

# AGENDA

## **PLANNING COMMISSION (HYBRID MEETING)**

April 28, 2021

**10:00 A.M.**

\*\*\* The Planning Commission hearing will be a hybrid format with the Planning Commission members meeting live in Marathon, while the public will be able to participate via Zoom Webinar. \*\*\*

**Please click the link below to join the webinar:**

<https://mcbocc.zoom.us/j/98085717414>

Or iPhone one-tap :

US: +16465189805,,98085717414# or +16699006833,,98085717414#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 518 9805 or +1 669 900 6833

Webinar ID: 980 8571 7414

International numbers available: <https://mcbocc.zoom.us/u/abEqfBmmg1>

**CALL TO ORDER: 10:00 A.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

### **COMMISSION:**

Joe Scarpelli, Chair

Bill Wiatt, Vice Chair

George Neugent, Commissioner

Ron Demes, Commissioner

David Ritz, Commissioner

Douglas Pryor, Ex-Officio Member (MCSD)

Karen Taporco, Ex-Officio Member (NASKW)

### **STAFF:**

Emily Schemper, Sr. Director of Planning and Environmental Resources

Mike Roberts, Assistant Director, Environmental Resources

Mayte Santamaria, Senior Planning Policy Advisor

Bradley Stein, Development Review Manager

Jay Berensweig, Principal Planner

Devin Tolpin, Senior Planner

Corey Aitkin, Planner

Peter Morris, Assistant County Attorney

John Wolfe Planning Commission Counsel

Iize Aguila, Sr. Coordinator Planning Commission

**COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL**

**SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS**

**SWEARING OF COUNTY STAFF**

**CHANGES TO THE AGENDA**

**DISCLOSURE OF EX PARTE COMMUNICATIONS**

**APPROVAL OF MINUTES:** February 24, 2021

**AGENDA ITEMS:**

**1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** ADOPTING AMENDMENTS TO THE MONROE COUNTY LAND DEVELOPMENT CODE TO AMEND: CHAPTER 114, ARTICLE I, SECTION 114-2 "LEVEL OF SERVICE STANDARDS" TO UPDATE STORMWATER QUALITY PERFORMANCE STANDARDS AND TO CORRECT A SCRIVENER'S ERROR; SECTION 114-3 "SURFACE WATER MANAGEMENT CRITERIA" TO REQUIRE NET IMPROVEMENT IN STORMWATER QUALITY WHILE PROVIDING FLEXIBILITY IN ACHIEVING STORMWATER QUALITY STANDARDS AND PROVIDE UPDATES TO THE STORMWATER MANUAL AND LAYMAN'S BROCHURE TO INCORPORATE NEW APPROACHES FOR MANAGING STORMWATER; SECTION 114-13 "FENCES" TO REFINE CODE LANGUAGE TO BETTER CLARIFY REQUIREMENTS AND PROVIDE CRITERIA FOR RETAINING WALLS; CHAPTER 114, ARTICLE IV "LANDSCAPING" AND ARTICLE V "SCENIC CORRIDOR AND BUFFERYARDS" TO REFINE CODE LANGUAGE TO BETTER CLARIFY REQUIREMENTS, UPDATE LISTS OF SPECIES, AND PROVIDE ADDITIONAL CRITERIA FOR DISTRICT BOUNDARY BUFFERS, SCENIC CORRIDORS AND MAJOR STREET BUFFERS; SECTION 114-163 "WATERFRONT LIGHTING" TO REFINE CODE LANGUAGE TO BETTER CLARIFY REQUIREMENTS; AND, SECTION 114-164 "NONCONFORMING LIGHTING" TO REFINE CODE LANGUAGE TO BETTER CLARIFY REQUIREMENTS; 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 2019-183)

[STAFF REPORT](#)

**2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** ADOPTING AMENDMENTS TO THE MONROE COUNTY LAND DEVELOPMENT CODE TO AMEND CHAPTER 118 TO ELIMINATE REDUNDANT OR OBSOLETE TEXT, REFINE CODE LANGUAGE TO BETTER CLARIFY REGULATORY INTENT FOR THE BENEFIT OF THE REGULATED COMMUNITY AND COUNTY STAFF, UPDATE LISTS OF SPECIES AND CORRECT SCRIVENER'S ERRORS; 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 2019-184)

[STAFF REPORT](#)

[PUBLIC COMMENT](#)

**3. ITALIAN FOOD COMPANY, LLC, 98070 OVERSEAS HIGHWAY, KEY LARGO, MILE MARKER 98:** A PUBLIC HEARING CONCERNING THE REQUEST FOR A 2COP ALCOHOLIC BEVERAGE USE PERMIT, WHICH WOULD ALLOW FOR BEER AND WINE ON PREMISE AND PACKAGE SALES FOR OFF PREMISES CONSUMPTION. THE SUBJECT PROPERTY IS DESCRIBED AS A PARCEL OF LAND IN SECTION 5, TOWNSHIP 62 SOUTH, RANGE 39 EAST, KEY LARGO, MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBER 00090600-000000. (FILE 2020-190)

[FILE](#)

[COMBINED PLANS & SURVEY](#)

[STAFF REPORT](#)

**4. 103031 OVERSEAS HIGHWAY, KEY LARGO, MILE MARKER 103:** A PUBLIC HEARING CONCERNING A REQUEST FOR A VARIANCE TO ACCESS STANDARDS SET FORTH IN CHAPTER 114, ARTICLE VII OF THE LAND DEVELOPMENT CODE (LDC). APPROVAL WOULD RESULT IN AN ACCESS DRIVE TO U.S. 1 THAT IS SPACED APPROXIMATELY 92 FEET AND 3 INCHES FROM AN EXISTING CURB CUT TO THE NORTH AND APPROXIMATELY 47 FEET AND 4 INCHES TO AN EXISTING ACCESS DRIVE TO THE SOUTH OF THE SUBJECT PROPERTY. THE VARIANCE IS REQUESTED FOR THE DEVELOPMENT OF A SINGLE-FAMILY RESIDENCE. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS LOT 8, BLOCK 4, SOUTH CREEK VILLAGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 85, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING PARCEL ID NUMBER 00467150-000000. (FILE 2020-192)

[FILE](#)

[COMBINED PLANS & SURVEY](#)

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**5. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING POLICY 301.1.2 OF THE 2030 MONROE COUNTY COMPREHENSIVE PLAN TO REFLECT THE U.S. 1 LOS TASK FORCE RECOMMENDATIONS TO THE BOCC ON THE LEVEL OF SERVICE METHODOLOGY. 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 COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2020-193)

[STAFF REPORT](#)

**6. RESIDENCES ORC, LLC, 1 GOLF VILLAGE DRIVE, KEY LARGO, OCEAN REEF:** A PUBLIC HEARING CONCERNING THE REQUEST FOR A 5COP ALCOHOLIC BEVERAGE USE PERMIT, WHICH WOULD ALLOW FOR BEER, WINE AND LIQUOR ON PREMISE AND PACKAGE SALES. THE SUBJECT PROPERTY IS DESCRIBED AS ALL OF GOLF VILLAGE OCEAN REEF PLAT NO 9, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 107, KEY LARGO, MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBER 00572611-005000. (FILE 2020-212)

[FILE](#)

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**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 and Monroe County Resolution 131-1992, if a person decides to appeal any decision of the Planning Commission, he or she shall provide a transcript of the hearing before the Planning Commission, prepared by a certified court reporter at the appellant's expense. For such purpose, he or she 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:** *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".*

**BOARD DISCUSSION**

**GROWTH MANAGEMENT COMMENTS**

**RESOLUTIONS FOR SIGNATURE**

**ADJOURNMENT**