



Council Communication

To: Mayor and Village Council

Through: Maria Bassett, Acting Village Manager/Finance Director
Ty Harris, Director of Planning

From: Craig Southern, CFM, Senior Planner

Date: March 18, 2021

Subject: SECOND READING | AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF JAMES S. LUPINO, ESQUIRE, WITH HERSHOFF, LUPINO AND YAGEL, LLP AND OVERSEAS CENTER LLC., TO AMEND THE VILLAGE'S FUTURE LAND USE MAP FROM RESIDENTIAL MEDIUM (RM) TO MIXED USE (MU) FOR PROPERTY WITH REAL ESTATE NUMBER 00418050-000000

Request:

The applicant, James S. Lupino, Esquire, with Hershoff, Lupino and Yagel, LLP, has submitted a map amendment application requesting an approval for a Future Land Use Map (FLUM) Amendment from Residential Medium (RM) to a Mixed Use (MU) for a proposed future use of office space and self-service storage facility (indoor), subject to the approval of a separate minor conditional use and site plan application, on a 0.77 acre platted tract of land located on Plantation Key, Tract F of Amended and Extended Plat of Vacation Village (Parcel # 00418050-000000), which fronts Overseas Highway to the southeast. This FLUM amendment has a companion application for a Zoning Map Amendment, which proposes a change from a Residential Single-Family (R-1) District to Highway Commercial (HC) District, the FLUM amendment cannot be approved without approval of the companion Zoning Map Amendment.

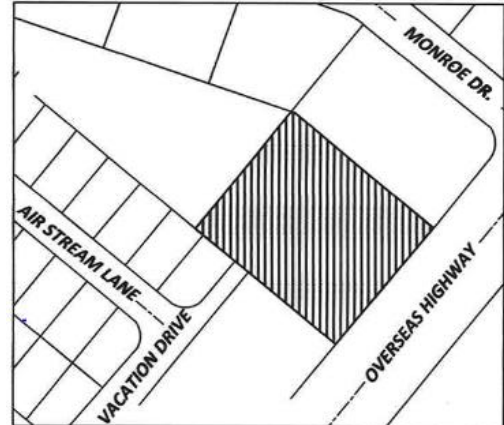
At the December 9, 2019 Local Planning Agency (LPA) Meeting, the LPA recommended approval of the request to the Village Council with a vote 3-0 to pass the motion. At the August 20, 2020 Village Council Meeting, the Village Council unanimously voted 5-0 and passed the motion to approve the First Reading of both the FLUM and Zoning Map Amendment to include the proffered conditions of a Declaration of Restrictive Covenants (Attachment I). On October 2, 2020, the Florida Department of Economic Opportunity (DEO) sent a Response Letter to the Village acknowledging its review of

the proposed Map Amendment and indicating that it did not identify any objections or comments to the proposed amendment. (Attachment H)

Attached to this Staff Report, is copy of the Boundary Survey, dated July 3, 2019 composed by Global One Survey (Attachment A), illustrating and detailing the existing dimensions of Tract F of Amended and Extended Plat of Vacation Village.

Background, Existing Use and Habitat:

In July of 1990, John A. and Viola E. Gautier made a Major Conditional Use request to the Monroe County Growth Management Division, seeking to develop a 900 ft² office building with a marina/open dry storage for small boats, a boat ramp and 99 parking spaces, for the subject property, Tract F of Amended and Extended Plat of Vacation Village, in addition to the two adjacent Tracts E and G. Although the Major Conditional Use request was granted, the development never happened and the Major Conditional Use expired. Hence the 0.77 acre tract has remained vacant to present day, with a tropical hardwood hammock habitat covering the majority of the tract of land except along the dead-end side of the canal to northwest, where the shoreline has been hardened with a 3 ft wide seawall with a disturbed scarified area undulating between 20' to 50' feet from the mean high water line (MHWL).



Surrounding Future Land Use Designations:

The subject property currently has a Residential Medium (RM) Future land Use designation. The surrounding properties to the South are similarly designated Residential Medium (RM) and to the North are both Residential Medium (RM) and Residential High (RH)designations. Adjacent properties directly North and South of the subject property have recently submitted map amendment applications to the Planning and Development Department in late November 2019, also requesting an approval for a Future Land Use Map (FLUM) Amendment from an RM Residential Medium to a MU Mixed Use. The properties to the East across Overseas Highway are designated MU Mixed Use and to the West is the dead-end side of a canal. The character of the subject property and surrounding area is canal waterfront, Highway Commercial and Residential; Mobile Home and Single Family.

- North: RM Residential Medium and RH Residential High Designation
- East: MU Mixed Use Designation
- South: RM Residential Medium Designation
- West: Waterfront; dead-end side of a canal

(Attached to this Staff Report is an existing Zoning Map (Attachment B) and a FLUM Map (Attachment C) of the subject property)

Existing Zoning: R-1 Residential Single-Family District

Flood Zone:

Zone AE – the entire tract of land is located within the 100-year floodplain with a determined base flood elevation (BFE) of 8' NGVD29, pursuant to FEMA FIRM panel 12087C1006K, effective date 2/18/2005

Analysis for FLUM Amendment:

The proposed FLUM amendment, from Residential Medium (RM) to Mixed Use (MU), in conjunction with the companion application for a Zoning Map Amendment from an (R-1) Residential Single-Family District to Highway Commercial (HC) District, would allow for the development of office space and an (indoor)self-service storage facility, pending the future approval of a separate minor conditional use and site plan application. With a separate site plan and minor conditional use approval, this will ensure that the subject property meets the standards of review of both the Comprehensive Plan and the Land Development Regulations (LDRs), including but not limited to: requirements for minimum open space; habitat preservation, concurrency management and level of service (LOS) standards for transportation, infrastructure, wastewater, stormwater and other public services; off-street parking and internal circulation; required setbacks; landscaping, dedicated conservation easements for existing habitat; on-site and off-site improvements and design amenities required to achieve land use compatibility for the surrounding land uses and zoning districts.

The applicant has requested the proposed FLUM amendment to amend the subject property's designation from RM Residential Medium to MU Mixed Use. Areas designated MU on the Future Land Use Map recognizes the prevalent and historical mixed-use pattern of development in the Village. The MU designation shall accommodate a mix of commercial and residential uses, which may be located in the same building, limited public and semi-public uses, recreational facilities, schools, marinas, tourist-oriented facilities, and supportive community facilities ancillary to the permitted uses, pursuant to the standards in the Comprehensive Plan and the Land Development Regulations [Ref. Comprehensive Plan Objective 1-2.4].

Impact and Policy Analysis:

The proposed FLUM amendment would alter the development potential of the subject property. The following table is a comparison of the maximum residential density and non-residential intensity [or floor area ratio (FAR)] between the existing RM FLUM and the proposed MU FLUM.

Existing FLUM Category	Maximum Residential Density	Maximum Non-Residential Intensity (FAR)
Residential Medium (RM)		
Single Family	1 unit per lot	-
Duplex or detached single family deed restricted affordable housing	2 units per lot	
Triplex for Affordable Housing or detached single-family deed restricted affordable housing	3 units per lot	
Fourplexes for Affordable Housing or	4 units per lot	

detached single-family deed restricted affordable housing		
Proposed FLUM Category	Maximum Residential Density	Maximum Non-Residential Intensity (FAR)
Mixed Use (MU) Residential		
Residential Density Allowance	6 units per acre	-
With TDRs	12 units per acre	-
Affordable Housing	15 units per acre	-
Mixed Use (MU) Nonresidential		
Outside Village Activity Centers	-	.25
Outside Village Activity Centers with TDRs	-	.35
Inside Village Activity Centers	-	.35
Working Waterfronts	-	.35

Maximum Residential Density: The proposed MU FLUM designation would allow market-rate residential density based on acreage (6 units per acre); and therefore, the minimal lot size to support one market-rate residential unit would be 7,260 square feet or 0.16 acre. The MU FLUM category allows affordable housing at an allocated density of 15 units per acre that requires a minimum of 2,904 square feet to support one unit. If approved, the proposed FLUM amendment would result in an increase of either six (6) market-rate residential dwelling units or up to fifteen (15) deed-restricted affordable residential dwelling units on the property.

Maximum Non-Residential Intensity (FAR): The existing RM FLUM designation does not allow for nonresidential development. The proposed MU FLUM category would allow nonresidential intensity of 0.25 FAR for areas outside of the Village Activity Centers, and up to 0.35 FAR for areas inside the Village Activity Centers, Working Waterfronts and through utilizing the transfer of development rights (TDRs).

The proposed FLUM amendment, in conjunction with the companion application for a Zoning Map Amendment, would increase the development potential of the vacant property, thereby allowing the property owners to develop the property as market-rate dwelling units, affordable dwelling units, nonresidential floor area or transient units through the transfer of development rights (TDR) procedure established in the Comprehensive Plan and the LDRs.

Impact on Public Facilities:

Wastewater: The Village has adopted level of service (LOS) standards for wastewater management systems as required by Federal and State regulations. Currently, any permitted or replacement on-site wastewater treatment facility with a design flow less than or equal to 100,000 gallons per day (GPD) within the Village must comply with the 10/10/10/1 Best Available Technology (BAT) standard, as well as require approval from the Monroe County Health Department and/or the Florida Department of Environmental Protection. Any development associated with the proposed FLUM amendment would be subject to this provision or would be mandated to hook up to a central sewer system when it is available. The proposed FLUM amendment is not projected to decrease the existing

wastewater LOS or the existing wastewater supply LOS below the adopted standard, as provided in Comprehensive Plan Policies 4-1.1.1 and 9-1.2.3.

Potable Water: The Village has adopted LOS standards for potable water. The LOS standard for the Village are 371.7 gallons per equivalent residential unit (ERU) per day. Based on water use data provided by FCAA and 2010 Census population data, the current amount of water consumed by an ERU in Monroe County is 219.42 gallons per day (GPD). Therefore, the actual demand is lower than the Village’s LOS standard for ERUs of 371.7 GPD. The following table compares the estimated potable water demand at the adopted LOS standard of the existing and proposed FLUM categories, based on maximum development potential.

Proposed FLUM Category	Maximum Residential Density	Maximum Non-Residential Intensity (FAR)
Mixed Use (MU)		
Residential Density (15 units per acre)	15 units x 371.7 gal/ERU/day = 5,567 GPD	N/A
Nonresidential (0.35 FAR)	N/A	0.35 Gal X 11,562 SF =4,047 GPD

Source: *Islamorada 10-Year Water Supply Facilities Work Plan.*

The proposed FLUM amendment is not projected to decrease the existing potable water LOS below the adopted standard, as provided in Comprehensive Plan Policies 4-1.1.3 and 9-1.2.3.

Solid Waste: The Village has adopted LOS standards for solid waste management. Pursuant to Comprehensive Plan Policies 4-1.1.4 and 9-1.2.3, minimum disposal quantity is 12.2 pounds per day per equivalent residential unit (ERU). The maximum development potential of up to 15 dwelling units and no nonresidential floor area that may result from the proposed FLUM amendment would generate up to an estimated 183 pounds of solid waste per day, based on the following table:

Proposed FLUM Category	Maximum Residential Density	Maximum Non-Residential Intensity (FAR)
Mixed Use (MU)		
Residential Density (15 units per acre)	12.2 lbs/day/ERU x 15 DU = 183 lbs of solid waste/day	N/A
Nonresidential (0.35 FAR)	N/A	N/A

The Village’s solid waste LOS also requires that sufficient capacity shall be available at a solid waste disposal site to accommodate all existing and approved development for a period of three years from the projected date of completion of the proposed development or use. Islamorada has no facilities within its jurisdiction for the disposal of solid waste. All solid waste generated from the Village is currently managed through a contract with Advanced Disposal and disposed of through existing authorized Monroe County and Miami-Dade County solid waste facilities. The 2012 Monroe

County Public Facilities Capacity Assessment Report indicates that there is sufficient capacity available at authorized disposal sites to accommodate all existing and approved development for at least the next twelve (12) months. The proposed FLUM amendment is not projected to decrease the existing solid waste LOS below the adopted standards, as provided in Comprehensive Plan Policies 4-1.1.3 and 9-1.2.3.

Stormwater: The Village has adopted LOS standards for stormwater management as currently mandated by State agencies, as defined in the Village’s adopted Stormwater Management Master Plan, and as implemented in the Village’s LDRs and Stormwater Design Criteria Technical Manual. Any development associated with the proposed FLUM amendment would be subject to these standards and is required to meet or exceed them as a condition of development approval. The proposed FLUM amendment is not projected to decrease the existing stormwater LOS below the adopted standard, as provided in Comprehensive Plan Policies 4-1.1.2 and 9-1.2.3.

Recreation and Open Space: The Village has adopted a minimum LOS standard for recreation and open space of 3.79 acres per 1,000 population, pursuant to Comprehensive Plan Policy 9-1.2.3. According to the Village’s most recent Public Facilities Capacity Assessment, there is an estimated functional population of 11,280 persons in 2012. Therefore, 42.75 acres of recreation and open space are required to meet the adopted LOS. The existing supply of recreation and open space area in the Village is 132.3 acres, which exceeds the adopted LOS standard and provides for 11.73 acres per 1,000 persons. Therefore, the proposed FLUM amendment is not projected to decrease the existing recreation and open space LOS below the adopted standards, as provided in Comprehensive Plan Policy 9-1.2.3.

Roadways: The Village has adopted minimum LOS standards for roadways, pursuant to Comprehensive Plan Policy 9-1.2.3. The Property is located adjacent to Overseas Highway which shall have sufficient available capacity to operate at or above LOS as measured by peak hours volumes at all intersections including but not limited to all intersections of U.S.1.

The proposed FLUM amendment would generate up to 98.85 average weekday trips based on the maximum development potential of up to fifteen (15) dwelling units (DUs), as shown in the following table:

Proposed FLUM Category	Maximum Residential Density	Maximum Non-Residential Intensity (FAR)
Mixed Use (MU)		
Residential Density (6 units per acre)	9.57 weekday trips x 6 DU = 57.42 average trips per day	N/A
Residential Density (15 units per acre)	6.59 weekday trips x 15 DUs = 98.85 average trips per day	N/A

The trip generation rate is based on the Institute of Transportation Engineers’ Trip Generation, 8th Edition, using the single-family detached housing (210) and low-rise apartment (221) land use classifications. Therefore, the proposed FLUM amendment is not projected to decrease the existing

roadway LOS for U.S. 1 below the adopted standard, as provided in Comprehensive Plan Policy 9-1.2.3.

Schools: The Comprehensive Plan does not establish a LOS standard for schools, but Monroe County and state law require that school classroom capacity be available to accommodate all school-age children generated by proposed development or use. According to the 2012 Monroe County Public Facilities Capacity Assessment Report, all schools have adequate capacity to serve the growth anticipated in 2012 at the County's adopted LOS standard. Enrollment figures for the 2012-2013 through 2014-2015 school years indicate that there is adequate capacity in the Monroe County school system. The overall 2012-13 utilization is 63.39% of the school system capacity with a projected growth utilization of 6% through 2016. Therefore, the proposed FLUM amendment is not projected to decrease the existing schools LOS below the County's adopted standard.

Compatibility with Comprehensive Plan Policies:

- Policy 1-2.4.1: Guide the Location of Commercial Uses and Revitalize Commercial Areas
- Policy 1-2.4.5: Standards Applicable to Non-Residential Uses in the MU Designation.
- Policy 1-2.1.14, Criteria for Future Land Use Map (FLUM) Amendments

Comprehensive Plan Objective 1-2.4, Recognize Mixed Use Development Patterns, states: "*Areas designated Mixed Use (MU) on the Future Land Use Map recognizes the prevalent and historical mixed use pattern of development in the Village. The MU category shall accommodate a mix of commercial and residential uses, which may be located in the same building, limited public and semi-public uses, recreational facilities, schools, marinas, tourist-oriented facilities, and supportive community facilities ancillary to the permitted uses, pursuant to the standards in the Comprehensive Plan and the Land Development Regulations.*"

The proposed map amendment would be consistent with the historical trend of a mixed-use development pattern within the Village. The properties along Overseas Highway contain mixed uses, including commercial, recreation and residential uses.

Comprehensive Plan Policy 1-2.4.1, Guide the Location of Commercial Uses and Revitalize Commercial Areas, states "Mixed Use (MU) is the only FLUM category in which commercial uses shall be permitted. The general pattern of commercial land uses in MU shall:

1. Prevent negative impacts on the fragile coastal ecosystem by directing commercial development away from environmentally sensitive lands and critical habitat;
2. Revitalize all existing commercial areas and further distinguish Village Activity Centers;
3. Restrict the scale and intensity of commercial development outside of the Village Activity Centers and other appropriate areas in the Village;
4. Promote safe and efficient vehicle, cyclist and pedestrian movement;
5. Prevent or minimize Village costs to provide infrastructure;
6. Avoid encroachment of incompatible commercial activity into established residential neighborhoods;

7. Enhance the unique character of the Village's commercial land uses through incentives for bufferyards and landscaping; and
8. Facilitate within the Village Activity Centers, the creation of aesthetically pleasing commercial spaces outdoors, as places for social leisure and interaction, while limiting light industrial uses, outdoor storage and sales as a primary use of land, and outdoor retail sales as an accessory use of land."

The proposed FLUM amendment would assist in guiding and revitalizing the commercial proposed uses.

Comprehensive Plan Policy 1-2.4.5, Standards Applicable to Non-Residential Uses in the MU Designation, states, "The Floor Area Ratio (FAR) for MU designated parcels outside of the Village Activity Centers shall not exceed 0.25, except that an FAR up to 0.35 may be allowed on designated receiver sites through the transfer of development rights and for Working Waterfronts parcels, as provided for in the Land Development Regulations. FAR within the Village Activity Centers and on Working Waterfronts parcels shall not exceed 0.35 FAR. The Land Development Regulations shall establish criteria governing the appropriate mass and scale of structures, trip generation, design and location of access and egress facilities, off-street parking and safe pedestrian facilities in MU. Design techniques such as landscaping, screening and buffering shall be applied to ensure land use compatibility within MU areas."

Any development associated with the proposed FLUM amendment would be required to comply with all applicable portions of the Land Development Regulations, including but not limited to landscaping, buffering and off-street parking. Therefore, the proposed amendment is consistent with Policy 1-2.4.5.

Comprehensive Plan Policy 1-2.1.14, Criteria for Future Land Use Map (FLUM) Amendments, states that Islamorada, Village of Islands, shall maintain specific criteria for amending the Future Land Use Map that are consistent with the general procedures delineated in Chapter 163.3177, 163.3184 and 163.3189, Florida Statutes and the principles for guiding development in areas of critical state concern. The Village Council shall make its determination on proposed FLUM amendments on legitimate public purpose based on one or more of the following factors; however, in no event shall an amendment be approved which would result in an adverse community change.

Future Land Use Map (FLUM) Amendment Criteria

Pursuant to the DEO State Coordinated Review Submittal Guidelines, in the case of FLUM Amendments, the following information must be provided:

Explanation of how the application satisfies the applicable criteria in the Land Development Regulations, Comprehensive Plan, and Principles for Guiding Development:

1. A description of the availability of and the demand on the follow public facilities: sanitary sewer, solid waste, drainage, potable water, traffic circulation, schools, and recreation, as appropriate; and,
2. Information regarding the compatibility of the proposed land use amendments with the

Comprehensive Plan future land use element objectives and policies, and those of other affected elements.

Applicant's Response:

The subject property is located on US-1 and is vacant, and as such the change will have the normal development impact on water, sewer, solid waste, drainage, as other development. If anything the impact may be less since there would be no impact on schools or recreation. The change to commercial matches the zoning and FLUM of the adjacent properties on east side of US-1 as well as the median strip across the street. Since the applicant will build to follow the Land Use Plan (LUP) and Land Development Regulations (LDRs) and goals and objectives will be met.

Compatibility with the Principles for Guiding Development:

The following shall be the principles with which any plan amendments must be consistent pursuant to the Florida Keys Area of Critical State Concern designation as set out in Chapter 380.0552(7), Florida Statutes.

Please note, the criterion is provided in italics while the Applicant and staff responses are provided immediately below.

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.*

Applicant Response:

The proposed FLUM amendment and the subsequent project will maintain and follow 380.0552(7) guidelines and code criteria.

Staff Response:

The proposed FLUM is consistent with Principle (a) of the Principles for Guiding Development as it is not anticipated to negatively impact local government capability for managing land use and development.

- (b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.*

Applicant Response:

The proposed FLUM amendment and the subsequent project will protect shoreline and resources and habitats, sea grass beds and other natural resources, wildlife and will not affect the area of critical State concern. There is no effect on sea grass beds, mangroves and coral communities.

Staff Response:

The proposed FLUM is consistent with Principle (b) of the Principles for Guiding Development.

Any development would be required to adhere to all applicable land development regulations including the implementation of stormwater regulations which aid in protecting marine resources by protecting near shore water quality.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

Applicant Response:

The proposed FLUM amendment and the subsequent project will not change the upland resources, tropical hammocks other than that permitted by the LDRs and LUP so there would be no changes to the natural resources.

Staff Response:

The proposed FLUM is consistent with Principle (c) of the Principles for Guiding Development. The shoreline of the subject property has been hardened with a 3 ft wide seawall with a disturbed scarified area undulating between 20' to 50' feet from the mean high water line (MHWL). All development proposed on the subject property is required to meet shoreline and environmental setback criteria, meet local Comprehensive Plan and Land Development Regulation requirements, and obtain appropriate permits from state and federal agencies as necessary.

(d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.

Applicant Response:

Matching the Zoning and FLUM of adjacent properties is sound economic development as the change will bring more jobs into the Village.

Staff Response:

The proposed FLUM is consistent with Principle (d) of the Principles for Guiding Development. Any potential development of the Property would support the maximum well-being of the Florida Keys citizens and the economic health of the area by directing development on property with a tropical hardwood hammock habitat covering the majority of the tract of land except along the dead-end side of the canal to northwest.

(e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.

Applicant Response:

The proposed FLUM amendment and the subsequent project will not impact the quality of water throughout the Keys.

Staff Response:

The proposed FLUM is consistent with Principle (e) of the Principles for Guiding Development. Any development would be required to adhere to all applicable land development regulations including the implementation of stormwater regulations which aid in protecting near shore water quality.

- (f) To enhance natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.*

Applicant Response:

The proposed FLUM amendment and the subsequent project will not affect the unique historic character of the Florida Keys.

Staff Response:

The proposed FLUM is consistent with Principle (f) of the Principles for Guiding Development. The proposed FLUM amendment, from RM Residential Medium to MU Mixed Use, in conjunction with the companion application for a Zoning Map Amendment from R-1 Residential Single-Family District to HC Highway Commercial District, would allow for the development of office space and a self-service storage facility (indoor), pending the future approval of a separate minor conditional use and site plan application. With a separate site plan and minor conditional use approval, this will ensure that the subject property meets the standards of review of the Comprehensive Plan and the Land Development Regulations (LDRs), including but not limited to: requirements for minimum open space; habitat preservation, concurrency management and level of service (LOS) standards for transportation, infrastructure, wastewater, stormwater and other public services; off-street parking and internal circulation; required setbacks; landscaping, dedicated conservation easements for existing habitat; on-site and off-site improvements and design amenities required to achieve land use compatibility for the surrounding land uses and zoning districts.

- (g) To protect the historical heritage of the Florida Keys.*

Applicant Response:

There are no known archeological or historical artifacts on the property.

Staff Response:

The proposed FLUM is consistent with Principle (g) of the Principles for Guiding Development as there are no known archaeological or historical artifacts on the Property.

- (h) To protect 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 and disposal facilities;
3. Solid waste 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.

Applicant Response:

The proposed FLUM amendment would not adversely impact the value, efficiency, cost effectiveness, and amortized life of existing and proposed major public investments.

Staff Response:

The proposed FLUM is consistent with Principle (h) of the Principles for Guiding Development. The proposed FLUM amendment would not adversely impact the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments.

- (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.*

Applicant Response:

The proposed amendment would not adversely impact the protection or improvement of water quality. Pursuant to the Village's Comprehensive Plan and Land Development Regulations, stormwater and wastewater management compliance is required as a condition of development approval.

Staff Response:

The proposed FLUM is consistent with Principle (i) of the Principles for Guiding Development. The proposed FLUM amendment would not adversely affect storm water management facilities, central sewage collection, treatment and disposal facilities, or 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 § 381.0065(4)(1) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.*

Applicant Response:

The proposed amendment would not adversely impact the protection or improvement of water quality.

Staff Response:

The proposed FLUM is consistent with Principle (j) of the Principles for Guiding Development. Any proposed development as a result of the proposed FLUM amendment would be required

to be consistent with the requirements of § 381.0065(4)(1) and 403.086(10), Florida Statutes, and the Village's Comprehensive Plan and Wastewater Master Plan.

(k) To limit the adverse impacts of public investments on the environmental resources of the Florida Keys.

Applicant Response:

The proposed amendment would not adversely impact the public investments on the environmental resources of the Florida Keys.

Staff Response:

The proposed FLUM is consistent with Principle (k) of the Principles for Guiding Development. The proposed FLUM amendment is not anticipated to create adverse impacts on the environmental resources of the Florida Keys.

(l) To make available adequate affordable housing for all sectors of the population of the Florida Keys.

Applicant Response:

The proposed FLUM amendment and rezoning would not affect affordable housing within the Florida Keys.

Staff Response:

The proposed FLUM is consistent with Principle (l) of the Principles for Guiding Development. The proposed FLUM amendment is not anticipated to negatively impact affordable housing.

(m) To provide 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.

Applicant Response:

The proposed amendment would not affect the provisions of 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.

Staff Response:

The proposed FLUM is consistent with Principle (m) of the Principles for Guiding Development. The proposed FLUM amendment would not affect the provision of 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. Furthermore, all structures built within the Village must meet the requirements of the Village's Code of Ordinances and the Florida Building Code.

(n) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

Applicant Response:

The proposed amendment would be consistent with this principle.

Staff Response:

The proposed FLUM is consistent with Principle (n) of the Principles for Guiding Development. The proposed FLUM amendment would not negatively affect the health, safety, or welfare of the citizens of the Florida Keys.

Public Comments:

As of the date of this staff report, staff has received over a dozen calls and emails associated with the map amendment application PLMA20190182 (Overseas Center, LLC) associated with Tract F, regarding the proposed future use of office space and (indoor) self-service storage facility, subject to the approval of a separate minor conditional use and site plan application. The questions and concerns were related to the applicant, Overseas Center, LLC, changing the proposed use, the adjacent residences to the West, any development proposed on the canal, the existing habitat and the impacts that the proposed commercial use would have on the adjacent properties.

Procedures for Amendments to Future Land Use Map (FLUM) Amendment:

The Village Council shall make its determination on the proposed FLUM amendments on legitimate public purpose based on one or more of the following factors:

1. **Demand for the proposed FLUM in the Village in relation to the amount of land currently assigned the FLUM designation and available to accommodate that demand.**

Pursuant to the Village's GIS data and records, there are an estimated 650 parcels that are designated within the MU Mixed Use FLUM designation, which represents an estimated nine (9%) percent of the 7,108 total parcels within Islamorada, Village of Islands.

2. **Compatibility of the site's physical, geological, hydrological and other environmental features, with the uses permitted in the proposed FLUM designation.**

The 0.77 acre tract has remained vacant to present day, with a tropical hardwood hammock habitat covering the majority of the tract of land except along the dead-end side of the canal to northwest, where the shoreline has been hardened with a 3' ft wide seawall with a disturbed scarified area undulating between 20' to 50' feet from the mean high water line (MHWL). With the submittal of a Vegetation Survey and Habitat Analysis from the applicant, staff will be able to ascertain the approximate ratio of disturbed area and tropical hardwood hammock habitat, indicating the amount of habitat preservation that is required to have a conservation easement and developable square footage, and determining that the proposed FLUM map amendment is compatible with the subject property's geological, hydrological, and environmental features in relation to the proposed uses of office space and self-service storage facility (indoor). Attached to this Staff Report is an existing Habitat Map (Attachment D) of the subject property.

3. **Data errors, including errors in mapping, vegetative types and natural features described in the comprehensive plan.**

There is no evidence that there are any errors in Villages GIS data, records and other resources.

4. **New Issues.**

The proposed uses for office space and (indoor) self-service storage facility will require adequate vegetative buffering and structural screening for the abutting R-1 Residential Single-Family District and RMH Residential Mobile Home District properties. As previously indicated, with the submittal of a Vegetation Survey and Habitat Analysis from the applicant, staff will be able to ascertain the approximate ratio of disturbed area and tropical hardwood hammock habitat, thereby indicating the amount of habitat preservation that is required to have a conservation easement and developable square footage for the proposed uses.

5. **Recognition of a need for additional detail or comprehensiveness.**

As previously indicated, with the submittal of a Vegetation Survey and Habitat Analysis from the applicant, staff will be able to ascertain the approximate ratio of disturbed area and tropical hardwood hammock habitat, thereby indicating the amount of habitat preservation that is required to have a conservation easement and developable square footage for the proposed uses.

Previous Action:

At the December 9, 2019 Local Planning Agency (LPA) Meeting, the LPA recommended approval of the request to the Village Council with a vote 3-0 to pass the motion. At the August 20, 2020 Village Council Meeting the Village Council voted 5-0 and unanimously passed the motion to approve the First Reading of both the FLUM and Zoning Map Amendment to include the proffered conditions of a Declaration of Restrictive Covenants (Attachment I). The Florida Department of Economic Opportunity (DEO) sent a Response Letter to the Village on October 2, 2020 pertaining to its review of the proposed Map Amendment indicating that it did not identify any objections or comments to the proposed amendment. (Attachment H)

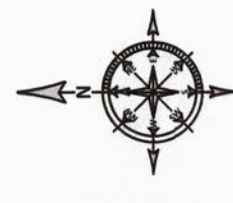
Staff Recommendation:

For second reading of the proposed Ordinance, Staff recommends **approval** of the request for a for a Future Land Use Map (FLUM) Map Amendment, from Residential Medium (RM) to Mixed Use (MU) on the Subject Parcel located on Plantation Key, Tract F of Amended and Extended Plat of Vacation Village (Parcel # 00418050-000000), pending the approval of the companion application for a Zoning Map Amendment from Residential Single-Family District(R-1) to Highway Commercial (HC) District.

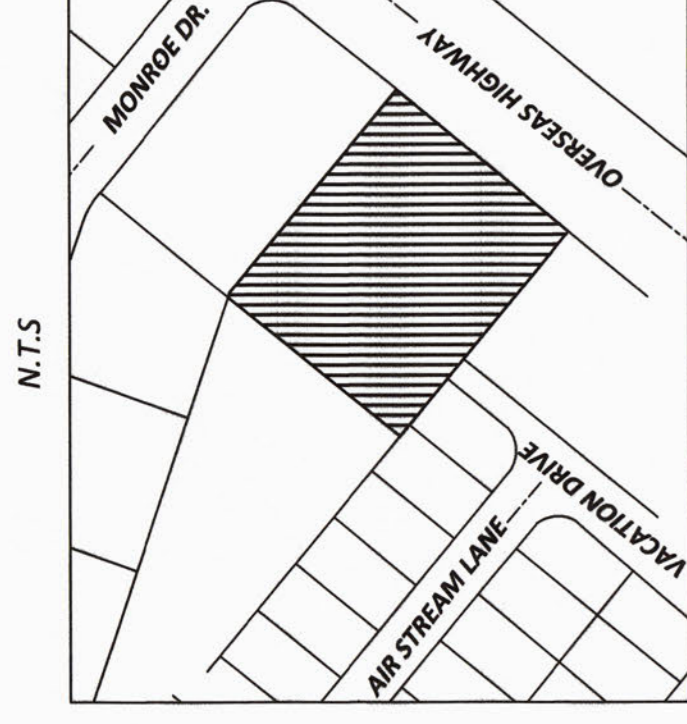
Attachments:

- Boundary Survey, dated July 3, 2019 composed by Global One Survey (Attachment A)
- Zoning Map(Existing) of Subject Property (Attachment B)
- FLUM Map (Existing) of Subject Property (Attachment C)
- Habitat Map (Existing) of subject property (Attachment D)
- Proposed Zoning Amendment Ordinance (Attachment E)
- Proposed FLUM Amendment Ordinance (Attachment F)
- Proffer Letter from Overseas Center, LLC (Attachment G)
- Florida Department of Economic Opportunity Response Letter 10/2/2020 (Attachment H)
- Declaration of Restrictive Covenants 2/23/2021 (Attachment I)
- Rough Conceptual Site Plan Sketch 2/26/2021 (Attachment J)
- Habitat Analysis H.E.I 3/10/2021 (Attachment K)

BOUNDARY SURVEY



LOCATION MAP



LEGAL DESCRIPTION:
Tract F of Amended and Extended Plat of VACATION VILLAGE, according to the Plat thereof, as recorded in Plat Book 5 at Page 69 of the Public Records of Monroe County, Florida

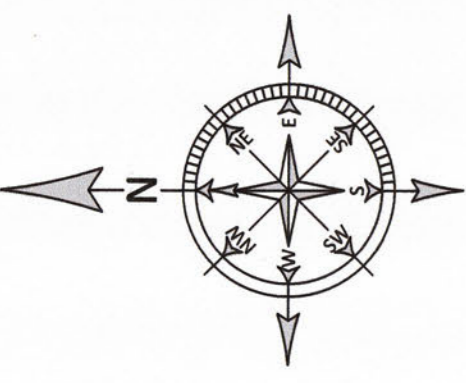
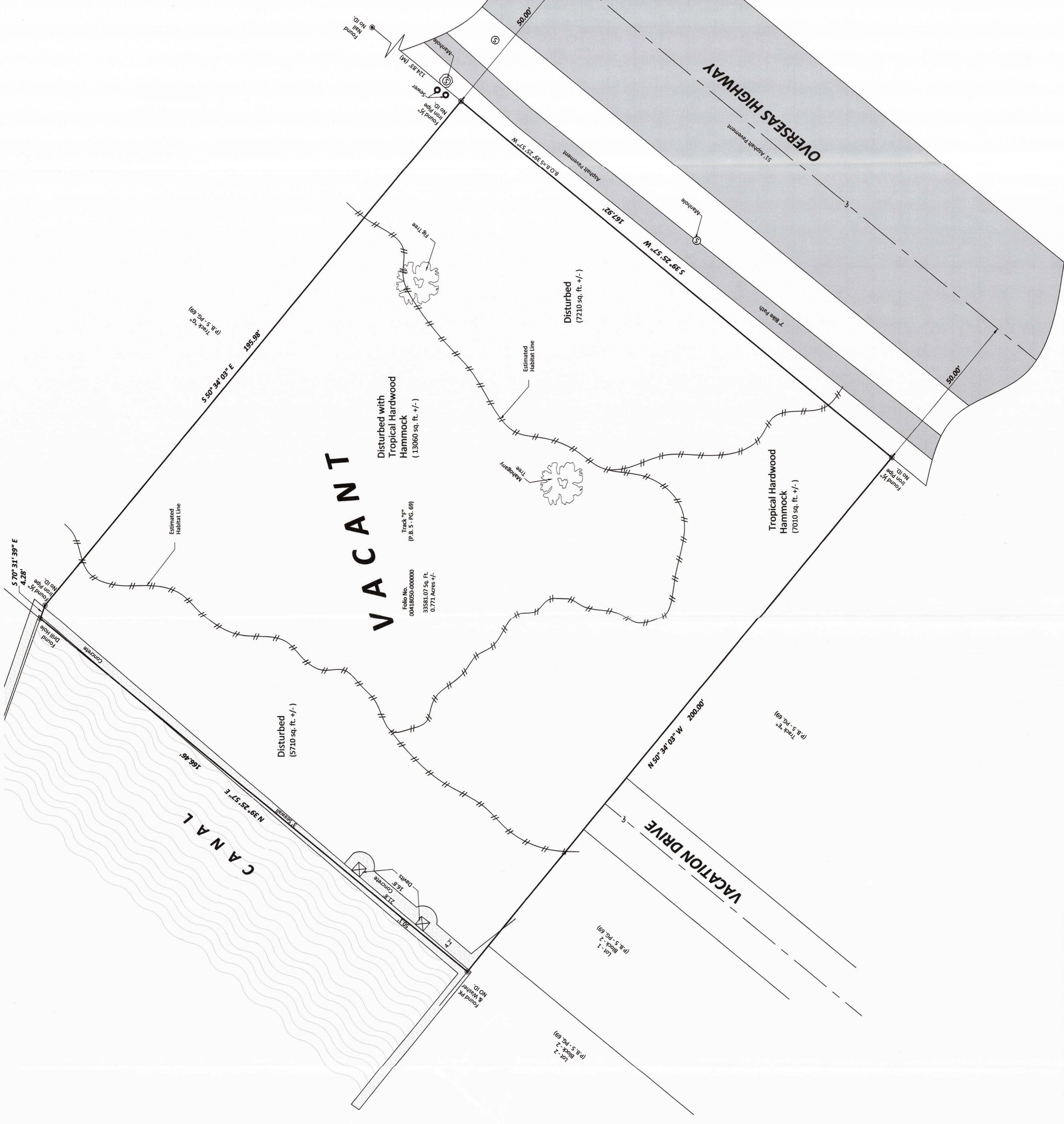
CERTIFIED TO:

• BYRD IOAN S LIV TRUST 7/15/94

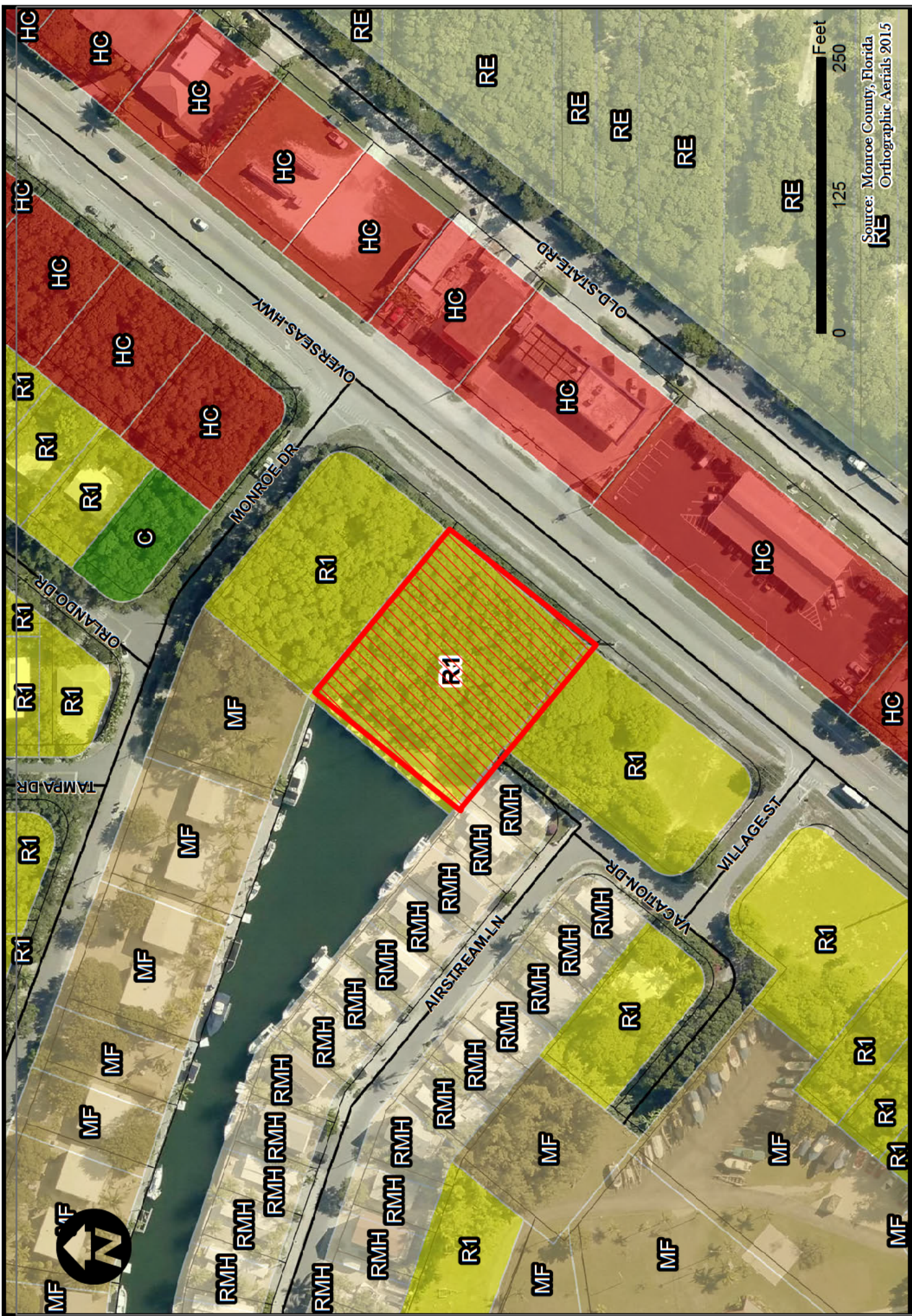
SURVEYOR'S NOTES:

1. The above captioned property was surveyed and described based on the above legal description furnished by client.
2. This certification is only for the lands as described, it is not a certification of REVIEWED. The title, easements, or Freedom of Encumbrances, ABSTRACT NOT REVIEWED.
3. There may be additional restrictions not shown on this survey that may be applicable to the property. Public Records of this County, Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
4. Ownership subject to OPINION OF TITLE.
5. Type of Survey: BOUNDARY SURVEY.
6. Location and identification of utilities on or adjacent to the property were not secured as such information was not requested.
7. Unless otherwise noted, this Firm has not attempted to locate Footings and/or Foundations (underground).
8. This BOUNDARY SURVEY, has been prepared for the exclusive use of the entities named hereon. The Certificate does not extend to any unnamed party.
9. Precision of Closure 1:10000 Commercial/High Risk Class Survey.
10. Bearings shown are assumed and are based on the North Right of Way Line of OVERSEAS HIGHWAY, Being S 39° 25' 57" W.
11. Record and Measurement calls are in substantial agreement, unless noted otherwise.
12. Habitat Line shown hereon are based on field locations laid out by others, has included as requested by Owner.

Scale: 1" = 15'



LEGEND AND ABBREVIATIONS: P.S. = PLAN BOOK N.T.S. = NOT TO SCALE P.L. = PLAT BOOK B.O.A. = BASIS OF BEARING PG. = PAGE ID. = IDENTIFICATION (M) = MEASURED NO. = NUMBER	BENCHMARK INFORMATION: THIS NOT A VALID CERTIFICATION WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND RAISED EMBOSSED SEAL PRESENT.	STATE OF FLORIDA FOR THE FIRM MARIO PARRIS III P.S.M. No. 6686 L.S. No. 7986	GIORDI One Survey MARIO PARRIS III P.S.M. No. 6686 L.S. No. 7986 PHONE: (786) 468-8088 FAX: (305) 382-4334	LAND SURVEYORS - LAND PLANNERS MARIO PARRIS III 7725 S.W. 129th COURT MIAMI, FLORIDA 33183	BASE FLOOD ELEVATION 8 SUFFIX K MAP REVISED 02-18-2005 FLOOD ZONE AE COMMUNITY MAP 12087C PANEL NUMBER 1006	ISLAMORADA VILLAGE OF 120424 COMMUNITY MAP 12087C PANEL NUMBER 1006 MAP REVISED 02-18-2005 SUFFIX K	ADDRESS: VACANT LOT ON OVERSEAS HIGHWAY, TAVERNIER, FL 33070. SCALE: 1" = 15' DRAWN BY: M. Gonzalez CHECKED BY: MARIO PARRIS III ELEVATIONS NOTE: IF REQUESTED AND SHOWN, 1. 0.00' indicates existing elevations. 2. Elevations are referred to the National Geodetic Vertical Datum of 1929.	SHEET: OF 1 SHEET(S) DATE: PROJECT No.: 07-30-2019 190269
		REVISIONS: PROJECT No.: DATE: REVISIONS:		PROJECT No.: DATE:		REVISIONS: PROJECT No.: DATE: REVISIONS:		2ND BENCHMARK INFORMATION:



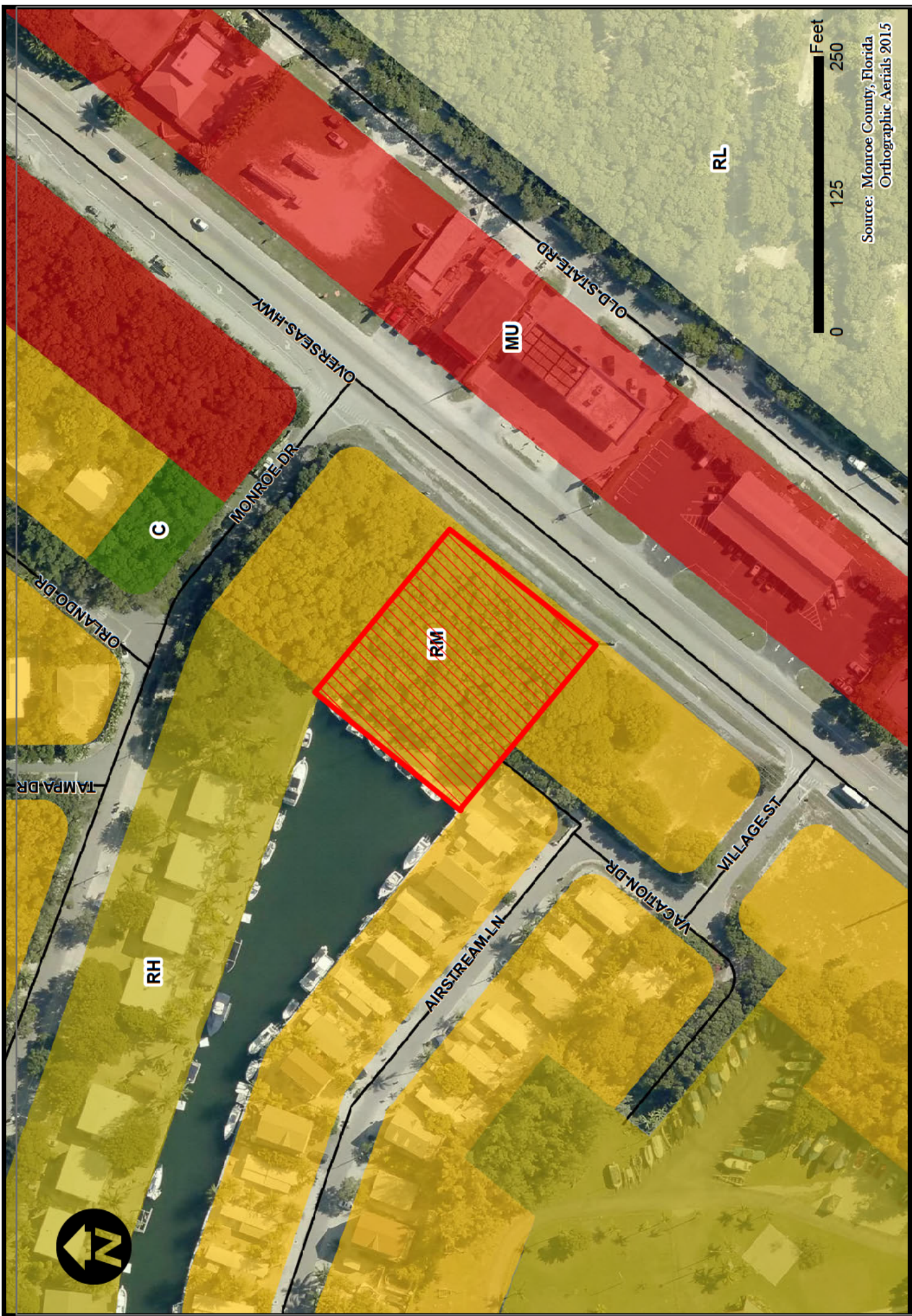
Map
1.0

Existing Zoning Map
PLMA20190182

Islamorada, Village of Islands

86800 Overseas Highway
Islamorada, FL
Office: 305.664.6424
Fax: 305.664.6467
Created by C. Southern, CFM





Map
2.0

Existing FLUM Map
PLMA20190182

Islamorada, Village of Islands

86800 Overseas Highway
Islamorada, FL
Office: 305.664.6424
Fax: 305.664.6467
Created by C. Southern, CFM





Source: Monroe County, Florida
Orthographic Aerials 2015

Map
3.0

Existing Habitat Map
PLMA20190182

Islamorada, Village of Islands

86800 Overseas Highway
Islamorada, FL
Office: 305.664.6424
Fax: 305.664.6467
Created by C. Southern, CFM



Village Habitats

- Hammock
- Dist w Hammock
- Dist w NonNative
- Disturbed

After recording return to:
Planning and Development Services Dept.
Islamorada, Village of Islands
86800 Overseas Hwy
Islamorada FL 33036

ORDINANCE NO.

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF PDB ENTERPRISES, INC. AND OVERSEAS CENTER LLC., TO AMEND THE VILLAGE’S ZONING MAP FROM RESIDENTIAL SINGLE-FAMILY DISTRICT (R-1) TO HIGHWAY COMMERCIAL DISTRICT (HC) FOR PROPERTY WITH REAL ESTATE NUMBER 00418050-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY.

WHEREAS, the Official Zoning Map of Islamorada, Village of Islands (the “Village”) became effective April 30, 2002; and

WHEREAS, the property owner Overseas Center, LLC., has requested an Official Zoning Map amendment from the Residential Single-Family District (R-1) Zoning District to the Highway Commercial (HC) Zoning District for a parcel consisting of approximately 0.77 acres of upland according to the Monroe County Property Appraiser, as legally described below; and

WHEREAS, pursuant to Section 166.041, Florida Statutes and Sections 30-101 and 30-213 of the Village Code of Ordinances (the “Code”), the Village Local Planning Agency publicly considered the Zoning Map Amendment during a duly noticed public hearing on December 9, 2019; and

WHEREAS, in accordance with Section 166.041, Florida Statutes, and Section 30-213 of the Village Code, notice of the public hearings has been given for the proposed adoption of this Ordinance; and

WHEREAS, the Village Council of Islamorada, Village of Islands (the “Village Council”) finds that the adoption of the Official Zoning Map Amendment is in the best interest of the Village and does comply with all applicable laws, as well as promotes the general health, safety, and welfare of the Village residents; and

WHEREAS, the Village Council has determined that the proposed Zoning Map Amendment is consistent with the Village Comprehensive Plan; and

WHEREAS, the Village Council desires to adopt the proposed Zoning Map Amendment in accordance with State law.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Approval/Denial of Zoning Map Amendment. The Official Zoning Map Amendment is hereby [**approved / denied**] as part of the Official Zoning Map of the Village. A copy of the Official Zoning Map Amendment is attached as Exhibit “A” and incorporated herein by this reference, for the following described property:

Tract F of Amended and Extended Plat of VACATION VILLAGE, according to the Plat thereof, as recorded in Plat Book 5 at Page 69 of the Public Records of Monroe County, Florida.

Section 3. Transmittal. The Village Clerk is hereby authorized to forward a copy of this Ordinance to the State Department of Economic Opportunity (the “DEO”) for approval in accordance with Section 380.05(6), Florida Statutes.

Section 4. Effective Date. This Ordinance shall not become effective until approved pursuant to Final Order by the Florida Department of Economic Opportunity (DEO) pursuant to Section 163.3184,

Florida Statutes or if the Final Order is challenged, until the challenge to the order is resolved pursuant to Chapter 380.05, Florida Statutes.

The foregoing Ordinance was offered by Councilwoman Deb Gillis, who moved its passage on first reading. This motion was seconded by Councilman Chris Sante, and upon being put to a vote, the vote was as follows:

Mayor Mike Forster	YES
Vice-Mayor Ken Davis	YES
Councilwoman Deb Gillis	YES
Councilman Jim Mooney	YES
Councilman Chris Sante	YES

PASSED on first reading this 20th day of August, 2020.

The foregoing Ordinance was offered by _____, who moved its passage and adoption on second reading. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Joseph B. Pinder III	_____
Vice-Mayor Pete Bacheler	_____
Councilman Mark Gregg	_____
Councilman Henry Rosenthal	_____
Councilman David Webb	_____

PASSED AND ADOPTED on second reading this ____ day of _____, 2021.

JOSEPH B. PINDER III, MAYOR

ATTEST:

KELLY S. TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY FOR THE
USE AND BENEFIT OF ISLAMORADA, VILLAGE OF
ISLANDS ONLY

ROGET V. BRYAN, VILLAGE ATTORNEY

After recording return to:
Planning and Development Services Dept.
Islamorada, Village of Islands
86800 Overseas Hwy
Islamorada FL 33036

ORDINANCE NO.

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF PDB ENTERPRISES, INC. AND OVERSEAS CENTER LLC., TO AMEND THE VILLAGE’S FUTURE LAND USE MAP FROM RESIDENTIAL MEDIUM (RM) TO MIXED USE (MU) FOR PROPERTY WITH REAL ESTATE NUMBER 00418050-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY.

WHEREAS, the Official Future Land Use Map of Islamorada, Village of Islands (the “Village”) became effective April 30, 2002; and

WHEREAS, the property owner Overseas Center, LLC., has requested an Official Future Land Use Map amendment from Residential Medium (RM) to Mixed Use (MU) for a parcel consisting of approximately 0.77 acres of upland according to the Monroe County Property Appraiser, as legally described below; and

WHEREAS, pursuant to Section 166.041, Florida Statutes and Sections 30-101 and 30-213 of the Village Code, the Village Local Planning Agency publicly considered the Future Land Use Map Amendment during a duly noticed public hearing held on December 9, 2019; and

WHEREAS, in accordance with Section 166.041, Florida Statutes, and Section 30-213 of the Village Code of Ordinances (the “Code”), notice of the public hearings has been given for the proposed adoption of this Ordinance; and

WHEREAS, the Village Council of Islamorada, Village of Islands (the “Village Council”) finds that the adoption of the Official Future Land Use Map Amendment is in the best interest of the

Village and does comply with all applicable laws, as well as promotes the general health, safety, and welfare of the Village residents; and

WHEREAS, the Village Council has determined that the proposed Future Land Use Map Amendment is consistent with the Village Comprehensive Plan; and

WHEREAS, the Village Council desires to adopt the proposed Future Land Use Map Amendment in accordance with State law.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Approval/Denial of Future Land Use Map Amendment. The Official Future Land Use Map Amendment is hereby [**approved / denied**] as part of the Official Future Land Use Map of the Village. A copy of the Official Future Land Use Map Amendment is attached as Exhibit “A” and incorporated herein by this reference, for the following described property:

Tract F of Amended and Extended Plat of VACATION VILLAGE, according to the Plat thereof, as recorded in Plat Book 5 at Page 69 of the Public Records of Monroe County, Florida.

Section 3. Transmittal. The Village Clerk is hereby authorized to forward a copy of this Ordinance to the State Department of Economic Opportunity (the “DEO”) for approval in accordance with Section 380.05(6), Florida Statutes.

Section 4. Effective Date. This Ordinance shall not become effective until approved pursuant to Final Order by the Florida Department of Economic Opportunity (DEO) pursuant to Section 163.3184, Florida Statutes or if the Final Order is challenged, until the challenge to the order is resolved pursuant to Chapter 380.05, Florida Statutes.

The foregoing Ordinance was offered by Councilman Chris Sante, who moved its passage on first reading. This motion was seconded by Councilwoman Deb Gillis, and upon being put to a vote, the vote was as follows:

Mayor Mike Forster	YES
Vice-Mayor Ken Davis	YES
Councilwoman Deb Gillis	YES
Councilman Jim Mooney	YES
Councilman Chris Sante	YES

PASSED on first reading this 20th day of August, 2020.

The foregoing Ordinance was offered by _____, who moved its passage and adoption on second reading. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Joseph B. Pinder III	_____
Vice-Mayor Pete Bacheler	_____
Councilman Mark Gregg	_____
Councilman Henry Rosenthal	_____
Councilman David Webb	_____

PASSED AND ADOPTED on second reading this ___ day of _____, 2021.

JOSEPH B. PINDER III, MAYOR

ATTEST:

KELLY S. TOTH, VILLAGE CLERK

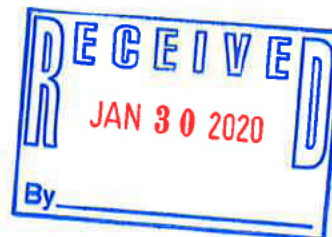
APPROVED AS TO FORM AND LEGALITY FOR THE
USE AND BENEFIT OF ISLAMORADA, VILLAGE OF
ISLANDS ONLY

ROGET V. BRYAN, VILLAGE ATTORNEY

PDB Enterprises, Inc.
89240 Overseas Hwy., Suite #12
Tavernier, FL 33070

1/30/2020

Islamorada Village of Islands
Planning Department
Ty Harris, Director of Planning
86800 Overseas Hwy.
Islamorada, FL 33036



Subject: Property parcel number Account# 1514217 rezoning from residential to Highway Commercial MM 87.5 bay side

Dear Ty,

The owner of the subject property through my company as agent making the rezoning request from residential to highway commercial proffers the following:

- 1. no wave runner rentals shall be permitted from the subject property and
- 2. multiple residential dwelling unit density permissible on the subject property shall be reduced to one.

Thank you.

Pete Bacheler, President
305-522-4863

Ernesto Machado, President
Overseas Center LLC

CC: Roget Bryant, Esq.

STATE OF FLORIDA
COUNTY OF MONROE

Sworn to and subscribed before me this 30th day of January, 2020.



Ron DeSantis
GOVERNOR



Dane Eagle
EXECUTIVE DIRECTOR

October 2, 2020

The Honorable Mike Forster
Mayor, Village of Islamorada
86800 Overseas Highway
Islamorada, Florida 33036

Dear Mayor Forster:

The Department of Economic Opportunity (“Department”) has completed its review of the proposed comprehensive plan amendment for the Village of Islamorada (Amendment No. 20-03ACSC), which was received and determined complete on August 28, 2020. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S. The Department does not identify any objections or comments to the proposed amendment and this letter serves as the Objections, Recommendations and Comments Report. Review comments received by the Department from the appropriate reviewing agencies, if any, are enclosed.

The Village should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment. **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of the Department’s attached report, or the amendment will be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(4)(e)1., F.S.

If you have any questions related to this review, please contact Jennie Leigh Copps, Planning Analyst, by telephone at (850) 717-8534 or by email at jennie.copps@deo.myflorida.com.

Sincerely,

James D. Stansbury, Chief

Bureau of Community Planning and Growth

JDS/jlc

Enclosure: Procedures for Adoption
Agency Comments

cc: Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council
Ty Harris, Planning Director Village of Islamorada

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format;

_____ In the case of future land use map amendment, an adopted future land use map, in **color format**, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity to the ORC report from the Department of Economic Opportunity.

Ron DeSantis
GOVERNOR



Dane Eagle
EXECUTIVE DIRECTOR

October 2, 2020

The Honorable Mike Forster
Mayor, Village of Islamorada
86800 Overseas Highway
Islamorada, Florida 33036

Dear Mayor Forster:

The Department of Economic Opportunity ("Department") has completed its review of the proposed comprehensive plan amendment for the Village of Islamorada (Amendment No. 20-03ACSC), which was received and determined complete on August 28, 2020. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S. The Department does not identify any objections or comments to the proposed amendment and this letter serves as the Objections, Recommendations and Comments Report. Review comments received by the Department from the appropriate reviewing agencies, if any, are enclosed.

The Village should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment. **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of the Department's attached report, or the amendment will be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(4)(e)1., F.S.

If you have any questions related to this review, please contact Jennie Leigh Copps, Planning Analyst, by telephone at (850) 717-8534 or by email at jennie.copps@deo.myflorida.com.

Sincerely,

James D. Stansbury, Chief

Bureau of Community Planning and Growth

JDS/jlc

Enclosure: Procedures for Adoption
Agency Comments

cc: Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council
Ty Harris, Planning Director Village of Islamorada

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

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"The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity to the ORC report from the Department of Economic Opportunity.

From: [Kathe Lerch](#)
To: bartusj@ci.marathon.fl.us; garretto@ci.marathon.fl.us; Mike.Forster@islamorada.fl.us; planningdirector@islamorada.fl.us; seth.lawless@islamorada.fl.us; hsiegel@ksfla.com; Cioffari-Cheryl@MonroeCounty-FL.Gov; boccds3@monroecounty-fl.gov; Schemper-Emily@monroecounty-fl.gov; jcorradino@pinecrest-fl.gov; solmsted@pinecrest-fl.gov; kcunningham@palmettobay-fl.gov; esilva@palmettobay-fl.gov; malvarez@palmettobay-fl.gov; Mpineda@palmettobay-fl.gov; slosner@cityofhomestead.com; JMCorradino@CORRADINO.com; mayorchernandez@hialeahfl.gov; dstorch@hialeahfl.gov; imartinez@hialeahfl.gov; adavid@cgasolutions.com; Gimenez_Carlos_A.;josterholt@miamidade.gov; rowega@miamidade.gov; Jerry.Bell@miamidade.gov; jflippen@wiltonmanors.com; RMoore@wiltonmanors.com; mryan@sunrisefl.gov; mgoldstein@sunrisefl.gov; jkoeth@sunrisefl.gov; communitydevdirector@sunrisefl.gov; jeffrevynelson@gmail.com; cityclerk@searanchlakesflorida.gov; rex.hardin@copbfl.com; David.Recon@copbfl.com; jean.dolan@copbfl.com; chunschofsky@cityofparkland.org; nmorando@cityofparkland.org; mmellgren@cityofparkland.org; truzzano@margatefl.com; rmassarelli@margatefl.com; apinney@margatefl.com; Trantalis_Dean;EParker@fortlauderdale.gov; AFajardo@fortlauderdale.gov; LTappen@fortlauderdale.gov; web.commission@Deerfield-Beach.com; FPower@deerfield-beach.com; ngiordano@deerfield-beach.com; sbrook@coralsprings.org; shess@coralsprings.org; csuneson@coralsprings.org; dholness@broward.org; dvonstetina@broward.org; JSESODIA@broward.org; bblakeboy@broward.org
Cc: tmanning@sfwmd.gov; Lois.bush@dot.state.fl.us; FWCCConservationPlanningServices@myfwc.com; gerry.oreilly@dot.state.fl.us; compplans@freshfromflorida.com; DCPexternalagencycomments@deo.myflorida.com; Casey, Kylene; Mark.Weigly@fldoe.org; Corvin_Kelly_D;Robin.Jackson@dos.myflorida.com
Subject: [EXTERNAL] - SFRPC Virtual Council Meeting Sept 21, 2020. 3 of 3 Agenda Item IV.C: Parkland: 19-01, 20-01, 20-02ESR; Sea Ranch Lakes 20-01ER; Sunrise 20-01, 20-02ESR; Wilton Manors 19-02ESR; Miami Dade Co 20-01ESR, 20-02ER
Date: Tuesday, September 15, 2020 5:30:31 PM
Attachments: [image001.png](#)
[09-21-2020 AGENDA- DRAFT REV.pdf](#)
[AgendaSept20 IV.C LGCP updated by ICC.pdf](#)



The staff report and upcoming meeting agenda for Monday, September 21, 2020, of the South Florida Regional Planning Council is attached. Should you have any questions, contact Isabel Cosio Carballo, Executive Director, at (954) 924-3653 or isabelc@sfrpc.com.

The South Florida Regional Planning Council Meeting

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SFRPC Council Meeting - September 21, 2020
Mon, Sep 21, 2020 10:30 AM - 1:00 PM (EDT)

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Broward County Commission SFRPC Agenda IV.C, #20-04ESR;

Mayor _____ CC _____

Dale V. C. Holness Deanne D. Von Stetina/Jo Sesodia/Barbara Blake Boy/
dholness@broward.org; dvonstetina@broward.org; JSODIA@broward.org;
bblakeboy@broward.org;

City of Coral Springs SFRPC Agenda IV.C #20-01ESR;

Mayor _____ CC _____

Scott Brook Susan Hess / Christopher Suneson
sbrook@coralsprings.org; shess@coralsprings.org; csuneson@coralsprings.org;

City of Deerfield Beach SFRPC Agenda IV.C, #20-01ESR;

Mayor _____ CC _____

Bill Ganz Eric Power/ Nicol Giordano
web.commission@Deerfield-Beach.com; EPower@deerfield-beach.com;
ngiordano@deerfield-beach.com;

City of Fort Lauderdale SFRPC Agenda IV.C, #20-01ESR;

Mayor _____ CC _____

Dean J. Trantalis Ella Parker/Anthony Fajardo/ Lorraine Tappen/
DTrantalis@fortlauderdale.gov; EParker@fortlauderdale.gov;
AFajardo@fortlauderdale.gov;
LTappen@fortlauderdale.gov;

City of Margate SFRPC Agenda IV.C, #20-01ESR;

Mayor _____ CC _____

Tommy Ruzzano Robert Massarelli /Andrew Pinney
truzzano@margatefl.com; rmassarelli@margatefl.com; apinney@margatefl.com;

City of Oakland Park SFRPC Agenda IV.C, #20-01ESR;

Mayor _____ CC _____

Matthew Sparks Jennifer Frastai/Peter Schwarz/Richard Buckeye / Alexander
Dambach
MatthewS@oaklandparkfl.gov; alexander.dambach@oaklandparkfl.gov;
peter.schwarz@oaklandparkfl.gov;
rickb@oaklandparkfl.gov; jenniferf@oaklandparkfl.gov;

City of Parkland SFRPC Agenda IV.C, #19-01ESR, 20-01ESR, 20-02ESR;

Mayor _____ CC _____

Christine Hunschofsky Michele Mellgren/ Nancy Morando
chunschofsky@cityofparkland.org; nmorando@cityofparkland.org;
mmellgren@cityofparkland.org;

Village of Sea Ranch Lakes SFRPC Agenda IV.C, #20-01ER;

Mayor

CC

Jeffrey Nelson

jeffreynelson@gmail.com;

Starr Paton

cityclerk@searanchlakesflorida.gov;

City of Sunrise SFRPC Agenda IV.C, #20-01ESR, 20-02ESR;

Mayor

CC

Michael J. Ryan

mryan@sunrisefl.gov;

Shannon Ley, P.E. / Matthue Goldstein / Jim Koeth/

mgoldstein@sunrisefl.gov; jkoeth@sunrisefl.gov;
communitydevdirector@sunrisefl.gov;

City of Wilton Manors SFRPC Agenda IV.C, #19-02ESR;

Mayor

CC

Justin S. Flippen

jflippen@wiltonmanors.com;

Roberta Moore, Director

RMoore@wiltonmanors.com;

Miami-Dade County Commission SFRPC Agenda IV.C, #20-01ESR, 20-02ER;

Mayor

CC

Carlos A. Gimenez

mayor@miamidade.gov;

Garett Rowe, Jerry Bell, B. Jack Osterholt

josterholt@miamidade.gov; rowega@miamidade.gov;
Jerry.Bell@miamidade.gov;

City of Hialeah SFRPC Agenda IV.C, #20-01 ESR;

Mayor

CC

Carlos Hernandez

mayorchernandez@hialeahfl.gov;

Deborah Storch/Jonathan Martinez/ Alex David /

dstorch@hialeahfl.gov; jmartinez@hialeahfl.gov;
adavid@cgasolutions.com;

City of Homestead SFRPC Agenda IV.C, #20-01ESR;

Mayor

CC

Steven D. Losner

slosner@cityofhomestead.com;

Joe Corradino

JMCorradino@CORRADINO.com;

Village of Palmetto Bay SFRPC Agenda IV.C. #20-01ESR;

Mayor

CC

Karyn Cunningham

Maria Pineda/Edward Silva/ Mark Alvarez

kcunningham@palmettobay-fl.gov;

esilva@palmettobay-fl.gov; malvarez@palmettobay-fl.gov;
Mpineda@palmettobay-fl.gov;

Village of Pinecrest SFRPC Agenda IV.C #20-1ESR;

Mayor _____	CC _____
<i>Joseph M. Corradino</i>	<i>Stephen R. Olmsted, AICP</i>
jcorradino@pinecrest-fl.gov ;	solmsted@pinecrest-fl.gov ;

Monroe County Commission SFRPC Agenda IV.C, #20-04ACSC;

Mayor _____	CC _____
<i>Heather Carruthers</i>	<i>Emily Schemper / Heidi Siegel / Cheryl Cioffari /</i>
	hsiegel@ksfla.com ; Cioffari-Cheryl@MonroeCounty-FL.Gov ;
boccdis3@monroecounty-fl.gov ;	Schemper-Emily@monroecounty-fl.gov ;

Islamorada, Village of Islands SFRPC Agenda IV.C, #20-02ACSC, 20-03ACSC;

Mayor _____	CC _____
<i>Mike Forster</i>	<i>Seth Lawless / Ty Harris /</i>
Mike.Forster@islamorada.fl.us ;	planningdirector@islamorada.fl.us ;
seth.lawless@islamorada.fl.us ;	

City of Marathon SFRPC Agenda IV.C #19-04ACSC, 20-02ACSC, 20-03ACSC;

Mayor _____	CC _____
<i>John Bartus</i>	<i>George Garrett</i>
bartusj@ci.marathon.fl.us ;	garrettg@ci.marathon.fl.us ;

Kathe Ann Lerch
Office Administrator
South Florida Regional Planning Council
One Oakwood Boulevard, Suite 250
Hollywood, Florida 33020
Phone: 954-924-3653
Fax: 954-924-3654

Kathe Ann Lerch
Office Administrator
South Florida Regional Planning Council

One Oakwood Boulevard, [Suite 250](#)
Hollywood, Florida 33020
Phone: 954-924-3653
Fax: 954-924-3654





DRAFT AGENDA

MONDAY, SEPTEMBER 21, 2020

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

Council Meeting will begin at 10:30 a.m.

VIRTUAL MEETING ONLY

SFRPC Council Meeting - September 21, 2020

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I. Pledge of Allegiance and Roll Call

II. Approval Council Agenda

III. Guest Presentation

Biscayne Bay Recovery Plan - Irela M. Bagué, Chair, Miami-Dade County Biscayne Bay Task Force; President and CEO of Bagué Group

IV. Action Items

A. Minutes of Previous Meeting

B. Financial Report

C. Consent: Comprehensive Plan Amendment Reviews

Proposed

- Broward County 20-04ESR
- Monroe County 20-04ACSC
- City of Coral Springs 20-01ESR
- City of Hialeah 20-01ESR
- City of Homestead 20-01ESR



- Islamorada, Village of Islands 20-02ACSC
- Islamorada, Village of Islands 20-03ACSC
- City of Marathon 20-02ACSC
- City of Marathon 20-03ACSC
- City of Margate 20-01ESR
- City of Oakland Park 20-01ESR
- City of Parkland 20-01ESR
- City of Parkland 20-02ESR
- Village of Pinecrest 20-01ESR
- Village of Sea Ranch Lakes 20-01ER
- City of Sunrise 20-02ESR

Adopted

- Miami-Dade County 20-01ESR
- Miami-Dade County 20-02ER
- City of Deerfield Beach 20-01ESR
- City of Fort Lauderdale 20-01ESR
- City of Marathon 19-04ACSC
- Village of Palmetto Bay 20-01ESR
- City of Parkland 19-01ESR
- City of Sunrise 20-01ESR
- City of Wilton Manors 19-02ESR

- D. Regional Issues: Comprehensive Plan Amendment Review
- City of Pompano Beach 20-02 ESR

Public Hearing

- E. Legal Counsel Annual Review
- F. Executive Director Annual Review
- G. FY 2019-20 Revised Operating Budget
- H. FY 2020-21 Operating Budget

Public Comments

V. Discussion Items

- A. Executive Director's Report
- B. Legal Counsel Report
- C. Councilmembers Report
- D. Ex-Officio Report

VI. Program Reports and Activities

- A. SFRPC Revolving Loan Funds Status Report
- B. SFRPC CARES Act RLF Status Report
- C. Development of Regional Impact Status Report-None
- D. Economic Development District
- E. Council Highlights

VII. Announcements and Attachments

- A. Attendance Form
- B. Correspondence and Articles
- C. Upcoming Meetings
 - 1) October 16, 2020, TBD - (Joint Meeting with TCRPC/SFRPC)
 - 2) November 23, 2020, 10:30 a.m. TBD - (SFRPC, Hollywood)
 - 3) December (No Meeting - Winter Recess)

VIII. Adjournment

Pursuant to Chapter 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting or hearing, he 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 based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the Agency at least 5 days before the hearing by contacting the South Florida Regional Planning Council at one of the following: (1) One Oakwood Boulevard, Suite 250, Hollywood, Florida 33020; (2) Phone 954-924-3653; (3) Fax 954-924-3654; or (4) sfadmin@sfrpc.com. If you are hearing or speech impaired, please contact the Agency using the Florida Relay Service, 1 (800) 955-8771 (TTY/VCO), 1 (800) 955-8770 (Voice), 1 (800) 955-8773 (Spanish).

Agenda packets for upcoming Council meetings will be available at the Council's website, <http://sfrregionalcouncil.org/resources/agenda/> ten days prior to the meeting.

If you would like to be added to the e-mail list to receive the link to the agenda, please e-mail the Council at sfadmin@sfrpc.com.



MEMORANDUM

AGENDA ITEM #IV.C

DATE: SEPTEMBER 21, 2020

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: LOCAL GOVERNMENT COMPREHENSIVE PLAN PROPOSED AND ADOPTED AMENDMENT
CONSENT AGENDA

Pursuant to the 1974 Interlocal Agreement creating the South Florida Regional Planning Council (Council), the Council is directed by its member counties to "assure the orderly, economic, and balanced growth and development of the Region, consistent with the protection of natural resources and environment of the Region and to protect the health, safety, welfare and quality of life of the residents of the Region."

In fulfillment of the Interlocal Agreement directive and its duties under State law, the Council reviews local government Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Pursuant to Section 163.3184, Florida Statutes as presently in effect, Council review of comprehensive plan amendments is limited to 1) adverse effects on regional resources and facilities identified in the SRPP and 2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region. The Council's review of amendments is conducted in two stages: (1) proposed or transmittal and (2) adoption. Council staff reviews the contents of the amendment package once the Department of Economic Opportunity certifies its completeness.

A written report of Council's evaluation pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State Land Planning Agency within 30 calendar days of receipt of the amendment.

Recommendation

Find the proposed and adopted plan amendments from the local governments listed in the tables below generally consistent with the *Strategic Regional Policy Plan for South Florida*.

Approve this report for transmittal to the local governments with a copy to the State Land Planning Agency.



South Florida Regional Planning Council
1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020
954-924-3653 Phone, 954-924-3654 FAX
www.sfrationalcouncil.org

PROPOSED AMENDMENTS

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
Broward County 20-04ESR (received 08-28-20)	✓	N/A	09-21-20	08-25-20	8-0 (1 absent)
<p>1. The proposed amendments to the Broward County Comprehensive Plan seek to make changes to the Broward County Land Use Plan (BCLUP) map and the BCLUP text. The first amendment (PC 20-6) changes a 16.3 acre site from Commerce within a Dashed-Line Area to Irregular (4.2) Residential within a Dashed-Line Area. The second amendment (PCT-20-5) revises Policy 2.16.2 to revise the adopted data and methodology for local governments to estimate its supply of affordable housing, including evaluating each income category of very-low, low, and moderate.</p> <p>2. The first amendment (PC 20-6) affects a 16.3-acre site in the City of Coral Springs. The site is located in Section 7, Township 48 South, Range 41 East; generally located on the north side of Wiles Road, west of Coral Ridge Drive. The second amendment affects Broward County overall.</p> <p>3. The amendments do not create any adverse impact to state or regional resources/facilities.</p>					
Monroe County 20-04ACSC (received 07-22-20)	✓	N/A	09-21-20	06-17-20	5-0
<p>1. The proposed amendment to the Monroe County 2030 Comprehensive Plan amends Policies 101.3.1, 101.3.5, and 101.6.8 to allow for the interchangeability of mobile home and RV uses within Venture Out Resort on Cudjoe Key and eliminate the possibility to transfer Rate of Growth Ordinance (ROGO) exemptions from Venture Out Resort to other locations outside of the Venture Out community. The intent of the amendment is to repeal conflicting provisions related to the County's hurricane evacuation plan, provide a legal framework for properties found to be in violation of a mandatory hurricane evacuation order, and to isolate the clarification to the subject area, Venture Out Resort on Cudjoe Key.</p> <p>2. This amendment affects the Venture Out community on Cudjoe Key in Monroe County.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					
City of Coral Springs 20-01ESR (received 08-04-20)	✓	N/A	09-21-20	01-15-20	4-1
<p>1. The proposed amendment to the City of Coral Spring's Comprehensive Plan seeks to make the following changes: change 15.59 acres of Commercial use designation and 0.07 acres of Transportation use designation</p>					

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
<p>to 15.59 acres of Medium (8.00-20.00 du/acre) Residential use, circumscribed to 10.1 du/acre and 0.07 acres of Community Facilities.</p> <p>2. This amendment affects a site located in Section 7, Township 48 South, Range 41 East; generally located on the north side of Wiles Road, west of Coral Ridge Drive in the City of Coral Springs.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					
City of Hialeah 20-01ESR (received 08-04-20)	✓	N/A	09-21-20	07-13-20	7-0
<p>1. The proposed amendment to the City of Hialeah's large-scale Land Use Map consists of a land use change of approximately 28.3 acres of land located north of West 71st Street, between Red Road and West 6th Avenue from Kennels to Medium Density Residential.</p> <p>2. This amendment affects the property at 7218 W 4th Avenue in the City of Hialeah.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council recommends that the City addresses the comments provided by the South Florida Water Management District (SFWMD) to revise its Water Supply Facilities Work Plan in accordance with the Lower East Coast (LEC) Water Supply Plan Update approved on November 8, 2018, as well as addresses the six recommendations by the SFWMD prior to adoption of the amendment.</p>					
City of Homestead 20-01ESR (received 08-27-20)	✓	N/A	09-21-20	08-19-20	7-0
<p>1. The proposed amendment to the City of Homestead's Comprehensive Plan would incorporate the City's 10-Year Water Supply Facilities Work Plan and related amendments.</p> <p>2. This amendment affects the City of Homestead.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					
Islamorada, Village of Islands 20-02ACSC (received 07-22-20)	✓	N/A	09-21-20	07-17-20	5-0

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
<ol style="list-style-type: none"> 1. The proposed amendment would amend the Village of Islamorada's Comprehensive Plan with the intent to revise the valuation criteria for transient vacation rentals to enable their continued use. 2. This amendment affects the incorporated area of Islamorada, Village of Islands. 3. This amendment does not create any adverse impact to state or regional resources/facilities. 					
Islamorada, Village of Islands 20-03ACSC (received 07-22-20)	✓	N/A	09-21-20	08-20-20	5-0
<ol style="list-style-type: none"> 1. The proposed amendment would amend the Village of Islamorada's Comprehensive Plan by revising the Future Land Use Map (FLUM) land use designation for one parcel from Residential Medium (RM) to Mixed Use (MU) for a proposed future use of office space and self-service storage facility. 2. This amendment affects a 0.77-acre parcel at approximately mile marker 87.5, fronting Overseas Highway on the bayside, in Islamorada, Village of Islands. 3. This amendment does not create any adverse impact to state or regional resources/facilities. 					
City of Marathon 20-02ACSC (received 07-16-20)	✓	N/A	09-21-20	07-14-20	4-1
<ol style="list-style-type: none"> 1. The proposed amendment is to make changes to the City of Marathon's Future Land Use Map (FLUM) from Residential Low (RL) to Residential Medium (RM) for Lot 8, Block 18; Lot 1, Block 19; Lot 4, Block 19; and Lot 5, Block 19, in the Coco Plum Beach subdivision. 2. This amendment affects the incorporated areas within the City of Marathon. 3. This amendment does not create any adverse impact to state or regional resources/facilities. 4. The Council recommends that the City addresses the comments provided by the South Florida Water Management District (SFWMD) to revise its Water Supply Facilities Work Plan. 					
City of Marathon 20-03ACSC (received 07-16-20)	✓	N/A	09-21-20	07-14-20	5-0
<ol style="list-style-type: none"> 1. The proposed amendment to the City of Marathon's Comprehensive Plan seeks to amend the Future Land Use Map (FLUM) designation of a single property from Residential Medium (RM) to Mixed Use Commercial (MU-C). 2. This amendment affects an approximately 0.19-acre property described as Block 3 Lot 9 in the Key Colony Subdivision of Key Vaca, Marathon. 					

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
3. This amendment does not create any adverse impact to state or regional resources/facilities. The Council recommends that the City updates its Water Supply Facilities Work Plan.					
City of Margate 20-01ESR (received 09-01-20)	✓	N/A	09-21-20	08-11-20	4-1
<p>1. The proposed amendment to the City of Margate’s Comprehensive Plan Future Land Use Element provides for general revision and update as part of the City-initiated Margate 2.0 Comprehensive Planning Project and renames the Transit Oriented Corridor land use category to Activity Center.</p> <p>2. This amendment affects the incorporated area of the City of Margate.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					
City of Oakland Park 20-01ESR (received 08-05-20)	✓	N/A	09-21-20	07-22-20	4-0 (1 absent)
<p>1. The proposed amendment to the City of Oakland Park’s Comprehensive Plan updates Section 10 Land Use Implementation: Section 3 “Zoning as to Permitted Uses and Densities” to include new language related to Civic & Cultural Buildings and Community Facilities and/or Utility Uses. The Parks & Recreation Future Land Use designation category is also being updated to accommodate the future needs of the City, and to be consistent with the Broward County Land Use Plan, BrowardNext.</p> <p>2. This amendment affects the incorporated area of the City of Oakland Park.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					
City of Parkland 20-01ESR (received 08-31-20)	✓	N/A	09-21-20	08-19-20	5-0
<p>1. The proposed amendment to the City of Parkland’s Comprehensive Plan Infrastructure Element adopts the City’s 10-year Water Supply Facilities Work Plan Update and amends the City’s Comprehensive Plan Infrastructure Element to include the provisions required for the water supply plan update.</p> <p>2. The amendment affects the incorporated area of the City of Parkland.</p> <p>3. The amendment does not create any adverse impact to state or regional resources/facilities.</p>					

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
City of Parkland 20-02ESR (received 08-31-20)	✓	N/A	09-21-20	08-19-20	5-0
<p>1. The proposed amendments provide updates to the Future Land Use Element, Capital Improvement Element, Intergovernmental Coordination Element, and Transportation Element of the City of Parkland's Comprehensive Plan. In addition, the City proposes to add a new element, titled Public Schools Facilities Element. The updates are to maintain consistency with the Broward County Comprehensive Plan Transportation Element to support complete streets, and to provide an annual update to the five-year Capital Improvement Plan (CIP). The Public Schools Facilities Element establishes compliance with the provisions of the third amended and restated Interlocal Agreement (TRILA) which requires parties to the agreement to adopt state provisions for school concurrency, level of service measurement, approval processes, student generation rates, mitigation approval, and the School Board's Capital Plan.</p> <p>2. The amendments affect the incorporated area of the City of Parkland.</p> <p>3. The amendments do not create any adverse impact to state or regional resources/facilities.</p>					
Village of Pinecrest 20-01ESR (received 07-27-20)	✓	N/A	09-21-20	07-14-20	5-0
<p>1. The proposed amendment to the Village of Pinecrest seeks to adopt the Village's 10-Year Water Supply Facilities Plan update for consistency with the South Florida Water Management District's Lower East Coast Water Supply Plan Update, adopted in November 2018.</p> <p>2. The amendment affects the Village of Pinecrest.</p> <p>3. The amendment does not create any adverse impact to state or regional resources/facilities.</p>					
Village of Sea Ranch Lakes 20-01ER (received 07-14-20)	✓	N/A	09-21-20	06-17-20	5-0 2 absent
<p>1. The proposed amendment is to update the Coastal Management Element of the Village of Sea Ranch Lakes' Comprehensive Plan and adopt the Evaluation and Appraisal Report (EAR) based amendments to be consistent with state, regional, and local regulations.</p> <p>2. This amendment affects the incorporated area of the Village of Sea Ranch Lakes.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council recommends that the Village of Sea Ranch Lakes adopts the proposed amendment to the Comprehensive Plan.</p>					

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
City of Sunrise 20-02ESR (received 07-20-20)	✓	N/A	09-21-20	06-23-20	5-0
<p>1. The proposed amendment to the City of Sunrise's Comprehensive Plan seeks to update the Five-Year Capital Improvements Plan (CIP) for Fiscal Years 2019/20 through 2023/24.</p> <p>2. This amendment affects the incorporated area of the City of Sunrise.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					

ADOPTED AMENDMENTS

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
Miami-Dade County 20-01ESR (received 08-17-20)	N/A	✓	09-21-20	08-22-20	20-0
<p>1. The adopted amendment to Miami-Dade County’s Comprehensive Plan is a text amendment that revises the Land Use Element “Institutions, Utilities and Communications” land use category on page I-56 to provide clarification on the uses allowed in Homestead Air Reserve Base (HARB) and the HARB Redevelopment and Economic Development Area (HARB REDA) to include Commercial and Industrial uses.</p> <p>2. The amendment affects the HARB and 601 acres of surplus land that was transferred to Miami-Dade County for economic development purposes as part of the realignment of the former Homestead Air Force Base (HAFB).</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed this amendment when proposed.</p>					
Miami-Dade County 20-02ER (received 08-26-20)	N/A	✓	09-21-20	08-22-20	A4: 13-0 A5: 9-0 (3 absent, 1 excused) A6: 9-0 (3 absent, 1 excused) A7: 8-0 (4 absent, 1 excused)
<p>1. The proposed amendments to the Miami-Dade Comprehensive Development Master Plan (CDMP) seek to make changes to the Land Use Element; Conservation, Aquifer Recharge and Drainage Element; Transportation Element; Capital Improvements Element; Water, Sewer, and Solid Waste Element; and Coastal Management Element. There are four proposed amendments.</p> <p>(1) Adopted amendment No. 4 is a standard text and Land Use Plan Map amendment that affects agriculture. The proposed text changes include enabling Transfer of Development Rights programs, require preservation of agricultural land in connection with applications proposing expansion of the Urban Development Boundary, and provide for the clustering of allowable residential density in the Agricultural area. The associated Land Use Plan Map change includes changing the designation for the Rocky Glades and Frog Pond areas from “Agriculture” to “Environmental Protection.”</p> <p>(2) Adopted amendment No. 5 is a standard text and Land Use Plan Map amendment that updates the process and criteria for applications proposing expansion of the Urban Development Boundary. The proposed map change contracts the boundaries of the current Urban Expansion Areas to exclude specified areas.</p> <p>(3) Adopted amendment No. 6 is a standard text amendment that adds a new section titled “Vision Statement” following the Statement of Legislative Intent in the County’s adopted CDMP. It also proposes to amend various Elements in the County’s adopted CDMP, including new objectives and policies, goals, and refinement of policies related to sea level rise for County projects, vulnerable septic systems, and coastal management.</p>					

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
<p>(4) Adopted amendment No. 7 is a standard text amendment that amends the Land Use Element in the County's adopted CDMP to establish goals and strategies aimed at reducing countywide greenhouse gas emissions including maintaining an emission inventory, increasing use of solar energy, and expanding availability of electric vehicle charging infrastructure.</p> <p>2. The adopted amendments affect the entirety of Miami-Dade County.</p> <p>3. These adopted amendments do not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed this amendment when proposed.</p>					
City of Deerfield Beach 20-01ESR (received 08-14-20)	N/A	✓	09-21-20	08-4-20	5-0
<p>1. The adopted amendment to the City of Deerfield Beach's Comprehensive Plan is a corrective amendment to the Future Land Use Map, which amends the boundaries and density of the Century Village 'Dashed Line Area' (DLA) on the City of Deerfield Beach Future Land Use Map. There are no new dwelling units or development being proposed as a result of this amendment.</p> <p>2. The amendment affects the City of Deerfield Beach.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed this amendment when proposed.</p>					
City of Fort Lauderdale 20-01ESR (received 07-16-20)	N/A	✓	09-21-20	06-16-20	5-0
<p>1. The adopted amendment to the City of Fort Lauderdale's Comprehensive Plan updates the 10-Year Water Supply Facility Work Plan (WSFWP). The City received technical comments from the Florida Department of Economic Opportunity (DEO) and the South Florida Water Management District (SFWMD) and have addressed the received comments.</p> <p>2. The amendment affects the incorporated area of the City of Fort Lauderdale.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed this amendment when proposed.</p>					
City of Marathon 19-04ACSC (received 07-27-20)	N/A	✓	09-21-20	06-09-20	5-0

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
<p>1. The adopted amendment to the City of Marathon’s Comprehensive Plan increases the maximum building height to forty-two (42) feet for residential structures to provide compensation for increases in required elevations for the new Federal Emergency Management Administration (FEMA) Flood Insurance Rate Map (FIRM) maps.</p> <p>2. The amendment affects the City of Marathon.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council recommends that the City updates its Water Supply Facilities Work Plan.</p>					
Village of Palmetto Bay 20-01ESR (received 08-19-20)	N/A	✓	09-21-20	07-28-20	4-1
<p>1. The adopted amendments to the Village of Palmetto Bay’s Comprehensive Plan include a policy amendment to the Village’s Future Land Use Element (FLUE) and a map amendment to the Village’s Future Land Use Map (FLUM). The intent of the amendments is to implement the community vision for the “Franjo Activity Center” (FAC)/Downtown District that was based on a process that included eleven public workshops. The amendments are intended to achieve a downtown redevelopment vision and will: integrate the existing single-family neighborhoods in the plan; increase the proportion of employment mixed-use development, which will support the County’s transit development plan along the South Dade Transitway by creating a more balanced 2-way commute pattern; and allow for greater development certainty for property owners and residents by instituting bonuses, incentives and other benefits with as-of-right Land Development Regulation criteria.</p> <p>2. The amendments affect the FAC/Downtown District of the Village of Palmetto Bay.</p> <p>3. These amendments do not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed these amendments when proposed. The Village received comments from several agencies during the intergovernmental review of the amendments during the proposed phase, including the Department of Economic Opportunity (DEO), Miami-Dade Regulatory and Economic Resources (RER), and the South Florida Water Management District (SFWMD). The SFWMD advised the Village to update the Water Supply Plan, and the Village indicates it has begun the process towards that end. The DEO comments centered around the need to sufficiently plan and accommodate for future population projections and the RER comments centered around the need to allow sufficient density to support the South Dade Transitway. The Village responded to those comments and has indicated that it will review policies to maintain continued support for regional transit and pedestrian oriented development within the FAC.</p>					
City of Parkland 19-01ESR (received 07/24/20)	N/A	✓	09-21-20	05-20-20	4-1

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
<p>1. The adopted amendment to the City of Parkland’s Comprehensive Plan amends the Future Land Use Map (FLUM) to change the designation of 26.5 gross acres from Palm Beach County Rural Residential (RR10) to Residential – 3 Units Per Acre (R-3).</p> <p>2. This amendment affects a parcel located along the south side of Loxahatchee Road, east of and adjacent to the L-36 canal.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed this amendment when proposed.</p>					
City of Sunrise 20-01ESR (received 07-27-20)	N/A	✓	09-21-20	07-14-20	5-0
<p>1. The adopted amendments to the City of Sunrise’s Comprehensive Plan amend the text contained in the Infrastructure, Capital Improvements, and Intergovernmental Coordination Elements of the Comprehensive Plan. The amendments also adopt the amended 10-Year Water Supply Facilities Work Plan – 2020 Update.</p> <p>2. The amendments affect the incorporated area of the City of Sunrise.</p> <p>3. These amendments do not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed these amendments when proposed.</p>					
City of Wilton Manors 19-02ESR (received 07-20-20)	N/A	✓	09-21-20	06-23-20	5-1
<p>1. The adopted amendment is to the Land Use Plan Element of the City of Wilton Manors’ Comprehensive Plan, in accordance with Florida Statutes 163.3184. The amendment changes the Future Land Use designation of approximately 117.8 gross acres of property as described in Ordinance No. 2019-005 from the “Commercial, Community Facilities, Low-5 Residential, Low-Medium 10 Residential, and Medium-16 Residential” Future Land Use designation to “Transit Oriented Corridor” Future Land Use designation.</p> <p>2. The amendment affects the incorporated area of the City of Wilton Manors.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed this amendment when proposed. The City of Wilton Manors adopted the amendment as proposed.</p>					

From: [Manning, Terese](#)
To: [DCPexternalagencycomments](#)
Cc: [Ty Harris](#); hurley-christine@monroecounty-fl.gov; [Powell, Barbara](#); [Isabel Cosio Carballo \(isabelc@sfrpc.com\)](mailto:isabelc@sfrpc.com); [Kathe Lerch](#)
Subject: [EXTERNAL] - Islamorada, Village of Islands, DEO #20-3ACSC Comments on Proposed Comprehensive Plan Amendment Package
Date: Monday, September 14, 2020 4:57:03 PM

Dear Mr. Eubanks:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Islamorada, Village of Islands (Village). The amendment package includes one Future Land Use Map Amendment. There appear to be no regionally significant water resource issues; therefore, the District forwards no comments on the proposed amendment package.

The District requests that the Village forward a copy of the adopted amendments to the District. Please contact me if you have any questions or need additional information.

Sincerely,

Ms. Terry Manning, Policy and Planning Analyst
South Florida Water Management District
Water Supply Implementation Unit
3301 Gun Club Road
West Palm Beach, FL 33406
Phone: 561-682-6779
Fax: 561-681-6264
E-Mail: tmanning@sfwmd.gov

From: [Plan Review](#)
To: [Eubanks, Ray](#); [DCPexternalagencycomments](#)
Cc: [Plan Review](#)
Subject: [EXTERNAL] - Islamorada 20-03ACSC Proposed
Date: Friday, September 25, 2020 2:59:40 PM

To: Ray Eubanks, DEO Plan Review Administrator

Re: Islamorada 20-03ACSC – State Coordinated Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction. The Department offers the following technical assistance:

This area is served by the Key Largo Wastewater Treatment District. Any future development that is connected to the centralized KLWTD sewer will require a Department permit for a wastewater collection and transmission system under Chapter 62-604, F.A.C., unless the connections are single service connections exempt from Department rules.

The Department is providing technical assistance consistent with Section 163.3168(3), F.S. Please submit all future amendments by email to plan.review@floridadep.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.





Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 NW 111 Avenue
Miami, FL 33172-5800

KEVIN J. THIBAUT, P.E.
SECRETARY

September 1, 2020

Mr. Ty Harris, Director of Planning
Planning and Development Services Department
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, Florida 33036-3162

**Subject: Proposed Comprehensive Plan Amendment
Islamorada, Village of Islands - FDEO#20-03ACSC**

Dear Mr. Harris:

The Florida Department of Transportation, District Six, completed a review of the subject amendment pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S. The purpose of the amendment is to revise the Future Land Use Map from residential medium density to mixed use for a 0.77 acre parcel on Overseas Highway at approximately mile marker 87.5 bayside.

The District review found that there would be no adverse impacts to transportation resources and facilities of State importance as a result of the amendment.

The District encourages the Village to promote pedestrian and bicycle facilities, and to create a walkable and connected community consistent with ss. 163.3177, Florida Statutes. The District also encourages planning to address all modes of travel, including public transportation.

Mr. Ty Harris
September 1, 2020
Page 2 of 2

Please contact me at 305-470-5393 if you have any questions concerning our response.

Sincerely,

DocuSigned by:


Shereen Yee Fong
Transportation Planner IV

Cc: Daniel Iglesias, P.E., FDOT, District 6
Dat Huynh, P.E., FDOT, District 6
Kenneth Jeffries, FDOT, District 6
Jennifer Carver, AICP, FDOT Central Office
Ray Eubanks, Department of Economic Opportunity
Isabel Cosio Carballo, South Florida Regional Planning Council
Kathe Lerch, South Florida Regional Planning Council

From: [Eubanks, Ray](#)
To: [DCPexternalagencycomments](#)
Cc: [Powell, Barbara](#)
Subject: FW: [EXTERNAL] - Village of Islamorada Future Land Use Map Amendment and Rezoning : ID#20-04 DEO 20-03ACSC
Date: Monday, September 21, 2020 8:13:58 AM
Attachments: [Comment.Islamorada.Amendment.20.04.ACSC.09.18.2020.pdf](#)

D. Ray Eubanks
Plan Review and Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning and Growth
107 East Madison Street MSC 160
Tallahassee, FL 32399-4120
850-717-8483

Ray.Eubanks@deo.myflorida.com



From: Paul Savage <psavage@rascoklock.com>
Sent: Friday, September 18, 2020 6:32 PM
To: Eubanks, Ray <Ray.Eubanks@deo.myflorida.com>
Cc: 'Mark.Weigly@fldoe.org' <Mark.Weigly@fldoe.org>; 'Public.services@dep.state.fl.us' <Public.services@dep.state.fl.us>; 'Robin.jackson@dos.myflorida.com' <Robin.jackson@dos.myflorida.com>; 'Shereen.YeeFong@dot.state.fl.us' <Shereen.YeeFong@dot.state.fl.us>; 'isabelc@sfrpc.com' <isabelc@sfrpc.com>; 'Schemper-Emily@monroecounty-fl.gov' <Schemper-Emily@monroecounty-fl.gov>; 'tmanning@sfwmd.gov' <tmanning@sfwmd.gov>; Powell, Barbara <Barbara.Powell@deo.myflorida.com>; 'Kylene.casey@fldoe.org' <Kylene.casey@fldoe.org>; 'clerk@islamorada.fl.us' <clerk@islamorada.fl.us>; 'Maria.bassett@islamorada.fl.us' <Maria.bassett@islamorada.fl.us>; 'Roget Bryan' <roget.bryan@islamorada.fl.us>
Subject: [EXTERNAL] - Village of Islamorada Future Land Use Map Amendment and Rezoning : ID#20-04

Dear Mr. Eubanks,

I am writing to transmit the attached formal Comment on the FLUM Amendment and related rezoning referred to above.

Please do not hesitate to contact me if I can provide any clarification or address any questions that you may have.

Thank you very much,

Paul S.

Paul C. Savage, Esq.

RASCO KLOCK PEREZ NIETO

Partner

FLORIDA BAR BOARD CERTIFIED IN CITY, COUNTY AND LOCAL GOVERNMENT LAW

2555 Ponce de Leon Blvd., Suite 600

Coral Gables, FL 33134

Tel: (305) 476-7100

Dir: (305) 476-7092

Fax: (305) 675-4689

Email: psavage@rascoklock.com

RASCO | KLOCK

ATTORNEYS

RASCO | KLOCK | PEREZ | NIETO

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From: Eubanks, Ray <Ray.Eubanks@deo.myflorida.com>

Sent: Wednesday, September 16, 2020 10:42 AM

To: Paul Savage <psavage@rascoklock.com>

Subject: RE: [EXTERNAL] - Village of Islamorada Future Land Use Map Amendment and Rezoning : ID#20-04

Yes, that timeframe will be fine.

Thanks

D. Ray Eubanks

Plan Review and Processing Administrator

Florida Department of Economic Opportunity

Bureau of Community Planning and Growth

107 East Madison Street MSC 160
Tallahassee, FL 32399-4120
850-717-8483

Ray.Eubanks@deo.myflorida.com



From: Paul Savage <psavage@rascoklock.com>
Sent: Wednesday, September 16, 2020 10:37 AM
To: Eubanks, Ray <Ray.Eubanks@deo.myflorida.com>
Subject: RE: [EXTERNAL] - Village of Islamorada Future Land Use Map Amendment and Rezoning : ID#20-04

Thank you, Mr. Eubanks, I appreciate your help. One last question: can you please confirm that a comment submission this Friday will be considered timely under the process? Thanks again, Paul

Paul C. Savage, Esq.

RASCO KLOCK PEREZ NIETO
Partner
FLORIDA BAR BOARD CERTIFIED IN CITY, COUNTY AND LOCAL GOVERNMENT LAW

2555 Ponce de Leon Blvd., Suite 600
Coral Gables, FL 33134
Tel: (305) 476-7100
Dir: (305) 476-7092
Fax: (305) 675-4689
Email: psavage@rascoklock.com

RASCO | KLOCK

ATTORNEYS

RASCO | KLOCK | PEREZ | NIETO

[Website](#) |

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— ATTORNEYS —
R A S C O | K L O C K | P E R E Z | N I E T O

Paul C. Savage*
Tel. 305.476.7100
Fax 305.476.7102
psavage@rascoklock.com

*FLORIDA BAR BOARD CERTIFIED IN CITY, COUNTY AND LOCAL GOVERNMENT LAW

September 18, 2020

BY EMAIL (Ray.Eubanks@deo.myflorida.com)

Mr. Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning and Growth
Caldwell Building
107 East Madison Street – MSC 160
Tallahassee, Florida 32399-4120

**Re: Village of Islamorada (the “Village”) Amendment ID No. 20-04 ACSC;
Amendment of Comprehensive Plan and Future Land Use Map (the
“Amendment”) for Property Identified by Monroe County Real Estate No.
0041850-000000 (the “Property”)**

Dear Administrator Eubanks,

I am writing on behalf of abutting and affected property owner Keys Basin, LLC with property at 85 Monroe Street (situated to the immediate north of the subject Property) to respectfully submit this formal Comment on the Compliance Review package submitted to your Office by the Village for State Coordinated Review pursuant to Section 163.3184(4) of the Florida Statutes.

The Amendment changes the designation of the Property on the Village’s Future Land Use Map (“FLUM”) from Residential Medium to Mixed Use, allowing for multifamily residential and certain commercial development. The Amendment applies to a single undeveloped parcel with a tropical hardwood hammock and waterfront exposure. For purposes of the State Coordinated Review Process required by Section 163.3184(4) of the Florida Statutes, the Village’s Amendment is required to be “in compliance” by being “consistent with the requirements of ss. 163.3177, 163.3178, 163.3180, 163.3191, 163.3245, and 163.3248” of the Florida Statutes. §163.3184(1)(b), Fla. Stat. (2019). The Village’s proposed Amendment is *not* in compliance with the foregoing statutory requirement, for the reasons set out herein.

I. Lack of Analysis Required by Section 163.3177 for FLUM Amendments.

Section 163.3177(6)(a)8 of the Florida Statutes sets out certain mandatory requirements specifically aimed at FLUM amendments, as follows:

To: Mr. Rey Eubanks, Florida Department of Economic Development
Re: Village of Islamorada Amendment ID No. 20-04 ACSC
Date: September 18, 2020
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Future land use map amendments *shall be based upon the following analyses:*

- a. An analysis of the availability of facilities and services.
- b. *An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.*
- c. *An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.*

§163.3177(6)(a)8, Fla. Stat. (2019) (emphasis added).

Despite the foregoing express statutory requirements, the Village provided no recitation or analysis directed to statutory factors (b) and (c) above, whatsoever. While the Village's Staff Report refers to the DEO State Coordinated Review Submittal Guidelines, it does not include any analysis on the statutory factors (b) and (c) quoted above. The Staff Report includes the following two factors and response:

Future Land Use Map (FLUM) Amendment Criteria

Pursuant to the DEO State Coordinated Review Submittal Guidelines, in the case of FLUM Amendments, the following information must be provided:

Explanation of how the application satisfies the applicable criteria in the Land Development Regulations, Comprehensive Plan, and Principles for Guiding Development:

1. A description of the availability of and the demand on the follow public facilities: sanitary sewer, solid waste, drainage, potable water, traffic circulation, schools, and recreation, as appropriate; and,
2. Information regarding the compatibility of the proposed land use amendments with the Comprehensive Plan future land use element objectives and policies, and those of other affected elements.

Applicant's Response:

The subject property is located on US-1 and is vacant, and as such the change will have the normal development impact on water, sewer, solid waste, drainage, as other development. If the anything the impact may be less since there would be no impact on schools or recreation. The change to commercial matches the zoning and FLUM of the adjacent properties on east side of US-1 as well as the median strip across the street. Since the applicant will build to follow the Land Use Plan

To: Mr. Rey Eubanks, Florida Department of Economic Development
Re: Village of Islamorada Amendment ID No. 20-04 ACSC
Date: September 18, 2020
Page: 3

(LUP) and Land Development Regulations (LDRs) and goals and objectives will be met.

Council Communication Staff Report at page 8. As can be seen, the Staff Report addresses two factors going to public facilities, and compatibility with the Comprehensive Plan future land use element objectives and policies. *Id.* The first point could apply to the “facilities and services” requirement in Section 163.3177(6)(a)8.a. But there is no mention of the remaining two factors in subsections (6)(a)8.b (analysis of the suitability of the proposed amendment in consideration of the character of the undeveloped land and its natural resources) and (6)(a)8.c. (analysis of the minimum amount of land needed to achieve the goals of the section). *Id.*

Section 163.3177(1)(f) mandates that all comprehensive plan amendments “shall be based upon relevant and appropriate data and analysis by the local government.” §163.3177(1)(f), Fla. Stat. (2019). The statute further provides: “To be based on data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of adoption of the plan or plan amendment at issue.” *Id.* (emphasis added). Further, data supporting a comprehensive plan amendment must be taken from “professionally accepted sources.” §163.3177(f)(2), Fla. Stat. (2019).

This is not a situation of a study alleged to be inadequate to satisfy the factor. This is a situation where statutory analysis is simply not addressed. Leaving statutory factors entirely unaddressed falls far short, of course, of meeting the statutory requirement to “react to” the criteria “in an appropriate way.” §163.3177(1)(f), Fla. Stat. (2019).

The proposed FLUM Amendment is consequently inconsistent with Section 163.3177(6)(a)8b. of the Florida Statutes because it is not based upon an analysis of the suitability of the affected lands for the proposed use considering the character of the undeveloped land, soils, topography, and natural resources. This section provides that “Future land use map amendments *shall* be based on . . . an analysis of the suitability of the affected lands for the proposed use considering the character of the undeveloped land, soils, topography, and natural resources on site.” *Id.* (emphasis added). Moreover, the governing statute requires: “an analysis of the minimum amount of land needed to achieve the goals and requirements of this section.” §163.3177(6)(a)8.c. (Fla. Stat. 2019). This statutory factor is also left entirely unaddressed by the local government.

The FLUM Amendment is thus not in compliance with the requirements of Section 163.3177 as required by Section 163.3184.

II. The Natural Resources on the Property Foreclose Satisfaction of Section 163.3177(6)(a)8.c.

The Habitat Map from Monroe County depicts that the subject Property is almost *entirely covered* in native hammock habitat:

To: Mr. Rey Eubanks, Florida Department of Economic Development
Re: Village of Islamorada Amendment ID No. 20-04 ACSC
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Staff Report at Attachment D (Monroe County Habitat Map). In the course of discussing an amendment requirement within the Village's Comprehensive Plan, the Village discusses the hammock resources, as follows:

The 0.77 acre tract has remained vacant to present day, with a *tropical hardwood hammock habitat covering the majority of the tract of land* except along the dead-end side of the canal to northwest, where the shoreline has been hardened with a 3' ft wide seawall with a disturbed scarified area undulating between 20' to 50' feet from the mean high water line (MHWL). With the submittal of a Vegetation Survey and Habitat Analysis from the applicant, *staff will be able to ascertain the approximate ratio of disturbed area and tropical hardwood hammock habitat*, indicating the amount of habitat preservation that is required to have a conservation easement and developable square footage, and determining that the proposed zoning map amendment is compatible with the subject property's geological, hydrological, and environmental features in relation to the proposed uses of office space and self-service storage facility (indoor).

Staff Report at 14 (emphasis added).

To: Mr. Rey Eubanks, Florida Department of Economic Development
Re: Village of Islamorada Amendment ID No. 20-04 ACSC
Date: September 18, 2020
Page: 5

Thus, instead of providing careful analysis of the environmental resources, the Village discusses analysis that will be performed in the future upon review of a report that will be submitted in the future. In approving the findings of an Administrative Law Judge, the Third District Court of Appeal recognized that mature tropical hardwood hammock with a closed canopy represents "a unique genealogy not found elsewhere in North America outside of the Everglades." *Harbor Course Club v. Department of Community Affairs*, 510 So. 2d 915, 916 (Fla. 3d DCA 1987). Instead of providing an appropriate analysis of a tree survey or other study delineating these critical environmental resources, the Village approved the Amendment based upon the fact that such a study would be forthcoming in the future during the development approval process. The governing statute, however, mandates with the word "shall" that the local government's formal action on the Amendment must be based upon analysis performed at the time of the amendment. §163.3177(6)(a)8.b. (Fla. Stat. 2019).

When the statute requires data based analysis, mere conclusory statements do not constitute data and do not meet the legal requirement for analysis. *See Moehle v. City of Cocoa Beach, et al*, 1997 WL 1052873, DOAH 96-5832GM (Oct. 20, 1997). As noted earlier, to "be based on data means to react to it in an appropriate way and to the extent necessary as indicated by the data available" § 163.3177(1) (f), Fla. Stat. Reliance upon a future report and future analysis of it means that there is no data and analysis demonstrating the extent of impacts to the hammock habitat posed by the FLUM Amendment. The Amendment is thus not based upon professionally accepted data or sufficient analysis concerning the suitability of the Amendment to the environmental resources on the Property.

The quoted discussion in the Staff Report on the hammock resources contains no finding that the site's environmental features are compatible with the commercial uses permitted within the MU Mixed Use FLUM category. The recitations that are here actually cut *against* the satisfaction of the statutory prong by establishing that the site is waterfront and is covered in "tropical hardwood hammock habitat." If anything, the analysis kicks the can down the road by pointing to future delineation of the environmental resources, and *future* determinations of that this prong is satisfied. Put another way, it mentions that Staff will be able to make certain determinations upon the submission of additional analysis. But the statute requires a *present* finding of environmental compatibility in order to support the category change requested. Without the study and delineation analysis discussed, no finding of environmental compatibility is possible or can exist at this time.

The Village's discussion of the waterfront and tropical hardwoods hammock habitat on the Property establish, if anything, that the new commercial uses are *incompatible* with the proposed Mixed Use Future Land Use designation and the uses authorized thereby. Thus, the Amendment is not in compliance with the requirements of Section 163.3177, as required by Section 163.3184.

To: Mr. Rey Eubanks, Florida Department of Economic Development
Re: Village of Islamorada Amendment ID No. 20-04 ACSC
Date: September 18, 2020
Page: 6

For all of the foregoing reasons, we respectfully request that you take the foregoing Comment into consideration in your review, and find that the FLUM Amendment is not consistent with the statutory factors and requirements for State Coordinated Review.

All the foregoing is restated for the companion rezoning of the Property. We also reserve the right to supplement this Comment to the extent permitted by law, and to adopt and incorporate the submissions and arguments within other submitted Comments by other persons or agencies. Please do not hesitate to contact me if I can provide any further information with regard to our position on the proposed Amendment.

Respectfully Submitted,



Paul C. Savage

cc (via email):

Mark A. Weigly, Director, Department of Education
Mark.Weigly@fldoe.org

Plan Review, Florida Department of Environmental Protection
Public.services@dep.state.fl.us

Robin Jackson, Historic Preservation
Robin.jackson@dos.myflorida.com

Shereen Yee Fong, DOT, District 6
Shereen.YeeFong@dot.state.fl.us

Isabel Cosio Carballo, South Florida Regional Planning Council
isabelc@sfrpc.com

Emily Schemper, Senior Director of Planning & Environmental Resources
Schemper-Emily@monroecounty-fl.gov

Terry Manning, AICP, South Florida Water Management District
tmanning@sfwmd.gov

Barbara Powell, Areas of Critical State Concern Administrator, DEO
Barbara.powell@deo.myflorida.com

Kylene J. Casey, Growth Management & Legislative Liaison, FDOE
Kylene.casey@fldoe.org

To: Mr. Rey Eubanks, Florida Department of Economic Development
Re: Village of Islamorada Amendment ID No. 20-04 ACSC
Date: September 18, 2020
Page: 7

Islamorada Village Council
clerk@islamorada.fl.us

Maria Bassett, Acting Village Manager
Maria.bassett@islamorada.fl.us

Roget V. Bryan, Village Attorney
Roget.bryan@islamorada.fl.us

COFFEY | BURLINGTON
ATTORNEYS AT LAW

SUSAN E. RAFFANELLO
sraffanello@coffeyburlington.com

2601 South Bayshore Drive, Penthouse
Miami, Florida 33133
T.305-858-2900 F.305-858-5261
www.coffeyburlington.com

September 21, 2020

Via Email (Ray.Eubanks@deo.myflorida.com)

Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning and Growth
Caldwell Building
107 East Madison Street – MSC 160
Tallahassee, FL 32399-4120

**Re: Village of Islamorada Amendment ID No. 20-03 ACSC;
Amendment of Comprehensive Plan and Future Land Use Map for
Property Identified by Monroe County Real Estate No. 0041850-000000**

Dear Mr. Eubanks:

On behalf of my husband and myself, who reside at 172 Key Heights Dr., I write to respectfully submit this formal comment on the Compliance Review package pertaining to the Village of Islamorada (“Islamorada”) Amendment ID No. 20-03 ACSC submitted for State Coordinated Review pursuant to Section 163.3184(4) of the Florida Statutes. For brevity and to avoid duplication, I further incorporate those comments submitted by Paul Savage on behalf of Keys Basic, LLC on September 18, and as corrected to reflect the appropriate submission number on September 21, as if fully set forth herein.

Without waiver of the plethora of substantive issues with the proposed Amendment or procedural or due process violations attendant to the August 20 meeting at which it was addressed, this comment is restricted to the blatantly absent materials required by Section 163.3177(6)(a)8, without which, it is impossible for certain of the state agencies involved in the coordinated review to meaningfully evaluate Islamorada’s request. In particular, while Islamorada purports to have conducted an analysis of the facilities and services, it has done **no analysis** of the suitability of the plan amendment “considering the character of the undeveloped land, soils, topography, **natural resources, and historic resources on the site.**” *Id.* (emphasis added). It further has conducted **no analysis** of the minimum amount of land needed to achieve the goals required by Florida Statutes. *Id.* Thus, two of the three factors, as set forth in depth in Mr. Savage’s September 18 comment, are not even addressed, let alone supported by existing data or studies.

The parcel of property at issue in this proposed amendment is not only primarily covered by a tropical hardwood hammock, is also abuts a canal that feeds directly into the bay near the protected waters of the Everglades and that is home to, among others, birthing Manatees. (See Photographs attached as Exhibit A.) Notably, as the maps and photographs submitted by the Village do not reflect the surrounding neighborhoods and proximity to the bay, I attach Exhibit B.

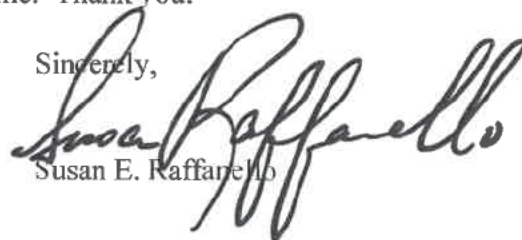
But despite the unique attributes of the parcel, no ecological studies of either land or water were done by the applicant or Islamorada as required by Florida Statutes. Without such, respectfully, the state agencies charged with a coordinated review cannot adequately respond. And this is, of course, crucial given that Islamorada is an area of state-wide concern, which was implemented to ensure responsible, coordinated land development.

Indeed, as listed *first* in the approved pamphlet for Islamorada residents, the “legislative intent of the designation of the Florida Keys Area of Critical State Concern [is] to achieve,” among other things, a land management system that “**protects the natural environment.**” Again, respectively, the Applicant and Islamorada have failed to submit any studies to meet the basic requirements of Section 163.3177(6)(a)8 to allow a meaningful review, let alone serve to protect the natural environment.

I respectfully request that you take into account this and Mr. Savage’s comment in your review and find that the proposed Amendment 20-03 of the Comprehensive Plan and Future Land Use Map of Islamorada is not consistent with the statutory factors and requirement for State Coordinated Review.

If you have any questions, please contact me. Thank you.

Sincerely,



Susan E. Raffarello

cc (via email):

Mark A. Weigly, Director, Department of Education
Plan Review, Florida Department of Environmental Protection
Robin Jackson, Historic Preservation
Shereen Yee Fong, DOT, District 6
Isabel Cosio Carballo, South Florida Regional Planning Council
Emily Schemper, Senior Director of Planning & Environmental Resources
Terry Manning, AICP, South Florida Water Management District
Barbara Powell, Areas of Critical State Concern Administrator, DEO
Kylene J. Casey, Growth Management & Legislative Liaison, FDOE
Clerk of the Islamorada Village Council
Maria Bassett, Acting Village Manager
Ty Harris, Planning Director
Roget V. Bryan, Village Attorney



EXHIBIT A



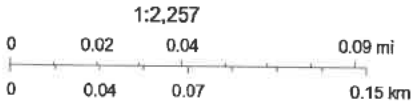


ArcGIS Web Map



9/21/2020 12:39:16 PM

- Streets
- ▭ Parcels



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

EXHIBIT 2

ArcGIS Web Map



9/21/2020 12:41:38 PM

Habitat 2015

Zoning

- | | |
|---|---|
| Dist w Hammock | Residential Estate (RE) |
| Hammock | Residential Single-Family (R1) |
| Streets | Residential Mobile Home (RMH) |
| Parcels | Multifamily (MF) |
| | Highway Commercial (HC) |
| | Conservation (C) |

1:2,257



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

This Instrument prepared by:
Ernesto Machado, President, Overseas
Center, LLP PO Box 9556 Tavernier,
FL 33070
% PDB Enterprises, Inc.
89240 Overseas Hwy., Suite 12
Tavernier, FL 33070

After recording return to:
Islamorada, Village of Islands
Planning and Development Services Department 86800
Overseas Highway
Islamorada, FL 33036
RE Nos.: Parcel ID 00418050 000000

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS (the "Declaration") is
made this 23 day of February 20 21, by Overseas Center, LLC, known here after as "the Owner".

RECITALS

WHEREAS, owner holds fee simple title to real property located in Islamorada, Village of Islands, Florida (the "Village"), Monroe County, Florida, consisting of one (1) platted lot, more particularly described as follows:
Tract F, Amended and Extended Plat of Vacation Village, according to the
Plat thereof as recorded in Plat Book 5, Page 69, Public Records of Monroe
County, Florida.

WHEREAS, the Owner has applied for a zoning change for the Property FLUM from Residential Medium (RM) to Mixed Use (MU) and the current zoning from Residential Single-family (R-1) to Highway Commercial (HC) in order to allow for the professional office building and A/C climate controlled storage facility.

IN ADDITION, Owner hereby agrees to specifically restrict the use of the property as follows:

1. There shall be no launching or renting of personal watercraft or boat rentals from the Property in perpetuity.
2. The vacant right of way extending in a northeasterly direction from the intersection of Airstream Lane and Vacation Drive, and passing between the trailer located at 118 Airstream Lane and Tract E, is to remain vacant and closed.
3. The owner may continue to rent dock slips on the existing seawall.
4. The following uses, while permitted by a Highway Commercial zoning designation, shall NOT be allowed on the Property:

- a. Brewpubs;
- b. Restaurants;
- c. Microbrewery;
- d. Animal hospital;
- e. Bakery;
- f. Bowling center;
- g. Building supply store;
- h. Carwash;
- i. Courier service;
- j. Cultural or community center;
- k. Day care center
- l. Delicatessen (no tables);
- m. Exterminator service;
- n. Farmers' market;
Fence sales and installation;
- p. Food store;
- q. Funeral home;

- r. Furniture repair, (re)upholstery, and sales;
- s. Garden center;
- t. Gym;
- u. Hardware store;
- v. Home furnishing, design and decorating services and retail sales;
 - aa) Appliance repair;
 - w) Landscape services;
 - x) Laundry and dry cleaning
 - y) Medical offices and supplies;
 - z) Movie theater (indoors);
 - aa) Office supply;
 - bb) Pool sales and service;
 - cc) Salons;
 - dd) Recording/broadcasting studio;
 - ee) Sewing supply and service;
 - ff) Visitor center;
 - jj) Video rental;

NOW THEREFORE, all future development of the Property shall be pursuant to the Village's Land Development Regulations and will be abided by the Owner freely, voluntarily and without duress, hereby declares, covenants, and agrees that the Property shall be held and conveyed subject to the following restrictions, covenants and conditions, which shall run with the Property and be binding upon all persons having any right, title or interest in the Property or any part thereof.

- 1 **Village's Right to Inspect Property.** Owner hereby acknowledges and agrees that any official Village inspector, duly authorized agent of the Village, shall have the right to enter upon and inspect the use of the Property at any time during normal working hours to determine whether or not Owner is in compliance with the conditions of this Declaration.
- 2 **Covenant Running with the Land.** This Declaration shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of Monroe County, Florida. This Declaration shall remain in full force and effect and be binding upon Owner, and all parties having any right, title or interest in the Property or any part thereof, and their heirs, successors and assigns, until such time as the same is modified, amended or released pursuant to paragraph 4 herein below.
- 3 **Term.** This Declaration shall be binding on Owner and all subsequent owners of the Property for a period of thirty (30) years from the date this Declaration is recorded, after which time the Declaration shall be extended automatically for successive periods of ten (10) years each.
- 4 **Modification, Amendment, Release.** This Declaration may only be modified, amended or released by resolution of the Islamorada, Village of Islands Village Council.
- 5 **Enforcement.** This Declaration may be enforced by the Islamorada Village of Islands against any party or person violating, or attempting to violate, any of the covenants and restrictions contained herein. The prevailing party in any action or suit pertaining to or arising out of this Declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, reasonable attorneys' fees and costs as well as attorneys' fees and cost incurred in enforcing this prevailing parties attorneys' fees provision. This enforcement provision shall be in addition to any other remedies available at law or in equity.
- 6 **Authorization for Village to Withhold Permits and Inspections.** If the terms of this Declaration are not being complied with, in addition to any other remedies available at law or in equity, the Village is hereby authorized to withhold any permits regarding the Property or any portion thereof, and to refuse to make any inspections or grant any approvals for the Property or any portion thereof, until such time as the Owner is in compliance with the covenants of this Declaration.
- 7 **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Owner or the Village shall be entitled to pursue all actions at law or in equity including, but not limited to, injunctive relief.

8 **Severability.** Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions, which shall remain in full force and effect.

Signed, witnessed, executed and acknowledged on this 13 day of February, 2021

WITNESSES:

[Signature]
Print Name: Dekolah Serafini

OWNERS:

Overseas Center, LLC, a Florida limited liability company
[Signature]
Print Name: _____

[Signature]
Print Name: Pamela Setchell

Print Name: Ernesto Machado
Ernesto Machado, Manager

STATE OF Florida COUNTY OF Monroe

)
SS:
)

The foregoing instrument was acknowledged before me this 13 day of February, 2021, by Ernesto Machado, Manager of Overseas Center, LLC who (check one) is personally known to me or has produced FLDL as identification.

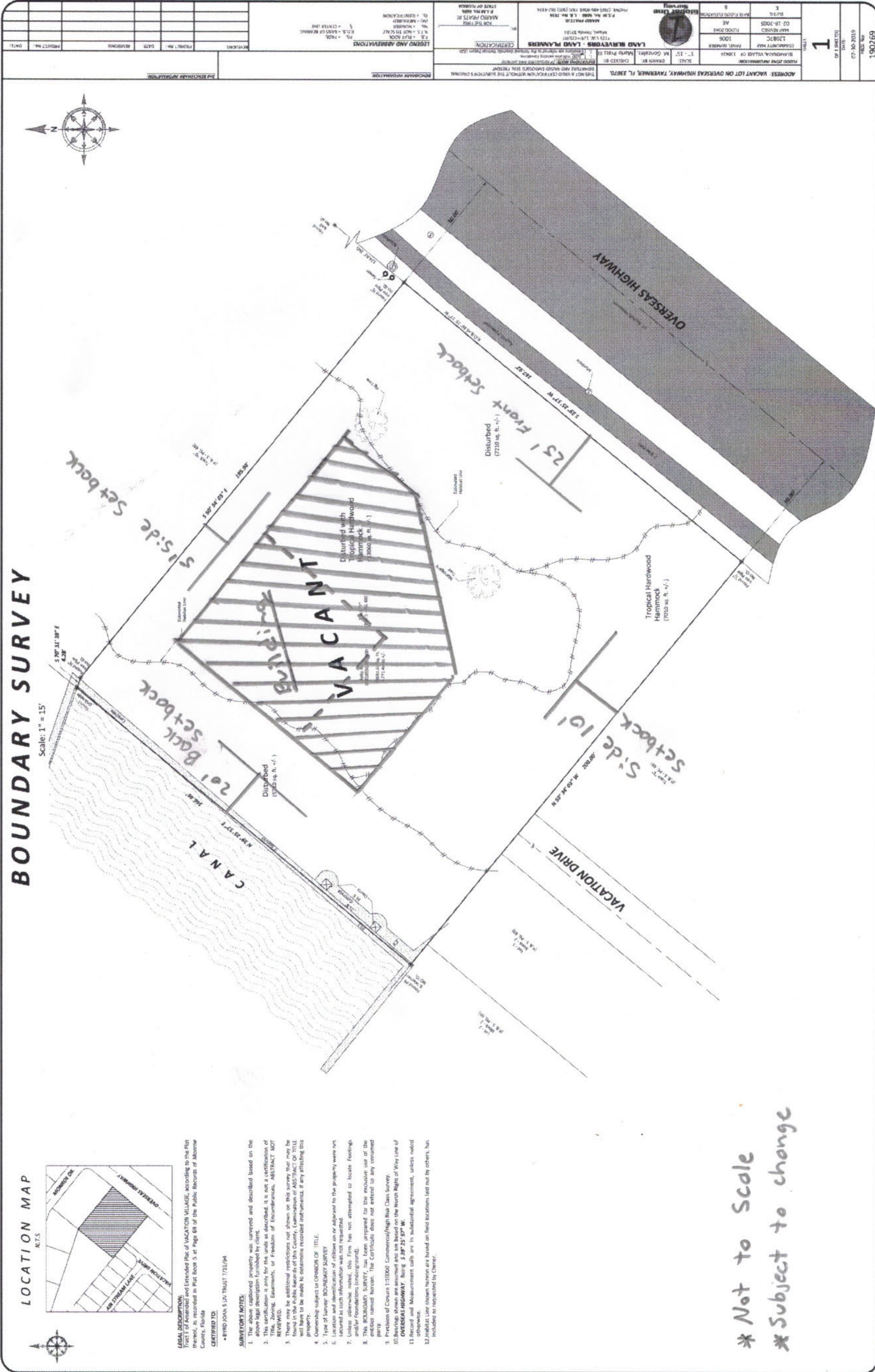
[Signature]
NOTARY PUBLIC, State of Florida

My Commission Expires:

Print Name: Pamela Setchell
PAMELA SETCHELL
MY COMMISSION # GG 346394
EXPIRES: September 14, 2023
Bonded Thru Notary Public Underwriters

Rough Site Plan

Attachment J



LEGAL DESCRIPTION:
 Tract F of Amended and Extended Plat of VACATION VILLAGE, according to the Plat thereon, as recorded in Plat Book 5 at Page 68 of the Public Records of Monroe County, Florida.

CERTIFIED TO:

• BYRD JOHN S LP TRUST 7/15/04

- SURVEYOR'S NOTES:**
1. The above referenced property was surveyed and described based on the above legal description furnished by client.
 2. This certification is only for the lands as described. It is not a certification of Title, Zoning, Easements, or Freedom of Encumbrances, ABSTRACT NOT REVIEWED.
 3. There may be additional restrictions not shown on this survey that may be found in the public records of this County, Commission or ABSTRACT OF TITLE to be made to determine recorded instruments, if any affecting this property.
 4. Ownership subject to OPINION OF TITLE.
 5. Type of Survey: BOUNDARY SURVEY
 6. Location and identification of utilities on or adjacent to the property were not surveyed as such information was not requested.
 7. Unless otherwise noted, this firm has not attempted to locate footings and/or foundations (underground).
 8. THIS BOUNDARY SURVEY, has been prepared for the exclusive use of the entities named herein. The Certificate does not extend to any unnamed party.
 9. Precision of Course 1:10000 Commercial/High Rise Class Survey.
 10. Readings were assumed and based on the North Right of Way line of the ROADWAY.
 11. Record and Measurement calls are in substantial agreement, unless noted otherwise.
 12. Substantive line shown herein are based on field locations laid out by others, has included as requested by Owner.

* Not to Scale
 * Subject to change

BOUNDARY SURVEY PROJECT NO. DATE REVISIONS PROJECT NO. DATE REVISIONS DATE:		LEGEND AND ABBREVIATIONS: --- BOUNDARY --- CENTER LINE --- EASEMENT --- ENCUMBRANCE --- EXISTING --- PROPOSED	CERTIFICATION: I, the undersigned, being duly sworn, depose and say that I am a duly Licensed Professional Engineer in the State of Florida, and that I am the duly Licensed Professional Engineer in Charge of the above described survey, and that the same is a true and correct copy of the original survey, and that I have not been furnished with any information which would cause me to believe that the same is not a true and correct copy of the original survey.	LAND SURVEYING - LAND PLANNING LAND SURVEYING - LAND PLANNING 1125 S.W. 13th Street Miami, Florida 33135 P.O. Box 1000 P.O. Box 1000 Miami, Florida 33102	Professional Engineer License No. 10000 State of Florida
ADDRESS: VACANT LOT ON OVERSEAS HIGHWAY, TAVENNER, FL 32070.		SCALE: 1" = 15' DATE: 7/15/04 PROJECT: 1	COMMISSION MAP: 12087C MAP NUMBER: AE FLOOD ZONE: 1006	PLAT: 1 DATE: 07/15/2004 SCALE: 1" = 15' PROJECT: 190206	190206



environmental
CONSULTING SYSTEMS, inc.
 biological assessments • consultations • habitat analysis

HABITAT ANALYSIS - H.E.I.
ISLAMORADA, VILLAGE OF ISLANDS
Section 30-1613 - Habitat Analysis. (1) (h) - (i).

Background Data					
Report Date: 07 March 2021		Village Permit No. (if applicable):		PLMA201901182	
GPS Location of Parcel: -80° 33' 07.1" W 24° 58' 33.4" N					
Legal Description and Real Estate number of Parcel:					
<i>Block</i>	<i>Lot</i>	<i>Subdivision</i>	<i>Key (island)</i>	<i>Plat Book/Page</i>	<i>Re #</i>
-	-	Tract F/Vacation Village-Amd. & Ext.	Plantation Key	5/69	00418050-000000
Physical Location: Adjacent to U.S. 1/Bayside/Between Monroe Drive & Village St./vacant					
Project Name: NA					
Property Owner (Last Name, First Name):			Address (Mailing address for Owner):		
Overseas Center, LLC			P.O. Box 9556 Tavernier, FL 33070		
Name of Observer:		Affiliation/ Address:		Phone:	(305) 852-1920
Susan V. Sprunt		E.C.S., Inc./ 102 Mohawk Street/Tavernier, FL 33070		E-mail:	susan@susansprunt.com
Signature:					

Dear Sirs,

This parcel contains three separate habitat types as illustrated on the boundary survey dated 30 of July 2019 (see Attachment One). The habitat types are: (1) Disturbed, (2) Disturbed with Tropical Hardwood Hammock, and (3) Tropical Hardwood Hammock. As defined by Islamorada, Village of Islands Land Development Regulations (LDR's) Section 30-1613 a "Habitat Analysis is required as part of a development application on lands classified as, or containing, tropical hardwood hammock..." This analysis has been conducted only within the tropical hardwood hammock portion of the parcel (see Attachment One). As also required by Islamorada, Village of Islands LDR's, a Vegetation Survey would be required for a building permit application. However, a Vegetation Survey was *NOT* conducted for this parcel based on the fact the property owner is currently not pursuing a building permit application for this site

and instead is interested in the quality of the hardwood hammock as determined by the H.E.I. analysis. The results of the analysis indicated that the site should be considered **Low Quality; Hammock**. Consult with the Village Biologist for the final determination of quality.

The habitat was healthy and in excellent condition. There were no significant natural land features observed. There were several large non-native tree species of Brazilian Pepper (*Schinus terebinthifolius*) adjacent to the Overseas Highway, but the majority of the canopy of the hammock was intact. The substrate also appeared to be in excellent condition.

The predominant large canopy tree species include, but are not limited to: Mahogany (*Swietenia mahagoni*), Green Buttonwood (*Conocarpus erectus*), Jamaican dogwood (*Piscidia piscipula*), and Strangler fig (*Ficus aurea*). The understory vegetation was intact and in excellent condition. The common plant species found were, but not limited to, Spanish stopper (*Eugenia foetida*), white stopper (*Eugenia axillaris*), pigeon plum (*Coccoloba diversifolia*), inkwood (*Exothea paniculata*), and snowberry (*Chiococca alba*).

This parcel is located within the Federally Protected Species Focus Areas and likely has a “combined species Focus Area” designation on the existing Focus Area Maps maintained by the Village. Consult with the Village Biologist/Planning Department on the requirements for this parcel. A list of wildlife species and the Habitat Analysis point scores (Sec. 30-1613 (h)) are included with this survey (see Page 3).

Please feel free to contact me if you have any questions or require additional information.

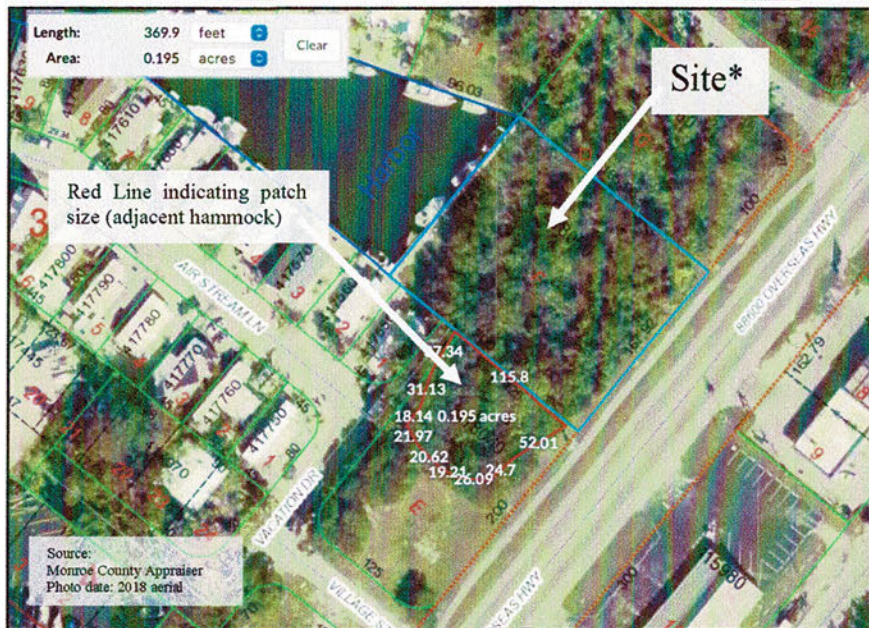
Regards,



Susan V. Sprunt, PhD
President

Wildlife Species List		
Common Name	Scientific Name	Status
Cuban Brown Lizard	<i>Anolis segreii</i>	
Green Garden Lizard	<i>Anolis carolinensis</i>	
Cat	<i>Felis catus</i>	
BIRDS		
Blue-grey Gnatcatcher	<i>Poliophtila coerulea</i>	
Northern Mocking bird	<i>Mimus polyglottos</i>	
Red-Bellied Woodpecker	<i>Melanerpes carolinus</i>	
American Redstart warbler	<i>Setophaga ruticilla</i>	
Grey Cat Bird	<i>Dumetella carolinensis</i>	
Black-and-white warbler	<i>Mniotilta varia</i>	
Northern Cardinal	<i>Cardinalis cardinalis</i>	

Habitat Analysis Quality Evaluation	
Hammock Patch Size	
FOUND	POINTS
0.36 acres (including adjacent parcel/SW) <0.5 acre (21,780 sq.ft.)	25
Landscape Ecology	
FOUND	POINTS
Hammock not contiguous mangrove/wetlands	0
Invasive Plant Species	
FOUND	POINTS
Less than 25% coverage	10
Quality Determination	
Quality	Cumulative Score
Low Quality (<50)	35



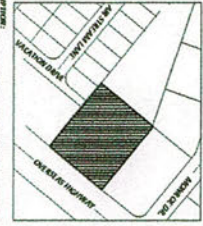
Hammock Patch Size:
0.36 acres

*see Attachment One for
Hammock Size of Site

ATTACHMENT ONE N.T.S.



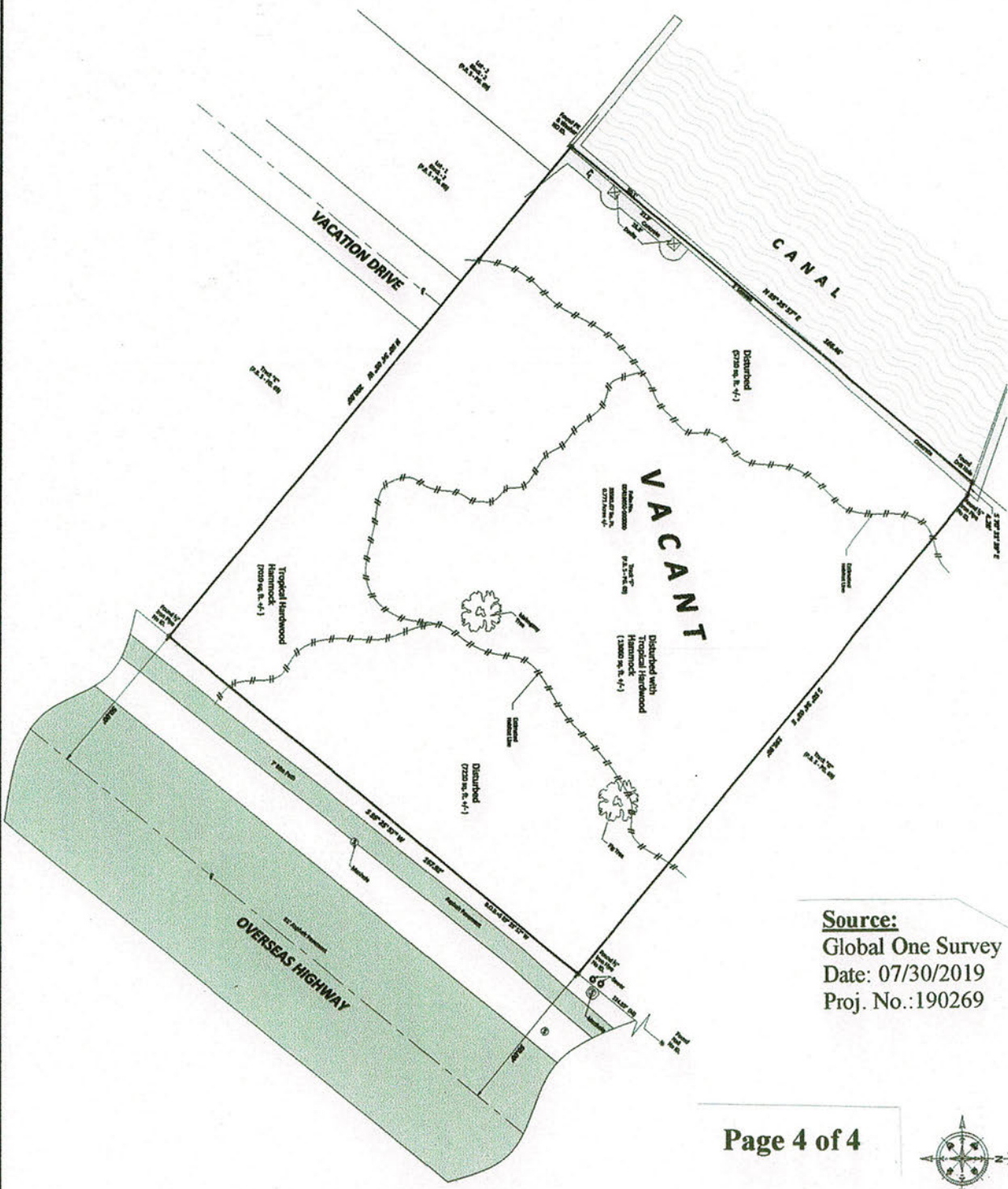
LOCATION MAP
N.T.S.



FIELD NOTES:
 1. The boundary of the vacant lot is shown as a dashed line on the attached map.
 2. The boundary of the vacant lot is shown as a dashed line on the attached map.
 3. The boundary of the vacant lot is shown as a dashed line on the attached map.
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 18. The boundary of the vacant lot is shown as a dashed line on the attached map.
 19. The boundary of the vacant lot is shown as a dashed line on the attached map.
 20. The boundary of the vacant lot is shown as a dashed line on the attached map.

BOUNDARY SURVEY

Scale: 1" = 15'



Source:
 Global One Survey
 Date: 07/30/2019
 Proj. No.: 190269



ADDRESS: VACANT LOT ON OVERSEAS HIGHWAY, TAVERNER, FL 32070 SCALE: 1" = 15' DATE: 07/30/2019 PROJECT NO.: 190269		THIS IS NOT A VALID CERTIFICATION WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND TRUSTED EMBOSSED SEAL PRESENT LAND SURVEYORS - LAND PLANNERS STATE OF FLORIDA REGISTRATION NO. 12000 EXPIRES 12/31/2025 ISSUED 12/31/2020		PHOTODUPLICATION INFORMATION REVISIONS: <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		NO.	DATE	REVISION												
NO.	DATE	REVISION																		
LEGEND AND ABBREVIATIONS PS - PLAT BOOK STA - POINT TO SCALE NO. - NUMBER BY - MEASURED ID - IDENTIFICATION		STATE OF FLORIDA DEPARTMENT OF REVENUE REGISTRATION DIVISION 190269		PROJECT NO.: 190269 DATE: 07/30/2019																