

**DEVELOPMENT REVIEW COMMITTEE**

**Tuesday, November 14, 2022**

**MEETING MINUTES**

The Monroe County Development Review Committee conducted a virtual meeting on **Monday, November 14, 2022**, beginning at 1:00 p.m. via Communications Media Technology (CMT).

**CALL TO ORDER** by Emily Schemper at 1:01 p.m.

**ROLL CALL** by Debra Roberts

**DRC MEMBERS PRESENT**

Emily Schemper, Senior Director of Planning and Environmental Resources  
Cheryl Cioffari, Assistant Director of Planning  
Mike Roberts, Assistant Director, Environmental Resources  
Bradley Stein, Development Review Manager  
Rey Ortiz, Assistant Building Official  
Craig Marston, Fire Marshal  
Judy Clarke, Engineering  
Christina Gardner, Naval Air Station Key West  
Shereen Yee Fong, FDOT Representative  
Barbara Powell, Department of Economic Opportunity

**STAFF MEMBERS PRESENT**

Peter Morris, Assistant County Attorney  
Devin Tolpin, Principal Planner  
Debra Roberts, Senior Planning Commission Coordinator

**APPLICANTS & PUBLIC SPEAKERS PRESENT**

Christopher Bowker                  Jess Goodall                  Richard Strickland

**CHANGES TO THE AGENDA**

There were no changes to the agenda. Items 1 and 2 were read together.

**MINUTES FOR APPROVAL**

Approval of the meeting minutes for Tuesday, October 25, 2022, by Emily Schemper.

**MEETING**

**1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** APPROVING A COMPREHENSIVE PLAN AMENDMENT TO THE 2030 MONROE COUNTY COMPREHENSIVE PLAN, ESTABLISHING THE STOCK ISLAND WORKFORCE SUBAREA 2; ESTABLISHING THE BOUNDARY OF THE STOCK ISLAND WORKFORCE SUBAREA 2; LIMITING THE PERMITTED USES OF THE

SUBAREA TO DEED RESTRICTED AFFORDABLE HOUSING DWELLING UNITS; ESTABLISHING THE MAXIMUM NET DENSITY FOR AFFORDABLE HOUSING, HEIGHT AND OFF-STREET PARKING REQUIREMENTS IN THE SUBAREA; ELIMINATING ALLOCATED DENSITY AND NONRESIDENTIAL FLOOR AREA RATIO; PROVIDING FOR THE CONVERSION AND TRANSFER OF MARKET RATE ROGO EXEMPTIONS TO TRANSIENT; AND PROVIDING FOR THE SETBACK REQUIREMENTS WITHIN THE STOCK ISLAND WORKFORCE SUBAREA 2 FOR PROPERTY LOCATED AT 6500 MALONEY AVE, STOCK ISLAND, CURRENTLY HAVING PARCEL IDENTIFICATION NUMBER 00126090-000000, AS PROPOSED BY ROY'S TRAILER PARK, 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 CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2022-072)

**2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM URBAN RESIDENTIAL MOBILE HOME- LIMITED (URM-L) TO URBAN RESIDENTIAL (UR), FOR PROPERTY LOCATED AT 6500 MALONEY AVE, STOCK ISLAND, HAVING PARCEL IDENTIFICATION NUMBER 00126090-000000, AS PROPOSED BY ROY'S TRAILER PARK, 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 2022-074)

(1:04 a.m.) Ms. Cheryl Cioffari, Assistant Director of Planning, presented the staff report. This is a text amendment to the comprehensive plan to establish a proposed subarea policy, and a land use district map amendment, proposed by Roy's Trailer Park and represented by Bart Smith of Smith Hawks. This property has a current FLUM designation of Residential High and a zoning district of Urban Residential Home Limited with a proposal to amend that to Urban Residential.

The existing use of the property is 108 lawfully established mobile homes. The proposed text amendment would establish Subarea Policy 111.1.2 which would allow for the development of up to 238 units of workforce affordable housing. This would increase the density from one dwelling unit per lot to 40 dwelling units per buildable acre which is consistent with the intensity table provided in the land development code and as provided for under Goal 111. Staff's recommended edits to the language as proposed are shown in red to the text. There are some minor edits recommended for consistency between subareas one and two, or changes that Muni-Code will make when the ordinance is transmitted. Subarea one is the Wrecker's Cay development. Removal of the development table is recommended as it is duplicative. Removal of the language to allow for the conversion of market rate units to transient units is being made because it is inconsistent with the County's comprehensive plan as well as Board direction. There are allowances to transfer off the market rate units but the proposal to amend the comp plan to allow this conversation is inconsistent. Mobile homes and transient units are two different types of units that are treated as such in the comp plan and land development code, and

the comp plan does not allow that interchangeability, so staff is recommending that be stricken from the language. Staff is recommending the reduction in setbacks be stricken because Goal 111 provides for flexibility to allow for affordable workforce housing in appropriate designations on Stock Island but does not contemplate reducing setbacks. If it is the applicant's will, staff recommends amending Goal 111 and Objective 111.1 to allow for such a request.

The next change is to clarify that any structure may be allowed to go up to 40 feet allowing for three habitable floors and for mechanical equipment or any screening measure to go to 44 feet. The next recommendation is that language be added in to require major conditional use approval for more than 18 units and to specify that they are designated as employee housing. This change will allow staff to implement any sort of appropriate conditions at the time of development which would come through the conditional use process. Regarding the land use district changes, the proposal is to go from one dwelling unit per lot to 40 dwelling units per acre. There are existing 101 lawfully established mobile home units. The proposal is to go to 238 affordable units. Staff recommends approval of both of the items with staff recommended edits.

Ms. Schemper asked for questions or comments from staff or DRC members. Ms. Barbara Powell, Department of Economic Opportunity, asked if this was in the MIAI and whether, if the density was actually changing, there had been discussion with the Navy about this increase. Ms. Cioffari confirmed this is within the MIAI, and that the letter had been transmitted to the commanding officer a short while ago so coordination with the Navy was taking place. Ms. Powell also confirmed that the conversion from market rate to transient was being stricken. Ms. Schemper noted that this was being recommended by staff, and she did not know if the applicant was agreeing to strike it in their proposal. Ms. Christina Gardner from NASKW stated she did get the packet but had not had time to have other staff members review it. This location is within the AICUZ 60 to 65 noise contours. Though it doesn't make it incompatible with residential use, there is a lot of concern about sound attenuation design features being incorporated. The 40 foot height won't really impact the use of the airfield. Ms. Schemper confirmed that Ms. Gardner was recommending adding the sound attenuation requirements into the language as this location is on the cusp of 65 to 70, at which point they do not recommend residential development. Ms. Powell noted that Mr. Bart Smith and Mr. Toppino had been very compliant with the Quarry and doing sound attenuation there. Ms. Schemper stated that it had been written into the subarea for the Quarry and possibly Wrecker's Cay, so the applicant may agree to write it in this as well. Ms. Cioffari also indicated that when the County enacted Goal 111 the 40 units per acre had been specified so it wasn't being increased or running afoul of the MIAI comp plan. Mr. Craig Marston, Fire Marshal, asked when the full application would be submitted. Ms. Schemper responded that for fire, it may not be until building permit; however, she asks that everyone look at it as closely as possible so as to not run into unanticipated issues. He would probably want to look at it closely when the conditional use permit comes in as there will be a site plan and plans for the buildings at that time. Mr. Marston confirmed with Ms. Cioffari that this would most likely be a major conditional use. Ms. Schemper explained that if the subarea policy is approved with the higher number of units being proposed, that conditional use approval and building permits with everything in compliance would be required to build the project. If Mr. Marston sees something at this stage that could possibly be a deal breaker, then the sooner the site plan is submitted to fire, the better for everyone to be on the same page. Mr. Jess Goodall, the applicant, stated they were working on getting this as soon as possible, and he thanked staff for

their assistance. Ms. Schemper then asked for public comment. There was none. Public comment was closed.

**3. AN ORDINANCE BY MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** ADOPTING AMENDMENTS TO THE MONROE COUNTY 2030 COMPREHENSIVE PLAN TO AMEND POLICY 501.1.1, POLICY 501.1.2, POLICY 501.2.2, POLICY 501.2.3, POLICY 501.3.1, POLICY 501.3.3 TO ALLOW AIRPORT IMPROVEMENTS, WHICH MAY IMPACT HAMMOCK AREAS WHEN THERE IS NO OTHER VIABLE ALTERNATIVE AVAILABLE, AT THE KEY WEST INTERNATIONAL AIRPORT AND THE FLORIDA KEYS MARATHON INTERNATIONAL AIRPORT, CONSISTENT WITH THE AIRPORT MASTER PLAN (AMP) AND AIRPORT LAYOUT PLAN (ALP) FOR EACH PUBLIC AIRPORT AND CONSISTENT WITH ALL APPLICABLE FEDERAL AND STATE PERMIT/AUTHORIZATION REQUIREMENTS, INCLUDING MITIGATION FOR ENVIRONMENTAL IMPACTS; 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 2022-105)

(1:18 a.m.) Ms. Cheryl Cioffari, Assistant Planning Director, presented the staff report. This is a proposed comprehensive plan text amendment to address some of the policies that would make shifting the airport runway at the Marathon Airport not viable at this time. The proposals shown would allow for the airport to make necessary improvements to be consistent with FAA standards and to ensure that future consideration and eligibility is continued with federal funding. Currently, the main proposal is to shift the airport runway about 40 feet, which would impact the vegetative buffer between the airport and Aviation Boulevard. Recognizing that any development at the Marathon Airport would be permitted by the County though within the jurisdiction of Marathon, in an effort to work with Marathon there has been coordination on the proposed text amendment. In June of 2020, the Board approved the airport layout plan for the Marathon International Airport and these changes are part of that plan. The City of Marathon's main feedback was the proposed mitigation for any removal of vegetation to be consistent with the City's mitigation requirements, which have a three-to-one replacement, and to ensure that all invasive exotic vegetation is removed. In the proposed text amendment staff's recommended edits are in red. Recommended changes are found on page 12 of the staff report. The mitigation standards would be subject to the municipality in which it is located to best address the City of Marathon's concerns and any impacts that adjacent property owners may have to this shift, and all invasive exotic vegetation must be removed from the proposed development area. Staff recommends approval of the proposed amendment.

Ms. Schemper asked for questions or comments from DRC or staff members. Mr. Mike Roberts, Assistant Director, Environmental Planning, asked about the highlighted proposed language, "or replanting if referred or required by municipality," and stated that he saw where Marathon had said, "or maybe replant the areas where the exotics were," but he did not see any detailed commentary. Ms. Schemper explained that the City had wanted to fill in the portions of the vegetative area that they felt needed extra planting. Mr. Roberts agreed it makes sense because

some of those areas would definitely need to be replanted, but he didn't know if there were details from the City. Ms. Barbara Powell, DEO, stated that was her question, where the replanting would occur, and asked where the remediation would occur. Ms. Schemper explained that the City and County have different mitigation codes. The County only has payment into the restoration fund, but the City's code favors replanting. She believes the City is asking if part of the mitigation could be replanting within the remaining buffer yard at the airport. Taking out the exotics would create some gaps in the remaining area that wasn't intended to be cleared for the widening of the runway. Part of the mitigation could be to replant those areas, and part could also be mitigation payment. Ms. Powell asked if Mr. Roberts had been out to see how much was invasive exotics versus good hammock. Mr. Roberts responded that there are portions of the hammock that are intact and really nice, especially towards the northern or eastern portion of the airport runway; but further south or east is more Brazilian pepper and other invasive exotics. Once those are cleared out, there will be some significant barren areas once cleared. In that instance, the replanting on site would make a tremendous amount of sense. Ms. Schemper added that this is a comp plan policy and not a development plan, so it was written a little more generally, and is written broadly for airports. Wording may need to be tweaked but this needs to get moving because Mr. Richard Strickland has grants and timelines.

Mr. Richard Strickland stated that he was surprised that the City was being given this much weight on this item. It had been his understanding that the City was going to get an advisory notice and a thank you. When meeting with the city manager, the mayor and some council members, they were fine with proceeding forward. So he was surprised staff had dug deeper to change the language the City had in this. Ms. Schemper stated that the City was asked if this is consistent with the City's comp plan because this area is protected within their comp plan. The first answer from the City's planning director was they may need to change their comp plan. The idea of having language in the comp plan saying, if this is the only viable alternative, then they may not need to change the comp plan. The planning director then requested some things in exchange, but just asked to keep it consistent with their comp plan to some degree. The only change is the replanting versus payment, and the three-to-one versus two-to-one. The Board doesn't have to adopt it that way. Mr. Strickland responded that the City prefers to do the payment and not complicate things with replanting where there is already limited land. Ms. Schemper clarified there was no planting proposed on new land areas, only for any gap areas cleared of invasive exotics. Ms. Cioffari clarified that the City of Marathon had asked that any area that could be replanted in the remaining buffer where the invasive exotics were removed be planted, and if there was any availability to then plant in the conservation area, and then whatever can't be planted be a payment into the mitigation fund. There were no further questions or comments. Mr. Christopher Bowker and Mr. Strickland thanked staff for their assistance.

## **ADJOURNMENT**

The Development Review Committee meeting was adjourned at 1:33 p.m.