

**DEVELOPMENT REVIEW COMMITTEE**

**Tuesday, January 27, 2026**

**MEETING MINUTES**

The Monroe County Development Review Committee conducted a virtual meeting on **Tuesday, January 27, 2026**, beginning at 1:00 p.m. via Communications Media Technology (CMT).

**CALL TO ORDER** by Devin Tolpin at 1:00 p.m.

**ROLL CALL** by Jessica McKinney

**DRC MEMBERS PRESENT**

Devin Tolpin, Senior Director of Planning and Environmental Resources  
Mike Roberts, Assistant Director, Environmental Resources  
Thomas Francis-Siburg, Acting Planning and Development Review Manager  
Brian Oppenheimer, Deputy Fire Marshal

**STAFF MEMBERS PRESENT**

Peter Morris, Assistant County Attorney  
Barbara Powell, Planning Policy Advisor  
Jessica McKinney, Senior Planning Commission Coordinator

**APPLICANTS & PUBLIC SPEAKERS PRESENT**

None.

**CHANGES TO THE AGENDA**

None.

**MINUTES FOR APPROVAL**

Approval of the meeting minutes for Tuesday, December 16, 2025, by Devin Tolpin, with a correction on the date to reflect December 16, 2025, rather than December 12th.

**MEETING**

**1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** FLORIDA, AMENDING LAND DEVELOPMENT CODE SECTIONS 101-1 AND 102-187, ESTABLISHING PROCEDURES FOR THE REVIEW AND APPROVAL OF CERTIFIED RECOVERY RESIDENCES PURSUANT TO SECTION 397.487, FLORIDA STATUTES, AS AMENDED BY CHAPTER 2025-182, LAWS OF FLORIDA; PROVIDING FOR A REASONABLE ACCOMMODATION PROCESS; ENSURING COMPLIANCE WITH FEDERAL AND STATE LAWS; 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 LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE.  
(FILE NO. 2025-170)

(1:02 p.m.) Ms. Barbara Powell, Planning Policy Advisor, presented the staff report. This land development code amendment is to make reasonable accommodations for certified recovery residences. This was an amendment to Statute 397 during last year's legislative session to require all local governments in Florida to amend their land development code to make this accommodation. Within that it must include a process for requesting reasonable accommodations, and there are some time constraints with regard to approvals.

As to the language that is actually changing, the first thing done was to adopt the definitions contained in statutes into the County definitions for certified recovery residence and the certified recovery residence administrator. Next includes certified recovery residences into the institutional residential use definition. The variances granted by the Planning Commission in Section 102-187 included the variances to provide reasonable accommodations to establish the certified recovery residence. This would allow an applicant to file an existing process and procedure, and also includes some transparency to the process. The additional language added to the variance process, mirroring the statute requirement, spells out the reasonable accommodation consistent with fair housing as well as items that would be needed such as the description of the accommodation, detailed description of the accommodation to include an explanation to the specific modification or exception being sought, and then a demonstration of need with supporting materials such as site plans, operational guidelines, et cetera. That requires some renumbering of the existing code. It was simplified it as much as possible to accommodate the statute. The tentative time line has this going to the Planning Commission in March and the BOCC in May, followed by submission to the Department of Commerce for review and issuance of a final order. Staff recommends adoption of the proposed amendment.

Ms. Devin Tolpin had no questions or comments, and asked if there were any questions or comments from any DRC members. There were none.

Items 2 and 3 were read together.

**2. AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING AMENDMENTS TO THE MONROE COUNTY 2030 COMPREHENSIVE PLAN AMENDING THE FUTURE LAND USE ELEMENT AND THE HOUSING ELEMENT TO MODIFY THE REQUIREMENTS RELATED TO THE 300 KEYS AFFORDABLE WORKFORCE HOUSING INITIATIVE EARLY EVACUATION UNIT BUILDING PERMIT ALLOCATIONS CREATED BY THE GOVERNOR OF FLORIDA, ATTORNEY GENERAL OF FLORIDA, CHIEF FINANCIAL OFFICER OF FLORIDA, AND FLORIDA AGRICULTURE COMMISSIONER ACTING IN THEIR CAPACITY AS THE FLORIDA ADMINISTRATION COMMISSION BY REMOVING THE 1-FOR-1 TAKINGS AND BERT HARRIS ACT LIABILITY REDUCTION EXCHANGE REQUIREMENT BY AMENDING, AS WELL AS CLARIFYING, POLICIES 101.2.2, 101.2.4, 101.3.1, 101.3.2, 101.3.3, 101.3.4, 101.3.10, 101.3.11, 101.3.12, 601.1, 601.1.1, 601.1.2, 601.1.8, 601.1.11, 601.5.1; 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 AND INCORPORATION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (FILE NO. 2025-220)

**3. AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** ADOPTING AMENDMENTS TO THE MONROE COUNTY LAND DEVELOPMENT CODE AMENDING SECTION 138-24, RESIDENTIAL ROGO ALLOCATIONS, TO MODIFY THE REQUIREMENTS RELATED TO THE 300 KEYS AFFORDABLE WORKFORCE HOUSING INITIATIVE EARLY EVACUATION UNIT BUILDING PERMIT ALLOCATIONS CREATED BY THE GOVERNOR OF FLORIDA, ATTORNEY GENERAL OF FLORIDA, CHIEF FINANCIAL OFFICER OF FLORIDA, AND FLORIDA AGRICULTURE COMMISSIONER ACTING IN THEIR CAPACITY AS THE FLORIDA ADMINISTRATION COMMISSION BY REMOVING THE 1-FOR-1 TAKINGS AND BERT HARRIS ACT LIABILITY REDUCTION EXCHANGE REQUIREMENT; 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 AND INCORPORATION IN THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE NO. 2025-221)

(1:07 p.m.) Ms. Barbara Powell, Planning Policy Advisor, presented the staff report. These comprehensive plan and land development code amendments are to eliminate the 1-for-1 exchange for the remaining workforce affordable housing early evaluation unit building permit allocations. In September of 2024, the BOCC directed staff to begin this process. Staff carried through those instructions and adopted, at the August 20, 2025 BOCC meeting, Ordinance 18-25 and it was sent to the State Land Planning Agency for review. In November of 2025, the State Land Planning Agency informed us that there were more burdensome and restrictive provisions in what was adopted and made it null and void. Staff then began the process again with a community meeting and now DRC to adopt the amendment as originally proposed based on discussions with staff at the State Land Planning Agency regarding the portions of the adopted amendment that they felt were more burdensome and restrictive. The main part of that was where the remaining 214 units were divided between the Lower and Upper Keys, the argument being that there was no geographic restriction to these units prior to our adoption, therefore adding a geographic restriction made it more burdensome and restrictive. This is based on Senate Bill 180 that went into effect July 2025. Any other language that was offered was kept out of this as well trying to keep it as much to the proposed language as possible.

Getting into that proposed language, the first is the comprehensive plan amendment. Most is cleanup with language regarding affordable workforce housing throughout the amendment, adding the word “affordable” and doing editorial cleanup, changing the Department of Economic Opportunity to State Land Planning Agency, simplifying it from now into the future. Stating the laws of Florida that finalize the workforce housing initiatives that were authorized by the Admin Commission, and cleanup language stating that these are early evacuation allocations, clarifying not only the Admin Commission but also the legislature and the State Land Planning Agency authorizations with further clarification, authorization and editorial language.

A provision was added that notwithstanding the policy that affordable workforce early evacuation unit building permit allocations may be transferred to another government jurisdiction for County-initiated affordable housing projects within incorporated cities as approved by the interlocal agreement and the BOCC, with more editorial and authorization language. Then the policy language regarding the provision for the exchange of existing reserved affordable allocations for these 300, 214 remaining, allocations of early evacuation units was eliminated. Added in were provisions ensuring these early evacuation unit allocations be located in close proximity to employment centers, mirroring the legislative intent and the principles for guiding development, and some provisions regarding requirements for developments owned and operated by a government agency or public housing authority, and property management not required to be on site because that is centrally managed. There is some more cleanup and authorization language, and then it goes into the land development code.

This clarifies and makes sure the policy was in the table as opposed to sitting by itself and just reiterating this portion of the policy, and again reiterating the policy exceptions. There is more editorial language and the elimination of the exchange program, very similar to the comprehensive plan amendment. Again, more editorial language and reiterating the employment centers language and the exception for government owned and operated housing.

Ms. Tolpin had no questions or comments, and asked if there were any questions, comments or concerns from any DRC members. There were none. Ms. Tolpin then asked for public comment. There was none. Public comment was closed.

These three items are text amendments. The next step will move them on to the Planning Commission for recommendation to the BOCC. Ms. Powell added that these would go to the Planning Commission next month.

**ADJOURNMENT:**

The Development Review Committee meeting was adjourned at 1:18 p.m.