

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: May 23, 2008

Division: Growth Management

Bulk Item: Yes No

Department: _____

Staff Contact: Lisa Tennyson

AGENDA ITEM WORDING: A public hearing to consider transmittal of a resolution to the Department of Community Affairs proposing an amendment to the 2010 Comprehensive Plan amending the text of the Educational FLUM category; amending policies 101.4.11 and 101.4.21; and allocating residential density to the Educational Future Land Use Category.

ITEM BACKGROUND: There is an unmet need for housing for teacher and other workforce personnel in Monroe County. Florida Statute Sec. 1001.43(12) provides for housing on school properties for teachers and other district personnel. The Monroe County Comprehensive Plan needs to be amended to implement the statute and provide density for residential use.

PREVIOUS RELEVANT BOCC ACTION: The BOCC passed this resolution at its meeting of February 20, 2008, however, DCA requested that all comprehensive plan amendments be heard and transmitted for the 02-2008 submission at one meeting. Therefore, this item is being heard again with other Plan transmittal resolutions.

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATIONS: Approval

TOTAL COST: _____

BUDGETED: Yes No

COST TO COUNTY: _____

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes No **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty OMB/Purchasing Risk Management

DOCUMENTATION: Included Not Required

DISPOSITION: _____

AGENDA ITEM # _____

BOCC TRANSMITTAL RESOLUTION

RESOLUTION NO. _____ -2008

A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS TRANSMITTING TO THE DEPARTMENT OF COMMUNITY AFFAIRS AN ORDINANCE AMENDING POLICIES APPLICABLE TO THE EDUCATIONAL FUTURE LAND USE CATEGORY OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN; RESCINDING RESOLUTION 059-2008.

WHEREAS, the Board of County Commissioners held a public hearing on May 23, 2008, for the purposes of considering the transmittal to the Florida Department of Community Affairs, for review and comment, a proposed amendment to the Monroe County Year 2010 Comprehensive Plan; and

WHEREAS, the Board of County Commissioners makes the following findings of fact:

1. The Planning Commission held a public hearing on January 8, 2008, and made recommendations to the Monroe County Board of County Commissioners regarding the ordinance that is the subject of this transmittal to the Florida Department of Community Affairs.

2. The proposed ordinance adopting changes to the Monroe County Year 2010 Comprehensive Plan will further and facilitate the programs and plans of the Monroe County School District and also further and complement the County's efforts to provide affordable and workforce housing for all residents of the Florida Keys.

NOW BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. The Board of County Commissioners does hereby adopt the recommendation of the Planning Commission to amend the Monroe County Year 2010 Comprehensive Plan.

Section 2. The Board of County Commissioners does hereby transmit the proposed amendment to the Florida Department of Community Affairs for review and comment in accordance with the provisions of Sections 163.3184 and 380.0552, Florida Statutes.

Section 3. The Monroe County staff is given the authority to prepare and submit the required transmittal letter and supporting documents for the proposed amendment in accordance with the requirement of 9J-11.0006 of the Florida Administrative Code.

Section 4. The Clerk of the Board is hereby directed to forward a copy of this resolution to the Director of Planning and Environmental Resources.

Section 5. Resolution 059-2007 dated February 20, 2008, transmitting such a proposed comprehensive plan amendment, upon which no action was taken, is hereby rescinded.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a special meeting held on the 23rd day of May, A.D., 2008.

Mayor Charles "Sonny" McCoy _____
Mayor Pro Tem Mario Di Gennaro _____
Commissioner Sylvia Murphy _____
Commissioner George Neugent _____
Commissioner Dixie Spehar _____

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____
CHARLES "SONNY" McCOY, MAYOR

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM
[Signature]
Date: 5-12-08

DEPUTY CLERK

APPROVED AS TO FORM:

BOCC ORDINANCE

ORDINANCE NO. _____ -2008

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE TEXT OF THE EDUCATIONAL FLUM CATEGORY; AMENDING POLICIES 101.4.11 AND 101.4.21 OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN; ENCOURAGING AFFORDABLE, EMPLOYEE, AND WORKFORCE HOUSING AT EXISTING AND FUTURE SCHOOL SITES; ALLOCATING RESIDENTIAL DENSITY TO THE EDUCATION (E) FUTURE LAND USE CATEGORY; PROVIDING FOR SEVERABILITY AND REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING AN EFFECTIVE DATE

WHEREAS, § 1001.43(12), FS provides for a district school board to use portions of school sites for affordable housing for teachers and other district personnel independently or in conjunction with other agencies; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Technical Document Housing Element 7.0 projected the number of housing units needed for resident households to be 7,093 dwelling units for “Very Low” income households, 5,320 dwelling units for “Low” income households, and an additional 5,528 dwelling units needed for “Moderate” income households (p. 7-24); and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Technical Document Housing Element 7.0 states that the public sector can provide for a variety of densities which can increase the flexibility of the private sector to provide affordable housing in more situations” (p. 7-33); and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Technical Document Housing Element 7.0 states that “current conditions and projected demands in Monroe County make it appropriate to explore innovative means such as planned unit developments and cluster construction configuration to maximize utilization of scarce land resources in Monroe County” (p. 7-32); and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Technical Document Housing Element 7.0 confirms that “land prices in Monroe County represent a higher proportion of total development costs than in any other part of Florida” (p. 7-33); and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Technical Document Housing Element 7.0 directs consideration of housing strategy guidelines, including providing “[a] variety of residential densities” in order “to encourage the private sector to construct a variety of housing unit types” (p. 7-36); and

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WHEREAS, the Monroe County Year 2010 Comprehensive Plan Goal 101 directs the County to "manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources "; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Objective 101.12 directs the County to "ensure that sufficient acreage is available for utilities and public facilities, including education and public health facilities, required to support proposed development and redevelopment"; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Goal 601 directs the County to "adopt programs and policies to facilitate access by all current and future residents to adequate and affordable housing that is safe, decent, and structurally sound, and that meets the needs of the population based on type, tenure characteristics, unit size and individual preferences"; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Objective 601.2 directs the County to "adopt programs and policies to encourage housing of various types, sizes and price ranges to meet the demands of current and future residents"; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Goal 1301 directs that Monroe County shall "promote and encourage intergovernmental coordination between the County; the municipalities of Key West, Key Colony Beach, and Layton; the Counties of Dade and Collier; regional, state, and federal governments and private entities in order to anticipate and resolve present and future concerns and conflicts"; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Objective 1301.5 directs that Monroe County shall "ensure that implementation, monitoring, and evaluation of the Monroe County Comprehensive Plan is coordinated with the plans and programs of the Monroe County School District and other providers of health, safety, and educational services not having regulatory authority over the use of land"; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Objective 1301.5 directs that Monroe County shall "coordinate with the District School Board of Monroe County on the siting and expansion of required facilities"; and

WHEREAS, the Monroe County School District has decided to construct affordable housing on one or more of its properties located in unincorporated Monroe County; and

WHEREAS, Monroe County has not set any residential density for "Educational" use categories in its adopted comprehensive plan, and now needs to do so to facilitate the School District's efforts to provide Workforce Housing; and

WHEREAS, the Board of County Commissioners makes the following findings of fact:

1. A lack of sufficient affordable housing opportunities for

the local workforce creates serious risks to the local economy. Moreover, increasingly burdensome housing costs and short supply places undue pressure on elderly, working poor and disabled persons.

2. There is limited land area suitable for residential development remaining in the County.

3. There is an ongoing dramatic exodus of teachers and school district personnel and other Essential Services Personnel from our County because of a lack of affordable housing.

4. This proposed amendment to Policies 101.4.11 and 101.4.21 will complement the 2010 Comprehensive Plan's existing housing provisions by encouraging public sector (specifically the Monroe County School District) housing creation at appropriate sites.

5. The Monroe County, Florida, Affordable Housing Needs Assessment, authored by The Metropolitan Center at Florida International University (2007), and additional data and analysis and information regarding the District's housing plans and programs which the School District independently generated and supplied to the County as well as specific statutory authorization for construction of affordable housing on School District property adequately support the proposed comprehensive plan amendment.

6. In accordance with existing Policy 101.4.11, the County has closely coordinated with the School Board to achieve a balance of educational facility land requirements with other land use objectives. Keys regional workforce and affordable housing needs will be to some degree addressed by facilitating the School District's efforts to provide affordable housing on existing sites owned by the District.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:

[Amendments are presented in ~~strike through~~ to indicate deletions and underline to indicate additions to text. All other words, characters, and language of the comprehensive plan remain un-amended.]

Section 1. Policy 101.4.11 is hereby amended as follows:

The principal purpose of the Educational land use category is to provide for public educational facilities and sites for affordable housing. The County shall coordinate with the School Board to balance educational facility land requirements with other land use objectives, including affordable housing of various types, sizes and price ranges. In recognition of Monroe County's environment, lack of available land for affordable housing, and the linear distribution of its population, the County shall encourage schools to collocate employee and workforce housing at existing and future school sites and properties, and accommodate ~~and~~-building and facility requirements on existing

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sites. When new school sites are required, schools shall be encouraged to locate proximate to urban residential areas and other public facilities.

Section 2. Policy 101.4.21 of the Monroe County Year 2010 Comprehensive Plan is amended as follows:

Monroe County hereby adopts the following density and intensity standards for the future land use categories, which are shown on the Future Land Use Map and described in Policies 101.4.1 - 101.4.17: [9J-5.006(3)(c)7].

SEE TABLE OF DENSITY AND INTENSITY LIMITS FOR AMENDMENTS TO POLICY 101.4.21
(ATTACHED AS EXHIBIT A)

(The remainder of this page left intentionally blank.)

EXHIBIT "A"

Future Land Use Densities and Intensities			
Future Land Use Category And Corresponding Zoning	Allocated Density (per acre)	Maximum Net Density (per buildable acre)	Maximum Intensity (floor area ratio)
Agriculture (A) (no directly corresponding zoning)	0 du 0 rooms/spaces	N/A N/A	0.20-0.25
Airport (AD) (AD zoning)	0 du 0 rooms/spaces	N/A N/A	0.10
Conservation (C) (CD zoning)	0 du 0 rooms/spaces	N/A N/A	0.05
Education (E) (no directly corresponding zoning) Educational Use Overlay (E)	0 1 - 25 du 0 rooms/spaces	36 du N/A	0.30
Industrial (I) (I and MI zoning)	1 du 0 rooms/spaces	2 du N/A	0.25-0.60
Institutional (INS) (no directly corresponding zoning)	0 du 3-15 rooms/spaces	N/A 6-24 rooms/spaces	0.25-0.40
Mainland Native (MN) (MN zoning)	0.01 du 0 rooms/spaces	N/A N/A	0.10
Military (M) (MF zoning)	6 du 10 rooms/spaces	12 du 20 rooms/spaces	0.30-0.50
Mixed Use/Commercial (MC) ^(a) (SC-UC, DR, RV, and MU zoning)	1-6 du 5-15 rooms/spaces	6-18 du 10-25 rooms/spaces	0.10-0.45
Mixed Use/Commercial Fishing (MCF) ^(a) (CFA, CFV ^(c) , CFSD zoning)	Approx. 3-8 du 0 rooms/spaces	12 du 0 rooms/spaces	0.25-0.40
Public Facilities (PF) (no directly corresponding zoning)	0 du 0 rooms/spaces	N/A N/A	0.10-0.30
Public Buildings/Grounds (PB) (no directly corresponding zoning)	0 du 0 rooms/spaces	N/A N/A	0.10-0.30
Recreation (R) (PR zoning)	0.25 du 2 rooms/spaces	N/A N/A	0.20
Residential Conservation (RC) (OS and NA zoning)	0-0.25 du 0 rooms/spaces	N/A N/A	0-0.10
Residential Low (RL) (SS ^(d) , SR, and SR-L zoning)	0.25-0.50 du 0 rooms/spaces	5 du N/A	0.20-0.25
Residential Medium (RM) (IS zoning)	approx. 0.5-8 du (1 du/lot), 0 rooms/spaces	N/A N/A	0
Residential High (RH) (IS-D ^(e) , URM ^(e) , and UR ^(f) zoning)	approx. 3-16 du (1-2 du/lot) 10 rooms/spaces	12 du 20 rooms/spaces	0

Notes:

(a) "N/A." means that maximum net density bonuses shall not be available.

(b) The allocated densities for submerged lands, salt ponds, freshwater ponds, and mangroves shall be 0 and the maximum net density bonuses shall not be available.

(c) The allocated density for CFV zoning shall be 1 dwelling unit per lot and the maximum net density bonuses shall not be available.

(d) Maximum net density bonuses shall not be available to the SS district.

(e) The allocated density for IS-D and URM zoning shall be 2 and 1 dwelling units per lot, respectively and the maximum net density bonuses shall not be available.

(f) The maximum net densities for the UR district shall be 25 for units where all units are designated as affordable housing.

(g) For properties consisting of hammocks, pinelands or disturbed wetlands within the Mixed Use/ Commercial and Mixed Use/ Commercial Fishing land use categories, the floor area ratio shall be 0.10 and the maximum net residential density bonuses not apply.

(h) Uses under the categories of Agriculture, Education, Institutional, Public facilities, and Public Buildings/Grounds, which have no directly corresponding zoning, may be incorporated into new or existing zoning districts as appropriate.

(i) The maximum net density is the maximum density allowable with the use of TDRs.

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Section 3. If any section, subsection, sentence, clause, item, change, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 5. This ordinance shall be transmitted to the Secretary of State and by the Planning Department to the Department of Community Affairs pursuant to Chapter 163, Florida Statutes.

Section 6. This ordinance shall become effective as provided by law.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting held on the ___ of _____ A.D., 2008.

Mayor Charles "Sonny" McCoy	_____
Mayor Pro Tem Mario Di Gennaro	_____
Commissioner Sylvia Murphy	_____
Commissioner George Neugent	_____
Commissioner Dixie Spehar	_____

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____
CHARLES "SONNY" McCOY, MAYOR

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

DEPUTY CLERK



APPROVED AS TO FORM:

County Attorney



STAFF MEMO

TO: Monroe County Board of County Commissioners

FROM: Lisa Tennyson, Affordable Housing Coordinator 

THROUGH: Reggie Paros, Division Director of Housing and Community Development

DATE: May 9, 2008

SUBJECT: Comprehensive Plan Amendment Transmittal Meeting: Proposed Educational
FLUM Text Amendment

MEETING DATE: May 23, 2008

1. Summary

The purpose of this amendment is to allocate residential density to land within areas categorized for educational purposes on the Future Land Use Map, in order to allow the Monroe County School District to use portions of school sites for affordable housing for teachers and school district personnel.

Florida Statute 1001.43(12) permits school boards to use portions of school sites for affordable housing and other district personnel. In order to address its high rate of teacher turnover rate and the concerns of its personnel with regard to housing and living costs, the School Board has decided to construct housing for its staff. The County had not previously set any residential density for the "Educational" land use category that overlays the school district's sites, and now needs to do so in order to coordinate with the School Board's teacher housing plans and programs.

2. Background

The text amendment has been requested by the Monroe County School District. At the district's public pre-application conference, the School Board voted 5-0 to move forward with building affordable housing on land adjacent to the Sugarloaf School. In March 2007, it held two public community meetings to present their plans to the public and to solicit input and address concerns. In May 2007, the School Board again voted 5-0 to approve the development of 28 homes for teachers and school board personnel. In November 2007, DRC convened to review this proposed ordinance and recommended approval. In January 2008, the Planning Commission reviewed this proposed ordinance and unanimously recommended approval.

asking for a variance. Growth Management Division Director submitted that the language was not necessary, that such projects would not necessarily be precluded from applying for variances, and proposed deleting the variance language from the proposed text.

The modified ordinance was then approved by the BOCC, and is the version presented for the May 23, 2008 transmittal meeting.

3. Staff Recommendation

Approval.