

**Land Development Code
Amendment to amend the
requirement for community
meetings.**

Community Meeting: April 21, 2025

**Land Development Code Text Amendment
File 2025-038**

Proposed Amendment: deletions are shown in ~~red strike through~~; additions are shown in red underline.

Sec. 102-158. Amendments to the Land Development Code, Land Use District Map, and Future Land Use Map.

- (a) **Purpose.** The purpose of this article is to provide a means for changing the text of this Land Development Code, which also includes changes to the land use (zoning) district map and overlay district maps. It is also intended to add to the statutory procedures and requirements for changing the future land use map (FLUM) at the transmittal stage. The process for changing the text of the Comprehensive Plan shall follow the process established Chapter 163, Part II, Florida Statutes, and shall require a Concept Meeting as detailed in subsection (d)(3) of this section, and shall provide for community participation as specified in Section 102-159(b). This article is not intended to relieve particular hardships, nor to confer special privileges or rights on any person, nor to permit an adverse change in community character, analyzed in the Technical Document (data and analysis), but only to make necessary adjustments in light of changed conditions or incorrect assumptions or determinations as determined by the findings of the BOCC. In determining whether to grant a requested amendment to the text of this Land Development Code, or land use (zoning) district map, or overlay map, the BOCC shall consider, in addition to the factors set forth in this article, the consistency of the proposed amendment with the provisions and intent of the comprehensive plan and consistency with the principles for guiding development in Section 380.0552, F.S.
- (b) **Authority.** The BOCC may amend the text of this Land Development Code upon compliance with the provisions of this article. Text amendments may be proposed by the BOCC, the Planning Commission, the Planning Director, a private applicant, or the owner or other person having a contractual interest in property to be affected by a proposed property-specific text amendment. Land use (zoning) district map or FLUM amendments may be proposed by the BOCC, the Planning Commission, the Planning Director or the owner or other person having a contractual interest in property to be affected by a proposed map amendment. The Planning Director shall have the responsibility to establish the format as approved by the BOCC by which applications can be submitted and shall have the authority to process only those which are presented on a complete application. Applications deemed incomplete or insufficient shall be returned within 30 days to the applicant for correction and re-submittal.
- (c) **Timing.** Applications for map and text amendments shall be accepted at any time. The Planning Director or his or her designee shall review and process the map and text amendment applications as they are received, require community participation pursuant to Section 102-159, and pass them on to the Development Review Committee and the Planning Commission for recommendation and final approval by the BOCC.
- (d) **Procedures.**
- (1) *Text Amendment Proposals by BOCC, Planning Commission, Planning Director, or a private applicant.* Private applicants shall be required to file an application with the Planning Director accompanied by a nonrefundable application fee as established from

1 time to time by the BOCC to defray the actual cost of processing the application.
2 Proposals for text amendments shall be transmitted to the Planning and Environmental
3 Resources Department. After receipt, the Planning Director and his or her staff shall
4 review the proposed amendment and present it with a recommendation of approval or
5 denial to the Development Review Committee for review and comment. Staff shall
6 make a recommendation to the Planning Commission.

7 (2) *Map Amendment Proposals by affected landowners.* Any landowner or other person
8 having a contractual interest in property desiring to petition the BOCC for an
9 amendment to the land use (zoning) district map, overlay district map or FLUM shall
10 be required to file an application with the Planning Director accompanied by a
11 nonrefundable application fee as established from time to time by the BOCC to defray
12 the actual cost of processing the application. After receipt, the Planning Director and
13 his or her staff shall review the proposed amendment and present it with a
14 recommendation of approval or denial to the Development Review Committee for
15 review and comment. Staff shall make a recommendation to the Planning Commission.

16 (3) *Concept Meeting.* Private applicants submitting an application for an amendment to
17 the text of the Land Development Code or Comprehensive Plan shall participate in a
18 concept meeting with the Planning and Environmental Resources Department to
19 discuss the proposed amendment. The concept meeting shall be scheduled by
20 department staff once the application is determined to be complete. As part of this
21 concept meeting, planning staff will identify whether or not the proposed text
22 amendment will have a county-wide impact.

23 (4) *Community Participation.* The following types of amendments addressed under this
24 section shall provide for community participation as specified in Section 102-159:

- 25 a. Applicants requesting a Land Use District (Zoning) Map amendment, Land
26 Use District (Zoning) Map Overlay amendment, or Future Land Use Map
27 amendment;
- 28 b. Proposals ~~by the County~~ or a private applicant to amend the text of the Land
29 Development Code or Comprehensive Plan, with a county-wide impact, as
30 determined by the concept meeting in subsection (d)(3), above.

31 (5) *Public hearing(s).* The Planning Commission and the BOCC shall each hold at least
32 one public hearing on a proposed amendment to the text of the comprehensive plan or
33 Land Development Code or to the land use (zoning) district map or overlay district
34 map or FLUM at the transmittal stage. The BOCC shall hold at least one additional
35 public hearing for the adoption of a FLUM and/or text amendment of the
36 comprehensive plan.

- 37 a. *Advertised notice.* Advertised notice of the public hearings for a proposed
38 amendment to the text of the land development code, the land use (zoning)
39 district map, overlay district map and the transmittal of the FLUM change
40 shall be provided as required by section 110-5 of this Land Development
41 Code.

- 42 b. *Mailed notice.* Notice of changes to the land use (zoning) district map,

1 overlay district map and FLUM shall be mailed to owners within 600 feet of
2 the affected property 15 days prior to the required hearing before the
3 Planning Commission and 30 days before the required hearing before the
4 BOCC for the land use (zoning) district map amendment and the FLUM at
5 the transmittal stage.

6 c. *Posting of notice.* Posting of notice shall be made in accordance with the
7 requirements of section 110-5 for land use (zoning) district map amendments,
8 overlay district map, FLUM amendments, and property-specific text
9 amendments.

10 d. *Other notice.* Notice of all public hearings shall be posted on the Monroe
11 County Website as soon as is practical. Failure to post notice on the Monroe
12 County Website shall not constitute grounds for the cancellation of any
13 public hearing nor shall it constitute grounds for the cancellation of any
14 action taken by the Planning Commission or the BOCC at such a meeting.

15 (6) *Action by Planning Commission.* The Planning Commission shall review the
16 application, the reports and recommendations of the Planning and Environmental
17 Resources Department, the comments of the Development Review Committee, and the
18 testimony given at the public hearing, and shall submit its recommendations and
19 findings to the BOCC.

20 (7) *Action by BOCC following public hearing(s).*

21 a. The BOCC shall consider the reports and recommendation of the Planning
22 Commission, Planning and Environmental Resources Department staff, and
23 the testimony given at the public hearings.

24 b. The BOCC may consider the adoption of an ordinance enacting the proposed
25 map and text amendments to this Land Development Code based on one or
26 more of the following factors:

- 27 1. Changed projections (e.g., regarding public service needs) from those
28 on which the existing text or boundary was based;
- 29 2. Changed assumptions (e.g., regarding demographic trends) from those
30 on which the existing text or boundary was based;
- 31 3. Data errors, including errors in mapping, vegetative types and natural
32 features which contributed to the application of the existing text or
33 boundary;
- 34 4. New issues which arose after the application of the existing text or
35 boundary;
- 36 5. Recognition of a need for additional detail or comprehensiveness;
- 37 6. Data updates; or
- 38 7. Consistency with the Comprehensive Plan and the principles for
39 guiding development as defined in Section 380.0552, Florida Statutes.

40 c. For text amendments to the Comprehensive Plan and FLUM amendments,
41 the BOCC must also consider the analyses identified in Chapter 163, Florida
42 Statutes and must find that the amendment is consistent with the principles

1 for guiding development as defined in Section 380.0552, Florida Statutes.

- 2 d. In no event shall an amendment be approved which will result in an adverse
3 change in community character to the sub-area which a proposed amendment
4 affects or to any area in accordance with a Livable CommuniKeys master
5 plan pursuant to findings of the BOCC.

6 (8) *Protest procedure.*

- 7 a. A written protest concerning an application for an amendment to the land use
8 (zoning) district map or a FLUM amendment at the transmittal stage may be
9 filed before the BOCC hearing by the owners of no less than 20 percent of
10 the area of the land to be affected. Protests concerning a FLUM amendment
11 may be made only at the transmittal hearing. In the event of a written protest
12 against such amendment by owners of 20 percent of the affected property,
13 where the signatures and protest are found to be true and accurate, the
14 amendment shall not become effective except by the favorable vote of four
15 members of the BOCC. Rounding up of decimals and percentages shall not
16 be permitted.

- 17 b. A written protest concerning an application for an amendment to the land use
18 (zoning) district map or a FLUM amendment at the transmittal stage may be
19 filed by ten percent of the owners of land within 600 feet of the affected
20 property. Protests concerning a FLUM amendment may be made only at the
21 transmittal hearing. In the event of a written protest of ten percent of the
22 owners within 600 feet of the affected property, the amendment shall not
23 become effective except by the favorable vote of four members of the BOCC.
24 In calculating whether a sufficient number of protests have been received to
25 trigger the requirement for a supermajority vote, the number of protests must
26 meet or exceed the ten percent threshold without resorting to rounding up.

- 27 c. Such protests must be on a form approved by the Planning Director and made
28 available by the county, with a statement from each individual owner, under
29 penalties of perjury, with the name, address, parcel real estate number, home
30 address and telephone number of the owner. In the event of ownership by
31 multiple parties, only one owner is required to file a protest. Condominium,
32 cooperatives, or statutory time share program owners may file protests
33 through their associations and shall be counted as one owner and one
34 property in the number of owners to calculate any percentage.

- 35 d. The originals of the written protests must be filed with the clerk of the BOCC
36 no later than the fifth working day before the day of the first county
37 commission meeting at which the public hearing on the FLUM transmittal or
38 land use (zoning) map amendment will be heard. Upon receipt of the
39 protest(s), the clerk shall furnish a copy to the county attorney, the county
40 administrator, and to the applicant requesting the amendment. No further
41 protests will be accepted by the clerk or the BOCC.

- 42 e. The BOCC shall not vote until the signatures, ownership, and protests have

1 been verified by the Planning and Environmental Resources Department and
2 County Attorney using information from the property appraiser and the
3 official records of Monroe County. Every reasonable means shall be used by
4 county staff to resolve the validity of the protest by the time of the public
5 hearing, but if this cannot be accomplished the BOCC shall continue the
6 item. If the time requirements of the Florida Statutes for transmittals cannot
7 be met, the proposed FLUM amendment shall be held over until the next date
8 for transmittal.

9 f. The area used as right-of-way for U.S. 1 shall not be included in any
10 calculations for number of owners or percentage of ownership, but shall be
11 included in the distance calculation from the affected property.

12 g. Protests shall not be considered unless received as prescribed above. Any
13 owner may withdraw a protest up until the conclusion of the public hearing at
14 which the item will be heard.

15 (9) *Majority of BOCC.* Except as provided in paragraph (d)(6) above, the BOCC may
16 adopt the proposed amendment, or the proposed amendment as modified, by not less
17 than a majority of its total membership.

18 (e) **Typographical or drafting errors.** Amendments to the text to correct typographical or
19 drafting errors may be adopted by the BOCC without posted notice or public hearing at any
20 regular meeting. As long as the county is within an area of critical state concern, notice of
21 such amendments shall be transmitted to the State Land Planning Agency within 30 days.

22 **Sec. 102-159. Community Participation.**

23 (a) **Map amendments.** In addition to the public hearings required by Section 102-158, applicants
24 requesting a Land Use District (Zoning) Map, Land Use District (Zoning) Map Overlay District or
25 Future Land Use Map (FLUM) amendment shall provide for public participation through a
26 community meeting.

27 (1) *Community meeting.* The applicant will coordinate with the Planning Director regarding the
28 date, time and location of the proposed community meeting; however, all meetings are to be
29 held on a weekday evening at a location close to the project site, ~~between 45—120 days~~ prior to
30 ~~any of the public hearings required in Section 102-158~~ the Development Review Committee
31 meeting for the amendment.

32 (2) *Posting of notice.* The notice shall include the date, time and place of the community meeting,
33 the address of the site and a description of the site, reference to the closest mile marker, and a
34 summary of the proposal to be considered. At least 15 days prior to the community meeting,
35 applicants shall post the property that is the subject of the map amendment with a waterproof
36 signs(s) provided by the Planning and Environmental Resources Department which is so
37 located that the notice shall be easily visible from all public streets and public ways abutting the
38 property. The applicant shall remove the posted notice within ten days after completion of the
39 community meeting.

40 (3) *Mailing of notice.* At least 15 days prior to the community meeting, notice of the community
41 meeting shall be mailed by the county to all owners of real property located within 600 feet of
42 the property that is the subject of the map amendment, including any residents of the parcel

1 proposed for map amendment. A list of such owners, as shown by the latest available records in
2 the Monroe County Property Appraiser Office, shall be provided by the applicant with an
3 application for development approval.

4 (4) *Publication of notice.* At least 15 days in advance of the community meeting, notice of the
5 community meeting shall be provided as follows:

6 a. Newspaper publication: Notice of the community meeting shall be published in the non-
7 legal section of a local newspaper of general paid circulation in Monroe County. The
8 newspaper shall be of general interest and readership in the community. The advertisement
9 shall appear in a newspaper that is published five days a week. The advertisement shall be
10 no less than two columns wide by ten inches long in a standard size or tabloid size
11 newspaper and the headline in the advertisement shall be in a type no smaller than 18
12 point; and

13 b. Website and social media: The applicant shall coordinate with the County to assure the
14 meeting is posted to the County's website and social media platforms.

15 (5) *Noticing and advertising costs.* The applicant shall pay the cost of the public notice and
16 advertising for the community meeting and provide proof of proper notice to the Planning
17 Director.

18 (6) The community meeting shall be facilitated by a representative from the Monroe County
19 Planning and Environmental Resources Department and the applicant shall be present at the
20 meeting.

21 (b) **Text amendments to the Land Development Code and/or the Comprehensive Plan with County-**
22 **Wide Impact.** In addition to any required public hearings, proposals by the County or a private
23 applicant to amend the text of the LDC and/or the Comprehensive Plan, shall provide for community
24 participation through the following:

25 (1) *Determination of County-Wide Impact.* Private applicants submitting an application for an
26 amendment to the text of the Land Development Code and/or the Comprehensive Plan shall
27 participate in a concept meeting with the Planning and Environmental Resources Department,
28 as indicated in Section 102-158(d)(3), to discuss the proposed amendment. The concept
29 meeting shall be scheduled by department staff once the application is determined to be
30 complete. As part of this concept meeting, department staff will identify whether or not the
31 proposed text amendment will have a county-wide impact. For amendments proposed by the
32 County, a concept meeting is not required, and the Planning Director shall determine whether
33 the amendment will have a county-wide impact.

34 (2) *BOCC Impact Meeting.* Private proposals to amend the text of the Land Development Code
35 and/or Comprehensive Plan shall require a public meeting with the Board of County
36 Commissioners ("Impact Meeting") prior to the application proceeding to the DRC for review.
37 The applicant shall coordinate with the Planning Director regarding the date and time of the
38 Impact Meeting; however, all Impact Meetings shall be held in Marathon.

39 a. Publication of notice. At least 15 days in advance of the Impact Meeting, notice of the
40 meeting shall be provided as follows:

41 1. Newspaper publication: Notice of the Impact Meeting shall be published in the non-
42 legal section of a local newspaper of general paid circulation in Monroe County. The
43 newspaper shall be of general interest and readership in the community. The

1 advertisement shall appear in a newspaper that is published five days a week. The
2 advertisement shall be no less than two columns wide by ten inches long in a standard
3 size or tabloid size newspaper and the headline in the advertisement shall be in a type
4 no smaller than 18 point; and

5 2. Website and Social Media: The applicant shall coordinate with the County to assure
6 the Impact Meeting is posted to the County's website and social media platforms.

7 b. Noticing and Advertising Costs. The applicant shall pay the cost of the public notice and
8 advertising for the Impact Meeting and provide proof of proper notice to the Planning
9 Director.

10 c. During the Impact Meeting, County staff will identify, in writing, the county-wide impacts
11 of the proposed amendment based upon the results of the concept meeting in Section 102-
12 159(b)(1). The Impact Meeting is not to be a public hearing (the BOCC will not vote on
13 the proposal), but a public meeting during which the BOCC may offer their initial opinions
14 and the public may have input on the proposed amendment.

15 (3) *Community Meeting*. Proposals by the County or a private applicant to amend the text of the
16 Land Development Code and/or Comprehensive Plan, with a county-wide impact, shall require
17 a community meeting.

18 a. A private applicant will coordinate with the Planning Director regarding the date, time and
19 location of the proposed community meeting; however, all meetings shall be held on a
20 weekday evening, ~~at least three (3) months prior to any of the public hearings required in~~
21 ~~Section 102-158 or by Section 163.3184, F.S. (for comp plan) prior to the Development~~
22 ~~Review Committee meeting for the amendment.~~

23
24 b. Publication of notice. At least 15 days in advance of the community meeting, notice of the
25 community meeting shall be provided as follows:

26 1. Newspaper publication: Notice of the community meeting shall be published in the
27 non-legal section of a local newspaper of general paid circulation in Monroe County.
28 The newspaper shall be of general interest and readership in the community. The
29 advertisement shall appear in a newspaper that is published five days a week. The
30 advertisement shall be no less than two columns wide by ten inches long in a standard
31 size or tabloid size newspaper and the headline in the advertisement shall be in a type
32 no smaller than 18 point; and

33 2. Website and Social Media: The applicant shall coordinate with the County to assure
34 the community meeting is posted to the County's website and social media platforms.
35 Failure to post notice on the Monroe County official website shall not constitute
36 grounds for the cancellation of any public meeting.

37 c. Noticing and Advertising Costs. The applicant shall pay the cost of the public notice and
38 advertising for the community meeting and provide proof of proper notice to the Planning
39 Director.

40 d. The community meeting shall be facilitated by a representative from the Monroe County
41 Planning and Environmental Resources Department and the applicant shall be present at
42 the meeting.

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2 **Sec. 110-3. Pre-Application Conference and Community Participation Meetings.**

3 (a) **Pre-Application Conference.**

- 4 (1) An applicant for development approval may request a pre-application conference with Planning
5 and Environmental Resources Department staff by submitting an application and the applicable
6 fee to the department. Prior to the conference, the applicant shall provide to the department: a
7 written description of existing development on the property and the proposed development
8 including its character, location and magnitude. The purpose of this conference is to acquaint
9 the participants with the requirements of the land development code, applicable comprehensive
10 plan policies and the views and concerns of the county.
- 11 (2) If the applicant requests so and pays the applicable fee, the substance of the pre-application
12 conference shall be recorded in a letter of understanding (LOU) prepared by department staff
13 and signed by the Planning Director. The LOU shall be mailed to the applicant generally within
14 30—45 days after the conference, except under those circumstances where additional
15 information is required by department staff following the conference. In those situations, the
16 Planning Director cannot issue a letter until all required information is submitted and reviewed.
17 The letter shall set forth the subjects discussed at the conference and the county's position in
18 regard to the subject matters discussed.
- 19 (3) The applicant shall be entitled to rely upon representation made at the conference only to the
20 extent such representations are set forth in the LOU. An LOU shall not provide any vesting to
21 requirements, code and the comprehensive plan. The development shall be required to be
22 consistent with all regulations and policies at the time of development approval. The Planning
23 Director acknowledges that all items required as a part of the application for development
24 approval may not have been addressed at the conference, and consequently reserves the right
25 for additional comment.

26 (b) **Community Participation Meeting.** Applicants requesting a Major Conditional Use Permit
27 pursuant to Article III of this chapter, or a Development Agreement pursuant to Article V of this
28 chapter shall provide for public participation through a community meeting.

- 29 (1) *Scheduling.* The applicant will coordinate with the Planning Director regarding the date, time
30 and location of the proposed community meeting; however, all meetings are to be held on a
31 weekday evening at a location close to the project site, or by electronic means, between 45 and
32 120 days prior to the Development Review Committee meeting for the Major Conditional Use
33 Permit. the first of any public hearings required for development approval.
- 34 (2) *Notice of Meeting.* The community meeting shall be noticed at least 15 days prior to the
35 meeting date by advertisement in a Monroe County newspaper of general circulation, mailing
36 of notice to surrounding property owners, and posting of the subject property, in accordance
37 with Section 110-5.
- 38 (3) *Noticing and Advertising Costs.* The applicant shall pay the cost of the public notice and
39 advertising for the community meeting and provide proof of proper notice to the Planning
40 Director.
- 41 (4) The community meeting shall be facilitated by a representative from the Monroe County
42 Planning & Environmental Resources Department and the applicant shall be present at the
43 meeting.

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Sec. 110-70. Major Conditional Uses.

- (a) **Applications for major conditional uses.** An application for a major conditional use permit shall be submitted to the Planning Director in a form provided by the Planning and Environmental Resources Department. The application shall include:
- (1) The name and address of the property owner(s) of record;
 - (2) The property record card(s) from the Monroe County Property Appraiser;
 - (3) A written legal description of the property proposed for development;
 - (4) A boundary survey of the property proposed for development, prepared by a surveyor registered in the State of Florida, showing the boundaries of the site, elevations, bodies of water and wetlands on the site and adjacent to the site, existing structures including all impervious areas, existing easements, total acreage and total acreage by habitat;
 - (5) A site plan, prepared and sealed by a professional architect, engineer, or any other professional licensed to prepare a site plan. The site plan shall be drawn to a scale of one inch equals ten feet or one inch equals twenty feet. At a minimum, the site plan shall depict the following features and information:
 - a. Date, north point and graphic scale;
 - b. Boundary lines of site, including all property lines and mean high-water, lines shown in accordance with Florida Statutes;
 - c. All attributes from the boundary survey;
 - d. Future Land Use Map (FLUM) designation(s) of the site;
 - e. Land Use (Zoning) District designation(s) of site;
 - f. Tier designation(s) of the site;
 - g. Flood zones pursuant to the Flood Insurance Rate Map;
 - h. Setback lines as required by this Land Development Code;
 - i. Locations and dimensions of all existing and proposed structures, including all paved areas and clear site triangles;
 - j. Size and type of buffer yards and parking lot landscaping areas, including the species and number of plants;
 - k. Extent and area of wetlands, open space preservation areas and conservation easements;
 - l. Delineation of habitat types to demonstrate buildable area on the site, including any heritage trees identified and any potential species that may use the site (certified by an approved biologist and based on the most current professionally recognized mapping by the U.S. Fish and Wildlife Service);
 - m. Drainage plan including existing and proposed topography, all drainage structures, retention areas, drainage swales and existing and proposed permeable and impermeable areas;
 - n. Location of fire hydrants or fire wells;

- 1 o. The location of public utilities, including location of the closest available water supply
2 system or collection lines and the closest available wastewater collection system or
3 collection lines (with wastewater system provider) or on-site system proposed to meet
4 required county and state wastewater treatment standards; and
- 5 p. A table providing the total land area of the site, the total buildable area of the site, the type
6 and square footage of all nonresidential land uses, the type and number of all units, the
7 amounts of impervious and pervious areas, and calculations for land use intensity and
8 density, open space ratio, and off-street parking; and

9 (6) An environmental designation survey consisting of:

- 10 a. A plan drawn to a scale of one inch equals 20 feet or less, except where impractical and
11 the Planning Director authorizes a smaller scale, and showing the following:
 - 12 1. The location of property;
 - 13 2. The date, approximate north point and graphic scale;
 - 14 3. The acreage within the property;
 - 15 4. The boundary lines of the property and their bearings and distances;
 - 16 5. The topography and typical ground cover;
 - 17 6. The general water surface characteristics, water areas and drainage patterns, including
18 location of MHWL, if applicable;
 - 19 7. The contours at an interval of not greater than one foot or at lesser intervals if deemed
20 necessary for review purposes;
 - 21 8. The 100-year flood-prone areas by flood zone;
 - 22 9. The presently developed and/or already altered areas; and
- 23 b. A natural vegetation map and/or a map of unique environmental features such as:
 - 24 1. Tropical hardwood hammocks;
 - 25 2. Endangered species habitats; and
 - 26 3. Major wildlife intensive use areas;
- 27 c. Aerial photographs of the property and surrounding area;
- 28 d. A review of historical and archeological sites by the Florida Division of Archives, History
29 and Records Management;
- 30 e. A review of unique environmental features such as:
 - 31 1. Tropical hardwood hammocks;
 - 32 2. Endangered species habitats; and
 - 33 3. Major wildlife intensive use areas;
- 34 f. Actual acreage of specific vegetation species or other environmental characteristics;
- 35 g. General information relating to the property in regard to the potential impact which
36 development of the site could have on the area's natural environment and ecology;
- 37 h. Environmental resources:

1. If shoreline zones were identified, describe in detail any proposed site alterations in the areas, including vegetation removal, dredging, canals or channels; identify measures which have been taken to protect the natural, biological functions of vegetation within this area such as shoreline stabilization, wildlife and marine habitat, marine productivity and water quality maintenance;
 2. If tropical hammock communities or other protected vegetative communities were identified, describe proposed site alteration in those areas and indicate measures which were taken to protect intact areas prior to, during and after construction;
 3. Describe plans for vegetation and landscaping of cleared sites including a completion schedule for such work;
- i. Environmental resources-wildlife. Describe the wildlife species that nest, feed or reside on or adjacent to the proposed site. Specifically identify those species considered to be threatened or endangered. Indicate measures that will be taken to protect wildlife and their habitats; and
 - j. Environmental resources-water quality:
 1. Identify any wastewater disposal areas, including stormwater runoff, septic tank drain-fields, impervious surfaces and construction-related runoff; describe anticipated volume and characteristics. Indicate measures taken to minimize the adverse impacts of these potential pollution sources upon the quality of the receiving waters prior to, during, and after construction; identify the near shore water quality; and identify how this development will not adversely impact the near shore water quality;
 2. Indicate the degree to which any natural drainage patterns have been incorporated into the drainage system of the project;
- (7) A community impact statement, including:
- a. General description of proposed development:
 1. Provide a general written description of the proposed development; including any proposed phases of development, the site size, the number and type of existing and proposed dwelling units, the amount and type of existing and proposed nonresidential floor area, and parking demand and capacities;
 2. Identify aspects of the project design, such as a clustering, which were incorporated to reduce public facilities costs and limit adverse impacts on the environment, and describe building and siting specifications which were used to reduce hurricane and fire damage potential;
 - b. Impact assessment on public facilities—water supply:
 1. Identify projected daily potable water demands and specify any consumption rates that have been assumed for the projection;
 2. Provide proof of coordination with the Florida Keys Aqueduct Authority; assess the present and projected capacity of the water supply system and the ability of such system to provide adequate water for the proposed development; and
 3. Describe measures to ensure that water pressure and flow will be adequate for fire protection for the type of construction proposed;

- 1 4. Identify aspects of the project design which are proposed to reduce potable water
- 2 demand and impacts to the public water supply;
- 3 c. Impact assessment on public facilities—wastewater management:
- 4 1. Provide proof of coordination with the Florida Department of Health;
- 5 2. Provide projection of the average flows of wastewater generated by the development
- 6 at the end of each development phase; describe proposed treatment system, method
- 7 and degree of treatment, quality of effluent, and location of effluent and sludge
- 8 disposal areas; identify method and responsibilities for operation and maintenance of
- 9 facilities;
- 10 3. If public facilities are to be used, provide proof of coordination with the county waste
- 11 collection and disposal district; assess the present and projected capacity of the
- 12 treatment and transmission facilities and the ability of such facilities to provide
- 13 adequate service to the proposed development; and
- 14 4. If applicable, provide a description of the volume and characteristics of any industrial
- 15 or other effluents;
- 16 d. Impact assessment on public facilities—solid waste:
- 17 1. Identify projected average daily volumes of solid waste generated by the
- 18 development at the end of each phase; indicate proposed methods of treatment and
- 19 disposal; and
- 20 2. Provide proof of coordination with county municipal services district; assess the
- 21 present and projected capacity of the solid waste treatment and disposal system and
- 22 the ability of such facilities to provide adequate services to the proposed
- 23 development;
- 24 e. Impact assessment on public facilities—transportation:
- 25 1. Provide a projection of the expected vehicle trip generation; describe in terms of
- 26 external trip generation and average daily and peak hour traffic;
- 27 2. Provide a traffic study, if applicable, as specified in Section 114-200; and
- 28 (8) Any additional information required by a specific regulation applying to the proposed
- 29 development.

30 (b) Community Meeting: The applicant will coordinate with the Planning Director, or his/her designee
 31 regarding the date, time and location of the proposed community meeting; however, all meetings are
 32 to be held on a weekday evening at a location close to the project site or by electronic means, prior
 33 to the Development Review Committee meeting for the Major Conditional Use Permit.

34 (bc) **Review by the Development Review Committee (DRC).** An application for a major conditional
 35 use permit shall be reviewed by the DRC. The DRC shall give comments to the applicant,
 36 responsible staff and the Planning Director. Within 60 days of the meeting or within 60 days after
 37 any additional information required from the applicant is furnished ~~or within 60 days after a required~~
 38 ~~community meeting~~, the department shall provide for advertisement of the required public hearing
 39 by the Planning Commission.

40 (ed) **Public hearing on an application for a major conditional use permit.** ~~The applicant shall provide~~
 41 ~~for a Community Meeting between 45 and 120 days prior to the Planning Commission hearing, in~~

1 ~~accordance with Section 110-3(b).~~ The Planning Commission shall hold a public hearing on the
2 application for a major conditional use permit and shall issue a development order granting, granting
3 with conditions or denying the application for a major conditional use permit within 60 days of the
4 public hearing by the Planning Commission, with the exception of any application where a condition
5 has been imposed that must be satisfied prior to the issuance of a development order approving the
6 major conditional use permit, in which case the development order shall be issued within 30 days
7 after receipt of proof of satisfaction of the condition. The applicant shall provide any additional
8 information to satisfy a condition required by the Planning Commission within one (1) year of the
9 date of the Planning Commission meeting when the application was considered. If such information
10 is not received within this timeframe, the application will be deemed withdrawn.

11 **(de) Appeal of a major conditional use decision by the Planning Commission.** The applicant, an
12 adjacent property owner, or any aggrieved or adversely affected person, as defined by F.S. §
13 163.3215(2), or any person who presented testimony or evidence at the public hearing conducted
14 pursuant to subsection (c) of this section may request an appeal of the Planning Commission's
15 decision under chapter 102, article VI, division 2 by filing the notice required by that article within
16 30 days of the written decision of the Planning Commission.