



## Kevin Madok, CPA

Clerk of the Circuit Court & Comptroller – Monroe County, Florida

September 14, 2022

Department of State  
Administrative Code & Register  
500 S Bronough Street  
Tallahassee FL 32399-0250

To Whom It May Concern,

Attached is a copy of Ordinance No. 016-2022 by the Monroe County Board of County Commissioners establishing Monroe County Land Development Code Section 130-140 Safe Harbor Community Center Overlay (SHCC), establishing purpose and intent, permitted uses, density and intensity, off-street parking, required setbacks, signage and the boundary of the overlay district which is generally comprised of a certain area on Stock Island, Monroe County, Florida, bounded by Front Street to the east, Fourth Avenue to the north, Fifth Avenue to the north, Shrimp Road to the west, and Shrimp Road to the south but excluding certain property owned by the Utility Board of the City of Key West and certain property owned by the Florida Keys Aqueduct Authority bounded by Front Street to the east; as proposed by Smith/Hawks, PL on behalf of Longstock II, LLC; providing for severability; providing for repeal of conflicting provisions; providing for transmittal to the State Land Planning Agency and the Secretary of State; providing for inclusion in the Monroe County Code; providing for an effective date. (File 2018-169)

This Ordinance was adopted by the Monroe County Board of County Commissioners at a regular meeting, held in formal session, on August 17, 2022. Should you have any questions please feel free to contact me at (305) 292-3550.

Respectfully Submitted,

Kevin Madok, CPA, Clerk of  
the Circuit Court & Comptroller &  
ex-officio to the Monroe County  
Board of County Commissioners  
*by: Liz Yongue, Deputy Clerk*

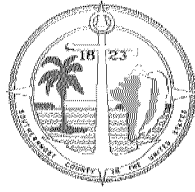
cc: Planning and Environmental Resources  
County Administrator  
County Attorney  
BOCC  
File

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KEY WEST  
500 Whitehead Street  
Key West, Florida 33040

MARATHON  
3117 Overseas Highway  
Marathon, Florida 33050

PLANTATION KEY  
88770 Overseas Highway  
Plantation Key, Florida 33070



MONROE COUNTY, FLORIDA  
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

**ORDINANCE NO. 016-2022**

**AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ESTABLISHING MONROE COUNTY LAND DEVELOPMENT CODE SECTION 130-140 SAFE HARBOR COMMUNITY CENTER OVERLAY (SHCC), ESTABLISHING PURPOSE AND INTENT, PERMITTED USES, DENSITY AND INTENSITY, OFF-STREET PARKING, REQUIRED SETBACKS, SIGNAGE AND THE BOUNDARY OF THE OVERLAY DISTRICT WHICH IS GENERALLY COMPRISED OF A CERTAIN AREA ON STOCK ISLAND, MONROE COUNTY, FLORIDA, BOUNDED BY FRONT STREET TO THE EAST, FOURTH AVENUE TO THE NORTH, FIFTH AVENUE TO THE NORTH, SHRIMP ROAD TO THE WEST AND SHRIMP ROAD TO THE SOUTH BUT EXCLUDING CERTAIN PROPERTY OWNED BY THE UTILITY BOARD OF THE CITY OF KEY WEST AND CERTAIN PROPERTY OWNED BY THE FLORIDA KEYS AQUEDUCT AUTHORITY BOUNDED BY FRONT STREET TO THE EAST; AS PROPOSED BY SMITH/HAWKS, PL ON BEHALF OF LONGSTOCK II, LLC; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2018-169)**

**WHEREAS**, pursuant to Article 8 of the Florida Constitution and Section 125.66, Florida Statutes, Monroe County possesses the police powers to enact ordinances in order to protect the health, safety, and welfare of the County's citizens; and

**WHEREAS**, on August 16, 2018, August 16, 2018, the Planning and Environmental Resources Department received an application from Bart Smith of Smith/Hawks, PL (the "Agent") on behalf of Longstock II, LLC (the "Applicant,") to amend Monroe County Land Development Code (LDC) Section 130-40 to establish the Safe Harbor Community Center (SHCC) Overlay District through the establishment of: purpose and intent, boundary, transfers of nonresidential square footage into the SHCC, permitted and conditional uses, maximum density for hotel/motel

1 and minimum open space, maximum nonresidential land use intensities and district open space,  
2 parking, setbacks and signage; and  
3

4 **WHEREAS**, on March 18, 2019, the Applicant submitted a revised application (the  
5 “Application”), revising the language of the proposed LDC text amendment by providing  
6 additional text that “reflects the need to preserve and promote recreational and commercial  
7 working waterfront uses, as defined by 342.07, Fl. Stat., and pursuant to Policy 101.5.6 o[f] the  
8 Monroe County Comprehensive Code [Plan]”. The Application also included new language  
9 related to CBRS restrictions within the SHCC; and  
10

11 **WHEREAS**, on August 6, 2020, the Applicant submitted revised language for the  
12 proposed text amendment; and  
13

14 **WHEREAS**, Staff is recommending edits to the Applicant’s proposal in an effort to  
15 provide for internal consistency of the Land Development Code (LDC), and to further implement  
16 goals, strategies and action items of the Stock Island and Key Haven Livable CommuniKeys  
17 Master Plan (the “LCP”) and the Stock Island Harbor Preservation / Redevelopment and Intra-  
18 Island Corridor Enhancement Plan (the “Stock Island Harbor Preservation / Redevelopment  
19 Plan”), which represent the community’s vision for the Stock Island and Key Haven area;  
20

21 **WHEREAS**, the Monroe County Development Review Committee (DRC) reviewed and  
22 considered the proposed amendment at a regularly scheduled meeting held on August 25, 2020;  
23 and  
24

25 **WHEREAS**, Monroe County policies and regulations adopted in the Monroe County  
26 Comprehensive Plan and Land Development Code are to maintain public health, safety, and  
27 welfare of the citizens of the Florida Keys and to strengthen our local government capability to  
28 manage land use and development; and  
29

30 **WHEREAS**, the Monroe County Planning Commission held a public hearing on January  
31 26, 2022, for review and recommendation on the proposed amendment; and  
32

33 **WHEREAS**, on January 26, 2022, the Planning Commission considered the proposed  
34 amendment at a regular meeting and recommended the following through PC Resolution 05-22:  
35

- 36 1. Approval with changes as discussed during the hearing to the Board of County  
37 Commissioners of an amendment to the Monroe County Land Development Section 130-  
38 140 excluding the discussion of transfer of development rights (TDRs); and
- 39 2. Recommend the Applicants’ proposed language as it relates to transfer of development  
40 rights (TDRs) as indicated in Section 130-140(e)(1)b. to state: For the preservation of 50%  
41 or more of the upland area of property for working waterfront and water dependent uses,  
42 the residential density, including Hotel/Motel density, on the property may be developed  
43 pursuant to the maximum net density standard without the use of TDRs.  
44

1       **WHEREAS**, at a regularly scheduled meeting held on the 17<sup>th</sup> day of August 2022, the  
2 Monroe County Board of County Commissioners held a public hearing, considered the staff report,  
3 and provided for public comment and public participation in accordance with the requirements of  
4 state law and the procedures adopted for public participation in the planning process; and  
5

6       **WHEREAS**, based upon the documentation submitted and information provided in the  
7 accompanying staff report, the BOCC makes the following Conclusions of Law:  
8

- 9       1. The proposed amendment is consistent with the Goals, Objectives and Policies of the  
10 Monroe County Year 2030 Comprehensive Plan; and
- 11       2. The proposed amendment is consistent with the Principles for Guiding Development  
12 for the Florida Keys Area of Critical State Concern, Sec. 380.0552(7), F.S.; and
- 13       3. The proposed amendment is consistent with Part II of Chapter 163, Florida Statute; and
- 14       4. The proposed amendment is necessary due to consistency with the Comprehensive Plan  
15 and the principles for guiding development, as required by Section 102-158 of the  
16 Monroe County Code.

17 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**  
18 **COMMISSIONERS OF MONROE COUNTY, FLORIDA:**  
19

20       **Section 1.** The Monroe County Land Development Code is hereby amended as follows:  
21

22       Proposed Amendment (deletions are ~~stricken through~~; additions are shown in underlined).

23 **Sec. 130-140. Safe Harbor Community Center Overlay District (SHCC).**

24 (a) Purpose and intent. The purpose of the Safe Harbor Community Center (SHCC) Overlay  
25 District is to implement applicable goals, objectives, and policies of the Comprehensive Plan  
26 promoting a working waterfront and public access to the marine and coastal waters and allowing  
27 for redevelopment in a non-environmentally sensitive area of the Lower Keys for hotels/motels,  
28 affordable/workforce housing, commercial retail, and restaurant uses while balancing the  
29 protection of recreational and commercial working waterfront and commercial fishing uses, and  
30 preserving and protecting coastal and natural resources and the community character. The intent  
31 is to protect and maintain the character of the Safe Harbor area while allowing redevelopment/infill  
32 within the overlay district, an area that is the result of dredge and fill which has been developed  
33 with nonresidential uses.  
34

1 Furthermore, the purpose of the SHCC Overlay District is to implement the goals, strategies  
2 and action items of the Stock Island – Key Haven Livable Communikeys Plan and the Stock  
3 Island Harbor Preservation / Redevelopment and Intra-Island Corridor Enhancement Plan to  
4 encourage redevelopment that maintains and enhances the economic diversity of the  
5 community; direct future residential and commercial activities to areas most suitable in the  
6 Planning Area; preserve and increase the number of housing units available for low and very  
7 low income families; maintain affordable housing while providing for a mix of housing  
8 options; maintain and enhance the community character of a diverse and unique mixed-use  
9 community, separate from Key West; and maintain and enhance natural resources, taking care  
10 to improve and protect water quality and beautify and preserve open space; protect shoreline  
11 access for water based recreational activities; provide for all residential of the planning area a  
12 safe, efficient and viable transportation system for the movement of people and goods; provide  
13 for a safe, efficient, and viable transportation system for the movement of people and goods;  
14 preserve the working waterfront, revitalize the port area while improving the physical setting,  
15 accommodate a diversity of water-oriented activities and people, connect the port area to the  
16 surrounding community, provide access along the waterfront and to respect and reinforce the  
17 heritage and character of the community.

18 (b) Boundary. The Safe Harbor Community Center Overlay District shall be shown as an overlay  
19 district on the Official Land Use District Map. The Safe Harbor Community Center Overlay  
20 District shall be comprised of that certain area bounded by Front Street to the east, Fourth Avenue  
21 to the north, Fifth Avenue to the north, Shrimp Road to the west, and Shrimp Road to the south  
22 but excluding that certain property owned by the Utility Board of the City of Key West and Florida  
23 Keys Aqueduct Authority bounded by Front Street to the east.



24  
25 **SHCC Overlay District Boundaries crosshatched in Red**

1 (c) In accordance with Policies 101.8.5 and 101.9.2 and Section 102-57(f), lawfully established  
2 nonconforming non-residential structures which are non-conforming as to intensity within the Safe  
3 Harbor Community Center Overlay District as of the effective date of this section may be rebuilt  
4 to the preexisting use, building footprint and configuration without increase in density or intensity  
5 of use, even if 100 percent destroyed provided that they are rebuilt to the preexisting use and  
6 registered in accordance with Section 102-55.

7 (d) In accordance with Sections 138-51(c) and 138-50(j)(3), NROGO allocations or transfers over  
8 10,000 square feet shall be permitted into the Safe Harbor Community Center Overlay District.

9 (e) In order to preserve and promote recreational and commercial working waterfront uses, the  
10 following criteria and incentives in furtherance of Policy 101.5.6, shall apply, and be available, to  
11 all parcels within the Safe Harbor Community Center Overlay District that are zoned Maritime  
12 Industries (MI) and have a Mixed-Use Commercial (MC) FLUM Designation as follows:

- 13 1. When a mixture of uses is proposed for parcels designated as MI land use (zoning)  
14 district, working waterfront and water dependent uses, such as marina, fish  
15 house/market, boat repair, boat building, boat storage, or other similar uses, but  
16 excluding transient uses, shall be preserved by maintaining a minimum of 35% of  
17 the upland area of the property for those uses.

18 To incentivize additional preservation of recreational and commercial working  
19 waterfront uses, the following shall be available:

- 20 a. For the preservation of 36—50% of the upland area of property for  
21 working waterfront and water dependent uses, up to 20,000 square feet of  
22 nonresidential floor area from the NROGO bank shall be provided to the  
23 property; and
- 24 b. For the preservation of 50% or more of the upland area of property for  
25 working waterfront and water dependent uses, the residential density, on  
26 the property may be developed pursuant to the maximum net density  
27 standard without the use of TDRs.
- 28 c. If parcels do not preserve 50% or more of the upland are of the property  
29 for working waterfront and water dependent uses, TDRs can be utilized  
30 to attain the density between the allocated density standard up to the  
31 maximum net density standard.
- 32 d. Deed restricted affordable dwelling units may be built up to the maximum  
33 net density without the use of TDRs.
- 34 e. Parcels within the MI zoning district that have existing wet slips shall  
35 preserve at least 20% of the wet slips for vessels involved with  
36 recreational and commercial working waterfront uses, excluding live-  
37 aboard vessels solely used as a residence and not for navigation.
- 38 f. Parcels within the MI zoning district creating new wet slips shall preserve  
39 at least 10% of the wet slips for vessels involved with recreational and  
40 commercial working waterfront uses, excluding live-aboard vessels solely  
41 used as a residence and not for navigation.

- 1                   g. The preservation of dockage for recreational and commercial working  
2 waterfront uses shall be documented on the final development plan and  
3 shall be a written condition of any permit approval.
- 4                   h. For permanent residential development, parcels within the MI zoning  
5 district shall be limited to commercial apartments or employee housing.  
6 Commercial apartment means an attached or detached residential  
7 dwelling unit located on the same parcel of land as a nonresidential use  
8 that is intended to serve as permanent housing for the owner or employees  
9 of that nonresidential use. The term does not include a tourist housing use  
10 or vacation rental use.
- 11                  i. The preservation of a public access walkway, and a public access boat  
12 launch if one already exists, shall be required for all parcels with direct  
13 access to the water. Consideration shall be given to security and the  
14 physical constraints of the parcel. The public access walkway shall be  
15 documented on the final development plan to link a continuous walkway  
16 and shall be a written condition of any permit approval.
- 17

18 (f) Within the boundaries of the Safe Harbor Community Center Overlay District, the permitted  
19 and conditional uses in subsections (1)(b) and (c) shall be enforced, in lieu of Section 130-85,  
20 Maritime Industries, and Section 130-88, Mixed Use; and the nonresidential land use intensities in  
21 subsection (3) shall be enforced in lieu of Section 130-164, maximum nonresidential land use  
22 intensities and district open space.

23 (1) Permitted uses. The following uses are permitted as of right in the Safe Harbor Community  
24 Center (SHCC) Overlay District:

- 25       1. Accessory uses;
- 26       2. Attached and detached dwellings involving less than six units, designated as  
27 employee housing as provided for in Section 139-1;
- 28       3. Attached wireless communications facilities, as accessory uses, pursuant to section  
29 146-5(d);
- 30       4. Collocations on existing antenna-supporting structures, pursuant to Section 146-  
31 5(c);
- 32       5. Commercial apartments involving less than six dwelling units, but tourist housing  
33 uses, vacation rental use, of commercial apartments is prohibited.
- 34       6. Commercial fishing;
- 35       7. Commercial recreational uses limited to:
- 36           a. Bowling alleys;
- 37           b. Tennis and racquet ball courts;
- 38           c. Miniature golf and driving ranges;
- 39           d. Theaters;

- 1 e. Health clubs; and  
2 f. Swimming pools;  
3 8. Commercial retail, restaurant uses, or any combination thereof, of less than 5,000  
4 square feet of floor area;  
5 9. Detached dwellings within the Mixed Use (MU) Zoning District;  
6 10. Institutional residential uses, involving less than ten dwelling units or rooms within  
7 the Mixed Use (MU) Zoning District;  
8 11. Institutional uses;  
9 12. Light industrial uses;  
10 13. Office uses of less than 5,000 square feet of floor area;  
11 14. Public buildings and uses;  
12 15. Replacement of an existing antenna-supporting structure pursuant to Section 146-  
13 5(b);  
14 16. Satellite earth stations, as accessory uses, pursuant to section 146-5(f);  
15 17. Stealth wireless communications facilities, as accessory uses, pursuant to section  
16 146-5(e); and  
17 18. Wastewater nutrient reduction cluster systems that serve less than ten residences;  
18 provided that:  
19 a. The wastewater treatment facility and wastewater treatment collection  
20 systems are in compliance with all federal, state, and local requirements;  
21 b. The wastewater treatment facility, wastewater treatment collection systems  
22 and accessory uses shall be screened by structures designed to be  
23 architecturally consistent with the character of the surrounding community  
24 and shall minimize the impact of any outdoor storage, temporary or  
25 permanent; and  
26 c. In addition to any district boundary buffers set forth in chapter 114,  
27 article V, a planting bed, eight feet in width, to be measured perpendicular  
28 to the exterior of the screening structure shall be established with the  
29 following:  
30 i. One native canopy tree for every 25 linear feet of screening  
31 structure;  
32 ii. One understory tree for every ten linear feet of screening structure  
33 and the required trees shall be evenly distributed throughout the  
34 planting bed;  
35 iii. The planting bed shall be installed as set forth in chapter 114, article  
36 IV; and  
37 iv. A solid fence may be required upon determination by the planning  
38 director.



(2) The following uses are permitted as minor conditional uses in the Safe Harbor Community Center (SHCC) Overlay District, subject to the standards and procedures set forth in Chapter 110, Article III:

1. Agricultural uses, limited to mariculture, provided that:

a. The parcel proposed for development is separated from any established residential uses by at least a class C bufferyard;

b. All outside storage areas are screened from adjacent uses by a solid fence, wall, or hedge at least six feet in height;

2. Attached and detached dwellings involving six to 18 units, designated as employee housing as provided for in Section 139-1.

3. Commercial apartments involving up to 18 dwelling units, provided that:

a. The hours of operation of the commercial uses are compatible with residential uses;

b. Access to U.S. 1 is by way of:

i. An existing curb cut;

ii. A signalized intersection; or

iii. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least 400 feet;

c. Tourist housing uses, including vacation rental uses, of commercial apartments are prohibited;

4. Commercial retail, office, restaurant uses, or any combination thereof, of low and medium intensity, of greater than 5,000 but less than 10,000 square feet or floor area, provided that access to U.S. 1 is by way of:

a. An existing curb cut;

b. A signalized intersection; or

c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least 400 feet;

In no case shall parcels within the Maritime Industries (MI) zoning district contain more than 5,000 square feet of floor area of commercial retail.

5. Commercial retail, office, restaurant uses, or any combination thereof, of high intensity, and of less than 5,000 square feet of floor area, provided that access to U.S. 1 is by way of:

a. An existing curb cut;

b. A signalized intersection; or

c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least 400 feet;

In no case shall parcels within the Maritime Industries (MI) zoning district contain more than 5,000 square feet of floor area of commercial retail.

6. Hotels of fewer than 50 rooms, provided that one or more of the following amenities is available to guests:

- a. Swimming pool;
- b. Docking Facilities; or
- c. Tennis courts;

7. New antenna-supporting structures, pursuant to Section 146-5(a).

(3) The following uses are permitted as major conditional uses in the Safe Harbor Community Center Overlay District, subject to the standards and procedures set forth in Chapter 110, Article III:

1. Attached and detached dwelling units involving more than 18 units, designated as employee housing as provided for in Section 139-1.

2. Commercial retail, office, restaurant uses, or any combination thereof, of low and medium intensity, of greater than 10,000 square feet of floor area, provided that access to U.S. 1 is by way of:

- a. An existing curb cut;
- b. A signalized intersection; or
- c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least 400 feet;

In no case shall parcels within the Maritime Industries (MI) zoning district contain more than 5,000 square feet of floor area of commercial retail.

3. Commercial recreation uses (indoor and outdoor), including amusement or sea life parks and drive-in theaters, provided that:

- a. The parcel of land proposed for development does not exceed five acres;
- b. The parcel proposed for development is separated from any established residential use by a class C bufferyard;
- c. All outside lighting is designed and located so that light does not shine directly on any established residential use; and
- d. The parcel is within the Mixed Use (MU) zoning district.

4. Hotels providing 50 or more rooms, provided that:

- a. The hotel has restaurant facilities on the premises; and
- b. One or more of the following amenities is available to guests:
  - i. Swimming pool; or
  - ii. Docking facilities; or
  - iii. Tennis courts; and
- c. Access to U.S. 1 is by way of:
  - i. An existing curb cut;
  - ii. A signalized intersection; or

1                   iii.     A curb cut that is separated from any other curb cut on the same side  
2                   of U.S. 1 by at least 400 feet;

3           5.     Marinas, provided that:

- 4           a.     The parcel proposed for development has access to water at least four feet  
5                 below mean sea level at mean low tide;  
6           b.     The sale of goods and services is limited to fuel, food, boating, diving and  
7                 sport fishing products;  
8           c.     All outside storage areas are screened from adjacent uses by a solid fence,  
9                 wall, or hedge at least six feet in height; and  
10          d.     Each nonwaterside perimeter setback of the parcel proposed for  
11                 development must have a class C bufferyard within a side yard setback of  
12                 no less than ten feet; and  
13          e.     New and existing marine facilities, including marinas, with ten slips or  
14                 more, or one live-aboard-slip, must provide dedicated sewage pump-out  
15                 facilities or services.

16          6.     Wastewater treatment facilities and wastewater treatment collection systems  
17                 serving uses located in any land use district, provided that:

- 18          a.     The wastewater treatment facility and wastewater treatment collection  
19                 systems are in compliance with all federal, state, and local requirements;  
20          b.     The wastewater treatment facility, wastewater treatment collection systems  
21                 and accessory uses shall be screened by structures designed to be  
22                 architecturally consistent with the character of the surrounding community  
23                 and minimize the impact of any outdoor storage, temporary or permanent;  
24                 and  
25          c.     In addition to any district boundary buffers set forth in Chapter 114,  
26                 Article V, a planting bed, eight feet in width, to be measured perpendicular  
27                 to the exterior of the screening structure shall be established with the  
28                 following:  
29                 i.     One native canopy tree for every 25 linear feet of screening  
30                         structure;  
31                 ii.    One understory tree for every ten linear feet of screening structure  
32                         and the required trees shall be evenly distributed throughout the  
33                         planting bed;  
34                 iii.   The planting bed shall be installed as set forth in Chapter 114,  
35                         Article IV; and  
36                 iv.    A solid fence may be required upon determination by the planning  
37                         director.

38     (g) Allocated Density for Residential Dwelling Units. For purposes of this overlay district, parcels  
39     shall maintain the allocated density standard for residential dwelling units based on the underlying

1 zoning districts in which it is located, of either Mixed Use (MU) of 1 du/ gross acre or Maritimes  
2 Industries (MI) of 1 du/ gross acre.

3 (f) Maximum Net Density for Residential Dwelling Units. For purposes of this overlay district,  
4 parcels shall maintain the maximum net density standard for residential dwelling units based on  
5 the underlying existing zoning districts in which it is located, of either Mixed Use (MU) of 12  
6 du/buildable acre (18 du/buildable acre for affordable housing) or Maritimes Industries (MI) of 2  
7 du/buildable acre and minimum open space shall be 0.20. Additional open space requirements may  
8 apply based on environmental protection criteria – see additional open space ratios in Chapter  
9 118. In accordance with Section 101-2(1), the most restrictive ratios for open space shall apply.

10 (1) The Maximum Net Density is the maximum density allowable with the use of  
11 TDRs, or for qualifying affordable housing development. TDRs can be utilized to  
12 attain the density between the allocated density standard up to the maximum net  
13 density standard. Deed restricted affordable dwelling units may be built up to the  
14 maximum net density without the use of TDRs.

15 (2) Developing under the maximum net density standard requires the transfer of  
16 density (Transferable Development Rights or TDRs) pursuant to Section 130-160.

17  
18 (h) Allocated Density for Hotel/Motel. For purposes of this overlay district, ~~properties~~ parcels shall  
19 maintain the allocated density for transient units, limited to hotel/motel uses and institutional  
20 residential uses, permitted based on the underlying ~~under the~~ existing zoning districts in which it  
21 is located of either Mixed Use (MU) of 10 rooms or spaces/acres for hotels and 5 rooms or  
22 spaces/acres for institutional residential uses or Maritimes Industries (MI) of 10 rooms or  
23 spaces/acres for hotels. For properties designated as MI zoning that are within the I future land use  
24 category, the allocated density for hotel and institutional residential uses shall be zero (0).

25 (1) Pursuant to Section 138-23, new transient units, shall not be eligible for residential  
26 ROGO allocations.

27 (2) To develop transient units, units must be transferred pursuant to Section 138-22(b).  
28

29 (i) Maximum Densities for Hotel/Motel and Minimum Open Space. For purposes of this overlay  
30 district, parcels shall maintain the maximum net density for transient units, limited to hotel/motel  
31 uses and institutional residential uses, permitted under the existing zoning districts.  
32

33 (j) Maximum Nonresidential Floor Area. For the purposes of this overlay district, uses with  
34 corresponding intensity thresholds shall be cumulative and shall be in accordance with the  
35 following table:

<u>Land Use</u>	<u>Maximum Floor Area Ratio</u>	<u>Minimum Open Space Ratio<sup>(a)</sup></u>
<u>Low Intensity Commercial Retail or Restaurant</u>	<u>0.45</u>	<u>0.20</u>
<u>Medium Intensity Commercial Retail or Restaurant</u>	<u>0.45</u>	<u>0.20</u>
<u>High Intensity Commercial Retail or Restaurant</u>	<u>0.30</u>	<u>0.20</u>
<u>Office</u>	<u>0.50</u>	<u>0.20</u>
<u>Commercial Fishing</u>	<u>0.45</u>	<u>0.20</u>
<u>Light Industrial</u>	<u>0.60<sup>(b)</sup></u>	<u>0.20</u>
<u>Institutional</u>	<u>0.30</u>	<u>0.20</u>
<u>Public Building/Uses</u>	<u>0.60</u>	<u>0.20</u>
<u>Agriculture (Mariculture)</u>	<u>0.45</u>	<u>0.20</u>
<u>Commercial Recreation</u>	<u>0.25</u>	<u>0.20</u>
<p>(a) <u>Additional open space requirements may apply based on environmental protection criteria – see additional open space ratios in Chapter 118. In accordance with Section 101-2(1), the most restrictive of these ratios applies.</u></p> <p>(b) <u>For properties within the Safe Harbor Community Center Overlay District with Light Industrial land use, the maximum floor area ratio shall be 0.60 in accordance with Policy 101.5.25 of the Comprehensive Plan as of its effective date. Only properties with an Industrial FLUM within the Safe Harbor Community Center Overlay District shall have a maximum FAR of 0.60. Properties with a Mixed Use/Commercial FLUM within the Safe Harbor Community Center Overlay District shall have this maximum FAR of 0.45.</u></p>		

(k) Notwithstanding Section 138-147(a), enclosed and partially enclosed boat barns shall not count towards Floor Area Ratio within the Safe Harbor Community Center Overlay District.

(l) Parking requirements.

1. General Requirements.

- a. Every use shall be provided with off-street parking in accordance with Section 114-67.
- b. Up to 20 percent of the required parking spaces for nonresidential uses may be replaced with an equivalent number of smaller parking spaces designed to accommodate motorcycles or scooters and other similar modes of transportation.

2. Required number of off-street parking spaces. Notwithstanding Section 114-67(e), the following number of parking spaces shall be provided for each use:

<u>Specific Use Category</u>	<u>Minimum Required Number of Parking Spaces Per Indicated Unit of Measure</u>
<u>Single-family dwelling units</u>	<u>2.0 spaces per dwelling unit</u>
<u>Multifamily residential developments</u>	<u>2.0 spaces per each 1-bedroom dwelling unit; 2.0 spaces per each 2-bedroom dwelling unit; and 3.0 spaces per each 3 or more-bedroom dwelling unit</u>
<u>Commercial retail except as otherwise specified in this table</u>	<u>3.0 spaces per 1,000 sq. ft. of nonresidential floor area within the building and 1.5 spaces per 1,000 sq. ft. of area devoted to outdoor retail sales</u>
<u>Eating and drinking establishments, such as restaurants and bars</u>	<u>For areas devoted to food/beverage service, 1.0 space per 3 seats or 3.0 spaces per 1,000 sq. ft. of nonresidential floor area, whichever total amount is higher.</u> <u>For other areas, 3.0 spaces per 1,000 sq. ft. of nonresidential floor area within the building separate from the seating area and devoted to activities other than food/beverage service (including, but not limited to, kitchen, office, retail sales not related to food or beverage and storage)</u>
<u>Commercial recreation (indoor), excluding theaters, conference centers and activity centers</u>	<u>5.0 spaces per 1,000 sq. ft. of nonresidential floor area within the building</u>
<u>Commercial recreation (outdoor)</u>	<u>5.0 spaces per 1,000 sq. ft. of the parcel that is directly devoted to the outdoor recreational activity, excluding areas used for parking and driveways, required yards, and required landscaping and buffer areas</u>
<u>Theaters, conference centers, or activity centers</u>	<u>1.0 space per 3.0 actual seats or based on seating capacity</u>
<u>Offices</u>	<u>3.0 spaces per 1,000 sq. ft. of nonresidential floor area within the building</u>
<u>Hotels</u>	<u>1.0 space per each 1-bedroom transient dwelling unit and 1.0 space plus 0.5 space for each additional bedroom per each 2 or more-bedroom transient dwelling unit</u>

<u>Industrial uses; excluding mini warehouses/self-storage centers; repair or servicing of vehicles; and warehousing</u>	<u>2.0 spaces per 1,000 sq. ft. of nonresidential floor area within the building; and 1.0 space per 1,000 sq. ft. of the parcel that is devoted to outdoor industrial use</u>
<u>Live-aboard</u>	<u>1.5 spaces per berth</u>
<u>Marinas and commercial fishing facilities</u>	<u>1.0 space per 2 berths plus 1.0 space per 4 dry storage racks</u>
<u>Charter/guide boats, six or fewer passenger capacity</u>	<u>2.0 spaces per berth</u>
<u>Party and charter/guide boats, more than six passengers capacity</u>	<u>0.3 space per passenger capacity of vessel</u>
<u>Boat ramps</u>	<u>6.0 spaces per ramp; all spaces shall be a minimum of 14 feet by 55 feet, to accommodate trailers and oversized vehicles</u>

3. Off-site parking facilities. Notwithstanding Section 114-67(h), the following requirements shall apply to off-site parking facilities for nonresidential uses.

- a. Off-site parking facilities shall be permitted and located within the Safe Harbor Community Center Overlay District.
- b. A parking agreement shall be required in accordance with Section 114-68.

#### (4) Bicycle Parking

- a. All new and redevelopment of any residential or nonresidential structure shall require bicycle parking rack facilities.
- b. Bicycle parking rack criteria:
  - i. Bicycle parking racks must be designed to accommodate a minimum of four (4) bicycles;
  - ii. All bicycle parking racks shall be separated from vehicular traffic by at least five feet or a physical barrier;
  - iii. Bicycle racks shall be located within 100 feet of the building entrance at a location that does not interfere with pedestrian traffic; and
  - iv. The minimum dimensions for a bicycle parking rack shall be two-foot-wide by six-foot-long stalls with a minimum aisle width of five feet. Location criteria can be modified by the Planning Director if they determine that a superior alternative exists.

(m) Public Sidewalks. All new development and redevelopment along Fourth and Fifth Avenues shall provide public sidewalks consistent with the County standards.

1 (n) Setbacks.

2 1. Front yard setback. Notwithstanding Section 131-1(a), ~~T~~the front yard setback for  
3 any structure on a parcel within the Safe Harbor Community Center Overlay  
4 District shall be a minimum of 10 feet.

5 a. Accessory driveways and walkways. Accessory structures, limited to  
6 driveways and walkways, may be permitted within a required front yard  
7 setback provided they do not exceed six (6) inches in height as measured  
8 from grade. In no event shall the total combined area of all accessory  
9 structures occupy more than 60 percent of the out required front yard  
10 setback area.

11 b. Outdoor Lighting. All outdoor lighting shall comply with Chapter 114,  
12 Article VI Outdoor Lighting. Notwithstanding, streetlights and landscape  
13 lighting may be located in the front setback. In no case shall uplighting be  
14 permitted.

15 c. Signs and landscaping. Signs as permitted in Chapter 142 and landscaping  
16 may be permitted in a required front yard setback.

17 d. Fences. Fences of up to six (6) feet may be permitted, provided they are  
18 not located within clear sight triangles as defined in section 114-201 and/or  
19 according to FDOT and national AASHTO standards, whichever is more  
20 restrictive.

21 In addition, parcels of land that are developed with single family dwellings  
22 may incorporate entry features of greater than six (6) feet within fences,  
23 provided all of the following design criteria are met:

24 i. The entry feature is defined as a continuous fence or gate, or  
25 combination thereof, located contiguous to and on both sides of the  
26 main access (driveway) to the property which is designed and  
27 intended to control and/or demarcate the access to the property. An  
28 "entry feature" includes all walls, buttresses, guy wires, integral  
29 signs and decorative features attached thereto up to a maximum  
30 width of 12 feet, or 15 percent of the lot width whichever is greater,  
31 a maximum height of ten (10) feet, and four (4) feet in depth or six  
32 (6) percent of the lot depth whichever is greater as measured from  
33 the front property line; and

34 ii. The entry feature shall not be located in any side yard setback  
35 required pursuant to Section 131-1; and

36 iii. The entry 1 feature shall be compatible with the existing  
37 development in the immediate vicinity, shall be in harmony with the  
38 general appearance and character of the community, and shall not  
39 be otherwise detrimental to the public welfare; and

40 iv. The entry feature shall be designed and arranged on the site in a  
41 manner that minimizes aural and visual impact on the adjacent



1 structures while affording the applicant a reasonable use of the land;  
2 and

- 3 v. The entry feature shall require a building permit for its construction  
4 and in addition to the normal building permit application  
5 requirements, the application shall include a scaled site plan and  
6 elevations for the entry feature that shows the height, width, and  
7 length of each element of the entry feature applied for, including any  
8 decorative or non-functional elements; and identification of the  
9 materials composing each element of the structure (e.g., wire, stone,  
10 chain-link, wood, etc.).

- 11 2. Shoreline Setback. Notwithstanding Section 118-12(c), ~~W~~water-dependent  
12 accessory uses, limited to waterfront dining areas, pedestrian walkways, public  
13 monuments or statues, informational kiosks, fuel or septic facilities, and water-  
14 dependent marina uses, within the Safe Harbor Community Center Overlay District  
15 lawfully established as of the effective date of this section may be redeveloped in  
16 their existing footprint in the event of involuntary substantial damage or  
17 destruction.

18 Water-dependent accessory structures within the Safe Harbor Community Center  
19 Overlay District shall be setback the greater of ten (10) feet or the applicable  
20 setback prescribed by Florida Department of Environmental Protection or Army  
21 Corps of Engineers regulations, whichever regulation is more restrictive, provided  
22 such uses do not involve discharge into Safe Harbor or adjacent surface waters.

- 23 3. Rear and side yard setbacks. Notwithstanding Section 131-1(a), the minimum  
24 required setback for any rear and side yard setback within the within the Safe  
25 Harbor Community Center Overlay District shall be reduced to a minimum of 5  
26 feet.

27 (o) Outdoor Lighting. All outdoor lighting shall comply with Chapter 114, Article IV Outdoor  
28 Lighting. Notwithstanding, streetlights and landscape lighting may be located in the front yard  
29 setback consistent with subsection g(2)a. In no case shall uplighting be permitted.

30 (p) CBRs Restrictions. Notwithstanding the provisions of Chapter 138 or any other provision to  
31 the contrary, parcels within the Safe Harbor Community Center Overlay District which are  
32 designated within Coastal Barrier Resources System Unit FL 57 shall not be prohibited from  
33 serving as receiver sites for transient, market rate, and affordable dwelling units, provided the  
34 applicable site meets all other criteria established in Comprehensive Policy 101.6.8 8 and Section  
35 138-22(b) for a receiver site and so long as no structure is developed or located in any portion of  
36 the parcel designated as CBRs.

37 (q) Drones. The use of unmanned aerial vehicles and/or drones within the Safe Harbor Community  
38 Center Overlay District are prohibited.

39 (r) District Boundary Bufferyards. Notwithstanding Section 114-26, no district boundary  
40 bufferyard shall be required for parcels within the Safe Harbor Community Center Overlay

1 District- except where a parcel within the SHCC Overlay District is adjacent to a parcel that is not  
2 within the SHCC Overlay District.

3 (s) Except for the specific provisions listed in this section, all other requirements and adopted  
4 provisions of the Land Development Code shall control.

5  
6  
7 \*\*\*\*\*  
8

9 **Section 2. Construction and Interpretation.** The construction and interpretation of this  
10 ordinance and all Monroe County Comprehensive Plan provision(s), Florida Building Code,  
11 Florida Statutes, and Monroe County Code(s) provision(s) whose interpretation arises out of,  
12 relates to, or is interpreted in connection with this ordinance shall be liberally construed and  
13 enforced in favor of Monroe County (“Board of County Commissioners”, “Board”, or “BOCC”),  
14 and shall be construed in favor of the BOCC and such construction and interpretation shall be  
15 entitled to great weight in adversarial administrative proceedings, at trial, bankruptcy, and on  
16 appeal.  
17

18 **Section 3. No Liability.** Monroe County expressly reserves and in no way shall be deemed  
19 to have waived, for itself or for its officer(s), employee(s), or agent(s), any sovereign,  
20 governmental, and any other similar defense, immunity, exemption, or protection against any suit,  
21 cause-of-action, demand, or liability.  
22

23 **Section 4. Severability.** If any provision of this ordinance, or any part or portion thereof,  
24 is held to be invalid or unenforceable by any administrative hearing officer or court of competent  
25 jurisdiction, the invalidity or unenforceability of such provision, or any part or portion thereof,  
26 shall neither limit nor impair the operation, enforceability, or validity of any other provision of this  
27 ordinance, or any remaining part(s) or portion(s) thereof. All other provisions of this ordinance,  
28 and remaining part(s) or portion(s) thereof, shall continue unimpaired in full force and effect.  
29

30 **Section 5. Repeal of Inconsistent Provisions.** All ordinances in conflict with this  
31 ordinance are hereby repealed to the extent of said conflict. The repeal of an ordinance herein shall  
32 not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed  
33 thereby  
34

35 **Section 6. Transmittal.** This ordinance shall be transmitted to the Florida State Land  
36 Planning Agency as required by F.S. 380.05 (11) and F.S. 380.0552(9).  
37

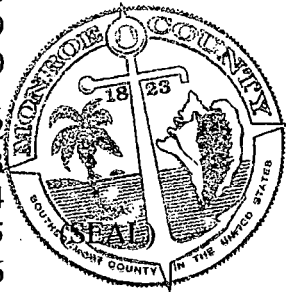
38 **Section 7. Filing.** This ordinance shall be filed in the Office of the Secretary of the State  
39 of Florida but shall not become effective pursuant to Section 9 until a final order is issued according  
40 to F.S. 380.05(6) by the Florida State Land Planning Agency or Administration Commission  
41 approving the ordinance, and if the final order is challenged, until the challenge to the order is  
42 resolved pursuant to F.S. Chapter 120.  
43

1 **Section 8. Inclusion in the Monroe County Code.** The provisions of this Ordinance shall  
2 be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an  
3 addition to amendment thereto, and shall be appropriately renumbered to conform to the uniform  
4 marking system of the Code.

5  
6 **Section 9. Effective Date.** This ordinance shall become effective contingent on  
7 effectiveness of the corresponding amendments to the Monroe County Year 2030 Comprehensive  
8 Plan and as provided by law and stated above.  
9

10 **PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County,  
11 Florida, at a regular meeting held on the 17th day of August, 2022.

12		
13	Mayor David Rice	<u>Yes</u>
14	Mayor <i>Pro Tem</i> Craig Cates	<u>Yes</u>
15	Commissioner Michelle Coldiron	<u>Yes</u>
16	Commissioner James K. Scholl	<u>Yes</u>
17	Commissioner Holly Merrill Raschein	<u>Yes</u>
18		



20 BOARD OF COUNTY COMMISSIONERS  
21 OF MONROE COUNTY, FLORIDA

22 BY:   
23 MAYOR DAVID RICE  
24


25  
26  
27 ATTEST: KEVIN MADOK, CLERK

28  
29   
30 AS DEPUTY CLERK  
31

32  
FILED FOR RECORD

2022 SEP 14 PM 1:09

CLERK CIR. CT.  
MONROE COUNTY, FL

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM  
  
Date: 8/17/22



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MONROE CO PLANNING DEPT  
102050 OVERSEAS HWY  
KEY LARGO FL 33037

Account: 423741

Ticket: 3856671

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**PUBLISHER'S AFFIDAVIT**

**STATE OF FLORIDA**  
**COUNTY OF MONROE**

[legal.text]

Before the undersigned authority personally appeared

\_\_\_\_\_Melinda Prescott\_\_\_\_\_, who on oath says that he or she is

The legal advertising representative of the Key West Citizen, a five day newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of \_\_\_\_\_ was published in said newspaper in the issues of:

Saturday, July 30, 2022

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspapers has heretofore been continuously published in said Monroe County, Florida Tuesday thru Saturday weekly, and has been entered as periodicals matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Melinda Prescott*

(Signature of Affiant)

Affirmed and subscribed before me this 10th day of August 2022

*Laura M Robins*

(Notary Public Signature)

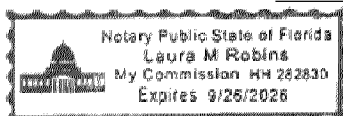
\_\_\_\_\_Laura M Robins\_\_\_\_\_

(Notary Public Printed Name)

My commission expires \_\_\_\_\_9/26/2026\_\_\_\_\_

Personally Known X Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_ (Notary Seal)\_\_\_\_\_



## NATION / WORLD

## Deal on Capitol Hill could ease seniors' health costs

BY MATT SEDENSKY AND  
CARLA K. JOHNSON  
The Associated Press

A deal on Capitol Hill that could cut prescription drug costs for millions of Medicare beneficiaries was cautiously cheered by older Americans and their advocates Thursday even as many worried it might never come to fruition.

The health care and climate agreement struck by Senate Majority Leader Chuck Schumer and Democratic Sen. Joe Manchin includes landmark provisions that could help senior citizens, including a cap on out-of-pocket Medicare drug costs and a requirement that the government negotiate prices on some high-cost drugs.

Some of the issues addressed in the deal have been talked about for decades and proved elusive. But Manchin's backing brought new optimism to many who have lobbied and prayed for relief.

"We worry constantly, 'Will we be able to afford this?'" said Becky Miller, a 67-year-old retired teacher from Bradenton, Florida, who spends thousands of dollars each year for drugs to treat epilepsy, heart problems and an inflammatory disease that affects her spine.

She is afraid the powerful pharmaceutical lobby might still thwart the plan, but said, "If this goes through, it will help a lot of people."

Several prongs of the proposal have the potential

to bring relief to millions of people.

- It would cap out-of-pocket drug costs at \$2,000 a year for Medicare beneficiaries. No such limit exists today, and some older people on costly drugs can run up bills of tens of thousands of dollars.

- It would give Medicare, for the first time, the ability to directly negotiate with pharmaceutical companies over the price of drugs, though the number of medications subject to the provision would be limited.

- It would create a new "inflation rebate" requiring drug companies to give refunds to Medicare beneficiaries for increases in prescription drug prices that exceed the rate of inflation.

- It would provide coverage of vaccines for senior citizens. Some Medicare beneficiaries have had to pay out of pocket for recommended immunizations, such as the one against shingles.

Earlier proposals were more generous and, along the way, provisions to pay for senior citizens' glasses, hearing aids and dental care were trimmed. But news of a possible deal still drew applause.

"This would nonetheless be transformational, just not as transformational," said David Lipschutz, associate director of the nonpartisan Center for Medicare Advocacy. "It might not have been everything that everyone hoped for from the beginning, but this is nonetheless a huge step."

Tricia Neuman, a Medicare

expert with the nonpartisan Kaiser Family Foundation, was likewise optimistic, saying, "Congress is on the cusp of making major changes to the Medicare drug benefit that could provide significant help to people struggling with their drug costs."

If passed, an estimated 4.1 million Medicare beneficiaries would start getting free vaccines as soon as next year, Neuman said. Drug companies would also be required to start giving the rebates next year.

Other proposals would take longer to kick in. The cap on out-of-pocket spending — estimated to help 1.45 million people — would start in 2025. And in 2026, the government would be able to start negotiating prices, beginning with 10 drugs and increasing to 20 by 2029.

Medicare can't currently negotiate drug prices with pharmaceutical companies, leaving taxpayers on the hook to pay for whatever the companies charged, said Bill Sweeney, a senior vice president at AARP.

"Why would we create a situation where we're at the mercy of the drug companies to pay whatever they charge?" he asked.

The Senate is expected to vote on the wide-ranging measure next week, with the chamber divided 50-50 and the Republicans staunchly opposed, the Democrats will have no votes to spare. A House vote would follow, perhaps later in August.

## NOTICE OF PUBLIC HEARING ON PROPOSED ORDINANCE

The City Commission of the City of Key West, Florida, will consider the following Ordinance for Second Reading at a meeting and public hearing to be held at 5:00 p.m., or as soon thereafter as the matter may be heard, on August 16, 2022 at City Hall, 1300 White Street.

### ORDINANCE NO. \_\_\_\_\_

An Ordinance of the City of Key West, Florida, amending Chapter 108 of the Land Development Regulations, entitled "Planning and Development"; Article XII entitled "Workforce-Affordable Housing Initiative"; Section 108-1153 entitled, "Period of allocation and distribution"; to provide for Building Permit Allocation System units for the properties at 241 Trumbo Road (RE# 00001720-000100) and 240 Trumbo Road (RE# 00001720-000300); providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

This proposed ordinance may be read in its entirety by requesting a copy from the City Clerk's Office by either phoning 305-809-3835 to request a copy or emailing cityclerk@cityofkeywest-fl.gov. A full copy will also be published with the August 16, 2022 agenda at www.cityofkeywest-fl.gov. Any interested party who wishes to speak on this ordinance should contact the City Clerk's Office prior to the meeting.

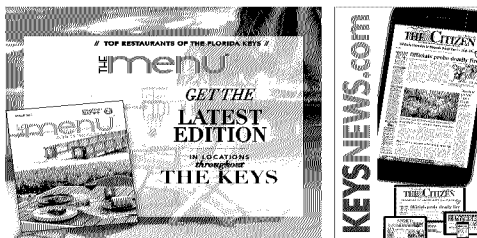
Pursuant to F.S. 286.0105, notice is given that if a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, that person will need a record of the proceedings, and that, for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**ADA ASSISTANCE:** It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

Cheryl Smith, MMC, CPM  
City Clerk

Publish: Saturday, July 30, 2022

www-010506-1



## MONROE COUNTY BOARD OF COUNTY COMMISSIONERS NOTICE OF PUBLIC MEETING AND NOTICE OF PUBLIC HEARING NOTICE OF CHANGE TO MONROE COUNTY COMPREHENSIVE PLAN NOTICE OF CHANGE TO MONROE COUNTY LAND DEVELOPMENT CODE NOTICE OF CHANGE TO MONROE COUNTY LAND USE DISTRICT (ZONING) MAPS

AUGUST 17, 2022

**NOTICE IS HEREBY GIVEN** that on **Wednesday, August 17, 2022**, the **Monroe County Board of County Commissioners** will hold a Public Meeting, beginning at 09:00 AM. The BOCC meeting will be a hybrid format with the County Commission members meeting live in Key West. The public will be able to participate via Zoom Webinar. The following items will be considered at a **PUBLIC MEETING**:

**PUBLIC HEARINGS: 1:30 PM (or as soon thereafter as may be heard):**

**AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** ADOPTING EVALUATION AND APPRAISAL AMENDMENTS TO THE MONROE COUNTY 2030 COMPREHENSIVE PLAN TO AMEND CHAPTER 1.0, INTRODUCTION AND BACKGROUND, AMEND CHAPTER 2.0, INCLUDING 2.1 GENERAL COUNTY ELEMENT AND CREATING 2.2 PRIVATE PROPERTY RIGHTS ELEMENT, AMEND CHAPTER 3.0, INCLUDING 3.1 FUTURE LAND USE ELEMENT, 3.2 CONSERVATION AND COASTAL MANAGEMENT ELEMENT, 3.3 TRAFFIC CIRCULATION ELEMENT, 3.4 MASS TRANSIT ELEMENT, 3.5 PORTS, AVIATION AND RELATED FACILITIES ELEMENT, 3.6 HOUSING ELEMENT, 3.7 POTABLE WATER ELEMENT, 3.8 SOLID WASTE ELEMENT, 3.9 SANITARY SEWER ELEMENT, 3.10 DRAINAGE ELEMENT, 3.11 NATURAL GROUNDWATER/ROUNDER RECHARGE ELEMENT, 3.12 RECREATION AND OPEN SPACE ELEMENT, 3.13 INTERGOVERNMENTAL COORDINATION ELEMENT, 3.14 CAPITAL IMPROVEMENTS ELEMENT, AND 3.15 ENERGY, RESILIENCY AND CLIMATE ELEMENT, AND TO AMEND DEFINITIONS WITHIN THE GLOSSARY, TO UPDATE THE TEXT OF THE COMPREHENSIVE PLAN TO REFLECT CHANGES IN STATUTORY AND RULE REQUIREMENTS, TO UPDATE DEADLINES WITHIN THE COMPREHENSIVE PLAN, TO ELIMINATE OUTDATED AND OBSOLETE PROVISIONS, TO MAKE CORRECTIONS TO TEXT AND ELIMINATE GRAMMATICAL ERRORS, AND TO AMEND PROVISIONS TO REFLECT CHANGES IN LOCAL CONDITIONS AND RECENT DATA, TRENDS, ISSUES AND CHALLENGES, AND TO UPDATE MAP ATLAS MAP SERIES 3-7 (COASTAL HIGH HAZARD AREA) TO BE CONSISTENT WITH THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT'S UPDATE TO THE SLOSH MODEL FOR MONROE COUNTY, PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS, PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE, PROVIDING FOR AMENDMENT TO AND INCORPORATION IN THE MONROE COUNTY COMPREHENSIVE PLAN, PROVIDING FOR AN EFFECTIVE DATE, (FILE 2021-129)

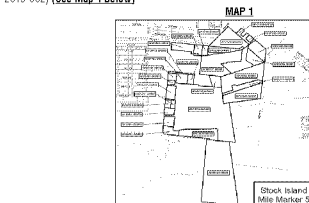
**AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING POLICY 212.2.4 OF THE MONROE COUNTY 2030 COMPREHENSIVE PLAN TO ALLOW CERTAIN ACCESSORY STRUCTURES WITHIN THE SHORELINE SETBACK, PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS, PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE, PROVIDING FOR AMENDMENT TO AND INCORPORATION IN THE MONROE COUNTY COMPREHENSIVE PLAN, PROVIDING FOR AN EFFECTIVE DATE, (FILE 2021-067)

**AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING SECTION 119-12 OF THE MONROE COUNTY LAND DEVELOPMENT CODE TO ALLOW CERTAIN ACCESSORY STRUCTURES WITHIN THE SHORELINE SETBACK, PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS, PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE, PROVIDING FOR AMENDMENT TO AND INCORPORATION IN THE MONROE COUNTY LAND DEVELOPMENT CODE, PROVIDING FOR AN EFFECTIVE DATE, (FILE 2021-068)

**CWI KEYS HOTEL, LLC, 61 HAWKS CAY BOULEVARD, DUCK KEY, MILE MARKER 61:** A PUBLIC HEARING CONCERNING A REQUEST FOR A CHANGE (AMENDMENT) TO A DEVELOPMENT OF REGIONAL IMPACT (DRI) THE REQUESTED CHANGE RELATES TO THE RELOCATION OF EXISTING SQUARE FOOTAGE AVAILABLE FOR EXPANSION FROM DEVELOPMENT CORRIDOR 4 AND THE CONVENTION FACILITIES TO THE COMMERCIAL MARINA AREA AND RECOGNITION OF NONCONFORMING SQUARE FOOTAGE IN ORDER TO REDEVELOP AND EXPAND THE MARINA STORE LOCATED AT THE DEVELOPMENT SITE COMMONLY KNOWN AS HAWKS CAY. THE SUBJECT PROPERTY IS LOCATED AS A PARCEL OF LAND IN SECTION 21, TOWNSHIP 6S SOUTH, RANGE 34 EAST, DUCK KEY, MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBERS 00379390-000000, 00379390-000000, AND 00379380-000102, (FILE 2022-139)

**AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** ESTABLISHING MONROE COUNTY LAND DEVELOPMENT CODE SECTION 130-140 SAFE HARBOR COMMUNITY CENTER OVERLAY (SHCC), ESTABLISHING PURPOSE AND INTENT, PERMITTED USES, DENSITY AND INTENSITY, OFF-STREET PARKING, REQUIRED SETBACKS, SIGNAGE AND THE BOUNDARY OF THE OVERLAY DISTRICT WHICH IS GENERALLY COMPOSED OF A CERTAIN AREA ON STOCK ISLAND, MONROE COUNTY, FLORIDA, BOUNDED BY FRONT STREET TO THE EAST, FOURTH AVENUE TO THE NORTH, FIFTH AVENUE TO THE NORTH, SHRIMP ROAD TO THE WEST AND SHRIMP ROAD TO THE SOUTH BUT EXCLUDING CERTAIN PROPERTY OWNED BY THE UTILITY BOARD OF THE CITY OF KEY WEST AND CERTAIN PROPERTY OWNED BY THE FLORIDA KEYS AQUEDUCT AUTHORITY BOUNDED BY FRONT STREET TO THE EAST, AS PROPOSED BY SMITH/HAWKS, PLLC ON BEHALF OF LONGSTOCK II, LLC, PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS, PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE, PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE, PROVIDING FOR AN EFFECTIVE DATE, (FILE 2018-169)

**AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP TO APPLY THE SAFE HARBOR COMMUNITY CENTER (SHCC) OVERLAY DISTRICT FOR PROPERTIES LOCATED AT APPROXIMATELY MM 5, 5700 4TH AVE, 6400 FRONT ST., 5550 5TH AVE, 6811 SHRIMP RD., 5550 5TH AVE, 5550 5TH AVE 1-10, 6630 FRONT ST., 6500 FRONT ST., 6840 FRONT ST., 6805 SHRIMP RD., 6803 SHRIMP RD., 6891 SHRIMP RD., 7009 SHRIMP RD., 7007 SHRIMP RD., 7011 SHRIMP RD., 7025 SHRIMP RD., 7075 SHRIMP RD., 7005 SHRIMP RD., BAY BTM OF SHRIMP RD., 7021 SHRIMP RD., 6810 FRONT ST., AND 7001 SHRIMP RD., STOCK ISLAND, MONROE COUNTY, FLORIDA, HAVING PARCEL IDS 00123570-000000, 00123770-000000, 00127250-000000, 00127280-000000, 00127290-000000, 00127380-000000, 00127280-000200, 00123730-000100, 00123800-000101, 00123800-000102, 00123720-000400, 00123600-000101, 00123600-000102, 00123540-000000, 00123761-000100, 00123761-000200, 00123761-000300, 00123761-000500, 00123761-000600, 00123761-000700, 00123761-000800, 00123761-000900, 00123761-001000, 00123762-000000, 00123660-000000, 00123731-000000, 00123590-000000, AND 00123761-000400, AS PROPOSED BY BAMA ONE, LLC, BERNSTEIN BENJAMIN RESIDUARY TR B U/LT, BERNSTEIN BENJAMIN TRUST B, BYRON COLLEY AND TONITA A DAVIS HW, CONSTELLATION YACHTS, INC., HARBOR BAY INVESTMENTS, LLC, JKYD, LLC, K W RESORT UTILITIES CORP, KEY WEST TRANSFER STATION & HAULING SERVICE, INC., KEYS FRESH SEAFOOD, LLC, LONGSTOCK II, LLC, ROBBIE'S SAFE HARBOR MARINE ENTERPRISES, SAFE HARBOR ENTERPRISES, LLC, SAFE HARBOR PROPERTIES, LLC AND SMV HOTEL 1, LLC, PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS, PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE, PROVIDING FOR AMENDMENT TO THE LAND USE DISTRICT (ZONING) MAP, PROVIDING FOR AN EFFECTIVE DATE, (FILE 2019-062) (See Map 1 Below)



Please visit the Monroe County Website at [www.monroecounty-fl.gov](http://www.monroecounty-fl.gov) for meeting agenda updates and information regarding the various options available to the public to view the live meeting and/or to make public comments on certain agenda items.

Pursuant to Section 286.0105 Florida Statutes, if a person decides to appeal any decision of the Board of County Commissioners, with respect to any matter considered at the meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**ADA ASSISTANCE:** If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711."

The Key West Citizen (#867)

www-010507-1

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