

DEVELOPMENT REVIEW COMMITTEE

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Tuesday, May 24, 2011

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AGENDA

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The Monroe County Development Review Committee will conduct a meeting on Tuesday, May 24, 2011, beginning at 10:00 AM at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL

DRC MEMBERS:

Townsley Schwab, Senior Director of Planning and Environmental Resources
Mike Roberts, Sr. Administrator, Environmental Resources
Joe Haberman, Planning & Development Review Manager
DOT Representative
Steve Zavalney, Captain, Fire Prevention
Public Works Department Representative

STAFF MEMBERS

Susan Grimsley, Assistant County Attorney
Mitch Harvey, Comprehensive Plan Manager
Rey Ortiz, Planner
Gail Creech, Planning Commission Coordinator

CHANGES TO THE AGENDA

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MINUTES FOR APPROVAL

MEETING

-
NEW ITEM:

1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 102-2, PLANNING COMMISSION AND SECTION 2-428, PLANNING COMMISSION MEMBERS; COMPENSATION; PROVIDING FOR PLANNING COMMISSION MEETINGS TO BE ADJUSTED FROM BI-MONTHLY TO MONTHLY; AMENDED COMPENSATION TO PLANNING COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

[2011-053 SR DRC 05.24.11.PDF](#)

ADJOURNMENT

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".



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Development Review Committee

Through: Townsley Schwab, Senior Director of Planning & Environmental Resources

From: Reynaldo Ortiz, Assoc. AIA, AICP, Planner *pin*

Date: May 19, 2011

Subject: ***AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 102-2, PLANNING COMMISSION AND SECTION 2-428, PLANNING COMMISSION MEMBERS; COMPENSATION; PROVIDING FOR PLANNING COMMISSION MEETINGS TO BE ADJUSTED FROM BI-MONTHLY TO MONTHLY; AMENDED COMPENSATION TO PLANNING COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.***

Meeting: May 24, 2011

1 Amended

2 I REQUEST

3

4 The Planning & Environmental Resources Department is proposing an amendment to the text
5 of §102-2 and §2-428 of the Monroe County Code. The purposes of the proposed
6 amendments is to adopt procedures that are fiscally responsible without depriving the public
7 of service and continue to provide adequate opportunity for public comment on agenda items
8 before the Planning Commission.

9

10 II RELEVANT PRIOR COUNTY ACTIONS:

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12 Monroe County Code Section 102-20 was revised with Ordinance No. 030-2009. Regularly
13 scheduled meetings of the Planning Commission are held twice a month with none held
14 during the month of August. Maintaining the current mandated schedule creates duplication
15 of process and a misappropriation of resources. Staff has proceeded to revise this section of
16 code to promote a more efficient scheduling with flexibility and maintenance of service to
17 the public.

18

1 Monroe County Code Section 2-428 was revised with Ordinance No. 021-2004. Planning
2 Commission members are compensated at a rate of \$9,600.00 for 24 regular commission
3 meetings and \$100.00 for each meeting in excess of the regularly scheduled 24. Staff has
4 proceeded to consolidate the bi-monthly meetings to once a month while maintaining the
5 yearly salary of \$9,600.00.

6
7 **III REVIEW**

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9 The regularly scheduled bi-monthly meetings for the Planning Commission are a financial
10 burden on Monroe County resources and are a duplication of effort. On occasion the Planning
11 Commission has held hearings for a negligible number of applicants and with some meetings
12 cancelled due to insufficient demand.

13
14 The Planning Commission has powers and duties that include to initiate, hear, review and make
15 recommendations to the board of county commissioners; hear, review and approve or
16 disapprove development applications; and serve as the local planning agency (LPA) as required
17 by Florida Statutes 163.3174. The current compensation rate for the Planning Commission is
18 \$9,600.00 for 24 regularly scheduled meetings plus \$100.00 per meeting in excess of the
19 regularly scheduled 22.

20
21 By decreasing the number of regularly scheduled meetings from bi-monthly to monthly is an
22 opportunity to consolidate resources and more effectively manage monetary commitments.

23
24 Should the need arise the Planning Commission will continue to have the option to schedule
25 additional meetings to meet an increase in demand. Maintaining this option will allow needed
26 flexibility to meet the needs of the community.

27
28 With the reduction of regularly scheduled meetings a flat rate of \$9,600.00 is practical with no
29 decrease in the responsibilities of the Planning Commission. For clarity, the code revision
30 regarding Planning Commission compensation should be made part of Section 102-20.

31
32 Upon review, staff has found that decreasing the regularly scheduled meetings and modifying
33 the compensation language for the Planning Commission will provide an opportunity for
34 efficiency without decreasing service to the community.

35
36 (deletions are ~~stricken through~~ and additions are underlined):

37
38 **Sec. 102-20. – Planning commission.**

39 ***

40
41 (a) *Meetings, hearings, procedure and ~~procedure~~ compensation.*

42 (1) Regular meetings of the planning commission shall be scheduled ~~twice~~ monthly beginning
43 January 1 of every calendar year and special meetings may be scheduled as required by a
44 majority of the board of county commissioners, the chair of the planning commission, or a
45 majority of the members of the planning commission. ~~However, no regular meetings shall~~
46 ~~be scheduled for the month of August.~~

- 1 (2) The regularly scheduled (~~bi~~-monthly) meetings shall be held in Marathon or an appropriate
2 location in the middle keys. All items which relate to specific properties such as but not
3 limited to minor and major conditional uses, variances and administrative appeals, shall be
4 held at the regularly scheduled meetings, unless extenuating circumstances require a special
5 meeting . The planning commission may, in its discretion, schedule special ~~meetings in the~~
6 ~~upper and lower Keys subarea~~ as required by the demand for such meetings. In cases where
7 an item is postponed due to the lack of a quorum of the planning commission, the item
8 shall be continued to a special meeting or to the next available regular meeting. In cases
9 where an item is postponed for any other reason, the item shall be continued to the next
10 regularly scheduled meeting. Items which are related to specific properties, such as but not
11 limited to text amendments to this chapter and comprehensive plan amendments, may be
12 heard in Marathon or the planning commission may, in its discretion, schedule such items
13 for the most appropriate area or for additional meetings in each subarea.
- 14 (3) All meetings and hearings of the commission shall be open to the public.
- 15 (4) The members of the planning commission shall be compensated at the rate of \$9,600.00
16 per year, and for every fiscal year thereafter, regardless of whether the commission is
17 meeting as the local planning agency, the zoning board, board of adjustment, or planning
18 commission. Nothing contained herein shall be construed to restrict payment to the
19 members for expenses payable as otherwise authorized by state statutes.

20 ***

21
22
23 **Sec. 2-428. — ~~Planning commission members; compensation.~~ Reserved.**

24
25 ~~The members of the planning commission shall be compensated at the rate of \$9,600.00 for the~~
26 ~~regular 24 commission meetings during the year beginning October 1, 2004, and for every fiscal~~
27 ~~year thereafter, regardless of whether the commission is meeting as the local planning agency,~~
28 ~~the zoning board, board of adjustment, or planning commission. For all commission meetings in~~
29 ~~excess of the regular 24, members shall be compensated at the rate of \$100.00 per meeting also~~
30 ~~without regard as to whether the commission is meeting as the local planning agency, the zoning~~
31 ~~board, board of adjustment, or planning commission. Nothing contained herein shall be~~
32 ~~construed to restrict payment to the members for expenses payable as otherwise authorized by~~
33 ~~state statutes.~~

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36 **IV RECOMMENDATION**

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38 Staff has found that the proposed text amendments would alleviate duplication of process and
39 reserve financial resources for the community.

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41 Therefore, staff recommends that the Board of County Commissioners amend the
42 Monroe County Code as stated in the text of this staff report.