means of reducing property damage caused by storms.

Objective 601.3
By January 4, 1998, Monroe County shall increase implementation efforts to eliminate substandard housing and to preserve, conserve and enhance the existing housing stock, including historic structures and sites.

Policy 601.3.2
The County Code Enforcement Office and Building Department will enforce building code regulations and County ordinances governing the structural condition of the housing stock, to ensure the provision of safe, decent and sanitary housing and stabilization of residential neighborhoods.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
(g) Protecting the historical heritage of the Florida Keys.
(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

    1. The Florida Keys Aqueduct and water supply facilities;
    2. Sewage collection, treatment, and disposal facilities;
    3. Solid waste treatment, collection, and disposal facilities;
    4. Key West Naval Air Station and other military facilities;
    5. Transportation facilities;
    6. Federal parks, wildlife refuges, and marine sanctuaries;
    7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
    8. City electric service and the Florida Keys Electric Co-op; and
    9. Other utilities, as appropriate.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.
(j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.

(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
(m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:

Section 163.3161(4), F.S. – It is the intent of this act that local governments have the ability to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within their jurisdictions. Through the process of comprehensive planning, it is intended that units of local government can preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing, and other requirements and services; and conserve, develop, utilize, and protect natural resources within their jurisdictions

163.3177(1), F.S. - The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

VI. PROCESS

Comprehensive Plan amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, or the owner or other person having a contractual interest in property to be affected by a proposed amendment. The Director of Planning shall review and process applications as they are received and pass them onto the Development Review Committee and the Planning Commission.

The Planning Commission shall hold at least one public hearing. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning & Environmental Resources and the Development Review Committee and the testimony given at the public hearing. The Planning Commission shall submit its recommendations and findings to the Board of County Commissioners (BOCC). The BOCC holds a public hearing to consider the transmittal of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the testimony

given at the public hearing. The BOCC may or may not recommend transmittal to the Florida Department of Economic Opportunity (DEO). The amendment is transmitted to DEO, which then reviews the proposal and issues an Objections, Recommendations and Comments (ORC) Report. Upon receipt of the ORC report, the County has 180 days to adopt the amendments, adopt the amendments with changes or not adopt the amendment.

VII. STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed amendments.

VIII. EXHIBITS

1. Transcription of the BOCC height discussion, from the October 7, 2014 public hearing
2. March 24, 2015 DRC Staff Report
3. March 24, 2015 DRC Minutes
4. May 26, 2015 DRC Staff Report
5. May 26, 2015 DRC Minutes
6. August 25, 2015 DRC Staff Report
7. August 25, 2015 DRC Minutes
8. October 27, 2015 DRC Staff Report
9. October 27, 2015 DRC Minutes
10. Table of FEMA flood zones and number of private, vacant parcels in unincorporated Monroe County
11. Ocean Reef Club request and data.
12. January 26, 2016 DRC Staff Report
13. FEMA data sheets on Rebuilding in Flood zones and 'Reduce Your Risk, Reduce Your Premium'
14. Proposed Comprehensive Plan and Land Development Code Amendments

EXHIBIT 1

Monroe County Board of County Commissioners Special Meeting

Tuesday, October 7, 2014

Height Exceptions

Then the next change is on page 43…

You have a couple of new policies here, you all directed staff to take a look at how to possibly raise the height limit for architectural features that really just apply to Ocean Reef and so we've also come up with some criteria and you'll see that on those two policies 5.31 and 5.32

Mayor Murphy: Do we have a public speaker on this Lindsay?

Lindsay Ballard: We do. Joel Reed.

Mayor Murphy: Debbie, are you ready for public speakers?

Debbie: Yes mam on this particular topic.

Joel Reed: Good morning Mayor, Commissioners, Joel Reed. I'm here today on behalf of Ocean Reef Club and Ocean Reef Community Association in regard to this issue. First of all I want to thank you for the support. As you know Ocean Reef is a distinct community. It's a private gated community of about twenty five hundred acres, about seventeen hundred units up there. We have a lot of additional amenities up there, public buildings or quasi, kind of public buildings that are for the club purpose as well. Ocean Reef also has a Community Association which has its own architectural board, its architectural committee that kind of makes going through DRC and Planning Commission a day at the beach compared to their architectural committee. They are very stringent. They impose a lot of times additional requirements and regulations on their projects. Their whole community is very involved with the process. They're all notified as far as any changes that happen up there. So the five foot, we appreciate the support and the language in there a lot of times, some of the single family homes and the commercial buildings as well bump up as far as making them more architecturally attractive to need this section to allow for that. We also have had a lot of discussions the last couple of weeks internally as well. I'm going to pass out, I guess to the clerk and to you guys, additional language we would like you guys to consider. But we have been talking to staff about ….(passes out additional language considerations) So not to confuse the issue, there are two specific issues. First is allowing for some additional architectural features that the five foot would do. As we went through the club, as I said, owns a lot of buildings. Some of those buildings are the hotels that are near Buccaneer Island, if you've been up there before. The Amberjack, The Dolphin, The Marlin, these buildings are aging, they're coming to the end of their life. We have done quite a few renovations to them. At this point there is not really many more renovations that can be done in order to continue to maintain and operate them. As you know, that function of the club as well is essential to maintaining a Class A club up there, continuing to provide for the tax base that comes out of Ocean Reef is by having an attractive club where we can continue to attract, to maintain current members and attract new members. A lot of those buildings, I have some data, it's not all there, The Amberjack for example is three levels of living. Just to give an

example, the couple, I'm not going to go into all of them, but we said look if these things were substantially damaged through a hurricane, or they had to come down, or we had to rebuild, we wouldn't be able to build back those units to those heights that are there today. We have several. We have The Harbor House which is a condominium, its over fifty four feet right now in Ocean Reef Club. We have The Marlin, which is one of the hotel buildings, that's at forty two feet. We got the Dolphin Hotel at forty seven feet and The Creek House. We didn't have the number on it but we know that's well over forty feet as well. That's another condominium building up there. We came up with the boat barn, that's at thirty seven feet, the boat barn that we have up there. But there is about seven or eight buildings specifically that we thought it would be greatly impacted as we try to redevelop these properties or if we have to due to a hurricane or other issues. Some of the other issues we face is that although these are three stories and they are just pushing the height limit right now. You know, if you get three stories up there you're at thirty feet and then you have an architectural roof element you're at thirty seven feet or something like that. A lot of these buildings are built below flood right now so if we go to build them back, obviously we're talking about sea level rise, we want to encourage those buildings to be brought back up to flood. What happens is we lose a whole top level that we currently have today. We would lose almost a whole floor there out of those developments and that's just not possible to happen. So we proposed some additional policy language to put in there to protect these existing buildings that are there to be able to be built back. We haven't thoroughly vetted with staff yet at this point we have just proposed talking about the issue that I just explained. We would like and hope to support and to continue to work with staff to tweak some of this language to get into the Comp Plan to protect us on some of these issues. And the language, it exempts, it doesn't exempt, it doesn't include single family homes so this is only for the multi-family and commercial structures that are up there, so it doesn't include any of the single family homes and what it says is, "lawfully established structures that exclude single family homes that exceed this height limit may be replaced with their existing height plus any additional height required to elevate the first finished floor two feet above the FE" so encouraging them to go, you know, those extra two feet as well above that base flood elevation to account for future sea level rise as well. And then also that the height limit applicable to Ocean Reef and this would be an exemption for their community center building. The community center building up there right now puts on productions and theater productions and when it was built, they aren't able to attract and have the top of the line theater groups that come in there because a lot of the sets that they have, they change throughout the production. They actually lift that whole set up to lift that whole backdrop up into the ceiling and then they drop down the new one and their theater wasn't able to be designed to that because of the height and so they also want that as an exclusion so that they can look to enhance that building at some point to be able to attract those types of productions there. I'm here for any questions. Thank you for considering.

Mayor Murphy: So the proposed additional language, Joel, is what you want, not the existing language?

Joel Reed: We support the Club and the Community Association both support that existing policy language that's in there ...

Commissioner Carruthers: the institutional language ...

Joel Reed: Yeah. This is additional language, as we were talking about that five foot that was in there, that we were supportive of. You know, we started to talk about the hotels and the aging and the issues and if we did try and rebuild them back, what that would look like in the loss of rooms and the development that's there.

Mayor Murphy: Do we have a public speaker on this?

Lindsay Ballard: We do.

Mayor Murphy: Let's hear the public speaker. Another one.

Lindsay Ballard: D.A. Aldridge

D.A. Aldridge: I'm D.A. Aldridge. I live on Tavernier which is part of Kay Largo. Here we are at the last minute, a breath away from sending the Comp Plan and all of a sudden we see a very important change being requested by our Northern neighbors. The Federation of Homeowner's Association has been very adamant about height restrictions for many years and we have continually fought for thirty five feet. We are asking at this time, I am asking at this time to have you not vote on this. We have not had the opportunity to look at the language that has been just handed to you and we feel that it needs to be reviewed very closely by the staff and by you because this is a huge change that they are requesting. Thank you.

Mayor Murphy: ... That's it

Commissioner Kolhage: What does the, in the final sentence when they talk about assembly group A1 and so forth, what does that mean?

Christine Hurley: We don't know.

Mayor Murphy: Well they haven't seen it yet. This is the problem with this.

Christine Hurley: Well we have seen that he emailed it but we asked questions. We didn't know what he meant by that.

Commissioner Kolhage: Well but we're going to have to be more specific on that. We'll have to have language that says exactly what it means. I think anyway.

Commissioner Rice: Could we not deal with this today and deal with it in January?

Christine Hurley: If you want us to address his comments, I just say get direction from the board at this point. We work on some type of language to bring back to you in January.

Commissioner Rice: I think that's what we should do.

Mayor Murphy: And what happens if we then want to make changes in January? Do we hold up the whole process?

Christine Hurley: I think you can legally make changes on the floor by motion before we transmit.

Bob Shillinger: As long as you're not changing the general substance of it. The general tone of it.

Mayor Murphy: Well that's what I am worried about. If we let this go til January and then begin to, ya know, flesh it out and the public speaks and we all get confused and then what happens to the rest of Comp Plan because we are supposed to vote on that in January.

Commissioner Neugent: I would ask on issues like this because I very much agree with what was said that we just got this and I think we need some information and my question is, and there may be some more issues very similar to this that come up. Can we have another meeting discussing those particular issues before the January transmittal?

Christine Hurley: Sure. We could do that.

Mayor Murphy: That would be helpful.

Commissioner Rice: That may be the way to approach it.

Christine Hurley: The problem with holding it in November or December is the calendars are already a mess from the holidays.

Commissioner Neugent: Oh my gosh we might have to do a little work.

Christine Hurley: No, that's not what I meant. It's just that even your regular board meetings got all shifted around.

Commissioner Neugent: Have it at the board meeting. End of the item discussion for a board meeting.

Christine Hurley: Okay. We can do that.

Mayor Murphy: We can do that.

Commissioner Neugent: Another things that's in this right here as I read it, for clarification purposes, "architectural decorating features that exceed the thirty five foot height limit but such features shall not exceed five feet above the structures roof line" Joel also mentioned that some of these buildings are already, I guess they would be legal non-conforming because they are above the height limit, so when you say "features shall not exceed five feet above the structures roofline" what roofline are we talking about? The one that's already non-conforming? Or thirty five feet, shall not exceed five feet above thirty five feet? That's not the way I necessarily interpret that.

Mayor Murphy: Because if it's the fifty four foot building, we're now at fifty nine...

Christine Hurley: It's not though. This is meant for new development that cannot exceed thirty five feet.

Commissioner Neugent: Well what happens ...

Christine Hurley: Joel has added in and what he is really asking you to do, is in simple terms, and I think it could be very simplified, is agree that existing, non-conforming buildings that are at a height greater than thirty five feet, be allowed to rebuild to that height plus...

Commissioner Neugent: I didn't hear anybody bring that up...

Christine Hurley: That's really what he is asking though.

Commissioner Rice: Well that's what this really says

Mayor Murphy: Plus what?

Christine Hurley: plus, let him adjust, like we already have a provision in here, for another five feet, if they need to raise the elevation for FEMA floodplain issues.

Mayor Murphy: Fine, but not for decorative features.

Christine Hurley: Well he talked about decorative also, but he definitely spoke about ...

Mayor Murphy: Well let's get it down pat.

Christine Hurley: Well we will try to but we got his language a couple days ago and...

Mayor Murphy: Well his language is kind of going in a figure eight.

Commissioner Kolhage: I understand what they are saying. In other words, he wants to maintain what they have now with an adjustment.

Christine Hurley: Yes. I think that's what he is asking.

Commissioner Kolhage: And I think that is reasonable.

Mayor Murphy: To replace a building, an older building that was built over thirty five feet, have a problem with that anywhere in Monroe County. It is what it is, we're all used to it, it's part of the landscape.

Commissioner Neugent: Clarification on what you just said

Mayor Murphy: I do not object to any of the older buildings that were built above thirty five feet. We all have them in our neighborhoods. If they need to be replaced or have to be replaced, I don't have a problem with them maintaining the height.

Commissioner Neugent: Hold on a minute there. Is there anything in our code, and I would use this as an analogy, FEMA's description of it, if its damaged by more than fifty percent, it has to be rebuilt, that is there anything in our code or Comp Plan that says that it then can be built over thirty five feet?

Mayor Murphy: No, No.

Christine Hurley: Okay, today, don't mix apples and oranges. Today our code does not allow us to approve a building permit above thirty five feet. If the structure is destroyed beyond fifty percent, they then have to conform to the new code, which is the thirty five foot height limit. And if it's destroyed beyond fifty percent under the floodplain rules, they have to raise the elevation and that's why they added this other position.

Commissioner Neugent: I understand the apples and oranges thing that I just plugged into it as an analogy but what I am saying is, have we had that discussion? You just said, at least my interpretation, that you can't build what Commissioner Murphy just said ...

Christine Hurley: You can't. That is what Joel is asking you to change.

Commissioner Neugent: So we need to have that discussion.

Commissioner Carruthers: And that's why we have the further thing about flood protection and height exceptions. Go to 105.5.32. We added that so that we would allow people to exceed the thirty five feet when they have to, to create enough free board to comply with FEMA regulations.

Commissioner Neugent: I'm not talking about base flood elevation.

Commissioner Carruthers: but that is the crunch that you are getting into. When the Mayor says that you can rebuild a building at the height it is today, but we have a thirty five foot limit and FEMA says you gotta raise your building five feet, you lose a story.

Commissioner Neugent: that addresses one part of it. The other part that is not being addressed in my opinion, is do we have anything, are we proposing that then a fifty four foot high building could be rebuilt to fifty four feet.

Christine Hurley: Joel is proposing that.

Commissioner Neugent: And that's what I am asking this Commission. Is that where we want to go with that?

Commissioner Carruthers: Well, I mean, if we don't allow people to do that, isn't that essentially a taking? I mean you would be ... think about the real life economic consequences of...

Bob Shillinger: There may be some Bert Harris implications but it's a different analysis.

Commissioner Kolhage: What we are considering here is because of the isolated and specific nature of Ocean Reef, do we want to make an exception here?

Commissioner Neugent: And can I tag onto that Commissioner Kolhage? Municipalities have the right, if I misspeak correct me, to go above thirty five feet if they choose to. Marathon has gone above thirty five feet, I think Key West has a height limit above thirty five feet, but based on what Commissioner Kolhage just said, and I want to hear some arguments otherwise, Ocean Reef is an isolated area, miles away from anyone else and a gated community, albeit in unincorporated Monroe County, they're very similar to a municipality with a city type manager, that do we want to be so parental if they have no objections internally amongst themselves to keep them from rebuilding above thirty five feet or changing some things that they have gone through the public input locally with their gated community. Do we want to impose our thoughts on how Ocean Reef should be run?

Commissioner Rice: I don't think we are trying to do that.

Mayor Murphy: I don't either. But I will tell you, my feeling is, in many, many instances, what Ocean Reef wants to do up there because they are away from everyone, I've agreed with. They've had good ideas, no problem and they do it. However when it comes to things like the height limit that everyone in this county is interested in, every developer is watching, and a lot of the homeowners are watching. I can't do something for them that I won't do for the rest of the county. And I will go to the extent that these buildings that Joel is talking about, were built when there was no height limit actually. If this comes down either in a hurricane or they want to

remodel it, I don't have a problem with them rebuilding to the height it was. I don't think it ruins the landscape because we have had thirty/forty years of looking at it. And therefore, everyone else in the county can also rebuild the over thirty five feet structures they have. Most of them are commercial structures.

Commissioner Kolhage: Okay can I ask you a question Mayor so I can more or less understand your position? So you're saying, you don't have a problem with them rebuilding to the height that they are now but you mean without the adjustment for base flood elevation or with it?

Mayor Murphy: No, because everyone in the county is going to get that adjustment.

Commissioner Kolhage: So you don't have an objection to it?

Mayor Murphy: Not to that. I have an objection to the decorative features.

Commissioner Kolhage: Okay but look, if it's, if they got a fifty foot building and there is a five foot adjustment for base flood elevation, you don't have a problem with them going to fifty five feet?

Mayor Murphy: No.

Commissioner Kolhage: Okay.

Mayor Murphy: They are going to what they were before the remodel ...

Christine Hurley: and you want it county wide not just for Ocean Reef?

Mayor Murphy: Yes.

Commissioner Carruthers: But only for flood mitigation...

Mayor Murphy: That's it, no decorative stuff.

Christine Hurley: Well right now the decorative is in, the flood is in...

Commissioner Carruthers: Well the decorative is in for Ocean Reef only, the flood is in for everyone. Right?

Christine Hurley: Yeah and the decorative is not so much what Joel is talking about relative to the bigger commercial buildings, its more for the single family homes that want the decorative features on top of the roof. They are separate issues really. So right now in the draft policy you have included an extra five feet in Ocean Reef for the decorative architectural features, you've included for the whole county up to five feet adjustments for flood protection, raising your elevations, and Joel is asking you to also include, for Ocean Reef, but it sounds like you at least have one Commissioner who wants to do it county wide for grandfathering existing buildings that are higher than thirty five feet and allowing them to get the flood adjustment.

Bob Shillinger: You'd want to vest them for that height is what I'm hearing.

Christine Hurley: Yup. But I don't know the Commissions, I'm not getting...

Commissioner Neugent: Well first of all the staff is supposed to review what the request is and bring it back the staff recommendation

Christine Hurley: But I'd like to know what the board, county wide or Ocean Reef for this vesting of existing buildings at least.

Commissioner Rice: Well let me help you out, if we don't do that, the economic impact, eventually we will destroy what we know down here. I don't feel that we have any choice.

Commissioner Carruthers: I don't think it's fair...I don't think it's fair to not let somebody rebuild what they got. As it is when they do rebuild they have to meet standards that exist today that did not, and codes that exist today that did not exist then.

Christine Hurley: I understand what you all are asking for so if you want to just move on without voting, we will draft language and bring it back for discussion on one of your regular agendas.

Commissioner Neugent: Let me point this out, as someone who operated out of an illegal non-conforming building, if you think that it is something that is, it was called Porky's restaurant, and if would have been destroyed by a storm, I would have had a very difficult time, if not impossible time to rebuild with the same amount of square footage because of setbacks that came into play after Porky's was built eons ago. So if you think that there is a fairness level here, there is really a lot of situations where you can't rebuild.

Commissioner Carruthers: but wouldn't you have been able to apply for variances and exceptions to those setbacks...

Christine Hurley: No.

Commissioner Neugent: You still would have had to meet the setback requirements.

Christine Hurley: You could apply for variance for a setback but not height.

Mayor Murphy: See well all we are talking about is height. Not their setbacks. Not anything else.

Commissioner Kolhage: We're talking about changing the whole concept of the fifty percent rule.

Christine Hurley: No I understand ...

Commissioner Kolhage: How does it work? For height...we're saying we're washing away the fifty percent rule.

Christine Hurley: Well other things enter into ....for height you would be washing it away.

Bob Shillinger: As a trigger for bringing it into compliance with current code

Christine Hurley: There are still other things that apply to that but most of those can be remedied by a variance.

Commissioner Carruthers: and just to clarify what you are eluding to I think, Commissioner, is that someone can elevate their building now. And that's not necessarily fifty percent improvement. Right?

Christine Hurley: I mean if you are elevating a building, you're usually triggering that price...

Commissioner Carruthers: Well it depends on the building and the cost

Commissioner Kolhage: and the whole destruction issue and the fifty percent and that's.... I'm not necessarily saying I have a problem with that but that's what we're doing

Christine Hurley: And I will say the examples that Joel gave of the condominiums, when you, let's say have eight units per floor and now you have a storm that destroys more than fifty percent of that building, you are eliminating the possibility of one of those floors, because you are going to have to elevate it and that means eight condo owners don't get a unit and so that's related to the Bert Jay Harris that Bob referred to

Commissioner Carruthers: Everybody gets a smaller unit which is still going to be an issue so ...

Christine Hurley: That's under our current rules.

Commissioner Rice: And what we're trying to do is validate, you don't want to build a fifty year building or sixty year building without accommodating expected sea level rise

Commissioner Carruthers: I guess my only other comment is that I know that this is going to be controversial and people are going to be concerned about character and things like that...

Mayor Murphy: But it's already there.

Commissioner Carruthers: Well it is already there...

Mayor Murphy: So it's not changing the landscape...

Commissioner Carruthers: It's not but trust me from dealing with this in Key West people have the perception that overnight the character of our communities is going to change and that's not what we're talking about...Over fifty years it probably will to some extent but it's going to have to if we want to continue to live here.

Mayor Murphy: Alright listen we're going to take a break

.....

Mayor Murphy: And what I realized is we neglected to give Christine a head nod one way or the other on the non-habitable architectural decorative features. My comment was, I will vote for the increase in height but not for the decorative features. Discuss it and let her know which direction you would like her to take when she does her staff report.

Commissioner Carruthers: Are you talking about within Ocean Reef or County wide?

Mayor Murphy: They are the only ones that asked for it.

Commissioner Carruthers: I don't really care.

Commissioner Neugent: We'll put together something that is going to be in place for twenty years or at least supposedly it should be put in place so this is going to be hard and complex so I would say that the data and information on it being done county wide.

Mayor Murphy: But the point is, what county wide? I don't care if its county wide, in fact it has to be. For me to vote for a height limit, it has to be county wide. Otherwise, I'm not going to vote for it.

Christine Hurley: Okay wait a minute, no one has proposed, maybe that's where you're going next I don't know, right now what's in your draft is flood for everybody ...

Mayor Murphy: Base flood elevation...

Christine Hurley: They have talked about it, I am very clear, everyone is okay with that. Ocean Reef only, decorative features, five additional feet. And I didn't hear, I heard Murphy say she's opposed to it but I didn't hear what any of you other Commissioners thought of that.

Mayor Murphy: And that's what I am trying to bring out so that she knows where to go with it.

Commissioner Neugent: I thought I heard you ask, you wanted a head nod whether this was going to be proposed just for Ocean Reef or all of unincorporated Monroe County.

Christine Hurley: I had never heard that the decorative features was proposed for all of Monroe County from you all.

Commissioner Rice and Commissioner Kolhage respond in unison: No, no...

Commissioner Neugent: Okay but I also heard Commissioner Mayor Murphy say, I'm not going to treat them any different than the rest of the County.

Commissioner Rice: Well that gives you a slight clue as to how she might vote.

Christine Hurley: So what I think I've gotten clarity on is everybody's okay allowing the people to get five of the five feet to adjust the floodplain if they are demolished. The board wants us to draft language to address existing structures that are already over thirty five feet to be able to be replaced with the five foot flood adjustment. What I don't have any clarity on is whether or not the board wants us to keep in Ocean Reef allowance for five foot additional architectural decorative features or not. Or if you want to expand that County wide, which I had never heard as an option to this moment.

Commissioner Kolhage: Let me just state my position on this and you can go down the line I guess but I really don't care about the architectural features of Ocean Reef. I've tried to care but I just can't. But I am a little concerned, I'm a little concerned about doing away with our fifty percent rule on the rest of the County and I'm not saying that I am going to support that.

Commissioner Neugent: I'm not saying that I am going to support anything. I'm saying I just want the information to be able to make the decision, have the discussions with the people who are going to speak for and against it.

Mayor Murphy: And my only point with the architectural features, I don't think they are necessary, but if just for Ocean Reef, I don't want them certainly spread all over Monroe County and if you do that you are guaranteeing somebody an extra ten feet. Five feet for the base flood elevation, up to five feet, and then up to another five feet for their decorative stuff, plus what they'll be rebuilding is something that is you know, fifty feet, fifty four feet, whatever. Its adding ten feet to it instead of five. I think that's a bit much.

Commissioner Neugent: At what point in time do we bring up what was brought up previously about addressing affordable housing, increasing the height limit ...This is all about bringing information back to us.

Christine Hurley: This is the time to bring that up if you want to.

Commissioner Neugent: And I just, looking back in history a little bit here, there were some comments that Meridian West could have had another floor which would have increased the housing if they had gone up an additional foot or so. So again, more information to discuss that strictly for affordable housing.

Christine Hurley: Yes and at the meeting that State Representative Raschein held, you all discussed that. We do not have anything included right now in this policy for increased height for affordable housing. We have discussed it as staff after you had that meeting. It's our opinion that if you are going to incentivize affordable housing development by giving them a higher height limit that you should restrict that to very low and low maybe median, but the moderate income level is something that we do not think should be incentivized with a height increase.

Commissioner Neugent: One of the biggest problems in dealing with affordable housing is the property to build them on. Another reason why I think the discussion should take place for affordable housing to go up is that if you can build more on that specific site as opposed to trying to find other properties to build affordable housing on. It helps resolve that part of the equation.

Commissioner Kolhage: So what are you going to do with that Christine? Between now and January?

Christine Hurley: Do you want us to include something for you to consider relative to affordable in the next version that we bring to you at your regular meeting for discussion?

Commissioner Rice: I do.

Commissioner Carruthers: I do.

Christine Hurley: Okay.

Commissioner Kolhage: I remain to be convinced...

Commissioner Rice: I'm not sure how I feel about it but I think we do need to have the discussion.

Christine Hurley: And I'm going to have some diagrams for you all by the next meeting with each policy so you can see what that means.

Commissioner Carruthers: Will you also, related to this policy with affordable, that would have to be in very specific tiered areas obviously.

Christine Hurley: I understand. I will bring that also.

Commissioner Kolhage: It's all about potential serious community character issues here.

EXHIBIT 2

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Development Review Committee
Townsley Schwab, Senior Director of Planning & Environmental Resources

From: Mayté Santamaria, Senior Director of Planning & Environmental Resources
Emily Schemper, Comprehensive Planning Manager

Date: March 17, 2015

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICY 101.4.26 TO PROVIDE AN EXCEPTION TO THE HEIGHT LIMIT FOR WIND TURBINES OWNED AND OPERATED BY A PUBLIC UTILITY; CREATING POLICY 101.5.31 TO ADDRESS NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF COMMUNITY; CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; AND CREATING POLICY 101.5.34 TO PROVIDE AN EXCEPTION TO THE HEIGHT LIMIT EXCLUSIVELY FOR AFFORDABLE OR EMPLOYEE/WORKFORCE DWELLING UNITS THAT MEET THE INCOME LIMITS FOR THE VERY LOW, LOW AND/OR MEDIAN INCOME CATEGORIES ON PROPERTIES DESIGNATED AS TIER 3; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

Meeting: **March 24, 2015**

I. REQUEST

The Monroe County Planning & Environmental Resources is proposing an amendment to revise the height limit policy to provide an exception to the height limit for wind turbines owned and operated by a public utility; create Policy 101.5.31 to address non-habitable architectural decorative features within the Ocean Reef community; create Policies 101.5.32 and 101.5.33 to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs; and create Policy 101.5.34 to provide an exception to the height limit exclusively for affordable or employee/workforce dwelling units that meet the income limits for the very low, low and/or median income categories on properties designated as tier 3.

II. BACKGROUND INFORMATION

The County has been working on the Comprehensive Plan update and has held numerous public hearings on the proposed amendments. Most recently, the Board of County Commissioners (BOCC) held special public meetings on March 21, 2014, April 23, 2014 and May 22, 2014, to review proposed amendments to the Comprehensive Plan. A special BOCC public hearing was held on July 23, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and this hearing was continued to October 7, 2014.

The Monroe County Board of County Commissioners held a special meeting on October 7, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and the hearing was continued to December 10, 2014, to discuss the following:

- *Policies 101.5.31 and 101.5.32: BOCC directed staff to work on height policies for addressing the replacement of existing buildings which exceed the 35ft height limit, architectural features, flood protection purposes and affordable housing. Staff to present drafts during the regular December BOCC meeting.*
- *BOCC directed staff to work on an inventory/data of privately-owned offshore islands. Staff to present draft during the regular December BOCC meeting.*

During the regular December 10, 2014 BOCC meeting, a public hearing was held to discuss proposed height and offshore island policies and to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the DEO. The BOCC directed staff to maintain the existing adopted height and offshore island policies and to extract the proposed changes to the height limit policy and process it as a separate amendment.

III. ANALYSIS OF PROPOSED AMENDMENT

HEIGHT:

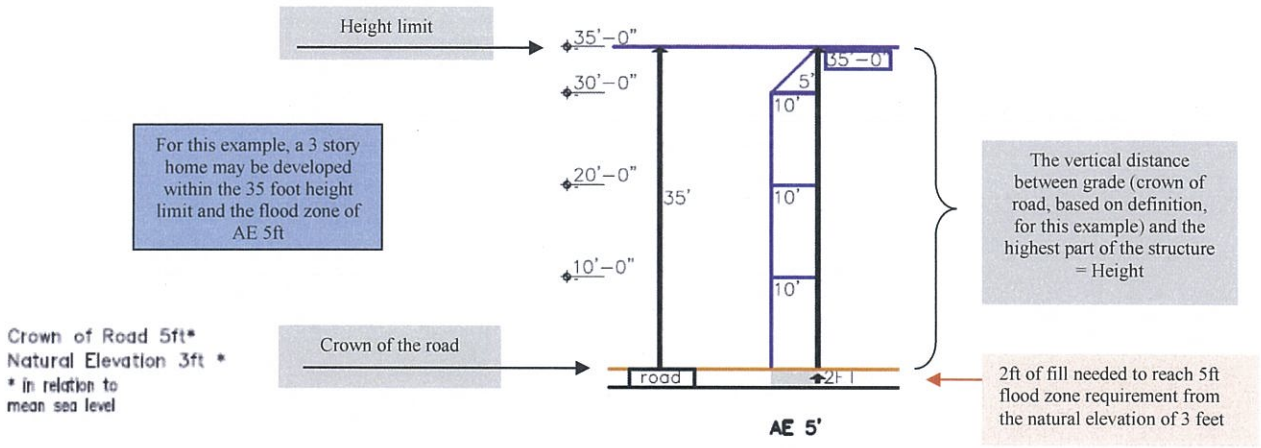
In unincorporated Monroe County, height and grade are defined as follows:

HEIGHT is defined as: ***the vertical distance between grade and the highest part of any structure****, including mechanical equipment, but excluding chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the applicable height limitations. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply.*

GRADE means ***the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher****. To confirm the natural elevation of the ground surface, the county shall utilize the Light Detection and Ranging (LiDAR) dataset for Monroe County prepared in 2007. In the event 2007 LiDAR data is not available for a given parcel, the*

county shall use the best available data, including, but not limited to, pre-construction boundary surveys with elevations, pre-construction topographic surveys, elevation certificates and/or other optical remote sensing data.

Based on the adopted definitions the following is a basic depiction of: *height = the vertical distance between grade and the highest part of any structure.* In this depiction, the crown of the nearest road directly adjacent to the structure is *higher* than natural elevation of the ground surface (prior to construction, next to the proposed walls of a structure). As such, the crown of the road is the starting point, for this example, in measuring the vertical distance of the structure.



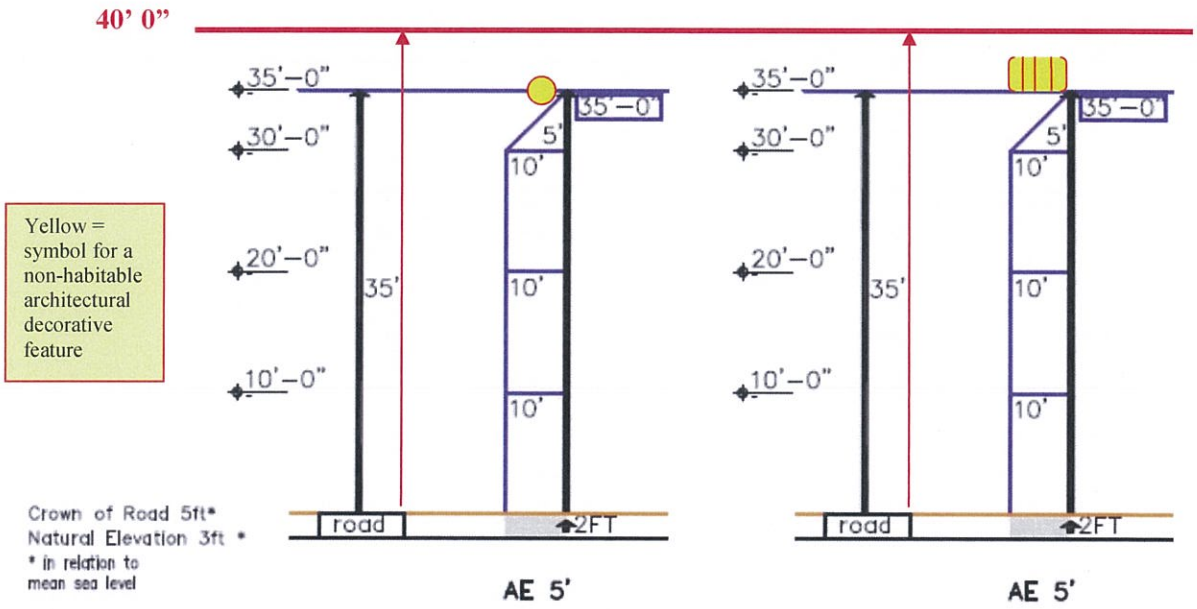
In the Comprehensive Plan update, recommendations to amend and expand the height policy have been made to clarify the measurement of height to match the recently amended land development code (Ordinance 003-2011) and to address new issues, such as: anticipating new FEMA flood maps and creating a mechanism to assist property owners to protect their property from flooding and reduce flood insurance costs as well as issues in permitting relative to architectural decorative features.

For review convenience, a transcription of the BOCC height discussion, from the October 7, 2014 public hearing, is attached (Exhibit 1).

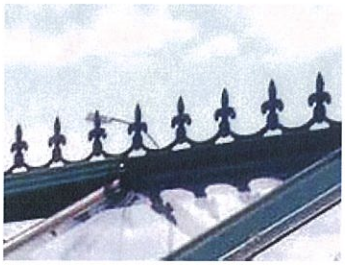
OCEAN REEF - architectural decorative features:

Policy 101.5.31
For Ocean Reef, a gated community which is isolated and inaccessible to the surrounding community, and has a distinct community character, structures may include non-habitable architectural decorative features (such as finials, rails, widow's walk) that exceed the 35 foot height limit in Policy 101.5.30, but such features shall not exceed 5 feet above the structure's roof-line. This exception shall not result in a structure or any architectural decorative feature with a height that would exceed 40 feet.

Draft **Policy 101.5.31** is intended to address non-habitable architectural decorative features which are commonly applied for in the Ocean Reef community and the issues this causes in permitting relative to the architectural decorative features.



This type of exemption would be to address items such as balls, finials, or a widow's walk



FLOOD PROTECTION AND INSURANCE DISCOUNTS:

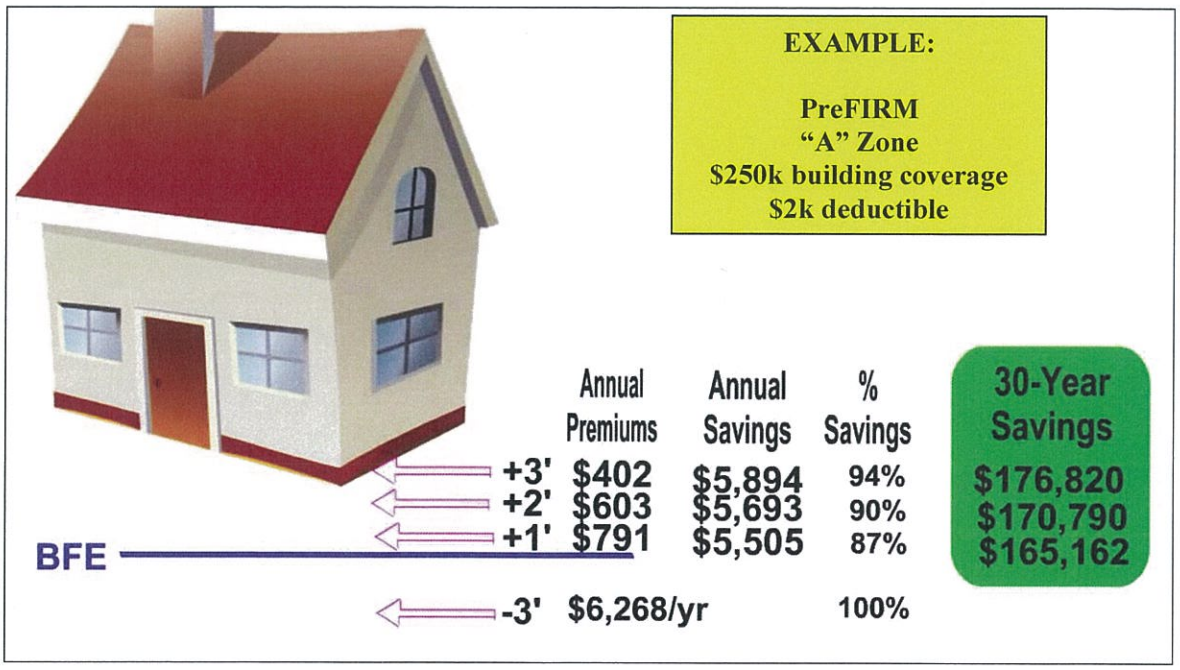
Policy 101.5.32

In order to protect property from flooding and reduce flood insurance costs for property owners, a Flood Protection Height Exception shall be provided to the 35 foot height limit in Policy 101.5.30 as follows:

1. For new structures which are voluntarily elevated to **exceed** the structure's minimum required FEMA base flood elevation (BFE) based on the flood zone, an exception of up to five (5) feet above the 35-foot height limit may be permitted. The amount of the exception shall be a maximum of five (5) feet, and shall be no greater than the amount of voluntary elevation above BFE; and
2. For existing structures which do not currently exceed the height limit of 35 feet in Policy 101.5.30 and are voluntarily elevated to **meet and/or exceed** the structure's minimum required FEMA BFE based on the flood zone, an exception of up to five (5) feet above the 35-foot height limit may be permitted. The amount of the exception shall be a maximum of five (5) feet, and shall be no greater than the amount of elevation necessary to meet BFE plus the amount of voluntary elevation above BFE; and
3. Existing structures which do not currently exceed the height limit of 35 feet in Policy 101.5.30, may be permitted a height exception of more than five (5) feet, if necessary, to voluntarily elevate the structure to **meet** the structure's minimum required FEMA BFE based on the flood zone plus 1 (one) additional foot above BFE.

Draft **Policy 101.5.32** is intended to help protect structures from flood events, mitigate upcoming FEMA flood zone height changes, mitigate rising insurance costs for the property owner and assist with flood insurance rate discounts in the Community Rating System. The discussed height exception would allow structures to be elevated higher than the required minimum FEMA base flood elevation which could then allow property owners to obtain discounts on their insurance and help mitigate potential flooding damage.

See the following example on flood insurance discounts:



For draft **Policy 101.5.32** which creates the Flood Protection Height exception, the BOCC expressed concerns with a property owner's ability to either build or elevate their homes without losing living space (i.e. reducing the number of stories of the structure) and being squeezed into smaller homes. To try and determine if this is an issue with the proposed policy exception, which would allow an additional 5 feet in height, County staff has evaluated the number of properties per flood zone [*following Flood Zone table*] and created basic illustrations [*following 4 page Flood Zone Height Analysis*] to depict how the current height limit, per flood zone, may affect proposed development, and examples with the flood protection height exception.

Based on the information in the Flood Zone table, it is noted that the majority of parcels within unincorporated Monroe County fall within the AE 7 to AE 11 flood zones. There are 44,910 parcels within these flood zones, out of an estimated 56,843 total parcels within unincorporated Monroe County (79% of the total parcels are within AE 7 to AE 11).

Based on the information in the Flood Zone Height Analysis, generally:

- In flood zones X through AE 10 or VE 10 [*approx. 47,158 parcels*], a three (3) story structure may be developed.
- In flood zones AE 11 (VE 11) through AE 20 (VE 20) [*approx. 9,330 parcels*], a two (2) story structure may be developed.
- For flood zones AE 21 (VE 21) and greater [*approx. 19 parcels*], a one (1) story structure may be developed.

The generalized comments are made based upon the provided examples, within the Flood Zone Height Analysis, with crown of road at 5ft and used as the starting point (grade) for measuring height.

Land Development Code

HEIGHT is defined as: ***the vertical distance between grade and the highest part of any structure….***

GRADE means ***the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher….***

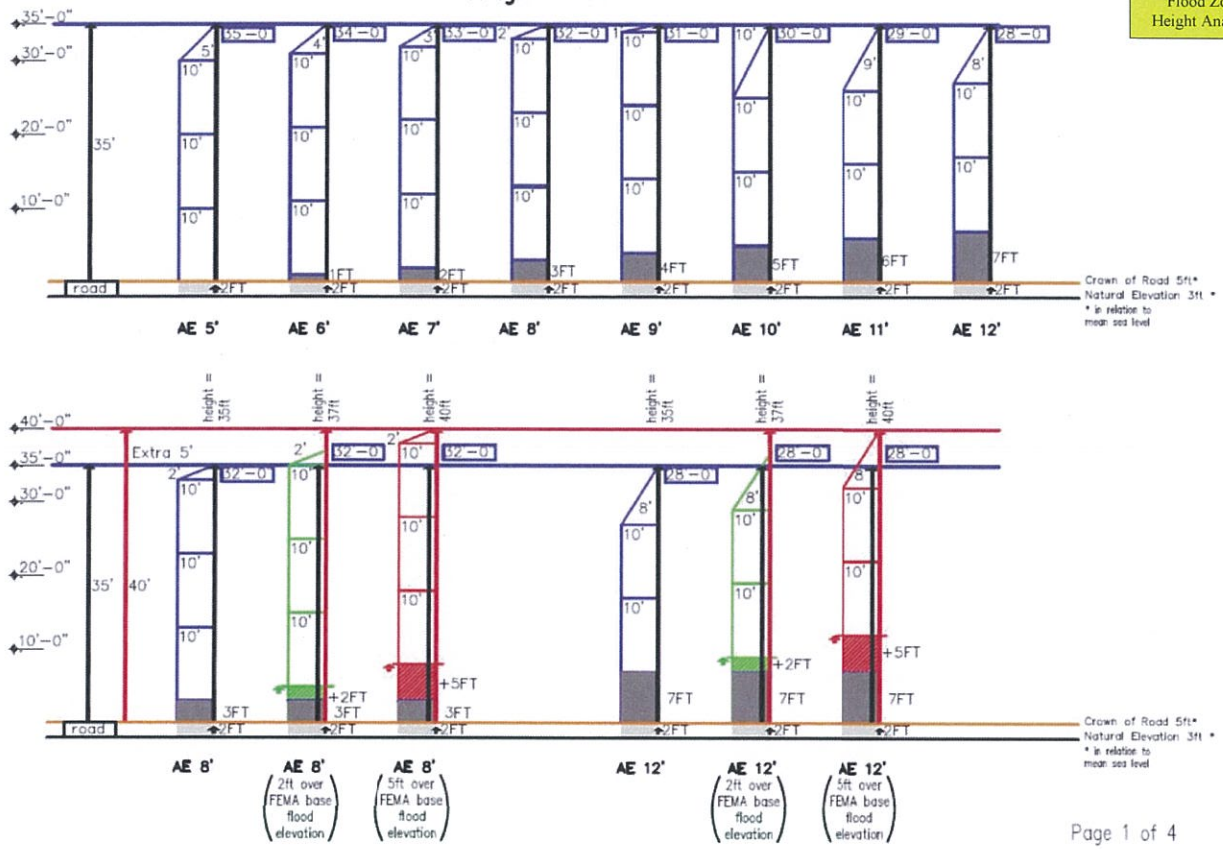
FLOOD ZONE TABLE				
	FEMA Flood Zone	**Number of Parcels**	**% of total**	**% of total**
flood zones -would allow a **3 story** structure	X	1,935	3.40%	5.16%
	0.2 PCT ANNUAL CHANCE FLOOD HAZARD	999	1.76%	
	AE 5	1	0.00%	83.48%
	AE 6	1,964	3.46%	
	AE 7	8,996	15.83%	
	AE 8	14,824	26.08%	
	AE 9	11,272	19.83%	
	AE 10	6,835	12.02%	
flood zones -would allow a **2 story** structure	AE 11	2,983	5.25%	
	AE 12	121	0.21%	
	AE 13	418	0.74%	
	AE 14	36	0.06%	
	AE 15	3	0.01%	
	AE 16	1	0.00%	
3 story	VE 9	5	0.01%	10.76%
	VE 10	327	0.58%	
flood zones -would allow a **2 story** structure	VE 11	1,019	1.79%	
	VE 12	1,443	2.54%	
	VE 13	1,069	1.88%	
	VE 14	1,815	3.19%	
	VE 15	352	0.62%	
	VE 16	31	0.05%	
	VE 17	33	0.06%	
	VE 19	5	0.01%	
	VE 20	1	0.00%	
flood zones -would allow a **1 story** structure	VE 21	8	0.01%	
	VE 22	7	0.01%	
	VE 23	1	0.00%	
	VE 24	1	0.00%	
	VE 26	2	0.00%	
	OPEN WATER	10	0.02%	
	total parcels	**56,843**		

Note: As of October 2014 there are approximately 56,843 parcels in unincorporated Monroe County.
The total from the spreadsheet will be different as some of the submerged parcels do not fall within the FEMA Zones.

Flood Zone Height Analysis

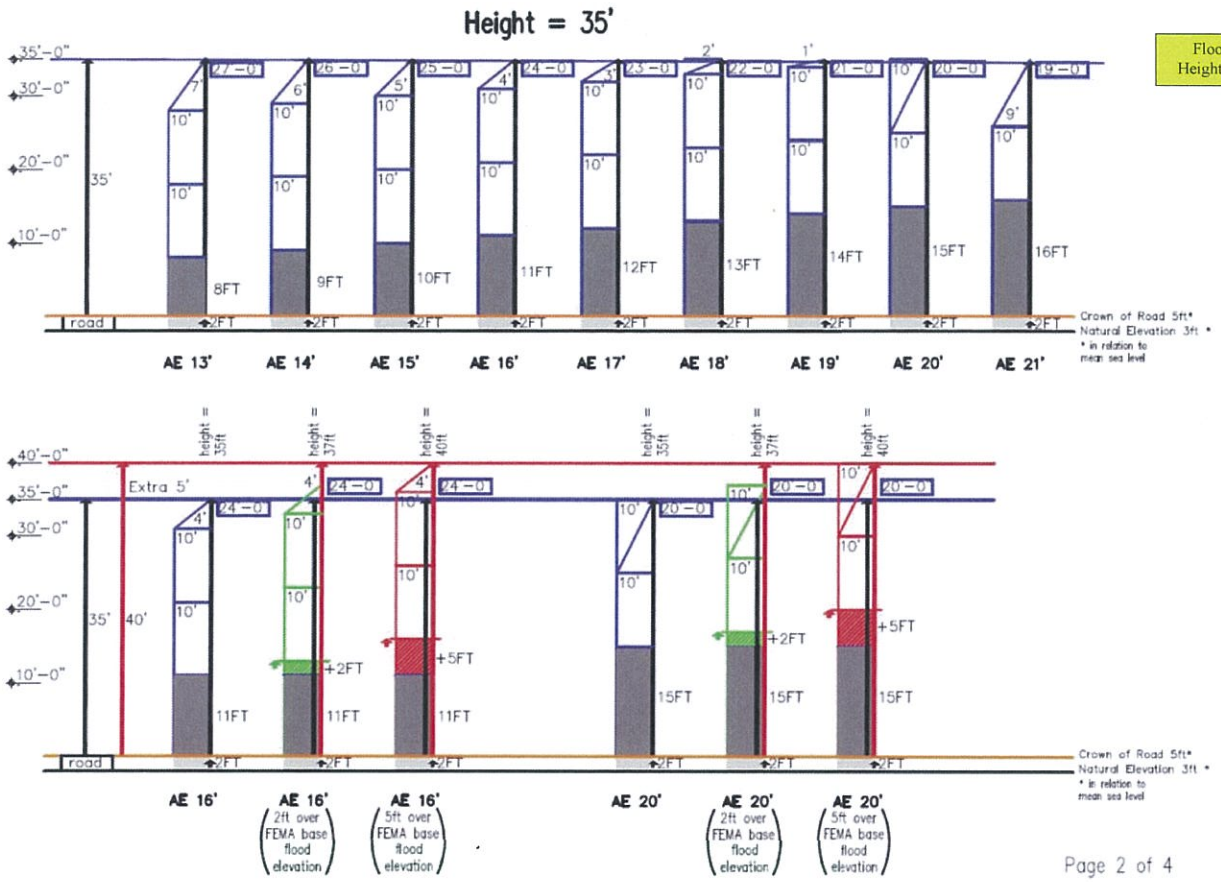
Height = 35'

Examples: Height Measured from Crown of Road



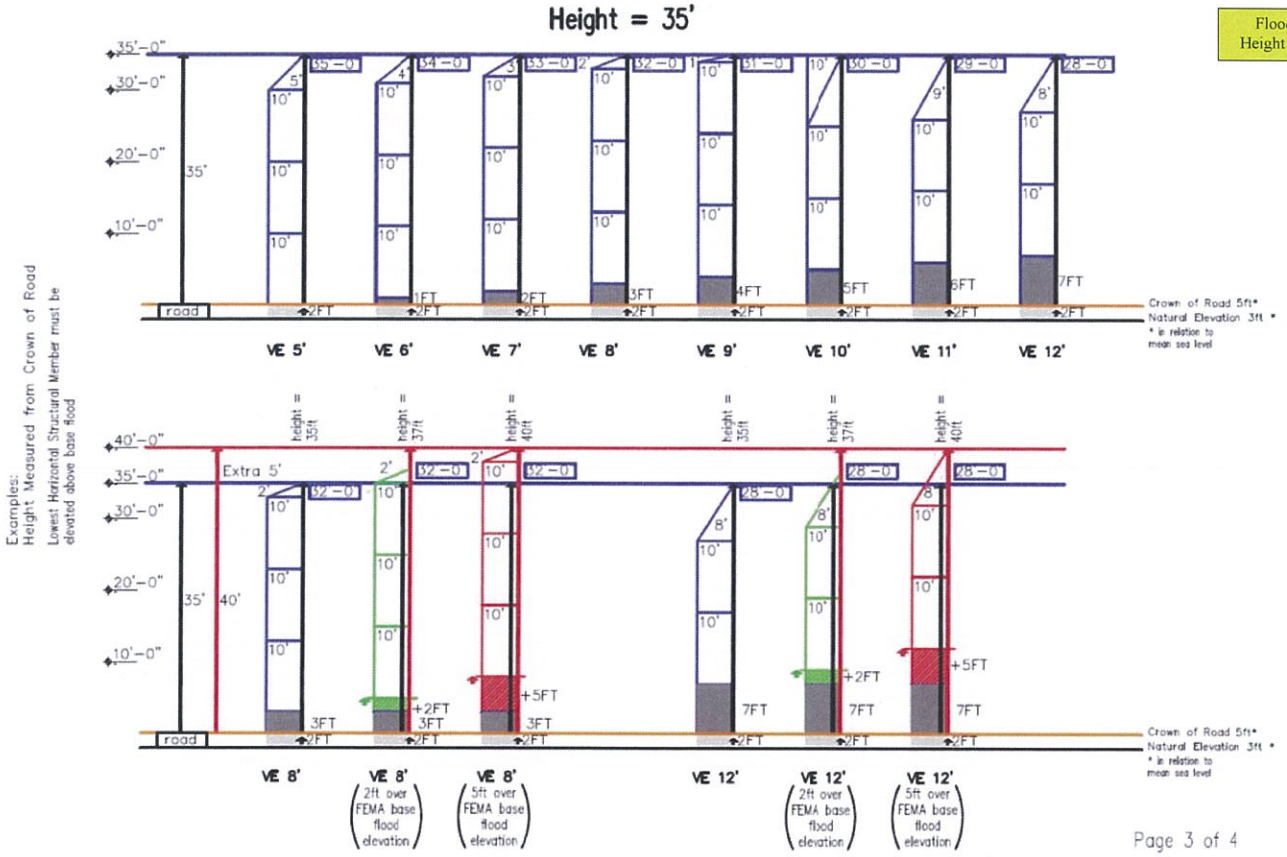
Flood Zone Height Analysis

Examples: Height Measured from Crown of Road



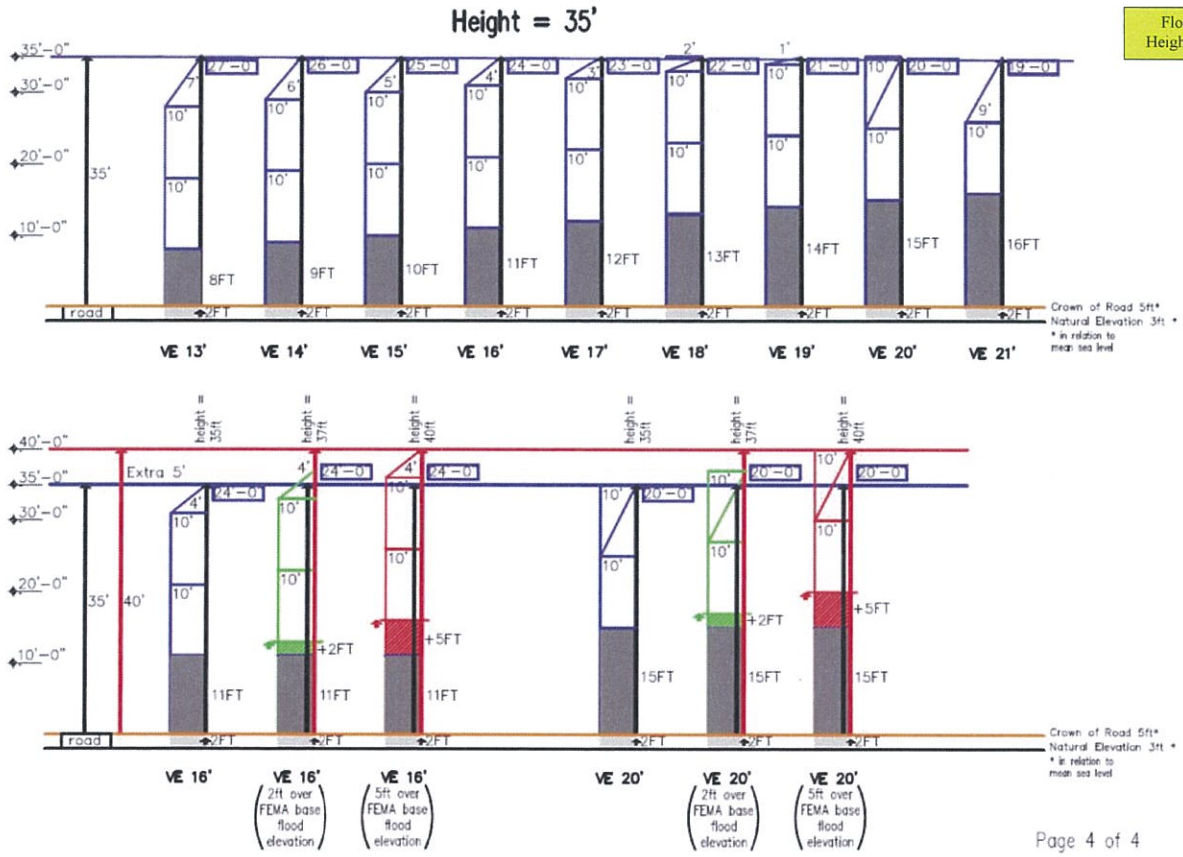
Flood Zone
Height Analysis

Height = 35'



Flood Zone Height Analysis

Examples:
Height Measured from Crown of Road
Lowest Horizontal Structural Member must be elevated above base flood



EXISTING STRUCTURES:

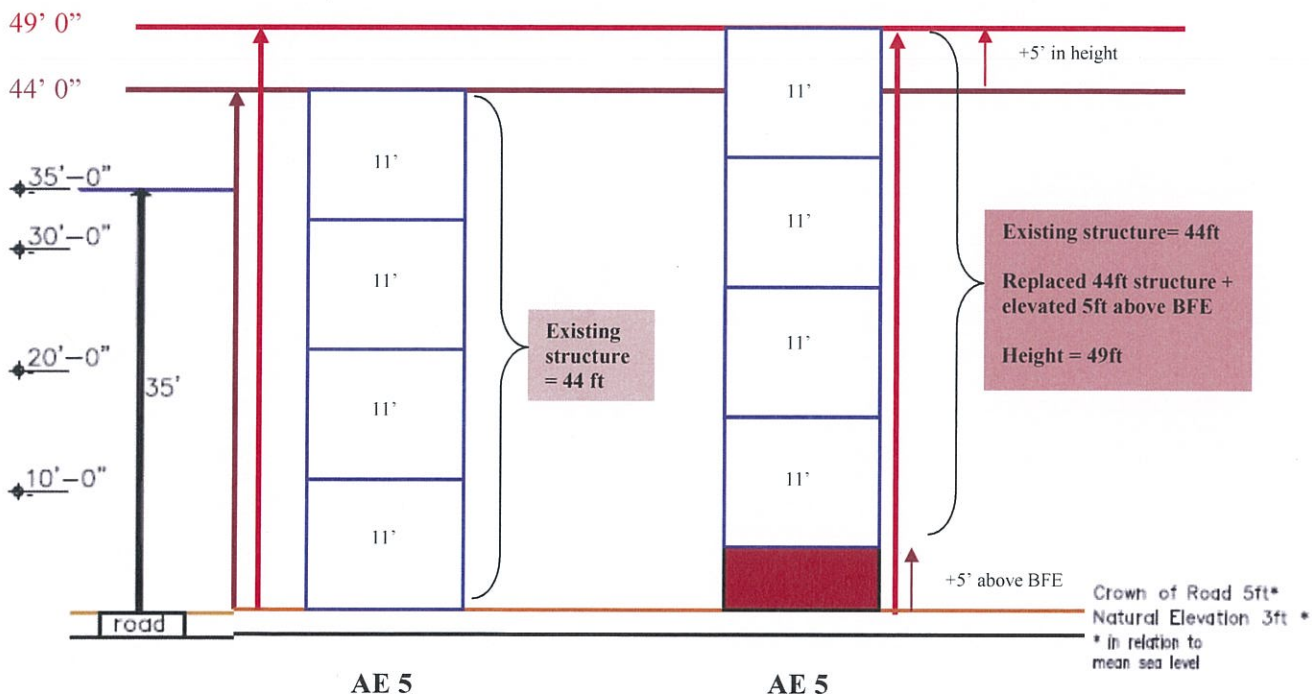
Policy 101.5.33

A lawfully established existing structure which currently exceeds the height limit of 35 feet in Policy 101.5.30 may be repaired, improved or reconstructed to its existing height, provided the structure is limited to the lawfully established existing intensity, floor area, density and type of use. A Flood Protection Height Exception for a lawfully established existing structure exceeding the 35 foot height limit shall be provided as follows:

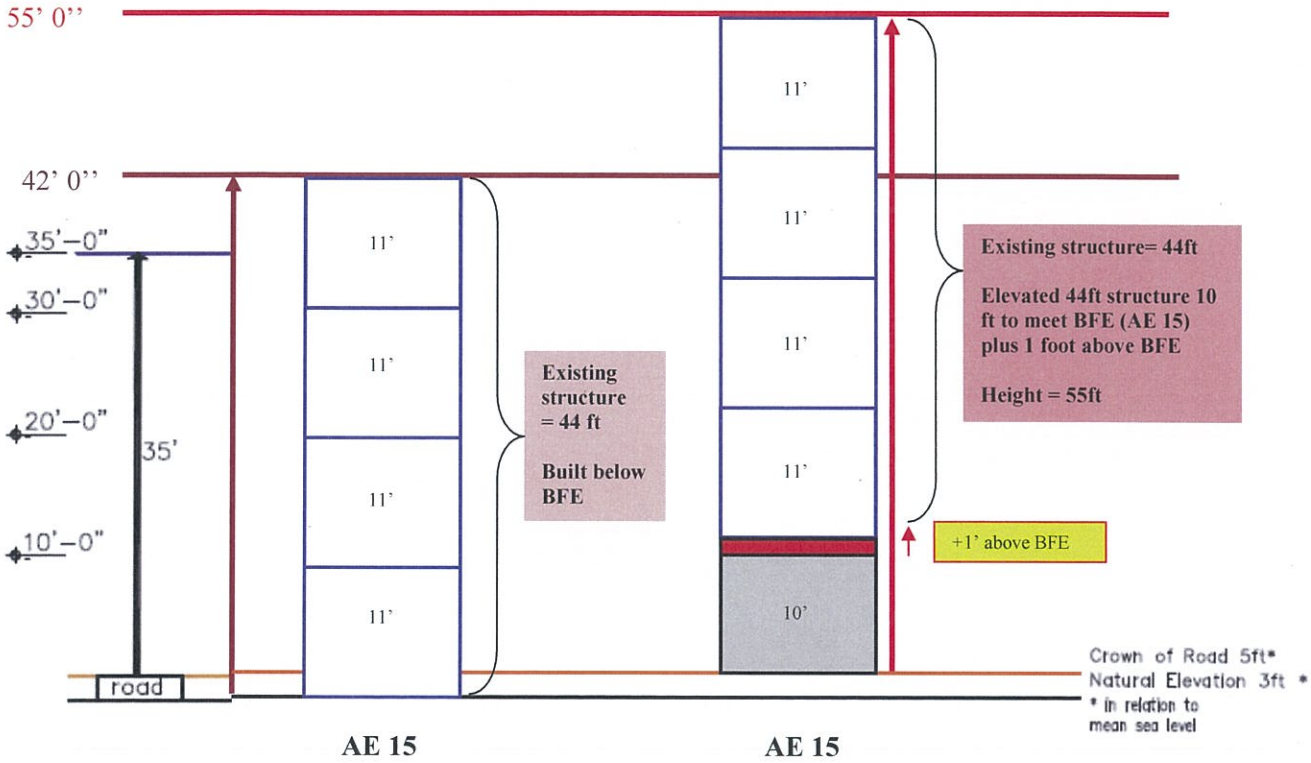
1. For lawfully established existing structures which currently exceed the height limit of 35 feet in Policy 101.5.30 and are voluntarily elevated to **meet and/or exceed** the structure's minimum required FEMA BFE based on the flood zone, an exception of up to five (5) feet may be permitted. The amount of the exception shall be a maximum of five (5) feet, and shall be no greater than the amount of elevation necessary to meet BFE plus the amount of voluntary elevation above BFE; and
2. Lawfully established existing structures which currently exceed the height limit of 35 feet in Policy 101.5.30, may be permitted a height exception of more than five (5) feet, if necessary, to voluntarily elevate the structure **meet** the structure's minimum required FEMA BFE based on the flood zone plus 1 (one) additional foot above BFE.

For draft **Policy 101.5.33** which creates the height exception for a lawfully established existing structure which currently exceeds the 35 foot height limit to be repaired, improved or reconstructed to its existing height and provides a Flood Protection Height Exception to elevate the structure to meet and/or exceed the required FEMA BFE.

Example 1: 5 feet to **exceed** the structure's minimum required FEMA BFE



Example 2: elevated 10ft to meet the structure's minimum required FEMA BFE plus 1 additional foot above BFE



Note, staff has not been able to complete an inventory of structures that exceed the adopted height limit of 35 feet as there is not enough information in our files to determine the exact grade (*either highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher)* for most structures built before 1985. As such, we cannot determine the number of structures which may be affected by the proposed policy. Below are examples of structures which appear to exceed the adopted height limit:

Moon Bay Condos, mm 104
- Built in the 70s
- Crown of road *might* be 13-14' based on LiDAR,
- Building B is 46' from ground level of 13' AMSL.
- Building A is 49'6" from ground level.

Harbor 92 Condos, mm 92
- Built in the 70s
- Crown of road *might* be about 8' based on LiDAR
- Building is 63' from ground level

Kawama Tower, mm 102
- Built in the 70s
- Building is 85' from ground level of about 7' AMSL

AFFORDABLE HOUSING:

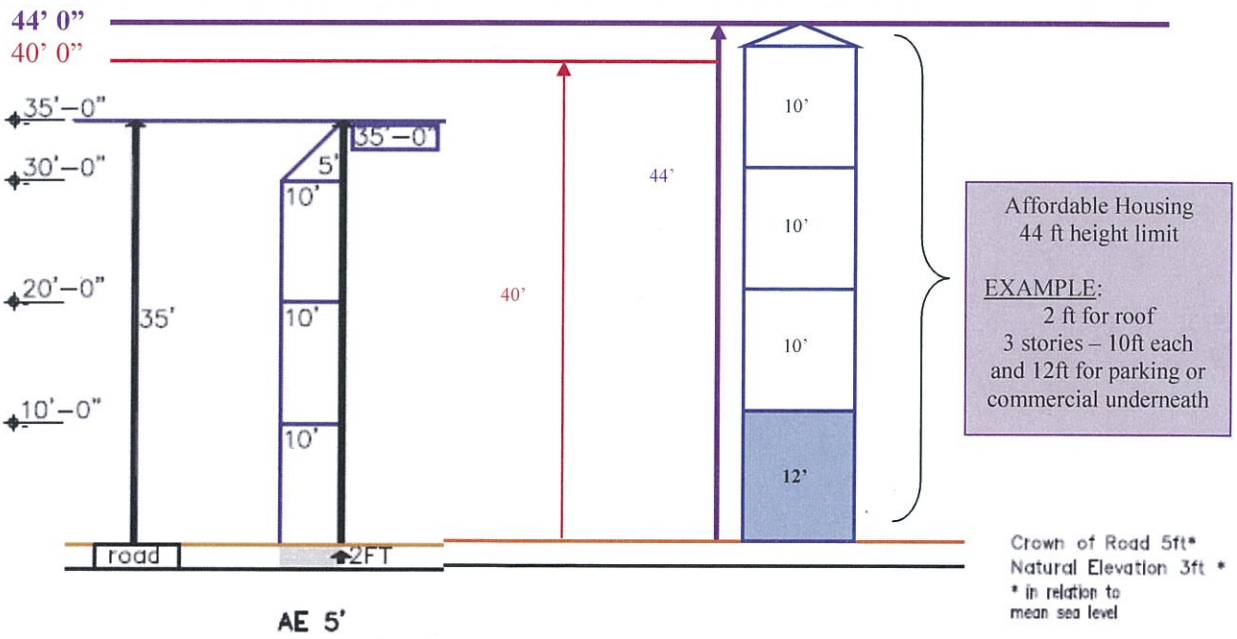
Policy 101.5.34

In order to incentivize the development of affordable and employee/workforce housing, an exception shall be provided to the 35 foot height limit in Policy 101.5.30 exclusively for affordable or employee/workforce dwelling units that meet the income limits for the very low, low and/or median income categories on properties designated as Tier 3. A structure developed as affordable or employee/workforce housing for very low, low and/or median income categories may be developed with a maximum height of 44 feet (*to provide for up to three stories over parking or development over nonresidential floor area*).

Height is defined as the vertical distance between grade and the highest part of any structure, including mechanical equipment, excluding the exceptions listed in Policy 101.5.30.

> ***very low income*** *= household whose total household income does not exceed 50% of the median monthly household income for the county*
> ***low income*** *= household whose total household income does not exceed 80% of the median monthly household income for the county*
> ***median income*** *= means a household whose total household income does not exceed 100% of the median monthly household income for the county*

For draft **Policy 101.5.34** which creates the height exception for affordable housing, the BOCC discussed finding ways to incentivize additional development of affordable housing. The intent of the proposed policy is to encourage additional affordable and employee/workforce housing provision by allowing structures developed as affordable/workforce housing to be built with a maximum height of 44 feet to provide for three stories over parking or development over nonresidential floor area.



IV. PROPOSED AMENDMENT

OPTIONS FOR PROPOSED HEIGHT POLICIES FOR REVIEW & DISCUSSION:

Staff has developed the following draft policies for consideration. (Deletions are ~~stricken through~~ and additions are underlined.)

Policy 101.4~~5~~.~~26~~30

In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including mechanical equipment and landfills to 35 feet. Height is defined as the vertical distance between grade and the highest part of any structure, including mechanical equipment, but excluding spires and/or steeples on structures used for institutional and/or public uses only; chimneys; radio and/or television antennas; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antennas and/or collocations. ~~Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.~~

Wind turbines may also exceed the 35 foot height limit provided the site and the turbines are owned and operated by a public utility, have an Avian Protection Plan approved by the United States Fish and Wildlife Service (USFWS) and the turbines comply with relevant State and federal wildlife protection laws such as the Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and National Environmental Policy Act. Applications proposing wind turbines which exceed 35 feet in height within the MIAI overlay shall be transmitted to NASKW for review and comment.

In the case of airport districts, there shall be no exceptions to the 35 foot height limitation.

Policy 101.5.31

For Ocean Reef, a gated community which is isolated and inaccessible to the surrounding community, and has a distinct community character, structures may include non-habitable architectural decorative features (such as finials, rails, widow's walk) that exceed the 35 foot height limit in Policy 101.5.30, but such features shall not exceed 5 feet above the structure's roof-line. This exception shall not result in a structure or any architectural decorative feature with a height that would exceed 40 feet.

Policy 101.5.32

In order to protect property from flooding and reduce flood insurance costs for property owners, a Flood Protection Height Exception shall be provided to the 35 foot height limit in Policy 101.5.30 as follows:

1. For new structures which are voluntarily elevated to **exceed** the structure's minimum required FEMA base flood elevation (BFE) based on the flood zone, an exception of up to five (5) feet above the 35-foot height limit may be permitted. The amount of the exception shall be a maximum of five (5) feet, and shall be no greater than the amount of voluntary elevation above BFE; and
2. For existing structures which do not currently exceed the height limit of 35 feet in Policy 101.5.30 and are voluntarily elevated to **meet and/or exceed** the structure's minimum required FEMA BFE based on the flood zone, an exception of up to five (5) feet above the 35-foot height limit may be permitted. The amount of the exception shall be a maximum of five (5) feet, and shall be no greater than the amount of elevation necessary to meet BFE plus the amount of voluntary elevation above BFE; and
3. Existing structures which do not currently exceed the height limit of 35 feet in Policy 101.5.30, may be permitted a height exception of more than five (5) feet, if necessary, to voluntarily elevate the structure to **meet** the structure's minimum required FEMA BFE based on the flood zone plus 1 (one) additional foot above BFE.

Policy 101.5.33

A lawfully established existing structure which currently exceeds the height limit of 35 feet in Policy 101.5.30 may be repaired, improved or reconstructed to its existing height, provided the structure is limited to the lawfully established existing intensity, floor area, density and type of use. A Flood Protection Height Exception for a lawfully established existing structure exceeding the 35 foot height limit shall be provided as follows:

1. For lawfully established existing structures which currently exceed the height limit of 35 feet in Policy 101.5.30 and are voluntarily elevated to **meet and/or exceed** the structure's minimum required FEMA BFE based on the flood zone, an exception of up to five (5) feet may be permitted. The amount of the exception shall be a maximum of five (5) feet, and shall be no greater than the amount of elevation necessary to meet BFE plus the amount of voluntary elevation above BFE; and
2. Lawfully established existing structures which currently exceed the height limit of 35 feet in Policy 101.5.30, may be permitted a height

exception of more than five (5) feet, if necessary, to voluntarily elevate the structure **meet** the structure's minimum required FEMA BFE based on the flood zone plus 1 (one) additional foot above BFE.

Policy 101.5.34

In order to incentivize the development of affordable and employee/workforce housing, an exception shall be provided to the 35 foot height limit in Policy 101.5.30 exclusively for affordable or employee/workforce dwelling units that meet the income limits for the very low, low and/or median income categories on properties designated as Tier 3. A structure developed as affordable or employee/workforce housing for very low, low and/or median income categories may be developed with a maximum height of 44 feet (*to provide for up to three stories over parking or development over nonresidential floor area*).

Height is defined as the vertical distance between grade and the highest part of any structure, including mechanical equipment, excluding the exceptions listed in Policy 101.5.30.

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Policy 217.1.4

Monroe County shall continue its policy of reviewing the current Building Code and, as appropriate, adopting structural standards and site alteration restrictions that meet or exceed the minimum FEMA requirements. The Building Code shall be reviewed and revised at least every five years. The recommendations of the applicable interagency hazard mitigation report shall be considered in revisions to the Code.

Policy 217.1.5

Monroe County shall continue to participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) to the maximum extent possible and shall seek to improve its current CRS Class 9 rating.

Policy 217.1.6

Monroe County shall continue to enforce federal, state and local setback and elevation requirements to promote the protection and safety of life and property. Revisions to the existing setback requirements contained in the Land Development Regulations shall be considered as a means of reducing property damage caused by storms.

Objective 601.3
By January 4, 1998, Monroe County shall increase implementation efforts to eliminate substandard housing and to preserve, conserve and enhance the existing housing stock, including historic structures and sites.

Policy 601.3.2
The County Code Enforcement Office and Building Department will enforce building code regulations and County ordinances governing the structural condition of the housing stock, to ensure the provision of safe, decent and sanitary housing and stabilization of residential neighborhoods.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
(g) Protecting the historical heritage of the Florida Keys.
(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

    1. The Florida Keys Aqueduct and water supply facilities;
    2. Sewage collection, treatment, and disposal facilities;
    3. Solid waste treatment, collection, and disposal facilities;
    4. Key West Naval Air Station and other military facilities;
    5. Transportation facilities;
    6. Federal parks, wildlife refuges, and marine sanctuaries;
    7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
    8. City electric service and the Florida Keys Electric Co-op; and
    9. Other utilities, as appropriate.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.
(j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.

(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
(m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:

Section 163.3161(4), F.S. – It is the intent of this act that local governments have the ability to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within their jurisdictions. Through the process of comprehensive planning, it is intended that units of local government can preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing, and other requirements and services; and conserve, develop, utilize, and protect natural resources within their jurisdictions

163.3177(1), F.S. - The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

VI. PROCESS

Comprehensive Plan amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, or the owner or other person having a contractual interest in property to be affected by a proposed amendment. The Director of Planning shall review and process applications as they are received and pass them onto the Development Review Committee and the Planning Commission.

The Planning Commission shall hold at least one public hearing. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning & Environmental Resources and the Development Review Committee and the testimony given at the public hearing. The Planning Commission shall submit its recommendations and findings to the Board

of County Commissioners (BOCC). The BOCC holds a public hearing to consider the transmittal of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the testimony given at the public hearing. The BOCC may or may not recommend transmittal to the Florida Department of Economic Opportunity (DEO). The amendment is transmitted to DEO, which then reviews the proposal and issues an Objections, Recommendations and Comments (ORC) Report. Upon receipt of the ORC report, the County has 180 days to adopt the amendments, adopt the amendments with changes or not adopt the amendment.

VII. STAFF RECOMMENDATION

VIII. EXHIBITS

1. Transcription of the BOCC height discussion, from the October 7, 2014 public hearing

EXHIBIT 3

DEVELOPMENT REVIEW COMMITTEE

Tuesday, March 24, 2015

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, March 24 , 2015**, beginning at 1:02 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS

Townsley Schwab, Senior Director of Planning and Environmental Resources	Present
Mayte Santamaria, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Present

STAFF

Steve Williams, Assistant County Attorney	Present
Emily Schemper, Principal Planner	Present
Matt Coyle, Senior Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

Mr. Schwab stated Item 2 will be heard first because the applicant for Item 1 is delayed.

MINUTES FOR APPROVAL

Mr. Schwab approved the minutes of the February 24, 2015, DRC meeting as is.

MEETING

New Items:

2.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICY 101.4.26 TO PROVIDE AN EXCEPTION TO THE HEIGHT LIMIT FOR WIND TURBINES OWNED AND OPERATED BY A PUBLIC UTILITY; CREATING POLICY 101.5.31 TO ADDRESS NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF COMMUNITY; CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; AND CREATING POLICY 101.5.34 TO PROVIDE AN EXCEPTION TO THE HEIGHT LIMIT EXCLUSIVELY FOR AFFORDABLE OR EMPLOYEE/WORKFORCE DWELLING UNITS THAT MEET THE INCOME LIMITS FOR THE VERY LOW, LOW AND/OR MEDIAN

INCOME CATEGORIES ON PROPERTIES DESIGNATED AS TIER 3; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-006)

(1:03 p.m.) Ms. Santamaria stated that Items 2 and 3 will be held as a workshop discussion versus a staff report with comments. Both items are from the comp plan update and were proposed within the 2030 comp plan. The BOCC has asked staff to remove the policies as they were in the comp plan and process them separately so that there is public understanding and public input through the process. This item will be brought back two or three times to ensure revisions can be made with public input.

Ms. Santamaria first addressed Policy 101.4.26. Ms. Santamaria explained that the current height definition is the vertical distance between grade and the highest part of any structure and it is measured from either grade or the crown of the nearest road. Multiple height exceptions have been proposed in order to address a variety of issues. The first one is the wind turbine for facilities owned and operated by a public utility. An avian protection plan would be required. The height exception would be for those wind turbines that facilitate green technologies and alternative energy sources. Ms. Santamaria informed Deb Curlee there are no applications for wind turbines currently.

Alicia Putney commented that her personal experience has been that wind turbines are not able to generate enough current to be deemed useful unless the sustainable winds were above 20-25 miles an hour. Consequently, wind is more questionable than solar energy at this point. Ms. Curlee is not in favor of wind turbines because of their aesthetics. Ms. Santamaria will draft a version of the policy as the BOCC has proposed it next to a version that includes the public's input. Bill Eardley asked that staff obtain an analysis of FKEC's two wind turbines located on Cudjoe Key before proceeding with this policy.

Ms. Santamaria then addressed Policy 101.5.31. Ms. Santamaria explained that this policy is specific to Ocean Reef. In permitting for that community staff has had to deal with architectural features just above the 35-foot height limit. Staff has recommended the architectural features could exceed the 35-foot height limit by five feet, not to exceed 40 feet, and can contain no habitable space up there.

Joel Reed was present on behalf of Ocean Reef Community Association and Ocean Reef Club. Mr. Reed stated even though Policy 101.5.31 is intended to address non-habitable architectural decorative features, it is only one and the least significant of three provisions that Ocean Reef has requested. Mr. Reed explained that Ocean Reef has its own architectural review committee that projects go through as well. One of the longer term issues facing Ocean Reef Club is that they still own a number of buildings and condominiums that currently exceed the 35-foot height restriction. These are aging buildings coming to the end of their useful life. There is concern if they are ever destroyed they would not be able to build back to their current heights. Mr. Reed agrees with being proactive by building above the FEMA flood heights. One policy request from

Ocean Reef is for the ability to build back on a story-by-story approach rather than to the pre-existing height. Mr. Reed feels allowing this way of rebuilding with an increase in the slab-to-slab measurement to 11 feet would encourage owners to remodel their buildings rather than tearing them down. Another issue important to Ocean Reef is the Cultural Center building. Because the flyover space in this building is limited, the ability to have productions in this building is limited also. Mr. Reed suggested that a height of 65 feet would accommodate that flyover space. Mr. Reed emphasized that the proposed story-by-story rebuilding process is being requested for Ocean Reef only, which is an isolated and gated community, not visible from the roadway. Ms. Santamaria asked that Ocean Reef provide information of the cultural center, such as a map depiction and its existing height information. Mr. Reed agreed to provide that information, as well as a list of inventoried buildings at Ocean Reef including their existing heights.

Ms. Curlee asked for an estimate of the height of a building with an 11-foot slab-to-slab allowance plus the flood elevation. Mr. Reed replied that it depends on the flood zone and the average existing grade or crown of road of each site. Ms. Putney proposed Ocean Reef go through a variance procedure for each of the specific buildings because of all the variables associated with each building. Mr. Reed agreed that consideration needs to be given for each building individually and stressed that losing a floor would not be an option in rebuilding. Mr. Reed further explained that some communities have minimum ceiling heights so that a more adaptable building into the future is built.

Ms. Putney asked if Ocean Reef has its own community master plan containing its own design criteria. Mr. Reed responded that there are architectural design guidelines for Ocean Reef that are followed currently and a process is being gone through to update and create a new master plan for Ocean Reef. Ms. Santamaria clarified that it is for Ocean Reef's own development internally, but a Livable CommuniKeys plan or even an overlay district can be proposed. Ms. Putney voiced concern that this policy would open the door for other gated communities throughout the Keys to increase their height restriction. Ms. Santamaria noted that the reason the BOCC was even considering this policy is because Ocean Reef is not only gated, but it is isolated and separate from the rest of the Keys. Bill Hunter, present on behalf of Sugarloaf Property Owners Association (SPOA), will be taking this request by Ocean Reef back to SPOA members for their input. SPOA recognizes that Ocean Reef is isolated and very different from the rest of the Keys. Mr. Hunter commented that the BOCC has said in the past they do not want to treat Ocean Reef differently than the rest of the County. SPOA is neutral on this policy as long as this does not affect the rest of the County.

Mr. Reed explained that there is language that allows Ocean Reef to go through a letter of understanding process without going through a conditional use process. Mr. Reed feels perhaps some stronger language would help address the concerns being voiced. Ms. Putney again suggested Ocean Reef have their own Livable CommuniKeys plan which is protected by the comp plan. Mr. Reed pointed out that Ocean Reef has stricter regulations than the rest of the County has, such as setbacks. Ms. Putney suggested adding language referring to gated communities over a certain size. Ms. Curlee believes, regardless of Ocean Reef being isolated and gated, the public will expect the same consideration that Ocean Reef receives. Ms. Putney agreed. Ms. Putney asked to underscore that the BOCC does not want to have special rules for

Ocean Reef. Mr. Reed added that he believes only one Commissioner has expressed that sentiment. Ms. Santamaria stated the BOCC will make the decision of what they choose to adopt and/or transmit to the State and will ultimately make the decision of which communities, which policies and where they will apply to.

Ms. Santamaria then addressed Policies 101.5.32 and 101.5.33. Ms. Santamaria explained these policies are an attempt to provide existing and new structures the ability to redevelop or lift the existing structure to come into compliance with their flood zone. New FEMA maps are expected in four years. The first provision of Policy 101.5.32 is for new structures to voluntarily elevate their structures up to five feet above the 35-foot height limit. It is based on what they choose to elevate above flood. The second provision of the policy is for existing structures to be able to meet their base flood zone or to exceed it. Again, they can go up to five feet above the 35-foot height limit, but this is based on the amount they choose to go up. The third provision is for those structures that need to go a little bit higher to meet their flood zone. The addition of one foot of freeboard above the base flood elevation is provided for.

Bill Eardley stated raising an existing structure is impractical due to the cost. It is simpler to pay off the mortgage and cancel the flood insurance. Mr. Eardley feels there is no need for the exception on new construction because the building can be designed to meet the current standards. Ms. Santamaria explained the exception was proposed because the BOCC did not want people to lose living space and be squeezed into smaller homes. FEMA representatives have informed staff a grant program may be created to help with the cost of elevating a home. Ms. Santamaria pointed out that some existing structures may not be able to be raised due to its structural integrity. Mr. Roberts pointed out that there has been discussion about including bonus points or points under the CRS for communities that provide for an opportunity for property owners to elevate their base floor one to three feet above base flood elevation on a voluntary basis. Dottie Moses from the Upper Keys Homeowners Federation stated that the CRS looks at encouraging people not to build in low-lying areas. Ms. Santamaria explained that is why the inventory of flood zones was done. Mr. Hunter expressed concern that the County is somehow encouraging building in a very low-lying area where roads will eventually no longer be maintained by the County. Ms. Santamaria clarified that Number 1 is applicable when people tear down and build a new structure. Ms. Putney stated that the number of homes built before FEMA came in to Monroe County in '78 built below the base flood would be a small enough number that they could be dealt with through some kind of a development review mechanism as opposed to a carte blanche rule. Ms. Schemper noted that this would give property owners the allowance to do it rather than being penalized because of their unique circumstance. Ms. Santamaria stated staff will evaluate that.

Ms. Santamaria then described a situation of a property owner in North Florida who built a home less than ten years ago at three feet above flood. The new FEMA maps now show that home being three feet below flood. Ms. Santamaria explained that the new FEMA maps could impact a substantial number of people whose flood insurance premiums are going to skyrocket up because of this situation. FEMA is supposed to take sea level rise into account when creating their new maps. Staff is trying to think into the future to try to facilitate people's ability to protect their homes and investments. Mr. Hunter suggested, because it is unknown what the maps will show, introducing the concept and making allowances for the solution in the comp

plan and holding off on the details of the actual solution since modifying the LDRs in the LDC is an easier process. Mr. Schemper cautioned the longer addressing this issue is put off, the more homes will be built that are going to be affected. Ms. Moses stated that at an Army Corps meeting comments were made that all of the "easy" lots have been built on and what is left will require mitigation and other issues. Ms. Santamaria will try to run an analysis of the flood zone of the vacant parcels in the County.

Mr. Hunter clarified that when he suggested splitting the concept in the comp plan and the detail in the LDRs, he was not suggesting delaying the LDRs. Mr. Hunter further stated more public outreach would help in educating the public more on climate change and sea level rise. Mr. Roberts clarified for Mr. Hunter that the County does not have policies in place yet regarding replacement of infrastructure in areas potentially susceptible to sea level rise, so the County has to proceed under existing policies and directives, which obligates the County to maintain the roads. Ms. Santamaria described a situation in St. Augustine where property owners are suing the municipality to maintain a road in a low-lying area so that the people would have access to their fire service. Ms. Curlee asked about regulations regarding filling a lot. Mr. Roberts explained that whether fill is allowed depends on the flood zone. Ms. Putney added that runoff from higher lots into the road is creating a problem for the neighbors and in the canals, as well as blocking views and creating shade. Mr. Williams clarified that situation does not create a property rights issue. Ms. Santamaria noted that the variance procedure could create a staggered view line in an area.

Ms. Moses stated the Federation has taken the position they do not want the 35-foot height limit raised under any circumstance. The County has managed to get by under that height limit to date with new construction. Mr. Hunter on behalf of SPOA agreed with Ms. Moses' comments. Mr. Hunter personally believes more education is needed about freeboard and the benefits of freeboard. Ms. Putney on behalf of Last Stand stated existing buildings should have some kind of mechanism for special approval, but that the total raised building could not exceed 40 feet and the space created under the first floor should be non-habitable. Secondly, Last Stand is opposed to new construction receiving an exception to the 35-foot height limit. Mr. Williams noted that there is a potential map amendment process to appeal to FEMA to make an exception for a lot. The expense of that process was discussed.

Ms. Santamaria then addressed Policy 101.5.33. Ms. Santamaria explained that this policy addresses existing structures that currently exceed the height limit, such as a three or four-story condo. By redeveloping to upgrade the building, coming into compliance with the flood zone may result in loss of a story of that condo. That could potentially result in 20 people on the top floor no longer having the ability to rebuild their home. Ms. Putney questioned why it is perceived to affect the top story as opposed to the first story. Ms. Santamaria stated half of the people would lose their home regardless of which story it is. This policy provides for allowing five feet above their existing height. Ms. Putney stated Last Stand supports this policy provided that the footprint of the structure is not changed. Ms. Santamaria clarified for Ms. Curlee there is no cap on the height. Staff does not have a clear inventory of those structures this policy would encompass, but estimates only a handful. Mr. Reed asked that those who do support this policy consider giving some additional slab-to-slab height when rebuilding. Ms. Putney replied Last Stand supports the grandfathering of nonconforming height to certain buildings in Monroe

County when redevelopment is involuntary provided the new building height does not exceed that of the old building. As such, compliance with FEMA along with any additional voluntary clearance above base flood elevation must be equal to or less than the height of the old nonconforming building. Mr. Hunter stated SPOA agrees as long as the redevelopment is involuntary, such as because of fire or flood. Ms. Santamaria asked if the public in attendance considers the new FEMA maps deeming a structure below base flood involuntary.

Mr. Reed does not like the "involuntary" language because it is a very tricky threshold to meet. Ms. Santamaria noted the BOCC has tried to direct staff to focus on redevelopment versus trying to facilitate a lot of new development. Mr. Reed clarified that while there is no magic slab-to-slab number, floor to ceiling heights should be created that are adaptable and can continue to be remodeled throughout future years. Ms. Curlee expressed concern that what is "involuntary" to one person may open the door to let somebody else take advantage of this policy. Ms. Santamaria clarified for Ms. Curlee that in almost all situations exceptions to the height limit will not allow people to add a story. In some situations that would be possible. Ms. Putney believes that language should be included to limit in what situations it would be allowed. Mr. Hunter suggested more detail of the buildings in Ocean Reef be gathered to realize the effect this could have on the County. Mr. Reed clarified that his comments regarding slab-to-slab increases were specific to the Ocean Reef policy, but feels it might be worth considering for all of unincorporated Monroe County. Ms. Moses is concerned about taking people's property rights away from them. Mr. Hunter then commented that the "historical designation" language should be eliminated.

Ms. Santamaria then addressed Policy 101.5.34. Ms. Santamaria explained this came out of the session of the BOCC at the October meeting to address a different height maximum for very low, low and median income affordable employee and work force housing on properties designated Tier III. This was to facilitate having nonresidential development on the first story and allowing a couple stories of affordable housing on top. Mr. Hunter stated SPOA is opposed to this amendment. SPOA believes that the County has the benefit of seeing what the cities have done to address this issue before they make a decision on solutions. Another issue for SPOA is using height as a solution to affordable housing in the County where there is more land than the County has ROGO allocations for. Ms. Moses stated the Federation is opposed to raising the affordable housing limit. Key Largo does not have an affordable housing issue. There are affordable housing projects in the Upper Keys district already and some of the way those projects are being managed are not the way their deed restrictions have been written.

Ms. Moses pointed out there is no definition for "workforce housing" in the code. Ms. Santamaria replied the Affordable Housing Committee will be addressing that soon. The BOCC hired the FSU Consensus Center to provide a report on the County's affordable housing issue. Ms. Schemper added that the LDC uses the term "affordable housing" or "employee housing," which are defined terms. "Work force housing" is a more general term. Mr. Reed argued that there is a demand and a need still in the Upper Keys for affordable housing. Mr. Reed then stated it is a severe challenge to find appropriate land of a certain size to accommodate affordable housing. Mr. Eardley is concerned this amendment would open the door for all kinds of other development. Mr. Eardley agrees there are ways to address work force housing without going higher, such as making the units smaller. Ms. Curlee added when talking about truly

affordable housing that would be rentals. Ms. Putney believes this issue is complex and the height exception for affordable housing should be dealt with within the arena of the affordable housing discussion separate from what is being done today. Ms. Santamaria clarified this amendment would provide the opportunity to build more units, but it also will raise those units above base flood.

Ms. Santamaria thanked the public for their comments and stated these comments will be included in the staff report and will be back before the DRC again for more comments.

1.Playa Largo Resort, 97450 Overseas Highway, Key Largo, mile marker 97.5: A public meeting concerning a request for an Amendment to a Major Conditional Use Permit. The requested approval is required for the development of a proposed 177-unit hotel and associated accessory uses. The subject property is legally described as Tracts 4B and 5B, Amended Plat of Mandalay (Plat Book 2, Page 25), Key Largo, and also a tract of submerged land in the Bay of Florida fronting said Tract 5B (TIIF Deed No. 22416), Monroe County, Florida, having real estate number 00555010.000000.
(File 2015-031)

(2:32 p.m.) Ms. Schemper presented the staff report. Ms. Schemper reported that this applicant currently has an approved major conditional use permit from 2007 and it has had several deviations and time extensions over time. It is still active. The most recent deviation has approved the site plan for 162 transient units and one commercial apartment, which was previously on the site. The applicant has been issued a number of building permits. This amendment to the major conditional use permit is to add an additional 15 transient units into the hotel, the building of which has already been permitted, and that would bring them up to their max number net density. It does not change any footprint on the site plan. All of the required criteria are in compliance. The only issue that is still outstanding is the traffic and access. The applicant had supplied a Level 2 traffic study with this application, and because of the threshold of what is being proposed a Level 3 traffic study is needed. This may also impact the requirement for a right-turn deceleration lane leading into the property. Ms. Schemper recommended approval with conditions. Those conditions were outlined.

Ms. Santamaria commented that the Planning Commissioners will likely want to see the traffic studies so they can take that data into account in their decision-making and make sure that it is compliant. Mr. Roberts asked that Number 7 of the recommended actions be reworded to specify the number of allowed docks. Mr. Roberts will supply that number to Ms. Schemper.

Jorge Cepeda, present on behalf of the applicant, stated he was familiar with the conditions contained in the original approval. Mr. Cepeda asked that Condition 8, the transportation shuttle for guests and employees, be considered in the traffic study because that has less of an impact on traffic. Mr. Cepeda asked that the second portion of the language about adequacy of public facilities on Page 6 of the report remain part of the recommended action. Mr. Cepeda clarified that no trees will be cut for the mulch exercise path, but there may be some underbrush that may need to be accommodated. Mr. Roberts specified that "clearing" is the removal of any native vegetation regardless of the size. Mr. Roberts asked the applicant to inform staff if the applicant is planning on clearing or removing additional vegetation that has not been previously accounted

for in the site plan. Ms. Schemper will look again at the deviation to see exactly how it is worded and get back to the applicant regarding the clearing.

Ms. Santamaria asked for public comment. Ms. Moses asked whether the proposed commercial apartment is bayfront. Ms. Schemper explained it was a previously existing unit, so the residential use and density is protected. Mr. Cepeda stated the apartment is in the same location as the prior developer's site plan. Ms. Moses then pointed out the site plan shows two entrances. Ms. Schemper explained one is an emergency access drive requested by the fire department. Ms. Moses then noted that the front buffer that faces US-1 looks to contain lead tree. Mr. Cepeda replied that the landscaping will be done in the final stage. The main entrance is the original American Outdoor entrance and at the end stage the exotics will be removed and landscaping will be done to complete that buffer. Ms. Moses commented that there are a lot of non-native species on the vegetation list. Mr. Roberts explained that the required vegetation is 100 percent native vegetation, but anything planted above the minimum requirement can be anything the developer wants. The developer is overplanting the required landscaping significantly. Ms. Schemper clarified for Ms. Moses that the docking facility on the property is a hotel accessory dock, not a marina.

3.<u>AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS</u> AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICIES 101.5.8 AND 101.13.5 WITHIN THE FUTURE LAND USE ELEMENT AND POLICIES 207.1.2 WITHIN THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO FURTHER CLARIFY THE DEVELOPMENT OF OFFSHORE ISLANDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File 2015-007)

(2:49 p.m.) Ms. Santamaria stated this item also comes from the comp plan update project. The BOCC asked staff to remove these policies that were included in the comp plan and process them separately since it was a new topic and received a lot of attention and people wanted to provide input on the topic. These policies relate to the transfer of ROGO exemptions, density rights, as well as where the development would be directed to.

Ms. Santamaria addressed Policy 101.5.8. Ms. Santamaria explained that, again, this item will be handled today more like a workshop-type item.

Bart Smith, Esquire, was present on behalf of FEB Corp. Mr. Smith asked staff to address all of the policies together. Mr. Smith thanked staff for planning multiple workshops to allow these policies to be vetted over a period of time where everyone can work together. Mr. Smith asked staff to provide notice to the affected property owners of these meetings so they can actively engage in this process. Mr. Smith asked staff to contemplate the unintended consequences of these policies of not allowing the TDRs and TREs to be transferred to offshore islands and designating all offshore islands as Tier I. Mr. Smith believes this negates the tier system, which is the primary tool for determining whether a parcel is suitable for development. These policies

put an inordinate burden on the property owners. These property owners have some development right, all residential in nature. The code only has two ways that residential can be built: Through ROGO allocation or ROGO exemption. These islands do not have ROGO exemptions because they do not have homes on them, so in order to build residential one would have to get a ROGO allocation or transfer a ROGO exemption from somewhere else. These policies eliminate the ability to transfer. A property is left with requiring a ROGO allocation, but the property is designated Tier I. This would be so limiting that the only use left would be bee-keeping and temporary camping by the owner. Mr. Smith asked that staff look at how these policies would operate as a whole to get a complete picture of how it would operate.

Ms. Santamaria clarified individual property owners were not notified because this is not property-specific and not all properties have their issues resolved with ownership. This is a policy that would impact all privately-owned or even publicly-held offshore islands. Ms. Santamaria further clarified that while the policy has direction of discouraging development by designating Tier I does not mean it is an automatic Tier I. That designation would have to go through its proper process to apply a designation to a property. Ms. Santamaria commented that this policy is not a huge change regarding the TREs and the TDRs. This is a proposed change based on the discussions from the BOCC of where to direct the remaining allocations or exemptions and where is the most appropriate place to direct development.

Julie Dick on behalf of Last Stand and Florida Keys Environmental Fund thanked staff for the workshop process and allowing the public the opportunity to participate in this process. Last Stand thinks that the policies generally are consistent with the concepts of the tier overlay system for offshore islands. Last Stand is generally supportive of the changes. Ms. Dick commented that there are some inconsistencies with the acreage on the inventory. Ms. Santamaria explained the Property Appraiser does not have the exact acreage of a property. A boundary survey is required to determine the upland portions of a property. Ms. Santamaria will look into any discrepancy reported to her. Ms. Dick further stated Last Stand agrees with the sender and receiver site criteria. For evacuation purposes it make sense to discourage additional development on offshore islands. Last Stand recommends removing significant upland habitat as a criteria in Policy 206.1.2. The reasons to protect offshore islands go beyond whether or not they are suited to upland habitat, such as containing bird rookeries. Ms. Santamaria pointed out that under Policy 206.1.2 the significant upland habitat is one of the criteria and it is being made consistent with the Tier I criteria.

Ms. Putney asked whether there was a determination made that offshore islands were Tier I when the County went to the tier system. Ms. Santamaria explained Policy 102.7.3 stated that designating offshore islands as Tier I lands was one method used to discourage developments proposed on offshore islands. The only offshore islands that are not designated Tier I were the ones that were missed by accident and undesignated, but this policy does not automatically designate them. They would still have to go through that process. The provision exists in the LDC that any islands without a specific land use designation shall be considered zoned as offshore islands. The approximately ten offshore islands that were missed and not designated were discussed.

Ms. Santamaria thanked the members of the public for their participation and invited them to participate in the workshop-style meetings scheduled in the future.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 3:15 p.m.

EXHIBIT 4

MEMORANDUM
MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Development Review Committee
Mayté Santamaria, Senior Director of Planning & Environmental Resources

From: Mayté Santamaria, Senior Director of Planning & Environmental Resources
Emily Schemper, Comprehensive Planning Manager

Date: May 17, 2015

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICY 101.4.26 TO PROVIDE AN EXCEPTION TO THE HEIGHT LIMIT FOR WIND TURBINES OWNED AND OPERATED BY A PUBLIC UTILITY; CREATING POLICY 101.5.31 TO ADDRESS NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

Meeting: **May 26, 2015, continued from March 24, 2015**

I. REQUEST

The Monroe County Planning & Environmental Resources is proposing an amendment to revise the height limit policy to provide an exception to the height limit for wind turbines owned and operated by a public utility; create Policy 101.5.31 to address non-habitable architectural decorative features within the Ocean Reef community; create Policies 101.5.32 and 101.5.33 to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs; and create Policy 101.5.34 to provide an exception to the height limit exclusively for affordable or employee/workforce dwelling units that meet the income limits for the very low, low and/or median income categories on properties designated as tier 3.

II. BACKGROUND INFORMATION

The County has been working on the Comprehensive Plan update and has held numerous public hearings on the proposed amendments. Most recently, the Board of County Commissioners

(BOCC) held special public meetings on March 21, 2014, April 23, 2014 and May 22, 2014, to review proposed amendments to the Comprehensive Plan. A special BOCC public hearing was held on July 23, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and this hearing was continued to October 7, 2014.

The Monroe County Board of County Commissioners held a special meeting on October 7, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and the hearing was continued to December 10, 2014, to discuss the following:

- *Policies 101.5.31 and 101.5.32: BOCC directed staff to work on height policies for addressing the replacement of existing buildings which exceed the 35ft height limit, architectural features, flood protection purposes and affordable housing. Staff to present drafts during the regular December BOCC meeting.*
- *BOCC directed staff to work on an inventory/data of privately-owned offshore islands. Staff to present draft during the regular December BOCC meeting.*

A transcription of the BOCC height discussion, from the October 7, 2014 public hearing, is attached as Exhibit 1.

During the regular December 10, 2014 BOCC meeting, a public hearing was held to discuss proposed height and offshore island policies and to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the DEO. The BOCC directed staff to maintain the existing adopted height and offshore island policies and to extract the proposed changes to the height limit policy and process it as a separate amendment.

DRC: At its regularly scheduled meeting on March 24, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the March 24, 2015 DRC is attached as Exhibit 2. Minutes from the March 24, 2015 DRC are attached as Exhibit 3.

III. ANALYSIS OF PROPOSED AMENDMENT

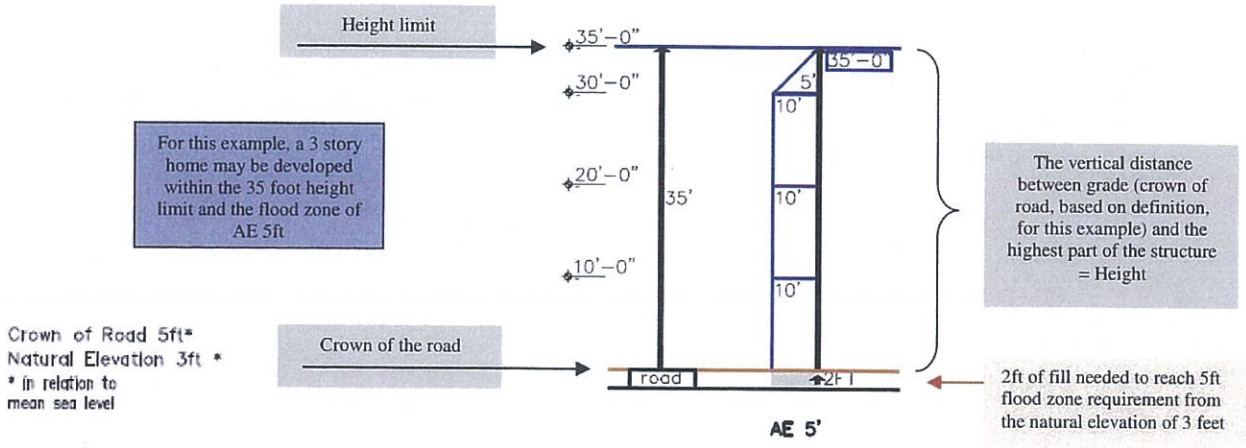
HEIGHT:

In unincorporated Monroe County, height and grade are defined as follows:

> **HEIGHT** is defined as: ***the vertical distance between grade and the highest part of any structure****, including mechanical equipment, but excluding chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the applicable height limitations. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply.*

GRADE means ***the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher.*** *To confirm the natural elevation of the ground surface, the county shall utilize the Light Detection and Ranging (LiDAR) dataset for Monroe County prepared in 2007. In the event 2007 LiDAR data is not available for a given parcel, the county shall use the best available data, including, but not limited to, pre-construction boundary surveys with elevations, pre-construction topographic surveys, elevation certificates and/or other optical remote sensing data.*

Based on the adopted definitions the following is a basic depiction of: *height = the vertical distance between grade and the highest part of any structure.* In this depiction, the crown of the nearest road directly adjacent to the structure is *higher* than natural elevation of the ground surface (prior to construction, next to the proposed walls of a structure). As such, the crown of the road is the starting point, for this example, in measuring the vertical distance of the structure.



In the Comprehensive Plan update, recommendations to amend and expand the height policy have been made to clarify the measurement of height to match the recently amended land development code (Ordinance 003-2011) and to address new issues, such as: anticipating new FEMA flood maps and creating a mechanism to assist property owners to protect their property from flooding and reduce flood insurance costs as well as issues in permitting relative to architectural decorative features.

For review convenience, a transcription of the BOCC height discussion, from the October 7, 2014 public hearing, is attached (Exhibit 1). Additional information related to flood protection

NOTE: See exhibits for additional information related to flood protection and freeboard.

IV. PROPOSED AMENDMENT (Deletions are ~~stricken through~~ and additions are underlined.)

Policy 101.45.~~26~~30

In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including mechanical equipment and landfills to 35 feet. Height is defined as the vertical distance between grade and the highest part of any structure, including mechanical equipment, but excluding spires and/or steeples on structures used for institutional and/or public uses only; chimneys; radio and/or television antennas; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antennas and/or collocations. ~~Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.~~

Wind turbines may also exceed the 35 foot height limit provided the site and the turbines are owned and operated by a public utility, have an Avian Protection Plan approved by the United States Fish and Wildlife Service (USFWS) and the turbines comply with relevant State and federal wildlife protection laws such as the Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and National Environmental Policy Act. Applications by a public utility proposing wind turbines which exceed 35 feet in height shall require a public hearing before the Board of County Commissioners and a BOCC Resolution supporting the proposal and specifying the maximum approved height, prior to issuance of any county permit or approval. Applications proposing wind turbines which exceed 35 feet in height within the MIAI overlay shall be transmitted to NASKW for review and comment.

In the case of airport districts, there shall be no exceptions to the 35-foot height limitation.

Policy 101.5.31

For Ocean Reef, a master planned community of 100 or more acres in area, which is gated, isolated and inaccessible to the surrounding community, and has a distinct community character, buildings may include non-habitable architectural decorative features (such as finials, rails, widow's walk) that exceed the 35 foot height limit in Policy 101.5.30, but such features shall not exceed 5 feet above the building's roof-line. This exception shall not result in a building or any architectural decorative feature with a height that would exceed 40 feet.

As used in this policy, a master planned community means a planned community of 100 or more acres in area subject to a master plan or other development order approved by the county where public access is restricted and the community is operated and maintained by the community including the provision of comprehensive, private utilities and transportation facilities and services within its boundaries and a homeowners association or similar entity which regulates development standards and monitors development requests by its member

Policy 101.5.32

By XXXX date, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception to Policy 101.5.30 (height limit), not exceeding a maximum height of 40 feet, to promote public health, safety and general welfare; minimize public and private losses due to flooding; allow adaptation to coastal flooding, storm surge and other hazards;

protect property from flooding and minimize damages; minimize future expenditures of public funds for flood control projects and for recovery from flood events; mitigate rising flood insurance premiums; and reduce flood insurance rates by facilitating/improving the County's Community Rating System score. A Flood Protection Height Exception of up to a maximum of five (5) feet above the 35-foot height limit shall be provided to allow buildings to voluntarily elevate up to three (3) feet above FEMA base flood elevation in order to promote flood protection, minimize flood damage, reduce flood insurance premiums and minimize future expenditures of public funds for recovery from flood events.

LDR Section XXX:

As provided in Policy 101.5.32, buildings voluntarily elevated to meet or exceed the FEMA base flood elevation (BFE) may exceed the 35-foot height limit as follows:

1. For new buildings which are voluntarily elevated to **exceed** the building's minimum required BFE, an exception of up to three (3) feet above the 35-foot height limit may be permitted. The amount of the height exception shall be a maximum of three (3) feet, and shall be no greater than the amount of voluntary elevation above BFE. In no event shall a new building exceed 38 feet in height; and
2. For lawfully established existing buildings which do not exceed the 35-foot height limit and are voluntarily elevated to **meet and/or exceed** the building's minimum required BFE, an exception of up to five (5) feet above the 35-foot height limit may be permitted. The amount of the height exception shall be a maximum of five (5) feet, and shall be no greater than the amount of elevation necessary to **meet** BFE **plus** up to three (3) feet of voluntary elevation above BFE. In no event shall an existing building be elevated to exceed a total building height of 40 feet;
3. No exception shall result in a total building height that exceeds 40 feet; and
4. No exception shall be provided to properties located in an AE 10 or VE 10 or greater FEMA flood zone.

Policy 101.5.33

As of the effective date of this policy, a lawfully established existing building, which exceeds the 35-foot height limit in Policy 101.5.30, may be repaired, improved or reconstructed to meet required FEMA base flood elevation (BFE), provided the building is limited to the lawfully established existing intensity, floor area, density and type of use. For buildings that are proposed to exceed a total height of 40 feet, a public hearing before the Board of County Commissioners shall be required prior to issuance of any county permit or approval. A BOCC resolution shall specify the maximum approved height.

LDR Section XXX:

As provided in Policy 101.5.33, lawfully established buildings which exceed the 35 foot height limit may be repaired, improved or reconstructed to meet the FEMA BFE provided the building is limited to the lawfully established existing intensity, floor area, density and type of use.

A Flood Protection Height Exception for a lawfully established existing building exceeding the 35-foot height limit shall be provided as follows:

1. For lawfully established existing buildings which exceed the 35-foot height limit that are voluntarily elevated to **meet** the building's minimum required FEMA BFE, an exception of up to five (5) feet may be permitted. The amount of the exception shall be a maximum of five (5) feet, and shall be no greater than the amount of elevation necessary to **meet** BFE; and
2. For lawfully established existing buildings which exceed the 35-foot height limit that are voluntarily elevated to **meet** the building's minimum required FEMA BFE, but will require a height exception of more than five (5) feet, a public hearing before the Board of County Commission shall be required prior to issuance of any county permit or approval. The BOCC shall consider:
   a. The physical characteristics of the existing building and parcel;
   b. The susceptibility of the existing building and its contents to flood damage and the effects of such damage on the property owner;
   c. The possibility that materials from the existing building may be swept onto other lands to the injury of others;
   d. The availability of alternate solutions; and
   e. If the new proposed building height will result in increased flood risk; result in additional threats to public safety; result in extraordinary public expense; create nuisance; or cause fraud on or victimization of the public.

A BOCC resolution shall specify the maximum approved height.

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Policy 217.1.4
Monroe County shall continue its policy of reviewing the current Building Code and, as appropriate, adopting structural standards and site alteration restrictions that meet or exceed the minimum FEMA requirements. The Building Code shall be reviewed and revised at least every five years. The recommendations of the applicable interagency hazard mitigation report shall be considered in revisions to the Code.

Policy 217.1.5
Monroe County shall continue to participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) to the maximum extent possible and shall seek to improve its current CRS Class 9 rating.

Policy 217.1.6
Monroe County shall continue to enforce federal, state and local setback and elevation requirements to promote the protection and safety of life and property. Revisions to the existing setback requirements

contained in the Land Development Regulations shall be considered as a means of reducing property damage caused by storms.

Objective 601.3
By January 4, 1998, Monroe County shall increase implementation efforts to eliminate substandard housing and to preserve, conserve and enhance the existing housing stock, including historic structures and sites.

Policy 601.3.2
The County Code Enforcement Office and Building Department will enforce building code regulations and County ordinances governing the structural condition of the housing stock, to ensure the provision of safe, decent and sanitary housing and stabilization of residential neighborhoods.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
(g) Protecting the historical heritage of the Florida Keys.
(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

1. The Florida Keys Aqueduct and water supply facilities;
2. Sewage collection, treatment, and disposal facilities;
3. Solid waste treatment, collection, and disposal facilities;
4. Key West Naval Air Station and other military facilities;
5. Transportation facilities;
6. Federal parks, wildlife refuges, and marine sanctuaries;
7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
8. City electric service and the Florida Keys Electric Co-op; and
9. Other utilities, as appropriate.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.
(j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as

applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.

(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.

(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.

(m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.

(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:

Section 163.3161(4), F.S. – It is the intent of this act that local governments have the ability to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within their jurisdictions. Through the process of comprehensive planning, it is intended that units of local government can preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing, and other requirements and services; and conserve, develop, utilize, and protect natural resources within their jurisdictions

163.3177(1), F.S. - The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

VI. PROCESS

Comprehensive Plan amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, or the owner or other person having a contractual interest in property to be affected by a proposed amendment. The Director of Planning shall review and process applications as they are received and pass them onto the Development Review Committee and the Planning Commission.

The Planning Commission shall hold at least one public hearing. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning & Environmental Resources and the Development Review Committee and the testimony given at the

public hearing. The Planning Commission shall submit its recommendations and findings to the Board of County Commissioners (BOCC). The BOCC holds a public hearing to consider the transmittal of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the testimony given at the public hearing. The BOCC may or may not recommend transmittal to the Florida Department of Economic Opportunity (DEO). The amendment is transmitted to DEO, which then reviews the proposal and issues an Objections, Recommendations and Comments (ORC) Report. Upon receipt of the ORC report, the County has 180 days to adopt the amendments, adopt the amendments with changes or not adopt the amendment.

VII. STAFF RECOMMENDATION

VIII. EXHIBITS

1. Transcription of the BOCC height discussion, from the October 7, 2014 public hearing
2. March 24, 2015 DRC Staff Report
3. March 24, 2015 DRC Minutes
4. Table of FEMA flood zones and number of private, vacant parcels in unincorporated Monroe County
5. Excerpt of CRS Coordinator's Manual, pages 430-10 through 430-15
6. FEMA Lowest Floor Elevation Fact Sheet
7. www.floodsmart.gov basic info on insurance and flood risk
8. What is Freeboard? www.dnr.maryland.gov/CoastSmart
9. Using Freeboard to Elevate structures above Predicted Floodwaters – Massachusetts Office of Coastal Zone Management
10. Floodplain Management in Florida Quick Guide, pages1-28
11. Table with proposed amendments from March 24, 2015 DRC meeting and May 26, 2015 DRC meeting (side by side comparison)

EXHIBIT 5

DEVELOPMENT REVIEW COMMITTEE

Tuesday, May 26, 2015

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, May 26, 2015**, beginning at 1:00 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS

Mayte Santamaria, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Present

STAFF

Steve Williams, Assistant County Attorney	Present
Rey Ortiz, Planning & Biological Plans Examiner Supervisor	Present
Lori Lehr, Floodplain Administrator	Present
Tiffany Stankiewicz, Development Administrator	Present
Matt Coyle, Senior Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

There were no changes to the agenda.

MINUTES FOR APPROVAL

Ms. Santamaria approved the minutes of the April 28, 2015, DRC meeting with one correction of a section number that will be submitted to Ms. Creech.

MEETING

New Items:

1.99700 Overseas Highway, Key Largo, mile marker 99: A public meeting concerning a request for a major deviation to a major conditional use permit. The requested approval is required for the proposed development to increase the existing walk-in cooler and to increase the size of the existing bathrooms which would increase the amount of non-residential floor area on the property. The subject property is legally described as Lazy Lagoon – A revision of Amended Plat of Curry's Corner, Plat Book 2, Page 120 of public records, Monroe County, Section 33, Township 63 South, Range 39 East, Key Largo, Monroe County, Florida (legal description in metes and bounds is provided in the application/file), having real estate number 00497540.000000.

(File 2015-093)

(1:01 p.m.) Mr. Ortiz presented the staff report. Mr. Ortiz reported that the applicant is requesting a major deviation to a major conditional use application. The applicant wants to expand the bathroom by approximately six square feet, add a modular component to the rear of the building for a walk-in cooler and expand an existing cooler that is currently within the setbacks on the rear property line. The only criteria not met is regarding the variance requirement that the site is going to need. Mr. Ortiz recommends approval to the Planning Commission with conditions. Those conditions were outlined. Ms. Santamaria confirmed that the applicant has submitted a variance application.

Hany Haroun, the applicant, emphasized that this renovation is necessary. Many hours have been spent with Wendy's International and the County to make this work. The new kitchen configuration in the center of the restaurant is a requirement from Wendy's International, which takes away from the cooler/freezer space and the current storage area. The extension for the sides is due to making the bathrooms ADA compliant. None of this will be visible from the front. The only setback issue is for the cooler/freezer.

Ms. Santamaria asked for public comment.

Dottie Moses, Key Largo resident, does not object to what is being asked for. Ms. Moses likes the proposed landscaping along the highway. Ms. Moses commented on the poor drainage that exists on the property. Mr. Haroun explained that the main road was built to drain out towards Buttonwood Drive and consequently it floods there all the time. That is on the County right-of-way. The County and State agreed to dig out the French drain and fill it with gravel to address the flooding problems. The tides also affect the drainage in this area. Ms. Santamaria noted when building permits are applied for the applicant will have to comply with the stormwater requirements. Mr. Williams suggested that the applicant provide some documentation from Wendy's International to show the hardship imposed on the applicant for purposes of the variance. Mr. Ortiz asked the applicant to provide an updated site plan.

2.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICY 101.4.26 TO PROVIDE AN EXCEPTION TO THE HEIGHT LIMIT FOR WIND TURBINES OWNED AND OPERATED BY A PUBLIC UTILITY; CREATING POLICY 101.5.31 TO ADDRESS NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File 2015-006)

(1:12 p.m.) Ms. Santamaria presented the staff report. Ms. Santamaria reported that this item started with the comp plan update. There were policies to amend the height policies, address the wind turbines, affordable housing and the flood protection. The BOCC asked staff to process this as a separate stand-alone amendment. This was before the DRC in March where a lot of comments were received. The flood protection policy generated concerns about the overall height exception. Staff has proposed a policy that includes the reasons why there would be an exception with a max height limit of 40 feet and it would be to elevate property three feet above base flood elevation (BFE). The exception for new buildings is to exceed BFE, not just to meet it, up to three feet above BFE. The exception for lawfully existing buildings is to either meet or exceed BFE because there are circumstances, depending on the flood zone, where this exception will not allow you to exceed BFE. If it is exceeded, it is only that amount it is exceeded that one gets to go above BFE. Again, it is capped at 40 feet. The exception would not be allowed in high-risk areas.

Ms. Santamaria introduced Ms. Lehr and asked for an update and information on flood zones.

Ms. Lehr explained that one of her roles is to help the County get into the Community Rating System (CRS) program, which would result in some discount in flood insurance. When property owners voluntarily elevate their properties they get a reduced premium on their flood insurance. For every foot of elevation, the savings is about a quarter of the premium. After the cap of three feet, the discounts fall off. The cost to elevate a property is recouped quickly in flood insurance savings. Ms. Lehr believes the future of the Florida Building Code and other legislation is going to be moving towards the implementation of some sort of freeboard, some sort of elevation requirement above BFE. Ms. Lehr further explained the County is going through a mapping process currently. It will be 2018 before those new maps come out, but the general feeling of those maps is that the elevations in some areas will increase, so the required elevations will increase.

Ms. Lehr clarified for Ms. Moses a community has to require a higher regulatory standard above what is required on the flood insurance rate amounts to get CRS credit. Florida in general has some of the highest scoring communities in the nation. Ms. Lehr believes Monroe County is doing a lot of things to address the flooding that will be worth CRS credit. There will be changes in the Florida Building Code coming up in the next couple of years to address BFE. Ms. Santamaria explained the CRS does not address the top height, so the BOCC gave staff direction to look into elevating the height limit so home owners are not squeezed in from the top, causing homes to become smaller and smaller. Ms. Lehr noted that credits are being given for existing buildings being elevated as opposed to rebuilt. The CRS program is very adamant that communities do what is good for their floodplain management and protection of their citizens' investments.

Ron Miller, Planning Commissioner and Key Largo resident, questioned why the County has become concerned about someone losing habitable space in their structure, because in URM parking spaces were required to be under homes, which takes away from habitable space. Ms. Santamaria clarified this proposal is not zoning-specific. Mr. Miller feels homeowners should be amenable to some give-and-take in the loss of some habitable space. Mr. Miller believes the people interested in more living space and more stories are those who are renting illegally. Ms.

Santamaria clarified that the BOCC has become aware of the new FEMA maps coming out and want Monroe County to get into the CRS and help the community better protect their property and investments. So they have directed staff to address this issue by allowing people to make that financial choice themselves. The whole intent was to better protect our community.

Bill Hunter, Sugarloaf resident, suggested that a definition of "elevate" be proposed. Mr. Hunter mentioned different scenarios of what could fall under the definition of "elevate." Ms. Santamaria said that staff will consider and look into those different scenarios. Ms. Lehr clarified if a bottom floor was knocked out and used for parking with penthouses built on top of the structure, those structures would still be limited by the height restriction from BFE. Ms. Santamaria noted that Policy 101.5.33 is for lawfully established existing buildings which already exceed the 35-foot height limit and a top cap of 40 feet is in place unless the owners go to a public hearing before the BOCC. Mr. Hunter then asked for an explanation of why the different numbers of 38 and 40 feet are used. Ms. Santamaria explained that discounts are given for one, two and three feet above BFE. Since discounts are not given above that, the new buildings were capped at 38 feet. The 40-foot limit was added for existing buildings in case they needed to raise their property a little bit higher because they do not meet base flood today. Ms. Lehr clarified that the flood insurance policy associated with a structure would receive a different rating because of the elevation of that property. The discount for CRS is completely different. The discount for CRS could be in addition to the different rating on the insurance policy for an elevation. Ms. Santamaria noted that no exception will be given to either new or existing structures in AE10 through VE10. That came from the comments made at prior DRC meetings about not facilitating redevelopment or new development in higher-risk areas.

Mr. Hunter stated he agrees with Mr. Miller about the ability of Monroe County citizens to live under the 35-foot height limit, but is more sympathetic to the owners of existing homes than to new construction. Mr. Miller is concerned for the properties in such a high AE or VE that they would not be able to develop a home that was attractive. Mr. Miller proposed keeping the 35-foot height limit in the comp plan and allowing for a variance for those so limited that they would not be able to develop something architecturally acceptable to the community. Ms. Santamaria stated it would be difficult to create a variance for architectural or visual issues. There is no real hardship in that instance.

Naja Girard, Key West resident, commented that people are more concerned over encouraging new development in AE and VE areas as opposed to elevating existing homes in those areas. Mr. Miller agrees with limiting infrastructure in flood-prone areas, but feels a minimal-size house could be able to punch through the height barrier if the owners could show a hardship when asking for a variance. Ms. Lehr explained that the CRS does not take away points. The CRS program credits activity. Prohibiting development in high-risk areas is credited under the CRS. The emphasis of the program has always been to build safer, more resilient communities.

Jim Hendrick was present on behalf of Ocean Reef Community Association (ORCA) regarding Policy 101.5.31. Mr. Hendrick stated Ocean Reef is an isolated and gated community with a distinct community character. The planning process in Ocean Reef is very tough. Mr. Hendrick said Ocean Reef would like the extra five feet for architectural features. The largest concern with this policy for Ocean Reef is its cultural center. The cultural center does not have the head

room needed to be able to house events that could potentially be put on at this facility. Mr. Hendrick asked for a height limit unique to the Ocean Reef Cultural Center, which was built and paid for by the people of Ocean Reef. Another concern that ORCA has is that any multi-story building in existence on the effective date of this policy be able to replace their existing number of stories up to 11 feet slab to slab per story. The Ocean Reef hotels are currently dated with a ceiling height of only eight feet. Ms. Santamaria noted that at the last meeting Joel Reed presented this information on behalf of Ocean Reef Club. Staff had asked for an inventory of existing heights of the various structures throughout Ocean Reef. Nothing has been received to date. Mr. Hendrick will send the complete list to Ms. Santamaria. Mr. Hendrick emphasized this is being asked to apply to Ocean Reef only, which is isolated and does have a distinct community character.

Deb Curlee, resident of the Lower Keys, noted that Ocean Reef is still part of Monroe County. Mr. Hendrick replied there is an abundant body of policy already recognizing the unique circumstances of Ocean Reef. Ms. Santamaria asked that Ocean Reef consider proposing an Ocean Reef specific overlay to address height issues in Ocean Reef. Mr. Hendrick replied Ocean Reef has a very effective self-governance program within the community. Ms. Santamaria asked that the information regarding the various heights as well as the total heights at Ocean Reef be sent in to help staff understand what the request is from Ocean Reef. Mr. Hendrick then explained for Ms. Girard how Ocean Reef is self-governed.

Ms. Moses stated the Federation is opposed to punching through the height limit and they feel that the 35-foot height limit has been accommodating and there is still room for elevating the floodplain. Ms. Girard on behalf of Last Stand stated that a majority of the properties should be able to elevate the buildings as much as needed and still have adequate living space. Last Stand would like to see this turned into a hardship situation that would have to be triggered to go through the height barrier.

Mr. Miller asked what would happen to those properties whose flood zone was changed due to the FEMA flood maps. Ms. Santamaria reminded Mr. Miller that no exceptions being given to properties in AE10 or VE10 or higher was a result of members of the community not wanting to facilitate development of homes within those flood zones. The owners of those properties would have to work within the rules or not build at all. Ms. Santamaria then confirmed for Mr. Hunter that reconstructed structures in Policy 101.5.33 includes those that are demolished and rebuilt. Ms. Santamaria explained that the BOCC resolution that specifies the maximum approved height is done on a building-by-building basis. There is currently no limit to that height because it is not known what would be needed to meet base flood. Ms. Santamaria explained that buildings over 35 feet currently could only rebuild to 35 feet if they were wiped out by a hurricane.

Ms. Curlee asked why no caps are placed in Policy 101.5.33. Ms. Santamaria replied that building heights would be different depending on how it was measured. Ideas were proposed for the BOCC to consider when making the decision on how high they can go. Mr. Hunter suggested considering the community's desire to limit the height. Ms. Santamaria noted a public hearing would require surrounding property owner notices being sent out.

Mr. Haroun stated he finds it unreasonable to not allow a condo to be built back up so that no owners would lose their living space. Ms. Santamaria pointed out that is why a flood exception is being proposed for those property owners. Mr. Miller noted that his concern is not whether they can build back what they had or not, but his concern is that the potential for more habitable space in this county is being increased as a result of seeking relief from sea level rise.

Ms. Santamaria then stated the affordable housing has been struck from this proposal at this point in time. Staff will work with the BOCC and the Affordable Housing Committee further in that regard. The other item in this stand-alone amendment is the wind turbines owned and operated by a public utility. At the last meeting members of the public asked what the results were from the Keys Energy demonstration project. It was concluded that the wind towers have been proven to be ineffective. Ms. Moses proposed striking this item altogether. Ms. Girard stated on behalf of Last Stand they would like to see the whole exception to the wind turbines stricken. If someone comes forward and proposes a great plan in the future, then it can be looked at with specific considerations in mind.

Ms. Santamaria stated the plan is to bring this amendment back to the DRC and get more data for community-specific amendments. It will be brought back as two items: One as a comp plan and an LDR for more discussion and more input.

3.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING A DEFINITION OF OFFSHORE ISLAND; AMENDING POLICIES 101.5.8 AND 101.13.5 WITHIN THE FUTURE LAND USE ELEMENT AND POLICY 207.1.2 WITHIN THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO FURTHER CLARIFY THE DEVELOPMENT OF OFFSHORE ISLANDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-007)

(2:38 p.m.) Ms. Santamaria presented the staff report. Ms. Santamaria reported that this amendment has stemmed from the comprehensive plan update process. There was a lot of discussion on where to direct and how to direct development in the future and if it is appropriate to go to offshore islands. The BOCC asked staff to remove this from the general comp plan update and process it as a stand-alone amendment. The definition of "offshore island" has been included. The new provision is that TDRs and TREs would not be allowed to transfer to an offshore island.

Ms. Santamaria asked for public comment.

Attorney Nick Batty was present on behalf of FEB Corporation with respect to Wisteria Island. Mr. Batty stated the issues that FEB has with this proposed amendment pertain to the receiver sites for TREs have to be within a Tier III designated area and must not be an offshore island. Policy 206.1.2 provides that Monroe County shall discourage the development

of offshore islands which have no prior development and have significant upland habitat by discouraging the extension of public facilities and designating the offshore islands as Tier I. That makes a scenario where ROGO exemptions cannot be transferred to those islands and at the same time bumps them down to a Tier I level for the ROGO allocation program. Mr. Batty pointed out there is no definition proposed for "significant upland habitat." Significant upland habitat does not necessarily coincide with environmentally sensitive areas. As a result, areas like Wisteria Island, which does not have significant areas of environmentally sensitive habitat, would by default be lumped in with a Tier I designation, which is contrary to the intent of the code. Bumping them down to a Tier I in terms of the ROGO allocation system and not allowing any transfers of TREs to the area would result in a situation where there would be no beneficial uses for the properties. Mr. Roberts replied that using the blanket and undefined term "significant upland habitat" does not account for the differences in the natural features of those properties and effectuate the intent of the Tier I and Tier III definitions. Ms. Santamaria added that no changes are being proposed to the Tier III criteria for designating any land. Mr. Batty replied that islands which currently do not have a tier designation and would fit whatever the definition is determined to be of "significant upland habitat" and have no prior development would be pushed into that Tier I category without any other consideration. Ms. Santamaria stated no particular tier designation is being proposed for any offshore island. This is simply policy, not property specific. Ms. Santamaria will review this further and consider proposing a definition for "significant upland habitat."

Ms. Girard, on behalf of Last Stand, stated it makes very little difference what is on the upland, whether or not there even is upland, because offshore islands are surrounded by shallow waters and environmentally sensitive benthic resources and are important for avian species. Ms. Girard emphasized a survey containing 76 different species of native plants and a report regarding the importance of Wisteria Island for the white crown pigeons a couple of hundred feet away from Wisteria Island are on file with the County. Last Stand thinks it is extremely appropriate that offshore islands be given Tier I designations and that they not be considered as receiver sites because they are inappropriate for development in a county that has a limited number of ROGOs and is basically facing build-out. Ms. Santamaria clarified that this is not a property-specific amendment. Ms. Santamaria further clarified that the tier designations are based on upland habitat. Mr. Roberts clarified for Ms. Girard that native areas that provide corridors or wildlife access between other larger native areas are part of the Tier I designation. Mr. Batty pointed out it is important to make sure the intent of the code is being effectuated.

Ms. Santamaria asked for further public comment. There was none. Public comment was closed.

Ms. Santamaria stated staff will review all the comments made and will look at defining "significant upland habitat" and bring this back to the DRC for one more round of public input before taking it to the Planning Commission.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 2:55 p.m.

EXHIBIT 6

MEMORANDUM
MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Development Review Committee
Mayté Santamaria, Senior Director of Planning & Environmental Resources

From: Mayté Santamaria, Senior Director of Planning & Environmental Resources
Emily Schemper, Comprehensive Planning Manager

Date: August 17, 2015

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING POLICY 101.5.31 TO ADDRESS NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

Meeting: **August 25, 2015, continued from March 24, 2015 and May 26, 2015**

I. REQUEST

The Monroe County Planning & Environmental Resources is proposing an amendments to create Policy 101.5.31 to address non-habitable architectural decorative features within the Ocean Reef community; and create Policies 101.5.32 and 101.5.33 to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs.

II. BACKGROUND INFORMATION

The County has been working on the Comprehensive Plan update and has held numerous public hearings on the proposed amendments. Most recently, the Board of County Commissioners (BOCC) held special public meetings on March 21, 2014, April 23, 2014 and May 22, 2014, to review proposed amendments to the Comprehensive Plan. A special BOCC public hearing was held on July 23, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and this hearing was continued to October 7, 2014.

The Monroe County Board of County Commissioners held a special meeting on October 7, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and the hearing was continued to December 10, 2014, to discuss the following:

- *Policies 101.5.31 and 101.5.32: BOCC directed staff to work on height policies for addressing the replacement of existing buildings which exceed the 35ft height limit, architectural features, flood protection purposes and affordable housing. Staff to present drafts during the regular December BOCC meeting.*
- *BOCC directed staff to work on an inventory/data of privately-owned offshore islands. Staff to present draft during the regular December BOCC meeting.*

A transcription of the BOCC height discussion, from the October 7, 2014 public hearing, is attached as Exhibit 1.

During the regular December 10, 2014 BOCC meeting, a public hearing was held to discuss proposed height and offshore island policies and to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the DEO. The BOCC directed staff to maintain the existing adopted height and offshore island policies and to extract the proposed changes to the height limit policy and process it as a separate amendment.

DRC: At its regularly scheduled meeting on March 24, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the March 24, 2015 DRC is attached as Exhibit 2. Minutes from the March 24, 2015 DRC are attached as Exhibit 3.

DRC: At its regularly scheduled meeting on May 26, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the May 26, 2015 DRC is attached as Exhibit 4. Minutes from the May 26, 2015 DRC are attached as Exhibit 5.

III. ANALYSIS OF PROPOSED AMENDMENT

HEIGHT:

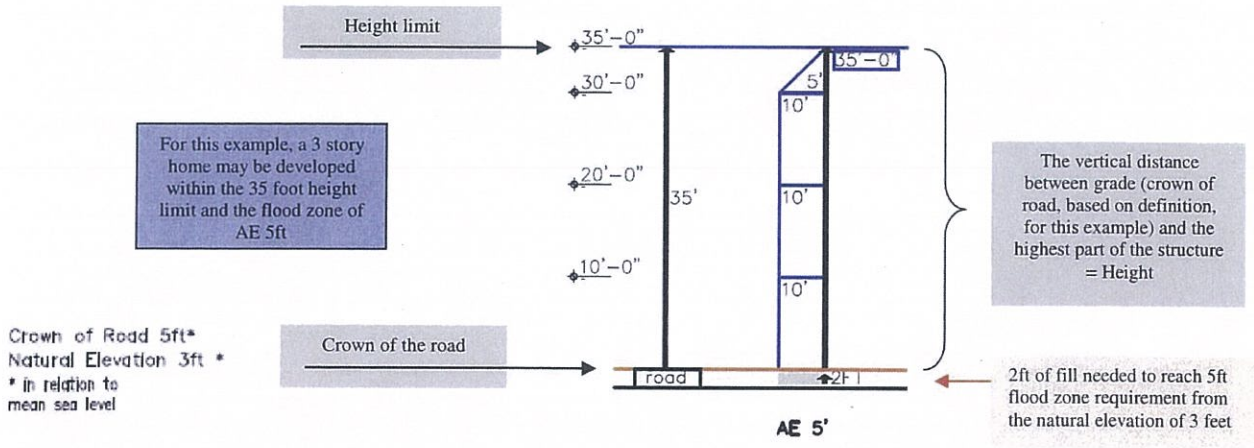
In unincorporated Monroe County, height and grade are defined as follows:

> **HEIGHT** is defined as: ***the vertical distance between grade and the highest part of any structure****, including mechanical equipment, but excluding chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146.*

However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the applicable height limitations. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply.

GRADE means ***the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher.*** *To confirm the natural elevation of the ground surface, the county shall utilize the Light Detection and Ranging (LiDAR) dataset for Monroe County prepared in 2007. In the event 2007 LiDAR data is not available for a given parcel, the county shall use the best available data, including, but not limited to, pre-construction boundary surveys with elevations, pre-construction topographic surveys, elevation certificates and/or other optical remote sensing data.*

Based on the adopted definitions the following is a basic depiction of: *height = the vertical distance between grade and the highest part of any structure.* In this depiction, the crown of the nearest road directly adjacent to the structure is *higher* than natural elevation of the ground surface (prior to construction, next to the proposed walls of a structure). As such, the crown of the road is the starting point, for this example, in measuring the vertical distance of the structure.



In the Comprehensive Plan update, recommendations to amend and expand the height policy have been made to clarify the measurement of height to match the recently amended land development code (Ordinance 003-2011) and to address new issues, such as: anticipating new FEMA flood maps and creating a mechanism to assist property owners to protect their property from flooding and reduce flood insurance costs as well as issues in permitting relative to architectural decorative features.

For review convenience, a transcription of the BOCC height discussion, from the October 7, 2014 public hearing, is attached (Exhibit 1). Additional information related to flood protection

IV. PROPOSED AMENDMENT (Deletions are ~~stricken through~~ and additions are underlined.)

Policy 101.4~~5~~.~~26~~30

In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including mechanical equipment and landfills to 35 feet. Height is defined as the vertical distance between grade and the highest part of any structure, including mechanical equipment, but excluding spires and/or steeples on structures used for institutional and/or public uses only; chimneys; radio and/or television antennas; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antennas and/or collocations. ~~Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.~~ In the case of airport districts, there shall be no exceptions to the 35-foot height limitation.

Policy 101.5.31

For Ocean Reef, a master planned community which is gated, isolated and inaccessible to the surrounding community, and has a distinct community character, buildings may include non-habitable architectural decorative features (such as finials, rails, widow's walk) that exceed the 35 foot height limit in Policy 101.5.30, but such features shall not exceed 5 feet above the building's roof-line. This exception shall not result in a building or any architectural decorative feature with a height that would exceed 40 feet.

As used in this policy, a master planned community means a planned community of 100 or more acres in area subject to a master plan or other development order approved by the county where public access is restricted and the community is operated and maintained by the community including the provision of comprehensive, private utilities and transportation facilities and services within its boundaries and a homeowners association or similar entity which regulates development standards and monitors development requests by its members.

Note, Ocean Reef Club has requested additional amendments, attached as Exhibit 9. To date, sufficient data has not been submitted to evaluate the requested amendments.

Policy 101.5.32

Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception to Policy 101.5.30 (height limit), not exceeding a maximum height of 40 feet, to promote public health, safety and general welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A Flood Protection Height Exception of up to a maximum of five (5) feet above the 35-foot height limit shall be provided to allow buildings to voluntarily elevate up to three (3) feet above FEMA base flood elevation in order to promote flood protection, minimize flood damage, reduce flood insurance premiums and minimize future expenditures of public funds for recovery from flood events.

LDR Section XXX:

As provided in Policy 101.5.32, buildings voluntarily elevated to meet or exceed the FEMA Base Flood Elevation (BFE) may exceed the 35-foot height limit as follows:

1. For new buildings which are voluntarily elevated to **exceed** the building's minimum required BFE, an exception of a maximum of three (3) feet above the 35-foot height limit may be permitted. The amount of the height exception shall be no greater than the amount of voluntary elevation above BFE. In no event shall a new building exceed 38 feet in height; and
2. For lawfully established existing buildings which do not exceed the 35-foot height limit and are voluntarily retrofitted to **meet and/or exceed** the building's minimum required BFE, an exception of a maximum of five (5) feet above the 35-foot height limit may be permitted. The amount of the height exception shall be no greater than the amount of elevation necessary to **meet** BFE **plus** up to three (3) feet of voluntary elevation above BFE. In no event shall an existing building be elevated to exceed a total building height of 40 feet;
3. No exception shall result in a total building height that exceeds 40 feet; and
4. No exception shall be provided to properties located in an AE 10 or VE 10 or greater FEMA flood zone.

LDR Section XXX:

Elevate means the action of retrofitting, moving or raising a building to a higher positon.

Elevated Building means a building that has its lowest elevated floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Floodproofing means any combination of structural or nonstructural changes or adjustments included in the design, construction, or alteration of a building that reduce or eliminate flood damage to the building and its contents.

Relocation means (in retrofitting), the process of moving a building to a new location outside the flood hazard area.

Retrofit means methods to modify a lawfully established existing building to reduce its exposure to flooding and raise the living area above flood levels. In general, retrofitting involves lifting the building and constructing a new foundation or extending the existing foundation below it, or leaving the building in place and either constructing a new elevated floor system within the building or adding a new upper story and converting the ground level to a compliant enclosure that is used only for parking, building access, or storage.

Retrofitting means making changes to an existing building to protect it from flooding or other hazards.

Policy 101.5.33

As of the effective date of this policy, a lawfully established existing building, which exceeds the 35-foot height limit in Policy 101.5.30, may be repaired, improved or reconstructed (*demolished and rebuilt*) to meet required FEMA base flood elevation (BFE), provided the building is limited to the lawfully established existing intensity, floor area, density and type of use. For buildings that are proposed to exceed a total height of 40 feet, a public hearing before the Board of County Commissioners shall be required prior to issuance of any county permit or approval. A BOCC resolution shall specify the maximum approved height.

LDR Section XXX:

As provided in Policy 101.5.33, lawfully established buildings which exceed the 35 foot height limit may be repaired, improved or reconstructed(*demolished and rebuilt*) to meet the FEMA BFE provided the building is limited to the lawfully established existing intensity, floor area, density and type of use.

A Flood Protection Height Exception for a lawfully established existing building exceeding the 35-foot height limit shall be provided as follows:

1. For lawfully established existing buildings which exceed the 35-foot height limit that are voluntarily retrofitted to **meet** the building's minimum required FEMA BFE, an exception of a maximum of five (5) feet may be permitted. The amount of the exception shall be no greater than the amount of elevation necessary to **meet** BFE; and
2. For lawfully established existing buildings which exceed the 35-foot height limit that are voluntarily retrofitted to **meet** the building's minimum required FEMA BFE, but will require a height exception of more than five (5) feet, a public hearing before the Board of County Commission shall be required prior to issuance of any county permit or approval. The BOCC shall consider:
   a. The physical characteristics of the existing building and parcel;
   b. The susceptibility of the existing building and its contents to flood damage and the effects of such damage on the property owner;
   c. The possibility that materials from the existing building may be swept onto other lands to the injury of others;
   d. The availability of alternate solutions;
   e. If the new proposed building height will result in increased flood risk; result in additional threats to public safety; result in extraordinary public expense; create nuisance; or cause fraud on or victimization of the public; and
   f. Community character.

A BOCC resolution shall specify the maximum approved height.

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Policy 217.1.4
Monroe County shall continue its policy of reviewing the current Building Code and, as appropriate, adopting structural standards and site alteration restrictions that meet or exceed the minimum FEMA requirements. The Building Code shall be reviewed and revised at least every five years. The recommendations of the applicable interagency hazard mitigation report shall be considered in revisions to the Code.

Policy 217.1.5
Monroe County shall continue to participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) to the maximum extent possible and shall seek to improve its current CRS Class 9 rating.

Policy 217.1.6
Monroe County shall continue to enforce federal, state and local setback and elevation requirements to promote the protection and safety of life and property. Revisions to the existing setback requirements contained in the Land Development Regulations shall be considered as a means of reducing property damage caused by storms.

Objective 601.3
By January 4, 1998, Monroe County shall increase implementation efforts to eliminate substandard housing and to preserve, conserve and enhance the existing housing stock, including historic structures and sites.

Policy 601.3.2
The County Code Enforcement Office and Building Department will enforce building code regulations and County ordinances governing the structural condition of the housing stock, to ensure the provision of safe, decent and sanitary housing and stabilization of residential neighborhoods.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.

(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
(g) Protecting the historical heritage of the Florida Keys.
(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

1. The Florida Keys Aqueduct and water supply facilities;
2. Sewage collection, treatment, and disposal facilities;
3. Solid waste treatment, collection, and disposal facilities;
4. Key West Naval Air Station and other military facilities;
5. Transportation facilities;
6. Federal parks, wildlife refuges, and marine sanctuaries;
7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
8. City electric service and the Florida Keys Electric Co-op; and
9. Other utilities, as appropriate.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.
(j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.
(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
(m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:

Section 163.3161(4), F.S. – It is the intent of this act that local governments have the ability to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within their jurisdictions. Through the process of comprehensive planning, it is intended that units of local government can preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing, and other requirements and services; and conserve, develop, utilize, and protect natural resources within their jurisdictions

163.3177(1), F.S. - The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to

ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

VI. PROCESS

Comprehensive Plan amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, or the owner or other person having a contractual interest in property to be affected by a proposed amendment. The Director of Planning shall review and process applications as they are received and pass them onto the Development Review Committee and the Planning Commission.

The Planning Commission shall hold at least one public hearing. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning & Environmental Resources and the Development Review Committee and the testimony given at the public hearing. The Planning Commission shall submit its recommendations and findings to the Board of County Commissioners (BOCC). The BOCC holds a public hearing to consider the transmittal of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the testimony given at the public hearing. The BOCC may or may not recommend transmittal to the Florida Department of Economic Opportunity (DEO). The amendment is transmitted to DEO, which then reviews the proposal and issues an Objections, Recommendations and Comments (ORC) Report. Upon receipt of the ORC report, the County has 180 days to adopt the amendments, adopt the amendments with changes or not adopt the amendment.

VII. STAFF RECOMMENDATION

VIII. EXHIBITS

1. Transcription of the BOCC height discussion, from the October 7, 2014 public hearing
2. March 24, 2015 DRC Staff Report
3. March 24, 2015 DRC Minutes
4. May 26, 2015 DRC Staff Report
5. May 26, 2015 DRC Minutes
6. Table of FEMA flood zones and number of private, vacant parcels in unincorporated Monroe County
7. Table with proposed amendments from March 24, 2015 DRC meeting and May 26, 2015 DRC meeting (side by side comparison)
8. Chapter 5.0 Elevating Your Home, excerpt from FEMA's Homeowner's Guide To Retrofitting
9. Ocean Reef Club request and data.

EXHIBIT 7

DEVELOPMENT REVIEW COMMITTEE

Tuesday, August 25, 2015

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, August 25, 2015**, beginning at 1:00 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS

Mike Roberts, Sr. Administrator, Environmental Resources	Present
Emily Schemper, Comprehensive Planning Manager	Present
Kevin Bond, Planning & Development Review Manager	Present

STAFF

Steve Williams, Assistant County Attorney	Present
Matt Coyle, Senior Planner	Present
Devin Rains, Senior Planner	Present
Thomas Broadrick, Senior Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

Mr. Roberts announced Items 5 and 6 will be heard first.

MINUTES FOR APPROVAL

Mr. Roberts deferred approval of minutes to the next DRC meeting.

MEETING

New Items:

5.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING POLICY 101.5.31 TO ADDRESS NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING

FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-006)

Mr. Roberts presented the staff report. Mr. Roberts reported that while working on the comp plan update the BOCC directed staff to maintain the existing adopted height and offshore island policies and to pull the proposed changes for further review and submit as a separate amendment. The proposed text amendment has been reviewed at two prior DRC meetings. Policy 101.5.30 adds mechanical equipment to the 35-foot limit while excluding certain structures. There are no exceptions to the height limitation in Airport districts. Policy 101.5.31 for Ocean Reef, which is a gated and isolated community with a distinct community character, includes non-habitable architectural decorative features that exceed the 35-foot height limit, but such features shall not exceed five feet above the building's roof line. There are Land Development Code amendments to reflect these policies. Policy 101.5.32 provides that certain buildings voluntarily elevated to meet or exceed the FEMA base flood elevation (BFE) may exceed the 35-foot height limit. New buildings voluntarily elevated to exceed the building's minimum required BFE may exceed the 35-foot height limit by three feet. For lawfully established existing buildings which do not exceed 35 feet and are voluntarily retrofitted to meet and/or exceed the building's minimum required BFE, an exception of a maximum of five feet above the 35-foot height limit may be permitted.

Bill Hunter, resident of Sugarloaf Key, asked for the rationale for the difference of an extra two feet between an existing building and a new building. Mr. Coyle explained that it is to allow a homeowner more room to get into compliance and go up. Mr. Hunter then asked for clarification on the definition of "retrofit." Mr. Roberts stated that retrofitting means making changes to an existing building to protect it from flooding or other hazards. Demolition and reconstruction of a new structure would not fit within that definition.

Dottie Moses, on behalf of the Federation of Homeowners Association, stated that the Federation consistently maintains its opposition to raising the height limit. Ms. Moses asked who is requesting the height increase. Mr. Roberts replied that this amendment was staff-initiated at the direction of the BOCC. Ms. Moses believes that the recent change in the code that allows setbacks being used for parking in URM zones will result in another floor of bedrooms being added under this amendment, which will increase density. The hurricane evacuation issue is always a concern in the community, also. Ms. Moses then asked where the exception provided for properties located in the AE 10 or VE 10 or greater FEMA flood zones originated. Ms. Schemper will look into that for Ms. Moses. Ms. Schemper added that this item will be brought back to the DRC one more time.

Joel Reid, on behalf of Ocean Reef Club and Ocean Reef Community Association, commented that these two associations have asked for height changes to address their community concerns. Mr. Reid expressed disappointment that some items Ocean Reef has been asking for have not been included in the staff report. Mr. Reid then asked for clarification regarding architectural elements exceeding 40 feet under Policy 101.5.33. Ms. Schemper explained that Policy 101.5.33 applies to lawfully established buildings that are already over 35 feet high. The intent is if it was a pre-existing feature, then the BOCC could approve it, but if it is a proposed architectural

feature an exception would not be given if it is over 40 feet. Mr. Reid stated Ocean Reef would like some protection in order for residents to be able to build back their structures without losing their views. Ms. Schemper pointed out that this amendment is to protect what is already in existence while also meeting the flood requirements. The existing intensity or density type of use would be protected. Policy 101.5.33 does not specifically address increasing slab-to-slab heights. That would have to be approved by the BOCC if over 40 feet. The mechanism of going through the approval process to the BOCC has not been thoroughly fleshed out. That would be in the Land Development Code portion of the amendment. Mr. Reid asked how rebuilding and doing modifications to the Ocean Reef Cultural Center and boat storage area would be handled. Ms. Schemper responded that the full amount of data in those issues has not been received by staff at this point.

6.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICIES 101.5.8 AND 101.13.5 WITHIN THE FUTURE LAND USE ELEMENT AND POLICIES 207.1.2 WITHIN THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO FURTHER CLARIFY THE DEVELOPMENT OF OFFSHORE ISLANDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File 2015-007)

Ms. Schemper presented the staff report. Ms. Schemper reported that this is another item originally contemplated during the comp plan update. Staff was directed by the BOCC to pull it out as a separate text amendment. This was already reviewed at two DRC meetings and has been continued to this meeting to get additional public review, input and discussion. The proposed changes are about where development in terms of TDRs and the transfer of ROGO exemptions are directed. Existing Policy 101.5.8 allows for the transfer of units based on certain criteria. The new policy expands the criteria and has additional standards to utilize the tier system. The sender site must be located in Tier I, II, or III-A, or any tier designation if it is within the military installation impact overlay. The receiver site must have a future land use category ability and zoning district that allows the use, must meet the adopted density standards, include all infrastructure, be located within Tier III and may not be within a V zone or a CBRS unit. The comprehensive plan specifies specific habitat types and the certain zoning districts that were allowed on sender site TDRs. The offshore island zoning category is specifically identified as an eligible sender site. The new proposed policy utilizes the tier designation to specify the sender site because this already accounts for both habitat types and zoning districts that were in the existing policy. The new policy states only parcels designated Tier III can be receiver sites and they must have an adopted maximum net density standard, which would be based on their zoning category. Ms. Schemper reviewed Policy 206.1.2, which prohibits development on offshore islands, and the definition of significant native upland habitat. This item will be brought back to the DRC one more time.

Julie Dick with Everglades Law Center, present on behalf of Florida Keys Environmental Fund and Last Stand, believes Policy 206.1.2 is redundant and is addressed somewhere else in the

comp plan. Ms. Dick suggested eliminating the entire policy because any confusion resulting from this policy leaves the door open to misinterpretation. Ms. Dick supports Policy 101.6.8 in making sure that offshore islands are not receiver sites.

Bart Smith, Esquire, commented that generally he appreciates the revisions made to the obtaining and transferring of TDRs. On behalf of FEB Corp. Mr. Smith stated most of the receiver site criteria in the staff report seems very logical. Mr. Smith does not, however, feel that the sixth criteria that blanketly prohibits offshore islands from being receiver sites is logical because there is not any data and analysis identifying the reasons why an offshore island cannot be a receiver site. Mr. Smith feels that the definition of "significant native upland habitat" is a well-thought-out definition. Mr. Smith stated everything in the proposed ordinance makes logical sense and is conforming except for the blanket prohibition of offshore islands.

Naja Girard, speaking on behalf of Last Stand, addressed Mr. Smith's comments by responding that one thing different about offshore islands is that shallow waters surround the offshore islands and include benthic resources that the comp plan directs the County to protect. Encouraging development on offshore islands would require the acceptance of all the boating traffic that would be created as a result of that development. Ms. Girard agrees that Policy 206.1.2 is redundant and changes the normal way offshore islands are designated Tier I, which could result in confusion on its interpretation. Ms. Girard believes this weakens the protection of all offshore islands. Ms. Girard also believes there is not accurate data on what actually exists on these islands.

1.<u>AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS</u> AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM INDUSTRIAL (I) AND COMMERCIAL FISHING AREA (CFA) TO MIXED USE (MU), FOR PROPERTY LOCATED AT APPROXIMATE MILE MARKER 9, DESCRIBED AS A PARCEL OF LAND IN SECTION 21, TOWNSHIP 67 SOUTH, RANGE 26 EAST, BIG COPPITT KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00120940.000100, AND FROM INDUSTRIAL (I) TO COMMERCIAL 2 (C2) FOR PROPERTY LOCATED AT APPROXIMATE MILE MARKER 9, DESCRIBED AS FOUR PARCELS OF LAND IN SECTION 21, TOWNSHIP 67 SOUTH, RANGE 26 EAST, ROCKLAND KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00122080.000000, 00122081.000200, 00122010.000000 AND 00121990.000000, AS PROPOSED BY ROCKLAND OPERATIONS, LLC AND ROCKLAND COMMERCIAL CENTER, INC.; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO THE LAND USE DISTRICT (ZONING) MAP; PROVIDING FOR AN EFFECTIVE DATE.
(File 2012-069)

Ms. Schemper presented the staff report. Ms. Schemper reported that this item is a zoning amendment to accompany a FLUM amendment which has already been transmitted by the BOCC to DEO. Staff has received the objections, recommendations and comments report on the FLUM amendment. DEO's objection was that it was increasing the potential residential

development and should be revised to allow other residential uses. The original deadline for adopting that FLUM amendment was September 19, but staff has asked for an extension based on the applicant's delay and the new deadline is March 15, 2016. The current zoning amendment would be required to match the FLUM amendment. The applicant is required to revise the total FLUM amendment to include a comp plan policy that would limit any residential development on the site to affordable housing only. This affects only the northernmost L-shaped parcel on the map. The southern parcels are proposed to become commercial with no residential density. Today's discussion concerns the zoning portion of the amendment. The net change in development for the entire site will actually be a reduction in residential density. The Big Coppitt portion of the site would have an increase in affordable residential, but the proposed comp plan policy will limit all residential development to affordable housing on that site. Staff has found that any impact is not anticipated to have an adverse effect on community character. Staff has found no adverse effects for traffic circulation. There is sufficient capacity for the public facilities for potential development under this zoning amendment. Staff has found that the proposed amendment is consistent with the Monroe County comprehensive plan and the Land Development Code. The proposed zoning map amendment is necessary to be consistent with the proposed FLUM amendment that the BOCC has already recommended and transmitted to the State. Staff recommends approval of the proposed amendment. This is contingent on the adoption of the FLUM amendment.

Deb Curlee, resident of Cudjoe Key, asked what the Navy has to say about this amendment. Ms. Schemper replied that the portion of affordable housing is actually in the noise zone at the greatest distance compared to the rest of the property. Bart Smith, Esquire, agreed and added that the requirement to sound-attenuate to the level the Navy requests is specifically written in to the site-specific zoning.

2.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY FUTURE LAND USE MAP FROM RESIDENTIAL CONSERVATION (RC) TO RECREATION (R) AND CONSERVATION (C), FOR PROPERTY DESCRIBED AS A PARCEL OF LAND IN SECTION 24, TOWNSHIP 59 SOUTH, RANGE 40 EAST, KEY LARGO, MONROE COUNTY, FLORIDA, AND ALSO BEING A PORTION OF TRACT A, HARBOR COURSE SOUTH, SECTION ONE, OCEAN REEF PLAT NO. 14 (PLAT BOOK 7, PAGE 9), KEY LARGO, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00573690.003900, AS PROPOSED BY OCEAN REEF CLUB INC.; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN AND FOR AMENDMENT TO THE FUTURE LAND USE MAP; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-047)

3.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM NATIVE AREA (NA) TO PARKS AND REFUGE (PR) AND CONSERVATION DISTRICT (CD), FOR PROPERTY DESCRIBED AS A PARCEL OF LAND IN SECTION 24, TOWNSHIP 59 SOUTH, RANGE 40 EAST, KEY LARGO,

MONROE COUNTY, FLORIDA, AND ALSO BEING A PORTION OF TRACT A, HARBOR COURSE SOUTH, SECTION ONE, OCEAN REEF PLAT NO. 14 (PLAT BOOK 7, PAGE 9), KEY LARGO, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00573690.003900, AS PROPOSED BY OCEAN REEF CLUB INC.; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO THE LAND USE DISTRICT (ZONING) MAP; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-048)

Ms. Schemper presented the staff reports. Ms. Schemper reported that these two amendments are FLUM and zoning amendments that coordinates with one another for a parcel within Ocean Reef proposed by Ocean Reef Club. The site is 11 acres and currently has a FLUM designation of Residential Conservation with a zoning category of Native Area. The property owners would like to develop a park on a portion of the site and are requesting to change the FLUM to 9.5 acres of Conservation and a little over 1.5 acres of Recreation for the FLUM and, corresponding to that, 9.5 acres of Conservation zoning and 1.5 acres of Park and Refuge zoning. The density and intensity change for this amendment would be a decrease in both residential and non-residential density and intensity. There is no adverse impact on community character and no additional impact foreseen for any of the public facilities. Staff has found both proposed amendments would be consistent with the comp plan and the Land Development Code and is consistent with the principles for guiding development. These amendments support Ocean Reef's desire to increase some of the park and recreational space within the community based on an increase in the number of families with children currently in their community. If the corresponding FLUM amendment is transmitted to the State and adopted, then the zoning plan would be required to remain consistent with the FLUM. Staff is recommending approval of the FLUM amendment from Residential Conservation to Conservation and Recreation and staff is recommending approval of the zoning amendment from Native Area to Parks and Refuge and Conservation district. The zoning recommendation would be contingent on the approval and effectiveness of the proposed FLUM amendment that corresponds with this.

Joel Reid, the representative of the applicant, stated that Ocean Reef Club is always looking to enhance the community's experience and meet their needs for the community members.

Mitch Harvey, resident of Key Largo, asked whether Mr. Roberts had any concern with clearing of upland habitat of protected species of 1.71 acres for the sole purpose of providing a park for homeowners. Mr. Roberts replied that the applicant is required to coordinate directly with U.S. Fish & Wildlife for the protection of these species. The County's clearing requirements would fall back to the original development orders for Ocean Reef Club because it is not dictated by the tier clearing limits in the code.

4.PL OCEAN RESIDENCES, 97801 OVERSEAS HIGHWAY, KEY LARGO, MILE MARKER 98: A PUBLIC MEETING CONCERNING A REQUEST FOR A MINOR CONDITIONAL USE PERMIT. THE REQUESTED APPROVAL IS REQUIRED FOR THE DEVELOPMENT OF A PROPOSED 24 ATTACHED DWELLING UNITS DESIGNATED AS

AFFORDABLE HOUSING, 28 DETACHED DWELLING UNITS OF MARKET RATE HOUSING, AND ASSOCIATED AMENITIES. THE SUBJECT PROPERTY IS DESCRIBED AS PARCELS OF LAND LOCATED IN SECTIONS 5 AND 6, TOWNSHIP 62 SOUTH, RANGE 39 EAST, KEY LARGO, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00090810.000000, 00090820.000000, 00090840.000000, 00090840.000100, AND 00090860.000000.
(File 2015-049)

Ms. Schemper presented the staff report. Ms. Schemper reported that this is a request for a minor conditional use permit which is required because the applicant is requesting to develop 24 attached dwelling units. Within the Urban Residential zoning category that use requires a minor conditional use permit. The development is reviewed by staff as a whole for consistency sake. The total proposal is requesting 24 attached dwelling units as affordable housing and 28 detached dwelling units as market rate housing. The site's current characteristics and zoning were described. The site has ROGO exemptions for 20 permanent dwelling units.

Ms. Schemper then listed the categories where staff has found either compliance is still to be determined or the site was found not in compliance. Compliance with the residential ROGO is to be determined because at the time of the building permit is when the applicant applies for their ROGO allocations. An additional eight market rate ROGO allocations and 24 affordable housing ROGO allocations would be needed. Permitted uses is listed as not in compliance because the attached residential dwelling units are permitted with the condition that sufficient common areas for recreation are provided to serve the number of dwelling units proposed to be developed. Compliance is to be determined on residential density and maximum floor area because the site requires 7.6 transferred development rights which are done at the time of the building permit. Compliance is to be determined on required open space because the calculations were not comparable of the upland area on the site plan. Mr. Roberts noted that the indicated shoreline setbacks were either incorrect or not clearly depicted on the site plan.

Ms. Schemper continued to report that most of the non-shoreline setbacks are in compliance at this point, but the setback lines shown on the site plan are not necessarily the correct lines in every situation. The surface water management will be dealt with for full compliance at the time of permit application. Mr. Roberts noted that there was conflicting information on the site plan regarding the depth to ground water. Ms. Schemper continued to report that there are inconsistencies on the site plan regarding the height of the fencing and privacy wall. The privacy wall shown on the site plan separates the site completely between the attached units and the detached units, which basically turns the parcel into two separate developments and they would each need to meet all of the land development regulations on their own. Some sort of connection is needed between the two. Compliance for flood plain, energy conservation and potable water is to be determined, as well as environmental design criteria and mitigation, at the building permit stage. The required parking is also affected by the separation between the two types of units on the site plan. The total number of parking spaces is sufficient if the site is viewed as a whole. The required bufferyards are not in compliance because the site plan shows some incorrect bufferyards. Mr. Roberts added that the property was rezoned from URM to UR and the URM boundary buffers are being shown.

Ms. Schemper continued to report that the square footage of the signage proposed has some issues and recommended that the signage be done separately as part of the fence permit at the time of the building permit. The access is currently under review by the County's traffic consultant. The site plan shows the County standards on U.S.1, but also needs to comply with FDOT standards. Compliance is to be determined on inclusionary housing at the time of the building permit because when the tenth permanent market rate unit gets its certificate of occupancy, a certificate of occupancy is required on at least three of the affordable housing units, and a proportional increase continues accordingly throughout the development. Given all of those items, staff still recommends approval. A list of 22 conditions required are listed in the staff report.

Jorge Cepero, present on behalf of the applicant, clarified that there is still one structure, a gatehouse, in the front of the property that was not demolished.

Robert Ginter, owner of an adjoining property, is concerned about the fencing and buffers to protect the neighborhood. Ms. Schemper explained that there are quite a few buffers on the site plan. There is an access off of First Street for a portion of the property. Ms. Schemper will make the site plan available to Mr. Ginter at the end of today's meeting.

Mitch Harvey, resident of Key Largo, is concerned that this is the one time that the public has a chance to review this proposal and there are so many items still not deemed to be in compliance. Ms. Schemper explained that there is a 30-day notice that goes out that says the Planning Director intends to issue the minor conditional use permit, as well as a legal ad. The Planning Director's decision will not be made until these items are all fulfilled. The revised proposal will be available through the Planning Department.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 2:32 p.m.

EXHIBIT 8

MEMORANDUM
MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Development Review Committee
Mayté Santamaria, Senior Director of Planning & Environmental Resources

From: Mayté Santamaria, Senior Director of Planning & Environmental Resources
Emily Schemper, Comprehensive Planning Manager

Date: October 16, 2015

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING POLICY 101.5.31 TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File # 2015-006)

Meeting: **October 27, 2015 - continued from March 24, 2015, May 26, 2015 & August 25, 2015**

I. REQUEST

The Monroe County Planning & Environmental Resources is proposing amendments to create Policy 101.5.31 to address non-habitable architectural decorative features within the Ocean Reef community; and create Policies 101.5.32 and 101.5.33 to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs.

II. BACKGROUND INFORMATION

The County has been working on the Comprehensive Plan update and has held numerous public hearings on the proposed amendments. Most recently, the Board of County Commissioners (BOCC) held special public meetings on March 21, 2014, April 23, 2014 and May 22, 2014, to review proposed amendments to the Comprehensive Plan. A special BOCC public hearing was held on July 23, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and this hearing was continued to October 7, 2014.

The Monroe County Board of County Commissioners held a special meeting on October 7, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and the hearing was continued to December 10, 2014, to discuss the following:

- *Policies 101.5.31 and 101.5.32: BOCC directed staff to work on height policies for addressing the replacement of existing buildings which exceed the 35ft height limit, architectural features, flood protection purposes and affordable housing. Staff to present drafts during the regular December BOCC meeting.*
- *BOCC directed staff to work on an inventory/data of privately-owned offshore islands. Staff to present draft during the regular December BOCC meeting.*

A transcription of the BOCC height discussion, from the October 7, 2014 public hearing, is attached as Exhibit 1.

During the regular December 10, 2014 BOCC meeting, a public hearing was held to discuss proposed height and offshore island policies and to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the DEO. The BOCC directed staff to maintain the existing adopted height and offshore island policies and to extract the proposed changes to the height limit policy and process it as a separate amendment.

DRC: At its regularly scheduled meeting on March 24, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the March 24, 2015 DRC is attached as Exhibit 2. Minutes from the March 24, 2015 DRC are attached as Exhibit 3.

DRC: At its regularly scheduled meeting on May 26, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the May 26, 2015 DRC is attached as Exhibit 4. Minutes from the May 26, 2015 DRC are attached as Exhibit 5.

DRC: At its regularly scheduled meeting on August 25, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the August 25, 2015 DRC is attached as Exhibit 6. Minutes from the August 25, 2015 DRC are attached as Exhibit 7.

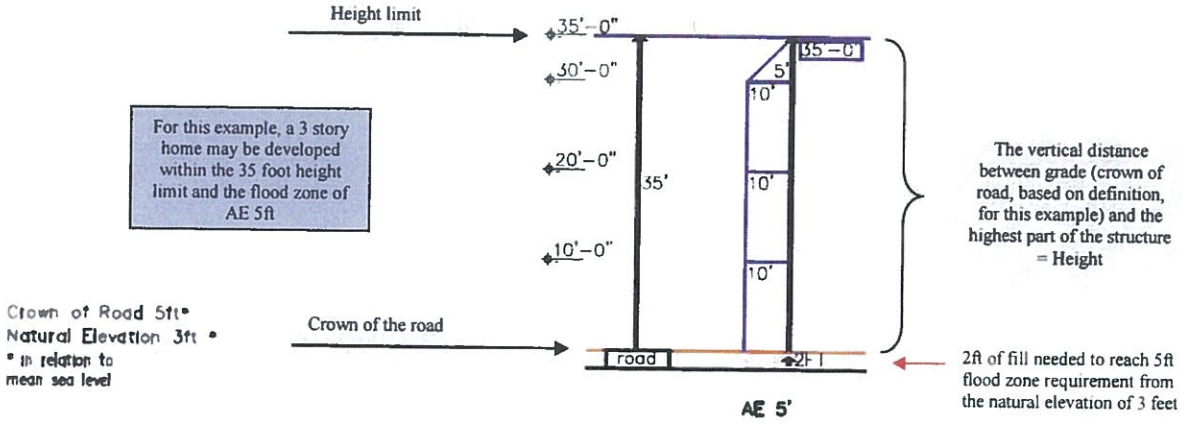
III. ANALYSIS OF PROPOSED AMENDMENT

HEIGHT:

In unincorporated Monroe County, height and grade are defined as follows:

> **HEIGHT** is defined as: ***the vertical distance between grade and the highest part of any structure****, including mechanical equipment, but excluding chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the applicable height limitations. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply.*
>
> **GRADE** means ***the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher****. To confirm the natural elevation of the ground surface, the county shall utilize the Light Detection and Ranging (LiDAR) dataset for Monroe County prepared in 2007. In the event 2007 LiDAR data is not available for a given parcel, the county shall use the best available data, including, but not limited to, pre-construction boundary surveys with elevations, pre-construction topographic surveys, elevation certificates and/or other optical remote sensing data.*

Based on the adopted definitions the following is a basic depiction of: *height = the vertical distance between grade and the highest part of any structure.* In this depiction, the crown of the nearest road directly adjacent to the structure is *higher* than natural elevation of the ground surface (prior to construction, next to the proposed walls of a structure). As such, the crown of the road is the starting point, for this example, in measuring the vertical distance of the structure.



In the Comprehensive Plan update, recommendations to amend and expand the height policy have been made to clarify the measurement of height to match the recently amended land development code (Ordinance 003-2011) and to address new issues, such as: anticipating new FEMA flood maps and creating a mechanism to assist property owners to protect their property from flooding and reduce flood insurance costs as well as issues in permitting relative to architectural decorative features.

IV. PROPOSED AMENDMENT (Deletions are ~~stricken through~~ and additions are underlined.)

Land Development Code amendments are being processed separately.

Policy 101.45.~~26~~30

In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including landfills to 35 feet. Height is defined as the vertical distance between grade and the highest part of any structure, including mechanical equipment, but excluding spires and/or steeples on structures used for institutional and/or public uses only; chimneys; radio and/or television antennas; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antennas and/or collocations. However, in no event shall any of the exclusions enumerated above be construed to permit any habitable or usable space to exceed the applicable height limitations, except as specifically permitted in Policies 101.5.32 and 101.5.33. ~~Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.~~ In the case of airport districts, there shall be no exceptions to the 35-foot height limitation.

Policy 101.5.31

For Ocean Reef, a master planned community which is gated, inaccessible to the surrounding community, and has a distinct community character, buildings may include non-habitable architectural decorative features (such as finials, railings, widow's walk, parapets) that exceed the 35-foot height limit in Policy 101.5.30, but such features shall not exceed 5 feet above the building's roof-line. This exception shall not result in a building together with any architectural decorative feature with a height that would exceed 40 feet.

As used in this policy, a master planned community means a planned community of 100 or more acres in area subject to a master plan or other development order approved by the county where public access is restricted and the community is operated and maintained by the community including the provision of comprehensive, private utilities and transportation facilities and services within its boundaries and a homeowners association or similar entity which regulates development standards and monitors development requests by its members.

Note, Ocean Reef Club has requested additional amendments, attached as Exhibit 9. To date, sufficient data has not been submitted to evaluate the requested amendments.

Policy 101.5.32

Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception to Policy 101.5.30 to promote public health, safety and general welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A Flood Protection Height Exception of up to a maximum of five (5) feet above the 35-foot height limit shall be provided to allow buildings to be voluntarily elevated up to three (3) feet above FEMA base flood elevation in order to promote flood protection, minimize flood damage, reduce flood insurance premiums and minimize future expenditures of public funds for recovery from flood events. In no case shall a Flood Protection Height Exception result in a building exceeding a maximum height of 40 feet.

Policy 101.5.33

Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception for lawfully established existing buildings, which exceed the 35-foot height limit in Policy 101.5.30, to promote public health, safety and general welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A lawfully established existing building may be repaired, improved, retrofitted or redeveloped to meet required FEMA base flood elevation (BFE) provided the building does not exceed a total maximum building height of 40 feet, and the building is limited to the lawfully established existing intensity, floor area, building envelope (floor to floor height), density and type of use. For lawfully established existing buildings that are proposed to exceed a total height of 40 feet, a public hearing before the Board of County Commissioners shall be required to review and specify the maximum approved height prior to issuance of any county permit or development approval. A BOCC resolution shall specify the maximum approved height.

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Policy 217.1.4

Monroe County shall continue its policy of reviewing the current Building Code and, as appropriate, adopting structural standards and site alteration restrictions that meet or exceed the minimum FEMA requirements. The Building Code shall be reviewed and revised at least every five years. The recommendations of the applicable interagency hazard mitigation report shall be considered in revisions to the Code.

Policy 217.1.5
Monroe County shall continue to participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) to the maximum extent possible and shall seek to improve its current CRS Class 9 rating.

Policy 217.1.6
Monroe County shall continue to enforce federal, state and local setback and elevation requirements to promote the protection and safety of life and property. Revisions to the existing setback requirements contained in the Land Development Regulations shall be considered as a means of reducing property damage caused by storms.

Objective 601.3
By January 4, 1998, Monroe County shall increase implementation efforts to eliminate substandard housing and to preserve, conserve and enhance the existing housing stock, including historic structures and sites.

Policy 601.3.2
The County Code Enforcement Office and Building Department will enforce building code regulations and County ordinances governing the structural condition of the housing stock, to ensure the provision of safe, decent and sanitary housing and stabilization of residential neighborhoods.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
(g) Protecting the historical heritage of the Florida Keys.
(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

1. The Florida Keys Aqueduct and water supply facilities;
2. Sewage collection, treatment, and disposal facilities;
3. Solid waste treatment, collection, and disposal facilities;
4. Key West Naval Air Station and other military facilities;
5. Transportation facilities;
6. Federal parks, wildlife refuges, and marine sanctuaries;
7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
8. City electric service and the Florida Keys Electric Co-op; and

9. Other utilities, as appropriate.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.
(j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.
(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
(m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:

Section 163.3161(4), F.S. – It is the intent of this act that local governments have the ability to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within their jurisdictions. Through the process of comprehensive planning, it is intended that units of local government can preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing, and other requirements and services; and conserve, develop, utilize, and protect natural resources within their jurisdictions

163.3177(1), F.S. - The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

VI. PROCESS

Comprehensive Plan amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, or the owner or other person having a contractual

interest in property to be affected by a proposed amendment. The Director of Planning shall review and process applications as they are received and pass them onto the Development Review Committee and the Planning Commission.

The Planning Commission shall hold at least one public hearing. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning & Environmental Resources and the Development Review Committee and the testimony given at the public hearing. The Planning Commission shall submit its recommendations and findings to the Board of County Commissioners (BOCC). The BOCC holds a public hearing to consider the transmittal of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the testimony given at the public hearing. The BOCC may or may not recommend transmittal to the Florida Department of Economic Opportunity (DEO). The amendment is transmitted to DEO, which then reviews the proposal and issues an Objections, Recommendations and Comments (ORC) Report. Upon receipt of the ORC report, the County has 180 days to adopt the amendments, adopt the amendments with changes or not adopt the amendment.

VII. STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed amendments.

VIII. EXHIBITS

1. Transcription of the BOCC height discussion, from the October 7, 2014 public hearing
2. March 24, 2015 DRC Staff Report
3. March 24, 2015 DRC Minutes
4. May 26, 2015 DRC Staff Report
5. May 26, 2015 DRC Minutes
6. August 25, 2015 DRC Staff Report
7. August 25, 2015 DRC Minutes
8. Table of FEMA flood zones and number of private, vacant parcels in unincorporated Monroe County
9. Ocean Reef Club request and data.

EXHIBIT 9

DEVELOPMENT REVIEW COMMITTEE

Tuesday, October 27, 2015

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, October 27, 2015**, beginning at 1:00 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS

Mayte Santamaria, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Senior Administrator, Environmental Resources	Present
Emily Schemper, Comprehensive Planning Manager	Present
Kevin Bond, Planning & Development Review Manager	Present

STAFF

Devin Rains, Senior Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

Ms. Santamaria asked that Items 2 and 3 be read together.

MINUTES FOR APPROVAL

Ms. Santamaria approved the meeting minutes of July 28, 2015, August 25, 2015, and September 29, 2015.

MEETING

New Items:

1.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM SUBURBAN COMMERCIAL (SC) TO MIXED USE (MU), FOR PROPERTY LOCATED AT 28500 AND 28540 OVERSEAS HIGHWAY, LITTLE TORCH KEY, MILE MARKER 28.5 OCEANSIDE, LEGALLY DESCRIBED AS PARCELS OF LAND IN A PART OF U.S. GOVERNMENT LOT 6, SECTION 28, TOWNSHIP 66 SOUTH, RANGE 29 EAST, LITTLE TORCH KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00113570-000000, 00113570-000100, 00113570-000200, 00113590-000000 AND 00113620-000000, AS PROPOSED BY PATRICK R AND DIANE COLEE, DOLPHIN MARINA ASSOCIATES LTD AND TORCH KEY PROPERTIES LTD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING

PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO THE LAND USE DISTRICT (ZONING) MAP; PROVIDING FOR AN EFFECTIVE DATE. (2015-152)

Mr. Bond presented the staff report. Mr. Bond reported that this is a land use district map amendment from Suburban Commercial to Mixed Use. The property is located oceanside on Little Torch Key and serves as a land base for the Little Palm Island. There is no FLUM change required for this proposed amendment. The property was described. Mr. Bond stated the change in development potential between the two districts would result in a reduction of eight permanent residential units, a slight increase in max net density, a net zero change in transient development potential and no change in commercial development potential. The change would open up the possibility of some uses that are currently prohibited within the SC district. Staff has evaluated the proposed amendment and found it is consistent with the comprehensive plan and that the request does fall under two provisions of the code: Number 4, new issues; and 6, data updates, primarily due to the Lower Keys Livable CommuniKeys Plan (LCP). It is consistent with the Lower Keys LCP. Staff recommended approval of the proposed amendment.

James Hendrick was present on behalf of the applicant and commended staff on their memorandum.

Ms. Santamaria asked for public comment.

Dottie Moses, Key Largo resident, asked why the applicant is changing the zoning Ms. Santamaria replied that the applicant wants to have a use their current zoning does not allow, which will reduce the overall allocated density, but they can transfer in up to 11 more units through TDRs. Mr. Hendrick assured Ms. Moses that the applicant is definitely not interested in having a light industrial use on the property.

Bill Hunter, Sugarloaf Key resident, asked for clarification on the justification for the request. Mr. Bond explained that there are seven different factors by which map amendments are to be evaluated. Any one of those factors can be a justification for map amendment approval. Number 4 is new issues, the new Lower Keys LCP, which was not in effect prior, and Number 6, data updates, which is the LCP that was not in effect at the time of their original zoning. The Lower Keys LCP is not inconsistent and is new data in the County's files. Mr. Hendrick noted that the applicant has other rationale for the proposed change.

Deb Curlee, Cudjoe Key resident, asked for clarification on what is being proposed to be on the property. Ms. Santamaria responded that this is a map amendment only and the specific development is not the subject of the amendment. Mr. Hendrick offered to e-mail Ms. Curlee an outline of the proposed development. Mr. Bond explained for Ms. Curlee that with the map amendment staff evaluates what the potential is, not what they specifically may or may not be planning to do. Anything listed as a major or minor conditional use would go through the review process and, if the applicant meets all of those conditions staff would have no basis for saying no and would approve it. Ms. Creech and Mr. Bond confirmed that no negative feedback was received from any neighbors.

Ms. Santamaria asked for further public comment. There was none.

2.<u>AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS</u> AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING POLICY 101.5.31 TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-006)

3.<u>AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS</u> AMENDING MONROE COUNTY LAND DEVELOPMENT CODE AMENDING SECTION 101-1 TO CREATE DEFINITIONS RELATED TO FLOOD PROTECTION HEIGHT EXCEPTIONS; AND AMENDING SECTION 130-187 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS AND TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.
(File #2015-171)

Ms. Santamaria presented the staff report. Ms. Santamaria reported that this is the fourth DRC meeting on the proposed comp plan amendments for the height provisions. The BOCC asked staff to work on the height policies that were in the comp plan update and process them separately so that they could be fully vetted and worked through as one topic versus within the entire comp plan update. The previous various staff reports are attached to show how these amendments have been revised. Ms. Santamaria stated there is a proposed policy change to Policy 101.5.3 to incorporate the height definition that is in the code today into the comp plan as well. That height is defined as "The vertical distance between grade and the highest part of the structure."

Ms. Santamaria reported that the next amendment is to Policy 101.5.31, Ocean Reef-specific, related to non-habitable architectural decorative features. This would allow these features to be above the roof line of those homes up to five feet. The overall height of those structures still cannot exceed a 40-foot height imit. There are no differences between this version and what was presented at the last DRC meeting regarding this policy.

Mr. Hendrick, present on behalf of Ocean Reef, stated Policy 101.5.31 does not address Ocean Reef's needs. Ocean Reef had asked for three things. Mr. Hendrick acknowledged that staff has not received the additional information it had requested. Mr. Hendrick stated Ocean Reef contains several buildings which now greatly exceed the 35-height limitation, do not comply with flood, and Ocean Reef would like for them to be elevated. Mr. Hendrick submitted a document detailing what Ocean Reef is asking for with regard to the corresponding Land Development Code. Mr. Hendrick continued to explain that Ocean Reef is most concerned about the lawfully established existing buildings which exceed 35 feet and do not meet flood. There is no mechanism in the proposed policies which allows for those buildings to be made flood-compliant as-of-right. Mr. Hendrick pointed out that Ocean Reef is a master-planned community, completely isolated from the rest of Monroe County, and they have established their own community character, which is not 35 feet in height. Ocean Reef would ask for a policy which enables them to replace their existing buildings, floor for floor, to allow for flood compliance. Ocean Reef would also like to increase their slab-to-slab height in building to be consistent with what people expect when they go to a luxury resort. Mr. Hendrick then stated Ocean Reef is concerned about their cultural center because that building cannot accommodate the fly space that is needed. Ms. Santamaria confirmed that staff has not received information from Ocean Reef that they have requested. Staff needs more information so they can evaluate and understand what is being requested. Staff has not received information on the Ocean Reef Cultural Center.

Dottie Moses, speaking on behalf of Island of Key Largo Federation of Homeowners, voiced concern these policies could spill over into Unincorporated Monroe County. Ms. Curlee agreed. Ms. Santamaria explained that staff would like to start to move this item toward the Planning Commission unless members of the public would like to have another DRC meeting to get more input. Alicia Putney, speaking on behalf of Last Stand, reiterated what Ms. Moses stated regarding spillover into Monroe County.

Ms. Santamaria then reported that the next proposed amendment is to Policy 101.5.32, and this is to create a flood protection height exception up to five feet above the 35-foot height limits to allow buildings to go three feet above their base flood elevation. In no event under this policy will a building be over 40 feet. The policy is specific to new buildings and for existing buildings. If the building is not being elevated to meet at least the required base flood elevation this exception cannot be used at all. This exception would not be provided for buildings located in the very hazardous flood zones.

Ms. Santamaria asked for public comment.

Ms. Moses commented that adding an extra three feet to meet base flood elevation should be allowed with the 35-foot height limit remaining. Ms. Moses does not see the need for this amendment for new construction. Ms. Santamaria explained that staff does not know how many homes there are in the County below base flood right now. Staff is working on getting information from the Property Appraiser to see if somehow that information can be extrapolated, but it is not available at this time. Ms. Santamaria confirmed for Ms. Moses that this policy refers to elevating existing structures. If a house is torn down it must be rebuilt to a 35-foot height limit. Ms. Santamaria then explained between the last DRC meeting and today the

language has been reorganized a bit, but it is the same information. Language has been added that if a building is not being elevated to at least meet base flood it is not eligible for this exception. This exception shall also apply to the substantial improvement of buildings, whether voluntary or not.

Ms. Putney stated that it would be helpful to know what the FEMA maps will show. Ms. Putney then noted that with new construction, although there may be a hardship involved, it can be made to work within the 35-foot height limit. Ms. Moses stated the Federation opposes raising the 35-foot height limit on new construction. Ms. Moses shared a newsletter written by Dennis Henize, a retired meteorologist, stating that communities should be thinking in terms of decelerating growth, especially in the eyes of sea level rise. Ms. Putney pointed out that pre-FIRM, January 1, 1975, people built on the ground mostly and built a small enough house that they could afford to lose. With insurance, houses got bigger, higher and fancier. Citizens need to open up their minds to reverting back to smaller homes given sea level rise and FEMA.

Ms. Santamaria then reported that Policy 101.5.33 is another flood protection height exception, but this is for lawfully established existing buildings which already exceed the 35-foot height limit. If a lawfully established existing building which already exceeds the 35-foot height limit wants to rebuild over 40 feet, they would have to go before the BOCC and meet specific criteria. The BOCC would then decide and specify the height that they could build to. Ms. Santamaria reviewed the criteria used by the BOCC to evaluate the request. The BOCC would have to pass a resolution stating which height a homeowner could build to. Ms. Santamaria explained there are condo structures where clearly units would be lost if redeveloped at the 35-foot height limit.

Ms. Moses pointed out the amendment, as written, does not apply to only multi-tenant buildings, but would apply to any building. Ms. Santamaria added that the public can suggest a provision that this is for multi-family structures only. Ms. Curlee agreed with that suggestion. Ms. Moses noted that previously Legal staff had referred to a Bert Harris implication when discussing this. Ms. Santamaria stated at the next meeting there will be an attorney present who will be able to address that. Mr. Hunter asked if there are any commercial buildings that fall into this category. Ms. Santamaria is unaware of any, but stated that does not mean there is not one in existence. Ms. Moses asked what effect raising some of the low roads would have on this. Ms. Santamaria explained that grade is either natural elevation or crown of the road, whichever is higher. Ms. Moses believes that could exacerbate things.

Mr. Hendrick commented that there are many commercial buildings throughout the County over 35 feet. Mr. Hendrick stated Ocean Reef has a boat barn well over 35 feet. They have real concerns because they would like to elevate, but if they do they are going to lose rack space when they already cannot supply the need that they have. Mr. Hendrick then asked that the words "building envelope" be substituted with "building footprint" to be able to modernize these spaces. Ms. Santamaria confirmed for Mr. Hunter that boat barns would fall within the definition of "building."

Ms. Santamaria asked for further public comment. There was none.

4.<u>AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS</u> AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING A DEFINITION OF OFFSHORE ISLAND; AMENDING POLICIES 101.5.8 AND 101.13.5 WITHIN THE FUTURE LAND USE ELEMENT AND POLICY 207.1.2 WITHIN THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO FURTHER CLARIFY THE DEVELOPMENT OF OFFSHORE ISLANDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTy7u65IVE DATE. (File 2015-007)

Ms. Santamaria presented the staff report. Ms. Santamaria reported that this item started with the comp plan update in dealing with amendments that prohibited transferable ROGO exemptions and transferable density from going to an offshore island. After numerous public comments the BOCC asked staff to extract those amendments from the overall comp plan update and process them separately. This amendment reflects the comp plan update. This proposed amendment is to Policy 101.6.8, which is the transfer of ROGO exemptions. The existing text in the staff report for this policy is already included in the comp plan update and has been transmitted to the State with the exception of Receiver Site Criteria Number 6, which says it is not an offshore island. This is a separate stand-alone amendment so focus can be placed on this one topic. Policy 101.13.3, which is the transfer of development rights, has been transmitted to the State with the EAR-based amendments except for Receiver Site Criteria Number 7, which states it is not an offshore island. That also reflects the initial amendment in the comp plan update the BOCC asked staff to extract and process separately. Policy 206.1.2 had an added statement not transmitted with the comp plan update regarding discouraging the development of offshore islands. This added statement has been struck for consideration and still includes existing policies in the comp plan that offshore islands should be designated as Tier I and it has the existing policy that development shall be prohibited on offshore islands, including spoil islands which have been documented as an established bird rookery based on resource agency best available data or survey. Staff is proposing a definition for the entity "offshore island" as "Offshore Island means an area of land surrounded by water which is not directly or indirectly connected to US-1 by a bridge, road or causeway."

Ms. Santamaria asked for public comment.

Lance Kyle, owner of an offshore island in Monroe County, asked for an explanation of "severability" as used in the agenda. Ms. Santamaria explained that the one provision of offshore island could be appealed and extracted out without overturning the rest of the ordinance and keeping it from becoming effective. Ms. Santamaria further explained for Mr. Kyle that she believes the ten-acre size determination came from the '86 code. Mr. Roberts clarified for Mr. Kyle that the fact that his island is only 800 feet from US-1 does not give it any kind of special consideration.

Gidget Jackson asked whether there is any flexibility in the restricted use for the islands for camping. Ms. Santamaria responded that the zoning category allows for camping of the owner

only. Law enforcement would have to be called for trespassers on an offshore island. Mr. Hendrick confirmed that the ten-acre determination did come from the '86 code, if not before.

Bart Smith, Esquire, was present on behalf of FEB Corp. Mr. Smith asked staff to look closely at whether it is necessary to prohibit transferring TREs onto offshore islands because TREs take pressure off of the allocation system and offshore islands are already limited in density to .1 per acre. There are restrictions in place that require all of the development potential be in place with the correct development requirements. Mr. Smith agreed with the prior comments made by Ms. Dick on behalf of Last Stand regarding the redundancy of the language in 206.1.2 because that is already provided for in the policy as written. Mr. Smith believes the citation to the ALJ order from 2006 regarding the four-acre threshold was incorrect. Mr. Smith stated now that the language that defines "significant upland habitat" has been eliminated and the term "offshore island" is being added to the defined terms of the glossary the policies identify when development on offshore islands should be prohibited is based on the documentation of an established bird rookery or nesting area. Those terms are not defined in the comprehensive plan and the land development regulations and should be. Without having a quantifiable or objectionable criteria for what an established bird rookery or nesting area is it could be left to interpretation. FEB Corp. has retained Phil Frank, a well-respected biologist in the community, to put together a proposed definition for "established bird rookery or nesting area." Copies of the definition were submitted to staff. Mr. Frank then explained how he worked through the definition and what he reviewed in order to come up with that definition. Mr. Frank stated the common theme in the definitions as cited by different authorities is the words "communal nesting, gregarious birds, prominent colonies, colony forming, gregarious colony." Mr. Smith read aloud the proposed definition. Mr. Smith believes if this term that is utilized for the absolute prohibition of development is not defined it will be left open to interpretation that will be fought over for years to come.

Ms. Santamaria stated that part of the reasons a definition for "bird rookery" is not proposed in this amendment is that in the comp plan update the definition as "A communal nesting ground for gregarious birds" was included, as well as a definition for "nesting area." This has been transmitted to the State. Ms. Santamaria read aloud the definition for "nesting area." Mr. Frank pointed out that passerine birds are not listed in the definition and should be. Mr. Smith stated he is concerned that the definition for "nesting area" is too broad and could prohibit development on any offshore island.

Ms. Curlee noted that solitary birds, which are not included in the definition, are equally as important. Ms. Curlee does not agree with Mr. Frank's definition, but does agree with staff's. Mr. Smith believes the definition needs to be clarified so that arguments are not made that all offshore islands are nesting islands.

Julie Dick of the Everglades Law Center, present on behalf of Last Stand and Florida Keys Environmental Fund, re-emphasized that offshore islands are the last place to be encouraging development because they are not connected to public facilities and are some of the most environmentally sensitive areas in the entire Keys. Development rights should not be moved to offshore islands because they are the hardest areas to evacuate. Ms. Dick disagreed with Mr. Smith that TREs should not have the restriction on transferring receiver sites to offshore islands.

Ms. Dick appreciates staff removing the confusing and redundant new language in Policy 206.1.2, but continues to believe the entire policy should be removed. Ms. Dick stated Last Stand and Florida Keys Environmental Fund will likely support staff's existing definition over what has been proposed today, but will need time to confer on that.

Mr. Hendrick, speaking on behalf of himself, stated he fully supports the idea of protecting bird rookeries, but feels that it seems illogical to focus and protect nesting areas on offshore islands because nesting areas are located everywhere. Ms. Santamaria clarified Policy 206.1.2 does not actually refer to nesting areas. Mr. Frank commented when the comp plan was written back in 1986 the bird rookeries were teased out as special resources. Mr. Smith noted that is why using one definition is preferable. Ms. Dick clarified Last Stand and Florida Keys Environmental Fund fully supports the language protecting nesting areas. Ms. Dick then noted that Mr. Smith is here on behalf of FEB, who does not own Wisteria Island, and questions their interest in the matter. Ms. Santamaria emphasized the ordinance does not speak to a particular island, but would apply to anything that falls within the definition of offshore island.

Mr. Kyle asked whether the term "nest" implies that the island has to have some sort of tree canopy of bush canopy. Mr. Roberts replied not necessarily, because there are a number of shore birds and wading birds that are ground-nesters. Mr. Kyle then commented that 90 percent of the speck islands in the County are transient, so the evacuation time issue seems to be somewhat discounted. Ms. Santamaria then explained to Mr. Kyle in detail how the phased evacuation process occurs. Ms. Dick re-emphasized that evacuation is a real concern for Monroe County citizens and it is a safety threat for everyone in the county if the evacuation predictions are not correct. That situation adds further weight to the need to reduce added risk to the evacuation formula by allowing further development on offshore islands.

Ms. Santamaria asked for further public comment. There was none.

Ms. Santamaria asked the public if they prefer to bring this back to DRC one more time or move this forward to the Planning Commission. Mr. Smith, on behalf of FEB Corp., stated they would like to see how concerns over nesting areas are going to be resolved prior to bringing it to the Planning Commission because it affects all offshore islands. Ms. Santamaria agreed to bring this matter back to the DRC one more time for safe measure.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 2:45 p.m.

EXHIBIT 10

Table of FEMA flood zones and number of private, vacant parcels in unincorporated Monroe County

	FEMA Flood Zone	Number of Parcels	% of total	% of total	# of Private-Vacant Parcels
flood zones -would allow a 3 story structure	**X**	**1,935**	**3.40%**	5.16%	**462**
	0.2 PCT ANNUAL CHANCE FLOOD HAZARD	**999**	**1.76%**		**165**
	AE 5	**1**	**0.00%**	83.48%	**-**
	AE 6	**1,964**	**3.46%**		**95**
	AE 7	**8,996**	**15.83%**		**296**
	AE 8	**14,824**	**26.08%**		**2,699**
	AE 9	**11,272**	**19.83%**		**1,916**
	AE 10	**6,835**	**12.02%**		**1,098**
flood zones -would allow a 2 story structure	AE 11	2,983	5.25%		326
	AE 12	121	0.21%		12
	AE 13	418	0.74%		5
	AE 14	36	0.06%		-
	AE 15	3	0.01%		-
	AE 16	1	0.00%		-
3 story	**VE 9**	**5**	**0.01%**	10.76%	**1**
	VE 10	**327**	**0.58%**		**67**
flood zones -would allow a 2 story structure	VE 11	1,019	1.79%		272
	VE 12	1,443	2.54%		265
	VE 13	1,069	1.88%		127
	VE 14	1,815	3.19%		52
	VE 15	352	0.62%		52
	VE 16	31	0.05%		7
	VE 17	33	0.06%		2
	VE 19	5	0.01%		-
	VE 20	1	0.00%		-
flood zones -would allow a 1 story structure	VE 21	8	0.01%		-
	VE 22	7	0.01%		-
	VE 23	1	0.00%		-
	VE 24	1	0.00%		-
	VE 26	2	0.00%		-
	OPEN WATER	10	0.02%		2
	total parcels	**56,843**			**7,921**

Note: As of October 2014 there are approximately 56,843 parcels in unincorporated Monroe County.

The total from the spreadsheet will be different as some of the submerged parcels do not fall within the FEMA Zones.

Ocean Reef Height Policy

Staff's draft height Policy for Ocean Reef, as set forth in the DRC Staff Report, reads:

Policy 101.5.31
For Ocean Reef, a gated community which is isolated and inaccessible to the surrounding community, and has a distinct community character, structures may include non-habitable architectural decorative features (such as finials, rails, widow's walk) that exceed the 35 foot height limit in Policy 101.5.30, but such features shall not exceed 5 feet above the structure's roof-line. This exception shall not result in a structure or any architectural decorative feature with a height that would exceed 40 feet.

The Staff Report accurately states that "Draft Policy 101.5.31 is intended to address non-habitable architectural decorative features". However, architectural decorative features are only one (and the least significant) of three provisions that Ocean Reef has requested. Staff is occasionally presented with requests by Ocean Reef property owners to allow extra height for widow's walks and other such features, so staff's focus on that element is understandable. But of greater long-term importance to ORCA are provisions allowing story-by-story replacement of existing multi-family buildings, and an allowance for the unique requirements of a modernized Cultural Center. As proposed by ORCA, the Ocean Reef height Policy would read:

Policy 101.5.31
For Ocean Reef, a gated community which is isolated and inaccessible to the surrounding community, and has a distinct community character, the following policy shall apply:

1. Structures may include non-habitable architectural decorative features (such as finials, rails, and a widow's walk) that exceed the 35 foot height limit in Policy 101.5.30, provided that such features do not extend more than 5 feet above the structure's roof line.
2. Multi-story buildings in existence on the effective date of this Policy may be replaced at their existing number of stories, up to 11' slab-to-slab per story.
3. The height limit applicable to the Ocean Reef Cultural Center shall be 65 feet above grade.

The above Policy is carefully tailored to the needs and circumstances of the Ocean Reef Community. The general language of proposed Policies 101.5.32 and 101.5.33, allowing an additional 5' of height for replacement of existing buildings exceeding 35', does not facilitate replacement of Ocean Reef's multi-story buildings, because it would force undesirable design features such as low ceiling heights. Nor does it accommodate the additional height needed for Cultural Center stage performances.

Santamaria-Mayte

From:	RC3WORLD <joelreed55@gmail.com>
Sent:	Tuesday, June 09, 2015 7:50 AM
To:	Santamaria-Mayte
Cc:	David Ritz; Jack Duncan; Jim Hendrick; Michael G. Leemhuis
Subject:	Re: height Comprehensive Plan amendment and Ocean Reef Club
Attachments:	Height_data_table_2015-06-09.pdf; ATT00001.htm
Follow Up Flag:	Follow up
Flag Status:	Completed
Categories:	Blue Category

Mayte,

As was requested please find a list of buildings and corresponding data related to structures that exceed the 35' height limit in Ocean Reef Club. We are still collecting additional data onC.Q, Pompano, and Water Tower. We will submit any additional detail that we have on these structures once the data is obtained.. I know we also discussed sending the existing heights on the cultural center, which we are working on and will send over as soon once it is available. Please do not hesitate to contact me if you or your staff have any additional questions or comments as you prepare your next round of staff reports.

Sincerely,

Joel Reed, AICP
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Table 1

OCEAN REEF EXISTING STRUCTURES > 35' DATA TABLE

Name	Primary Use	Levels of habitable	Downstairs/ Storage/ Enc.	Overall Height to Soffit or Top of Beam	Overall Height to Top of Roof	Floor to Floor	Avg. Slab Thicknes s	Grade	Flood Zone
Amberjack	Hotel	3	No	29' - 1 1/2"	33' - 1 1/2" *		8" to 2' 6"	Unknown	Unknown
Boat Barn	Comm.	N/A	N/A	Unknown	37'		N/A	Unknown	Unknown
Creek House	Condo	Unk.	Unknown	Unknown	> 35'		Unknown	Unknown	Unknown
Dolphin	Hotel	4	Unknown	43' - 2"	49' - 2" *	~9'	~ 8"	~6	AE11
Harbor House	Condo	4	Yes	Unknown	54'	9'	~8"	Unknown	AE9
Marlin	Hotel	3	Yes	38'	42'	~8' - 8"	~8 "	4' - 8 1/2"	VE
Plaza	Comm.	3	Yes	28' - 6"	> 35'	9' - 0"	6"	Unknown	Unknown
Yachtsman	Condo	3	Yes	35' - 9"	Unknown	8' - 7"	Unknown	Unknown	Unknown
Pompano	Hotel	TBD	TBD	TBD	TBD				
C.Q. Dormitory	Res.	TBD	TBD	TB	TBD				
Water Tower	N/A	N/A	N/A	TBD	TBD				

Note: Amberjack and Plaza added as pre-firm structure because height would be over 35' with redevelopment if built above flood.

* Estimated roof to be 6'

Prepared by RC3WORLD, Inc. 10/6/2014, last modified 6/9/2015

Exhibit 12

Item #4 Height Comp Plan Text Amendment
Exhibits 12-14 for staff report

MEMORANDUM
MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Development Review Committee
Mayté Santamaria, Senior Director of Planning & Environmental Resources

From: Mayté Santamaria, Senior Director of Planning & Environmental Resources
Emily Schemper, Comprehensive Planning Manager

Date: January 15, 2016

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING POLICY 101.5.31 TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File # 2015-006)

Meeting: **January 26, 2016 - continued from March 24, 2015, May 26, 2015, August 25, 2015 and October 27, 2015**

I. REQUEST

The Monroe County Planning & Environmental Resources is proposing amendments to create Policy 101.5.31 to address non-habitable architectural decorative features within the Ocean Reef community; and create Policies 101.5.32 and 101.5.33 to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs.

II. BACKGROUND INFORMATION

The County has been working on the Comprehensive Plan update and has held numerous public hearings on the proposed amendments. Most recently, the Board of County Commissioners (BOCC) held special public meetings on March 21, 2014, April 23, 2014 and May 22, 2014, to review proposed amendments to the Comprehensive Plan. A special BOCC public hearing was held on July 23, 2014, to consider the transmittal of the proposed amendments (the Monroe County

2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and this hearing was continued to October 7, 2014.

The Monroe County Board of County Commissioners held a special meeting on October 7, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and the hearing was continued to December 10, 2014, to discuss the following:

- *Policies 101.5.31 and 101.5.32: BOCC directed staff to work on height policies for addressing the replacement of existing buildings which exceed the 35ft height limit, architectural features, flood protection purposes and affordable housing. Staff to present drafts during the regular December BOCC meeting.*
- *BOCC directed staff to work on an inventory/data of privately-owned offshore islands. Staff to present draft during the regular December BOCC meeting.*

A transcription of the BOCC height discussion, from the October 7, 2014 public hearing, is attached as Exhibit 1.

During the regular December 10, 2014 BOCC meeting, a public hearing was held to discuss proposed height and offshore island policies and to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the DEO. The BOCC directed staff to maintain the existing adopted height and offshore island policies and to extract the proposed changes to the height limit policy and process it as a separate amendment.

DRC: At its regularly scheduled meeting on March 24, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the March 24, 2015 DRC is attached as Exhibit 2. Minutes from the March 24, 2015 DRC are attached as Exhibit 3.

DRC: At its regularly scheduled meeting on May 26, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the May 26, 2015 DRC is attached as Exhibit 4. Minutes from the May 26, 2015 DRC are attached as Exhibit 5.

DRC: At its regularly scheduled meeting on August 25, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the August 25, 2015 DRC is attached as Exhibit 6. Minutes from the August 25, 2015 DRC are attached as Exhibit 7.

DRC: At its regularly scheduled meeting on October 27, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the October 27, 2015 DRC is attached as Exhibit 8. Minutes from the October 27, 2015 DRC are attached as Exhibit 9.

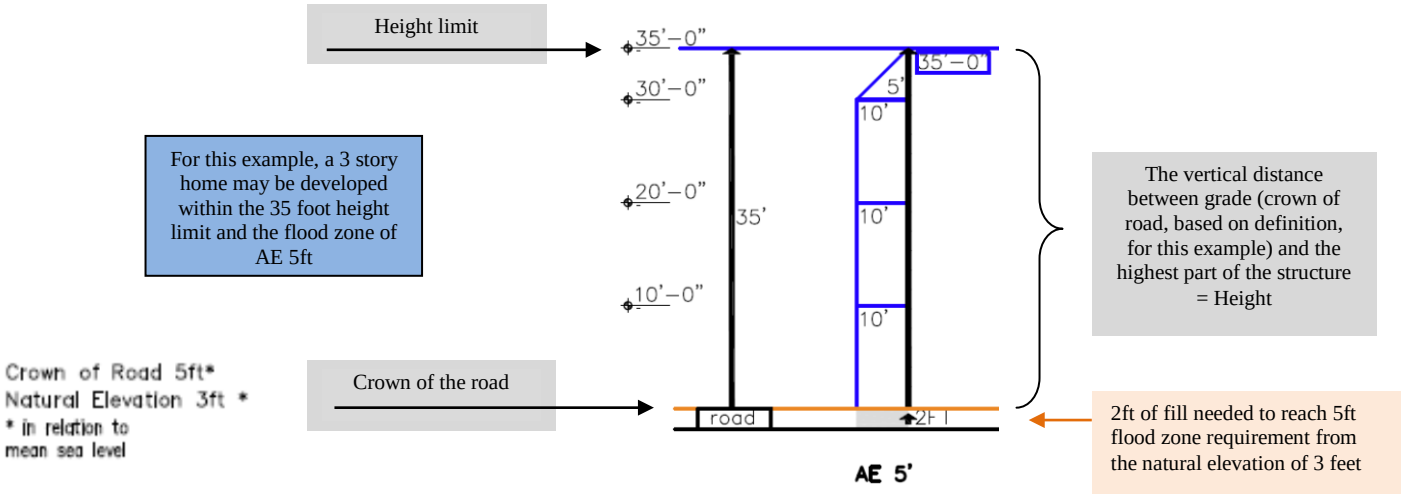
III. ANALYSIS OF PROPOSED AMENDMENT

HEIGHT:

In unincorporated Monroe County, height and grade are defined as follows:

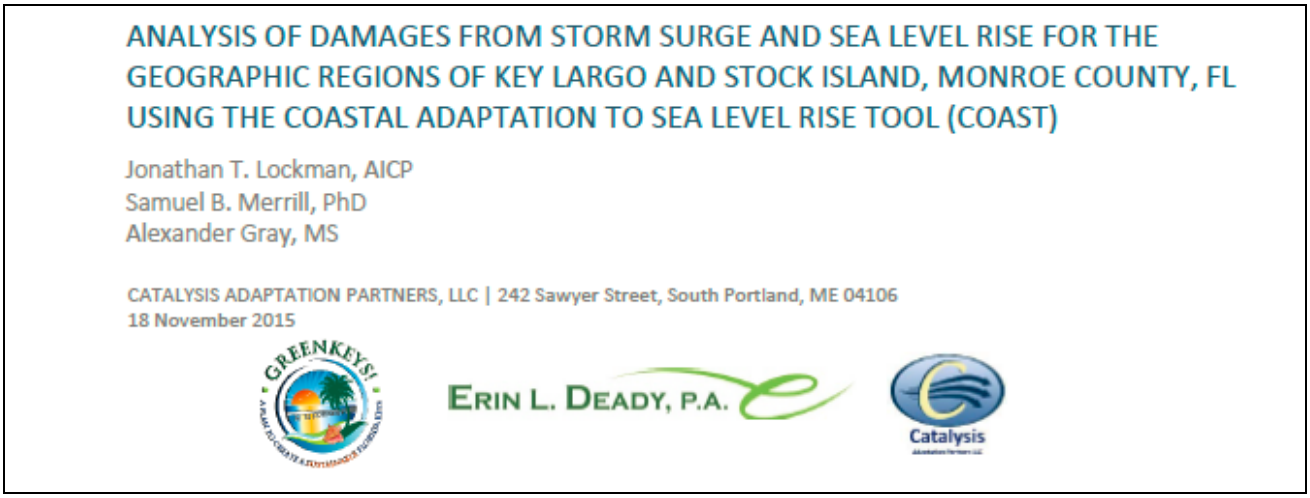
> **HEIGHT** is defined as: ***the vertical distance between grade and the highest part of any structure****, including mechanical equipment, but excluding chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the applicable height limitations. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply*.
>
> **GRADE** means ***the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher****. To confirm the natural elevation of the ground surface, the county shall utilize the Light Detection and Ranging (LiDAR) dataset for Monroe County prepared in 2007. In the event 2007 LiDAR data is not available for a given parcel, the county shall use the best available data, including, but not limited to, pre-construction boundary surveys with elevations, pre-construction topographic surveys, elevation certificates and/or other optical remote sensing data.*

Based on the adopted definitions the following is a basic depiction of: *height = the vertical distance between grade and the highest part of any structure.* In this depiction, the crown of the nearest road directly adjacent to the structure is *higher* than natural elevation of the ground surface (prior to construction, next to the proposed walls of a structure). As such, the crown of the road is the starting point, for this example, in measuring the vertical distance of the structure.



In the Comprehensive Plan update, recommendations to amend and expand the height policy have been made to clarify the measurement of height to match the recently amended land development code (Ordinance 003-2011) and to address new issues, such as: anticipating new FEMA flood maps and creating a mechanism to assist property owners to protect their property from flooding and reduce flood insurance costs as well as issues in permitting relative to architectural decorative features.

Excerpt below from a recent GreenKeys! Project, including vulnerability assessment of homes and commercial building structures and to model adaptation scenarios within Monroe County in Key Largo and a cost benefit ratios of elevating and floodproofing buildings:


ANALYSIS OF DAMAGES FROM STORM SURGE AND SEA LEVEL RISE FOR THE GEOGRAPHIC REGIONS OF KEY LARGO AND STOCK ISLAND, MONROE COUNTY, FL USING THE COASTAL ADAPTATION TO SEA LEVEL RISE TOOL (COAST)

Jonathan T. Lockman, AICP
Samuel B. Merrill, PhD
Alexander Gray, MS

CATALYSIS ADAPTATION PARTNERS, LLC | 242 Sawyer Street, South Portland, ME 04106
18 November 2015

GREENKEYS!
ERIN L. DEADY, P.A.
Catalysis

Entire report can be accessed here: http://fl-monroecountyclimate.civicplus.com/DocumentCenter/View/103

1 EXECUTIVE SUMMARY

Catalysis Adaptation Partners, LLC (Catalysis) specializes in analyzing impacts from storm surges and long-term sea level rise using its COastal Adaptation to Sea level rise Tool (COAST). COAST modeling software mimics floods from storms and sea level rise on community assets such as homes and businesses, then tallies the cumulative damages over time so communities can better understand the cost to them of not adapting (vulnerability assessment), as well as the costs and benefits (damage reduction) of implementing various adaptation actions.

Catalysis was contracted by Erin L. Deady, P.A. to use COAST to perform a vulnerability assessment of homes and commercial building structures and to model adaptation scenarios within Monroe County in Key Largo as part of the GreenKeys! project. Working with Erin L. Deady, P.A., Catalysis conducted three (3) community workshops in October, November and December 2014, during which County residents in Key Largo voted on modeling parameters and assumptions for "no-action" and three (3) adaptation action scenarios: 1) Elevating and floodproofing buildings; 2) building barriers close to shore; and 3) purchasing properties vulnerable to sea level rise through a voluntary buyout program. Voting occurred during Workshops #2 and #3 (results can be found in the appendix Section 6 of this report) and focused on certain model parameters as well as whether or not actions should be further evaluated.

The "asset" selected for analysis was the value of residential and commercial buildings, obtained from Monroe County tax records. Sea Level Rise assumptions were based upon the Unified Sea Level Rise Projection for Southeast Florida[1]. Those projections included a low and high estimate of sea level rise in 2030 of 3" and 7" respectively, as well as a low and high estimate of sea level rise in 2060 of 9" and 24" respectively. As requested by workshop participants, a lower sea level rise projection was also employed in the analysis based only on the rate of sea level rise that has occurred over the last 100 years, outside of the official Unified Sea Level Rise Projection document. A straight line projection of the tide gauge trend was added to the modeling parameters, for a very low scenario of sea level rise of 1.82" in 2030 and 4.53" in 2060. Surge values from various sized storms were obtained from the most recent Federal Emergency Management Act (FEMA) Flood Insurance Study. Key findings from the worst case vulnerability assessment included one-time damage estimates of $2.0 Million from a nuisance flood in 2060 under a high sea level rise scenario of 24"and $289.2 Million from a Hurricane Wilma-sized flood in 2060 under the same sea level rise scenario. Cumulative damages over time from storms of various sizes resulted in significantly higher damage estimates by 2060, with $1.673 Billion in damages under the very low sea level rise scenario of 4.53", and $2.130 Billion in damages under a high sea level rise scenario of 24". The value of properties (buildings and land) permanently inundated by sea level rise alone by 2060 (from daily flooding at high tide) ranged from $206.9 Million (very low scenario) to $705.6 Million (high scenario). Once the modeling indicated such properties would be flooded by the daily high tide, the software no longer subjected it to continuing cumulative damages from that point in time forward.

The three (3) adaptation actions to model identified by the Project Team and County Staff included:

- Elevating and floodproofing buildings

[1] Southeast Florida Regional Climate Change Compact Counties, Sea Level Rise Ad Hoc Technical Working Group (April 2011).

- Building barriers close to the coast (to protect from storm surge but not sea level rise); and
- Purchase of properties vulnerable to sea level rise through a voluntary buyout program over a phased timeframe.

For each action, costs were determined by the consultant and staff team, and in some cases, modified by workshop participants by polling. Modeling parameters (e.g., building elevation heights, the distance between the barrier and the coast as well as the height of the barrier, the number of residents accepting a buyout for their properties, etc.) also were established by workshop participants through a keypad polling process. Catalysis then used COAST again with the adaptation actions in place to quantify the predicted reduction in damages over the same time period as the vulnerability assessment.

These results were converted into benefit-cost ratios. Ratios greater than 1 represented actions that reduced more in damages in the future than it cost to implement them. Ratios less than 1 represented actions that would cost more than the amount of reduced damages in the future (i.e., not cost effective). The action that had the best benefit-cost ratio was **elevating and floodproofing buildings** (accounting for those not already elevated or floodproofed in the area of Key Largo within Monroe County), which had a benefit-cost ratio between 5.48 and 13.70 (meaning for every $1.00 spent on elevating and floodproofing, the avoided damages would range from $5.48 to $13.70), depending on the sea level rise scenario (high, low or tide gauge trend) and construction cost estimates (high and low). **Building barriers** had the second highest benefit-cost ratios, but with all results below 1 (0.40 to 0.93). The voluntary buyout program had benefit-cost ratios ranging from 0.02 to 1.21. The only result with a value greater than 1 was for the tide gauge trend sea level rise scenario, however. Aside from the model outputs, there were other factors which contributed to these results as discussed in this document. A similar analysis for Stock Island was completed at a later date and can be found in Appendix 6.

These benefit-cost ratios were presented to County residents and keypad polling technology was used to evaluate their opinions. After looking at the COAST model results and participating in the group discussions, residents voted that elevating and floodproofing buildings was their most preferred action. In addition, residents thought the County should pursue sources of funding to help private property owners implement this strategy.

The modeling results and community engagement process enabled the Project Team to provide the County residents with a context for beginning more difficult conversations and decision-making processes regarding their vulnerabilities. Discussions of factors outside of the model should lead to diverse co-benefits (e.g., choosing to restore mangrove forests to not only improve coastal ecosystems but also protect buildings from wave attenuation) and planning outcomes. Importantly, benefit-cost ratios resulting from this work tend to open difficult conversations about exactly what is most important to a community in planning how to adapt to sea level rise and future storm surges.

However, these results do not mean that the County should begin implementing a program to elevate and floodproof residential and commercial buildings. Catalysis recommends that the County use this information to:

- Further discuss sea level rise vulnerability with County residents and the importance of having a method to weigh different adaptation actions against one another (benefit-cost analysis)

- Develop a framework for using new knowledge to engage with residents so that consensus on an eventual adaptation action is data- and stakeholder-driven
- Share this information with neighboring communities so that more regional communication can take place and strengthen any local momentum towards adaptation
- Document any progress or failures towards adaptation so that other communities around the country have lessons from which they can learn.

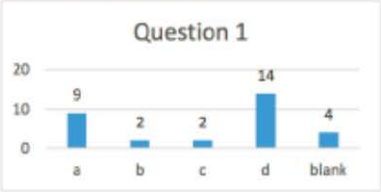
6 APPENDIX: PUBLIC INPUT AND COST CONSIDERATIONS OF PROPOSED STRATEGIES

6.1 KEYPAD POLLING RESULTS FROM COMMUNITY WORKSHOP #2

GreenKEYS! Keypad Polling Results from the COAST community modeling exercise conducted November 5 2014 at the Nelson Government Center in Key Largo, FL

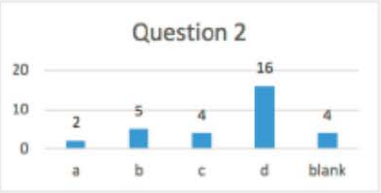
Question #1: Currently in Key Largo, 40% of properties are already elevated. What percentage of additional Key Largo V-zone buildings do you want to see elevated in this model?

1	a	25%	9	29%
	b	50%	2	6%
	c	75%	2	6%
	d	**The draft input of 100%**	**14**	**45%**
	blank		4	13%
	Total		31	100%



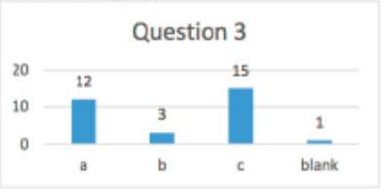
Question #2: What percentage of Key Largo A-zone buildings do you want to see floodproofed in this model?

2	a	25%	2	6%
	b	50%	5	16%
	c	75%	4	13%
	d	**The draft input of 100%**	**16**	**52%**
	blank		4	13%
	Total		31	100%



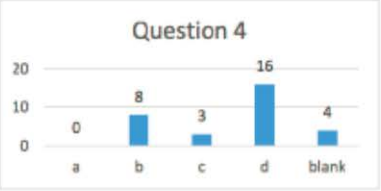
Question #3: Currently in Key Largo, new buildings are required to be elevated to the 100-year flood elevation, which ranges from 6 to 15 feet across the Key. For parcels that will be elevated in the model, do you want them to be elevated up to this code or to something higher?

3	a	Up to current code	12	39%
	b	Up to current code plus 1 f	3	10%
	c	**Up to current code plus 3**	**15**	**48%**
	blank		1	3%
	Total		31	100%



Question #4: The model estimates floodproofing to a certain height. How high would you like to see parcels floodproofed?

4	a	1 ft	0	0%
	b	3 ft	8	26%
	c	6 ft	3	10%
	d	**The draft input of 8 ft**	**16**	**52%**
	blank		4	13%
	Total		31	100%



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IV. PROPOSED AMENDMENT (Deletions are ~~stricken through~~ and additions are underlined.)

Land Development Code amendments are being processed separately.

Policy 101.4~~5~~.~~26~~30

In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including landfills to 35 feet. Height is defined as the vertical distance between grade and the highest part of any structure, including mechanical equipment, but excluding spires and/or steeples on structures used for institutional and/or public uses only; chimneys; radio and/or television antennas; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antennas and/or collocations. However, in no event shall any of the exclusions enumerated above be construed to permit any habitable or usable space to exceed the applicable height limitations, except as specifically permitted in Policies 101.5.31, 101.5.32 and 101.5.33. ~~Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.~~ In the case of airport districts, there shall be no exceptions to the 35-foot height limitation.

Policy 101.5.31

For Ocean Reef, a gated master planned community which is inaccessible to the surrounding community, and has a distinct community character, buildings may include non-habitable architectural decorative features (such as finials, railings, widow's walk, parapets) that exceed the 35-foot height limit in Policy 101.5.30, but such features shall not exceed 5 feet above the building's roof-line. This exception shall not result in a building together with any architectural decorative feature with a height that would exceed 40 feet.

As used in this policy, a master planned community means a planned community of 100 or more acres in area subject to a master plan or other development order approved by the county where public access is restricted and the community is operated and maintained by the community including the provision of comprehensive, private utilities and transportation facilities and services within its boundaries and a homeowners association or similar entity which regulates development standards and monitors development requests by its members.

Note, Ocean Reef Club has requested additional amendments, attached as Exhibit 11. To date, sufficient data has not been submitted to evaluate the requested amendments.

Policy 101.5.32

Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception to Policy 101.5.30 to promote public health, safety and general welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A Flood Protection Height Exception of up to a maximum of five (5) feet above the 35-foot height limit shall be provided to allow buildings to be

voluntarily elevated up to three (3) feet above FEMA base flood elevation in order to promote flood protection, minimize flood damage, reduce flood insurance premiums and minimize future expenditures of public funds for recovery from flood events. In no case shall a Flood Protection Height Exception result in a building exceeding a maximum height of 40 feet.

Policy 101.5.33
Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception for lawfully established existing buildings which exceed the 35-foot height limit, to promote public health, safety and general welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A lawfully established existing building may be repaired, improved, redeveloped and/or elevated to meet required FEMA base flood elevation (BFE) provided the building does not exceed a total maximum building height of 40 feet, and the building is limited to the existing lawfully established intensity, floor area, building envelope (floor to floor height), density and type of use. For lawfully established existing buildings that are proposed to exceed a total height of 40 feet, a public hearing before the Board of County Commissioners shall be required to review and specify the maximum approved height prior to issuance of any county permit or development approval. A BOCC resolution shall specify the maximum approved height.

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Policy 217.1.4
Monroe County shall continue its policy of reviewing the current Building Code and, as appropriate, adopting structural standards and site alteration restrictions that meet or exceed the minimum FEMA requirements. The Building Code shall be reviewed and revised at least every five years. The recommendations of the applicable interagency hazard mitigation report shall be considered in revisions to the Code.

Policy 217.1.5
Monroe County shall continue to participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) to the maximum extent possible and shall seek to improve its current CRS Class 9 rating.

Policy 217.1.6
Monroe County shall continue to enforce federal, state and local setback and elevation requirements to promote the protection and safety of life and property. Revisions to the existing setback requirements contained in the Land Development Regulations shall be considered as a means of reducing property damage caused by storms.

Objective 601.3
By January 4, 1998, Monroe County shall increase implementation efforts to eliminate substandard housing and to preserve, conserve and enhance the existing housing stock, including historic structures and sites.

Policy 601.3.2
The County Code Enforcement Office and Building Department will enforce building code regulations and County ordinances governing the structural condition of the housing stock, to ensure the provision of safe, decent and sanitary housing and stabilization of residential neighborhoods.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
(g) Protecting the historical heritage of the Florida Keys.
(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

    1. The Florida Keys Aqueduct and water supply facilities;
    2. Sewage collection, treatment, and disposal facilities;
    3. Solid waste treatment, collection, and disposal facilities;
    4. Key West Naval Air Station and other military facilities;
    5. Transportation facilities;
    6. Federal parks, wildlife refuges, and marine sanctuaries;
    7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
    8. City electric service and the Florida Keys Electric Co-op; and
    9. Other utilities, as appropriate.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.
(j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.

(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
(m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:

Section 163.3161(4), F.S. – It is the intent of this act that local governments have the ability to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within their jurisdictions. Through the process of comprehensive planning, it is intended that units of local government can preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing, and other requirements and services; and conserve, develop, utilize, and protect natural resources within their jurisdictions

163.3177(1), F.S. - The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

VI. PROCESS

Comprehensive Plan amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, or the owner or other person having a contractual interest in property to be affected by a proposed amendment. The Director of Planning shall review and process applications as they are received and pass them onto the Development Review Committee and the Planning Commission.

The Planning Commission shall hold at least one public hearing. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning & Environmental Resources and the Development Review Committee and the testimony given at the public hearing. The Planning Commission shall submit its recommendations and findings to the Board of County Commissioners (BOCC). The BOCC holds a public hearing to consider the transmittal of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the

testimony given at the public hearing. The BOCC may or may not recommend transmittal to the Florida Department of Economic Opportunity (DEO). The amendment is transmitted to DEO, which then reviews the proposal and issues an Objections, Recommendations and Comments (ORC) Report. Upon receipt of the ORC report, the County has 180 days to adopt the amendments, adopt the amendments with changes or not adopt the amendment.

VII. STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed amendments.

VIII. EXHIBITS

1. Transcription of the BOCC height discussion, from the October 7, 2014 public hearing
2. March 24, 2015 DRC Staff Report
3. March 24, 2015 DRC Minutes
4. May 26, 2015 DRC Staff Report
5. May 26, 2015 DRC Minutes
6. August 25, 2015 DRC Staff Report
7. August 25, 2015 DRC Minutes
8. October 27, 2015 DRC Staff Report
9. October 27, 2015 DRC Minutes
10. Table of FEMA flood zones and number of private, vacant parcels in unincorporated Monroe County
11. Ocean Reef Club request and data.

Exhibit 13

Flood Insurance Changes Might Affect You

As risks change, insurance premiums also change to reflect those risks. Your flood insurance premium may be going up.

However, you may be able to reduce your premium if you build your home or business to be safer, higher, and stronger.

The Biggert-Waters Flood Insurance Reform Act of 2012 provides long-term changes to the National Flood Insurance Program.

Under the new law, rates are likely to increase overall to reflect the true flood risk of your home and many insurance discounts will be eliminated.

For example, premiums for certain non-primary residences[1] in high-risk areas will increase 25 percent per year until they reflect full-risk rates.

Policy rates for all properties could increase based on one or all of the following circumstances:

- Change of ownership
- Lapse in coverage
- Change in risk
- Substantial damage or improvement to a building

Some changes will depend on external factors such as when flood risk maps are revised, buildings are damaged or improved, or when flood claims are filed.

Talk with your community officials and insurance agent to see how these changes could affect you.

[1]For flood insurance rating purposes, a primary residence is a building that will be lived in by the insured or the insured's spouse for at least 80 percent of the 365 days following the policy effective date. If the building will be lived in for less than 80 percent of the policy year, it is considered to be a non-primary residence.

Resources for More Information

To ask questions and get information about flood insurance, call the National Flood Insurance Program Help Center at **1-800-427-4661**

To see if you are eligible for Hazard Mitigation grants and loans:
www.fema.gov/hazard-mitigation-assistance

To learn how to build safer and stronger and potentially decrease your flood insurance premiums:
www.fema.gov/building-science

To learn more about the National Flood Insurance Program or find an insurance agent:
www.FloodSmart.gov or 1-888-229-0437

For information about local building code and permit requirements, contact your community officials:

02/2013

IF YOUR HOME OR BUSINESS HAS BEEN FLOODED

Build Back Safer and Stronger

What You Need to Know

FEMA

NATIONAL FLOOD INSURANCE PROGRAM

Manage Your Future Risk

If your home or business was damaged or destroyed by a flood, you face major decisions about your property. Do you repair? Do you rebuild? Do you relocate?

The decisions you make now can help provide a safer, stronger future for you and your family. If you decide to repair or rebuild, here are some points to consider:

- The risk you faced yesterday might not be the same risk you face today or in the future.
- By rebuilding higher, you can reduce — or perhaps avoid — future flood loss and reduce the impact on your finances.
- The financial consequences of not having flood insurance coverage could be devastating if another flood occurs.

Before you build, consult your local government officials to determine the mandatory elevations for your home or building.

BASE FLOOD ELEVATION (BFE) — The elevation shown on the Flood Insurance Rate Map (FIRM) for high-risk flood zones ("A" and "V" zones) indicates the water surface elevation resulting from a flood that has a 1 percent chance of equaling or exceeding that level in any given year.

Reduce Your Risk, Reduce Your Premium

A primary way to reduce or avoid future flood losses is to raise your building above the Base Flood Elevation (BFE). As the graphic below shows, you could reduce your flood insurance premium by 85 percent or more — and save thousands of dollars over the life of your home or business. It is important to understand the long-term costs and benefits when considering your options for repairing, rebuilding, or relocating.

Insurance Considerations:

- How elevating your home or business can help reduce your rates
- Future premium increases for all homes and businesses
- Options for insuring your building and its contents
- Changes in rates for secondary homes
- Other circumstances that could increase your rates

If you rebuild to pre-flood conditions, your flood insurance premium could increase dramatically in the future.

Building Considerations:

- Meeting building code requirements and current best practices
- Revised Flood Insurance Rate Maps and advisory flood risk products
- Hazard mitigation grant programs
- Other grant programs and loans to help rebuild or acquire your home or business

Under the Flood Insurance Reform Act of 2012, You Could Save More than $90,000 over 10 Years if You Build 3 Feet above Base Flood Elevation*

PREMIUM AT 4 FEET BELOW BASE FLOOD ELEVATION	PREMIUM AT BASE FLOOD ELEVATION	PREMIUM AT 3 FEET ABOVE BASE FLOOD ELEVATION
$9,500/year	$1,410/year	$427/year
$95,000/10 years	**$14,100/10 years**	**$4,270/10 years**

*$250,000 building coverage only (does not include contents), AE (high to moderate risk) zone, single-family, one-story structure without a basement at: 4 feet below Base Flood Elevation (BFE); at BFE; and at 3 feet above BFE. (Rating per FEMA flood insurance manual, October 1, 2012). The illustration above is based on a standard National Flood Insurance Program (NFIP) deductible.

FEMA

NATIONAL FLOOD INSURANCE PROGRAM

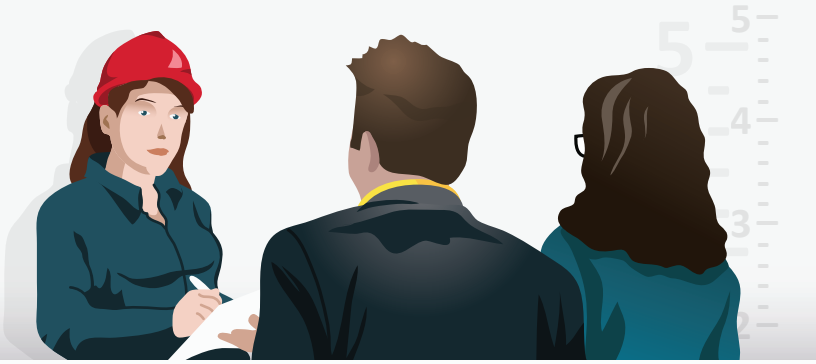
Can we afford to rebuild higher? Can we afford *not* to?

Because Jon and Kathy Parker couldn't see the shoreline from their house, they never really believed their home could be wiped out by a flood—until the day it was. They considered relocating, but in the end, they decided to take out a new mortgage and rebuild. They wanted to do what they could to protect their investment and avoid another devastating flood.

When they applied for a building permit,

local officials told them to build at least 2 feet above grade to meet the current building code that accounts for potential flood levels.[1] Their insurance agent told them that if they built even higher than required, they could lower both their premiums and their flood risk.

[1] *Communities that participate in the National Flood Insurance Program (NFIP) are required to have all buildings constructed in high-risk areas to be built to at least the elevation shown on the flood maps. This is known as the Base Flood Elevation (BFE) and represents the height floodwaters from a one-percent chance flood will reach or exceed in any given year. To help ensure a safer community, many communities require construction to be a foot or two higher than the BFE.*



The Parkers realized that weather is unpredictable and that flood risk can change. Another big flood could happen at any time. But could they really afford to build higher? It was time to break out the calculator and do the math.

Option 1: Building to the current requirements

- **Estimated construction costs: $250,000**
- **Estimated monthly mortgage payment: $1,122**
- **Flood insurance premium: $143 per month or $1,716 per year**
- **Total monthly costs: $1,265**

Option 2: Building 3 feet above the current requirements

- **Estimated construction costs: $252,125**
- **Estimated monthly mortgage payment: $1,132**
- **Flood insurance premium: $46 per month or $552 per year**
- **Total monthly costs: $1,178**

Note: This comparison is based on a 1-story home in an AE Flood Zone built at BFE and 3 feet above BFE on a concrete or CMU perimeter with vents. It has the NFIP maximum coverage of $250,000 building coverage and $100,000 contents coverage with a $1,000 deductible. Elevation costs are estimated at roughly 0.85 percent of total construction costs per additional foot of elevation. Cost savings could vary for different construction methods. Insurance premiums are based on rates published in the Jan. 2013 NFIP Manual. Mortgage payments are based on a 30-year fixed-rate mortgage at 3.5 percent APR for the full construction amount and exclude all insurance costs. Flood insurance must be paid in full at the beginning of the coverage year.

Good news!

The Parkers will save about $90 every month by building 3 feet higher. Spending a little extra on construction reduced the Parkers' flood risk, cut their flood insurance premium, and increased their peace of mind.

The Parkers saved money by building higher.

Not every case is the same. Consider your situation.

The Parkers' story is only one example. There are many variables that will impact your decision about how you rebuild.
Talk to your community officials, insurance agent, builders, and other experts to answer the following questions:

1. What is my current flood zone?

Different flood zones require different kinds of construction. How you rebuild will depend in part on your zone and local building requirements.

2. How high does my community require me to build?

If the building is in a high-risk zone (beginning with the letter "A" or "V"), there is a required minimum elevation for construction. Many communities have a requirement to build even higher. This is called a "freeboard requirement."

3. What are Advisory Base Flood Elevations (ABFEs), and how will they affect me?

ABFEs sometimes are issued after a major flooding event when FEMA has more current flood hazard data available than exists in the current effective Flood Insurance Rate Maps in a given area. ABFEs are provided to communities as a tool to support them in recovering in ways that will make them more resilient to future storms.

4. Is there a chance I could be mapped into a new flood zone or have a higher Base Flood Elevation (BFE) in the future?

FEMA is working to update Flood Insurance Rate Maps nationwide. If your community has outdated maps, the new ones could show your home in a higher risk area or with a higher BFE.

5. How close am I to a high-risk flood area?

Flood risk changes over time. If you are near a high-risk zone, you might want to rebuild in a way that would comply with that zone in case maps change in the future. If you are near a coastal high-risk zone (a zone starting with "V"), consider rebuilding on posts, piles or piers.

6. How might my flood risks change in the future?

Physical changes can affect how much water reaches flooding sources, how far the water spreads when floods occur, and the manner in which buildings are exposed to a flood. In addition, new data gathering and modeling technology allows FEMA to identify and map flood hazard areas more accurately now than in the past.

7. How much will flood insurance cost?

National Flood Insurance Program premiums reflect flood risk. In general, if your building is in a high-risk area, the higher you build above the BFE, the lower your premium and potential for flood damage. In high-risk VE zones, any enclosed structure below the first floor of the building typically will double insurance premiums. Certain types of enclosures will further increase those premiums.

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Additional Resources

- For information about post-Sandy ABFEs in New York and New Jersey: **www.Region2Coastal.com**
- To ask questions and get information about flood insurance, call the National Flood Insurance Program Help Center at **1-800-427-4661**
- To see if your community is eligible for Hazard Mitigation Grants: **www.fema.gov/hazard-mitigation-assistance**
- To learn how to build safer and stronger and potentially decrease your flood insurance premiums: **www.fema.gov/building-science**
- To find your current effective Flood Insurance Rate Map: **msc.fema.gov**
- To learn more about the National Flood Insurance Program or find an insurance agent: **FloodSmart.gov** or **1-888-229-0437**
- For information about local building code and permit requirements, contact your community officials

FEMA

NATIONAL FLOOD INSURANCE PROGRAM

Can we afford to rebuild higher? Can we afford *not* to?

Tom and Mary Smith lived in their home for 15 years. Then in one day, it was destroyed by a flood. They considered relocating, but in the end, they decided to take out a new mortgage and rebuild. Now, they are determined to do everything they can to protect their investment and avoid another devastating flood.

When they applied for a building permit, local officials told them to build at least 5 feet above grade to meet the current building code that accounts for potential flood levels.[1] Their insurance agent told them that both their premiums and flood risk would be lower if they built higher than required.

[1] *Communities that participate in the National Flood Insurance Program (NFIP) are required to have all buildings constructed in high-risk areas to be built to at least the elevation shown on the flood maps. This is known as the Base Flood Elevation (BFE) and represents the height floodwaters from a one-percent chance flood will reach or exceed in any given year. To help ensure a safer community, many communities require construction to be a foot or two higher than the BFE.*

The Smiths realized that weather is unpredictable and that flood risk can change. Another big flood could happen at any time. But could they really afford to build higher? It was time to break out the calculator and do the math.

Option 1: Building to the current requirements

- **Estimated construction costs: $400,000**
- **Estimated monthly mortgage payment: $1,796**
- **Flood insurance premium: $878 per month or $10,536 per year**
- **Total monthly costs: $2,674**

Option 2: Building 3 feet above the current requirements

- **Estimated construction costs: $403,600**
- **Estimated monthly mortgage payment: $1,812**
- **Flood insurance premium: $315 per month or $3,780 per year**
- **Total monthly costs: $2,127**

Note: This comparison is based on a 1-story home in a VE Flood Zone built on wood pilings at BFE and 3 feet above BFE with the NFIP maximum coverage of $250,000 building coverage and $100,000 contents coverage with a $1,000 deductible. Elevation costs are estimated at roughly 0.3 percent of total construction costs per additional foot of elevation. Insurance premiums are based on rates published in the Jan. 2013 NFIP Manual. Mortgage payments are based on a 30-year fixed-rate mortgage at 3.5 percent APR for the full construction amount and exclude all insurance costs. Flood insurance must be paid in full at the beginning of the coverage year.

Good news!

The Smiths will save more than $500 every month by building 3 feet higher. In about 7 months, they will have saved more on flood insurance than they paid to build higher. Spending a little extra on construction reduced the Smiths' flood risk, cut their flood insurance premium, and increased their peace of mind.

The Smiths saved money by building higher.

Not every case is the same. Consider your situation.

The Smiths' story is only one example. There are many variables that will impact your decision about how you rebuild.
Talk to your community officials, insurance agent, builders, and other experts to answer the following questions:

1. What is my current flood zone?

Different flood zones require different kinds of construction. How you rebuild will depend in part on your zone and local building requirements.

2. How high does my community require me to build?

If the building is in a high-risk zone (beginning with the letter "A" or "V"), there is a required minimum elevation for construction. Many communities have a requirement to build even higher. This is called a "freeboard requirement."

3. What are Advisory Base Flood Elevations (ABFEs), and how will they affect me?

ABFEs sometimes are issued after a major flooding event when FEMA has more current flood hazard data available than exists in the current effective Flood Insurance Rate Maps in a given area. ABFEs are provided to communities as a tool to support them in recovering in ways that will make them more resilient to future storms.

4. Is there a chance I could be mapped into a new flood zone or have a higher Base Flood Elevation (BFE) in the future?

FEMA is working to update Flood Insurance Rate Maps nationwide. If your community has outdated maps, the new ones could show your home in a higher risk area or with a higher BFE.

5. How close am I to a high-risk flood area?

Flood risk changes over time. If you are near a high-risk zone, you might want to rebuild in a way that would comply with that zone in case maps change in the future.

6. How might my flood risks change in the future?

Physical changes can affect how much water reaches flooding sources, how far the water spreads when floods occur, and the manner in which buildings are exposed to a flood. In addition, new data gathering and modeling technology allows FEMA to identify and map flood hazard areas more accurately now than in the past.

7. How much will flood insurance cost?

National Flood Insurance Program premiums reflect flood risk. In general, if your building is in a high-risk area, the higher you build above the BFE, the lower your premium and potential for flood damage. In high-risk VE zones, any enclosed structure below the first floor of the building typically will double insurance premiums. Certain types of enclosures will further increase those premiums.

FEMA

NATIONAL FLOOD INSURANCE PROGRAM

Additional Resources

- For information about post-Sandy ABFEs in New York and New Jersey: **www.Region2Coastal.com**
- To ask questions and get information about flood insurance, call the National Flood Insurance Program Help Center at **1-800-427-4661**
- To see if your community is eligible for Hazard Mitigation Grants: **www.fema.gov/hazard-mitigation-assistance**
- To learn how to build safer and stronger and potentially decrease your flood insurance premiums: **www.fema.gov/building-science**
- To find your current effective Flood Insurance Rate Map: **msc.fema.gov**
- To learn more about the National Flood Insurance Program or find an insurance agent: **FloodSmart.gov** or **1-888-229-0437**
- For information about local building code and permit requirements, contact your community officials

PROPOSED COMPREHENSIVE PLAN AND
LAND DEVELOPEMNT CODE AMENDMENTS

Policy 101.~~4~~5.~~26~~30
In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including landfills to 35 feet. Height is defined as the vertical distance between grade and the highest part of any structure, including mechanical equipment, but excluding spires and/or steeples on structures used for institutional and/or public uses only; chimneys; radio and/or television antennas; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antennas and/or collocations. However, in no event shall any of the exclusions enumerated above be construed to permit any habitable or usable space to exceed the applicable height limitations, except as specifically permitted in Policies 101.5.31, 101.5.32 and 101.5.33. ~~Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.~~ In the case of airport districts, there shall be no exceptions to the 35-foot height limitation.

Policy 101.5.31
For Ocean Reef, a gated master planned community which is inaccessible to the surrounding community, and has a distinct community character, buildings may include non-habitable architectural decorative features (such as finials, railings, widow's walk, parapets) that exceed the 35-foot height limit in Policy 101.5.30, but such features shall not exceed 5 feet above the building's roof-line. This exception shall not result in a building together with any architectural decorative feature with a height that would exceed 40 feet.

As used in this policy, a master planned community means a planned community of 100 or more acres in area subject to a master plan or other development order approved by the county where public access is restricted and the community is operated and maintained by the community including the provision of comprehensive, private utilities and transportation facilities and services within its boundaries and a homeowners association or similar entity which regulates development standards and monitors development requests by its members.

Policy 101.5.32
Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception to Policy 101.5.30 to promote public health, safety and general welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A Flood Protection Height Exception of up to a maximum of five (5) feet above the 35-foot height limit shall be provided to allow buildings to be voluntarily elevated up to three (3) feet above FEMA base flood elevation in order to promote flood protection, minimize flood damage, reduce flood insurance premiums and minimize future expenditures of public funds for recovery from flood events. In no case shall a Flood Protection Height Exception result in a building exceeding a maximum height of 40 feet.

Policy 101.5.33
Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception for lawfully established existing buildings which exceed the 35-foot height limit, to promote public health, safety and general

welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A lawfully established existing building may be repaired, improved, redeveloped and/or elevated to meet required FEMA base flood elevation (BFE) provided the building does not exceed a total maximum building height of 40 feet, and the building is limited to the existing lawfully established intensity, floor area, building envelope (floor to floor height), density and type of use. For lawfully established existing buildings that are proposed to exceed a total height of 40 feet, a public hearing before the Planning Commission and the Board of County Commissioners shall be required to review and specify the maximum approved height prior to issuance of any county permit or development approval. The Planning Commission shall provide a recommendation to the BOCC on the maximum height of a building. The BOCC shall adopt a resolution specifying the maximum approved height.

Section 101-1. - Definitions.

The following words, terms and phrases, when used in this Land Development Code, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * * * *

Elevate means the action of retrofitting or raising a building to a higher positon.

Elevated Building means a building that has its lowest floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Retrofit means methods to modify a lawfully established existing building to reduce its exposure to flooding and raise the living area to meet or exceed flood levels. In general, retrofitting involves lifting the building and constructing a new foundation or extending the existing foundation, or leaving the building in place and either constructing a new elevated floor system within the building or adding a new upper story and converting the ground level to a compliant enclosure that is used only for parking, building access, or storage.

* * * * *

Sec. 130-187. - Maximum height.

No structure or building shall be developed that exceeds a maximum height of 35 feet. Exceptions will be allowed for chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. Exceptions will be allowed for flood protection as specifically permitted in Policies 101.5.32 and 101.5.33 and listed below. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the maximum height limitation, except as specifically permitted in Policies 101.5.32 and 101.5.33. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply.

A. Within the Ocean Reef master planned community which is gated, isolated and inaccessible to the surrounding community, and has a distinct community character, buildings may include non-habitable architectural decorative features (such as finials,

railings, widow's walk, parapets) that exceed the 35-foot height limit, but such features shall not exceed 5 feet above the building's roof-line. This exception shall not result in a building together with any architectural decorative feature with a height that would exceed 40 feet.

B. As provided in Policy 101.5.32, buildings voluntarily elevated to meet or exceed the FEMA Base Flood Elevation (BFE) may exceed the 35-foot height limit as follows:

1. For NEW buildings which are voluntarily elevated to **exceed** the building's minimum required BFE, an exception of a maximum of three (3) feet above the 35-foot height limit may be permitted. The amount of the height exception shall be no greater than the amount of voluntary elevation above BFE. In no event shall a new building exceed 38 feet in height. This exception shall apply to the substantial improvement of buildings, whether voluntary or not.

2. For lawfully established EXISTING multi-family buildings which do not exceed the 35-foot height limit and are voluntarily retrofitted to **meet and/or exceed** the building's minimum required BFE, an exception of a maximum of five (5) feet above the 35-foot height limit may be permitted. The amount of the height exception shall be no greater than the distance necessary to elevate the building to **meet** BFE **plus** up to three (3) feet of voluntary elevation above BFE. In no event shall an existing building be elevated to exceed a total building height of 40 feet.

3. No exception shall result in a total building height that exceeds 40 feet.

4. Buildings not being elevated to at least meet the required FEMA BFE are not eligible for this exception.

5. No exception shall be provided to buildings located in an AE 10 or VE 10 or greater FEMA flood zone.

C. As provided in Policy 101.5.33, lawfully established EXISTING multi-family buildings which exceed the 35-foot height limit may be repaired, improved, redeveloped and/or elevated to meet the required FEMA BFE provided the building does not exceed a total maximum building height of 40 feet, and the building is limited to the existing lawfully established intensity, floor area, building envelope (floor to floor height), density and type of use. A Flood Protection Height Exception of a maximum of five (5) feet may be permitted to **meet** the building's minimum required FEMA BFE. The amount of the exception shall be no greater than the amount of elevation necessary to **meet** BFE. Buildings not being elevated to at least meet the required FEMA BFE are not eligible for this exception.

D. As provided in Policy 101.5.33, for lawfully established EXISTING multi-family buildings which exceed the 35-foot height limit that are proposed to **exceed** a total height of 40 feet, a public hearing before the Planning Commission and Board of County Commissioners to review and specify the maximum approved height shall be required prior to issuance of any county permit or development approval. The Planning Commission shall provide a recommendation to the BOCC on the maximum height of a building. The BOCC shall adopt a resolution specifying the maximum approved height.

1. For lawfully established EXISTING multi-family buildings that are voluntarily repaired, improved, redeveloped and/or elevated to **meet** the building's minimum required FEMA BFE, but will require a height exception of **more than** five (5) feet, a Flood Protection Height Exception exceeding the 35-foot height limit may be provided by the BOCC based on the following criteria:
   a. The physical characteristics of the existing building and parcel;
   b. The susceptibility of the existing building and its contents to flood damage and the effects of such damage on the property owner;
   c. The possibility that materials from the existing building may be swept onto other lands to the injury of others;
   d. The availability of alternate solutions;
   e. If the new proposed building height will result in increased flood risk; result in additional threats to public safety; result in extraordinary public expense; create nuisance; or cause fraud on or victimization of the public; and
   f. Community character.
   g. Buildings not being elevated to at least meet the required FEMA BFE are not eligible for this exception.

2. A BOCC resolution shall specify the findings of criteria of D.1. a. though g. (above) and specify the approved maximum total height for the proposed building.

Item #5 Height LDC Text Amendment
Staff Report

MEMORANDUM
MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Planning Commission

From: Mayté Santamaria, Senior Director of Planning & Environmental Resources
Emily Schemper, Comprehensive Planning Manager

Date: February 12, 2016

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY LAND DEVELOPMENT CODE AMENDING SECTION 101-1 TO CREATE DEFINITIONS RELATED TO FLOOD PROTECTION HEIGHT EXCEPTIONS; AND AMENDING SECTION 130-187 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS AND TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE. (File # 2015-171)

Meeting: **February 24, 2016**

I. REQUEST

The Monroe County Planning & Environmental Resources is proposing amendments to amend Section 101-1 to create definitions related to the flood protection height exceptions and amending Section 130-187 to address height exceptions for non-habitable architectural decorative features within the Ocean Reef master planned community; and to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs.

Land Development Code amendments are proposed to implement draft Comprehensive Plan amendments.

II. BACKGROUND INFORMATION

The County has been working on the Comprehensive Plan update and has held numerous public hearings on the proposed amendments. Most recently, the Board of County Commissioners (BOCC) held special public meetings on March 21, 2014, April 23, 2014 and May 22, 2014, to

review proposed amendments to the Comprehensive Plan. A special BOCC public hearing was held on July 23, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and this hearing was continued to October 7, 2014.

The Monroe County Board of County Commissioners held a special meeting on October 7, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and the hearing was continued to December 10, 2014, to discuss the following:

- *Policies 101.5.31 and 101.5.32: BOCC directed staff to work on height policies for addressing the replacement of existing buildings which exceed the 35ft height limit, architectural features, flood protection purposes and affordable housing. Staff to present drafts during the regular December BOCC meeting.*
- *BOCC directed staff to work on an inventory/data of privately-owned offshore islands. Staff to present draft during the regular December BOCC meeting.*

A transcription of the BOCC height discussion, from the October 7, 2014 public hearing, is attached as Exhibit 1.

During the regular December 10, 2014 BOCC meeting, a public hearing was held to discuss proposed height and offshore island policies and to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the DEO. The BOCC directed staff to maintain the existing adopted height and offshore island policies and to extract the proposed changes to the height limit policy and process it as a separate amendment.

<u>DRC</u>: At its regularly scheduled meeting on March 24, 2015, the Monroe County Development Review Committee reviewed proposed Comprehensive Plan (CP) text amendments and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The CP text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. Public comment included processing separate Land Development Code amendments on height exemptions and to include more details in the Code.

<u>DRC</u>: At its regularly scheduled meeting on May 26, 2015, the Monroe County Development Review Committee reviewed the proposed CP text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The CP text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. Public comment included processing separate Land Development Code amendments on height exemptions and to include more details in the Code.

<u>DRC</u>: At its regularly scheduled meeting on August 25, 2015, the Monroe County Development Review Committee reviewed the proposed CP text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The CP text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. *Public comment included processing separate Land Development Code amendments on height exemptions and to include more details in the Code.*

Through the DRC process, members of the public asked for general policies in the Comprehensive Plan and more detail in the Land Development Code (LDC). The May 26, 2015 and August 25, 2015 DRC staff reports for the Comprehensive Plan amendment included draft LDC amendments to assist in reviewing and developing the amendments. This staff report is the LDC amendment to correspond to the Comprehensive Plan amendment currently being processed (File 2015-006).

DRC: At its regularly scheduled meeting on October 27, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the October 27, 2015 DRC is attached as Exhibit 2. Minutes from the October 27, 2015 DRC are attached as Exhibit 3.

DRC: At its regularly scheduled meeting on January 26, 2016, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The staff report from the January 26, 2016 DRC is attached as Exhibit 6. Minutes from the January 26, 2016 DRC are not available as of the date of this staff report.

III. ANALYSIS OF PROPOSED AMENDMENT

HEIGHT:

In unincorporated Monroe County, height and grade are defined as follows:

Section 101-1

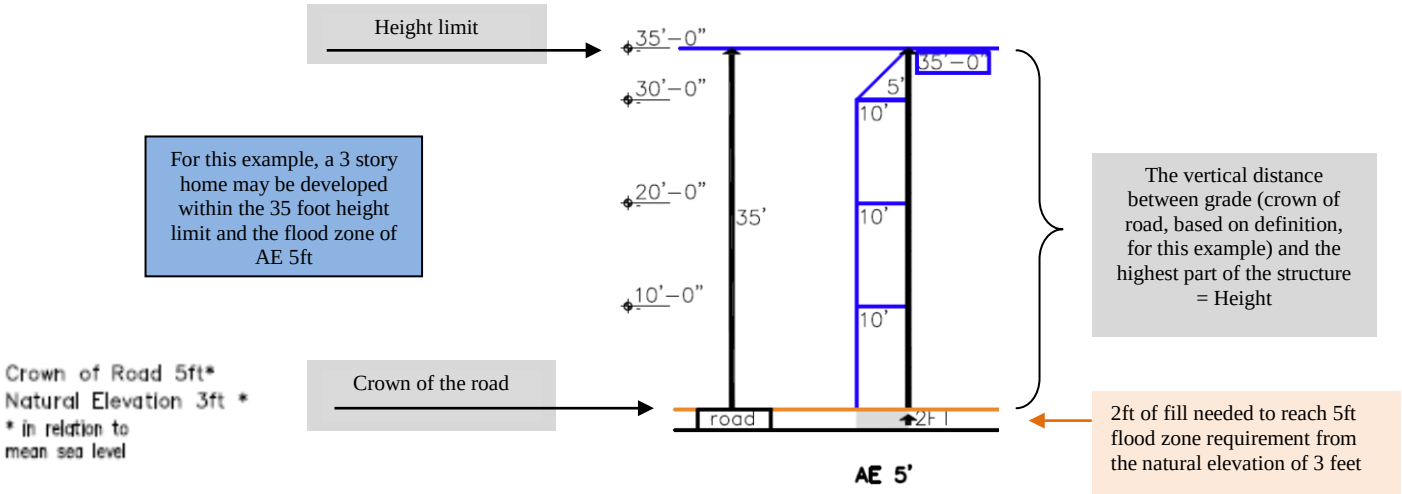
HEIGHT is defined as: ***the vertical distance between grade and the highest part of any structure****, including mechanical equipment, but excluding chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the applicable height limitations. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply*.

GRADE means ***the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher****. To confirm the natural elevation of the ground surface, the county shall utilize the Light Detection and Ranging (LiDAR) dataset for Monroe County prepared in 2007. In the event 2007 LiDAR data is not available for a given parcel, the county shall use the best available data, including, but not limited to, pre-construction*

boundary surveys with elevations, pre-construction topographic surveys, elevation certificates and/or other optical remote sensing data.

Based on the adopted definitions the following is a basic depiction of: *height = the vertical distance between grade and the highest part of any structure.* In this depiction, the crown of the nearest road directly adjacent to the structure is *higher* than natural elevation of the ground surface (prior to construction, next to the proposed walls of a structure).

As such, the crown of the road is the starting point, for this example, in measuring the vertical distance of the structure.



National Flood Insurance Program & Biggert-Waters Flood Insurance Reform Act

In 1968, Congress created the National Flood Insurance Program (NFIP) to provide a means for property owners to protect themselves financially from flood events. The NFIP offers flood insurance to homeowners, renters and business owners if their community participates in the NFIP. Participating communities agree to adopt and enforce floodplain management ordinances that meet or exceed FEMA requirements.

Flood maps inform communities about the local flood risk and help set minimum floodplain standards for communities to build with safety and resiliency in mind. Flood maps determine the cost of flood insurance, which helps property owners to financially protect themselves against flooding. The lower the risk, the lower flood insurance premiums will be. Flood maps are also the basis for flood insurance rates through the NFIP.

As risks change, insurance premiums also change to reflect those risks. [Note, FEMA is in the process of re-mapping the Florida Keys] Flood insurance premium may be going up; however, property owners may be able to reduce premiums if they build their home or business to be safer, higher, and stronger.

The Biggert-Waters Flood Insurance Reform Act of 2012 provides long-term changes to the National Flood Insurance Program. This additional legislation has been enacted with the intent to strengthen the program, ensure its fiscal soundness and inform its mapping and insurance rate-setting through expert consultation, reports and studies.

Today the program is focused on implementing recent legislation by adjusting premium increases, issuing new rates and map updates, supporting mitigation and ensuring special advocacy to connect policyholders with the information they need to better understand the program.

Recent legislation phases out subsidies for some older buildings in high-risk flood areas. As a result, rates for these buildings will rise until they reach full-risk rates. In addition, all policyholders will be subject to new assessments and surcharges. [https://www.floodsmart.gov/floodsmart/pages/hfiaa-2014.jsp].

See FEMA data sheets on Rebuilding in Flood zones and 'Reduce Your Risk, Reduce Your Premium' which are attached as Exhibit 7.

IV. PROPOSED AMENDMENT (Deletions are ~~stricken through~~ and additions are underlined.)

Section 101-1. - Definitions.
The following words, terms and phrases, when used in this Land Development Code, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * * * *

Elevate means the action of retrofitting or raising a building to a higher positon.

Elevated Building means a building that has its lowest floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Retrofit means methods to modify a lawfully established existing building to reduce its exposure to flooding and raise the living area to meet or exceed flood levels. In general, retrofitting involves lifting the building and constructing a new foundation or extending the existing foundation, or leaving the building in place and either constructing a new elevated floor system within the building or adding a new upper story and converting the ground level to a compliant enclosure that is used only for parking, building access, or storage.

* * * * *

Sec. 130-187. - Maximum height.
No structure or building shall be developed that exceeds a maximum height of 35 feet. Exceptions will be allowed for chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. Exceptions will be allowed for flood protection as specifically permitted in Policies 101.5.32 and 101.5.33 and listed below. However, in no event shall any of the exclusions

enumerated in this section be construed to permit any habitable or usable space to exceed the maximum height limitation, except as specifically permitted in Policies 101.5.32 and 101.5.33. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply.

A. Within the Ocean Reef master planned community which is gated, isolated and inaccessible to the surrounding community, and has a distinct community character, buildings may include non-habitable architectural decorative features (such as finials, railings, widow's walk, parapets) that exceed the 35-foot height limit, but such features shall not exceed 5 feet above the building's roof-line. This exception shall not result in a building together with any architectural decorative feature with a height that would exceed 40 feet.

B. As provided in Policy 101.5.32, buildings voluntarily elevated to meet or exceed the FEMA Base Flood Elevation (BFE) may exceed the 35-foot height limit as follows:

1. For NEW buildings which are voluntarily elevated to **exceed** the building's minimum required BFE, an exception of a maximum of three (3) feet above the 35-foot height limit may be permitted. The amount of the height exception shall be no greater than the amount of voluntary elevation above BFE. In no event shall a new building exceed 38 feet in height. This exception shall apply to the substantial improvement of buildings, whether voluntary or not.

2. For lawfully established EXISTING multi-family buildings which do not exceed the 35-foot height limit and are voluntarily retrofitted to **meet and/or exceed** the building's minimum required BFE, an exception of a maximum of five (5) feet above the 35-foot height limit may be permitted. The amount of the height exception shall be no greater than the distance necessary to elevate the building to **meet** BFE **plus** up to three (3) feet of voluntary elevation above BFE. In no event shall an existing building be elevated to exceed a total building height of 40 feet.

3. No exception shall result in a total building height that exceeds 40 feet.

4. Buildings not being elevated to at least meet the required FEMA BFE are not eligible for this exception.

5. No exception shall be provided to buildings located in an AE 10 or VE 10 or greater FEMA flood zone.

C. As provided in Policy 101.5.33, lawfully established EXISTING multi-family buildings which exceed the 35-foot height limit may be repaired, improved, redeveloped and/or elevated to meet the required FEMA BFE provided the building does not exceed a total maximum building height of 40 feet, and the building is limited to the existing lawfully established intensity, floor area, building envelope (floor to floor height), density and type of use. A Flood Protection Height Exception of a maximum of five (5) feet may be permitted to **meet** the building's minimum required FEMA BFE. The amount of the exception shall be no greater than the amount of elevation necessary to **meet** BFE. Buildings not being elevated to at least meet the required FEMA BFE are not eligible for this exception.

D. As provided in Policy 101.5.33, for lawfully established EXISTING multi-family buildings which exceed the 35-foot height limit that are proposed to **exceed** a total height of 40 feet, a public hearing before the Planning Commission and Board of County Commissioners to review and specify the maximum approved height shall be required prior to issuance of any county permit or development approval. The Planning Commission shall provide a recommendation to the BOCC on the maximum height of a building. The BOCC shall adopt a resolution specifying the maximum approved height.

1. For lawfully established EXISTING multi-family buildings that are voluntarily repaired, improved, redeveloped and/or elevated to **meet** the building's minimum required FEMA BFE, but will require a height exception of **more than** five (5) feet, a Flood Protection Height Exception exceeding the 35-foot height limit may be provided by the BOCC based on the following criteria:
   a. The physical characteristics of the existing building and parcel;
   b. The susceptibility of the existing building and its contents to flood damage and the effects of such damage on the property owner;
   c. The possibility that materials from the existing building may be swept onto other lands to the injury of others;
   d. The availability of alternate solutions;
   e. If the new proposed building height will result in increased flood risk; result in additional threats to public safety; result in extraordinary public expense; create nuisance; or cause fraud on or victimization of the public; and
   f. Community character.
   g. Buildings not being elevated to at least meet the required FEMA BFE are not eligible for this exception.

2. A BOCC resolution shall specify the findings of criteria of D.1. a. though g. (above) and specify the approved maximum total height for the proposed building.

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Policy 217.1.4
Monroe County shall continue its policy of reviewing the current Building Code and, as appropriate, adopting structural standards and site alteration restrictions that meet or exceed the minimum FEMA requirements. The Building Code shall be reviewed and revised at least every five years. The recommendations of the applicable interagency hazard mitigation report shall be considered in revisions to the Code.

Policy 217.1.5
Monroe County shall continue to participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) to the maximum extent possible and shall seek to improve its current CRS Class 9 rating.

Policy 217.1.6
Monroe County shall continue to enforce federal, state and local setback and elevation requirements to promote the protection and safety of life and property. Revisions to the existing setback requirements contained in the Land Development Regulations shall be considered as a means of reducing property damage caused by storms.

Objective 601.3
By January 4, 1998, Monroe County shall increase implementation efforts to eliminate substandard housing and to preserve, conserve and enhance the existing housing stock, including historic structures and sites.

Policy 601.3.2
The County Code Enforcement Office and Building Department will enforce building code regulations and County ordinances governing the structural condition of the housing stock, to ensure the provision of safe, decent and sanitary housing and stabilization of residential neighborhoods.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
(g) Protecting the historical heritage of the Florida Keys.
(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

    1. The Florida Keys Aqueduct and water supply facilities;
    2. Sewage collection, treatment, and disposal facilities;
    3. Solid waste treatment, collection, and disposal facilities;
    4. Key West Naval Air Station and other military facilities;
    5. Transportation facilities;
    6. Federal parks, wildlife refuges, and marine sanctuaries;
    7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
    8. City electric service and the Florida Keys Electric Co-op; and
    9. Other utilities, as appropriate.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal

facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.

(j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.

(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.

(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.

(m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.

(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with one or more of the required provisions of 102-158(d)(5)(b):

1. Changed projections (e.g., regarding public service needs) from those on which the text or boundary was based;

   N/A

2. Changed assumptions (e.g., regarding demographic trends);

   N/A

3. Data errors, including errors in mapping, vegetative types and natural features described in volume 1 of the plan;

   N/A

4. New issues;

   The proposed amendment addresses new issues related to height exceptions for non-habitable architectural decorative features within the Ocean Reef master planned community; and to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs due to projected sea level rise, upcoming release of new FEMA flood maps and the recent Biggert-Waters Flood Insurance Reform Act.

5. Recognition of a need for additional detail or comprehensiveness; or

   The proposed amendment addresses the need for additional detail to implement proposed comprehensive plan policies related to height exceptions for non-habitable architectural decorative features within the Ocean Reef master planned community; and to provide criteria to evaluate and provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs.

6. Data updates;

   N/A

7. For FLUM changes, the principles for guiding development as defined in the Florida Statutes relating to changes to the comprehensive plan.
   N/A

VI. STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed amendments.

Staff has found that the proposed text amendments would be consistent with the provisions of §102-158(d)(5)(b): 1. Changed projections (e.g., regarding public service needs) from those on which the text or boundary was based; 2. Changed assumptions (e.g., regarding demographic trends); 3. Data errors, including errors in mapping, vegetative types and natural features described in volume I of the plan; 4. New issues; 5. Recognition of a need for additional detail or comprehensiveness; or 6. Data updates.

Specifically, staff has found that the proposed text amendments are necessary due to 4. New issues; and 5. A recognition of a need for additional detail or comprehensiveness

VII. EXHIBITS

1. Transcription of the BOCC height discussion, from the October 7, 2014 public hearing
2. October 27, 2015 DRC Staff Report
3. October 27, 2015 DRC Minutes
4. Table of FEMA flood zones and number of private, vacant parcels in unincorporated Monroe County
5. Ocean Reef Club request and data.
6. January 26, 2016 DRC Staff report
7. FEMA data sheets on Rebuilding in Flood zones and 'Reduce Your Risk, Reduce Your Premium'
8. Proposed Comprehensive Plan and Land Development Code Amendments

EXHIBIT 1

Monroe County Board of County Commissioners Special Meeting

Tuesday, October 7, 2014

Height Exceptions

Then the next change is on page 43…

You have a couple of new policies here, you all directed staff to take a look at how to possibly raise the height limit for architectural features that really just apply to Ocean Reef and so we've also come up with some criteria and you'll see that on those two policies 5.31 and 5.32

Mayor Murphy: Do we have a public speaker on this Lindsay?

Lindsay Ballard: We do. Joel Reed.

Mayor Murphy: Debbie, are you ready for public speakers?

Debbie: Yes mam on this particular topic.

Joel Reed: Good morning Mayor, Commissioners, Joel Reed. I'm here today on behalf of Ocean Reef Club and Ocean Reef Community Association in regard to this issue. First of all I want to thank you for the support. As you know Ocean Reef is a distinct community. It's a private gated community of about twenty five hundred acres, about seventeen hundred units up there. We have a lot of additional amenities up there, public buildings or quasi, kind of public buildings that are for the club purpose as well. Ocean Reef also has a Community Association which has its own architectural board, its architectural committee that kind of makes going through DRC and Planning Commission a day at the beach compared to their architectural committee. They are very stringent. They impose a lot of times additional requirements and regulations on their projects. Their whole community is very involved with the process. They're all notified as far as any changes that happen up there. So the five foot, we appreciate the support and the language in there a lot of times, some of the single family homes and the commercial buildings as well bump up as far as making them more architecturally attractive to need this section to allow for that. We also have had a lot of discussions the last couple of weeks internally as well. I'm going to pass out, I guess to the clerk and to you guys, additional language we would like you guys to consider. But we have been talking to staff about ….(passes out additional language considerations) So not to confuse the issue, there are two specific issues. First is allowing for some additional architectural features that the five foot would do. As we went through the club, as I said, owns a lot of buildings. Some of those buildings are the hotels that are near Buccaneer Island, if you've been up there before. The Amberjack, The Dolphin, The Marlin, these buildings are aging, they're coming to the end of their life. We have done quite a few renovations to them. At this point there is not really many more renovations that can be done in order to continue to maintain and operate them. As you know, that function of the club as well is essential to maintaining a Class A club up there, continuing to provide for the tax base that comes out of Ocean Reef is by having an attractive club where we can continue to attract, to maintain current members and attract new members. A lot of those buildings, I have some data, it's not all there, The Amberjack for example is three levels of living. Just to give an

example, the couple, I'm not going to go into all of them, but we said look if these things were substantially damaged through a hurricane, or they had to come down, or we had to rebuild, we wouldn't be able to build back those units to those heights that are there today. We have several. We have The Harbor House which is a condominium, its over fifty four feet right now in Ocean Reef Club. We have The Marlin, which is one of the hotel buildings, that's at forty two feet. We got the Dolphin Hotel at forty seven feet and The Creek House. We didn't have the number on it but we know that's well over forty feet as well. That's another condominium building up there. We came up with the boat barn, that's at thirty seven feet, the boat barn that we have up there. But there is about seven or eight buildings specifically that we thought it would be greatly impacted as we try to redevelop these properties or if we have to due to a hurricane or other issues. Some of the other issues we face is that although these are three stories and they are just pushing the height limit right now. You know, if you get three stories up there you're at thirty feet and then you have an architectural roof element you're at thirty seven feet or something like that. A lot of these buildings are built below flood right now so if we go to build them back, obviously we're talking about sea level rise, we want to encourage those buildings to be brought back up to flood. What happens is we lose a whole top level that we currently have today. We would lose almost a whole floor there out of those developments and that's just not possible to happen. So we proposed some additional policy language to put in there to protect these existing buildings that are there to be able to be built back. We haven't thoroughly vetted with staff yet at this point we have just proposed talking about the issue that I just explained. We would like and hope to support and to continue to work with staff to tweak some of this language to get into the Comp Plan to protect us on some of these issues. And the language, it exempts, it doesn't exempt, it doesn't include single family homes so this is only for the multi-family and commercial structures that are up there, so it doesn't include any of the single family homes and what it says is, "lawfully established structures that exclude single family homes that exceed this height limit may be replaced with their existing height plus any additional height required to elevate the first finished floor two feet above the FE" so encouraging them to go, you know, those extra two feet as well above that base flood elevation to account for future sea level rise as well. And then also that the height limit applicable to Ocean Reef and this would be an exemption for their community center building. The community center building up there right now puts on productions and theater productions and when it was built, they aren't able to attract and have the top of the line theater groups that come in there because a lot of the sets that they have, they change throughout the production. They actually lift that whole set up to lift that whole backdrop up into the ceiling and then they drop down the new one and their theater wasn't able to be designed to that because of the height and so they also want that as an exclusion so that they can look to enhance that building at some point to be able to attract those types of productions there. I'm here for any questions. Thank you for considering.

Mayor Murphy: So the proposed additional language, Joel, is what you want, not the existing language?

Joel Reed: We support the Club and the Community Association both support that existing policy language that's in there ...

Commissioner Carruthers: the institutional language ...

Joel Reed: Yeah. This is additional language, as we were talking about that five foot that was in there, that we were supportive of. You know, we started to talk about the hotels and the aging and the issues and if we did try and rebuild them back, what that would look like in the loss of rooms and the development that's there.

Mayor Murphy: Do we have a public speaker on this?

Lindsay Ballard: We do.

Mayor Murphy: Let's hear the public speaker. Another one.

Lindsay Ballard: D.A. Aldridge

D.A. Aldridge: I'm D.A. Aldridge. I live on Tavernier which is part of Kay Largo. Here we are at the last minute, a breath away from sending the Comp Plan and all of a sudden we see a very important change being requested by our Northern neighbors. The Federation of Homeowner's Association has been very adamant about height restrictions for many years and we have continually fought for thirty five feet. We are asking at this time, I am asking at this time to have you not vote on this. We have not had the opportunity to look at the language that has been just handed to you and we feel that it needs to be reviewed very closely by the staff and by you because this is a huge change that they are requesting. Thank you.

Mayor Murphy: ... That's it

Commissioner Kolhage: What does the, in the final sentence when they talk about assembly group A1 and so forth, what does that mean?

Christine Hurley: We don't know.

Mayor Murphy: Well they haven't seen it yet. This is the problem with this.

Christine Hurley: Well we have seen that he emailed it but we asked questions. We didn't know what he meant by that.

Commissioner Kolhage: Well but we're going to have to be more specific on that. We'll have to have language that says exactly what it means. I think anyway.

Commissioner Rice: Could we not deal with this today and deal with it in January?

Christine Hurley: If you want us to address his comments, I just say get direction from the board at this point. We work on some type of language to bring back to you in January.

Commissioner Rice: I think that's what we should do.

Mayor Murphy: And what happens if we then want to make changes in January? Do we hold up the whole process?

Christine Hurley: I think you can legally make changes on the floor by motion before we transmit.

Bob Shillinger: As long as you're not changing the general substance of it. The general tone of it.

Mayor Murphy: Well that's what I am worried about. If we let this go til January and then begin to, ya know, flesh it out and the public speaks and we all get confused and then what happens to the rest of Comp Plan because we are supposed to vote on that in January.

Commissioner Neugent: I would ask on issues like this because I very much agree with what was said that we just got this and I think we need some information and my question is, and there may be some more issues very similar to this that come up. Can we have another meeting discussing those particular issues before the January transmittal?

Christine Hurley: Sure. We could do that.

Mayor Murphy: That would be helpful.

Commissioner Rice: That may be the way to approach it.

Christine Hurley: The problem with holding it in November or December is the calendars are already a mess from the holidays.

Commissioner Neugent: Oh my gosh we might have to do a little work.

Christine Hurley: No, that's not what I meant. It's just that even your regular board meetings got all shifted around.

Commissioner Neugent: Have it at the board meeting. End of the item discussion for a board meeting.

Christine Hurley: Okay. We can do that.

Mayor Murphy: We can do that.

Commissioner Neugent: Another things that's in this right here as I read it, for clarification purposes, "architectural decorating features that exceed the thirty five foot height limit but such features shall not exceed five feet above the structures roof line" Joel also mentioned that some of these buildings are already, I guess they would be legal non-conforming because they are above the height limit, so when you say "features shall not exceed five feet above the structures roofline" what roofline are we talking about? The one that's already non-conforming? Or thirty five feet, shall not exceed five feet above thirty five feet? That's not the way I necessarily interpret that.

Mayor Murphy: Because if it's the fifty four foot building, we're now at fifty nine...

Christine Hurley: It's not though. This is meant for new development that cannot exceed thirty five feet.

Commissioner Neugent: Well what happens ...

Christine Hurley: Joel has added in and what he is really asking you to do, is in simple terms, and I think it could be very simplified, is agree that existing, non-conforming buildings that are at a height greater than thirty five feet, be allowed to rebuild to that height plus...

Commissioner Neugent: I didn't hear anybody bring that up...

Christine Hurley: That's really what he is asking though.

Commissioner Rice: Well that's what this really says

Mayor Murphy: Plus what?

Christine Hurley: plus, let him adjust, like we already have a provision in here, for another five feet, if they need to raise the elevation for FEMA floodplain issues.

Mayor Murphy: Fine, but not for decorative features.

Christine Hurley: Well he talked about decorative also, but he definitely spoke about ...

Mayor Murphy: Well let's get it down pat.

Christine Hurley: Well we will try to but we got his language a couple days ago and...

Mayor Murphy: Well his language is kind of going in a figure eight.

Commissioner Kolhage: I understand what they are saying. In other words, he wants to maintain what they have now with an adjustment.

Christine Hurley: Yes. I think that's what he is asking.

Commissioner Kolhage: And I think that is reasonable.

Mayor Murphy: To replace a building, an older building that was built over thirty five feet, have a problem with that anywhere in Monroe County. It is what it is, we're all used to it, it's part of the landscape.

Commissioner Neugent: Clarification on what you just said

Mayor Murphy: I do not object to any of the older buildings that were built above thirty five feet. We all have them in our neighborhoods. If they need to be replaced or have to be replaced, I don't have a problem with them maintaining the height.

Commissioner Neugent: Hold on a minute there. Is there anything in our code, and I would use this as an analogy, FEMA's description of it, if its damaged by more than fifty percent, it has to be rebuilt, that is there anything in our code or Comp Plan that says that it then can be built over thirty five feet?

Mayor Murphy: No, No.

Christine Hurley: Okay, today, don't mix apples and oranges. Today our code does not allow us to approve a building permit above thirty five feet. If the structure is destroyed beyond fifty percent, they then have to conform to the new code, which is the thirty five foot height limit. And if it's destroyed beyond fifty percent under the floodplain rules, they have to raise the elevation and that's why they added this other position.

Commissioner Neugent: I understand the apples and oranges thing that I just plugged into it as an analogy but what I am saying is, have we had that discussion? You just said, at least my interpretation, that you can't build what Commissioner Murphy just said ...

Christine Hurley: You can't. That is what Joel is asking you to change.

Commissioner Neugent: So we need to have that discussion.

Commissioner Carruthers: And that's why we have the further thing about flood protection and height exceptions. Go to 105.5.32. We added that so that we would allow people to exceed the thirty five feet when they have to, to create enough free board to comply with FEMA regulations.

Commissioner Neugent: I'm not talking about base flood elevation.

Commissioner Carruthers: but that is the crunch that you are getting into. When the Mayor says that you can rebuild a building at the height it is today, but we have a thirty five foot limit and FEMA says you gotta raise your building five feet, you lose a story.

Commissioner Neugent: that addresses one part of it. The other part that is not being addressed in my opinion, is do we have anything, are we proposing that then a fifty four foot high building could be rebuilt to fifty four feet.

Christine Hurley: Joel is proposing that.

Commissioner Neugent: And that's what I am asking this Commission. Is that where we want to go with that?

Commissioner Carruthers: Well, I mean, if we don't allow people to do that, isn't that essentially a taking? I mean you would be ... think about the real life economic consequences of...

Bob Shillinger: There may be some Bert Harris implications but it's a different analysis.

Commissioner Kolhage: What we are considering here is because of the isolated and specific nature of Ocean Reef, do we want to make an exception here?

Commissioner Neugent: And can I tag onto that Commissioner Kolhage? Municipalities have the right, if I misspeak correct me, to go above thirty five feet if they choose to. Marathon has gone above thirty five feet, I think Key West has a height limit above thirty five feet, but based on what Commissioner Kolhage just said, and I want to hear some arguments otherwise, Ocean Reef is an isolated area, miles away from anyone else and a gated community, albeit in unincorporated Monroe County, they're very similar to a municipality with a city type manager, that do we want to be so parental if they have no objections internally amongst themselves to keep them from rebuilding above thirty five feet or changing some things that they have gone through the public input locally with their gated community. Do we want to impose our thoughts on how Ocean Reef should be run?

Commissioner Rice: I don't think we are trying to do that.

Mayor Murphy: I don't either. But I will tell you, my feeling is, in many, many instances, what Ocean Reef wants to do up there because they are away from everyone, I've agreed with. They've had good ideas, no problem and they do it. However when it comes to things like the height limit that everyone in this county is interested in, every developer is watching, and a lot of the homeowners are watching. I can't do something for them that I won't do for the rest of the county. And I will go to the extent that these buildings that Joel is talking about, were built when there was no height limit actually. If this comes down either in a hurricane or they want to

remodel it, I don't have a problem with them rebuilding to the height it was. I don't think it ruins the landscape because we have had thirty/forty years of looking at it. And therefore, everyone else in the county can also rebuild the over thirty five feet structures they have. Most of them are commercial structures.

Commissioner Kolhage: Okay can I ask you a question Mayor so I can more or less understand your position? So you're saying, you don't have a problem with them rebuilding to the height that they are now but you mean without the adjustment for base flood elevation or with it?

Mayor Murphy: No, because everyone in the county is going to get that adjustment.

Commissioner Kolhage: So you don't have an objection to it?

Mayor Murphy: Not to that. I have an objection to the decorative features.

Commissioner Kolhage: Okay but look, if it's, if they got a fifty foot building and there is a five foot adjustment for base flood elevation, you don't have a problem with them going to fifty five feet?

Mayor Murphy: No.

Commissioner Kolhage: Okay.

Mayor Murphy: They are going to what they were before the remodel ...

Christine Hurley: and you want it county wide not just for Ocean Reef?

Mayor Murphy: Yes.

Commissioner Carruthers: But only for flood mitigation...

Mayor Murphy: That's it, no decorative stuff.

Christine Hurley: Well right now the decorative is in, the flood is in...

Commissioner Carruthers: Well the decorative is in for Ocean Reef only, the flood is in for everyone. Right?

Christine Hurley: Yeah and the decorative is not so much what Joel is talking about relative to the bigger commercial buildings, its more for the single family homes that want the decorative features on top of the roof. They are separate issues really. So right now in the draft policy you have included an extra five feet in Ocean Reef for the decorative architectural features, you've included for the whole county up to five feet adjustments for flood protection, raising your elevations, and Joel is asking you to also include, for Ocean Reef, but it sounds like you at least have one Commissioner who wants to do it county wide for grandfathering existing buildings that are higher than thirty five feet and allowing them to get the flood adjustment.

Bob Shillinger: You'd want to vest them for that height is what I'm hearing.

Christine Hurley: Yup. But I don't know the Commissions, I'm not getting...

Commissioner Neugent: Well first of all the staff is supposed to review what the request is and bring it back the staff recommendation

Christine Hurley: But I'd like to know what the board, county wide or Ocean Reef for this vesting of existing buildings at least.

Commissioner Rice: Well let me help you out, if we don't do that, the economic impact, eventually we will destroy what we know down here. I don't feel that we have any choice.

Commissioner Carruthers: I don't think it's fair…I don't think it's fair to not let somebody rebuild what they got. As it is when they do rebuild they have to meet standards that exist today that did not, and codes that exist today that did not exist then.

Christine Hurley: I understand what you all are asking for so if you want to just move on without voting, we will draft language and bring it back for discussion on one of your regular agendas.

Commissioner Neugent: Let me point this out, as someone who operated out of an illegal non-conforming building, if you think that it is something that is, it was called Porky's restaurant, and if would have been destroyed by a storm, I would have had a very difficult time, if not impossible time to rebuild with the same amount of square footage because of setbacks that came into play after Porky's was built eons ago. So if you think that there is a fairness level here, there is really a lot of situations where you can't rebuild.

Commissioner Carruthers: but wouldn't you have been able to apply for variances and exceptions to those setbacks…

Christine Hurley: No.

Commissioner Neugent: You still would have had to meet the setback requirements.

Christine Hurley: You could apply for variance for a setback but not height.

Mayor Murphy: See well all we are talking about is height. Not their setbacks. Not anything else.

Commissioner Kolhage: We're talking about changing the whole concept of the fifty percent rule.

Christine Hurley: No I understand …

Commissioner Kolhage: How does it work? For height…we're saying we're washing away the fifty percent rule.

Christine Hurley: Well other things enter into ….for height you would be washing it away.

Bob Shillinger: As a trigger for bringing it into compliance with current code

Christine Hurley: There are still other things that apply to that but most of those can be remedied by a variance.

Commissioner Carruthers: and just to clarify what you are eluding to I think, Commissioner, is that someone can elevate their building now. And that's not necessarily fifty percent improvement. Right?

Christine Hurley: I mean if you are elevating a building, you're usually triggering that price...

Commissioner Carruthers: Well it depends on the building and the cost

Commissioner Kolhage: and the whole destruction issue and the fifty percent and that's.... I'm not necessarily saying I have a problem with that but that's what we're doing

Christine Hurley: And I will say the examples that Joel gave of the condominiums, when you, let's say have eight units per floor and now you have a storm that destroys more than fifty percent of that building, you are eliminating the possibility of one of those floors, because you are going to have to elevate it and that means eight condo owners don't get a unit and so that's related to the Bert Jay Harris that Bob referred to

Commissioner Carruthers: Everybody gets a smaller unit which is still going to be an issue so ...

Christine Hurley: That's under our current rules.

Commissioner Rice: And what we're trying to do is validate, you don't want to build a fifty year building or sixty year building without accommodating expected sea level rise

Commissioner Carruthers: I guess my only other comment is that I know that this is going to be controversial and people are going to be concerned about character and things like that...

Mayor Murphy: But it's already there.

Commissioner Carruthers: Well it is already there...

Mayor Murphy: So it's not changing the landscape...

Commissioner Carruthers: It's not but trust me from dealing with this in Key West people have the perception that overnight the character of our communities is going to change and that's not what we're talking about...Over fifty years it probably will to some extent but it's going to have to if we want to continue to live here.

Mayor Murphy: Alright listen we're going to take a break

.....

Mayor Murphy: And what I realized is we neglected to give Christine a head nod one way or the other on the non-habitable architectural decorative features. My comment was, I will vote for the increase in height but not for the decorative features. Discuss it and let her know which direction you would like her to take when she does her staff report.

Commissioner Carruthers: Are you talking about within Ocean Reef or County wide?

Mayor Murphy: They are the only ones that asked for it.

Commissioner Carruthers: I don't really care.

Commissioner Neugent: We'll put together something that is going to be in place for twenty years or at least supposedly it should be put in place so this is going to be hard and complex so I would say that the data and information on it being done county wide.

Mayor Murphy: But the point is, what county wide? I don't care if its county wide, in fact it has to be. For me to vote for a height limit, it has to be county wide. Otherwise, I'm not going to vote for it.

Christine Hurley: Okay wait a minute, no one has proposed, maybe that's where you're going next I don't know, right now what's in your draft is flood for everybody ...

Mayor Murphy: Base flood elevation...

Christine Hurley: They have talked about it, I am very clear, everyone is okay with that. Ocean Reef only, decorative features, five additional feet. And I didn't hear, I heard Murphy say she's opposed to it but I didn't hear what any of you other Commissioners thought of that.

Mayor Murphy: And that's what I am trying to bring out so that she knows where to go with it.

Commissioner Neugent: I thought I heard you ask, you wanted a head nod whether this was going to be proposed just for Ocean Reef or all of unincorporated Monroe County.

Christine Hurley: I had never heard that the decorative features was proposed for all of Monroe County from you all.

Commissioner Rice and Commissioner Kolhage respond in unison: No, no...

Commissioner Neugent: Okay but I also heard Commissioner Mayor Murphy say, I'm not going to treat them any different than the rest of the County.

Commissioner Rice: Well that gives you a slight clue as to how she might vote.

Christine Hurley: So what I think I've gotten clarity on is everybody's okay allowing the people to get five of the five feet to adjust the floodplain if they are demolished. The board wants us to draft language to address existing structures that are already over thirty five feet to be able to be replaced with the five foot flood adjustment. What I don't have any clarity on is whether or not the board wants us to keep in Ocean Reef allowance for five foot additional architectural decorative features or not. Or if you want to expand that County wide, which I had never heard as an option to this moment.

Commissioner Kolhage: Let me just state my position on this and you can go down the line I guess but I really don't care about the architectural features of Ocean Reef. I've tried to care but I just can't. But I am a little concerned, I'm a little concerned about doing away with our fifty percent rule on the rest of the County and I'm not saying that I am going to support that.

Commissioner Neugent: I'm not saying that I am going to support anything. I'm saying I just want the information to be able to make the decision, have the discussions with the people who are going to speak for and against it.

Mayor Murphy: And my only point with the architectural features, I don't think they are necessary, but if just for Ocean Reef, I don't want them certainly spread all over Monroe County and if you do that you are guaranteeing somebody an extra ten feet. Five feet for the base flood elevation, up to five feet, and then up to another five feet for their decorative stuff, plus what they'll be rebuilding is something that is you know, fifty feet, fifty four feet, whatever. Its adding ten feet to it instead of five. I think that's a bit much.

Commissioner Neugent: At what point in time do we bring up what was brought up previously about addressing affordable housing, increasing the height limit ...This is all about bringing information back to us.

Christine Hurley: This is the time to bring that up if you want to.

Commissioner Neugent: And I just, looking back in history a little bit here, there were some comments that Meridian West could have had another floor which would have increased the housing if they had gone up an additional foot or so. So again, more information to discuss that strictly for affordable housing.

Christine Hurley: Yes and at the meeting that State Representative Raschein held, you all discussed that. We do not have anything included right now in this policy for increased height for affordable housing. We have discussed it as staff after you had that meeting. It's our opinion that if you are going to incentivize affordable housing development by giving them a higher height limit that you should restrict that to very low and low maybe median, but the moderate income level is something that we do not think should be incentivized with a height increase.

Commissioner Neugent: One of the biggest problems in dealing with affordable housing is the property to build them on. Another reason why I think the discussion should take place for affordable housing to go up is that if you can build more on that specific site as opposed to trying to find other properties to build affordable housing on. It helps resolve that part of the equation.

Commissioner Kolhage: So what are you going to do with that Christine? Between now and January?

Christine Hurley: Do you want us to include something for you to consider relative to affordable in the next version that we bring to you at your regular meeting for discussion?

Commissioner Rice: I do.

Commissioner Carruthers: I do.

Christine Hurley: Okay.

Commissioner Kolhage: I remain to be convinced...

Commissioner Rice: I'm not sure how I feel about it but I think we do need to have the discussion.

Christine Hurley: And I'm going to have some diagrams for you all by the next meeting with each policy so you can see what that means.

Commissioner Carruthers: Will you also, related to this policy with affordable, that would have to be in very specific tiered areas obviously.

Christine Hurley: I understand. I will bring that also.

Commissioner Kolhage: It's all about potential serious community character issues here.

EXHIBIT 2

MEMORANDUM
MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Development Review Committee
Mayté Santamaria, Senior Director of Planning & Environmental Resources

From: Mayté Santamaria, Senior Director of Planning & Environmental Resources
Emily Schemper, Comprehensive Planning Manager

Date: October 16, 2015

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING POLICY 101.5.31 TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File # 2015-006)

Meeting: **October 27, 2015 - continued from March 24, 2015, May 26, 2015 & August 25, 2015**

I. REQUEST

The Monroe County Planning & Environmental Resources is proposing amendments to create Policy 101.5.31 to address non-habitable architectural decorative features within the Ocean Reef community; and create Policies 101.5.32 and 101.5.33 to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs.

II. BACKGROUND INFORMATION

The County has been working on the Comprehensive Plan update and has held numerous public hearings on the proposed amendments. Most recently, the Board of County Commissioners (BOCC) held special public meetings on March 21, 2014, April 23, 2014 and May 22, 2014, to review proposed amendments to the Comprehensive Plan. A special BOCC public hearing was held on July 23, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and this hearing was continued to October 7, 2014.

The Monroe County Board of County Commissioners held a special meeting on October 7, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and the hearing was continued to December 10, 2014, to discuss the following:

- *Policies 101.5.31 and 101.5.32: BOCC directed staff to work on height policies for addressing the replacement of existing buildings which exceed the 35ft height limit, architectural features, flood protection purposes and affordable housing. Staff to present drafts during the regular December BOCC meeting.*
- *BOCC directed staff to work on an inventory/data of privately-owned offshore islands. Staff to present draft during the regular December BOCC meeting.*

A transcription of the BOCC height discussion, from the October 7, 2014 public hearing, is attached as Exhibit 1.

During the regular December 10, 2014 BOCC meeting, a public hearing was held to discuss proposed height and offshore island policies and to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the DEO. The BOCC directed staff to maintain the existing adopted height and offshore island policies and to extract the proposed changes to the height limit policy and process it as a separate amendment.

DRC: At its regularly scheduled meeting on March 24, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the March 24, 2015 DRC is attached as Exhibit 2. Minutes from the March 24, 2015 DRC are attached as Exhibit 3.

DRC: At its regularly scheduled meeting on May 26, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the May 26, 2015 DRC is attached as Exhibit 4. Minutes from the May 26, 2015 DRC are attached as Exhibit 5.

DRC: At its regularly scheduled meeting on August 25, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the August 25, 2015 DRC is attached as Exhibit 6. Minutes from the August 25, 2015 DRC are attached as Exhibit 7.

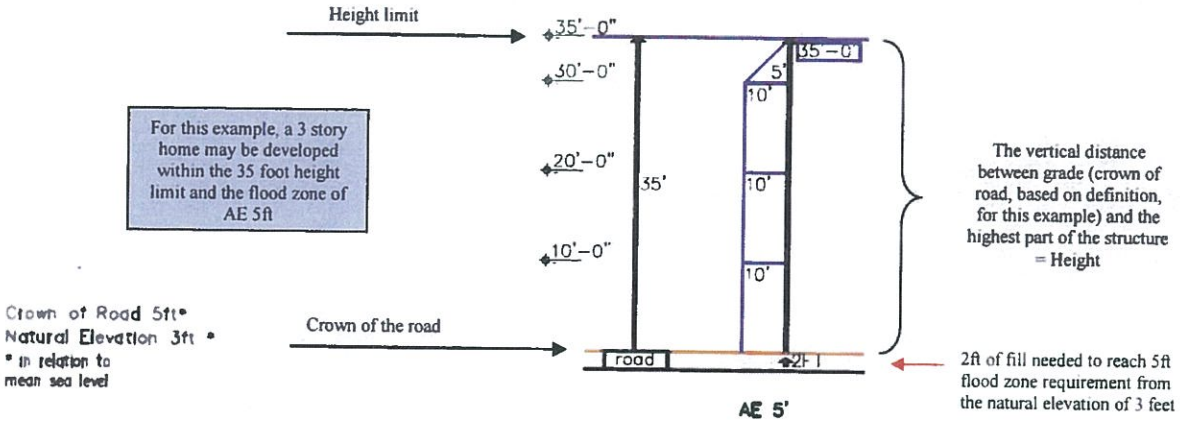
III. ANALYSIS OF PROPOSED AMENDMENT

HEIGHT:

In unincorporated Monroe County, height and grade are defined as follows:

> **HEIGHT** is defined as: ***the vertical distance between grade and the highest part of any structure****, including mechanical equipment, but excluding chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the applicable height limitations. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply.*
>
> **GRADE** means ***the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher****. To confirm the natural elevation of the ground surface, the county shall utilize the Light Detection and Ranging (LiDAR) dataset for Monroe County prepared in 2007. In the event 2007 LiDAR data is not available for a given parcel, the county shall use the best available data, including, but not limited to, pre-construction boundary surveys with elevations, pre-construction topographic surveys, elevation certificates and/or other optical remote sensing data.*

Based on the adopted definitions the following is a basic depiction of: *height = the vertical distance between grade and the highest part of any structure.* In this depiction, the crown of the nearest road directly adjacent to the structure is *higher* than natural elevation of the ground surface (prior to construction, next to the proposed walls of a structure). As such, the crown of the road is the starting point, for this example, in measuring the vertical distance of the structure.



In the Comprehensive Plan update, recommendations to amend and expand the height policy have been made to clarify the measurement of height to match the recently amended land development code (Ordinance 003-2011) and to address new issues, such as: anticipating new FEMA flood maps and creating a mechanism to assist property owners to protect their property from flooding and reduce flood insurance costs as well as issues in permitting relative to architectural decorative features.

IV. PROPOSED AMENDMENT (Deletions are ~~stricken through~~ and additions are underlined.)

Land Development Code amendments are being processed separately.

Policy 101.4~~5.26~~30

In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including landfills to 35 feet. Height is defined as the vertical distance between grade and the highest part of any structure, including mechanical equipment, but excluding spires and/or steeples on structures used for institutional and/or public uses only; chimneys; radio and/or television antennas; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antennas and/or collocations. However, in no event shall any of the exclusions enumerated above be construed to permit any habitable or usable space to exceed the applicable height limitations, except as specifically permitted in Policies 101.5.32 and 101.5.33. ~~Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.~~ In the case of airport districts, there shall be no exceptions to the 35-foot height limitation.

Policy 101.5.31

For Ocean Reef, a master planned community which is gated, inaccessible to the surrounding community, and has a distinct community character, buildings may include non-habitable architectural decorative features (such as finials, railings, widow's walk, parapets) that exceed the 35-foot height limit in Policy 101.5.30, but such features shall not exceed 5 feet above the building's roof-line. This exception shall not result in a building together with any architectural decorative feature with a height that would exceed 40 feet.

As used in this policy, a master planned community means a planned community of 100 or more acres in area subject to a master plan or other development order approved by the county where public access is restricted and the community is operated and maintained by the community including the provision of comprehensive, private utilities and transportation facilities and services within its boundaries and a homeowners association or similar entity which regulates development standards and monitors development requests by its members.

Note, Ocean Reef Club has requested additional amendments, attached as Exhibit 9. To date, sufficient data has not been submitted to evaluate the requested amendments.

Policy 101.5.32

Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception to Policy 101.5.30 to promote public health, safety and general welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A Flood Protection Height Exception of up to a maximum of five (5) feet above the 35-foot height limit shall be provided to allow buildings to be voluntarily elevated up to three (3) feet above FEMA base flood elevation in order to promote flood protection, minimize flood damage, reduce flood insurance premiums and minimize future expenditures of public funds for recovery from flood events. In no case shall a Flood Protection Height Exception result in a building exceeding a maximum height of 40 feet.

Policy 101.5.33

Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception for lawfully established existing buildings, which exceed the 35-foot height limit in Policy 101.5.30, to promote public health, safety and general welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A lawfully established existing building may be repaired, improved, retrofitted or redeveloped to meet required FEMA base flood elevation (BFE) provided the building does not exceed a total maximum building height of 40 feet, and the building is limited to the lawfully established existing intensity, floor area, building envelope (floor to floor height), density and type of use. For lawfully established existing buildings that are proposed to exceed a total height of 40 feet, a public hearing before the Board of County Commissioners shall be required to review and specify the maximum approved height prior to issuance of any county permit or development approval. A BOCC resolution shall specify the maximum approved height.

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Policy 217.1.4

Monroe County shall continue its policy of reviewing the current Building Code and, as appropriate, adopting structural standards and site alteration restrictions that meet or exceed the minimum FEMA requirements. The Building Code shall be reviewed and revised at least every five years. The recommendations of the applicable interagency hazard mitigation report shall be considered in revisions to the Code.

Policy 217.1.5
Monroe County shall continue to participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) to the maximum extent possible and shall seek to improve its current CRS Class 9 rating.

Policy 217.1.6
Monroe County shall continue to enforce federal, state and local setback and elevation requirements to promote the protection and safety of life and property. Revisions to the existing setback requirements contained in the Land Development Regulations shall be considered as a means of reducing property damage caused by storms.

Objective 601.3
By January 4, 1998, Monroe County shall increase implementation efforts to eliminate substandard housing and to preserve, conserve and enhance the existing housing stock, including historic structures and sites.

Policy 601.3.2
The County Code Enforcement Office and Building Department will enforce building code regulations and County ordinances governing the structural condition of the housing stock, to ensure the provision of safe, decent and sanitary housing and stabilization of residential neighborhoods.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
(g) Protecting the historical heritage of the Florida Keys.
(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

1. The Florida Keys Aqueduct and water supply facilities;
2. Sewage collection, treatment, and disposal facilities;
3. Solid waste treatment, collection, and disposal facilities;
4. Key West Naval Air Station and other military facilities;
5. Transportation facilities;
6. Federal parks, wildlife refuges, and marine sanctuaries;
7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
8. City electric service and the Florida Keys Electric Co-op; and

9. Other utilities, as appropriate.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.
(j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.
(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
(m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:

Section 163.3161(4), F.S. – It is the intent of this act that local governments have the ability to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within their jurisdictions. Through the process of comprehensive planning, it is intended that units of local government can preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing, and other requirements and services; and conserve, develop, utilize, and protect natural resources within their jurisdictions

163.3177(1), F.S. - The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

VI. PROCESS

Comprehensive Plan amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, or the owner or other person having a contractual

interest in property to be affected by a proposed amendment. The Director of Planning shall review and process applications as they are received and pass them onto the Development Review Committee and the Planning Commission.

The Planning Commission shall hold at least one public hearing. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning & Environmental Resources and the Development Review Committee and the testimony given at the public hearing. The Planning Commission shall submit its recommendations and findings to the Board of County Commissioners (BOCC). The BOCC holds a public hearing to consider the transmittal of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the testimony given at the public hearing. The BOCC may or may not recommend transmittal to the Florida Department of Economic Opportunity (DEO). The amendment is transmitted to DEO, which then reviews the proposal and issues an Objections, Recommendations and Comments (ORC) Report. Upon receipt of the ORC report, the County has 180 days to adopt the amendments, adopt the amendments with changes or not adopt the amendment.

VII. STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed amendments.

VIII. EXHIBITS

1. Transcription of the BOCC height discussion, from the October 7, 2014 public hearing
2. March 24, 2015 DRC Staff Report
3. March 24, 2015 DRC Minutes
4. May 26, 2015 DRC Staff Report
5. May 26, 2015 DRC Minutes
6. August 25, 2015 DRC Staff Report
7. August 25, 2015 DRC Minutes
8. Table of FEMA flood zones and number of private, vacant parcels in unincorporated Monroe County
9. Ocean Reef Club request and data.

EXHIBIT 3

DEVELOPMENT REVIEW COMMITTEE

Tuesday, October 27, 2015

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, October 27, 2015**, beginning at 1:00 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS

Mayte Santamaria, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Senior Administrator, Environmental Resources	Present
Emily Schemper, Comprehensive Planning Manager	Present
Kevin Bond, Planning & Development Review Manager	Present

STAFF

Devin Rains, Senior Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

Ms. Santamaria asked that Items 2 and 3 be read together.

MINUTES FOR APPROVAL

Ms. Santamaria approved the meeting minutes of July 28, 2015, August 25, 2015, and September 29, 2015.

MEETING

New Items:

1.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM SUBURBAN COMMERCIAL (SC) TO MIXED USE (MU), FOR PROPERTY LOCATED AT 28500 AND 28540 OVERSEAS HIGHWAY, LITTLE TORCH KEY, MILE MARKER 28.5 OCEANSIDE, LEGALLY DESCRIBED AS PARCELS OF LAND IN A PART OF U.S. GOVERNMENT LOT 6, SECTION 28, TOWNSHIP 66 SOUTH, RANGE 29 EAST, LITTLE TORCH KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00113570-000000, 00113570-000100, 00113570-000200, 00113590-000000 AND 00113620-000000, AS PROPOSED BY PATRICK R AND DIANE COLEE, DOLPHIN MARINA ASSOCIATES LTD AND TORCH KEY PROPERTIES LTD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING

PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO THE LAND USE DISTRICT (ZONING) MAP; PROVIDING FOR AN EFFECTIVE DATE. (2015-152)

Mr. Bond presented the staff report. Mr. Bond reported that this is a land use district map amendment from Suburban Commercial to Mixed Use. The property is located oceanside on Little Torch Key and serves as a land base for the Little Palm Island. There is no FLUM change required for this proposed amendment. The property was described. Mr. Bond stated the change in development potential between the two districts would result in a reduction of eight permanent residential units, a slight increase in max net density, a net zero change in transient development potential and no change in commercial development potential. The change would open up the possibility of some uses that are currently prohibited within the SC district. Staff has evaluated the proposed amendment and found it is consistent with the comprehensive plan and that the request does fall under two provisions of the code: Number 4, new issues; and 6, data updates, primarily due to the Lower Keys Livable CommuniKeys Plan (LCP). It is consistent with the Lower Keys LCP. Staff recommended approval of the proposed amendment.

James Hendrick was present on behalf of the applicant and commended staff on their memorandum.

Ms. Santamaria asked for public comment.

Dottie Moses, Key Largo resident, asked why the applicant is changing the zoning Ms. Santamaria replied that the applicant wants to have a use their current zoning does not allow, which will reduce the overall allocated density, but they can transfer in up to 11 more units through TDRs. Mr. Hendrick assured Ms. Moses that the applicant is definitely not interested in having a light industrial use on the property.

Bill Hunter, Sugarloaf Key resident, asked for clarification on the justification for the request. Mr. Bond explained that there are seven different factors by which map amendments are to be evaluated. Any one of those factors can be a justification for map amendment approval. Number 4 is new issues, the new Lower Keys LCP, which was not in effect prior, and Number 6, data updates, which is the LCP that was not in effect at the time of their original zoning. The Lower Keys LCP is not inconsistent and is new data in the County's files. Mr. Hendrick noted that the applicant has other rationale for the proposed change.

Deb Curlee, Cudjoe Key resident, asked for clarification on what is being proposed to be on the property. Ms. Santamaria responded that this is a map amendment only and the specific development is not the subject of the amendment. Mr. Hendrick offered to e-mail Ms. Curlee an outline of the proposed development. Mr. Bond explained for Ms. Curlee that with the map amendment staff evaluates what the potential is, not what they specifically may or may not be planning to do. Anything listed as a major or minor conditional use would go through the review process and, if the applicant meets all of those conditions staff would have no basis for saying no and would approve it. Ms. Creech and Mr. Bond confirmed that no negative feedback was received from any neighbors.

Ms. Santamaria asked for further public comment. There was none.

2.<u>AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS</u> AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING POLICY 101.5.31 TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-006)

3.<u>AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS</u> AMENDING MONROE COUNTY LAND DEVELOPMENT CODE AMENDING SECTION 101-1 TO CREATE DEFINITIONS RELATED TO FLOOD PROTECTION HEIGHT EXCEPTIONS; AND AMENDING SECTION 130-187 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS AND TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.
(File #2015-171)

Ms. Santamaria presented the staff report. Ms. Santamaria reported that this is the fourth DRC meeting on the proposed comp plan amendments for the height provisions. The BOCC asked staff to work on the height policies that were in the comp plan update and process them separately so that they could be fully vetted and worked through as one topic versus within the entire comp plan update. The previous various staff reports are attached to show how these amendments have been revised. Ms. Santamaria stated there is a proposed policy change to Policy 101.5.3 to incorporate the height definition that is in the code today into the comp plan as well. That height is defined as "The vertical distance between grade and the highest part of the structure."

Ms. Santamaria reported that the next amendment is to Policy 101.5.31, Ocean Reef-specific, related to non-habitable architectural decorative features. This would allow these features to be above the roof line of those homes up to five feet. The overall height of those structures still cannot exceed a 40-foot height imit. There are no differences between this version and what was presented at the last DRC meeting regarding this policy.

Mr. Hendrick, present on behalf of Ocean Reef, stated Policy 101.5.31 does not address Ocean Reef's needs. Ocean Reef had asked for three things. Mr. Hendrick acknowledged that staff has not received the additional information it had requested. Mr. Hendrick stated Ocean Reef contains several buildings which now greatly exceed the 35-height limitation, do not comply with flood, and Ocean Reef would like for them to be elevated. Mr. Hendrick submitted a document detailing what Ocean Reef is asking for with regard to the corresponding Land Development Code. Mr. Hendrick continued to explain that Ocean Reef is most concerned about the lawfully established existing buildings which exceed 35 feet and do not meet flood. There is no mechanism in the proposed policies which allows for those buildings to be made flood-compliant as-of-right. Mr. Hendrick pointed out that Ocean Reef is a master-planned community, completely isolated from the rest of Monroe County, and they have established their own community character, which is not 35 feet in height. Ocean Reef would ask for a policy which enables them to replace their existing buildings, floor for floor, to allow for flood compliance. Ocean Reef would also like to increase their slab-to-slab height in building to be consistent with what people expect when they go to a luxury resort. Mr. Hendrick then stated Ocean Reef is concerned about their cultural center because that building cannot accommodate the fly space that is needed. Ms. Santamaria confirmed that staff has not received information from Ocean Reef that they have requested. Staff needs more information so they can evaluate and understand what is being requested. Staff has not received information on the Ocean Reef Cultural Center.

Dottie Moses, speaking on behalf of Island of Key Largo Federation of Homeowners, voiced concern these policies could spill over into Unincorporated Monroe County. Ms. Curlee agreed. Ms. Santamaria explained that staff would like to start to move this item toward the Planning Commission unless members of the public would like to have another DRC meeting to get more input. Alicia Putney, speaking on behalf of Last Stand, reiterated what Ms. Moses stated regarding spillover into Monroe County.

Ms. Santamaria then reported that the next proposed amendment is to Policy 101.5.32, and this is to create a flood protection height exception up to five feet above the 35-foot height limits to allow buildings to go three feet above their base flood elevation. In no event under this policy will a building be over 40 feet. The policy is specific to new buildings and for existing buildings. If the building is not being elevated to meet at least the required base flood elevation this exception cannot be used at all. This exception would not be provided for buildings located in the very hazardous flood zones.

Ms. Santamaria asked for public comment.

Ms. Moses commented that adding an extra three feet to meet base flood elevation should be allowed with the 35-foot height limit remaining. Ms. Moses does not see the need for this amendment for new construction. Ms. Santamaria explained that staff does not know how many homes there are in the County below base flood right now. Staff is working on getting information from the Property Appraiser to see if somehow that information can be extrapolated, but it is not available at this time. Ms. Santamaria confirmed for Ms. Moses that this policy refers to elevating existing structures. If a house is torn down it must be rebuilt to a 35-foot height limit. Ms. Santamaria then explained between the last DRC meeting and today the

language has been reorganized a bit, but it is the same information. Language has been added that if a building is not being elevated to at least meet base flood it is not eligible for this exception. This exception shall also apply to the substantial improvement of buildings, whether voluntary or not.

Ms. Putney stated that it would be helpful to know what the FEMA maps will show. Ms. Putney then noted that with new construction, although there may be a hardship involved, it can be made to work within the 35-foot height limit. Ms. Moses stated the Federation opposes raising the 35-foot height limit on new construction. Ms. Moses shared a newsletter written by Dennis Henize, a retired meteorologist, stating that communities should be thinking in terms of decelerating growth, especially in the eyes of sea level rise. Ms. Putney pointed out that pre-FIRM, January 1, 1975, people built on the ground mostly and built a small enough house that they could afford to lose. With insurance, houses got bigger, higher and fancier. Citizens need to open up their minds to reverting back to smaller homes given sea level rise and FEMA.

Ms. Santamaria then reported that Policy 101.5.33 is another flood protection height exception, but this is for lawfully established existing buildings which already exceed the 35-foot height limit. If a lawfully established existing building which already exceeds the 35-foot height limit wants to rebuild over 40 feet, they would have to go before the BOCC and meet specific criteria. The BOCC would then decide and specify the height that they could build to. Ms. Santamaria reviewed the criteria used by the BOCC to evaluate the request. The BOCC would have to pass a resolution stating which height a homeowner could build to. Ms. Santamaria explained there are condo structures where clearly units would be lost if redeveloped at the 35-foot height limit.

Ms. Moses pointed out the amendment, as written, does not apply to only multi-tenant buildings, but would apply to any building. Ms. Santamaria added that the public can suggest a provision that this is for multi-family structures only. Ms. Curlee agreed with that suggestion. Ms. Moses noted that previously Legal staff had referred to a Bert Harris implication when discussing this. Ms. Santamaria stated at the next meeting there will be an attorney present who will be able to address that. Mr. Hunter asked if there are any commercial buildings that fall into this category. Ms. Santamaria is unaware of any, but stated that does not mean there is not one in existence. Ms. Moses asked what effect raising some of the low roads would have on this. Ms. Santamaria explained that grade is either natural elevation or crown of the road, whichever is higher. Ms. Moses believes that could exacerbate things.

Mr. Hendrick commented that there are many commercial buildings throughout the County over 35 feet. Mr. Hendrick stated Ocean Reef has a boat barn well over 35 feet. They have real concerns because they would like to elevate, but if they do they are going to lose rack space when they already cannot supply the need that they have. Mr. Hendrick then asked that the words "building envelope" be substituted with "building footprint" to be able to modernize these spaces. Ms. Santamaria confirmed for Mr. Hunter that boat barns would fall within the definition of "building."

Ms. Santamaria asked for further public comment. There was none.

4.<u>AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS</u> AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING A DEFINITION OF OFFSHORE ISLAND; AMENDING POLICIES 101.5.8 AND 101.13.5 WITHIN THE FUTURE LAND USE ELEMENT AND POLICY 207.1.2 WITHIN THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO FURTHER CLARIFY THE DEVELOPMENT OF OFFSHORE ISLANDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTy7u65IVE DATE. (File 2015-007)

Ms. Santamaria presented the staff report. Ms. Santamaria reported that this item started with the comp plan update in dealing with amendments that prohibited transferable ROGO exemptions and transferable density from going to an offshore island. After numerous public comments the BOCC asked staff to extract those amendments from the overall comp plan update and process them separately. This amendment reflects the comp plan update. This proposed amendment is to Policy 101.6.8, which is the transfer of ROGO exemptions. The existing text in the staff report for this policy is already included in the comp plan update and has been transmitted to the State with the exception of Receiver Site Criteria Number 6, which says it is not an offshore island. This is a separate stand-alone amendment so focus can be placed on this one topic. Policy 101.13.3, which is the transfer of development rights, has been transmitted to the State with the EAR-based amendments except for Receiver Site Criteria Number 7, which states it is not an offshore island. That also reflects the initial amendment in the comp plan update the BOCC asked staff to extract and process separately. Policy 206.1.2 had an added statement not transmitted with the comp plan update regarding discouraging the development of offshore islands. This added statement has been struck for consideration and still includes existing policies in the comp plan that offshore islands should be designated as Tier I and it has the existing policy that development shall be prohibited on offshore islands, including spoil islands which have been documented as an established bird rookery based on resource agency best available data or survey. Staff is proposing a definition for the entity "offshore island" as "Offshore Island means an area of land surrounded by water which is not directly or indirectly connected to US-1 by a bridge, road or causeway."

Ms. Santamaria asked for public comment.

Lance Kyle, owner of an offshore island in Monroe County, asked for an explanation of "severability" as used in the agenda. Ms. Santamaria explained that the one provision of offshore island could be appealed and extracted out without overturning the rest of the ordinance and keeping it from becoming effective. Ms. Santamaria further explained for Mr. Kyle that she believes the ten-acre size determination came from the '86 code. Mr. Roberts clarified for Mr. Kyle that the fact that his island is only 800 feet from US-1 does not give it any kind of special consideration.

Gidget Jackson asked whether there is any flexibility in the restricted use for the islands for camping. Ms. Santamaria responded that the zoning category allows for camping of the owner

only. Law enforcement would have to be called for trespassers on an offshore island. Mr. Hendrick confirmed that the ten-acre determination did come from the '86 code, if not before.

Bart Smith, Esquire, was present on behalf of FEB Corp. Mr. Smith asked staff to look closely at whether it is necessary to prohibit transferring TREs onto offshore islands because TREs take pressure off of the allocation system and offshore islands are already limited in density to .1 per acre. There are restrictions in place that require all of the development potential be in place with the correct development requirements. Mr. Smith agreed with the prior comments made by Ms. Dick on behalf of Last Stand regarding the redundancy of the language in 206.1.2 because that is already provided for in the policy as written. Mr. Smith believes the citation to the ALJ order from 2006 regarding the four-acre threshold was incorrect. Mr. Smith stated now that the language that defines "significant upland habitat" has been eliminated and the term "offshore island" is being added to the defined terms of the glossary the policies identify when development on offshore islands should be prohibited is based on the documentation of an established bird rookery or nesting area. Those terms are not defined in the comprehensive plan and the land development regulations and should be. Without having a quantifiable or objectionable criteria for what an established bird rookery or nesting area is it could be left to interpretation. FEB Corp. has retained Phil Frank, a well-respected biologist in the community, to put together a proposed definition for "established bird rookery or nesting area." Copies of the definition were submitted to staff. Mr. Frank then explained how he worked through the definition and what he reviewed in order to come up with that definition. Mr. Frank stated the common theme in the definitions as cited by different authorities is the words "communal nesting, gregarious birds, prominent colonies, colony forming, gregarious colony." Mr. Smith read aloud the proposed definition. Mr. Smith believes if this term that is utilized for the absolute prohibition of development is not defined it will be left open to interpretation that will be fought over for years to come.

Ms. Santamaria stated that part of the reasons a definition for "bird rookery" is not proposed in this amendment is that in the comp plan update the definition as "A communal nesting ground for gregarious birds" was included, as well as a definition for "nesting area." This has been transmitted to the State. Ms. Santamaria read aloud the definition for "nesting area." Mr. Frank pointed out that passerine birds are not listed in the definition and should be. Mr. Smith stated he is concerned that the definition for "nesting area" is too broad and could prohibit development on any offshore island.

Ms. Curlee noted that solitary birds, which are not included in the definition, are equally as important. Ms. Curlee does not agree with Mr. Frank's definition, but does agree with staff's. Mr. Smith believes the definition needs to be clarified so that arguments are not made that all offshore islands are nesting islands.

Julie Dick of the Everglades Law Center, present on behalf of Last Stand and Florida Keys Environmental Fund, re-emphasized that offshore islands are the last place to be encouraging development because they are not connected to public facilities and are some of the most environmentally sensitive areas in the entire Keys. Development rights should not be moved to offshore islands because they are the hardest areas to evacuate. Ms. Dick disagreed with Mr. Smith that TREs should not have the restriction on transferring receiver sites to offshore islands.

Ms. Dick appreciates staff removing the confusing and redundant new language in Policy 206.1.2, but continues to believe the entire policy should be removed. Ms. Dick stated Last Stand and Florida Keys Environmental Fund will likely support staff's existing definition over what has been proposed today, but will need time to confer on that.

Mr. Hendrick, speaking on behalf of himself, stated he fully supports the idea of protecting bird rookeries, but feels that it seems illogical to focus and protect nesting areas on offshore islands because nesting areas are located everywhere. Ms. Santamaria clarified Policy 206.1.2 does not actually refer to nesting areas. Mr. Frank commented when the comp plan was written back in 1986 the bird rookeries were teased out as special resources. Mr. Smith noted that is why using one definition is preferable. Ms. Dick clarified Last Stand and Florida Keys Environmental Fund fully supports the language protecting nesting areas. Ms. Dick then noted that Mr. Smith is here on behalf of FEB, who does not own Wisteria Island, and questions their interest in the matter. Ms. Santamaria emphasized the ordinance does not speak to a particular island, but would apply to anything that falls within the definition of offshore island.

Mr. Kyle asked whether the term "nest" implies that the island has to have some sort of tree canopy of bush canopy. Mr. Roberts replied not necessarily, because there are a number of shore birds and wading birds that are ground-nesters. Mr. Kyle then commented that 90 percent of the speck islands in the County are transient, so the evacuation time issue seems to be somewhat discounted. Ms. Santamaria then explained to Mr. Kyle in detail how the phased evacuation process occurs. Ms. Dick re-emphasized that evacuation is a real concern for Monroe County citizens and it is a safety threat for everyone in the county if the evacuation predictions are not correct. That situation adds further weight to the need to reduce added risk to the evacuation formula by allowing further development on offshore islands.

Ms. Santamaria asked for further public comment. There was none.

Ms. Santamaria asked the public if they prefer to bring this back to DRC one more time or move this forward to the Planning Commission. Mr. Smith, on behalf of FEB Corp., stated they would like to see how concerns over nesting areas are going to be resolved prior to bringing it to the Planning Commission because it affects all offshore islands. Ms. Santamaria agreed to bring this matter back to the DRC one more time for safe measure.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 2:45 p.m.

EXHIBIT 4

Table of FEMA flood zones and number of private, vacant parcels in unincorporated Monroe County

	FEMA Flood Zone	Number of Parcels	% of total	% of total	# of Private-Vacant Parcels
flood zones -would allow a 3 story structure	**X**	**1,935**	**3.40%**	5.16%	**462**
	0.2 PCT ANNUAL CHANCE FLOOD HAZARD	**999**	**1.76%**		**165**
	AE 5	**1**	**0.00%**	83.48%	**-**
	AE 6	**1,964**	**3.46%**		**95**
	AE 7	**8,996**	**15.83%**		**296**
	AE 8	**14,824**	**26.08%**		**2,699**
	AE 9	**11,272**	**19.83%**		**1,916**
	AE 10	**6,835**	**12.02%**		**1,098**
flood zones -would allow a 2 story structure	AE 11	2,983	5.25%		326
	AE 12	121	0.21%		12
	AE 13	418	0.74%		5
	AE 14	36	0.06%		-
	AE 15	3	0.01%		-
	AE 16	1	0.00%		-
3 story	**VE 9**	**5**	**0.01%**	10.76%	**1**
	VE 10	**327**	**0.58%**		**67**
flood zones -would allow a 2 story structure	VE 11	1,019	1.79%		272
	VE 12	1,443	2.54%		265
	VE 13	1,069	1.88%		127
	VE 14	1,815	3.19%		52
	VE 15	352	0.62%		52
	VE 16	31	0.05%		7
	VE 17	33	0.06%		2
	VE 19	5	0.01%		-
	VE 20	1	0.00%		-
flood zones -would allow a 1 story structure	VE 21	8	0.01%		-
	VE 22	7	0.01%		-
	VE 23	1	0.00%		-
	VE 24	1	0.00%		-
	VE 26	2	0.00%		-
	OPEN WATER	10	0.02%		2
	total parcels	**56,843**			**7,921**
	Note: As of October 2014 there are approximately 56,843 parcels in unincorporated Monroe County. The total from the spreadsheet will be different as some of the submerged parcels do not fall within the FEMA Zones.				

Ocean Reef Height Policy

Staff's draft height Policy for Ocean Reef, as set forth in the DRC Staff Report, reads:

Policy 101.5.31
For Ocean Reef, a gated community which is isolated and inaccessible to the surrounding community, and has a distinct community character, structures may include non-habitable architectural decorative features (such as finials, rails, widow's walk) that exceed the 35 foot height limit in Policy 101.5.30, but such features shall not exceed 5 feet above the structure's roof-line. This exception shall not result in a structure or any architectural decorative feature with a height that would exceed 40 feet.

The Staff Report accurately states that "Draft Policy 101.5.31 is intended to address non-habitable architectural decorative features". However, architectural decorative features are only one (and the least significant) of three provisions that Ocean Reef has requested. Staff is occasionally presented with requests by Ocean Reef property owners to allow extra height for widow's walks and other such features, so staff's focus on that element is understandable. But of greater long-term importance to ORCA are provisions allowing story-by-story replacement of existing multi-family buildings, and an allowance for the unique requirements of a modernized Cultural Center. As proposed by ORCA, the Ocean Reef height Policy would read:

Policy 101.5.31
For Ocean Reef, a gated community which is isolated and inaccessible to the surrounding community, and has a distinct community character, the following policy shall apply:

1. Structures may include non-habitable architectural decorative features (such as finials, rails, and a widow's walk) that exceed the 35 foot height limit in Policy 101.5.30, provided that such features do not extend more than 5 feet above the structure's roof line.
2. Multi-story buildings in existence on the effective date of this Policy may be replaced at their existing number of stories, up to 11' slab-to-slab per story.
3. The height limit applicable to the Ocean Reef Cultural Center shall be 65 feet above grade.

The above Policy is carefully tailored to the needs and circumstances of the Ocean Reef Community. The general language of proposed Policies 101.5.32 and 101.5.33, allowing an additional 5' of height for replacement of existing buildings exceeding 35', does not facilitate replacement of Ocean Reef's multi-story buildings, because it would force undesirable design features such as low ceiling heights. Nor does it accommodate the additional height needed for Cultural Center stage performances.

Santamaria-Mayte

From:	RC3WORLD <joelreed55@gmail.com>
Sent:	Tuesday, June 09, 2015 7:50 AM
To:	Santamaria-Mayte
Cc:	David Ritz; Jack Duncan; Jim Hendrick; Michael G. Leemhuis
Subject:	Re: height Comprehensive Plan amendment and Ocean Reef Club
Attachments:	Height_data_table_2015-06-09.pdf; ATT00001.htm
Follow Up Flag:	Follow up
Flag Status:	Completed
Categories:	Blue Category

Mayte,

As was requested please find a list of buildings and corresponding data related to structures that exceed the 35' height limit in Ocean Reef Club. We are still collecting additional data onC.Q, Pompano, and Water Tower. We will submit any additional detail that we have on these structures once the data is obtained.. I know we also discussed sending the existing heights on the cultural center, which we are working on and will send over as soon once it is available. Please do not hesitate to contact me if you or your staff have any additional questions or comments as you prepare your next round of staff reports.

Sincerely,

Joel Reed, AICP
Phone: 404.403.2925
joelreed55@gmail.com

Table 1

OCEAN REEF EXISTING STRUCTURES > 35' DATA TABLE

Name	Primary Use	Levels of habitable	Downstairs/ Storage/ Enc.	Overall Height to Soffit or Top of Beam	Overall Height to Top of Roof	Floor to Floor	Avg. Slab Thicknes s	Grade	Flood Zone
Amberjack	Hotel	3	No	29' - 1 1/2"	33' - 1 1/2" *		8" to 2' 6"	Unknown	Unknown
Boat Barn	Comm.	N/A	N/A	Unknown	37'		N/A	Unknown	Unknown
Creek House	Condo	Unk.	Unknown	Unknown	> 35'		Unknown	Unknown	Unknown
Dolphin	Hotel	4	Unknown	43' - 2"	49' - 2" *	~9'	~ 8"	~6	AE11
Harbor House	Condo	4	Yes	Unknown	54'	9'	~8"	Unknown	AE9
Marlin	Hotel	3	Yes	38'	42'	~8' - 8"	~8 "	4' - 8 1/2"	VE
Plaza	Comm.	3	Yes	28' - 6"	> 35'	9' - 0"	6"	Unknown	Unknown
Yachtsman	Condo	3	Yes	35' - 9"	Unknown	8' - 7"	Unknown	Unknown	Unknown
Pompano	Hotel	TBD	TBD	TBD	TBD				
C.Q. Dormitory	Res.	TBD	TBD	TB	TBD				
Water Tower	N/A	N/A	N/A	TBD	TBD				

Note: Amberjack and Plaza added as pre-firm structure because height would be over 35' with redevelopment if built above flood.

* Estimated roof to be 6'

Prepared by RC3WORLD, Inc. 10/6/2014, last modified 6/9/2015

Exhibit 6

MEMORANDUM
MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Development Review Committee
Mayté Santamaria, Senior Director of Planning & Environmental Resources

From: Mayté Santamaria, Senior Director of Planning & Environmental Resources
Emily Schemper, Comprehensive Planning Manager

Date: January 15, 2015

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY LAND DEVELOPMENT CODE AMENDING SECTION 101-1 TO CREATE DEFINITIONS RELATED TO FLOOD PROTECTION HEIGHT EXCEPTIONS; AND AMENDING SECTION 130-187 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS AND TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE. (File # 2015-171)

Meeting: **January 26, 2016 – continued from October 27, 2015**

I. REQUEST

The Monroe County Planning & Environmental Resources is proposing amendments to amend Section 101-1 to create definitions related to the flood protection height exceptions and amending Section 130-187 to address height exceptions for non-habitable architectural decorative features within the Ocean Reef master planned community; and to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs.

II. BACKGROUND INFORMATION

The County has been working on the Comprehensive Plan update and has held numerous public hearings on the proposed amendments. Most recently, the Board of County Commissioners (BOCC) held special public meetings on March 21, 2014, April 23, 2014 and May 22, 2014, to review proposed amendments to the Comprehensive Plan. A special BOCC public hearing was

held on July 23, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and this hearing was continued to October 7, 2014.

The Monroe County Board of County Commissioners held a special meeting on October 7, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and the hearing was continued to December 10, 2014, to discuss the following:

- *Policies 101.5.31 and 101.5.32: BOCC directed staff to work on height policies for addressing the replacement of existing buildings which exceed the 35ft height limit, architectural features, flood protection purposes and affordable housing. Staff to present drafts during the regular December BOCC meeting.*
- *BOCC directed staff to work on an inventory/data of privately-owned offshore islands. Staff to present draft during the regular December BOCC meeting.*

A transcription of the BOCC height discussion, from the October 7, 2014 public hearing, is attached as Exhibit 1.

During the regular December 10, 2014 BOCC meeting, a public hearing was held to discuss proposed height and offshore island policies and to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the DEO. The BOCC directed staff to maintain the existing adopted height and offshore island policies and to extract the proposed changes to the height limit policy and process it as a separate amendment.

DRC: At its regularly scheduled meeting on March 24, 2015, the Monroe County Development Review Committee reviewed proposed Comprehensive Plan (CP) text amendments and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The CP text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. Public comment included processing separate Land Development Code amendments on height exemptions and to include more details in the Code.

DRC: At its regularly scheduled meeting on May 26, 2015, the Monroe County Development Review Committee reviewed the proposed CP text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The CP text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. Public comment included processing separate Land Development Code amendments on height exemptions and to include more details in the Code.

DRC: At its regularly scheduled meeting on August 25, 2015, the Monroe County Development Review Committee reviewed the proposed CP text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The CP text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. *Public comment included processing separate Land Development Code amendments on height exemptions and to include more details in the Code.*

Through the DRC process, members of the public asked for general policies in the Comprehensive Plan and more detail in the Land Development Code (LDC). The May 26, 2015 and August 25, 2015 DRC staff reports for the Comprehensive Plan amendment included draft LDC amendments to assist in reviewing and developing the amendments. This staff report is the LDC amendment to correspond to the Comprehensive Plan amendment currently being processed (File 2015-006).

DRC: At its regularly scheduled meeting on October 27, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. The staff report from the October 27, 2015 DRC is attached as Exhibit 2. Minutes from the October 27, 2015 DRC are attached as Exhibit 3.

III. ANALYSIS OF PROPOSED AMENDMENT

HEIGHT:

In unincorporated Monroe County, height and grade are defined as follows:

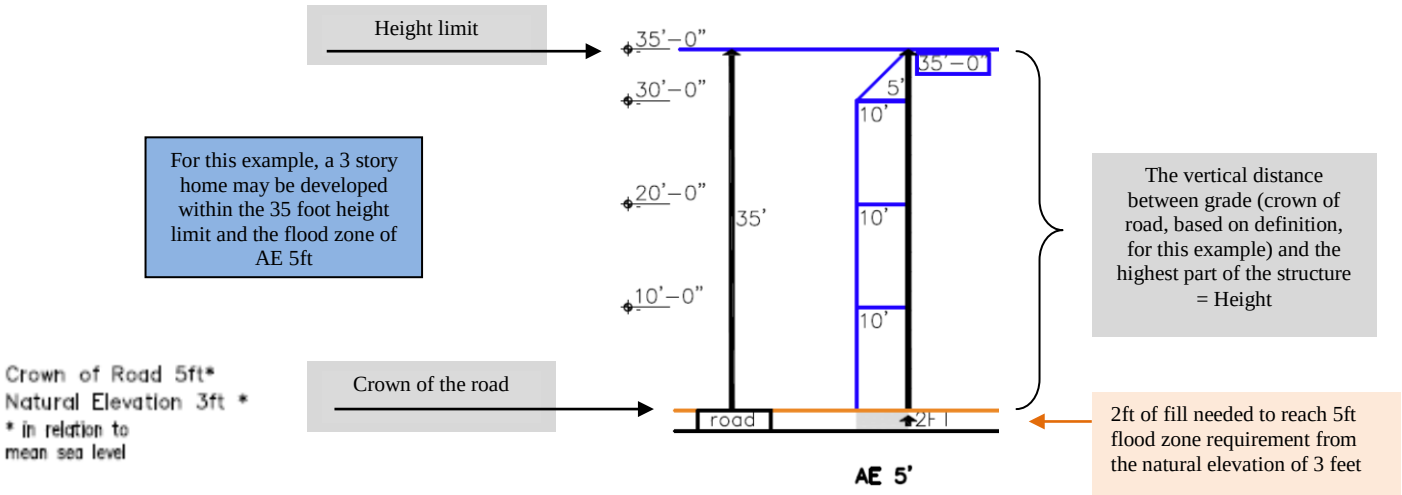
Section 101-1

HEIGHT is defined as: ***the vertical distance between grade and the highest part of any structure****, including mechanical equipment, but excluding chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the applicable height limitations. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply*.

GRADE means ***the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher****. To confirm the natural elevation of the ground surface, the county shall utilize the Light Detection and Ranging (LiDAR) dataset for Monroe County prepared in 2007. In the event 2007 LiDAR data is not available for a given parcel, the county shall use the best available data, including, but not limited to, pre-construction boundary surveys with elevations, pre-construction topographic surveys, elevation certificates and/or other optical remote sensing data.*

Based on the adopted definitions the following is a basic depiction of: *height = the vertical distance between grade and the highest part of any structure.* In this depiction, the crown of the nearest road directly adjacent to the structure is *higher* than natural elevation of the ground surface (prior to construction, next to the proposed walls of a structure).

As such, the crown of the road is the starting point, for this example, in measuring the vertical distance of the structure.



IV. PROPOSED AMENDMENT (Deletions are ~~stricken through~~ and additions are <u>underlined</u>.)

Section 101-1. - Definitions.

The following words, terms and phrases, when used in this Land Development Code, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * * * *

<u>*Elevate* means the action of retrofitting or raising a building to a higher positon.</u>

<u>*Elevated Building* means a building that has its lowest floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.</u>

<u>*Retrofit* means methods to modify a lawfully established existing building to reduce its exposure to flooding and raise the living area to meet or exceed flood levels. In general, retrofitting involves lifting the building and constructing a new foundation or extending the existing foundation, or leaving the building in place and either constructing a new elevated floor system within the building or adding a new upper story and converting the ground level to a compliant enclosure that is used only for parking, building access, or storage.</u>

* * * * *

Sec. 130-187. - Maximum height.

No structure or building shall be developed that exceeds a maximum height of 35 feet. Exceptions will be allowed for chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. Exceptions will be allowed for flood protection as specifically permitted in Policies 101.5.32 and 101.5.33 and listed below. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the maximum height limitation, except as specifically permitted in Policies 101.5.32 and 101.5.33. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply.

A. Within the Ocean Reef master planned community which is gated, isolated and inaccessible to the surrounding community, and has a distinct community character, buildings may include non-habitable architectural decorative features (such as finials, railings, widow's walk, parapets) that exceed the 35-foot height limit, but such features shall not exceed 5 feet above the building's roof-line. This exception shall not result in a building together with any architectural decorative feature with a height that would exceed 40 feet.

B. As provided in Policy 101.5.32, buildings voluntarily elevated to meet or exceed the FEMA Base Flood Elevation (BFE) may exceed the 35-foot height limit as follows:

1. For NEW buildings which are voluntarily elevated to **exceed** the building's minimum required BFE, an exception of a maximum of three (3) feet above the 35-foot height limit may be permitted. The amount of the height exception shall be no greater than the amount of voluntary elevation above BFE. In no event shall a new building exceed 38 feet in height. This exception shall apply to the substantial improvement of buildings, whether voluntary or not.

2. For lawfully established EXISTING multi-family buildings which do not exceed the 35-foot height limit and are voluntarily retrofitted to **meet and/or exceed** the building's minimum required BFE, an exception of a maximum of five (5) feet above the 35-foot height limit may be permitted. The amount of the height exception shall be no greater than the distance necessary to elevate the building to **meet** BFE **plus** up to three (3) feet of voluntary elevation above BFE. In no event shall an existing building be elevated to exceed a total building height of 40 feet.

3. No exception shall result in a total building height that exceeds 40 feet.

4. Buildings not being elevated to at least meet the required FEMA BFE are not eligible for this exception.

5. No exception shall be provided to buildings located in an AE 10 or VE 10 or greater FEMA flood zone.

C. As provided in Policy 101.5.33, lawfully established EXISTING multi-family buildings which exceed the 35-foot height limit may be repaired, improved, redeveloped and/or elevated to

meet the required FEMA BFE provided the building does not exceed a total maximum building height of 40 feet, and the building is limited to the existing lawfully established intensity, floor area, building envelope (floor to floor height), density and type of use. A Flood Protection Height Exception of a maximum of five (5) feet may be permitted to **meet** the building's minimum required FEMA BFE. The amount of the exception shall be no greater than the amount of elevation necessary to **meet** BFE. Buildings not being elevated to at least meet the required FEMA BFE are not eligible for this exception.

D. As provided in Policy 101.5.33, for lawfully established EXISTING multi-family buildings which exceed the 35-foot height limit that are proposed to **exceed** a total height of 40 feet, a public hearing before the Board of County Commissioners to review and specify the maximum approved height shall be required prior to issuance of any county permit or development approval.

1. For lawfully established EXISTING multi-family buildings that are voluntarily repaired, improved, redeveloped and/or elevated to **meet** the building's minimum required FEMA BFE, but will require a height exception of **more than** five (5) feet, a Flood Protection Height Exception exceeding the 35-foot height limit may be provided by the BOCC based on the following criteria:
   a. The physical characteristics of the existing building and parcel;
   b. The susceptibility of the existing building and its contents to flood damage and the effects of such damage on the property owner;
   c. The possibility that materials from the existing building may be swept onto other lands to the injury of others;
   d. The availability of alternate solutions;
   e. If the new proposed building height will result in increased flood risk; result in additional threats to public safety; result in extraordinary public expense; create nuisance; or cause fraud on or victimization of the public; and
   f. Community character.
   g. Buildings not being elevated to at least meet the required FEMA BFE are not eligible for this exception.

2. A BOCC resolution shall specify the findings of criteria of D.1. a. though g. (above) and specify the approved maximum total height for the proposed building.

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Policy 217.1.4
Monroe County shall continue its policy of reviewing the current Building Code and, as appropriate, adopting structural standards and site alteration restrictions that meet or exceed the minimum FEMA requirements. The Building Code shall be reviewed and revised at least every five years. The recommendations of the applicable interagency hazard mitigation report shall be considered in revisions to the Code.

Policy 217.1.5
Monroe County shall continue to participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) to the maximum extent possible and shall seek to improve its current CRS Class 9 rating.

Policy 217.1.6
Monroe County shall continue to enforce federal, state and local setback and elevation requirements to promote the protection and safety of life and property. Revisions to the existing setback requirements contained in the Land Development Regulations shall be considered as a means of reducing property damage caused by storms.

Objective 601.3
By January 4, 1998, Monroe County shall increase implementation efforts to eliminate substandard housing and to preserve, conserve and enhance the existing housing stock, including historic structures and sites.

Policy 601.3.2
The County Code Enforcement Office and Building Department will enforce building code regulations and County ordinances governing the structural condition of the housing stock, to ensure the provision of safe, decent and sanitary housing and stabilization of residential neighborhoods.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
(g) Protecting the historical heritage of the Florida Keys.
(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

1. The Florida Keys Aqueduct and water supply facilities;
2. Sewage collection, treatment, and disposal facilities;
3. Solid waste treatment, collection, and disposal facilities;
4. Key West Naval Air Station and other military facilities;
5. Transportation facilities;
6. Federal parks, wildlife refuges, and marine sanctuaries;
7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;

8. City electric service and the Florida Keys Electric Co-op; and
9. Other utilities, as appropriate.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.
(j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.
(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
(m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with one or more of the required provisions of 102-158(d)(5)(b):

1. Changed projections (e.g., regarding public service needs) from those on which the text or boundary was based;
   N/A

2. Changed assumptions (e.g., regarding demographic trends);
   N/A

3. Data errors, including errors in mapping, vegetative types and natural features described in volume 1 of the plan;
   N/A

4. New issues;
   The proposed amendment addresses new issues related to height exceptions for non-habitable architectural decorative features within the Ocean Reef master planned community; and to provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs due to projected sea level rise and upcoming release of new FEMA flood maps.

5. Recognition of a need for additional detail or comprehensiveness; or
   The proposed amendment addresses the need for additional detail to implement proposed comprehensive plan policies related to height exceptions for non-habitable architectural decorative features within the Ocean Reef master planned community; and to provide criteria to evaluate and provide certain exceptions to the height limit in order to protect property from flooding and reduce flood insurance costs.

6. Data updates;
   N/A

7. For FLUM changes, the principles for guiding development as defined in the Florida Statutes relating to changes to the comprehensive plan.
   N/A

VI. STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed amendments.

Staff has found that the proposed text amendments would be consistent with the provisions of §102-158(d)(5)(b): 1. Changed projections (e.g., regarding public service needs) from those on which the text or boundary was based; 2. Changed assumptions (e.g., regarding demographic trends); 3. Data errors, including errors in mapping, vegetative types and natural features described in volume I of the plan; 4. New issues; 5. Recognition of a need for additional detail or comprehensiveness; or 6. Data updates.

Specifically, staff has found that the proposed text amendments are necessary due to 4. New issues; and 5. A recognition of a need for additional detail or comprehensiveness

VII. EXHIBITS

1. Transcription of the BOCC height discussion, from the October 7, 2014 public hearing
2. October 27, 2015 DRC Staff Report
3. October 27, 2015 DRC Minutes
4. Table of FEMA flood zones and number of private, vacant parcels in unincorporated Monroe County
5. Ocean Reef Club request and data.

Exhibit 7

Flood Insurance Changes Might Affect You

As risks change, insurance premiums also change to reflect those risks. Your flood insurance premium may be going up.

However, you may be able to reduce your premium if you build your home or business to be safer, higher, and stronger.

The Biggert-Waters Flood Insurance Reform Act of 2012 provides long-term changes to the National Flood Insurance Program.

Under the new law, rates are likely to increase overall to reflect the true flood risk of your home and many insurance discounts will be eliminated.

For example, premiums for certain non-primary residences[1] in high-risk areas will increase 25 percent per year until they reflect full-risk rates.

Policy rates for all properties could increase based on one or all of the following circumstances:

- Change of ownership
- Lapse in coverage
- Change in risk
- Substantial damage or improvement to a building

Some changes will depend on external factors such as when flood risk maps are revised, buildings are damaged or improved, or when flood claims are filed.

Talk with your community officials and insurance agent to see how these changes could affect you.

[1]For flood insurance rating purposes, a primary residence is a building that will be lived in by the insured or the insured's spouse for at least 80 percent of the 365 days following the policy effective date. If the building will be lived in for less than 80 percent of the policy year, it is considered to be a non-primary residence.

Resources for More Information

To ask questions and get information about flood insurance, call the National Flood Insurance Program Help Center at **1-800-427-4661**

To see if you are eligible for Hazard Mitigation grants and loans:
www.fema.gov/hazard-mitigation-assistance

To learn how to build safer and stronger and potentially decrease your flood insurance premiums:
www.fema.gov/building-science

To learn more about the National Flood Insurance Program or find an insurance agent:
www.FloodSmart.gov or 1-888-229-0437

For information about local building code and permit requirements, contact your community officials:

02/2013

IF YOUR HOME OR BUSINESS HAS BEEN FLOODED

Build Back Safer and Stronger

What You Need to Know

FEMA

NATIONAL FLOOD INSURANCE PROGRAM

Manage Your Future Risk

If your home or business was damaged or destroyed by a flood, you face major decisions about your property. Do you repair? Do you rebuild? Do you relocate?

The decisions you make now can help provide a safer, stronger future for you and your family. If you decide to repair or rebuild, here are some points to consider:

- The risk you faced yesterday might not be the same risk you face today or in the future.
- By rebuilding higher, you can reduce — or perhaps avoid — future flood loss and reduce the impact on your finances.
- The financial consequences of not having flood insurance coverage could be devastating if another flood occurs.

Before you build, consult your local government officials to determine the mandatory elevations for your home or building.

BASE FLOOD ELEVATION (BFE) — The elevation shown on the Flood Insurance Rate Map (FIRM) for high-risk flood zones ("A" and "V" zones) indicates the water surface elevation resulting from a flood that has a 1 percent chance of equaling or exceeding that level in any given year.

Reduce Your Risk, Reduce Your Premium

A primary way to reduce or avoid future flood losses is to raise your building above the Base Flood Elevation (BFE). As the graphic below shows, you could reduce your flood insurance premium by 85 percent or more — and save thousands of dollars over the life of your home or business. It is important to understand the long-term costs and benefits when considering your options for repairing, rebuilding, or relocating.

Insurance Considerations:

- How elevating your home or business can help reduce your rates
- Future premium increases for all homes and businesses
- Options for insuring your building and its contents
- Changes in rates for secondary homes
- Other circumstances that could increase your rates

If you rebuild to pre-flood conditions, your flood insurance premium could increase dramatically in the future.

Building Considerations:

- Meeting building code requirements and current best practices
- Revised Flood Insurance Rate Maps and advisory flood risk products
- Hazard mitigation grant programs
- Other grant programs and loans to help rebuild or acquire your home or business

Under the Flood Insurance Reform Act of 2012, You Could Save More than $90,000 over 10 Years if You Build 3 Feet above Base Flood Elevation*

PREMIUM AT 4 FEET BELOW BASE FLOOD ELEVATION	PREMIUM AT BASE FLOOD ELEVATION	PREMIUM AT 3 FEET ABOVE BASE FLOOD ELEVATION
$9,500/year	$1,410/year	$427/year
$95,000/10 years	**$14,100/10 years**	**$4,270/10 years**

*$250,000 building coverage only (does not include contents), AE (high to moderate risk) zone, single-family, one-story structure without a basement at: 4 feet below Base Flood Elevation (BFE); at BFE; and at 3 feet above BFE. (Rating per FEMA flood insurance manual, October 1, 2012). The illustration above is based on a standard National Flood Insurance Program (NFIP) deductible.

FEMA

NATIONAL FLOOD INSURANCE PROGRAM

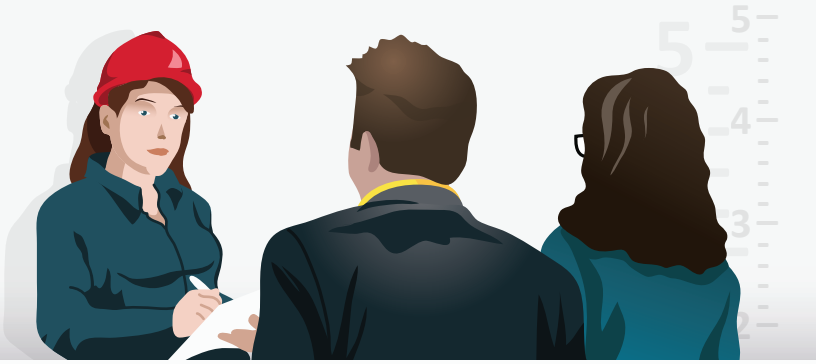
Can we afford to rebuild higher? Can we afford *not* to?

Because Jon and Kathy Parker couldn't see the shoreline from their house, they never really believed their home could be wiped out by a flood—until the day it was. They considered relocating, but in the end, they decided to take out a new mortgage and rebuild. They wanted to do what they could to protect their investment and avoid another devastating flood.

When they applied for a building permit,

local officials told them to build at least 2 feet above grade to meet the current building code that accounts for potential flood levels.[1] Their insurance agent told them that if they built even higher than required, they could lower both their premiums and their flood risk.

[1] *Communities that participate in the National Flood Insurance Program (NFIP) are required to have all buildings constructed in high-risk areas to be built to at least the elevation shown on the flood maps. This is known as the Base Flood Elevation (BFE) and represents the height floodwaters from a one-percent chance flood will reach or exceed in any given year. To help ensure a safer community, many communities require construction to be a foot or two higher than the BFE.*



The Parkers realized that weather is unpredictable and that flood risk can change. Another big flood could happen at any time. But could they really afford to build higher? It was time to break out the calculator and do the math.

Option 1: Building to the current requirements

- **Estimated construction costs: $250,000**
- **Estimated monthly mortgage payment: $1,122**
- **Flood insurance premium: $143 per month or $1,716 per year**
- **Total monthly costs: $1,265**

Option 2: Building 3 feet above the current requirements

- **Estimated construction costs: $252,125**
- **Estimated monthly mortgage payment: $1,132**
- **Flood insurance premium: $46 per month or $552 per year**
- **Total monthly costs: $1,178**

Note: This comparison is based on a 1-story home in an AE Flood Zone built at BFE and 3 feet above BFE on a concrete or CMU perimeter with vents. It has the NFIP maximum coverage of $250,000 building coverage and $100,000 contents coverage with a $1,000 deductible. Elevation costs are estimated at roughly 0.85 percent of total construction costs per additional foot of elevation. Cost savings could vary for different construction methods. Insurance premiums are based on rates published in the Jan. 2013 NFIP Manual. Mortgage payments are based on a 30-year fixed-rate mortgage at 3.5 percent APR for the full construction amount and exclude all insurance costs. Flood insurance must be paid in full at the beginning of the coverage year.

Good news!

The Parkers will save about $90 every month by building 3 feet higher. Spending a little extra on construction reduced the Parkers' flood risk, cut their flood insurance premium, and increased their peace of mind.

The Parkers saved money by building higher.

Not every case is the same. Consider your situation.

The Parkers' story is only one example. There are many variables that will impact your decision about how you rebuild.
Talk to your community officials, insurance agent, builders, and other experts to answer the following questions:

1. What is my current flood zone?

Different flood zones require different kinds of construction. How you rebuild will depend in part on your zone and local building requirements.

2. How high does my community require me to build?

If the building is in a high-risk zone (beginning with the letter "A" or "V"), there is a required minimum elevation for construction. Many communities have a requirement to build even higher. This is called a "freeboard requirement."

3. What are Advisory Base Flood Elevations (ABFEs), and how will they affect me?

ABFEs sometimes are issued after a major flooding event when FEMA has more current flood hazard data available than exists in the current effective Flood Insurance Rate Maps in a given area. ABFEs are provided to communities as a tool to support them in recovering in ways that will make them more resilient to future storms.

4. Is there a chance I could be mapped into a new flood zone or have a higher Base Flood Elevation (BFE) in the future?

FEMA is working to update Flood Insurance Rate Maps nationwide. If your community has outdated maps, the new ones could show your home in a higher risk area or with a higher BFE.

5. How close am I to a high-risk flood area?

Flood risk changes over time. If you are near a high-risk zone, you might want to rebuild in a way that would comply with that zone in case maps change in the future. If you are near a coastal high-risk zone (a zone starting with "V"), consider rebuilding on posts, piles or piers.

6. How might my flood risks change in the future?

Physical changes can affect how much water reaches flooding sources, how far the water spreads when floods occur, and the manner in which buildings are exposed to a flood. In addition, new data gathering and modeling technology allows FEMA to identify and map flood hazard areas more accurately now than in the past.

7. How much will flood insurance cost?

National Flood Insurance Program premiums reflect flood risk. In general, if your building is in a high-risk area, the higher you build above the BFE, the lower your premium and potential for flood damage. In high-risk VE zones, any enclosed structure below the first floor of the building typically will double insurance premiums. Certain types of enclosures will further increase those premiums.

FEMA

NATIONAL FLOOD INSURANCE PROGRAM

Additional Resources

- For information about post-Sandy ABFEs in New York and New Jersey: **www.Region2Coastal.com**
- To ask questions and get information about flood insurance, call the National Flood Insurance Program Help Center at **1-800-427-4661**
- To see if your community is eligible for Hazard Mitigation Grants: **www.fema.gov/hazard-mitigation-assistance**
- To learn how to build safer and stronger and potentially decrease your flood insurance premiums: **www.fema.gov/building-science**
- To find your current effective Flood Insurance Rate Map: **msc.fema.gov**
- To learn more about the National Flood Insurance Program or find an insurance agent: **FloodSmart.gov** or **1-888-229-0437**
- For information about local building code and permit requirements, contact your community officials

FEMA

NATIONAL FLOOD INSURANCE PROGRAM

Can we afford to rebuild higher? Can we afford *not* to?

Tom and Mary Smith lived in their home for 15 years. Then in one day, it was destroyed by a flood. They considered relocating, but in the end, they decided to take out a new mortgage and rebuild. Now, they are determined to do everything they can to protect their investment and avoid another devastating flood.

When they applied for a building permit, local officials told them to build at least 5 feet above grade to meet the current building code that accounts for potential flood levels.[1] Their insurance agent told them that both their premiums and flood risk would be lower if they built higher than required.

[1] *Communities that participate in the National Flood Insurance Program (NFIP) are required to have all buildings constructed in high-risk areas to be built to at least the elevation shown on the flood maps. This is known as the Base Flood Elevation (BFE) and represents the height floodwaters from a one-percent chance flood will reach or exceed in any given year. To help ensure a safer community, many communities require construction to be a foot or two higher than the BFE.*

The Smiths realized that weather is unpredictable and that flood risk can change. Another big flood could happen at any time. But could they really afford to build higher? It was time to break out the calculator and do the math.

Option 1: Building to the current requirements

- **Estimated construction costs: $400,000**
- **Estimated monthly mortgage payment: $1,796**
- **Flood insurance premium: $878 per month or $10,536 per year**
- **Total monthly costs: $2,674**

Option 2: Building 3 feet above the current requirements

- **Estimated construction costs: $403,600**
- **Estimated monthly mortgage payment: $1,812**
- **Flood insurance premium: $315 per month or $3,780 per year**
- **Total monthly costs: $2,127**

Note: This comparison is based on a 1-story home in a VE Flood Zone built on wood pilings at BFE and 3 feet above BFE with the NFIP maximum coverage of $250,000 building coverage and $100,000 contents coverage with a $1,000 deductible. Elevation costs are estimated at roughly 0.3 percent of total construction costs per additional foot of elevation. Insurance premiums are based on rates published in the Jan. 2013 NFIP Manual. Mortgage payments are based on a 30-year fixed-rate mortgage at 3.5 percent APR for the full construction amount and exclude all insurance costs. Flood insurance must be paid in full at the beginning of the coverage year.

Good news!

The Smiths will save more than $500 every month by building 3 feet higher. In about 7 months, they will have saved more on flood insurance than they paid to build higher. Spending a little extra on construction reduced the Smiths' flood risk, cut their flood insurance premium, and increased their peace of mind.

The Smiths saved money by building higher.

Not every case is the same. Consider your situation.

The Smiths' story is only one example. There are many variables that will impact your decision about how you rebuild.
Talk to your community officials, insurance agent, builders, and other experts to answer the following questions:

1. What is my current flood zone?

Different flood zones require different kinds of construction. How you rebuild will depend in part on your zone and local building requirements.

2. How high does my community require me to build?

If the building is in a high-risk zone (beginning with the letter "A" or "V"), there is a required minimum elevation for construction. Many communities have a requirement to build even higher. This is called a "freeboard requirement."

3. What are Advisory Base Flood Elevations (ABFEs), and how will they affect me?

ABFEs sometimes are issued after a major flooding event when FEMA has more current flood hazard data available than exists in the current effective Flood Insurance Rate Maps in a given area. ABFEs are provided to communities as a tool to support them in recovering in ways that will make them more resilient to future storms.

4. Is there a chance I could be mapped into a new flood zone or have a higher Base Flood Elevation (BFE) in the future?

FEMA is working to update Flood Insurance Rate Maps nationwide. If your community has outdated maps, the new ones could show your home in a higher risk area or with a higher BFE.

5. How close am I to a high-risk flood area?

Flood risk changes over time. If you are near a high-risk zone, you might want to rebuild in a way that would comply with that zone in case maps change in the future.

6. How might my flood risks change in the future?

Physical changes can affect how much water reaches flooding sources, how far the water spreads when floods occur, and the manner in which buildings are exposed to a flood. In addition, new data gathering and modeling technology allows FEMA to identify and map flood hazard areas more accurately now than in the past.

7. How much will flood insurance cost?

National Flood Insurance Program premiums reflect flood risk. In general, if your building is in a high-risk area, the higher you build above the BFE, the lower your premium and potential for flood damage. In high-risk VE zones, any enclosed structure below the first floor of the building typically will double insurance premiums. Certain types of enclosures will further increase those premiums.

FEMA

NATIONAL FLOOD INSURANCE PROGRAM

Additional Resources

- For information about post-Sandy ABFEs in New York and New Jersey: **www.Region2Coastal.com**
- To ask questions and get information about flood insurance, call the National Flood Insurance Program Help Center at **1-800-427-4661**
- To see if your community is eligible for Hazard Mitigation Grants: **www.fema.gov/hazard-mitigation-assistance**
- To learn how to build safer and stronger and potentially decrease your flood insurance premiums: **www.fema.gov/building-science**
- To find your current effective Flood Insurance Rate Map: **msc.fema.gov**
- To learn more about the National Flood Insurance Program or find an insurance agent: **FloodSmart.gov** or **1-888-229-0437**
- For information about local building code and permit requirements, contact your community officials

PROPOSED COMPREHENSIVE PLAN AND
LAND DEVELOPEMNT CODE AMENDMENTS

Policy 101.4~~2~~5.~~26~~30
In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including landfills to 35 feet. Height is defined as the vertical distance between grade and the highest part of any structure, including mechanical equipment, but excluding spires and/or steeples on structures used for institutional and/or public uses only; chimneys; radio and/or television antennas; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antennas and/or collocations. However, in no event shall any of the exclusions enumerated above be construed to permit any habitable or usable space to exceed the applicable height limitations, except as specifically permitted in Policies 101.5.31, 101.5.32 and 101.5.33. ~~Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.~~ In the case of airport districts, there shall be no exceptions to the 35-foot height limitation.

Policy 101.5.31
For Ocean Reef, a gated master planned community which is inaccessible to the surrounding community, and has a distinct community character, buildings may include non-habitable architectural decorative features (such as finials, railings, widow's walk, parapets) that exceed the 35-foot height limit in Policy 101.5.30, but such features shall not exceed 5 feet above the building's roof-line. This exception shall not result in a building together with any architectural decorative feature with a height that would exceed 40 feet.

As used in this policy, a master planned community means a planned community of 100 or more acres in area subject to a master plan or other development order approved by the county where public access is restricted and the community is operated and maintained by the community including the provision of comprehensive, private utilities and transportation facilities and services within its boundaries and a homeowners association or similar entity which regulates development standards and monitors development requests by its members.

Policy 101.5.32
Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception to Policy 101.5.30 to promote public health, safety and general welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A Flood Protection Height Exception of up to a maximum of five (5) feet above the 35-foot height limit shall be provided to allow buildings to be voluntarily elevated up to three (3) feet above FEMA base flood elevation in order to promote flood protection, minimize flood damage, reduce flood insurance premiums and minimize future expenditures of public funds for recovery from flood events. In no case shall a Flood Protection Height Exception result in a building exceeding a maximum height of 40 feet.

Policy 101.5.33
Within in 1 year of the effective date of this policy, Monroe County shall adopt Land Development Regulations which provide a Flood Protection Height Exception for lawfully established existing buildings which exceed the 35-foot height limit, to promote public health, safety and general welfare; allow adaptation to coastal flooding, storm surge and other hazards; protect property from

flooding and minimize damages; minimize public and private losses due to flooding; minimize future expenditures of public funds for flood control projects and for recovery from flood events; and mitigate rising flood insurance premiums. A lawfully established existing building may be repaired, improved, redeveloped and/or elevated to meet required FEMA base flood elevation (BFE) provided the building does not exceed a total maximum building height of 40 feet, and the building is limited to the existing lawfully established intensity, floor area, building envelope (floor to floor height), density and type of use. For lawfully established existing buildings that are proposed to exceed a total height of 40 feet, a public hearing before the Planning Commission and the Board of County Commissioners shall be required to review and specify the maximum approved height prior to issuance of any county permit or development approval. The Planning Commission shall provide a recommendation to the BOCC on the maximum height of a building. The BOCC shall adopt a resolution specifying the maximum approved height.

Section 101-1. - Definitions.
The following words, terms and phrases, when used in this Land Development Code, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * * * *

Elevate means the action of retrofitting or raising a building to a higher positon.

Elevated Building means a building that has its lowest floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Retrofit means methods to modify a lawfully established existing building to reduce its exposure to flooding and raise the living area to meet or exceed flood levels. In general, retrofitting involves lifting the building and constructing a new foundation or extending the existing foundation, or leaving the building in place and either constructing a new elevated floor system within the building or adding a new upper story and converting the ground level to a compliant enclosure that is used only for parking, building access, or storage.

* * * * *

Sec. 130-187. - Maximum height.
No structure or building shall be developed that exceeds a maximum height of 35 feet. Exceptions will be allowed for chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna; flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. Exceptions will be allowed for flood protection as specifically permitted in Policies 101.5.32 and 101.5.33 and listed below. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the maximum height limitation, except as specifically permitted in Policies 101.5.32 and 101.5.33. In the case of airport districts, the height limitations therein shall be absolute and the exclusions enumerated in this section shall not apply.

A. Within the Ocean Reef master planned community which is gated, isolated and inaccessible to the surrounding community, and has a distinct community character, buildings may include non-habitable architectural decorative features (such as finials, railings, widow's walk, parapets) that exceed the 35-foot height limit, but such features

shall not exceed 5 feet above the building's roof-line. This exception shall not result in a building together with any architectural decorative feature with a height that would exceed 40 feet.

B. As provided in Policy 101.5.32, buildings voluntarily elevated to meet or exceed the FEMA Base Flood Elevation (BFE) may exceed the 35-foot height limit as follows:

1. For NEW buildings which are voluntarily elevated to **exceed** the building's minimum required BFE, an exception of a maximum of three (3) feet above the 35-foot height limit may be permitted. The amount of the height exception shall be no greater than the amount of voluntary elevation above BFE. In no event shall a new building exceed 38 feet in height. This exception shall apply to the substantial improvement of buildings, whether voluntary or not.

2. For lawfully established EXISTING multi-family buildings which do not exceed the 35-foot height limit and are voluntarily retrofitted to **meet and/or exceed** the building's minimum required BFE, an exception of a maximum of five (5) feet above the 35-foot height limit may be permitted. The amount of the height exception shall be no greater than the distance necessary to elevate the building to **meet** BFE **plus** up to three (3) feet of voluntary elevation above BFE. In no event shall an existing building be elevated to exceed a total building height of 40 feet.

3. No exception shall result in a total building height that exceeds 40 feet.

4. Buildings not being elevated to at least meet the required FEMA BFE are not eligible for this exception.

5. No exception shall be provided to buildings located in an AE 10 or VE 10 or greater FEMA flood zone.

C. As provided in Policy 101.5.33, lawfully established EXISTING multi-family buildings which exceed the 35-foot height limit may be repaired, improved, redeveloped and/or elevated to meet the required FEMA BFE provided the building does not exceed a total maximum building height of 40 feet, and the building is limited to the existing lawfully established intensity, floor area, building envelope (floor to floor height), density and type of use. A Flood Protection Height Exception of a maximum of five (5) feet may be permitted to **meet** the building's minimum required FEMA BFE. The amount of the exception shall be no greater than the amount of elevation necessary to **meet** BFE. Buildings not being elevated to at least meet the required FEMA BFE are not eligible for this exception.

D. As provided in Policy 101.5.33, for lawfully established EXISTING multi-family buildings which exceed the 35-foot height limit that are proposed to **exceed** a total height of 40 feet, a public hearing before the Planning Commission and Board of County Commissioners to review and specify the maximum approved height shall be required prior to issuance of any county permit or development approval. The Planning Commission shall provide a recommendation to the BOCC on the maximum height of a building. The BOCC shall adopt a resolution specifying the maximum approved height.

1. For lawfully established EXISTING multi-family buildings that are voluntarily repaired, improved, redeveloped and/or elevated to **meet** the building's minimum

required FEMA BFE, but will require a height exception of **more than** five (5) feet, a Flood Protection Height Exception exceeding the 35-foot height limit may be provided by the BOCC based on the following criteria:

a. The physical characteristics of the existing building and parcel;
b. The susceptibility of the existing building and its contents to flood damage and the effects of such damage on the property owner;
c. The possibility that materials from the existing building may be swept onto other lands to the injury of others;
d. The availability of alternate solutions;
e. If the new proposed building height will result in increased flood risk; result in additional threats to public safety; result in extraordinary public expense; create nuisance; or cause fraud on or victimization of the public; and
f. Community character.
g. Buildings not being elevated to at least meet the required FEMA BFE are not eligible for this exception.

2. A BOCC resolution shall specify the findings of criteria of D.1. a. though g. (above) and specify the approved maximum total height for the proposed building.

MEMORANDUM
MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Planning Commission

From: Mayté Santamaria, Senior Director of Planning & Environmental Resources
Emily Schemper, Comprehensive Planning Manager

Date: February 12, 2016

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING A DEFINITION OF OFFSHORE ISLAND; AMENDING POLICIES 101.5.8 AND 101.13.5 WITHIN THE FUTURE LAND USE ELEMENT AND POLICY 207.1.2 WITHIN THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO FURTHER CLARIFY THE DEVELOPMENT OF OFFSHORE ISLANDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File 2015-007)

Meeting: February 24, 2016

I. REQUEST

The Monroe County Planning & Environmental Resources Department is proposing an amendment to revise the policies related to the development of offshore islands in regards to the use of transfer of development rights (TDRs) and transfer of ROGO exemptions (TREs).

II. BACKGROUND INFORMATION

The County has been working on the Comprehensive Plan update and has held numerous public hearings on the proposed amendments. Most recently, the Board of County Commissioners (BOCC) held special public meetings on March 21, 2014, April 23, 2014 and May 22, 2014, to review proposed amendments to the Comprehensive Plan. A special BOCC public hearing was held on July 23, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and this hearing was continued to October 7, 2014.

The Monroe County Board of County Commissioners held a special meeting on October 7, 2014, to consider the transmittal of the proposed amendments (the Monroe County 2030

Comprehensive Plan) to the Florida Department of Economic Opportunity (DEO) and the hearing was continued to December 10, 2014, to discuss the following:

- *Policies 101.5.31 and 101.5.32: BOCC directed staff to work on height policies for addressing the replacement of existing buildings which exceed the 35ft height limit, architectural features, flood protection purposes and affordable housing. Staff to present drafts during the regular December BOCC meeting.*
- *BOCC directed staff to work on an inventory/data of privately-owned offshore islands. Staff to present draft during the regular December BOCC meeting.*

During the regular December 10, 2014 BOCC meeting, a public hearing was held to discuss proposed height and offshore island policies and to consider the transmittal of the proposed amendments (the Monroe County 2030 Comprehensive Plan) to the DEO. The BOCC directed staff to maintain the existing adopted height and offshore island policies and to extract the proposed changes to the offshore island policies and process it as a separate amendment. A special BOCC transmittal hearing was set for January 14, 2015 for the proposed the Monroe County 2030 Comprehensive Plan.

The Monroe County Board of County Commissioners, at a special meeting on January 14, 2015, unanimously passed a motion to direct staff to impose a temporary suspension upon certain development applications of Offshore Islands due to pending legislation (updates to the Comprehensive Plan).

During the regular January 21, 2015 BOCC meeting, the Monroe County Board of County Commissioners adopted Resolution No. 022-2015 directing the Monroe County Planning and Environmental Resources Department to process an Ordinance to defer the approval of applications for the transfer of development rights to offshore islands, transfer of ROGO exemptions to offshore islands, tier amendments for offshore islands, map amendments for offshore islands to increase potential density or intensity and text amendments to increase development potential (density/intensity).

DRC: At its regularly scheduled meeting on March 24, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. Minutes from the March 24, 2015 DRC are attached as Exhibit 1.

DRC: At its regularly scheduled meeting on May 26, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. Minutes from the May 26, 2015 DRC are attached as Exhibit 2.

DRC: At its regularly scheduled meeting on August 25, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report

and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. Minutes from the August 25, 2015 DRC are attached as Exhibit 3.

DRC: At its regularly scheduled meeting on October 27, 2015, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. The text amendment was continued to a future DRC meeting to allow for additional public review, input and discussion early in the process. Minutes from the October 27, 2015 DRC are attached as Exhibit 4.

DRC: At its regularly scheduled meeting on January 26, 2016, the Monroe County Development Review Committee reviewed the proposed text amendment and held a workshop format meeting to allow for extensive public review and comment. The information provided in the staff report and comments from the public were discussed at the meeting. Minutes from the January 26, 2016 DRC are not available as of the date of this staff report.

III. ANALYSIS OF PROPOSED AMENDMENT

The proposed changes relate to where development, in terms of the transfer of development rights (density) and transfer of ROGO exemptions (lawfully-established unit) are directed.

Transfer of ROGO exemptions or TREs:

The existing Comprehensive Plan Policy 101.5.8 allowed for the transfer of units, based on the following criteria: *occurs within the same ROGO sub-area, provided the units are lawfully existing and can be accounted for in the County's hurricane evacuation model. In addition, the receiver site shall be located within a Tier III area outside a designated Special Protection Area and for a receiver site on Big Pine Key and No Name Key, the sending site shall also be located on one of those two islands.*

The new proposed policy expands the criteria to provide additional standards and utilize the Tier System:

Sender Site must be located in a Tier I, II, or III-A designated area; or any tier designation within the County's Military Installation Area of Impact (MIAI) Overlay.

Receiver Site criteria:

- The Future Land Use category and Land Use (Zoning) District must allow the requested use;
- Must meet the adopted density standards;
- Includes all infrastructure (potable water, adequate wastewater treatment and disposal wastewater meeting adopted LOS, paved roads, etc.);
- Located within a Tier III designated area; and
- Structures are not located in a velocity (V) zone or within a CBRS unit.

<u>Transfer of development rights or TDRs</u>:

The existing Comprehensive Plan Policy 101.13.4 (TDR) specifies habitat types (hammock, wetlands, etc.) and certain zoning districts that are allowable sender sites for TDRs. The *Offshore Island (OS) zoning category* is specifically identified as an eligible sender site (note, this does not mean the general/glossary term of offshore island: an area of land, surrounded by water, which is not directly or indirectly connected to U.S. 1 by a bridge, road or causeway - *it is the zoning category*).

The new proposed Policy 101.13.3 (TDR) utilizes Tier designation to specify allowable sender sites because it reflects both the habitat types and several of the zoning districts utilized in existing Policy 101.13.4.

Tier designations are based mainly on the environmental characteristics of the land and other items such as: Tier 1 category (Policy 205.1.1) includes lands within state/federal acquisition boundaries; known locations of threatened and endangered species; and lands designated as Conservation and Residential Conservation on the Future Land Use Map (FLUM) (*note, the Offshore Island (OS) zoning category falls under the Residential Conservation FLUM*).

TDRs are utilized by applicants to get enough density to build proposed dwelling units - both residential and transient. Specifically, maximum net density is the maximum density allowed with the use of TDRs (Policy 101.13.3).

The new proposed Policy 101.13.3 also utilizes Tier designation to specify receiver sites for TDRs. Under the new policy, only parcels designated as Tier III – infill areas, may be receiver sites. The policy also specifies that receiver sites must have an adopted maximum net density standard.

<u>INVENTORY/DATA OF PRIVATELY-OWNED OFFSHORE ISLANDS:</u>

During the Comprehensive Plan update, the BOCC requested an inventory/data of privately-owned offshore islands. This information is attached as Exhibit 4 (table) and Exhibit 5 (maps).

For these exhibits, staff utilized the previously proposed definition of offshore island which means an area of land, surrounded by water, which is not directly or indirectly connected to U.S. 1 by a bridge, road or causeway.

Additionally, staff utilized the County's GIS data to provide Future Land Use Map (FLUM) designation, Land Use (Zoning) District, Tier designation and approximate upland acres for each privately owned offshore island.

Based on the data analyzed, the following offshore islands appear to have residential development potential; however, it should be noted that Wisteria Island and Ballast Key do not have a FLUM or Tier designation:

Map Name	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pumpkin Key (Map #2)	00091210-000100 00091210-000200 00091210-000600 00091210-000300 00091210-000000 00091210-000700 00091210-001000 00091210-001400 00091210-001200 00091210-001500 00091210-000800 00091210-000500 00091210-000400 00091210-001600 00091210-001100 00091210-000900 00091210-001300	RM	1/lot	17	IS	1/lot	17	ORCA	24.18	25.05
Toms Harbor Keys (Map # 10)	00098970-000000	RC	0.25	2.66	OS	0.10	1.07	I	10.65*	49.40*
Little Palm Island (Map # 16 & 18)	00107880-000000	MC	6.00	25.20	DR	1.00	4.20	I	4.20	4.20
Wisteria Island (Map # 33)	00123950-000000	Undesig-nated			OS	0.10	1.87	Undesig-nated	18.7	39.03
Ballast Key (Map # 34)	00124030-000000	Undesig-nated			OS	0.10	1.31	Undesig-nated	13.1	14.28

*survey data

IV. PROPOSED AMENDMENT

(Deletions are ~~stricken through~~ and additions are underlined.)

Note: items shaded in grey were included in the January 14, 2015 Comp Plan transmittal.

Policy 101.~~5~~6.8

Monroe County ~~may develop a program, called~~ shall maintain a Transfer of ROGO Exemption (TRE~~),~~) program, that ~~would allow~~allows for the transfer off-site of dwelling units, hotel rooms, campground/recreational vehicle spaces and/or mobile homes to another site in the same ROGO sub-area, provided that they are lawfully existing and can be accounted for in the County's hurricane evacuation model. Dwelling units may be transferred as follows:

a. between sites in the Upper Keys ROGO sub-area;
b. between sites in the Lower Keys ROGO sub-area;
c. between sites in the Big Pine Key and No Name Key ROGO sub-area;
   i. units from the Big Pine Key and No Name Key ROGO sub-area may also be transferred to the Lower Keys ROGO subarea.

No sender units may be transferred to an area where there are inadequate facilities and services. ~~In addition, the receiver site shall be located within a Tier III area outside a designated Special Protection Area and for a receiver site on Big Pine Key and No Name Key, the sending site shall also be located on one of those two islands.~~

Sender Site Criteria:

1. Contains a documented lawfully-established sender unit recognized by the County; and
2. Located in a Tier I, II, or III-A designated area; or any tier designation within the County's Military Installation Area of Impact (MIAI) Overlay.

Receiver Site Criteria:

1. The Future Land Use category and Land Use (Zoning) District must allow the requested use;
2. Must meet the adopted density standards;
3. Includes all infrastructure (potable water, adequate wastewater treatment and disposal wastewater meeting adopted LOS, paved roads, etc.);
4. Located within a Tier III designated area;
5. Structures are not located in a velocity (V) zone or within a CBRS unit; and
6. Is not an offshore island.

~~**Policy 101.13.4**~~

~~In conjunction with the evaluation of the existing TDR program pursuant to Policy 101.13.2, parcels within the following habitats and land use districts shall be designated as sender sites for Transferable Development Rights (TDRs):~~

~~Any parcel within these zoning categories:~~

~~Offshore Island (OS) Sparsely Settled (SS)~~
~~Main land Native (MN) Parks and Refuge (PR)~~
~~Native (NA) Conservation (C)~~

~~Habitat of the following types which lie within any zoning category:~~

~~Freshwater wetlands~~
~~Saltmarsh/Buttonwood wetlands~~

~~High quality high hammock~~
~~High quality low hammock~~
~~Moderate quality high hammock~~
~~Moderate quality low hammock~~
~~High quality pinelands~~
~~Low quality pinelands~~
~~Beach/berm~~
~~Palm Hammock~~
~~Cactus Hammock~~
~~Disturbed Wetlands~~

Policy 101.13.~~5~~3

~~In conjunction with the evaluation of the TDR program pursuant to Policy 101.13.2 and no later than one year from the date when the County's Geographic Information System is fully functional, Monroe County shall map potential TDR sender and receiver sites as specified in Policy 101.13.4, and shall map parcels from which development rights have been transferred. These maps shall be updated as necessary and made available to Growth Management staff and public for use in the development review process.~~

Transfer of Development Rights program sender and receiver sites are subject to the following transfer conditions:

Sender Site Criteria:

1. Located in a Tier I, II or III-A designated area.
2. Located in a Tier I, II, or III-A designated area; or any tier designation within the County's Military Installation Area of Impact (MIAI) Overlay.

Receiver Site Criteria:

1. The Future Land Use category and Land Use (Zoning) District must allow the requested use;
   - Liveable CommuniKeys Community Centers shall be encouraged as receiving areas for transfer of development rights.
2. Must have an adopted maximum net density standards;
3. Includes all infrastructure (potable water, adequate wastewater treatment and disposal wastewater meeting adopted LOS, paved roads, etc.)
4. Located within a Tier III designated area;
5. Is not located within a designated CBRS unit; and
6. Is not an offshore island

Policy ~~207~~206.1.2

Development shall be prohibited on offshore islands (including spoil islands) which have been documented as an established bird rookery, based on resource agency best available data or survey. As used in this policy, established bird rookery refers to the location where colonial birds nest together (location in which a bird lays and incubates its eggs and raises its young). The nesting area may include nest structures, shallow depression in sand, soil or vegetation, crevices in the rocks, burrows, and cavities. ~~as identified on the current Protected Animal Species Map. [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

Glossary:

Bird Rookery means a communal nesting ground for gregarious birds.

Native Upland Vegetation/Habitat (also *Upland Native Vegetation/Habitat*) means native plant species, either new growth or mature, occurring within native upland plant communities including pinelands, cactus hammocks, palm hammocks or tropical hardwood hammocks.

Nesting Areas (for birds) means those areas that birds use for nesting. This applies to wading birds, hawks, falcons, seabirds, shorebirds, and any bird species federally or state-listed as endangered, threatened, or a species of special concern. This definition does not apply to non-native invasive or nuisance species.

Offshore Island means an area of land, surrounded by water, which is not directly or indirectly connected to U.S. 1 by a bridge, road or causeway.

Upland means the area of a site landward of mean high water, excluding submerged lands and tidally inundated mangroves.

Upland Native Vegetation/Habitat (see *Native Upland Vegetation/Habitat*)

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Objective 101.11

Monroe County shall implement measures to direct future growth away from environmentally sensitive land and towards established development areas served by existing public facilities.

Policy 102.7.2

By January 4, 1997, Monroe County shall adopt Land Development Regulations which will further restrict the activities permitted on offshore islands. These shall include the following:

1. development shall be prohibited on offshore islands (including spoil islands) which have been documented as an established bird rookery or nesting area (See Conservation and Coastal Management Policy 207.1.3.);
2. campgrounds and marinas shall not be permitted on offshore islands;
3. new mining pits shall be prohibited on offshore islands;
4. permitted uses by-right on islands (which are not bird rookeries) shall include detached residential dwellings, camping (for the personal use of the owner of the property on a temporary basis), beekeeping, accessory uses, and home occupations (subject to a special use permit requiring a public hearing);
5. temporary primitive camping by the owner, in which no land clearing or other alteration of the island occurs, shall be the only use of an offshore island which may occur without necessity of a permit;

6. the use of any motorized vehicles including, but not limited to, trucks, carts, buses, motorcycles, all-terrain vehicles and golf carts shall be prohibited on existing undeveloped offshore islands;
7. planting with native vegetation shall be encouraged whenever possible on spoil islands; and
8. public facilities and services shall not be extended to offshore islands

Policy 102.7.3
Monroe County shall discourage developments proposed on offshore islands by methods including, but not limited to, designated offshore islands as Tier I Lands

Policy 207.1.2
Development shall be prohibited on offshore islands (including spoil islands) which have been documented as an established bird rookery, as identified on the current Protected Animal Species Map.

Policy 207.9.1
By January 4, 1998, the Monroe County Biologist, in cooperation with DNR, FGFWFC, FWS, and the National Audubon Society Research Department shall update the list of offshore island bird rookeries where development shall be prohibited. Until the list is updated, the offshore islands which are established bird rookeries shall be defined as any offshore island designated as a known habitat for a nesting bird on the latest update of the Protected Animal Species Map.

GOAL 209
Monroe County shall discourage private land uses on its mainland, offshore islands and undeveloped coastal barriers, and shall protect existing conservation lands from adverse impacts associated with private land uses on adjoining lands.

Policy 215.2.3
No public expenditures shall be made for new or expanded facilities in areas designated as units of the Coastal Barrier Resources System, saltmarsh and buttonwood wetlands, or offshore islands not currently accessible by road, with the exception of expenditures for conservation and parklands consistent with natural resource protection, and expenditures necessary for public health and safety.

Policy 217.4.2
No public expenditures shall be made for new or expanded facilities in areas designated as units of the Coastal Barrier Resources System, undisturbed saltmarsh and buttonwood wetlands, or offshore islands not currently accessible by road, with the exception of expenditures for conservation and parklands consistent with natural resource protection, and expenditures necessary for public health and safety.

Policy 1401.2.2
No public expenditures shall be made for new or expanded facilities in areas designated as units of the Coastal Barrier Resources System, undisturbed saltmarsh and buttonwood wetlands, or offshore islands not currently accessible by road, with the exception of expenditures for conservation and parklands consistent with natural resource protection, and expenditures necessary for public health and safety.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
(g) Protecting the historical heritage of the Florida Keys.
(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

1. The Florida Keys Aqueduct and water supply facilities;
2. Sewage collection, treatment, and disposal facilities;
3. Solid waste treatment, collection, and disposal facilities;
4. Key West Naval Air Station and other military facilities;
5. Transportation facilities;
6. Federal parks, wildlife refuges, and marine sanctuaries;
7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
8. City electric service and the Florida Keys Electric Co-op; and
9. Other utilities, as appropriate.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.
(j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.
(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
(m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:

Section 163.3161(4), F.S. – It is the intent of this act that local governments have the ability to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future

problems that may result from the use and development of land within their jurisdictions. Through the process of comprehensive planning, it is intended that units of local government can preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing, and other requirements and services; and conserve, develop, utilize, and protect natural resources within their jurisdictions

Section 163.3177(1), F.S. – The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

VI. PROCESS

Comprehensive Plan amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, or the owner or other person having a contractual interest in property to be affected by a proposed amendment. The Director of Planning shall review and process applications as they are received and pass them onto the Development Review Committee and the Planning Commission.

The Planning Commission shall hold at least one public hearing. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning & Environmental Resources and the Development Review Committee and the testimony given at the public hearing. The Planning Commission shall submit its recommendations and findings to the Board of County Commissioners (BOCC). The BOCC holds a public hearing to consider the transmittal of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the testimony given at the public hearing. The BOCC may or may not recommend transmittal to the Florida Department of Economic Opportunity (DEO). The amendment is transmitted to DEO, which then reviews the proposal and issues an Objections, Recommendations and Comments (ORC) Report. Upon receipt of the ORC report, the County has 180 days to adopt the amendments, adopt the amendments with changes or not adopt the amendment.

VII. STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed amendments.

VIII. EXHIBITS

1. March 24, 2015 DRC Minutes
2. May 26, 2015 DRC Minutes
3. August 25, 2015 DRC Minutes
4. October 27, 2015 DRC Minutes
5. Table of privately owned offshore islands within unincorporated Monroe County.
6. Location maps of privately owned offshore islands within unincorporated Monroe County.

EXHIBIT 1

DEVELOPMENT REVIEW COMMITTEE

Tuesday, March 24, 2015

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, March 24 , 2015**, beginning at 1:02 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS

Townsley Schwab, Senior Director of Planning and Environmental Resources	Present
Mayte Santamaria, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Present

STAFF

Steve Williams, Assistant County Attorney	Present
Emily Schemper, Principal Planner	Present
Matt Coyle, Senior Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

Mr. Schwab stated Item 2 will be heard first because the applicant for Item 1 is delayed.

MINUTES FOR APPROVAL

Mr. Schwab approved the minutes of the February 24, 2015, DRC meeting as is.

MEETING

New Items:

2.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICY 101.4.26 TO PROVIDE AN EXCEPTION TO THE HEIGHT LIMIT FOR WIND TURBINES OWNED AND OPERATED BY A PUBLIC UTILITY; CREATING POLICY 101.5.31 TO ADDRESS NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF COMMUNITY; CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; AND CREATING POLICY 101.5.34 TO PROVIDE AN EXCEPTION TO THE HEIGHT LIMIT EXCLUSIVELY FOR AFFORDABLE OR EMPLOYEE/WORKFORCE DWELLING UNITS THAT MEET THE INCOME LIMITS FOR THE VERY LOW, LOW AND/OR MEDIAN

INCOME CATEGORIES ON PROPERTIES DESIGNATED AS TIER 3; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-006)

(1:03 p.m.) Ms. Santamaria stated that Items 2 and 3 will be held as a workshop discussion versus a staff report with comments. Both items are from the comp plan update and were proposed within the 2030 comp plan. The BOCC has asked staff to remove the policies as they were in the comp plan and process them separately so that there is public understanding and public input through the process. This item will be brought back two or three times to ensure revisions can be made with public input.

Ms. Santamaria first addressed Policy 101.4.26. Ms. Santamaria explained that the current height definition is the vertical distance between grade and the highest part of any structure and it is measured from either grade or the crown of the nearest road. Multiple height exceptions have been proposed in order to address a variety of issues. The first one is the wind turbine for facilities owned and operated by a public utility. An avian protection plan would be required. The height exception would be for those wind turbines that facilitate green technologies and alternative energy sources. Ms. Santamaria informed Deb Curlee there are no applications for wind turbines currently.

Alicia Putney commented that her personal experience has been that wind turbines are not able to generate enough current to be deemed useful unless the sustainable winds were above 20-25 miles an hour. Consequently, wind is more questionable than solar energy at this point. Ms. Curlee is not in favor of wind turbines because of their aesthetics. Ms. Santamaria will draft a version of the policy as the BOCC has proposed it next to a version that includes the public's input. Bill Eardley asked that staff obtain an analysis of FKEC's two wind turbines located on Cudjoe Key before proceeding with this policy.

Ms. Santamaria then addressed Policy 101.5.31. Ms. Santamaria explained that this policy is specific to Ocean Reef. In permitting for that community staff has had to deal with architectural features just above the 35-foot height limit. Staff has recommended the architectural features could exceed the 35-foot height limit by five feet, not to exceed 40 feet, and can contain no habitable space up there.

Joel Reed was present on behalf of Ocean Reef Community Association and Ocean Reef Club. Mr. Reed stated even though Policy 101.5.31 is intended to address non-habitable architectural decorative features, it is only one and the least significant of three provisions that Ocean Reef has requested. Mr. Reed explained that Ocean Reef has its own architectural review committee that projects go through as well. One of the longer term issues facing Ocean Reef Club is that they still own a number of buildings and condominiums that currently exceed the 35-foot height restriction. These are aging buildings coming to the end of their useful life. There is concern if they are ever destroyed they would not be able to build back to their current heights. Mr. Reed agrees with being proactive by building above the FEMA flood heights. One policy request from

Ocean Reef is for the ability to build back on a story-by-story approach rather than to the pre-existing height. Mr. Reed feels allowing this way of rebuilding with an increase in the slab-to-slab measurement to 11 feet would encourage owners to remodel their buildings rather than tearing them down. Another issue important to Ocean Reef is the Cultural Center building. Because the flyover space in this building is limited, the ability to have productions in this building is limited also. Mr. Reed suggested that a height of 65 feet would accommodate that flyover space. Mr. Reed emphasized that the proposed story-by-story rebuilding process is being requested for Ocean Reef only, which is an isolated and gated community, not visible from the roadway. Ms. Santamaria asked that Ocean Reef provide information of the cultural center, such as a map depiction and its existing height information. Mr. Reed agreed to provide that information, as well as a list of inventoried buildings at Ocean Reef including their existing heights.

Ms. Curlee asked for an estimate of the height of a building with an 11-foot slab-to-slab allowance plus the flood elevation. Mr. Reed replied that it depends on the flood zone and the average existing grade or crown of road of each site. Ms. Putney proposed Ocean Reef go through a variance procedure for each of the specific buildings because of all the variables associated with each building. Mr. Reed agreed that consideration needs to be given for each building individually and stressed that losing a floor would not be an option in rebuilding. Mr. Reed further explained that some communities have minimum ceiling heights so that a more adaptable building into the future is built.

Ms. Putney asked if Ocean Reef has its own community master plan containing its own design criteria. Mr. Reed responded that there are architectural design guidelines for Ocean Reef that are followed currently and a process is being gone through to update and create a new master plan for Ocean Reef. Ms. Santamaria clarified that it is for Ocean Reef's own development internally, but a Livable CommuniKeys plan or even an overlay district can be proposed. Ms. Putney voiced concern that this policy would open the door for other gated communities throughout the Keys to increase their height restriction. Ms. Santamaria noted that the reason the BOCC was even considering this policy is because Ocean Reef is not only gated, but it is isolated and separate from the rest of the Keys. Bill Hunter, present on behalf of Sugarloaf Property Owners Association (SPOA), will be taking this request by Ocean Reef back to SPOA members for their input. SPOA recognizes that Ocean Reef is isolated and very different from the rest of the Keys. Mr. Hunter commented that the BOCC has said in the past they do not want to treat Ocean Reef differently than the rest of the County. SPOA is neutral on this policy as long as this does not affect the rest of the County.

Mr. Reed explained that there is language that allows Ocean Reef to go through a letter of understanding process without going through a conditional use process. Mr. Reed feels perhaps some stronger language would help address the concerns being voiced. Ms. Putney again suggested Ocean Reef have their own Livable CommuniKeys plan which is protected by the comp plan. Mr. Reed pointed out that Ocean Reef has stricter regulations than the rest of the County has, such as setbacks. Ms. Putney suggested adding language referring to gated communities over a certain size. Ms. Curlee believes, regardless of Ocean Reef being isolated and gated, the public will expect the same consideration that Ocean Reef receives. Ms. Putney agreed. Ms. Putney asked to underscore that the BOCC does not want to have special rules for

Ocean Reef. Mr. Reed added that he believes only one Commissioner has expressed that sentiment. Ms. Santamaria stated the BOCC will make the decision of what they choose to adopt and/or transmit to the State and will ultimately make the decision of which communities, which policies and where they will apply to.

Ms. Santamaria then addressed Policies 101.5.32 and 101.5.33. Ms. Santamaria explained these policies are an attempt to provide existing and new structures the ability to redevelop or lift the existing structure to come into compliance with their flood zone. New FEMA maps are expected in four years. The first provision of Policy 101.5.32 is for new structures to voluntarily elevate their structures up to five feet above the 35-foot height limit. It is based on what they choose to elevate above flood. The second provision of the policy is for existing structures to be able to meet their base flood zone or to exceed it. Again, they can go up to five feet above the 35-foot height limit, but this is based on the amount they choose to go up. The third provision is for those structures that need to go a little bit higher to meet their flood zone. The addition of one foot of freeboard above the base flood elevation is provided for.

Bill Eardley stated raising an existing structure is impractical due to the cost. It is simpler to pay off the mortgage and cancel the flood insurance. Mr. Eardley feels there is no need for the exception on new construction because the building can be designed to meet the current standards. Ms. Santamaria explained the exception was proposed because the BOCC did not want people to lose living space and be squeezed into smaller homes. FEMA representatives have informed staff a grant program may be created to help with the cost of elevating a home. Ms. Santamaria pointed out that some existing structures may not be able to be raised due to its structural integrity. Mr. Roberts pointed out that there has been discussion about including bonus points or points under the CRS for communities that provide for an opportunity for property owners to elevate their base floor one to three feet above base flood elevation on a voluntary basis. Dottie Moses from the Upper Keys Homeowners Federation stated that the CRS looks at encouraging people not to build in low-lying areas. Ms. Santamaria explained that is why the inventory of flood zones was done. Mr. Hunter expressed concern that the County is somehow encouraging building in a very low-lying area where roads will eventually no longer be maintained by the County. Ms. Santamaria clarified that Number 1 is applicable when people tear down and build a new structure. Ms. Putney stated that the number of homes built before FEMA came in to Monroe County in '78 built below the base flood would be a small enough number that they could be dealt with through some kind of a development review mechanism as opposed to a carte blanche rule. Ms. Schemper noted that this would give property owners the allowance to do it rather than being penalized because of their unique circumstance. Ms. Santamaria stated staff will evaluate that.

Ms. Santamaria then described a situation of a property owner in North Florida who built a home less than ten years ago at three feet above flood. The new FEMA maps now show that home being three feet below flood. Ms. Santamaria explained that the new FEMA maps could impact a substantial number of people whose flood insurance premiums are going to skyrocket up because of this situation. FEMA is supposed to take sea level rise into account when creating their new maps. Staff is trying to think into the future to try to facilitate people's ability to protect their homes and investments. Mr. Hunter suggested, because it is unknown what the maps will show, introducing the concept and making allowances for the solution in the comp

plan and holding off on the details of the actual solution since modifying the LDRs in the LDC is an easier process. Mr. Schemper cautioned the longer addressing this issue is put off, the more homes will be built that are going to be affected. Ms. Moses stated that at an Army Corps meeting comments were made that all of the "easy" lots have been built on and what is left will require mitigation and other issues. Ms. Santamaria will try to run an analysis of the flood zone of the vacant parcels in the County.

Mr. Hunter clarified that when he suggested splitting the concept in the comp plan and the detail in the LDRs, he was not suggesting delaying the LDRs. Mr. Hunter further stated more public outreach would help in educating the public more on climate change and sea level rise. Mr. Roberts clarified for Mr. Hunter that the County does not have policies in place yet regarding replacement of infrastructure in areas potentially susceptible to sea level rise, so the County has to proceed under existing policies and directives, which obligates the County to maintain the roads. Ms. Santamaria described a situation in St. Augustine where property owners are suing the municipality to maintain a road in a low-lying area so that the people would have access to their fire service. Ms. Curlee asked about regulations regarding filling a lot. Mr. Roberts explained that whether fill is allowed depends on the flood zone. Ms. Putney added that runoff from higher lots into the road is creating a problem for the neighbors and in the canals, as well as blocking views and creating shade. Mr. Williams clarified that situation does not create a property rights issue. Ms. Santamaria noted that the variance procedure could create a staggered view line in an area.

Ms. Moses stated the Federation has taken the position they do not want the 35-foot height limit raised under any circumstance. The County has managed to get by under that height limit to date with new construction. Mr. Hunter on behalf of SPOA agreed with Ms. Moses' comments. Mr. Hunter personally believes more education is needed about freeboard and the benefits of freeboard. Ms. Putney on behalf of Last Stand stated existing buildings should have some kind of mechanism for special approval, but that the total raised building could not exceed 40 feet and the space created under the first floor should be non-habitable. Secondly, Last Stand is opposed to new construction receiving an exception to the 35-foot height limit. Mr. Williams noted that there is a potential map amendment process to appeal to FEMA to make an exception for a lot. The expense of that process was discussed.

Ms. Santamaria then addressed Policy 101.5.33. Ms. Santamaria explained that this policy addresses existing structures that currently exceed the height limit, such as a three or four-story condo. By redeveloping to upgrade the building, coming into compliance with the flood zone may result in loss of a story of that condo. That could potentially result in 20 people on the top floor no longer having the ability to rebuild their home. Ms. Putney questioned why it is perceived to affect the top story as opposed to the first story. Ms. Santamaria stated half of the people would lose their home regardless of which story it is. This policy provides for allowing five feet above their existing height. Ms. Putney stated Last Stand supports this policy provided that the footprint of the structure is not changed. Ms. Santamaria clarified for Ms. Curlee there is no cap on the height. Staff does not have a clear inventory of those structures this policy would encompass, but estimates only a handful. Mr. Reed asked that those who do support this policy consider giving some additional slab-to-slab height when rebuilding. Ms. Putney replied Last Stand supports the grandfathering of nonconforming height to certain buildings in Monroe

County when redevelopment is involuntary provided the new building height does not exceed that of the old building. As such, compliance with FEMA along with any additional voluntary clearance above base flood elevation must be equal to or less than the height of the old nonconforming building. Mr. Hunter stated SPOA agrees as long as the redevelopment is involuntary, such as because of fire or flood. Ms. Santamaria asked if the public in attendance considers the new FEMA maps deeming a structure below base flood involuntary.

Mr. Reed does not like the "involuntary" language because it is a very tricky threshold to meet. Ms. Santamaria noted the BOCC has tried to direct staff to focus on redevelopment versus trying to facilitate a lot of new development. Mr. Reed clarified that while there is no magic slab-to-slab number, floor to ceiling heights should be created that are adaptable and can continue to be remodeled throughout future years. Ms. Curlee expressed concern that what is "involuntary" to one person may open the door to let somebody else take advantage of this policy. Ms. Santamaria clarified for Ms. Curlee that in almost all situations exceptions to the height limit will not allow people to add a story. In some situations that would be possible. Ms. Putney believes that language should be included to limit in what situations it would be allowed. Mr. Hunter suggested more detail of the buildings in Ocean Reef be gathered to realize the effect this could have on the County. Mr. Reed clarified that his comments regarding slab-to-slab increases were specific to the Ocean Reef policy, but feels it might be worth considering for all of unincorporated Monroe County. Ms. Moses is concerned about taking people's property rights away from them. Mr. Hunter then commented that the "historical designation" language should be eliminated.

Ms. Santamaria then addressed Policy 101.5.34. Ms. Santamaria explained this came out of the session of the BOCC at the October meeting to address a different height maximum for very low, low and median income affordable employee and work force housing on properties designated Tier III. This was to facilitate having nonresidential development on the first story and allowing a couple stories of affordable housing on top. Mr. Hunter stated SPOA is opposed to this amendment. SPOA believes that the County has the benefit of seeing what the cities have done to address this issue before they make a decision on solutions. Another issue for SPOA is using height as a solution to affordable housing in the County where there is more land than the County has ROGO allocations for. Ms. Moses stated the Federation is opposed to raising the affordable housing limit. Key Largo does not have an affordable housing issue. There are affordable housing projects in the Upper Keys district already and some of the way those projects are being managed are not the way their deed restrictions have been written.

Ms. Moses pointed out there is no definition for "workforce housing" in the code. Ms. Santamaria replied the Affordable Housing Committee will be addressing that soon. The BOCC hired the FSU Consensus Center to provide a report on the County's affordable housing issue. Ms. Schemper added that the LDC uses the term "affordable housing" or "employee housing," which are defined terms. "Work force housing" is a more general term. Mr. Reed argued that there is a demand and a need still in the Upper Keys for affordable housing. Mr. Reed then stated it is a severe challenge to find appropriate land of a certain size to accommodate affordable housing. Mr. Eardley is concerned this amendment would open the door for all kinds of other development. Mr. Eardley agrees there are ways to address work force housing without going higher, such as making the units smaller. Ms. Curlee added when talking about truly

affordable housing that would be rentals. Ms. Putney believes this issue is complex and the height exception for affordable housing should be dealt with within the arena of the affordable housing discussion separate from what is being done today. Ms. Santamaria clarified this amendment would provide the opportunity to build more units, but it also will raise those units above base flood.

Ms. Santamaria thanked the public for their comments and stated these comments will be included in the staff report and will be back before the DRC again for more comments.

1.Playa Largo Resort, 97450 Overseas Highway, Key Largo, mile marker 97.5: A public meeting concerning a request for an Amendment to a Major Conditional Use Permit. The requested approval is required for the development of a proposed 177-unit hotel and associated accessory uses. The subject property is legally described as Tracts 4B and 5B, Amended Plat of Mandalay (Plat Book 2, Page 25), Key Largo, and also a tract of submerged land in the Bay of Florida fronting said Tract 5B (TIIF Deed No. 22416), Monroe County, Florida, having real estate number 00555010.000000.
(File 2015-031)

(2:32 p.m.) Ms. Schemper presented the staff report. Ms. Schemper reported that this applicant currently has an approved major conditional use permit from 2007 and it has had several deviations and time extensions over time. It is still active. The most recent deviation has approved the site plan for 162 transient units and one commercial apartment, which was previously on the site. The applicant has been issued a number of building permits. This amendment to the major conditional use permit is to add an additional 15 transient units into the hotel, the building of which has already been permitted, and that would bring them up to their max number net density. It does not change any footprint on the site plan. All of the required criteria are in compliance. The only issue that is still outstanding is the traffic and access. The applicant had supplied a Level 2 traffic study with this application, and because of the threshold of what is being proposed a Level 3 traffic study is needed. This may also impact the requirement for a right-turn deceleration lane leading into the property. Ms. Schemper recommended approval with conditions. Those conditions were outlined.

Ms. Santamaria commented that the Planning Commissioners will likely want to see the traffic studies so they can take that data into account in their decision-making and make sure that it is compliant. Mr. Roberts asked that Number 7 of the recommended actions be reworded to specify the number of allowed docks. Mr. Roberts will supply that number to Ms. Schemper.

Jorge Cepeda, present on behalf of the applicant, stated he was familiar with the conditions contained in the original approval. Mr. Cepeda asked that Condition 8, the transportation shuttle for guests and employees, be considered in the traffic study because that has less of an impact on traffic. Mr. Cepeda asked that the second portion of the language about adequacy of public facilities on Page 6 of the report remain part of the recommended action. Mr. Cepeda clarified that no trees will be cut for the mulch exercise path, but there may be some underbrush that may need to be accommodated. Mr. Roberts specified that "clearing" is the removal of any native vegetation regardless of the size. Mr. Roberts asked the applicant to inform staff if the applicant is planning on clearing or removing additional vegetation that has not been previously accounted

for in the site plan. Ms. Schemper will look again at the deviation to see exactly how it is worded and get back to the applicant regarding the clearing.

Ms. Santamaria asked for public comment. Ms. Moses asked whether the proposed commercial apartment is bayfront. Ms. Schemper explained it was a previously existing unit, so the residential use and density is protected. Mr. Cepeda stated the apartment is in the same location as the prior developer's site plan. Ms. Moses then pointed out the site plan shows two entrances. Ms. Schemper explained one is an emergency access drive requested by the fire department. Ms. Moses then noted that the front buffer that faces US-1 looks to contain lead tree. Mr. Cepeda replied that the landscaping will be done in the final stage. The main entrance is the original American Outdoor entrance and at the end stage the exotics will be removed and landscaping will be done to complete that buffer. Ms. Moses commented that there are a lot of non-native species on the vegetation list. Mr. Roberts explained that the required vegetation is 100 percent native vegetation, but anything planted above the minimum requirement can be anything the developer wants. The developer is overplanting the required landscaping significantly. Ms. Schemper clarified for Ms. Moses that the docking facility on the property is a hotel accessory dock, not a marina.

3.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICIES 101.5.8 AND 101.13.5 WITHIN THE FUTURE LAND USE ELEMENT AND POLICIES 207.1.2 WITHIN THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO FURTHER CLARIFY THE DEVELOPMENT OF OFFSHORE ISLANDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File 2015-007)

(2:49 p.m.) Ms. Santamaria stated this item also comes from the comp plan update project. The BOCC asked staff to remove these policies that were included in the comp plan and process them separately since it was a new topic and received a lot of attention and people wanted to provide input on the topic. These policies relate to the transfer of ROGO exemptions, density rights, as well as where the development would be directed to.

Ms. Santamaria addressed Policy 101.5.8. Ms. Santamaria explained that, again, this item will be handled today more like a workshop-type item.

Bart Smith, Esquire, was present on behalf of FEB Corp. Mr. Smith asked staff to address all of the policies together. Mr. Smith thanked staff for planning multiple workshops to allow these policies to be vetted over a period of time where everyone can work together. Mr. Smith asked staff to provide notice to the affected property owners of these meetings so they can actively engage in this process. Mr. Smith asked staff to contemplate the unintended consequences of these policies of not allowing the TDRs and TREs to be transferred to offshore islands and designating all offshore islands as Tier I. Mr. Smith believes this negates the tier system, which is the primary tool for determining whether a parcel is suitable for development. These policies

put an inordinate burden on the property owners. These property owners have some development right, all residential in nature. The code only has two ways that residential can be built: Through ROGO allocation or ROGO exemption. These islands do not have ROGO exemptions because they do not have homes on them, so in order to build residential one would have to get a ROGO allocation or transfer a ROGO exemption from somewhere else. These policies eliminate the ability to transfer. A property is left with requiring a ROGO allocation, but the property is designated Tier I. This would be so limiting that the only use left would be bee-keeping and temporary camping by the owner. Mr. Smith asked that staff look at how these policies would operate as a whole to get a complete picture of how it would operate.

Ms. Santamaria clarified individual property owners were not notified because this is not property-specific and not all properties have their issues resolved with ownership. This is a policy that would impact all privately-owned or even publicly-held offshore islands. Ms. Santamaria further clarified that while the policy has direction of discouraging development by designating Tier I does not mean it is an automatic Tier I. That designation would have to go through its proper process to apply a designation to a property. Ms. Santamaria commented that this policy is not a huge change regarding the TREs and the TDRs. This is a proposed change based on the discussions from the BOCC of where to direct the remaining allocations or exemptions and where is the most appropriate place to direct development.

Julie Dick on behalf of Last Stand and Florida Keys Environmental Fund thanked staff for the workshop process and allowing the public the opportunity to participate in this process. Last Stand thinks that the policies generally are consistent with the concepts of the tier overlay system for offshore islands. Last Stand is generally supportive of the changes. Ms. Dick commented that there are some inconsistencies with the acreage on the inventory. Ms. Santamaria explained the Property Appraiser does not have the exact acreage of a property. A boundary survey is required to determine the upland portions of a property. Ms. Santamaria will look into any discrepancy reported to her. Ms. Dick further stated Last Stand agrees with the sender and receiver site criteria. For evacuation purposes it make sense to discourage additional development on offshore islands. Last Stand recommends removing significant upland habitat as a criteria in Policy 206.1.2. The reasons to protect offshore islands go beyond whether or not they are suited to upland habitat, such as containing bird rookeries. Ms. Santamaria pointed out that under Policy 206.1.2 the significant upland habitat is one of the criteria and it is being made consistent with the Tier I criteria.

Ms. Putney asked whether there was a determination made that offshore islands were Tier I when the County went to the tier system. Ms. Santamaria explained Policy 102.7.3 stated that designating offshore islands as Tier I lands was one method used to discourage developments proposed on offshore islands. The only offshore islands that are not designated Tier I were the ones that were missed by accident and undesignated, but this policy does not automatically designate them. They would still have to go through that process. The provision exists in the LDC that any islands without a specific land use designation shall be considered zoned as offshore islands. The approximately ten offshore islands that were missed and not designated were discussed.

Ms. Santamaria thanked the members of the public for their participation and invited them to participate in the workshop-style meetings scheduled in the future.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 3:15 p.m.

EXHIBIT 2

DEVELOPMENT REVIEW COMMITTEE

Tuesday, May 26, 2015

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, May 26, 2015**, beginning at 1:00 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS

Mayte Santamaria, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Present

STAFF

Steve Williams, Assistant County Attorney	Present
Rey Ortiz, Planning & Biological Plans Examiner Supervisor	Present
Lori Lehr, Floodplain Administrator	Present
Tiffany Stankiewicz, Development Administrator	Present
Matt Coyle, Senior Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

There were no changes to the agenda.

MINUTES FOR APPROVAL

Ms. Santamaria approved the minutes of the April 28, 2015, DRC meeting with one correction of a section number that will be submitted to Ms. Creech.

MEETING

New Items:

1.99700 Overseas Highway, Key Largo, mile marker 99: A public meeting concerning a request for a major deviation to a major conditional use permit. The requested approval is required for the proposed development to increase the existing walk-in cooler and to increase the size of the existing bathrooms which would increase the amount of non-residential floor area on the property. The subject property is legally described as Lazy Lagoon – A revision of Amended Plat of Curry's Corner, Plat Book 2, Page 120 of public records, Monroe County, Section 33, Township 63 South, Range 39 East, Key Largo, Monroe County, Florida (legal description in metes and bounds is provided in the application/file), having real estate number 00497540.000000.

(File 2015-093)

(1:01 p.m.) Mr. Ortiz presented the staff report. Mr. Ortiz reported that the applicant is requesting a major deviation to a major conditional use application. The applicant wants to expand the bathroom by approximately six square feet, add a modular component to the rear of the building for a walk-in cooler and expand an existing cooler that is currently within the setbacks on the rear property line. The only criteria not met is regarding the variance requirement that the site is going to need. Mr. Ortiz recommends approval to the Planning Commission with conditions. Those conditions were outlined. Ms. Santamaria confirmed that the applicant has submitted a variance application.

Hany Haroun, the applicant, emphasized that this renovation is necessary. Many hours have been spent with Wendy's International and the County to make this work. The new kitchen configuration in the center of the restaurant is a requirement from Wendy's International, which takes away from the cooler/freezer space and the current storage area. The extension for the sides is due to making the bathrooms ADA compliant. None of this will be visible from the front. The only setback issue is for the cooler/freezer.

Ms. Santamaria asked for public comment.

Dottie Moses, Key Largo resident, does not object to what is being asked for. Ms. Moses likes the proposed landscaping along the highway. Ms. Moses commented on the poor drainage that exists on the property. Mr. Haroun explained that the main road was built to drain out towards Buttonwood Drive and consequently it floods there all the time. That is on the County right-of-way. The County and State agreed to dig out the French drain and fill it with gravel to address the flooding problems. The tides also affect the drainage in this area. Ms. Santamaria noted when building permits are applied for the applicant will have to comply with the stormwater requirements. Mr. Williams suggested that the applicant provide some documentation from Wendy's International to show the hardship imposed on the applicant for purposes of the variance. Mr. Ortiz asked the applicant to provide an updated site plan.

2.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICY 101.4.26 TO PROVIDE AN EXCEPTION TO THE HEIGHT LIMIT FOR WIND TURBINES OWNED AND OPERATED BY A PUBLIC UTILITY; CREATING POLICY 101.5.31 TO ADDRESS NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File 2015-006)

(1:12 p.m.) Ms. Santamaria presented the staff report. Ms. Santamaria reported that this item started with the comp plan update. There were policies to amend the height policies, address the wind turbines, affordable housing and the flood protection. The BOCC asked staff to process this as a separate stand-alone amendment. This was before the DRC in March where a lot of comments were received. The flood protection policy generated concerns about the overall height exception. Staff has proposed a policy that includes the reasons why there would be an exception with a max height limit of 40 feet and it would be to elevate property three feet above base flood elevation (BFE). The exception for new buildings is to exceed BFE, not just to meet it, up to three feet above BFE. The exception for lawfully existing buildings is to either meet or exceed BFE because there are circumstances, depending on the flood zone, where this exception will not allow you to exceed BFE. If it is exceeded, it is only that amount it is exceeded that one gets to go above BFE. Again, it is capped at 40 feet. The exception would not be allowed in high-risk areas.

Ms. Santamaria introduced Ms. Lehr and asked for an update and information on flood zones.

Ms. Lehr explained that one of her roles is to help the County get into the Community Rating System (CRS) program, which would result in some discount in flood insurance. When property owners voluntarily elevate their properties they get a reduced premium on their flood insurance. For every foot of elevation, the savings is about a quarter of the premium. After the cap of three feet, the discounts fall off. The cost to elevate a property is recouped quickly in flood insurance savings. Ms. Lehr believes the future of the Florida Building Code and other legislation is going to be moving towards the implementation of some sort of freeboard, some sort of elevation requirement above BFE. Ms. Lehr further explained the County is going through a mapping process currently. It will be 2018 before those new maps come out, but the general feeling of those maps is that the elevations in some areas will increase, so the required elevations will increase.

Ms. Lehr clarified for Ms. Moses a community has to require a higher regulatory standard above what is required on the flood insurance rate amounts to get CRS credit. Florida in general has some of the highest scoring communities in the nation. Ms. Lehr believes Monroe County is doing a lot of things to address the flooding that will be worth CRS credit. There will be changes in the Florida Building Code coming up in the next couple of years to address BFE. Ms. Santamaria explained the CRS does not address the top height, so the BOCC gave staff direction to look into elevating the height limit so home owners are not squeezed in from the top, causing homes to become smaller and smaller. Ms. Lehr noted that credits are being given for existing buildings being elevated as opposed to rebuilt. The CRS program is very adamant that communities do what is good for their floodplain management and protection of their citizens' investments.

Ron Miller, Planning Commissioner and Key Largo resident, questioned why the County has become concerned about someone losing habitable space in their structure, because in URM parking spaces were required to be under homes, which takes away from habitable space. Ms. Santamaria clarified this proposal is not zoning-specific. Mr. Miller feels homeowners should be amenable to some give-and-take in the loss of some habitable space. Mr. Miller believes the people interested in more living space and more stories are those who are renting illegally. Ms.

Santamaria clarified that the BOCC has become aware of the new FEMA maps coming out and want Monroe County to get into the CRS and help the community better protect their property and investments. So they have directed staff to address this issue by allowing people to make that financial choice themselves. The whole intent was to better protect our community.

Bill Hunter, Sugarloaf resident, suggested that a definition of "elevate" be proposed. Mr. Hunter mentioned different scenarios of what could fall under the definition of "elevate." Ms. Santamaria said that staff will consider and look into those different scenarios. Ms. Lehr clarified if a bottom floor was knocked out and used for parking with penthouses built on top of the structure, those structures would still be limited by the height restriction from BFE. Ms. Santamaria noted that Policy 101.5.33 is for lawfully established existing buildings which already exceed the 35-foot height limit and a top cap of 40 feet is in place unless the owners go to a public hearing before the BOCC. Mr. Hunter then asked for an explanation of why the different numbers of 38 and 40 feet are used. Ms. Santamaria explained that discounts are given for one, two and three feet above BFE. Since discounts are not given above that, the new buildings were capped at 38 feet. The 40-foot limit was added for existing buildings in case they needed to raise their property a little bit higher because they do not meet base flood today. Ms. Lehr clarified that the flood insurance policy associated with a structure would receive a different rating because of the elevation of that property. The discount for CRS is completely different. The discount for CRS could be in addition to the different rating on the insurance policy for an elevation. Ms. Santamaria noted that no exception will be given to either new or existing structures in AE10 through VE10. That came from the comments made at prior DRC meetings about not facilitating redevelopment or new development in higher-risk areas.

Mr. Hunter stated he agrees with Mr. Miller about the ability of Monroe County citizens to live under the 35-foot height limit, but is more sympathetic to the owners of existing homes than to new construction. Mr. Miller is concerned for the properties in such a high AE or VE that they would not be able to develop a home that was attractive. Mr. Miller proposed keeping the 35-foot height limit in the comp plan and allowing for a variance for those so limited that they would not be able to develop something architecturally acceptable to the community. Ms. Santamaria stated it would be difficult to create a variance for architectural or visual issues. There is no real hardship in that instance.

Naja Girard, Key West resident, commented that people are more concerned over encouraging new development in AE and VE areas as opposed to elevating existing homes in those areas. Mr. Miller agrees with limiting infrastructure in flood-prone areas, but feels a minimal-size house could be able to punch through the height barrier if the owners could show a hardship when asking for a variance. Ms. Lehr explained that the CRS does not take away points. The CRS program credits activity. Prohibiting development in high-risk areas is credited under the CRS. The emphasis of the program has always been to build safer, more resilient communities.

Jim Hendrick was present on behalf of Ocean Reef Community Association (ORCA) regarding Policy 101.5.31. Mr. Hendrick stated Ocean Reef is an isolated and gated community with a distinct community character. The planning process in Ocean Reef is very tough. Mr. Hendrick said Ocean Reef would like the extra five feet for architectural features. The largest concern with this policy for Ocean Reef is its cultural center. The cultural center does not have the head

room needed to be able to house events that could potentially be put on at this facility. Mr. Hendrick asked for a height limit unique to the Ocean Reef Cultural Center, which was built and paid for by the people of Ocean Reef. Another concern that ORCA has is that any multi-story building in existence on the effective date of this policy be able to replace their existing number of stories up to 11 feet slab to slab per story. The Ocean Reef hotels are currently dated with a ceiling height of only eight feet. Ms. Santamaria noted that at the last meeting Joel Reed presented this information on behalf of Ocean Reef Club. Staff had asked for an inventory of existing heights of the various structures throughout Ocean Reef. Nothing has been received to date. Mr. Hendrick will send the complete list to Ms. Santamaria. Mr. Hendrick emphasized this is being asked to apply to Ocean Reef only, which is isolated and does have a distinct community character.

Deb Curlee, resident of the Lower Keys, noted that Ocean Reef is still part of Monroe County. Mr. Hendrick replied there is an abundant body of policy already recognizing the unique circumstances of Ocean Reef. Ms. Santamaria asked that Ocean Reef consider proposing an Ocean Reef specific overlay to address height issues in Ocean Reef. Mr. Hendrick replied Ocean Reef has a very effective self-governance program within the community. Ms. Santamaria asked that the information regarding the various heights as well as the total heights at Ocean Reef be sent in to help staff understand what the request is from Ocean Reef. Mr. Hendrick then explained for Ms. Girard how Ocean Reef is self-governed.

Ms. Moses stated the Federation is opposed to punching through the height limit and they feel that the 35-foot height limit has been accommodating and there is still room for elevating the floodplain. Ms. Girard on behalf of Last Stand stated that a majority of the properties should be able to elevate the buildings as much as needed and still have adequate living space. Last Stand would like to see this turned into a hardship situation that would have to be triggered to go through the height barrier.

Mr. Miller asked what would happen to those properties whose flood zone was changed due to the FEMA flood maps. Ms. Santamaria reminded Mr. Miller that no exceptions being given to properties in AE10 or VE10 or higher was a result of members of the community not wanting to facilitate development of homes within those flood zones. The owners of those properties would have to work within the rules or not build at all. Ms. Santamaria then confirmed for Mr. Hunter that reconstructed structures in Policy 101.5.33 includes those that are demolished and rebuilt. Ms. Santamaria explained that the BOCC resolution that specifies the maximum approved height is done on a building-by-building basis. There is currently no limit to that height because it is not known what would be needed to meet base flood. Ms. Santamaria explained that buildings over 35 feet currently could only rebuild to 35 feet if they were wiped out by a hurricane.

Ms. Curlee asked why no caps are placed in Policy 101.5.33. Ms. Santamaria replied that building heights would be different depending on how it was measured. Ideas were proposed for the BOCC to consider when making the decision on how high they can go. Mr. Hunter suggested considering the community's desire to limit the height. Ms. Santamaria noted a public hearing would require surrounding property owner notices being sent out.

Mr. Haroun stated he finds it unreasonable to not allow a condo to be built back up so that no owners would lose their living space. Ms. Santamaria pointed out that is why a flood exception is being proposed for those property owners. Mr. Miller noted that his concern is not whether they can build back what they had or not, but his concern is that the potential for more habitable space in this county is being increased as a result of seeking relief from sea level rise.

Ms. Santamaria then stated the affordable housing has been struck from this proposal at this point in time. Staff will work with the BOCC and the Affordable Housing Committee further in that regard. The other item in this stand-alone amendment is the wind turbines owned and operated by a public utility. At the last meeting members of the public asked what the results were from the Keys Energy demonstration project. It was concluded that the wind towers have been proven to be ineffective. Ms. Moses proposed striking this item altogether. Ms. Girard stated on behalf of Last Stand they would like to see the whole exception to the wind turbines stricken. If someone comes forward and proposes a great plan in the future, then it can be looked at with specific considerations in mind.

Ms. Santamaria stated the plan is to bring this amendment back to the DRC and get more data for community-specific amendments. It will be brought back as two items: One as a comp plan and an LDR for more discussion and more input.

3.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING A DEFINITION OF OFFSHORE ISLAND; AMENDING POLICIES 101.5.8 AND 101.13.5 WITHIN THE FUTURE LAND USE ELEMENT AND POLICY 207.1.2 WITHIN THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO FURTHER CLARIFY THE DEVELOPMENT OF OFFSHORE ISLANDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-007)

(2:38 p.m.) Ms. Santamaria presented the staff report. Ms. Santamaria reported that this amendment has stemmed from the comprehensive plan update process. There was a lot of discussion on where to direct and how to direct development in the future and if it is appropriate to go to offshore islands. The BOCC asked staff to remove this from the general comp plan update and process it as a stand-alone amendment. The definition of "offshore island" has been included. The new provision is that TDRs and TREs would not be allowed to transfer to an offshore island.

Ms. Santamaria asked for public comment.

Attorney Nick Batty was present on behalf of FEB Corporation with respect to Wisteria Island. Mr. Batty stated the issues that FEB has with this proposed amendment pertain to the receiver sites for TREs have to be within a Tier III designated area and must not be an offshore island. Policy 206.1.2 provides that Monroe County shall discourage the development

of offshore islands which have no prior development and have significant upland habitat by discouraging the extension of public facilities and designating the offshore islands as Tier I. That makes a scenario where ROGO exemptions cannot be transferred to those islands and at the same time bumps them down to a Tier I level for the ROGO allocation program. Mr. Batty pointed out there is no definition proposed for "significant upland habitat." Significant upland habitat does not necessarily coincide with environmentally sensitive areas. As a result, areas like Wisteria Island, which does not have significant areas of environmentally sensitive habitat, would by default be lumped in with a Tier I designation, which is contrary to the intent of the code. Bumping them down to a Tier I in terms of the ROGO allocation system and not allowing any transfers of TREs to the area would result in a situation where there would be no beneficial uses for the properties. Mr. Roberts replied that using the blanket and undefined term "significant upland habitat" does not account for the differences in the natural features of those properties and effectuate the intent of the Tier I and Tier III definitions. Ms. Santamaria added that no changes are being proposed to the Tier III criteria for designating any land. Mr. Batty replied that islands which currently do not have a tier designation and would fit whatever the definition is determined to be of "significant upland habitat" and have no prior development would be pushed into that Tier I category without any other consideration. Ms. Santamaria stated no particular tier designation is being proposed for any offshore island. This is simply policy, not property specific. Ms. Santamaria will review this further and consider proposing a definition for "significant upland habitat."

Ms. Girard, on behalf of Last Stand, stated it makes very little difference what is on the upland, whether or not there even is upland, because offshore islands are surrounded by shallow waters and environmentally sensitive benthic resources and are important for avian species. Ms. Girard emphasized a survey containing 76 different species of native plants and a report regarding the importance of Wisteria Island for the white crown pigeons a couple of hundred feet away from Wisteria Island are on file with the County. Last Stand thinks it is extremely appropriate that offshore islands be given Tier I designations and that they not be considered as receiver sites because they are inappropriate for development in a county that has a limited number of ROGOs and is basically facing build-out. Ms. Santamaria clarified that this is not a property-specific amendment. Ms. Santamaria further clarified that the tier designations are based on upland habitat. Mr. Roberts clarified for Ms. Girard that native areas that provide corridors or wildlife access between other larger native areas are part of the Tier I designation. Mr. Batty pointed out it is important to make sure the intent of the code is being effectuated.

Ms. Santamaria asked for further public comment. There was none. Public comment was closed.

Ms. Santamaria stated staff will review all the comments made and will look at defining "significant upland habitat" and bring this back to the DRC for one more round of public input before taking it to the Planning Commission.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 2:55 p.m.

EXHIBIT 3

DEVELOPMENT REVIEW COMMITTEE

Tuesday, August 25, 2015

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, August 25, 2015**, beginning at 1:00 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS

Mike Roberts, Sr. Administrator, Environmental Resources	Present
Emily Schemper, Comprehensive Planning Manager	Present
Kevin Bond, Planning & Development Review Manager	Present

STAFF

Steve Williams, Assistant County Attorney	Present
Matt Coyle, Senior Planner	Present
Devin Rains, Senior Planner	Present
Thomas Broadrick, Senior Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

Mr. Roberts announced Items 5 and 6 will be heard first.

MINUTES FOR APPROVAL

Mr. Roberts deferred approval of minutes to the next DRC meeting.

MEETING

New Items:

5.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING POLICY 101.5.31 TO ADDRESS NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING

FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-006)

Mr. Roberts presented the staff report. Mr. Roberts reported that while working on the comp plan update the BOCC directed staff to maintain the existing adopted height and offshore island policies and to pull the proposed changes for further review and submit as a separate amendment. The proposed text amendment has been reviewed at two prior DRC meetings. Policy 101.5.30 adds mechanical equipment to the 35-foot limit while excluding certain structures. There are no exceptions to the height limitation in Airport districts. Policy 101.5.31 for Ocean Reef, which is a gated and isolated community with a distinct community character, includes non-habitable architectural decorative features that exceed the 35-foot height limit, but such features shall not exceed five feet above the building's roof line. There are Land Development Code amendments to reflect these policies. Policy 101.5.32 provides that certain buildings voluntarily elevated to meet or exceed the FEMA base flood elevation (BFE) may exceed the 35-foot height limit. New buildings voluntarily elevated to exceed the building's minimum required BFE may exceed the 35-foot height limit by three feet. For lawfully established existing buildings which do not exceed 35 feet and are voluntarily retrofitted to meet and/or exceed the building's minimum required BFE, an exception of a maximum of five feet above the 35-foot height limit may be permitted.

Bill Hunter, resident of Sugarloaf Key, asked for the rationale for the difference of an extra two feet between an existing building and a new building. Mr. Coyle explained that it is to allow a homeowner more room to get into compliance and go up. Mr. Hunter then asked for clarification on the definition of "retrofit." Mr. Roberts stated that retrofitting means making changes to an existing building to protect it from flooding or other hazards. Demolition and reconstruction of a new structure would not fit within that definition.

Dottie Moses, on behalf of the Federation of Homeowners Association, stated that the Federation consistently maintains its opposition to raising the height limit. Ms. Moses asked who is requesting the height increase. Mr. Roberts replied that this amendment was staff-initiated at the direction of the BOCC. Ms. Moses believes that the recent change in the code that allows setbacks being used for parking in URM zones will result in another floor of bedrooms being added under this amendment, which will increase density. The hurricane evacuation issue is always a concern in the community, also. Ms. Moses then asked where the exception provided for properties located in the AE 10 or VE 10 or greater FEMA flood zones originated. Ms. Schemper will look into that for Ms. Moses. Ms. Schemper added that this item will be brought back to the DRC one more time.

Joel Reid, on behalf of Ocean Reef Club and Ocean Reef Community Association, commented that these two associations have asked for height changes to address their community concerns. Mr. Reid expressed disappointment that some items Ocean Reef has been asking for have not been included in the staff report. Mr. Reid then asked for clarification regarding architectural elements exceeding 40 feet under Policy 101.5.33. Ms. Schemper explained that Policy 101.5.33 applies to lawfully established buildings that are already over 35 feet high. The intent is if it was a pre-existing feature, then the BOCC could approve it, but if it is a proposed architectural

feature an exception would not be given if it is over 40 feet. Mr. Reid stated Ocean Reef would like some protection in order for residents to be able to build back their structures without losing their views. Ms. Schemper pointed out that this amendment is to protect what is already in existence while also meeting the flood requirements. The existing intensity or density type of use would be protected. Policy 101.5.33 does not specifically address increasing slab-to-slab heights. That would have to be approved by the BOCC if over 40 feet. The mechanism of going through the approval process to the BOCC has not been thoroughly fleshed out. That would be in the Land Development Code portion of the amendment. Mr. Reid asked how rebuilding and doing modifications to the Ocean Reef Cultural Center and boat storage area would be handled. Ms. Schemper responded that the full amount of data in those issues has not been received by staff at this point.

6.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICIES 101.5.8 AND 101.13.5 WITHIN THE FUTURE LAND USE ELEMENT AND POLICIES 207.1.2 WITHIN THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO FURTHER CLARIFY THE DEVELOPMENT OF OFFSHORE ISLANDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File 2015-007)

Ms. Schemper presented the staff report. Ms. Schemper reported that this is another item originally contemplated during the comp plan update. Staff was directed by the BOCC to pull it out as a separate text amendment. This was already reviewed at two DRC meetings and has been continued to this meeting to get additional public review, input and discussion. The proposed changes are about where development in terms of TDRs and the transfer of ROGO exemptions are directed. Existing Policy 101.5.8 allows for the transfer of units based on certain criteria. The new policy expands the criteria and has additional standards to utilize the tier system. The sender site must be located in Tier I, II, or III-A, or any tier designation if it is within the military installation impact overlay. The receiver site must have a future land use category ability and zoning district that allows the use, must meet the adopted density standards, include all infrastructure, be located within Tier III and may not be within a V zone or a CBRS unit. The comprehensive plan specifies specific habitat types and the certain zoning districts that were allowed on sender site TDRs. The offshore island zoning category is specifically identified as an eligible sender site. The new proposed policy utilizes the tier designation to specify the sender site because this already accounts for both habitat types and zoning districts that were in the existing policy. The new policy states only parcels designated Tier III can be receiver sites and they must have an adopted maximum net density standard, which would be based on their zoning category. Ms. Schemper reviewed Policy 206.1.2, which prohibits development on offshore islands, and the definition of significant native upland habitat. This item will be brought back to the DRC one more time.

Julie Dick with Everglades Law Center, present on behalf of Florida Keys Environmental Fund and Last Stand, believes Policy 206.1.2 is redundant and is addressed somewhere else in the

comp plan. Ms. Dick suggested eliminating the entire policy because any confusion resulting from this policy leaves the door open to misinterpretation. Ms. Dick supports Policy 101.6.8 in making sure that offshore islands are not receiver sites.

Bart Smith, Esquire, commented that generally he appreciates the revisions made to the obtaining and transferring of TDRs. On behalf of FEB Corp. Mr. Smith stated most of the receiver site criteria in the staff report seems very logical. Mr. Smith does not, however, feel that the sixth criteria that blanketly prohibits offshore islands from being receiver sites is logical because there is not any data and analysis identifying the reasons why an offshore island cannot be a receiver site. Mr. Smith feels that the definition of "significant native upland habitat" is a well-thought-out definition. Mr. Smith stated everything in the proposed ordinance makes logical sense and is conforming except for the blanket prohibition of offshore islands.

Naja Girard, speaking on behalf of Last Stand, addressed Mr. Smith's comments by responding that one thing different about offshore islands is that shallow waters surround the offshore islands and include benthic resources that the comp plan directs the County to protect. Encouraging development on offshore islands would require the acceptance of all the boating traffic that would be created as a result of that development. Ms. Girard agrees that Policy 206.1.2 is redundant and changes the normal way offshore islands are designated Tier I, which could result in confusion on its interpretation. Ms. Girard believes this weakens the protection of all offshore islands. Ms. Girard also believes there is not accurate data on what actually exists on these islands.

1.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM INDUSTRIAL (I) AND COMMERCIAL FISHING AREA (CFA) TO MIXED USE (MU), FOR PROPERTY LOCATED AT APPROXIMATE MILE MARKER 9, DESCRIBED AS A PARCEL OF LAND IN SECTION 21, TOWNSHIP 67 SOUTH, RANGE 26 EAST, BIG COPPITT KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00120940.000100, AND FROM INDUSTRIAL (I) TO COMMERCIAL 2 (C2) FOR PROPERTY LOCATED AT APPROXIMATE MILE MARKER 9, DESCRIBED AS FOUR PARCELS OF LAND IN SECTION 21, TOWNSHIP 67 SOUTH, RANGE 26 EAST, ROCKLAND KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00122080.000000, 00122081.000200, 00122010.000000 AND 00121990.000000, AS PROPOSED BY ROCKLAND OPERATIONS, LLC AND ROCKLAND COMMERCIAL CENTER, INC.; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO THE LAND USE DISTRICT (ZONING) MAP; PROVIDING FOR AN EFFECTIVE DATE.
(File 2012-069)

Ms. Schemper presented the staff report. Ms. Schemper reported that this item is a zoning amendment to accompany a FLUM amendment which has already been transmitted by the BOCC to DEO. Staff has received the objections, recommendations and comments report on the FLUM amendment. DEO's objection was that it was increasing the potential residential

development and should be revised to allow other residential uses. The original deadline for adopting that FLUM amendment was September 19, but staff has asked for an extension based on the applicant's delay and the new deadline is March 15, 2016. The current zoning amendment would be required to match the FLUM amendment. The applicant is required to revise the total FLUM amendment to include a comp plan policy that would limit any residential development on the site to affordable housing only. This affects only the northernmost L-shaped parcel on the map. The southern parcels are proposed to become commercial with no residential density. Today's discussion concerns the zoning portion of the amendment. The net change in development for the entire site will actually be a reduction in residential density. The Big Coppitt portion of the site would have an increase in affordable residential, but the proposed comp plan policy will limit all residential development to affordable housing on that site. Staff has found that any impact is not anticipated to have an adverse effect on community character. Staff has found no adverse effects for traffic circulation. There is sufficient capacity for the public facilities for potential development under this zoning amendment. Staff has found that the proposed amendment is consistent with the Monroe County comprehensive plan and the Land Development Code. The proposed zoning map amendment is necessary to be consistent with the proposed FLUM amendment that the BOCC has already recommended and transmitted to the State. Staff recommends approval of the proposed amendment. This is contingent on the adoption of the FLUM amendment.

Deb Curlee, resident of Cudjoe Key, asked what the Navy has to say about this amendment. Ms. Schemper replied that the portion of affordable housing is actually in the noise zone at the greatest distance compared to the rest of the property. Bart Smith, Esquire, agreed and added that the requirement to sound-attenuate to the level the Navy requests is specifically written in to the site-specific zoning.

2.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY FUTURE LAND USE MAP FROM RESIDENTIAL CONSERVATION (RC) TO RECREATION (R) AND CONSERVATION (C), FOR PROPERTY DESCRIBED AS A PARCEL OF LAND IN SECTION 24, TOWNSHIP 59 SOUTH, RANGE 40 EAST, KEY LARGO, MONROE COUNTY, FLORIDA, AND ALSO BEING A PORTION OF TRACT A, HARBOR COURSE SOUTH, SECTION ONE, OCEAN REEF PLAT NO. 14 (PLAT BOOK 7, PAGE 9), KEY LARGO, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00573690.003900, AS PROPOSED BY OCEAN REEF CLUB INC.; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN AND FOR AMENDMENT TO THE FUTURE LAND USE MAP; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-047)

3.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM NATIVE AREA (NA) TO PARKS AND REFUGE (PR) AND CONSERVATION DISTRICT (CD), FOR PROPERTY DESCRIBED AS A PARCEL OF LAND IN SECTION 24, TOWNSHIP 59 SOUTH, RANGE 40 EAST, KEY LARGO,

MONROE COUNTY, FLORIDA, AND ALSO BEING A PORTION OF TRACT A, HARBOR COURSE SOUTH, SECTION ONE, OCEAN REEF PLAT NO. 14 (PLAT BOOK 7, PAGE 9), KEY LARGO, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00573690.003900, AS PROPOSED BY OCEAN REEF CLUB INC.; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO THE LAND USE DISTRICT (ZONING) MAP; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-048)

Ms. Schemper presented the staff reports. Ms. Schemper reported that these two amendments are FLUM and zoning amendments that coordinates with one another for a parcel within Ocean Reef proposed by Ocean Reef Club. The site is 11 acres and currently has a FLUM designation of Residential Conservation with a zoning category of Native Area. The property owners would like to develop a park on a portion of the site and are requesting to change the FLUM to 9.5 acres of Conservation and a little over 1.5 acres of Recreation for the FLUM and, corresponding to that, 9.5 acres of Conservation zoning and 1.5 acres of Park and Refuge zoning. The density and intensity change for this amendment would be a decrease in both residential and non-residential density and intensity. There is no adverse impact on community character and no additional impact foreseen for any of the public facilities. Staff has found both proposed amendments would be consistent with the comp plan and the Land Development Code and is consistent with the principles for guiding development. These amendments support Ocean Reef's desire to increase some of the park and recreational space within the community based on an increase in the number of families with children currently in their community. If the corresponding FLUM amendment is transmitted to the State and adopted, then the zoning plan would be required to remain consistent with the FLUM. Staff is recommending approval of the FLUM amendment from Residential Conservation to Conservation and Recreation and staff is recommending approval of the zoning amendment from Native Area to Parks and Refuge and Conservation district. The zoning recommendation would be contingent on the approval and effectiveness of the proposed FLUM amendment that corresponds with this.

Joel Reid, the representative of the applicant, stated that Ocean Reef Club is always looking to enhance the community's experience and meet their needs for the community members.

Mitch Harvey, resident of Key Largo, asked whether Mr. Roberts had any concern with clearing of upland habitat of protected species of 1.71 acres for the sole purpose of providing a park for homeowners. Mr. Roberts replied that the applicant is required to coordinate directly with U.S. Fish & Wildlife for the protection of these species. The County's clearing requirements would fall back to the original development orders for Ocean Reef Club because it is not dictated by the tier clearing limits in the code.

4.PL OCEAN RESIDENCES, 97801 OVERSEAS HIGHWAY, KEY LARGO, MILE MARKER 98: A PUBLIC MEETING CONCERNING A REQUEST FOR A MINOR CONDITIONAL USE PERMIT. THE REQUESTED APPROVAL IS REQUIRED FOR THE DEVELOPMENT OF A PROPOSED 24 ATTACHED DWELLING UNITS DESIGNATED AS

AFFORDABLE HOUSING, 28 DETACHED DWELLING UNITS OF MARKET RATE HOUSING, AND ASSOCIATED AMENITIES. THE SUBJECT PROPERTY IS DESCRIBED AS PARCELS OF LAND LOCATED IN SECTIONS 5 AND 6, TOWNSHIP 62 SOUTH, RANGE 39 EAST, KEY LARGO, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00090810.000000, 00090820.000000, 00090840.000000, 00090840.000100, AND 00090860.000000.
(File 2015-049)

Ms. Schemper presented the staff report. Ms. Schemper reported that this is a request for a minor conditional use permit which is required because the applicant is requesting to develop 24 attached dwelling units. Within the Urban Residential zoning category that use requires a minor conditional use permit. The development is reviewed by staff as a whole for consistency sake. The total proposal is requesting 24 attached dwelling units as affordable housing and 28 detached dwelling units as market rate housing. The site's current characteristics and zoning were described. The site has ROGO exemptions for 20 permanent dwelling units.

Ms. Schemper then listed the categories where staff has found either compliance is still to be determined or the site was found not in compliance. Compliance with the residential ROGO is to be determined because at the time of the building permit is when the applicant applies for their ROGO allocations. An additional eight market rate ROGO allocations and 24 affordable housing ROGO allocations would be needed. Permitted uses is listed as not in compliance because the attached residential dwelling units are permitted with the condition that sufficient common areas for recreation are provided to serve the number of dwelling units proposed to be developed. Compliance is to be determined on residential density and maximum floor area because the site requires 7.6 transferred development rights which are done at the time of the building permit. Compliance is to be determined on required open space because the calculations were not comparable of the upland area on the site plan. Mr. Roberts noted that the indicated shoreline setbacks were either incorrect or not clearly depicted on the site plan.

Ms. Schemper continued to report that most of the non-shoreline setbacks are in compliance at this point, but the setback lines shown on the site plan are not necessarily the correct lines in every situation. The surface water management will be dealt with for full compliance at the time of permit application. Mr. Roberts noted that there was conflicting information on the site plan regarding the depth to ground water. Ms. Schemper continued to report that there are inconsistencies on the site plan regarding the height of the fencing and privacy wall. The privacy wall shown on the site plan separates the site completely between the attached units and the detached units, which basically turns the parcel into two separate developments and they would each need to meet all of the land development regulations on their own. Some sort of connection is needed between the two. Compliance for flood plain, energy conservation and potable water is to be determined, as well as environmental design criteria and mitigation, at the building permit stage. The required parking is also affected by the separation between the two types of units on the site plan. The total number of parking spaces is sufficient if the site is viewed as a whole. The required bufferyards are not in compliance because the site plan shows some incorrect bufferyards. Mr. Roberts added that the property was rezoned from URM to UR and the URM boundary buffers are being shown.

Ms. Schemper continued to report that the square footage of the signage proposed has some issues and recommended that the signage be done separately as part of the fence permit at the time of the building permit. The access is currently under review by the County's traffic consultant. The site plan shows the County standards on U.S.1, but also needs to comply with FDOT standards. Compliance is to be determined on inclusionary housing at the time of the building permit because when the tenth permanent market rate unit gets its certificate of occupancy, a certificate of occupancy is required on at least three of the affordable housing units, and a proportional increase continues accordingly throughout the development. Given all of those items, staff still recommends approval. A list of 22 conditions required are listed in the staff report.

Jorge Cepero, present on behalf of the applicant, clarified that there is still one structure, a gatehouse, in the front of the property that was not demolished.

Robert Ginter, owner of an adjoining property, is concerned about the fencing and buffers to protect the neighborhood. Ms. Schemper explained that there are quite a few buffers on the site plan. There is an access off of First Street for a portion of the property. Ms. Schemper will make the site plan available to Mr. Ginter at the end of today's meeting.

Mitch Harvey, resident of Key Largo, is concerned that this is the one time that the public has a chance to review this proposal and there are so many items still not deemed to be in compliance. Ms. Schemper explained that there is a 30-day notice that goes out that says the Planning Director intends to issue the minor conditional use permit, as well as a legal ad. The Planning Director's decision will not be made until these items are all fulfilled. The revised proposal will be available through the Planning Department.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 2:32 p.m.

EXHIBIT 4

DEVELOPMENT REVIEW COMMITTEE

Tuesday, October 27, 2015

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, October 27, 2015**, beginning at 1:00 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS

Mayte Santamaria, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Senior Administrator, Environmental Resources	Present
Emily Schemper, Comprehensive Planning Manager	Present
Kevin Bond, Planning & Development Review Manager	Present

STAFF

Devin Rains, Senior Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

Ms. Santamaria asked that Items 2 and 3 be read together.

MINUTES FOR APPROVAL

Ms. Santamaria approved the meeting minutes of July 28, 2015, August 25, 2015, and September 29, 2015.

MEETING

New Items:

1.AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM SUBURBAN COMMERCIAL (SC) TO MIXED USE (MU), FOR PROPERTY LOCATED AT 28500 AND 28540 OVERSEAS HIGHWAY, LITTLE TORCH KEY, MILE MARKER 28.5 OCEANSIDE, LEGALLY DESCRIBED AS PARCELS OF LAND IN A PART OF U.S. GOVERNMENT LOT 6, SECTION 28, TOWNSHIP 66 SOUTH, RANGE 29 EAST, LITTLE TORCH KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00113570-000000, 00113570-000100, 00113570-000200, 00113590-000000 AND 00113620-000000, AS PROPOSED BY PATRICK R AND DIANE COLEE, DOLPHIN MARINA ASSOCIATES LTD AND TORCH KEY PROPERTIES LTD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING

PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO THE LAND USE DISTRICT (ZONING) MAP; PROVIDING FOR AN EFFECTIVE DATE. (2015-152)

Mr. Bond presented the staff report. Mr. Bond reported that this is a land use district map amendment from Suburban Commercial to Mixed Use. The property is located oceanside on Little Torch Key and serves as a land base for the Little Palm Island. There is no FLUM change required for this proposed amendment. The property was described. Mr. Bond stated the change in development potential between the two districts would result in a reduction of eight permanent residential units, a slight increase in max net density, a net zero change in transient development potential and no change in commercial development potential. The change would open up the possibility of some uses that are currently prohibited within the SC district. Staff has evaluated the proposed amendment and found it is consistent with the comprehensive plan and that the request does fall under two provisions of the code: Number 4, new issues; and 6, data updates, primarily due to the Lower Keys Livable CommuniKeys Plan (LCP). It is consistent with the Lower Keys LCP. Staff recommended approval of the proposed amendment.

James Hendrick was present on behalf of the applicant and commended staff on their memorandum.

Ms. Santamaria asked for public comment.

Dottie Moses, Key Largo resident, asked why the applicant is changing the zoning Ms. Santamaria replied that the applicant wants to have a use their current zoning does not allow, which will reduce the overall allocated density, but they can transfer in up to 11 more units through TDRs. Mr. Hendrick assured Ms. Moses that the applicant is definitely not interested in having a light industrial use on the property.

Bill Hunter, Sugarloaf Key resident, asked for clarification on the justification for the request. Mr. Bond explained that there are seven different factors by which map amendments are to be evaluated. Any one of those factors can be a justification for map amendment approval. Number 4 is new issues, the new Lower Keys LCP, which was not in effect prior, and Number 6, data updates, which is the LCP that was not in effect at the time of their original zoning. The Lower Keys LCP is not inconsistent and is new data in the County's files. Mr. Hendrick noted that the applicant has other rationale for the proposed change.

Deb Curlee, Cudjoe Key resident, asked for clarification on what is being proposed to be on the property. Ms. Santamaria responded that this is a map amendment only and the specific development is not the subject of the amendment. Mr. Hendrick offered to e-mail Ms. Curlee an outline of the proposed development. Mr. Bond explained for Ms. Curlee that with the map amendment staff evaluates what the potential is, not what they specifically may or may not be planning to do. Anything listed as a major or minor conditional use would go through the review process and, if the applicant meets all of those conditions staff would have no basis for saying no and would approve it. Ms. Creech and Mr. Bond confirmed that no negative feedback was received from any neighbors.

Ms. Santamaria asked for further public comment. There was none.

2.<u>AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS</u> AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING POLICY 101.5.31 TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; AND CREATING POLICIES 101.5.32 AND 101.5.33 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-006)

3.<u>AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS</u> AMENDING MONROE COUNTY LAND DEVELOPMENT CODE AMENDING SECTION 101-1 TO CREATE DEFINITIONS RELATED TO FLOOD PROTECTION HEIGHT EXCEPTIONS; AND AMENDING SECTION 130-187 TO PROVIDE CERTAIN EXCEPTIONS TO THE HEIGHT LIMIT IN ORDER TO PROTECT PROPERTY FROM FLOODING AND REDUCE FLOOD INSURANCE COSTS AND TO ADDRESS HEIGHT EXCEPTIONS FOR NON-HABITABLE ARCHITECTURAL DECORATIVE FEATURES WITHIN THE OCEAN REEF MASTER PLANNED COMMUNITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.
(File #2015-171)

Ms. Santamaria presented the staff report. Ms. Santamaria reported that this is the fourth DRC meeting on the proposed comp plan amendments for the height provisions. The BOCC asked staff to work on the height policies that were in the comp plan update and process them separately so that they could be fully vetted and worked through as one topic versus within the entire comp plan update. The previous various staff reports are attached to show how these amendments have been revised. Ms. Santamaria stated there is a proposed policy change to Policy 101.5.3 to incorporate the height definition that is in the code today into the comp plan as well. That height is defined as "The vertical distance between grade and the highest part of the structure."

Ms. Santamaria reported that the next amendment is to Policy 101.5.31, Ocean Reef-specific, related to non-habitable architectural decorative features. This would allow these features to be above the roof line of those homes up to five feet. The overall height of those structures still cannot exceed a 40-foot height imit. There are no differences between this version and what was presented at the last DRC meeting regarding this policy.

Mr. Hendrick, present on behalf of Ocean Reef, stated Policy 101.5.31 does not address Ocean Reef's needs. Ocean Reef had asked for three things. Mr. Hendrick acknowledged that staff has not received the additional information it had requested. Mr. Hendrick stated Ocean Reef contains several buildings which now greatly exceed the 35-height limitation, do not comply with flood, and Ocean Reef would like for them to be elevated. Mr. Hendrick submitted a document detailing what Ocean Reef is asking for with regard to the corresponding Land Development Code. Mr. Hendrick continued to explain that Ocean Reef is most concerned about the lawfully established existing buildings which exceed 35 feet and do not meet flood. There is no mechanism in the proposed policies which allows for those buildings to be made flood-compliant as-of-right. Mr. Hendrick pointed out that Ocean Reef is a master-planned community, completely isolated from the rest of Monroe County, and they have established their own community character, which is not 35 feet in height. Ocean Reef would ask for a policy which enables them to replace their existing buildings, floor for floor, to allow for flood compliance. Ocean Reef would also like to increase their slab-to-slab height in building to be consistent with what people expect when they go to a luxury resort. Mr. Hendrick then stated Ocean Reef is concerned about their cultural center because that building cannot accommodate the fly space that is needed. Ms. Santamaria confirmed that staff has not received information from Ocean Reef that they have requested. Staff needs more information so they can evaluate and understand what is being requested. Staff has not received information on the Ocean Reef Cultural Center.

Dottie Moses, speaking on behalf of Island of Key Largo Federation of Homeowners, voiced concern these policies could spill over into Unincorporated Monroe County. Ms. Curlee agreed. Ms. Santamaria explained that staff would like to start to move this item toward the Planning Commission unless members of the public would like to have another DRC meeting to get more input. Alicia Putney, speaking on behalf of Last Stand, reiterated what Ms. Moses stated regarding spillover into Monroe County.

Ms. Santamaria then reported that the next proposed amendment is to Policy 101.5.32, and this is to create a flood protection height exception up to five feet above the 35-foot height limits to allow buildings to go three feet above their base flood elevation. In no event under this policy will a building be over 40 feet. The policy is specific to new buildings and for existing buildings. If the building is not being elevated to meet at least the required base flood elevation this exception cannot be used at all. This exception would not be provided for buildings located in the very hazardous flood zones.

Ms. Santamaria asked for public comment.

Ms. Moses commented that adding an extra three feet to meet base flood elevation should be allowed with the 35-foot height limit remaining. Ms. Moses does not see the need for this amendment for new construction. Ms. Santamaria explained that staff does not know how many homes there are in the County below base flood right now. Staff is working on getting information from the Property Appraiser to see if somehow that information can be extrapolated, but it is not available at this time. Ms. Santamaria confirmed for Ms. Moses that this policy refers to elevating existing structures. If a house is torn down it must be rebuilt to a 35-foot height limit. Ms. Santamaria then explained between the last DRC meeting and today the

language has been reorganized a bit, but it is the same information. Language has been added that if a building is not being elevated to at least meet base flood it is not eligible for this exception. This exception shall also apply to the substantial improvement of buildings, whether voluntary or not.

Ms. Putney stated that it would be helpful to know what the FEMA maps will show. Ms. Putney then noted that with new construction, although there may be a hardship involved, it can be made to work within the 35-foot height limit. Ms. Moses stated the Federation opposes raising the 35-foot height limit on new construction. Ms. Moses shared a newsletter written by Dennis Henize, a retired meteorologist, stating that communities should be thinking in terms of decelerating growth, especially in the eyes of sea level rise. Ms. Putney pointed out that pre-FIRM, January 1, 1975, people built on the ground mostly and built a small enough house that they could afford to lose. With insurance, houses got bigger, higher and fancier. Citizens need to open up their minds to reverting back to smaller homes given sea level rise and FEMA.

Ms. Santamaria then reported that Policy 101.5.33 is another flood protection height exception, but this is for lawfully established existing buildings which already exceed the 35-foot height limit. If a lawfully established existing building which already exceeds the 35-foot height limit wants to rebuild over 40 feet, they would have to go before the BOCC and meet specific criteria. The BOCC would then decide and specify the height that they could build to. Ms. Santamaria reviewed the criteria used by the BOCC to evaluate the request. The BOCC would have to pass a resolution stating which height a homeowner could build to. Ms. Santamaria explained there are condo structures where clearly units would be lost if redeveloped at the 35-foot height limit.

Ms. Moses pointed out the amendment, as written, does not apply to only multi-tenant buildings, but would apply to any building. Ms. Santamaria added that the public can suggest a provision that this is for multi-family structures only. Ms. Curlee agreed with that suggestion. Ms. Moses noted that previously Legal staff had referred to a Bert Harris implication when discussing this. Ms. Santamaria stated at the next meeting there will be an attorney present who will be able to address that. Mr. Hunter asked if there are any commercial buildings that fall into this category. Ms. Santamaria is unaware of any, but stated that does not mean there is not one in existence. Ms. Moses asked what effect raising some of the low roads would have on this. Ms. Santamaria explained that grade is either natural elevation or crown of the road, whichever is higher. Ms. Moses believes that could exacerbate things.

Mr. Hendrick commented that there are many commercial buildings throughout the County over 35 feet. Mr. Hendrick stated Ocean Reef has a boat barn well over 35 feet. They have real concerns because they would like to elevate, but if they do they are going to lose rack space when they already cannot supply the need that they have. Mr. Hendrick then asked that the words "building envelope" be substituted with "building footprint" to be able to modernize these spaces. Ms. Santamaria confirmed for Mr. Hunter that boat barns would fall within the definition of "building."

Ms. Santamaria asked for further public comment. There was none.

4.<u>AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS</u> AMENDING MONROE COUNTY COMPREHENSIVE PLAN CREATING A DEFINITION OF OFFSHORE ISLAND; AMENDING POLICIES 101.5.8 AND 101.13.5 WITHIN THE FUTURE LAND USE ELEMENT AND POLICY 207.1.2 WITHIN THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO FURTHER CLARIFY THE DEVELOPMENT OF OFFSHORE ISLANDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTy7u65IVE DATE. (File 2015-007)

Ms. Santamaria presented the staff report. Ms. Santamaria reported that this item started with the comp plan update in dealing with amendments that prohibited transferable ROGO exemptions and transferable density from going to an offshore island. After numerous public comments the BOCC asked staff to extract those amendments from the overall comp plan update and process them separately. This amendment reflects the comp plan update. This proposed amendment is to Policy 101.6.8, which is the transfer of ROGO exemptions. The existing text in the staff report for this policy is already included in the comp plan update and has been transmitted to the State with the exception of Receiver Site Criteria Number 6, which says it is not an offshore island. This is a separate stand-alone amendment so focus can be placed on this one topic. Policy 101.13.3, which is the transfer of development rights, has been transmitted to the State with the EAR-based amendments except for Receiver Site Criteria Number 7, which states it is not an offshore island. That also reflects the initial amendment in the comp plan update the BOCC asked staff to extract and process separately. Policy 206.1.2 had an added statement not transmitted with the comp plan update regarding discouraging the development of offshore islands. This added statement has been struck for consideration and still includes existing policies in the comp plan that offshore islands should be designated as Tier I and it has the existing policy that development shall be prohibited on offshore islands, including spoil islands which have been documented as an established bird rookery based on resource agency best available data or survey. Staff is proposing a definition for the entity "offshore island" as "Offshore Island means an area of land surrounded by water which is not directly or indirectly connected to US-1 by a bridge, road or causeway."

Ms. Santamaria asked for public comment.

Lance Kyle, owner of an offshore island in Monroe County, asked for an explanation of "severability" as used in the agenda. Ms. Santamaria explained that the one provision of offshore island could be appealed and extracted out without overturning the rest of the ordinance and keeping it from becoming effective. Ms. Santamaria further explained for Mr. Kyle that she believes the ten-acre size determination came from the '86 code. Mr. Roberts clarified for Mr. Kyle that the fact that his island is only 800 feet from US-1 does not give it any kind of special consideration.

Gidget Jackson asked whether there is any flexibility in the restricted use for the islands for camping. Ms. Santamaria responded that the zoning category allows for camping of the owner

only. Law enforcement would have to be called for trespassers on an offshore island. Mr. Hendrick confirmed that the ten-acre determination did come from the '86 code, if not before.

Bart Smith, Esquire, was present on behalf of FEB Corp. Mr. Smith asked staff to look closely at whether it is necessary to prohibit transferring TREs onto offshore islands because TREs take pressure off of the allocation system and offshore islands are already limited in density to .1 per acre. There are restrictions in place that require all of the development potential be in place with the correct development requirements. Mr. Smith agreed with the prior comments made by Ms. Dick on behalf of Last Stand regarding the redundancy of the language in 206.1.2 because that is already provided for in the policy as written. Mr. Smith believes the citation to the ALJ order from 2006 regarding the four-acre threshold was incorrect. Mr. Smith stated now that the language that defines "significant upland habitat" has been eliminated and the term "offshore island" is being added to the defined terms of the glossary the policies identify when development on offshore islands should be prohibited is based on the documentation of an established bird rookery or nesting area. Those terms are not defined in the comprehensive plan and the land development regulations and should be. Without having a quantifiable or objectionable criteria for what an established bird rookery or nesting area is it could be left to interpretation. FEB Corp. has retained Phil Frank, a well-respected biologist in the community, to put together a proposed definition for "established bird rookery or nesting area." Copies of the definition were submitted to staff. Mr. Frank then explained how he worked through the definition and what he reviewed in order to come up with that definition. Mr. Frank stated the common theme in the definitions as cited by different authorities is the words "communal nesting, gregarious birds, prominent colonies, colony forming, gregarious colony." Mr. Smith read aloud the proposed definition. Mr. Smith believes if this term that is utilized for the absolute prohibition of development is not defined it will be left open to interpretation that will be fought over for years to come.

Ms. Santamaria stated that part of the reasons a definition for "bird rookery" is not proposed in this amendment is that in the comp plan update the definition as "A communal nesting ground for gregarious birds" was included, as well as a definition for "nesting area." This has been transmitted to the State. Ms. Santamaria read aloud the definition for "nesting area." Mr. Frank pointed out that passerine birds are not listed in the definition and should be. Mr. Smith stated he is concerned that the definition for "nesting area" is too broad and could prohibit development on any offshore island.

Ms. Curlee noted that solitary birds, which are not included in the definition, are equally as important. Ms. Curlee does not agree with Mr. Frank's definition, but does agree with staff's. Mr. Smith believes the definition needs to be clarified so that arguments are not made that all offshore islands are nesting islands.

Julie Dick of the Everglades Law Center, present on behalf of Last Stand and Florida Keys Environmental Fund, re-emphasized that offshore islands are the last place to be encouraging development because they are not connected to public facilities and are some of the most environmentally sensitive areas in the entire Keys. Development rights should not be moved to offshore islands because they are the hardest areas to evacuate. Ms. Dick disagreed with Mr. Smith that TREs should not have the restriction on transferring receiver sites to offshore islands.

Ms. Dick appreciates staff removing the confusing and redundant new language in Policy 206.1.2, but continues to believe the entire policy should be removed. Ms. Dick stated Last Stand and Florida Keys Environmental Fund will likely support staff's existing definition over what has been proposed today, but will need time to confer on that.

Mr. Hendrick, speaking on behalf of himself, stated he fully supports the idea of protecting bird rookeries, but feels that it seems illogical to focus and protect nesting areas on offshore islands because nesting areas are located everywhere. Ms. Santamaria clarified Policy 206.1.2 does not actually refer to nesting areas. Mr. Frank commented when the comp plan was written back in 1986 the bird rookeries were teased out as special resources. Mr. Smith noted that is why using one definition is preferable. Ms. Dick clarified Last Stand and Florida Keys Environmental Fund fully supports the language protecting nesting areas. Ms. Dick then noted that Mr. Smith is here on behalf of FEB, who does not own Wisteria Island, and questions their interest in the matter. Ms. Santamaria emphasized the ordinance does not speak to a particular island, but would apply to anything that falls within the definition of offshore island.

Mr. Kyle asked whether the term "nest" implies that the island has to have some sort of tree canopy of bush canopy. Mr. Roberts replied not necessarily, because there are a number of shore birds and wading birds that are ground-nesters. Mr. Kyle then commented that 90 percent of the speck islands in the County are transient, so the evacuation time issue seems to be somewhat discounted. Ms. Santamaria then explained to Mr. Kyle in detail how the phased evacuation process occurs. Ms. Dick re-emphasized that evacuation is a real concern for Monroe County citizens and it is a safety threat for everyone in the county if the evacuation predictions are not correct. That situation adds further weight to the need to reduce added risk to the evacuation formula by allowing further development on offshore islands.

Ms. Santamaria asked for further public comment. There was none.

Ms. Santamaria asked the public if they prefer to bring this back to DRC one more time or move this forward to the Planning Commission. Mr. Smith, on behalf of FEB Corp., stated they would like to see how concerns over nesting areas are going to be resolved prior to bringing it to the Planning Commission because it affects all offshore islands. Ms. Santamaria agreed to bring this matter back to the DRC one more time for safe measure.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 2:45 p.m.

EXHIBIT 5

Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Palo Alto Keys	1	00573440-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.80
Palo Alto Keys	1	00091370-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	15.66
Palo Alto Keys	1	00573490-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.70
Palo Alto Keys	1	00573470-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.77
Palo Alto Keys	1	00573610-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.34
Palo Alto Keys	1	00573410-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.41
Palo Alto Keys	1	00573540-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23
Palo Alto Keys	1	00573400-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.30
Palo Alto Keys	1	00573210-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Palo Alto Keys	1	00573260-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.36
Palo Alto Keys	1	00573140-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.35
Palo Alto Keys	1	00573170-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Palo Alto Keys	1	00573310-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	1.06
Palo Alto Keys	1	00573390-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Palo Alto Keys	1	00091470-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	8.28
Palo Alto Keys	1	00573450-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.94
Palo Alto Keys	1	00573590-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.28
Palo Alto Keys	1	00573350-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.56
Palo Alto Keys	1	00573360-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.32
Palo Alto Keys	1	00573290-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.41
Palo Alto Keys	1	00573250-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.55
Palo Alto Keys	1	00573570-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.25
Palo Alto Keys	1	00573190-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Palo Alto Keys	1	00573560-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Palo Alto Keys	1	00573430-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.70
Palo Alto Keys	1	00573580-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.25
Palo Alto Keys	1	00573420-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.54
Palo Alto Keys	1	00573530-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.33
Palo Alto Keys	1	00573230-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.21
Palo Alto Keys	1	00573500-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.60
Palo Alto Keys	1	00573480-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.77

NOTE, acreage provided is an estimate. A property owner may submit a sealed boundary survey which shows mean high water lines in accordance with Florida Statutes and specifically provides the numeric amount of land situated above mean high water.

Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Palo Alto Keys	1	00573320-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.97

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Palo Alto Keys	1	00573460-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.79
Palo Alto Keys	1	00573340-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.65
Palo Alto Keys	1	00573270-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.25
Palo Alto Keys	1	00573180-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Palo Alto Keys	1	00573520-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.40
Palo Alto Keys	1	00573150-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.28
Palo Alto Keys	1	00573330-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.79
Palo Alto Keys	1	00573280-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.27
Palo Alto Keys	1	00573220-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Palo Alto Keys	1	00573600-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.33
Palo Alto Keys	1	00573620-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.43
Palo Alto Keys	1	00573240-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.33
Palo Alto Keys	1	00573300-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.70
Palo Alto Keys	1	00573380-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Palo Alto Keys	1	00091350-000000	RC	0.25	1.91	OS	0.10	0.77	I	7.65	66.81
Palo Alto Keys	1	00573200-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.11
Palo Alto Keys	1	00573160-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Palo Alto Keys	1	00573550-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Palo Alto Keys	1	00573370-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.22
Palo Alto Keys	1	00573510-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.42
Palo Alto Keys	1	00091410-000000	Undesignated			OS	0.10	0.00	I	0.00	0.36
Palo Alto Keys	1	00091360-000000	RC	0.25	0.62	OS	0.10	0.25	I	2.49	19.01
Palo Alto Keys	1	00091300-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	7.57

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Palo Alto Keys	1	00091310-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	10.93
Pumpkin Key	2	00091210-000100 00091210-000200 00091210-000600 00091210-000300 00091210-000000 00091210-000700 00091210-001000 00091210-001400 00091210-001200 00091210-001500 00091210-000800 00091210-000500 00091210-000400 00091210-001600 00091210-001100 00091210-000900 00091210-001300	RM	1/lot	17	IS	1/lot	17	ORCA	24.18	25.05
Card Sound Road	3	00091240-000000	RM	1.00	0.71	OS	0.10	0.07	Undesignated	0.71	66.62
	3	00091230-000000	RM	1.00	0.16	OS	0.10	0.02	Undesignated	0.16	7.19
Main Key	4	00091630-000000	RM	1.00	4.06	OS	0.10	0.41	I	4.06	0.40
	4	00091640-000000	RC	0.25	1.02	OS	0.10	0.41	I	4.06	141.82
Rattlesnake Key	5	00083840-000000	C	0.00	0.00	OS	0.10	0.00	I	0.00	7.60
	5	00083800-000000	C	0.00	0.00	OS	0.10	0.00	I	0.00	154.32
	5	00083810-000000	C	0.00	0.00	OS	0.10	0.00	I	0.00	26.43
	5	00083860-000000	C	0.00	0.00	OS	0.10	0.00	I	0.00	14.36
Tavernier Key	6	00091710-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	11.35
	6	00091720-000000	MC	6.00	0.00	OS	0.10	0.00	I	0.00	20.65
Cotton and Wilson Keys	7	00097090-000000	RC	0.25	0.00	OS	0.10	0.00	Undesignated	0.00	30.18
	7	00097110-000000	RC	0.25	0.00	OS	0.10	0.00	Undesignated	0.00	19.32
Spoil Island - MM 73	8	00098100-000000	RC	0.25	0.00	OS	0.10	0.00	Undesignated	0.00	3.43
Channel Key	9	00098940-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	7.90
	9	00098950-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	6.41

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Toms Harbor Keys	10	00098970-000000	RC	0.25	2.66	OS	0.10	**1.07**	I	10.65	49.40
Molasses Keys	11	00106200-000000	RC	0.25	0.00	OS	0.10	0.00	Undesignated	0.00	6.38
Little Money Key	12	00106140-000000	RC	0.25	0.00	OS	0.10	0.00	Undesignated	0.00	1.55
Money Key	12	00106180-000000	RC	0.25	0.00	OS	0.10	0.00	Undesignated	0.00	1.10
Rachael Carlson Key	13	00105920-000000	RC	0.25	0.00	OS	0.10	0.00	Undesignated	0.00	1.05
Big Mangrove and Don Quixote Keys	14	00107220-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	2.78
	14	00317250-000100	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.77
Newfound Harbor Keys	15	00107950-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	6.20
	15	00107920-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	4.51
	15	00107850-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	5.10
	15	00112110-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	10.15
	15	00107860-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	23.94
	15	00107890-000000	RC	0.25	0.75	OS	0.10	0.30	I	2.99	13.63
Newfound Harbor Keys	16	00107910-000000	RC	0.25	1.08	OS	0.10	0.43	I	4.32	80.79
	16	00107900-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	30.17
	16	00114330-000000	RC	0.25	0.87	OS	0.10	0.35	I	3.48	15.49
	16	00107870-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	22.27
	16	00107830-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	4.78
Little Palm Island	16 & 18	00107880-000000	MC	6.00	25.20	DR	1.00	**4.20**	I	4.20	4.20
Cooks Island	15 & 17	00107930-000000	RC	0.25	0.05	OS	0.10	0.02	I	0.19	0.29
Cooks Island	15 & 17	00107930-002700	RC	0.25	0.10	OS	0.10	0.04	I	0.38	0.90
Cooks Island	15 & 17	00107930-002600	RC	0.25	0.04	OS	0.10	0.02	I	0.16	0.34
Cooks Island	15 & 17	00107930-000700	RC	0.25	0.06	OS	0.10	0.02	I	0.23	0.34
Cooks Island	15 & 17	00107930-003100	RC	0.25	0.14	OS	0.10	0.05	I	0.54	0.69
Cooks Island	15 & 17	00107930-002400	RC	0.25	0.05	OS	0.10	0.02	I	0.19	0.34
Cooks Island	15 & 17	00107930-001500	RC	0.25	0.05	OS	0.10	0.02	I	0.21	0.34

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Cooks Island	15 & 17	00107930-003303	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.76
Cooks Island	15 & 17	00107930-000500	RC	0.25	0.03	OS	0.10	0.01	I	0.12	0.35
Cooks Island	15 & 17	00107930-001300	RC	0.25	0.08	OS	0.10	0.03	I	0.31	0.43
Cooks Island	15 & 17	00107930-001900	RC	0.25	0.02	OS	0.10	0.01	I	0.09	0.15
Cooks Island	15 & 17	00107930-001100	RC	0.25	0.08	OS	0.10	0.03	I	0.33	0.55
Cooks Island	15 & 17	00107930-000300	RC	0.25	0.06	OS	0.10	0.03	I	0.25	0.34
Cooks Island	15 & 17	00107930-001000	RC	0.25	0.07	OS	0.10	0.03	I	0.26	0.40
Cooks Island	15 & 17	00107930-003300	RC	0.25	0.09	OS	0.10	0.04	I	0.35	0.68
Cooks Island	15 & 17	00107930-003306	RC	0.25	0.05	OS	0.10	0.02	I	0.19	0.97
Cooks Island	15 & 17	00107930-003304	RC	0.25	0.06	OS	0.10	0.02	I	0.22	0.46
Cooks Island	15 & 17	00107930-003000	RC	0.25	0.09	OS	0.10	0.04	I	0.36	0.90
Cooks Island	15 & 17	00107930-000200	RC	0.25	0.07	OS	0.10	0.03	I	0.26	0.38
Cooks Island	15 & 17	00107930-001800	RC	0.25	0.05	OS	0.10	0.02	I	0.19	0.34
Cooks Island	15 & 17	00107930-000600	RC	0.25	0.06	OS	0.10	0.02	I	0.22	0.34
Cooks Island	15 & 17	00107930-002900	RC	0.25	0.04	OS	0.10	0.02	I	0.17	0.34
Cooks Island	15 & 17	00107930-001400	RC	0.25	0.06	OS	0.10	0.02	I	0.23	0.34
Cooks Island	15 & 17	00107930-002100	RC	0.25	0.04	OS	0.10	0.01	I	0.14	0.34
Cooks Island	15 & 17	00107930-002701	RC	0.25	0.04	OS	0.10	0.01	I	0.14	0.22
Cooks Island	15 & 17	00107930-003305	RC	0.25	0.04	OS	0.10	0.02	I	0.16	0.36
Cooks Island	15 & 17	00107930-003307	RC	0.25	0.05	OS	0.10	0.02	I	0.18	0.66
Cooks Island	15 & 17	00107930-000900	RC	0.25	0.23	OS	0.10	0.09	I	0.92	18.02
Cooks Island	15 & 17	00107930-002500	RC	0.25	0.25	OS	0.10	0.10	I	0.99	1.38
Cooks Island	15 & 17	00107930-003401	RC	0.25	0.00	OS	0.10	0.00	I	0.01	7.09
Cooks Island	15 & 17	00107930-003400	RC	0.25	0.01	OS	0.10	0.00	I	0.03	7.07
Cooks Island	15 & 17	00107930-003402	RC	0.25	0.13	OS	0.10	0.05	I	0.51	7.80
Cooks Island	15 & 17	00107930-001700	RC	0.25	0.02	OS	0.10	0.01	I	0.08	0.17
Cooks Island	15 & 17	00107930-002200	RC	0.25	0.08	OS	0.10	0.03	I	0.32	0.94
Cooks Island	15 & 17	00107930-002800	RC	0.25	0.15	OS	0.10	0.06	I	0.58	1.55
Cooks Island	15 & 17	00107930-002000	RC	0.25	0.02	OS	0.10	0.01	I	0.09	0.18
Cooks Island	15 & 17	00107930-001600	RC	0.25	0.02	OS	0.10	0.01	I	0.08	0.18
Cooks Island	15 & 17	00107930-000100	RC	0.25	0.02	OS	0.10	0.01	I	0.07	0.18

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00228810-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00232630-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228010-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232670-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231700-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230430-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00229150-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233100-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232260-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227650-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00232070-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00230290-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00232610-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232790-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233780-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226960-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.10
Pieces of Eight Key	19	00231300-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232010-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230580-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231970-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230690-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229280-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00232320-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23
Pieces of Eight Key	19	00232560-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00231360-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.20
Pieces of Eight Key	19	00234110-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.22
Pieces of Eight Key	19	00231940-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232380-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232440-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233850-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.30
Pieces of Eight Key	19	00229750-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00232660-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13

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Pieces of Eight Key	19	00230100-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19

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Pieces of Eight Key	19	00231840-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00232280-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00234080-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00234120-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00233060-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232960-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227120-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.10
Pieces of Eight Key	19	00227000-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228590-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.25
Pieces of Eight Key	19	00232080-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00229990-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00228950-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232800-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231660-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230400-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00229120-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232210-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00230550-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226620-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00231760-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226920-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00227160-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.06
Pieces of Eight Key	19	00228980-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00234160-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229600-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230120-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229540-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.30
Pieces of Eight Key	19	00233900-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00227630-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00226660-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00227410-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15

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Pieces of Eight Key	19	00230380-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23

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Pieces of Eight Key	19	00231410-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00234060-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00227980-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226850-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23
Pieces of Eight Key	19	00231820-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232950-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233890-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00230040-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226880-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.24
Pieces of Eight Key	19	00231690-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226860-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.34
Pieces of Eight Key	19	00231810-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231870-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232180-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228500-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228480-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.20
Pieces of Eight Key	19	00233790-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232430-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00234170-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232160-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228190-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00228460-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23
Pieces of Eight Key	19	00233770-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00229530-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.24
Pieces of Eight Key	19	00233410-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226730-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226900-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.37
Pieces of Eight Key	19	00231520-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228600-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.24
Pieces of Eight Key	19	00228560-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00230140-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13

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Pieces of Eight Key	19	00229020-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16

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Pieces of Eight Key	19	00228960-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227260-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.06
Pieces of Eight Key	19	00230280-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00229550-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00233740-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00226800-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00226790-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232820-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00228690-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00232530-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231630-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.22
Pieces of Eight Key	19	00227970-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00229820-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228650-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231280-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230960-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.22
Pieces of Eight Key	19	00226720-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231680-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00227670-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00228050-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00229100-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00231980-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227370-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230190-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00232980-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00233930-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229030-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00232410-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231540-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00233080-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231610-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14

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Pieces of Eight Key	19	00229170-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17

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Pieces of Eight Key	19	00232020-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00231580-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232540-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226680-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00233120-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00232220-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00230480-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00229860-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00233870-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227300-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229040-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233020-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00232520-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226930-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00229740-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00227210-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.10
Pieces of Eight Key	19	00227640-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00229390-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.20
Pieces of Eight Key	19	00227240-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.05
Pieces of Eight Key	19	00232930-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00227400-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232500-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228030-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00227380-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227250-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.07
Pieces of Eight Key	19	00230540-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229950-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231830-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00227010-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.11
Pieces of Eight Key	19	00226950-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.09
Pieces of Eight Key	19	00228910-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00233880-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00228140-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00230000-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232840-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00231650-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00228550-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00231470-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231480-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232910-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00234240-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232040-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.28
Pieces of Eight Key	19	00232030-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00227680-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00229110-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227320-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231330-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227990-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227350-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230220-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00230350-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229870-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00228470-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.22
Pieces of Eight Key	19	00232170-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227360-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228090-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00231770-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232550-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00231930-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226840-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227220-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.03
Pieces of Eight Key	19	00230560-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230710-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12

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Pieces of Eight Key	19	00232370-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14

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Pieces of Eight Key	19	00231950-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231490-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228990-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232620-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231780-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230260-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228530-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00226760-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00230440-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233860-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00231270-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231600-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226700-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.24
Pieces of Eight Key	19	00228630-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.44
Pieces of Eight Key	19	00233970-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00233830-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229880-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227620-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00230170-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229610-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00234040-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00226600-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.09
Pieces of Eight Key	19	00233420-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00231750-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230340-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230180-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231350-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228490-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00230090-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232000-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00232870-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14

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Pieces of Eight Key	19	00232200-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12

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Pieces of Eight Key	19	00234100-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00233760-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228750-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.27
Pieces of Eight Key	19	00229960-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228880-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00232780-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227610-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00233390-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231260-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00227390-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231560-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233820-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228610-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.27
Pieces of Eight Key	19	00232140-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00231710-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00234070-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231900-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229980-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00231800-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227060-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.22
Pieces of Eight Key	19	00232150-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228900-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230050-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232340-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00233190-000000	RC	0.25	0.04	OS	0.10	0.01	I	0.14	0.14
Pieces of Eight Key	19	00234140-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227290-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227190-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.21
Pieces of Eight Key	19	00233050-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233180-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.01	0.14
Pieces of Eight Key	19	00232510-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13

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Pieces of Eight Key	19	00227270-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.04

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Pieces of Eight Key	19	00230460-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231960-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00229770-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00234270-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.07
Pieces of Eight Key	19	00232920-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230330-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231420-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232990-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00231850-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.44
Pieces of Eight Key	19	00228170-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00230310-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232760-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231400-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231590-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226750-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00233430-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.26
Pieces of Eight Key	19	00227180-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.06
Pieces of Eight Key	19	00232060-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230570-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00234090-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229970-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229630-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230720-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.24
Pieces of Eight Key	19	00228680-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00230300-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00232810-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227170-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.05
Pieces of Eight Key	19	00233910-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227020-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.11
Pieces of Eight Key	19	00232600-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231340-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14

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Pieces of Eight Key	19	00226970-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00226980-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00227960-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23
Pieces of Eight Key	19	00228130-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00229160-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.27
Pieces of Eight Key	19	00227040-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226830-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229620-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00230530-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232740-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226820-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230060-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226940-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.09
Pieces of Eight Key	19	00228180-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00227340-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232310-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00231620-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00233920-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233730-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.25
Pieces of Eight Key	19	00228160-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00233200-000000	RC	0.25	0.04	OS	0.10	0.01	I	0.14	0.14
Pieces of Eight Key	19	00226690-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.20
Pieces of Eight Key	19	00227280-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.25
Pieces of Eight Key	19	00233110-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231670-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232880-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00229760-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230070-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231740-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.21
Pieces of Eight Key	19	00231460-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00231720-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00227110-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.09

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00228830-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00226590-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00228660-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00230450-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231430-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00229010-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230200-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.20
Pieces of Eight Key	19	00232690-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00226990-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226780-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229140-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00230370-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00231310-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231510-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227310-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227230-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.03
Pieces of Eight Key	19	00228020-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00232590-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00233990-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00229560-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226770-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230080-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00234150-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231550-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00226170-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00230110-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227130-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.09
Pieces of Eight Key	19	00233720-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.21
Pieces of Eight Key	19	00228200-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00229270-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232640-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228940-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00232470-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00234250-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.20
Pieces of Eight Key	19	00230250-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228970-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00232860-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00232330-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23
Pieces of Eight Key	19	00231370-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.25
Pieces of Eight Key	19	00230360-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00232830-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00229850-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230210-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.24
Pieces of Eight Key	19	00232090-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233950-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230410-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00227330-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231730-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00228740-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.22
Pieces of Eight Key	19	00226710-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00233010-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00229050-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232490-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231570-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228510-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227090-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00231380-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232270-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232240-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00227140-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.06
Pieces of Eight Key	19	00228720-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.20
Pieces of Eight Key	19	00231790-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226870-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.24
Pieces of Eight Key	19	00232710-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00228760-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.63

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00226610-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.04
Pieces of Eight Key	19	00227600-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00233090-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232290-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228890-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226650-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00229130-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00228150-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00229670-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.25
Pieces of Eight Key	19	00228520-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00229930-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00232400-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230490-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230320-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232450-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.21
Pieces of Eight Key	19	00229290-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23
Pieces of Eight Key	19	00233000-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.24
Pieces of Eight Key	19	00231880-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230950-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232730-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228840-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226740-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00228710-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.22
Pieces of Eight Key	19	00227150-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.06
Pieces of Eight Key	19	00232350-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00228000-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230130-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00233840-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228120-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00234050-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00229640-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14

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Pieces of Eight Key	19	00234000-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.21

NOTE, acreage provided is an estimate. A property owner may submit a sealed boundary survey which shows mean high water lines in accordance with Florida Statutes and specifically provides the numeric amount of land situated above mean high water.

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Pieces of Eight Key	19	00230230-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232580-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23
Pieces of Eight Key	19	00227080-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226630-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.03
Pieces of Eight Key	19	00230030-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232680-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232390-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00229890-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232190-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00234230-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231500-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229730-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00233070-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231290-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232250-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227200-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00233810-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231320-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227100-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.09
Pieces of Eight Key	19	00232360-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232900-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226640-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.26
Pieces of Eight Key	19	00228730-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.21
Pieces of Eight Key	19	00230590-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.20
Pieces of Eight Key	19	00227070-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23
Pieces of Eight Key	19	00229060-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00226890-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.49
Pieces of Eight Key	19	00228580-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.27
Pieces of Eight Key	19	00231440-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230020-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233980-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00232460-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00231890-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232890-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233960-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232750-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00233940-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230470-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226810-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00229590-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00227830-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00227750-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00227730-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00232850-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00228220-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00227780-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227760-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00228300-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00228380-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227460-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228360-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227420-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.25
Pieces of Eight Key	19	00232050-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.26
Pieces of Eight Key	19	00227770-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00228420-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227480-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23
Pieces of Eight Key	19	00227850-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228400-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00232700-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.24
Pieces of Eight Key	19	00228040-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00228800-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232300-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232130-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18

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Pieces of Eight Key	19	00234220-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14

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Pieces of Eight Key	19	00230670-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00234130-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232230-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00229000-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00231530-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232940-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227030-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.10
Pieces of Eight Key	19	00230700-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228540-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00232970-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00226670-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00233800-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233380-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228620-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.31
Pieces of Eight Key	19	00232770-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227660-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00230390-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00232420-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00231910-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00233750-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231920-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00232720-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233400-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00228570-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.22
Pieces of Eight Key	19	00229580-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.27
Pieces of Eight Key	19	00232480-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00230240-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00230270-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228210-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00228640-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00233030-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14

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Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Pieces of Eight Key	19	00226180-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18

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Pieces of Eight Key	19	00227810-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00231450-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.30
Pieces of Eight Key	19	00228340-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00231250-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.20
Pieces of Eight Key	19	00228320-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.28
Pieces of Eight Key	19	00227820-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00231640-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18
Pieces of Eight Key	19	00228410-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00228290-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00227430-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00227860-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00227720-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00228390-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228330-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00227510-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00228430-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227470-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00232120-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.21
Pieces of Eight Key	19	00228350-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227440-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227840-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00228440-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00228310-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00227500-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00227490-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00227590-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00228370-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00227870-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00227710-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00227700-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00228280-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.18

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Pieces of Eight Key	19	00228450-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.25

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Pieces of Eight Key	19	00227580-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00227450-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227690-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Pieces of Eight Key	19	00227520-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00228820-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231390-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00231990-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00230420-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00228670-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00227050-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.16
Pieces of Eight Key	19	00232570-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.23
Pieces of Eight Key	19	00228700-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.20
Pieces of Eight Key	19	00228790-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00233040-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.14
Pieces of Eight Key	19	00232650-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.12
Pieces of Eight Key	19	00226910-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.19
Pieces of Eight Key	19	00229570-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.21
Pieces of Eight Key	19	00231860-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.13
Pieces of Eight Key	19	00227740-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.17
Pieces of Eight Key	19	00233130-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.15
Summerland and Howell Keys	20	00107630-000000	RC	0.25	1.14	OS	0.10	0.46	I	4.57	6.66
	20	00107590-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	13.45
	20	00107620-000000	RC	0.25	0.59	OS	0.10	0.24	I	2.36	3.46
	20	00114460-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	15.88
	20	00114420-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	11.83
Knock-Em-Down Keys	21	00114410-000401	RC	0.25	0.41	OS	0.10	0.16	I	1.62	3.36
Knock-Em-Down Keys	21	00114410-000200	RC	0.25	0.40	OS	0.10	0.16	I	1.61	2.66
Knock-Em-Down Keys	21	00107500-000108	RC	0.25	0.50	OS	0.10	0.20	I	1.99	3.94
Knock-Em-Down Keys	21	00107500-000106	RC	0.25	0.38	OS	0.10	0.15	I	1.53	3.52
Knock-Em-Down Keys	21	00114400-000200	RC	0.25	0.00	OS	0.10	0.00	I	0.00	6.11
Knock-Em-Down Keys	21	00114400-000600	RC	0.25	1.21	OS	0.10	0.48	I	4.82	6.35

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Knock-Em-Down Keys	21	00107501-000104	RC	0.25	0.09	OS	0.10	0.04	I	0.35	0.95

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Knock-Em-Down Keys	21	00114400-000700	RC	0.25	0.55	OS	0.10	0.22	I	2.19	8.61
Knock-Em-Down Keys	21	00114410-000600	RC	0.25	0.17	OS	0.10	0.07	I	0.68	3.99
Knock-Em-Down Keys	21	00107500-000101	RC	0.25	0.29	OS	0.10	0.12	I	1.15	7.48
Knock-Em-Down Keys	21	00114400-000500	RC	0.25	0.17	OS	0.10	0.07	I	0.66	9.71
Knock-Em-Down Keys	21	00114380-000100	RC	0.25	0.31	OS	0.10	0.13	I	1.25	2.98
Knock-Em-Down Keys	21	00114400-000300	RC	0.25	0.63	OS	0.10	0.25	I	2.53	7.39
Knock-Em-Down Keys	21	00107500-000102	RC	0.25	0.29	OS	0.10	0.11	I	1.14	4.64
Knock-Em-Down Keys	21	00107500-000105	RC	0.25	0.33	OS	0.10	0.13	I	1.31	3.69
Knock-Em-Down Keys	21	00107450-000000	RC	0.25	0.70	OS	0.10	0.28	I	2.80	10.31
Knock-Em-Down Keys	21	00114410-000700	RC	0.25	0.00	OS	0.10	0.00	I	0.00	7.79
Knock-Em-Down Keys	21	00114390-000100	RC	0.25	0.80	OS	0.10	0.32	I	3.18	7.95
Knock-Em-Down Keys	21	00114410-000900	RC	0.25	0.00	OS	0.10	0.00	I	0.00	3.66
Knock-Em-Down Keys	21	00114360-000000	RC	0.25	0.41	OS	0.10	0.16	I	1.62	18.98
Knock-Em-Down Keys	21	00114410-000000	RC	0.25	0.06	OS	0.10	0.02	I	0.22	4.30
Knock-Em-Down Keys	21	00114800-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	31.40
Knock-Em-Down Keys	21	00114370-000100	RC	0.25	0.82	OS	0.10	0.33	I	3.29	10.56
Knock-Em-Down Keys	21	00114410-000100	RC	0.25	1.68	OS	0.10	0.67	I	6.72	8.25
Knock-Em-Down Keys	21	00114370-000300	RC	0.25	0.33	OS	0.10	0.13	I	1.33	2.77
Knock-Em-Down Keys	21	00107500-000103	RC	0.25	0.23	OS	0.10	0.09	I	0.90	4.05
Knock-Em-Down Keys	21	00114370-000400	RC	0.25	0.15	OS	0.10	0.06	I	0.60	2.89
Knock-Em-Down Keys	21	00114400-000100	RC	0.25	1.37	OS	0.10	0.55	I	5.47	12.10
Knock-Em-Down Keys	21	00107500-000107	RC	0.25	0.50	OS	0.10	0.20	I	1.99	4.28
Knock-Em-Down Keys	21	00114370-000000	RC	0.25	0.08	OS	0.10	0.03	I	0.32	2.48
Knock-Em-Down Keys	21	00114370-000200	RC	0.25	0.13	OS	0.10	0.05	I	0.53	2.72
Knock-Em-Down Keys	21	00107460-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	0.92
Knock-Em-Down Keys	21	00107420-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	1.04
Knock-Em-Down Keys	21	00114410-000500	RC	0.25	0.08	OS	0.10	0.03	I	0.31	8.72
Knock-Em-Down Keys	21	00114410-000400	RC	0.25	0.30	OS	0.10	0.12	I	1.21	3.38
Crab Key	22	00115200-000000	RC	0.25	0.20	OS	0.10	0.08	I	0.79	6.08
	22	00115180-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	11.76
Gopher Key	23	00107780-000000	RC	0.25	0.00	OS	0.10	0.00	Undesignated	0.00	7.87

NOTE, acreage provided is an estimate. A property owner may submit a sealed boundary survey which shows mean high water lines in accordance with Florida Statutes and specifically provides the numeric amount of land situated above mean high water.

Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Budd Keys	24	00107290-000100	RC	0.25	0.00	OS	0.10	0.00	I	0.00	1.40
	24	00107290-000200	RC	0.25	0.05	OS	0.10	0.02	I	0.18	2.60
	24	00107290-000901	RC	0.25	0.00	OS	0.10	0.00	I	0.00	2.63
	24	00107290-000501	RC	0.25	0.00	OS	0.10	0.00	I	0.00	1.33
	24	00107290-001000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	1.08
	24	00107290-000300	RC	0.25	0.07	OS	0.10	0.03	I	0.28	2.49
	24	00107290-000000	RC	0.25	0.03	OS	0.10	0.01	I	0.13	1.26
	24	00107290-000900	RC	0.25	0.00	OS	0.10	0.00	I	0.00	1.27
	24	00107290-000800	RC	0.25	0.00	OS	0.10	0.00	I	0.00	1.40
	24	00107310-000100	RC	0.25	0.28	OS	0.10	0.11	I	1.10	1.39
	24	00107310-000100	RC	0.25	0.28	OS	0.10	0.11	I	1.10	1.28
	24	00107310-000100	C	0.00	0.00	OS	0.10	0.11	I	1.10	0.47
Buttonwood Key	25	00116780-000000	C	0.00	0.00	OS	0.10	0.00	Undesignated	0.00	0.21
Saddlebunch Keys	26	00120040-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	8.00
	26	00119970-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	1.50
	26	00119920-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	4.85
	26	00119960-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	9.28
	26	00119950-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	7.54
	26	00120020-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	11.73
	26	00119910-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	2.45
	26	00120010-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	5.85
Half Moon Key	27	00117100-000000	RC	0.25	0.08	OS	0.10	0.03	I	0.32	8.42
Half Moon Key	27	00117020-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	63.28
Half Moon Key	27	00117090-001300	RC	0.25	0.00	OS	0.10	0.00	I	0.00	2.95
Half Moon Key	27	00117090-000500	RC	0.25	0.08	OS	0.10	0.03	I	0.33	4.21
Half Moon Key	27	00117090-001000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	6.30
Half Moon Key	27	00117090-001200	RC	0.25	0.00	OS	0.10	0.00	I	0.00	5.42
Half Moon Key	27	00117090-000300	RC	0.25	0.00	OS	0.10	0.00	I	0.00	2.60
Half Moon Key	27	00117090-000700	RC	0.25	0.00	OS	0.10	0.00	I	0.00	4.24
Half Moon Key	27	00117090-000701	RC	0.25	0.00	OS	0.10	0.00	I	0.00	2.92
Half Moon Key	27	00117090-000400	RC	0.25	0.10	OS	0.10	0.04	I	0.38	4.66

NOTE, acreage provided is an estimate. A property owner may submit a sealed boundary survey which shows mean high water lines in accordance with Florida Statutes and specifically provides the numeric amount of land situated above mean high water.

Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Half Moon Key	27	00117090-000201	RC	0.25	0.00	OS	0.10	0.00	I	0.00	1.39

NOTE, acreage provided is an estimate. A property owner may submit a sealed boundary survey which shows mean high water lines in accordance with Florida Statutes and specifically provides the numeric amount of land situated above mean high water.

Map Name	Map Page	RE Number	FLUM	FLUM Residential Allocated Density	Approx. Residential Development Potential	Zoning	Zoning Residential Allocated Density	Approx. Residential Development Potential	Tier	Estimated Upland Acres Based on GIS Data	Estimated Total Acres
Half Moon Key	27	00117090-000100	RC	0.25	0.00	OS	0.10	0.00	I	0.00	2.86
Half Moon Key	27	00117090-000900	RC	0.25	0.00	OS	0.10	0.00	I	0.00	5.67
Half Moon Key	27	00117080-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	10.43
Similar Sound	28	00117140-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	24.37
	28	00117150-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	8.85
	28	00117170-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	20.18
	28	00117190-000000	RC	0.25	0.51	OS	0.10	0.20	I	2.03	129.94
	28	00122130-000000	RC	0.25	0.00	OS	0.10	0.00	I	0.00	5.23
Mallory Key	29	00116560-000000	C	0.00	0.00	OS	0.10	0.00	I	0.00	37.71
Marvin Keys	30	00116300-000000	C	0.00	0.00	OS	0.10	0.00	I	0.00	26.54
	30	00116290-000000	C	0.00	0.00	OS	0.10	0.00	I	0.00	7.79
Mudd Keys	31	00116500-000000	C	0.00	0.00	OS	0.10	0.00	I	0.00	16.26
West Harbor Key	32	00116200-000000	Undesignated			OS	0.10	0.00	I	0.00	50.17
Wisteria Island	33	00123950-000000	Undesignated			OS	0.10	**1.87**	Undesignated	18.70	39.03
Ballast Key	34	00124030-000000	Undesignated			OS	0.10	**1.31**	Undesignated	13.10	14.28

approximation for Ballast Key

Density or *allocated density* means the number of dwelling units or rooms allocated per gross acre of land by the plan.

Gross acre means the total area of a site excluding submerged lands, tidally inundated mangroves, not to exceed mean high tide, and any publicly dedicated rights-of-way.

NOTE, acreage provided is an estimate. A property owner may submit a sealed boundary survey which shows mean high water lines in accordance with Florida Statutes and specifically provides the numeric amount of land situated above mean high water.

EXHIBIT 6

Map 1 - Palo Alto Keys

Northeast of Ocean Reef

56 Parcels

Parcel Acreage: 149.18

FLUM: Residential Conservation (RC) and Undesignated

Zoning: Offshore Island (OS)

Tier I

N W E S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014

Map 2 - Pumpkin Key

Northwest of Ocean Reef

17 Parcels

Parcel Acreage: 25.05

FLUM: Residential Medium (RM)

Zoning: Offshore Island (OS)

Undesignated Tier

N W E S

Data Source: Monroe County - Growth Management - GIS

Date: 11/6/2014

Map 3 - Card Sound Road

North of Card Sound Road

2 Parcels

Parcel Acreage: 73.81

FLUM: Undesignated

Zoning: Offshore Island (OS)

Undesignated Tier

N
W E
S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014

Map 4 - Main Key

Barnes Sound - South of Card Sound Road

2 Parcels

Parcel Acreage: 142.22

FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

Tier I

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014

Map 5 - Rattlesnake Key

East of Key Largo at MM 106

8 Parcels

Parcel Acreage: 202.71

FLUM: Conservation (C)

Zoning: Offshore Island (OS)

Tier I

N
W
E
S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014

Map 6 - Tavernier Key

East of Tavernier at MM 92

2 Parcels

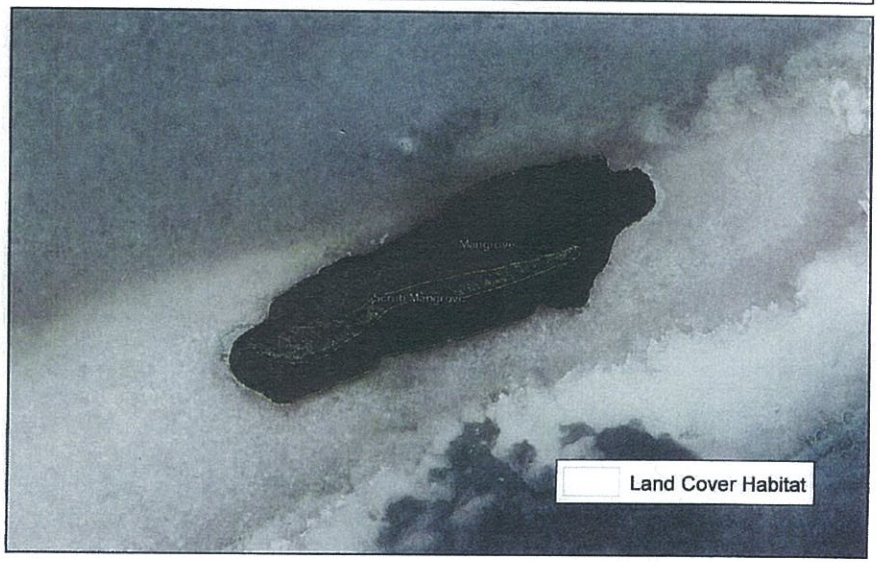
Parcel Acreage: 32

FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

Tier I

Data Source: Monroe County - Growth Management - GIS



Date: 11/5/2014

Map 7 - Cotton and Wilson Keys

North of Windley Key at MM 84

2 Parcels

Parcel Acreage: 49.5

FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

Undesignated Tier

N
W E
S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014

Map 8 - Spoil Island - Mile Marker 73

North of Annes Beach at MM 73

1 Parcel

Parcel Acreage: 3.43

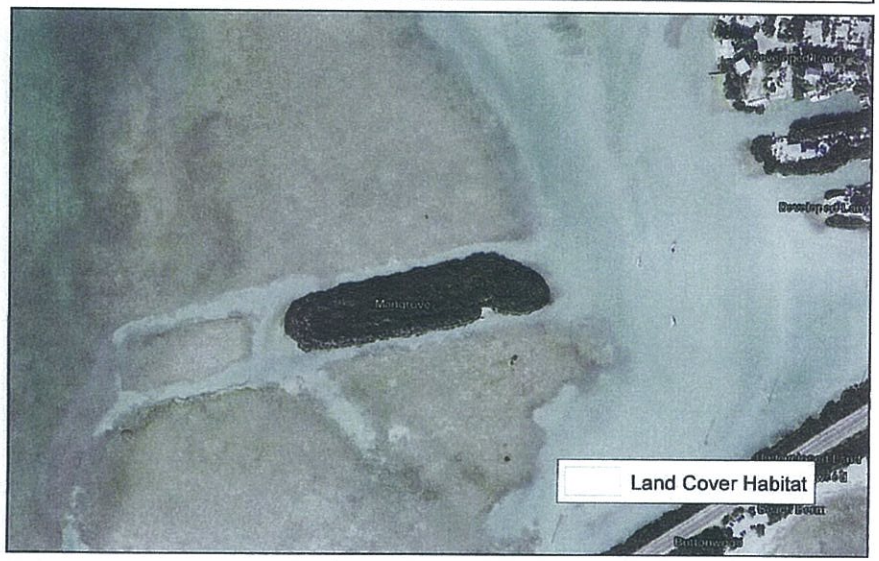
FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

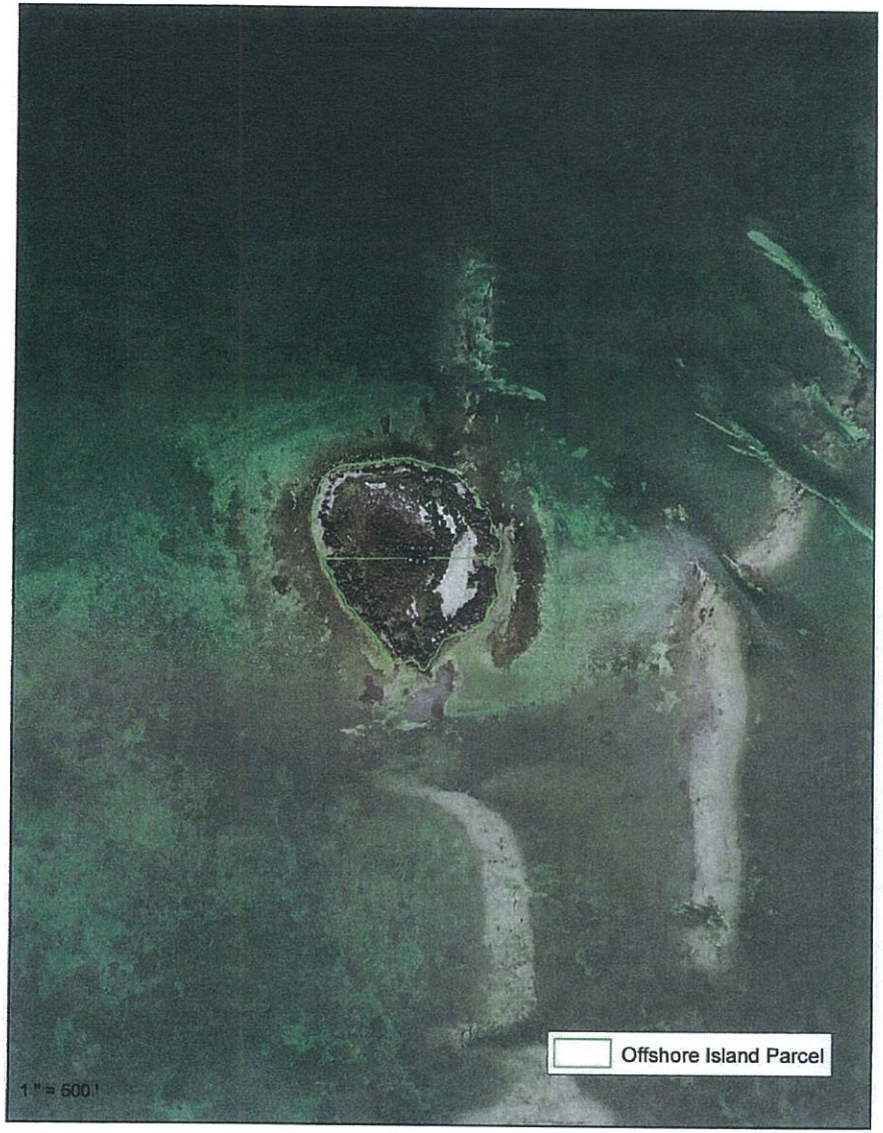
Undesignated Tier

N
W E
S

Data Source: Monroe County - Growth Management - GIS



Date: 11/5/2014



Map 9 - Channel Key

North of Duck Key at MM 61

2 Parcels

Parcel Acreage: 14.31

FLUM: Residential Conservation (RC)

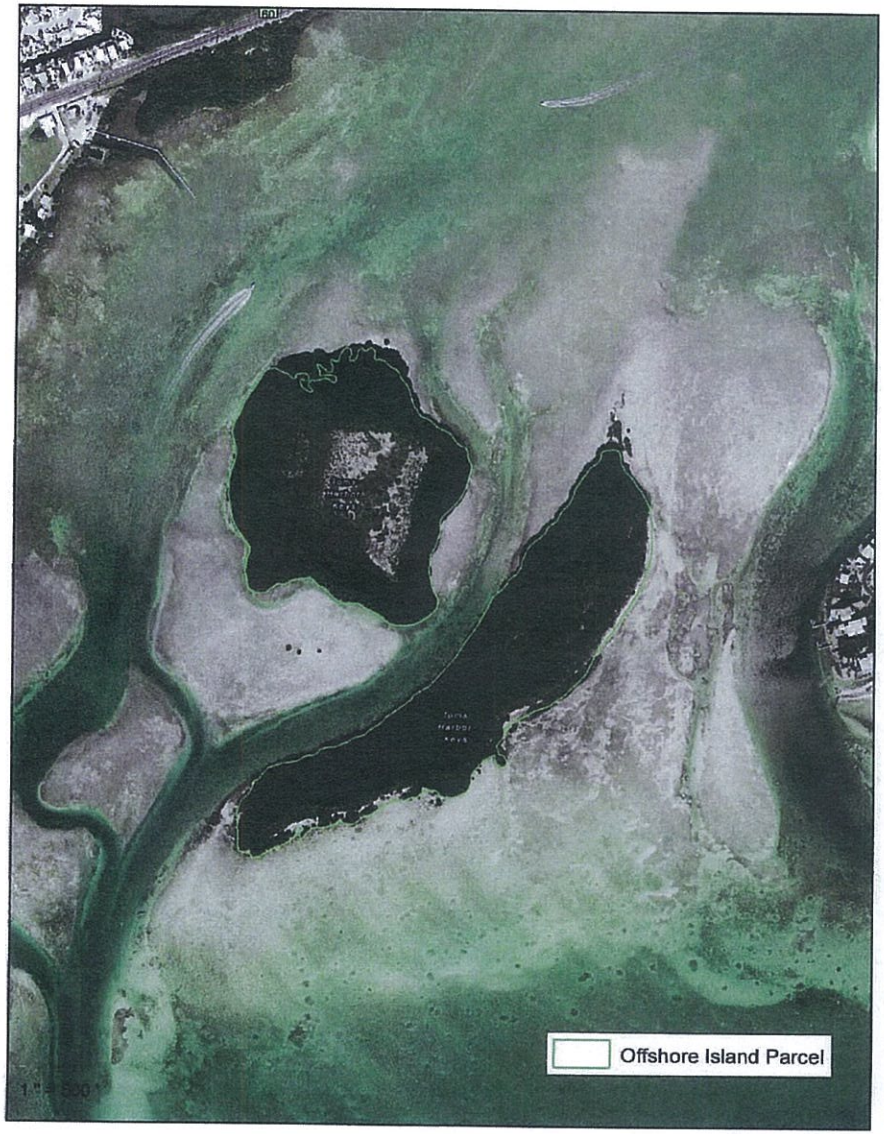
Zoning: Offshore Island (OS)

Tier I

N
W E
S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014



Map 10 - Toms Harbor Keys

Toms Harbor Channel between Grassy and Duck Keys

1 Parcel

Parcel Acreage: 49.4

FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

Tier I

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014

Map 11 - Molasses Keys

South of Seven-Mile Bridge - MM 42

1 Parcel

Parcel Acreage: 6.39

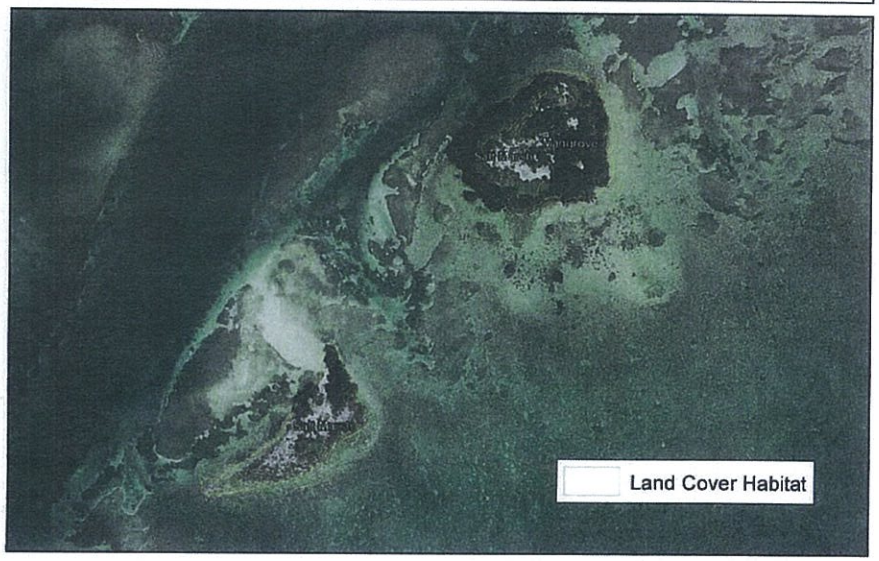
FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

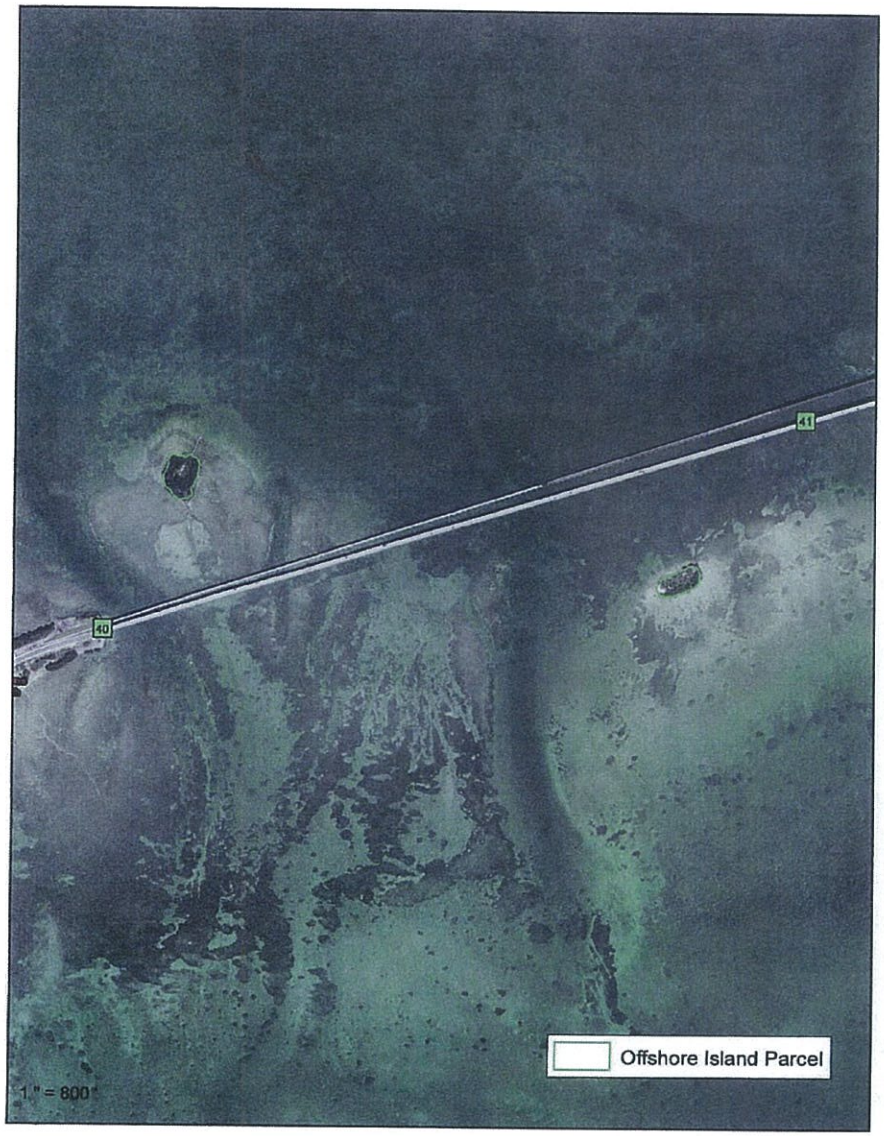
Undesignated Tier

N W E S

Data Source: Monroe County - Growth Management - GIS



Date: 11/5/2014



Map 12 - Money and Little Money Keys

Seven-Mile Bridge Area at MM 40 & 41

2 Parcels

Parcel Acreage: 2.65

FLUM: Residential Conservation (RC)

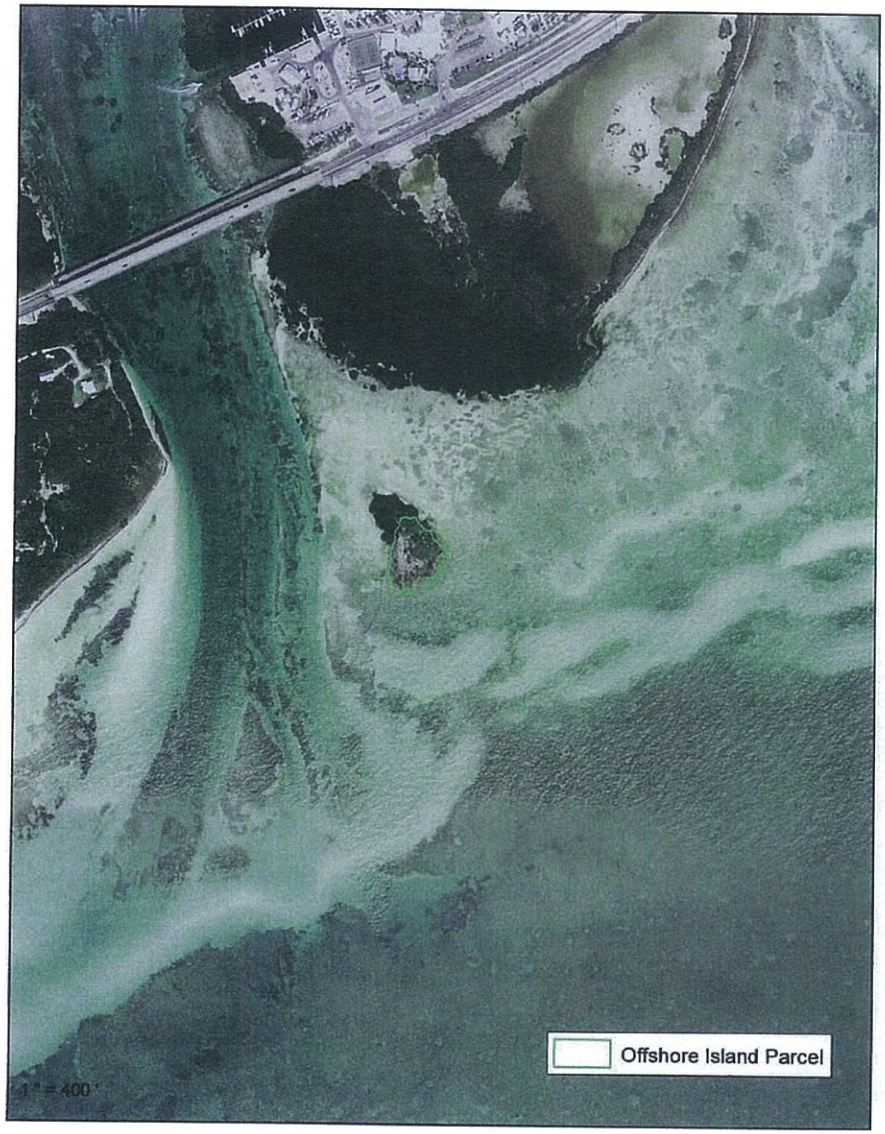
Zoning: Offshore Island (OS)

Undesignated Tier

N
W E
S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014



Map 13 - Rachael Carlson Key

South of Ohio Key at MM 39

1 Parcel

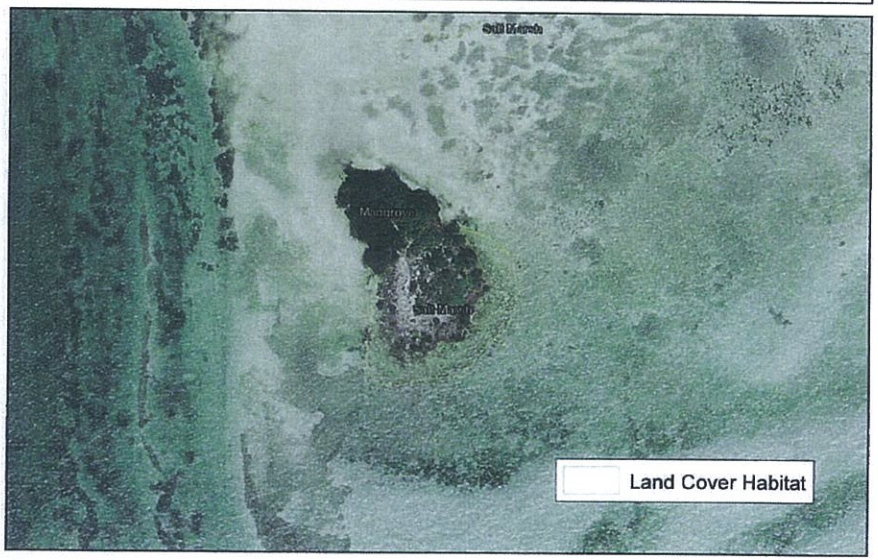
Parcel Acreage: 1.05

FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

Undesignated Tier

Data Source: Monroe County - Growth Management - GIS



Date: 11/5/2014

Map 14 - Big Mangrove and Don Quixote Keys

Spanish Harbor - South of No Name Key

2 Parcels

Parcel Acreage: 3.55

FLUM: Residential Conservation (RC)

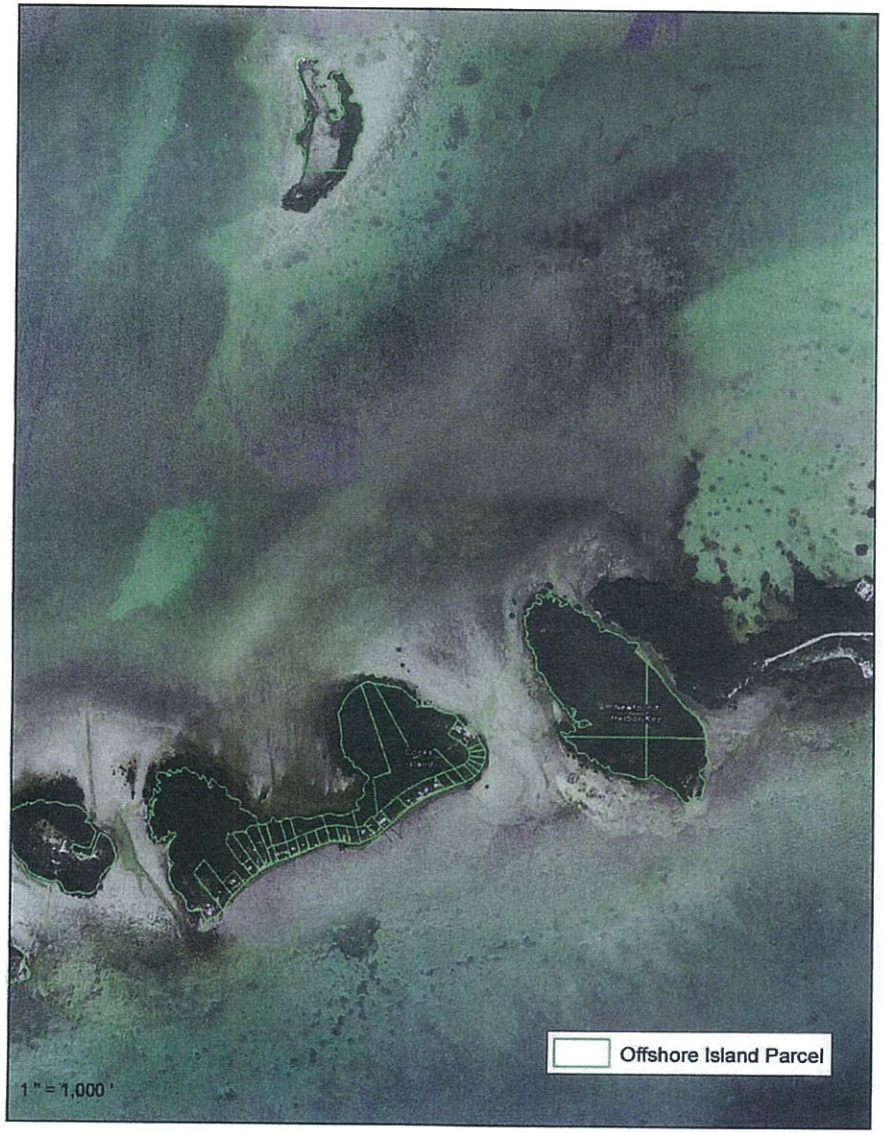
Zoning: Offshore Island (OS)

Tier I

N
W E
S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014



Map 15 - Newfound Harbor Keys

South of Big Pine Key - Newfound Harbor

44 Parcels

Parcel Acreage: 120.64

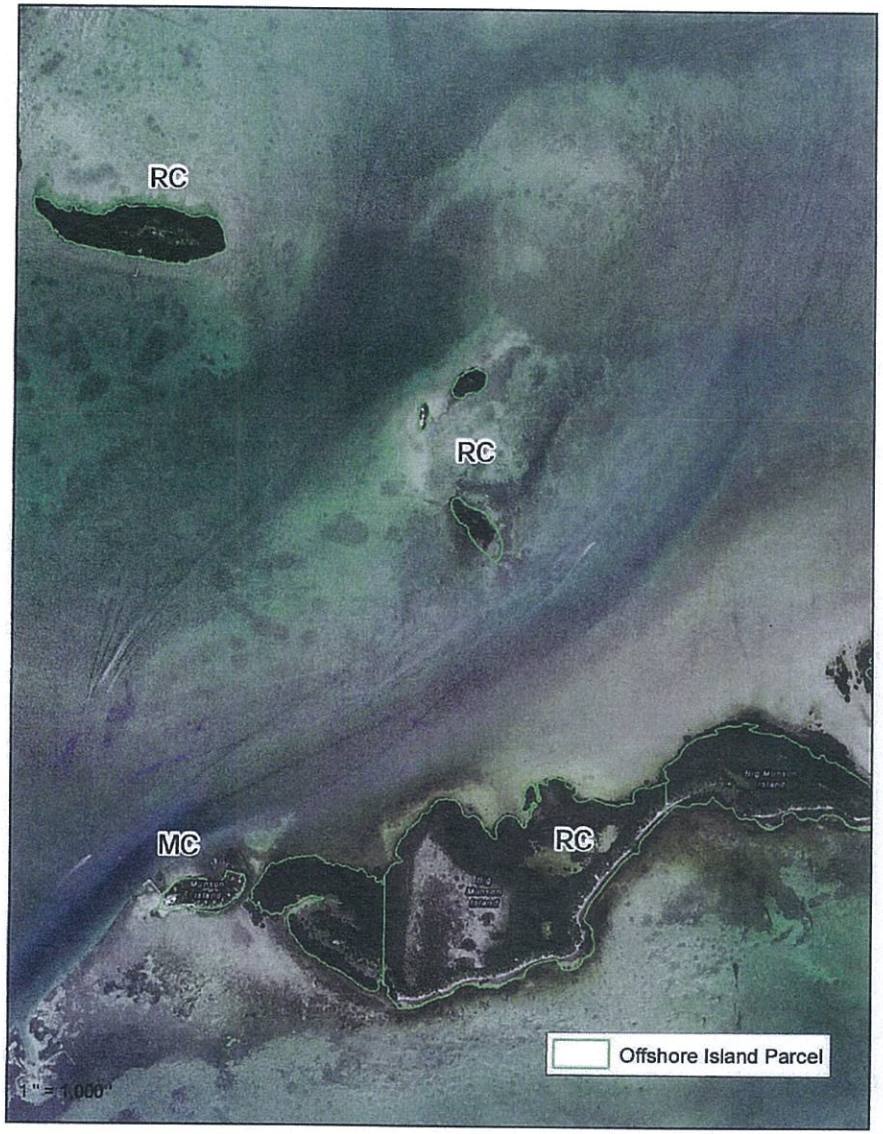
FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

Tier I

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014



Map 16 - Newfound Harbor Keys

Pine Channel - South of Little Torch Key

6 Parcels

Parcel Acreage: 157.71

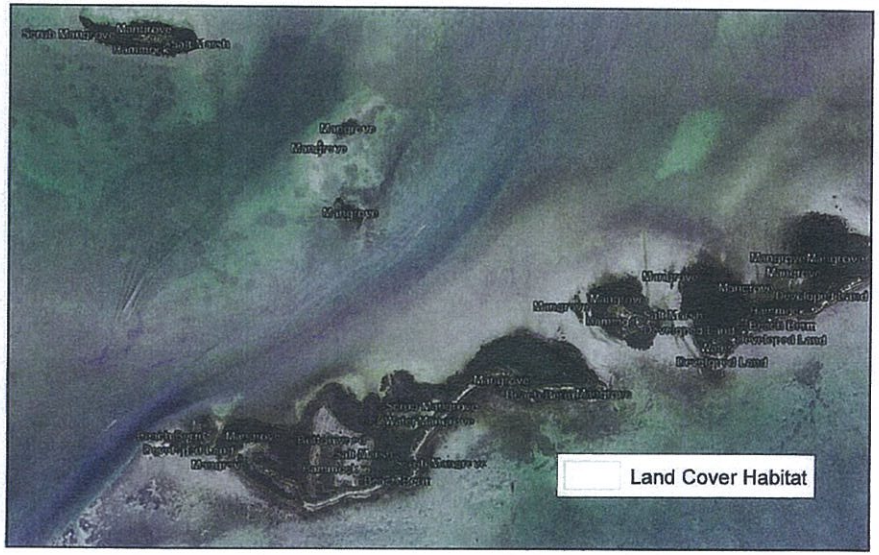
FLUM: Mixed Use/Commercial (MC) and Residential Conservation (RC)

Zoning: Offshore Island (OS) and Destination Resort (DR)

Tier I

N W E S

Data Source: Monroe County - Growth Management - GIS



Date: 11/5/2014

Map 17 - Cooks Island

Newfound Harbor - South of Big Pine Key

38 Parcels

Parcel Acreage: 57.11

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

Zoning: Offshore Island (OS)

Tier I

N W E S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014

Map 18 - Little Palm Island

Pine Channel - South of Little Torch Key

1 Parcel

Parcel Acreage: 4.2

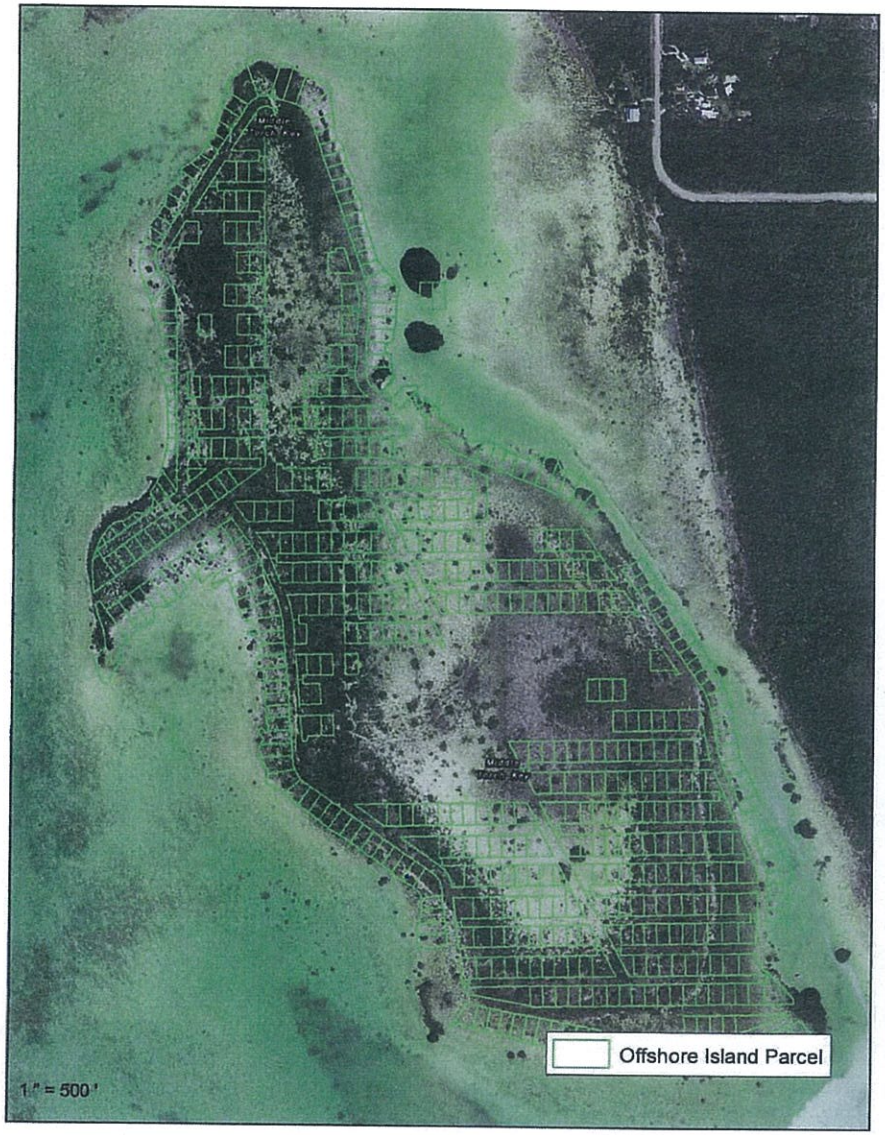
FLUM: Mixed Use/Commercial (MC)

Zoning: Destination Resort (DR)

Tier I

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014



Map 19 - Pieces of Eight Key

West of Little Torch Key - Torch Ramrod Channel

565 Parcels

Parcel Acreage: 87.97

FLUM: Residential Conservation (RC)

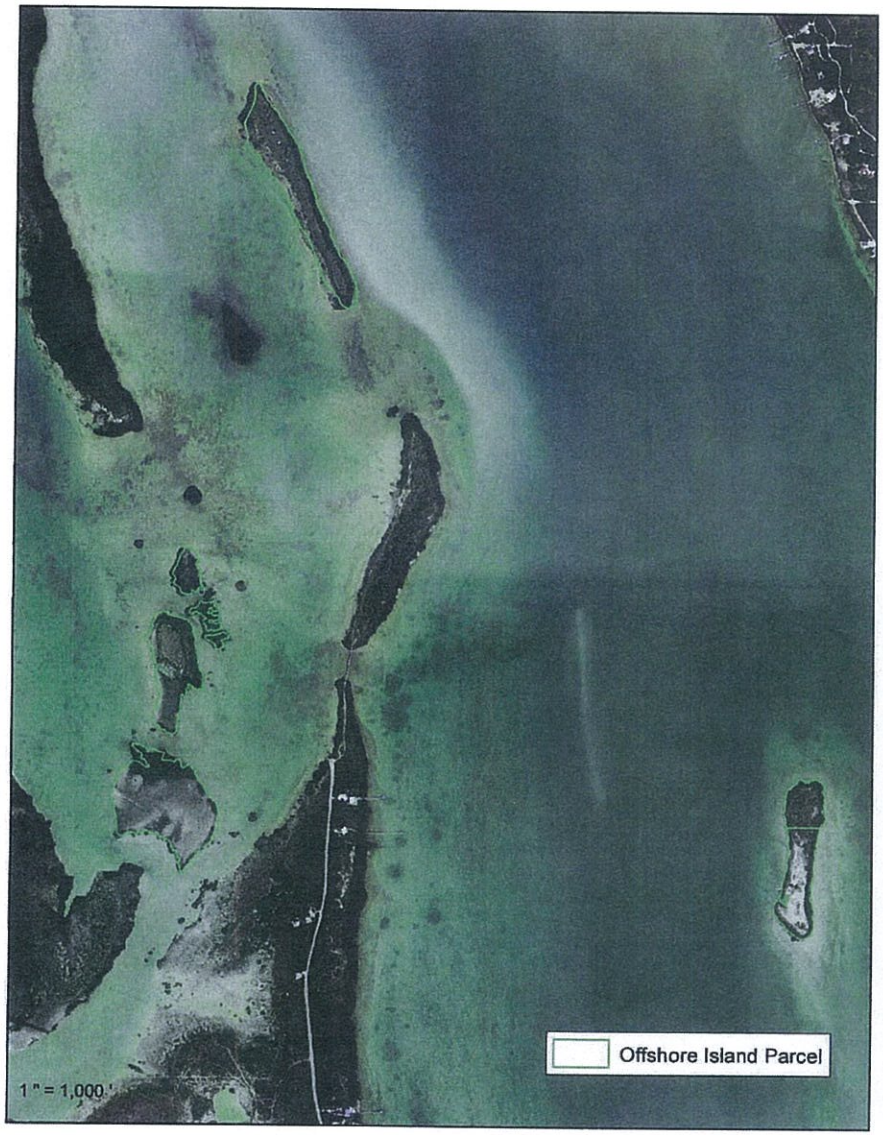
Zoning: Offshore Island (OS)

Tier I

N W E S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014



Map 20 - Summerland and Howell Keys

North of Summerland Key

5 Parcels

Parcel Acreage: 51.29

FLUM: Residential Conservation (RC)

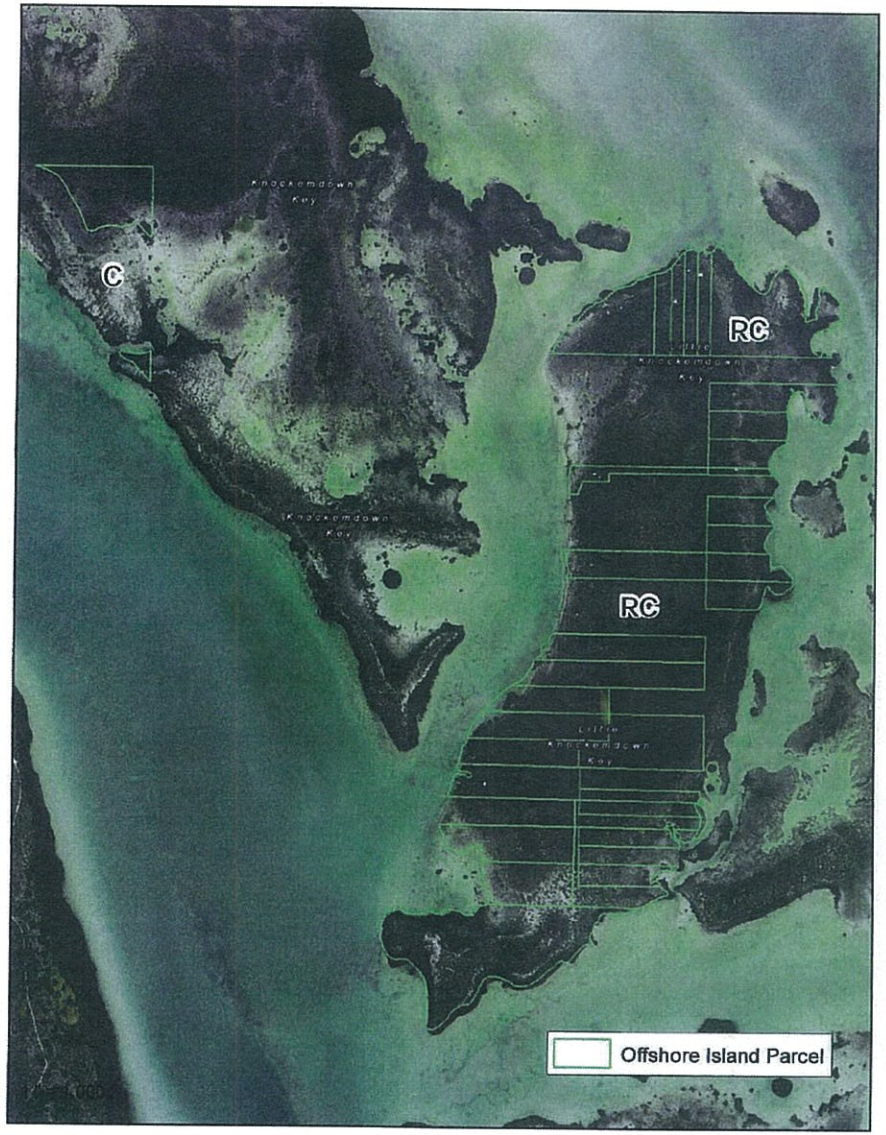
Zoning: Offshore Island (OS)

Tier I

N
W E
S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014



Map 21 - Knock-em-Down Keys

North of Summerland Key

34 Parcels

Parcel Acreage: 222.89

FLUM: Conservation (C) and Residential Conservation (RC)

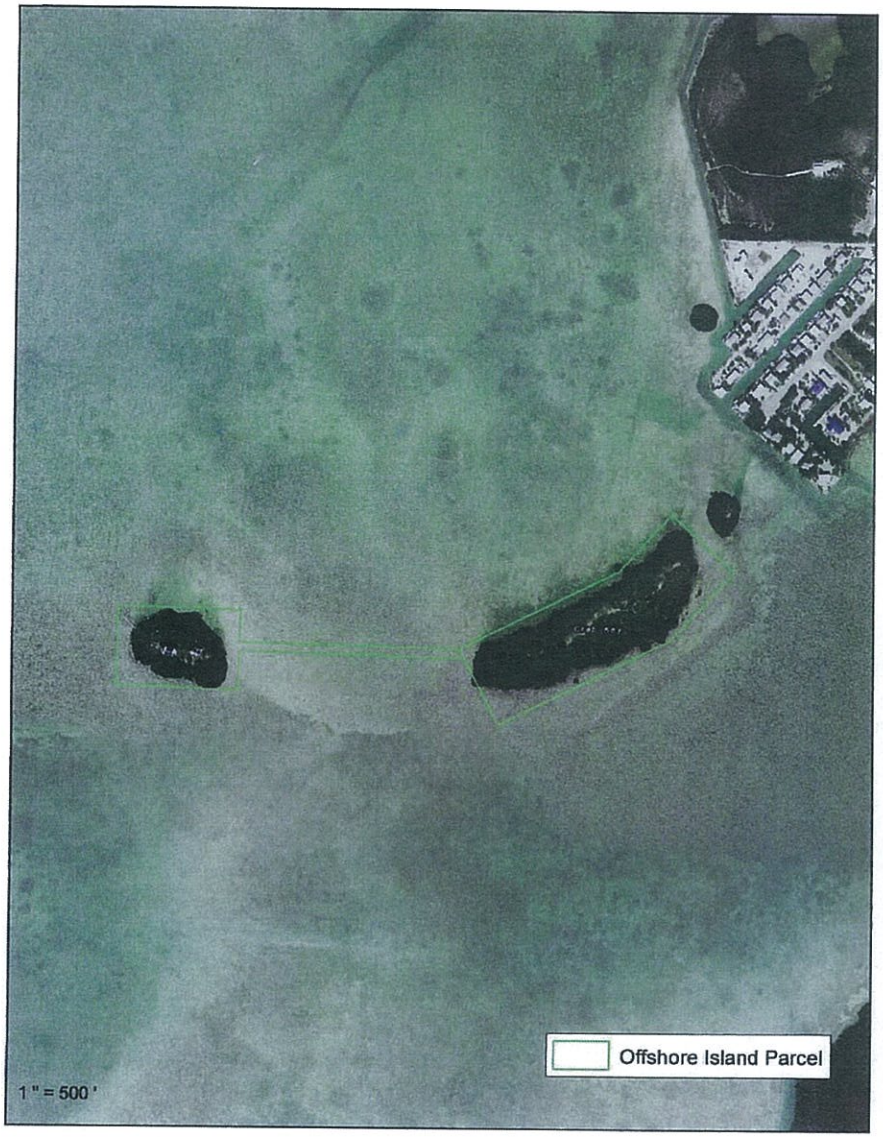
Zoning: Offshore Island (OS)

Tier I

N W E S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014



Map 22 - Crab Key

South of Summerland Key

2 Parcels

Parcel Acreage: 17.84

FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

Tier I

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014

Map 23 - Gopher Key

South of Cudjoe Key

1 Parcel

Parcel Acreage: 7.87

FLUM: Residential Conservation (RC)

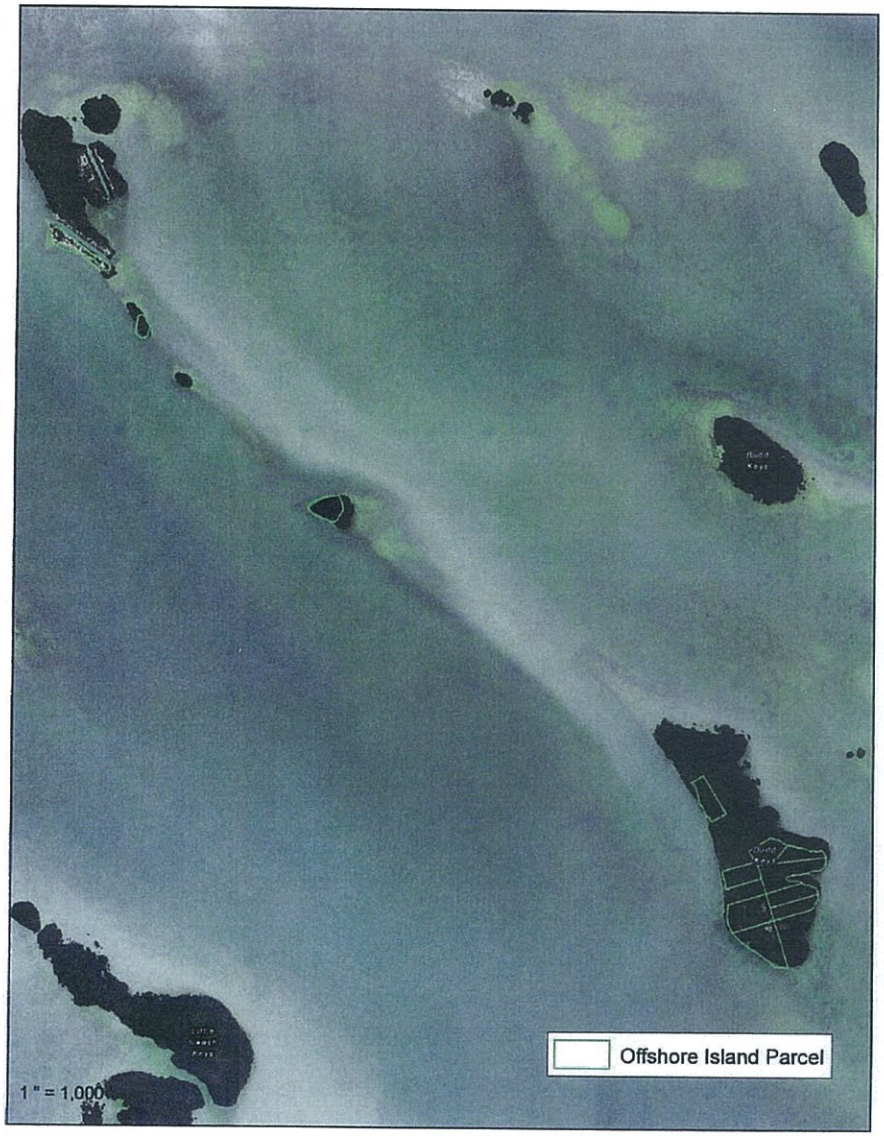
Zoning: Offshore Island (OS)

Undesignated Tier

N W E S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014



Map 24 - Budd Keys

North of Cudjoe Key

12 Parcels

Parcel Acreage: 18.6

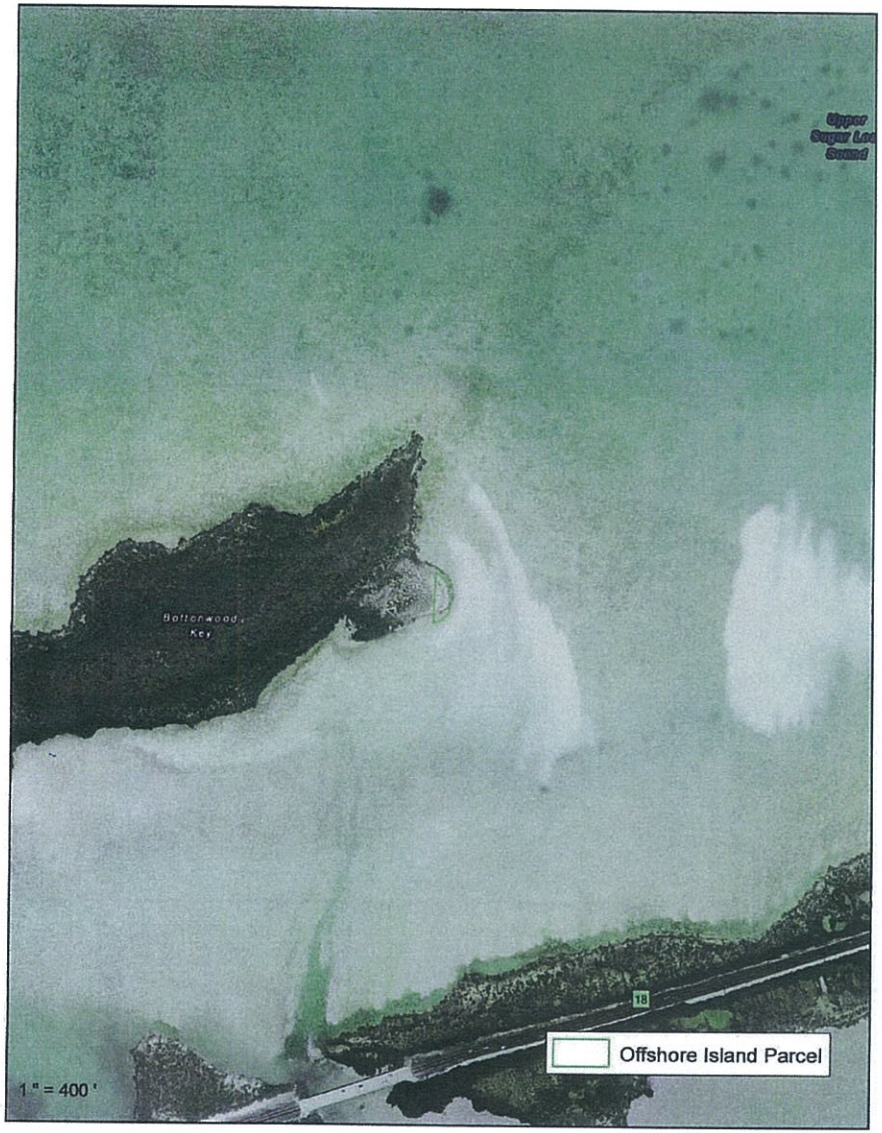
FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

Tier I

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014



Map 25 - Buttonwood Key

North of Park Key at MM 18

1 Parcel

Parcel Acreage: 0.21

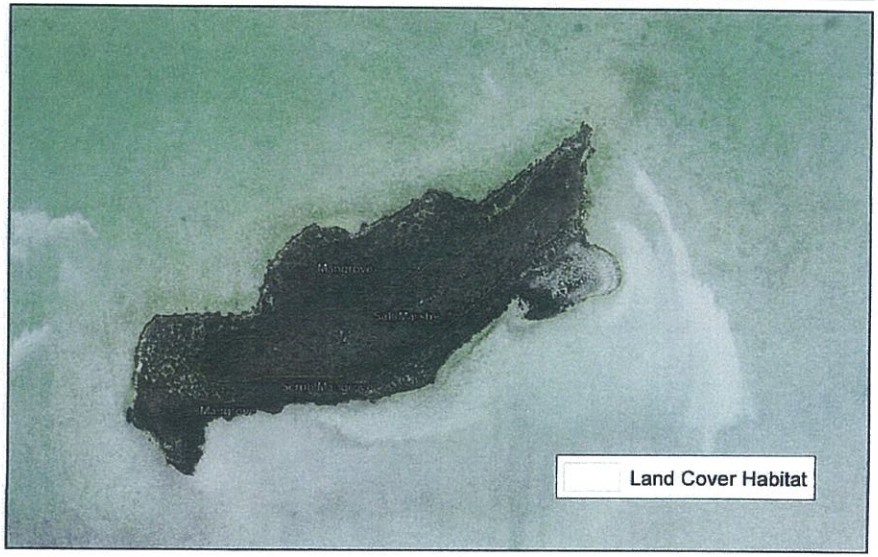
FLUM: Conservation (C)

Zoning: Offshore Island (OS)

Undesignated Tier

N
W E
S

Data Source: Monroe County - Growth Management - GIS



Date: 11/5/2014

Map 26 - Saddlebunch Keys

Southwest of Sugarloaf Key at MM 13

8 Parcels

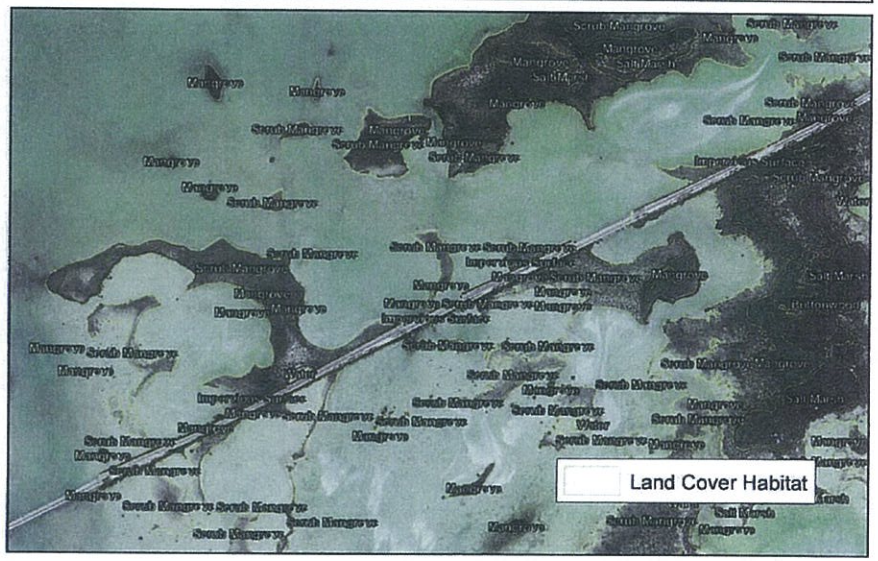
Parcel Acreage: 51.2

FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

Tier I

Data Source: Monroe County - Growth Management - GIS



Date: 11/5/2014

Map 27 - Half Moon Key

North of Big Coppitt and Shark Keys at MM 10

14 Parcels

Parcel Acreage: 125.35

FLUM: Residential Conservation (RC)

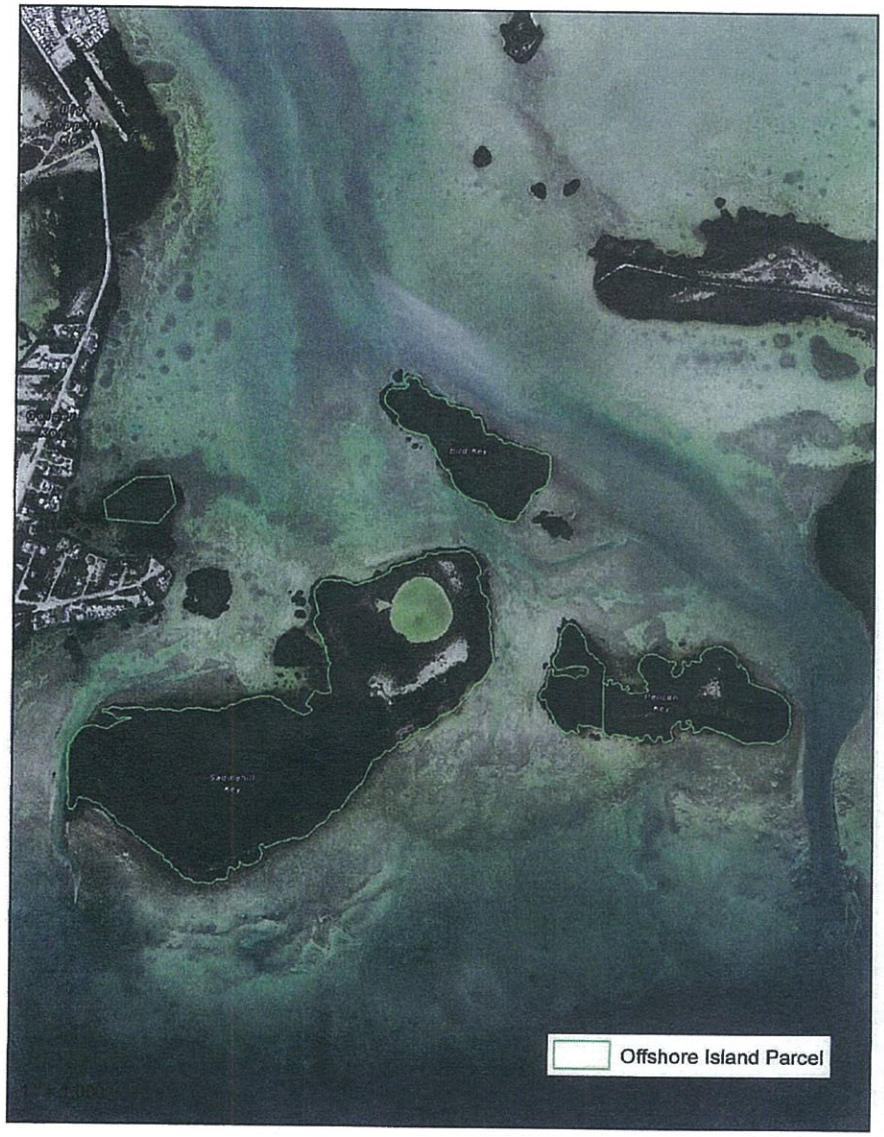
Zoning: Offshore Island (OS)

Tier I

N W E S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014



Map 28 - Similar Sound

Southeast of Geiger Key

5 Parcels

Parcel Acreage: 188.57

FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

Tier I

N
W E
S

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014

Map 29 - Mallory Key

Florida Bay - North of Big Coppitt Key

1 Parcel

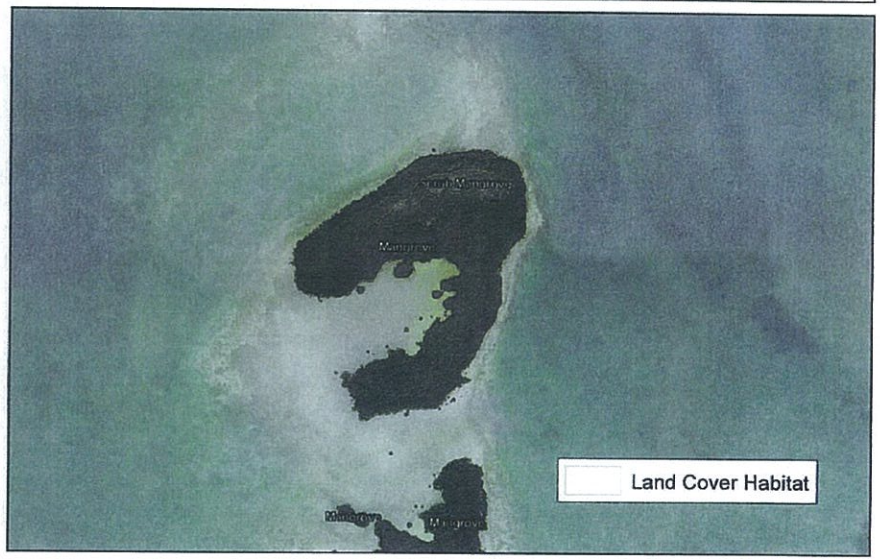
Parcel Acreage: 37.71

FLUM: Conservation (C)

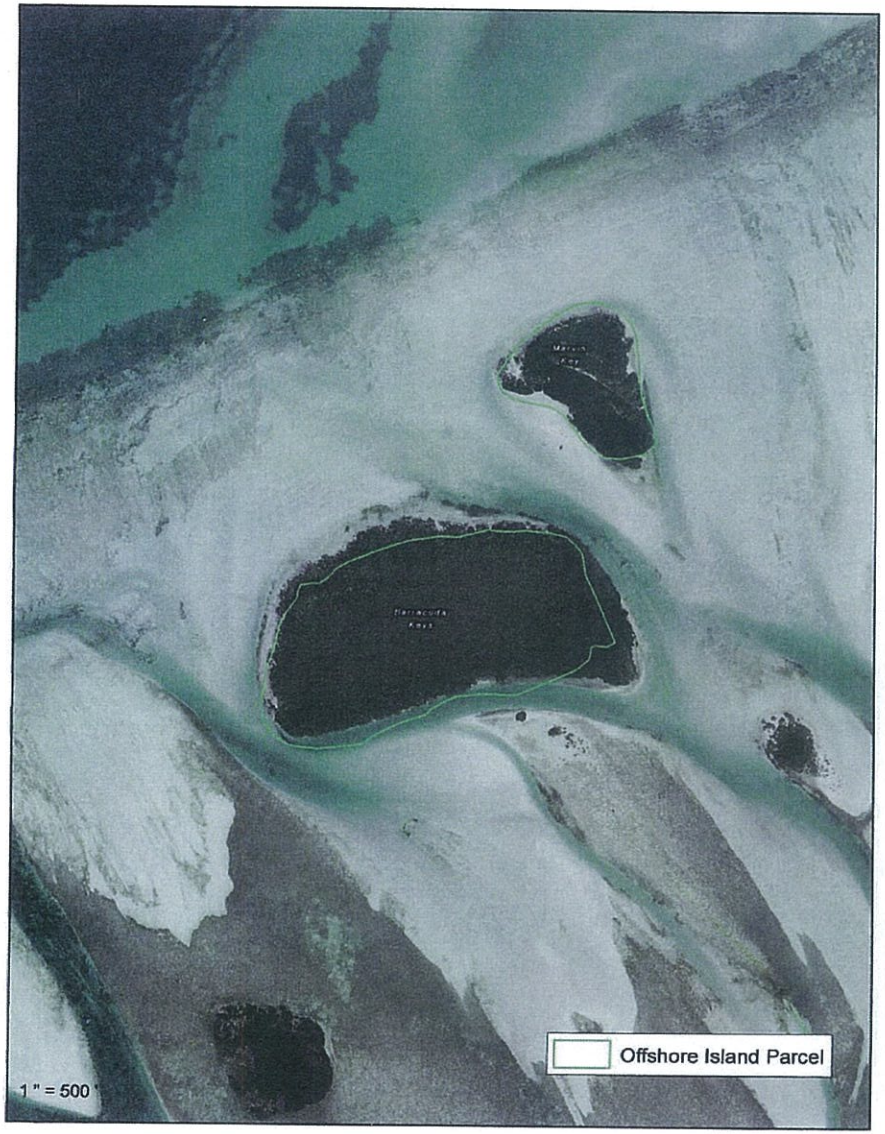
Zoning: Offshore Island (OS)

Tier I

Data Source: Monroe County - Growth Management - GIS



Date: 11/5/2014



Map 30 - Marvin Keys

Florida Bay - North of Big Coppitt Key

2 Parcels

Parcel Acreage: 34.33

FLUM: Conservation (C)

Zoning: Offshore Island (OS)

Tier I

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014

Map 31 - Mudd Keys

Florida Bay - North of Big Coppitt Key

1 Parcel

Parcel Acreage: 16.26

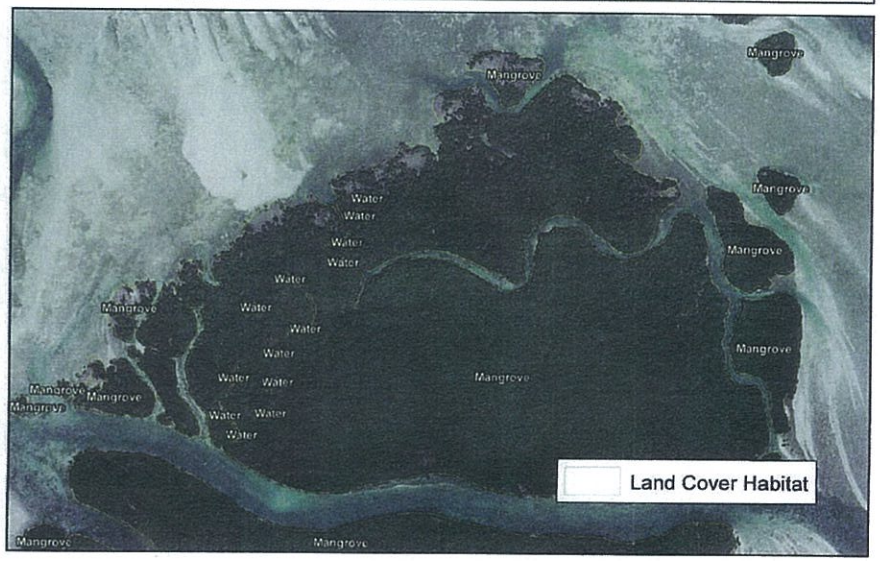
FLUM: Conservation (C)

Zoning: Offshore Island (OS)

Tier I

N
W E
S

Data Source: Monroe County - Growth Management - GIS



Date: 11/7/2014

Map 32 - West Harbor Key

Gulf of Mexico - North of Key West

1 Parcel

Parcel Acreage: 50.17

FLUM: Residential Conservation (RC)

Zoning: Offshore Island (OS)

Tier I

Data Source: Monroe County - Growth Management - GIS

Date: 11/5/2014

Map 33 - Wisteria Island

Northwest of Key West

1 Parcel

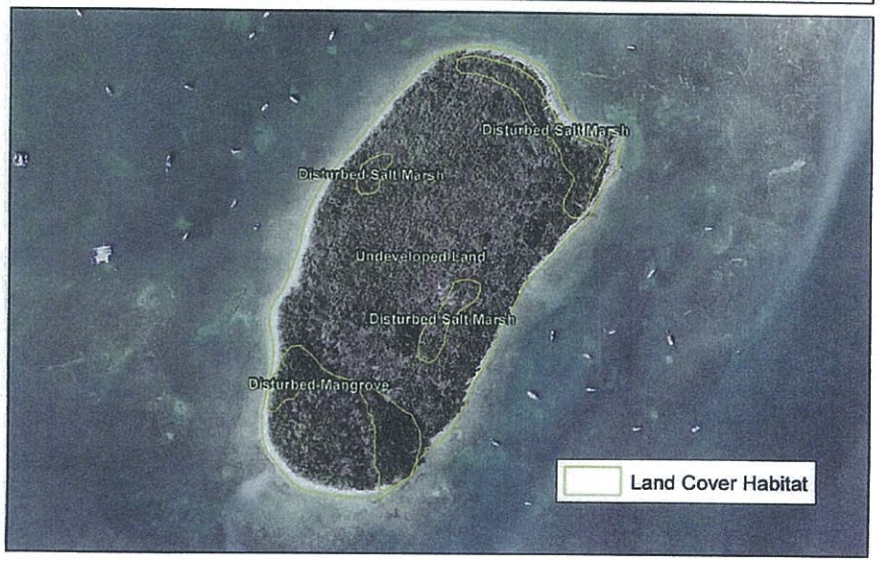
Parcel Acreage: 39.03

FLUM: Undesignated

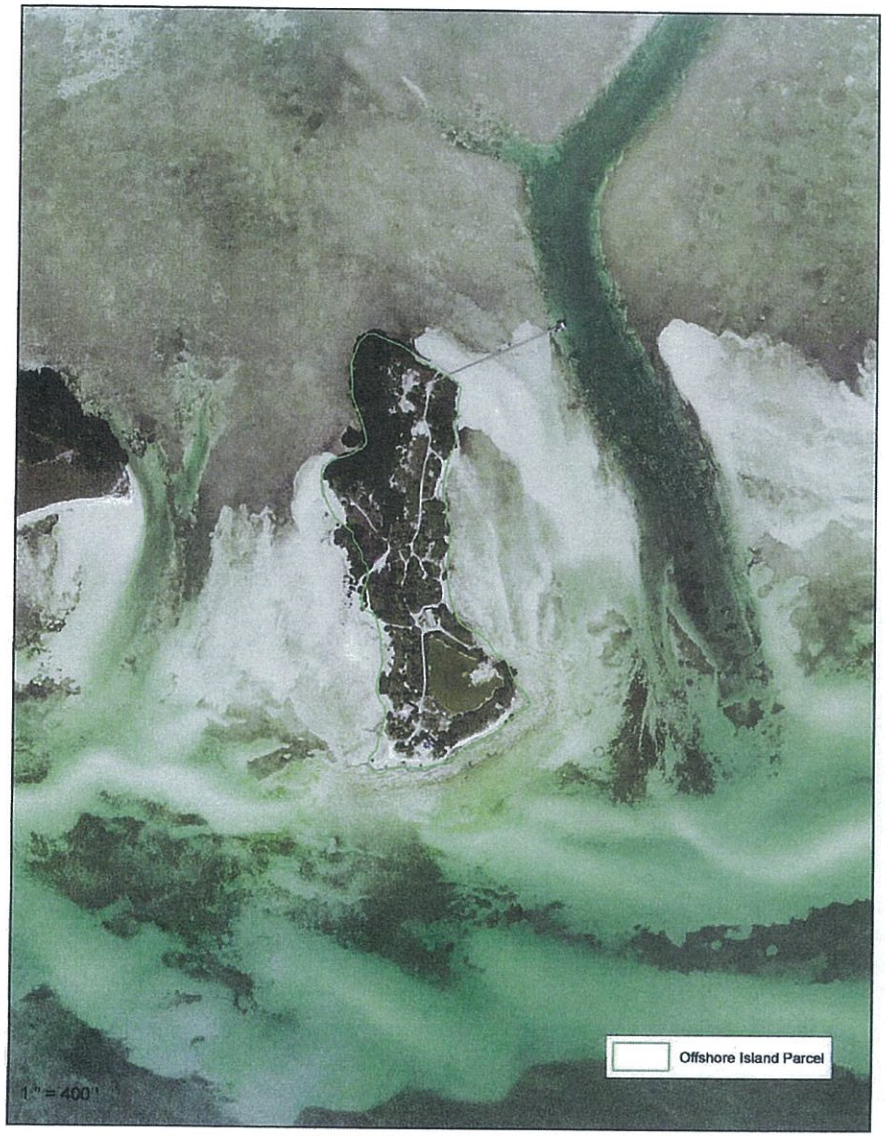
Zoning: Offshore Island (OS)

Undesignated Tier

Data Source: Monroe County - Growth Management - GIS



Date: 11/20/2014



Map 34 - Ballast Key

Gulf of Mexico - Southwest of Key West

1 Parcel

Parcel Acreage: 14.28

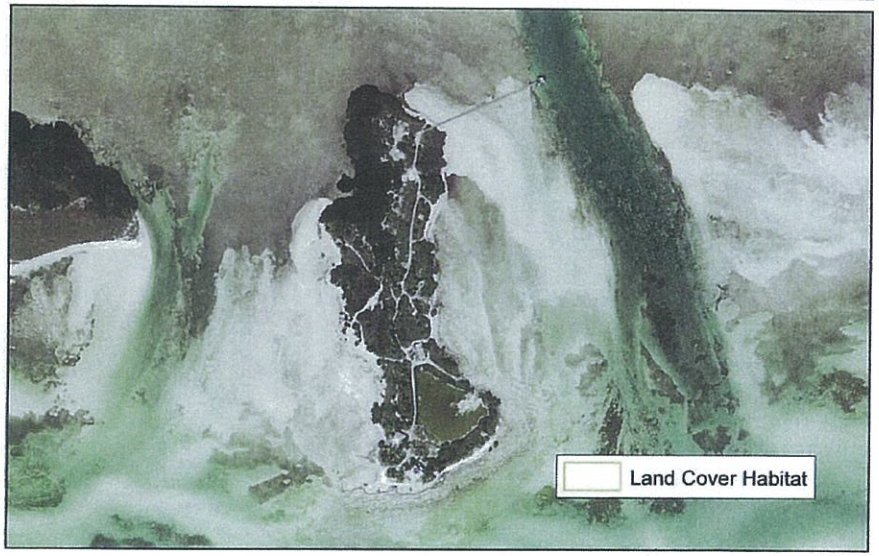
FLUM: Undesignated

Zoning: Offshore Island (OS)

Undesignated Tier

N
W E
S

Data Source: Monroe County - Growth Management - GIS



Date: 11/20/2014