



Islamorada, Village of Islands

REGULAR VILLAGE COUNCIL MEETING

August 8, 2024 - 5:30 PM
Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036

The Village Council has resumed the in-person regular meeting format. Virtual participation is still available to the public. Please see the last page of the agenda for participation details

AGENDA

I. CALL TO ORDER / ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. AGENDA: Requests for Deletion / Emergency Additions

IV. PUBLIC COMMENT

(This is general public comment. It provides an opportunity for the public to speak about matters not scheduled elsewhere on the agenda. The mayor opens public comment on agenda items throughout the meeting.)

V. CITIZENS' ADVISORY COMMITTEE REPORTS & APPOINTMENTS

A. Committee Report LPA - Deb Gillis - Chair TAB A

VI. MAYOR / COUNCIL COMMUNICATIONS

VII. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

VIII. ORDINANCES

- A. An Ordinance Amending SECTION 30-1542 Shoreline Setbacks - First Reading TAB B (Jennifer DeBoisbriand , Planning Director)**
AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 "LAND DEVELOPMENT REGULATIONS", ARTICLE VII "ENVIRONMENTAL REGULATIONS", DIVISION 2 "DOCKS AND SHORELINE USES", SECTION 30-1542 OF THE VILLAGE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE
- B. Ordinance Establishing a Temporary Moratorium on the Acceptance of New Administrative Relief Applications - Second Reading TAB C (John Quick, Interim Village Attorney)**
AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM, WITHIN THE VILLAGE, ON THE ACCEPTANCE OF NEW ADMINISTRATIVE RELIEF APPLICATIONS; PROVIDING FOR

EXEMPTIONS; PROVIDING FOR PROCEDURES FOR VESTED RIGHTS AND JUDICIAL REVIEW; PROVIDING FOR A TERM; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

IX. QUASI-JUDICIAL

- A.** Variance-Side Yard Setback- 92 W Plaza Del Sol **TAB D** (Heidi Harum, Planner, Jennifer DeBoisbriand , Planning Director)
A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF DAVID L AND LAURIE V WEBB FOR A VARIANCE FROM THE PROVISIONS OF SECTION 30-684(E)(4)(B)(2) – SIDE YARD SETBACK, TO ALLOW FOR THE CONSTRUCTION OF A NEW CARGO LIFT WITHIN THE SIDE YARD SETBACK FOR PROPERTY LOCATED AT 92 W PLAZA DEL SOL ON LOWER MATECUMBE KEY, WITHIN THE R1M (RESIDENTIAL SINGLE FAMILY - MASONRY) ZONING DISTRICT, WITH REAL ESTATE NUMBER 00394488-010800, AS LEGALLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.
- B.** An Ordinance Amendment to the Future Land Use Map for Parcel 00404730-000000 - **First Reading TAB E** (Jennifer DeBoisbriand , Planning Director)
AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LYNN L BELL TO AMEND THE VILLAGE’S FUTURE LAND USE MAP FROM RESIDENTIAL MEDIUM (RM) TO MIXED USE (MU) FOR THE SUBJECT PROPERTY, LOCATED ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBER 00404730-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.
- C.** An Ordinance Amendment to the Official Zoning Map for Parcel 00404730-000000 - **First Reading TAB F** (Jennifer DeBoisbriand , Planning Director)
AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LYNN L BELL, TO AMEND THE OFFICIAL ZONING MAP FROM SETTLERS RESIDENTIAL (SR) TO HIGHWAY COMMERCIAL (HC) FOR THE SUBJECT PROPERTY, LOCATED ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBER 00404730-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

- D. An Ordinance Amendment to the Zoning Map for Parcel Numbers 00437590-000000, 00437610-000000 and 00437640-000000 - **First Reading TAB G** (Jennifer DeBoisbriand , Planning Director)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LAH CREEKSIDE LLC, TO AMEND THE OFFICIAL ZONING MAP FROM VILLAGE CENTER (VC) TO NEIGHBORHOOD COMMERCIAL (NC) FOR THE SUBJECT PROPERTY, LOCATED ON PLANTATION KEY, WITH REAL ESTATE NUMBERS 00437590-000000, 00437610-000000 AND 00437640-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

- E. Amendment to Major Conditional Use - Islander Resort **TAB H** (Jennifer DeBoisbriand , Planning Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LAH ISLANDER LLC FOR AN AMENDMENT TO A MAJOR CONDITIONAL USE APPROVAL FOR THE EXPANSION OF THE EXISTING HOTEL FOR PROPERTY LOCATED AT 82100 AND 81998 OVERSEAS HIGHWAY AND 132 CARROLL STREET ON UPPER MATECUMBE KEY WITHIN THE TOURIST COMMERCIAL (TC) AND SETTLERS RESIDENTIAL (SR) ZONING DISTRICTS, WITH REAL ESTATE NUMBERS 00400810-000000 AND 00400450-000000 AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF COMMERCE; AND PROVIDING AN EFFECTIVE DATE.

- F. Transfer of Development Rights - Creekside Inn to Islander Resort **TAB I** (Jennifer DeBoisbriand , Planning Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LAH ISLANDER LLC FOR A TRANSFER OF DEVELOPMENT RIGHTS OF FIVE OR MORE HOTEL/MOTEL UNITS FROM THE PROPERTY LOCATED AT 90611, 90655, 90691 AND 90701 OLD HIGHWAY IN TAVERNIER WITH REAL ESTATE NUMBERS 00437590-000000, 00437610-000000, 00437630-000000 AND 00437640-000000 AS LEGALLY DESCRIBED HEREIN TO PROPERTY LOCATED AT 82100 AND 81998 OVERSEAS HIGHWAY AND 132 CARROLL STREET ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBERS 00400810-000000 AND 00400450-000000 AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF COMMERCE; AND PROVIDING AN EFFECTIVE DATE.

X. ADJOURNMENT

Options for Viewing the Village Council Meeting:

The public is encouraged to watch the meeting on Monroe County's MCTV Comcast Channel 77. Alternatively, the public may view the meeting streamed live on the Village website from their personal computer, tablet or phone via the following link:

https://www.islamorada.fl.us/departments/communications/live_village_broadcast_meeting.php

Option 1: Email your comments.

1. Public comment should be submitted via email to: public.comment@islamorada.fl.us
2. The email should contain "Public Comment" in the subject line.
3. The name and address of the submitter shall be included in the email.
4. Public comment should be submitted by 9 a.m. the day before the meeting. Public comment will be sent to the Village Councilmembers for consideration prior to the meeting. Public comments will not be read during the meeting.

Option 2: Call in During the Meeting.

1. If phoning in, dial 305-224-1968 and enter the webinar ID: **911 0656 4166** followed by #. When the Mayor opens public comment pertaining to the agenda item you are interested in dial *9 to be recognized by the Zoom meeting monitor. The Monitor will call you by the last four digits of your phone number. **Please be sure to unmute your phone when you are called upon.**
2. If watching online via Zoom: Open the Zoom webinar link <https://zoom.us/j/91106564166> and follow the prompts to join the webinar. When the Mayor opens public comment use the "raise your hand" feature to be recognized by the meeting monitor. Public comments will be heard in the order in which they are received.

ADA Assistance:

These meetings are open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the ADA Coordinator at (305) 664-6448 or by email at ADA@islamorada.fl.us at least 48 hours before the scheduled meeting

LPA Meeting June 10, 2024

The committee met and had all 7 members present. We had 6 items to review.

A. & B. Lynn Bell property FLUM and Zoning change.

Applicant requested a FLUM change from Residential Medium to Mixed Use, and a Zoning change from Settlers Residential to Highway Commercial. The LPA discussed that this property was surrounded with commercial uses and we recognized it is on US1 and therefore the request should be approved.

Approved the FLUM from Residential Medium and Zoning changes from Settlers Residential to Highway Commercial 7-0

C. Buffer yard adjustment

I believe Council has already heard this ordinance. I want to cover our thoughts anyway. This ordinance would eliminate the requirement a residential zoned property to place a buffer on their property when they are adjacent to a commercial zoned property. It requires the Commercial Zone to do the required buffer. It was discussed that even if the buffer was not required on the residential side they would be required to maintain the setback requirements and not build in them.

The LPA recommended it be passed with a 5-2 vote.

D. Shoreline Setbacks related to tiki huts on docks.

This is another item I believe you have already heard on first read. This would allow tiki hut or gazebos on a dock on a canal or basin. This came about from a resident appeal to Council. There are several in existence that if destroyed during a storm could not be replaced. This ordinance corrected the problem.

Approved as presented 6-1.

E. Ordinance on a temporary Moratorium on Administrative Relief Applications.

Again you have already heard this.

LPA approved as presented 6-1

F. Zoning change for Creekside/Islander

Creekside LLC requested a Zoning Change from Village Center to Neighborhood Commercial. Village Center prohibits the conversion of motel units into residential, multifamily or affordable units. This zoning change will allow the Creekside Motel to develop into an Affordable housing project. The motel units will be transferred and be redeveloped on the Islander property. LPA members stressed that the affordable units must be approved, developed and finalized prior to the motel units being finalized. Work could be simultaneously done but the affordable part should be completed prior to the motel units being CO'd.

LPA approved as presented with recommendations 7-0.

Aug meeting has been cancelled. Next meeting Sep 9.



Council Communication

To: Mayor and Village Council
From: Jennifer DeBoisbriand , Planning Director
Date: August 8, 2024
SUBJECT: **An Ordinance Amending SECTION 30-1542 Shoreline Setbacks - First Reading TAB B**

Background:

On September 21, 2023, an applicant for a setback Variance appealed the Director's denial of the Variance to the Village Council. During the quasi-judicial hearing the Council heard about the many other tiki huts that were pre-existing non-conforming within the Village. The Village Council asked the Planning Department to provide a solution to tiki huts that exist on docks and what would happen when if/they were damaged or destroyed.

Analysis:

After review of the Code and discussion among staff the attached Resolution allows the construction of a tiki hut on a dock on canals or basins.

Budget Impact:

None

Staff Impact:

None

Recommendation:

Staff recommends the adoption of this ordinance.

Attachments: 1. Ord_24-Shoreline Setback

ORDINANCE NO. 24-

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 "LAND DEVELOPMENT REGULATIONS", ARTICLE VII "ENVIRONMENTAL REGULATIONS", DIVISION 2 "DOCKS AND SHORELINE USES", SECTION 30-1542 OF THE VILLAGE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE

WHEREAS, Islamorada, Village of Islands (the "Village") has established Land Development Regulations ("LDRs") to properly guide development and protect the health, safety, and welfare of the public; and

WHEREAS, the Village Council wishes to allow for the safe and effective reconstruction of certain non-enclosed gazebos and tiki huts within the Village; and

WHEREAS, the provisions of this Ordinance are consistent with the Village Comprehensive Plan and the Principles for Guiding Development within the Florida Keys Area of Critical State Concern; and

WHEREAS, the Village Council finds that the provisions of this Ordinance are intended to advance the public health, safety, and welfare of the citizens of the Village.

NOW THEREFORE, be it ordained by the Council of the Village of Islamorada, in the State of Florida, as follows:

SECTION 1: AMENDMENT "Sec 30-1542 Shoreline Setback" of the Islamorada Village Code is hereby *amended* as follows:

Sec 30-1542 Shoreline Setback

All development within the shoreline setback shall be subject to the following standards and design criteria:

- (a) Principal structures shall be set back from the mean high water line (MHWL) or the landward extent of the mangroves as follows:
 - (1) Twenty feet from the MHWL along legally altered shorelines including manmade canals, channels, and basins;
 - (2) Thirty feet from the MHWL or the landward extent of the mangroves, whichever is further landward along open water shorelines not adjacent to manmade canals, channels, or basins which have been legally altered, provided that:
 - a. A mangrove fringe of at least ten feet in width occurs across the entire shoreline of the property; or
 - b. Where no mangrove fringe exists, principal structures shall be set back at least 30 feet from the MHWL, provided that native vegetation exists or is planted with a Class G bufferyard pursuant to section 30- 815 of this chapter across the entire shoreline as approved by the director of planning and development services, and is placed under conservation easement; otherwise the setback shall be 50 feet as measured from the MHWL; or
 - c. Where developed lots exist within 200 feet on both sides of an infill lot and principal structures are set back less than 50 feet from the MHWL or the landward extent of the mangroves, whichever is further landward; the director of planning and development services may evaluate the community character, the presence or absence of environmental features, and the setbacks on adjacent developed properties within two parcels on either side of proposed development, and may allow principal structures to be set back as far as practicable or in line with adjacent principal structures. In no event shall the setback be less than 30 feet. On shorelines where the existing pattern of setback is greater than 30 feet from the MHWL, the greater setback shall apply.
 - (3) Fifty feet from the MHWL or the landward extent of the mangroves, whichever is further landward along unaltered or unlawfully altered shorelines.
- (b) On those beaches identified and approved by the village or department of environmental protection as turtle nesting areas, no structure, including fences, shall be permitted within 50 feet of the landward toe of the beach berm or 100 feet from the mean high-water line where the berm cannot be determined.
- (c) Shoreline setback requirements shall not apply to fences, seawalls, retaining

walls, riprap, and bulkheads as permitted pursuant to this division and this chapter. These structures may be allowed as principal uses where it is demonstrated that their purpose is for erosion control or upland protection as determined pursuant to this division or article V, division 9 of this chapter (Fences).

(d) Accessory uses and structures:

(1) Water-dependent accessory structures and uses may be located within the shoreline setback pursuant to the standards set forth in this division and this chapter. These structures and uses include, but may not be limited to the following: utility pilings, fences, docks, lifts, davits, boat ramps, boat slips, seawalls, riprap, bulkheads, elevated walkways, fish cleaning stations, fish sales, dock master's offices (limited to 150 square feet) and outside dining areas as permitted in article VI, division 9 of this chapter. Open-sided covered boat lifts may be erected only over a cut-in boat slip on manmade canals and may not extend into the adjacent body of water beyond the mouth of the cut-in area, nor extend over any mangroves, submerged seagrasses or hard-bottom communities. The roof and supporting members of a covered boat lift may extend two feet into the shoreline setback around the perimeter of a boat slip. No decks or habitable spaces shall be constructed on the roof of any covered boat lift. The highest portion of the roof of any covered boat lift shall be no more than 12 feet above grade.

(2) Non-water-dependent accessory uses and structures on altered shorelines on canals, basins and channels may include:

- a. Accessory uses and structures provided that in no event shall the total, combined area of all structures occupy more than 60 percent of the upland area of the shoreline setback.
- b. Pools and spas including associated decks, and any screen structures over pools or spas provided that a ten-foot setback from the mean high-water line or landward extent of the mangroves, whichever is further upland, is maintained and a minimum of one canopy tree per 50 feet of rear property line is planted within the setback.
- c. Structures limited to elevated decks, pavers or non-enclosed gazebos limited to 15 feet in height provided that a ten-foot setback from the mean high-water line or landward extent of the mangroves, whichever is further upland, is maintained and a minimum of one canopy tree per 50 feet of rear property line is planted within the setback.

d. Structures limited to non-enclosed gazebos and tiki huts not to

exceed 15 feet in height on docks perpendicular to the shoreline shall be permitted within the ten-foot setback from the mean high-water line.

- e. All other accessory structures shall meet the setback requirements for principal development.
- (3) Non-water-dependent accessory uses and structures on altered open water shorelines may include:
- a. Accessory structures provided that in no event shall the total, combined area of all structures occupy more than 30 percent of the shoreline setback.
 - b. Pools including associated decks provided that a ten-foot setback from the mean high-water line or landward extent of the mangroves, whichever is further upland, is maintained and a minimum ten-foot wide Class B bufferyard is installed running along the rear property line.
 - c. Structures limited to elevated decks, pavers or non-enclosed gazebos limited to 15 feet in height provided that a ten-foot setback from the mean high-water line or landward extent of the mangroves, whichever is further upland, is maintained and a minimum ten-foot-wide Class B bufferyard is installed running along the rear property line.
 - d. All other accessory structures shall meet the setback requirements for principal development.
- (4) Non-water-dependent accessory uses and structures on unaltered shorelines may include:
- a. Accessory uses and structures provided that in no event shall the total, combined area of all structures occupy more than 30 percent of the shoreline setback.
 - b. Pools including associated decks provided that a 20-foot setback from the mean high-water line or landward extent of the mangroves, whichever is further upland, is maintained and a minimum ten-foot wide Class B bufferyard is installed running along the rear property line.
 - c. Structures limited to elevated decks, pervious pavers or non-enclosed gazebos limited to 15 feet in height provided that a 20-foot setback from the mean high-water line or landward extent of the mangroves, whichever is further upland, is maintained and a minimum ten-foot wide Class B bufferyard is installed running along the rear property line provided.

- d. Where provisions of division 3 of this article (Sea Turtle Nesting Protection), or division 5 of this article (Wetlands) govern, the more restrictive setback shall apply.
 - e. All other accessory structures shall meet the setback requirements for principal development.
- (e) Boat ramps shall be confined to an existing cleared area wherever possible and shall be located and designed so as not to create a nonconformity. Boat ramps other than public ramps shall not exceed 20 feet in width. Boat ramps shall be set back a minimum of five feet from side property lines unless reduced by the director in cases where the strict interpretation would result in adverse environmental impacts.
- (f) Sand and clean screenings used for landscaping purposes on open water shorelines shall not constitute fill and may be placed within the shoreline setback, providing:
 - (1) The material maintains a minimum 20 feet from the mean high-water line or the landward extent of mangroves whichever is greater;
 - (2) The material does not alter the pre-development grade of the parcel more than six inches and maintains the natural slope of the shoreline. Berm material used for retention of the sand shall not exceed 12 inches in height and not be constructed as a permanent structure;
 - (3) Shall incorporate filter cloth landward on the berm;
 - (4) The placement of material does not require the removal of native vegetation; and
 - (5) The shoreline is not a potential or active turtle nesting area.
- (g) The launching or removal of all motorized watercraft is limited to lawfully existing dock and ramp facilities.
- (h) Beach restoration may be permitted providing the project receives permits from all federal and state agencies having jurisdiction prior to submission to the village.
- (i) No development other than pile-supported docks shall be located within 50 feet of the landward toe of the beach berm which is known to serve as an active or potential turtle nesting area. Where a beach berm cannot be determined, a 100-foot setback from the mean high-water line shall be required pursuant to division 3 of this article.
- (j) No vessel of any kind shall dock at, moor to, or tie up to shoreline vegetation, including mangroves. Nothing, however, shall prohibit vessels or persons in distress from mooring to, tying up to, or beaching onto shoreline vegetation, including mangroves, in an emergency situation as may be declared by the mayor.
- (k) Accessory structures, as defined in section 30-32, within the shoreline setback

shall be constructed at a foundation height not to exceed 18 inches above existing grade. Screen enclosures over pools within the shoreline setback shall not exceed 15 feet in height.

SECTION 2: RECITALS. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 3: REPEALER CLAUSE The Provisions of the Village of Islamorada Code and all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4: SEVERABILITY CLAUSE The provisions of this Ordinance are declared to be severable and if any sentence, section, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sentences, sections, clauses or phrases of the Ordinance but they shall remain in effect it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5: INCLUSION IN THE CODE. It is the intention of the Village Council and it is hereby ordained the provisions of this Ordinance shall become and be made part of the Village of Islamorada Code, that sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

SECTION 6: TRANSMITTAL. The Village Clerk is authorized to forward a copy of this Ordinance to the State Department of Commerce (the "DOC") for approval pursuant to section 380.05, Florida Statutes.

SECTION 7: EFFECTIVE DATE This Ordinance shall not be effective immediately upon adoption. The Amendment shall not take effect until the date a final order is issued by the DOC. The DOC notice of intent to find this Ordinance in compliance shall be deemed to be the final order if no timely petition challenging this Ordinance is filed.

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

Mayor Joseph B. Pinder III _____
Vice Mayor Sharon Mahoney _
Councilman Mark Gregg -
Councilwoman Elizabeth Jolin _
Councilman Henry Rosenthal

PASSED on the first reading this __day of _____, 2024.

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

Mayor Joseph B. Pinder III _____
Vice Mayor Sharon Mahoney _
Councilman Mark Gregg -
Councilwoman Elizabeth Jolin _
Councilman Henry Rosenthal

PASSED AND ADOPTED on the second reading this _day of _____, 2024.

JOSEPH B. PINDER, III, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN J. QUICK, INTERIM VILLAGE ATTORNEY



Council Communication

To: Mayor and Village Council
From: John Quick, Interim Village Attorney
Date: August 8, 2024
SUBJECT: **Ordinance Establishing a Temporary Moratorium on the Acceptance of New Administrative Relief Applications - Second Reading TAB C**

Background:

As part of the overall evacuation strategy, the Florida Administration Commission adopted a building permit allocation system (BPAS) that caps the number of permits that can be issued for new residential structures. Based on existing infrastructure and evacuation strategies, computer modeling indicates that the projected maximum build out for the Florida Keys is the development of an additional 3,550 allocations beginning July 2013, with a portion of these allocations set aside for affordable housing. The ten-year building permit allocation was due to expire in July 2023. The Florida Division of Emergency Management (DEM) is currently working to update the hurricane evacuation model for the entire state.

The Village has adopted a comprehensive set of Land Development Regulations (the "LDRs") to implement the Village Comprehensive Plan and residential development is currently regulated pursuant to the Village Comprehensive Plan and LDRs. The Village previously adopted the Building Permit Allocation System ("BPAS") including Administrative Relief, thus allowing the Village to regulate growth by issuing a limited number of market rate and affordable residential building permits.

Following the close of the 2024 first quarter allocation, there remained fifty-eight (58) market rate without land dedication and five (5) market rate applications with land dedication remaining in the queue. There are currently twenty-three (23) Administrative Relief allocations available. Due to the number of pending market rate applications in the queue vs. the number of available administrative relief allocations and the immediate uncertainty of the availability of additional allocations, Council is considering a moratorium on acceptance of new Administrative Relief applications.

A Business Impact Estimate is not required pursuant to section 166.041(4), Florida Statutes.

Analysis:

The utilization of the moratorium as a temporary measure to facilitate governmental decision-making, study, and the adoption of comprehensive plan amendments and/or land development regulations is a useful governmental tool to temporarily prohibit the acceptance of new Administrative Relief applications.

During the time that this Ordinance is in effect, there shall be a temporary moratorium on the acceptance of new Administrative Relief applications. The Ordinance does not prohibit the

continuation of applicants that are currently in any part of the approval process.

This matter was heard by the Local Planning Agency ("LPA") on June 10, 2024 which voted 6-1 to recommend approval of this ordinance.

This matter was also heard on first reading by the Village Council on July 9, 2024. The ordinance passed on first reading by a vote of 3-2.

Budget Impact:

None

Staff Impact:

Staff presented a tentative timeline to the Village Council on June 13, 2024. It is anticipated that Staff will compile data and analyze the information between August 2024 and December 2024. Staff intends to present a final report to Council in January 2025. Part of this process will also include a community workshop in October 2024.

Recommendation:

Attachments: 1. 48T933603-2024 moratorium ordinance on acceptance of new administrative relief applications (final)

ORDINANCE NO. —

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM, WITHIN THE VILLAGE, ON THE ACCEPTANCE OF NEW ADMINISTRATIVE RELIEF APPLICATIONS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR PROCEDURES FOR VESTED RIGHTS AND JUDICIAL REVIEW; PROVIDING FOR A TERM; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

WHEREAS, in 1972, the Florida Legislature adopted the Environmental Land and Water Management Act, which provided the basis for the state to designate an Area of Critical State Concern ("ACSC"); and

WHEREAS, to be designated as an ACSC, an area must contain, or have a significant impact upon, environmental or natural resources of regional or statewide importance where uncontrolled private or public development would cause substantial deterioration of such resources; and

WHEREAS, in 1975, the Florida Legislature designated the Florida Keys (Monroe County and its municipalities) as an Area of Critical State Concern. The Florida Keys received this designation due to the area's environmental sensitivity and mounting development pressures. The legislative intent was to establish a land use management system for the Florida Keys that would: Protect the natural environment and improve the near shore water quality; Support a diverse economic base that promotes balanced growth in accordance with the capacity of public facilities; Promote public land acquisition and ensure that the population of the Florida Keys can be safely evacuated; Provide affordable housing near places of employment; and Protect property rights and promote coordination among governmental agencies that have permitting jurisdiction; and

WHEREAS, Section 380.05, Florida Statutes, allows the Florida Administration Commission to designate areas that contain resources of statewide significance as an ACSC; and

WHEREAS, the Florida Administration Commission has oversight and authority to promulgate administrative rules that guide local government growth and development decisions related to comprehensive plans and land development regulations; and

WHEREAS, Section 380.0552(4), Florida Statutes, directs the state land planning agency to submit a report to the Florida Administration Commission, describing in detail the progress of the Florida Keys ACSC toward accomplishing the tasks of the Work Program and to provide a recommendation as to whether or not progress toward accomplishing the tasks of the Work Program has been achieved; and

WHEREAS, Section 380.0552(4)(b), Florida Statutes, requires the state land planning agency to submit a written report annually to the Florida Administration Commission describing the progress of the Florida Keys ACSC toward completing the Work Program tasks "specified in commission rules"; and

WHEREAS, a system of managed growth was developed to ensure, among other things, the ability to evacuate within the clearance time as required by Section 380.0552(9)(a)2., Florida Statutes; and

WHEREAS, access to and from the Keys is primarily by U.S. Highway 1, and Evacuation of the Florida Keys' population in advance of a hurricane strike is essential for public safety, especially because there are no hurricane shelters available in the Florida Keys for Category 3-5 hurricane storm events; and

WHEREAS, as part of the overall evacuation strategy, the Florida Administration

Commission adopted a building permit allocation system that caps the number of permits that can be issued for new residential structures. Based on existing infrastructure and evacuation strategies, computer modeling indicates that the projected maximum build out for the Florida Keys is the development of an additional 3,550 allocations beginning July 2013, with a portion of these allocations set aside for affordable housing; and

WHEREAS, the ten-year building permit allocation expired in July 2023, and the Florida Division of Emergency Management (“DEM”) is currently working to update the hurricane evacuation model for the entire state; and

WHEREAS, DEM staff is coordinating with state land planning agency staff on the timing of that update and its availability to perform modeling to advance a new ten-year allocation, as the ten-year permit allocation system was designed to coordinate with the timing of the release of decennial census data; and

WHEREAS, during the rule promulgation process, it became apparent that the COVID-19 pandemic may influence the 2020 Census and the timing of the data releases. Therefore, the update of the work program tasks for hurricane evacuation and a revised building permit allocation was deferred until there was clarity as to the effect of COVID-19 on the 2020 Census; and

WHEREAS, as data gathering efforts in this area are finalized, DEM will bring recommendations with regard to updating the components of hurricane evacuation and building permit allocations; and

WHEREAS, the Village has adopted a comprehensive set of Land Development Regulations (“LDRs”) to implement the Village Comprehensive Plan; and

WHEREAS, residential development is currently regulated pursuant to the Village Comprehensive Plan and LDRs; and

WHEREAS, the Village previously adopted the Building Permit Allocation System ("BPAS"), thus allowing the Village to regulate growth by issuing a limited number of market rate and affordable residential building permits; and

WHEREAS, as part of BPAS, the Village also enacted an administrative relief plan under Section 30-477 of the Village Code ("Administrative Relief") for certain eligible applicants on the BPAS list; and

WHEREAS, the Village Council desires to further study, modify, and implement comprehensive regulations concerning future residential development, so that the public safety is protected and the aesthetic and visual qualities of the Village are protected from impairment by future residential development; and

WHEREAS, the Village Council desires to ensure that during the pendency of the necessary study activity for the formulation and implementation of more comprehensive regulations of future residential development, that the acceptance of new Administrative Relief applications are not initiated, so that the regulations produced by the Village's study activity would be fully effective; and

WHEREAS, the acceptance of new Administrative Relief applications stimulates an accelerated amount of development permit request(s). If approved, such accelerated development would lead to further deterioration of current hurricane evacuation clearance time for the Village, increasing the existing potential for loss of life and injury to persons and property; and

WHEREAS, the acceptance of new Administrative Relief applications would also cause further deterioration in the level of service on existing roadways and lead to irreversible environmental degradation; and

WHEREAS, by imposing a temporary moratorium on the acceptance of new Administrative Relief applications until DEM finalizes its study activities, the Village can ensure that more comprehensive regulations concerning future residential development mitigate any impacts that would cause immediate harm to the health, safety and welfare of the residents of the Village; and

WHEREAS, the utilization of the moratorium device as a temporary measure to facilitate governmental decision-making, study, and the adoption of comprehensive plan amendments and/or land development regulations is a legitimate governmental tool to facilitate logical and considered growth and as a means of avoiding inefficient and ill-conceived development; and

WHEREAS, the Village Council finds that it necessary to impose a temporary moratorium on the acceptance of new Administrative Relief applications; and

WHEREAS, the Village Local Planning Agency has reviewed this Ordinance at a properly noticed public hearing on June 10, 2024; and

WHEREAS, after due notice and hearing, the Village Council finds that this Ordinance is consistent with the Village Comprehensive Plan and the principles for guiding development in the Florida Keys Area of Critical State Concern; and

WHEREAS, the Village Council finds that the provisions of this Ordinance are intended to advance the public health, safety, and welfare of the residents of the Village.

**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 are incorporated herein by this reference.

Section 2. Moratorium Imposed. During the time that this Ordinance is in effect, as specified in Section 7 below, there shall be a temporary moratorium on the acceptance of new Administrative Relief applications.

Section 3. Exemptions. This Ordinance shall not prohibit the acceptance of new Affordable Residential BPAS applications, new Market Rate Residential¹ BPAS applications, new Nonresidential BPAS applications, and transfer of development right applications.

Section 4. Determination of Vested Rights or Denial of All Economic Use.

a. Nothing in this Ordinance shall be construed or applied to abrogate the vested right of a property owner to complete development of a parcel where the property owner can demonstrate by substantial competent evidence each of the following:

- i. A governmental act of development approval was obtained prior to the effective date of this Ordinance; and
- ii. Upon which the property owner has detrimentally relied, in good faith, by making substantial expenditures; and
- iii. That it would be highly inequitable to deny the property owner the right to complete the development.

¹ / While this Ordinance does not address new Market Rate Residential BPAS applications, a moratorium on the acceptance of new Market Rate Residential BPAS applications (with or without land dedications) is already in place pursuant to Ordinance 23-10. Nothing contained herein should be construed as impacting, amending, or otherwise repealing Ordinance 23-10 or any subsequent extensions thereof.

b. Nothing in this Ordinance shall be construed or applied to prevent development of a particular parcel where the property owner can demonstrate by substantial competent evidence that, because of the moratorium, no economic use can be made of the parcel.

c. Any property owner claiming vested rights or denial of all use under this Section 4 must file an application with the Village Council for a determination within 45 days after the effective date of this Ordinance. The application shall be accompanied by an application fee of \$1,500.00 and contain a sworn statement as to the basis upon which the vested rights or denial of all use are asserted, together with documentation required by the Village and other documentary evidence supporting the claim. The Village Council shall hold a public hearing on the application and, based upon the competent substantial evidence submitted, shall make a determination as to whether the property owner has established vested rights or whether the temporary moratorium has made it so that no economic use for the parcel is available.

Section 5. Judicial Review. Judicial review of final decisions by the Village Council under Section 4 of this Ordinance shall be made by the filing of a Petition for Writ of Certiorari in the Circuit Court of the Sixteenth Judicial Circuit in and for Monroe County, Florida, in accordance with the Florida Rules of Appellate Procedure for the review of quasi-judicial decisions of municipalities.

Section 6. Exhaustion of Administrative Remedies. No property owner claiming that this Ordinance, as applied, constitutes or would constitute a temporary or permanent taking of private property or an abrogation of vested rights may pursue such claim in court, unless he or she has first exhausted the applicable administrative remedies provided in this Ordinance.

Section 7. Term. The moratorium imposed by this Ordinance is temporary and shall be effective for a period of six (6) months from the effective date of this Ordinance, unless dissolved earlier by the Village Council. The moratorium may be reasonably extended, if necessary, by Ordinance of the Village Council.

Section 8. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 9. Conflicts. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions, or parts of resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 10. Transmittal. The provisions of this Ordinance constitute a "land development regulation," as defined by Section 380.031, Florida Statutes. Accordingly, the Village Clerk is authorized to forward a copy of this Ordinance to the State Department of Commerce for approval pursuant to Sections 380.05(6) and (11), Florida Statutes.

Section 11. Effective Date. This Ordinance shall not be effective immediately upon adoption. The Ordinance shall not take effect until the date a final order is issued by the State Department of Commerce ("DOC"). The DOC's notice of intent to find this Ordinance in compliance shall be deemed to be the final order if no timely petition challenging this Ordinance is filed.

The foregoing Ordinance was offered by _____, who moved for its adoption on

first 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 Sharon Mahoney _____

Councilman Mark Gregg _____

Councilwoman Elizabeth Jolin _____

Councilman Henry Rosenthal _____

PASSED on the first reading this __ day of _____, 2024.

[Remainder of this page intentionally left blank]

The foregoing Ordinance was offered by _____, who moved for its 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 Sharon Mahoney	_____
Councilman Mark Gregg	_____
Councilwoman Elizabeth Jolin	_____
Councilman Henry Rosenthal	_____

PASSED AND ADOPTED on the second reading this ____ day of _____, 2024.

JOSEPH B. PINDER III, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN J. QUICK, VILLAGE ATTORNEY



Council Communication

To: Mayor and Village Council
From: Heidi Harum, Planner, Jennifer DeBoisbriand , Planning Director
Date: August 8, 2024
SUBJECT: **Variance-Side Yard Setback- 92 W Plaza Del Sol TAB D**

Background:

David and Laurie Webb and its named agent have submitted an application for Variance approval to allow for the construction of a new cargo lift within the side yard setback located at 92 W Plaza del Sol. On July 18, 2024, the Village mailed notices to adjacent property owners informing them that the project was scheduled to be reviewed by the Village Council. A sign was also posted on the property on July 18, 2024. The Village has received no letters of objection or contact from adjacent owners as of this Council Communication. Pursuant to the Village Code of Ordinances, a Public Hearing before the Village Council to review the request is required.

The property is approximately 0.17 acres in size, approximately 7,500 sq. ft. with an existing single family residence structure. The property is located in the Port Antigua neighborhood, having the real estate number 00394488-010800. The property is within the Residential Single Family - Masonry (R1M) Zoning District and is categorized within the Future Land Use Map (FLUM) as residential Medium (RM).

The proposed development is for a variance from Section 30-684 (e)(4)(b)(2) to allow for the new cargo lift within the side yard setback. The proposed variance is for a five-foot seven inch (5'-7") reduction in the required ten foot (10') side yard setback for uses and structures in the R1M (Residential Single-family – Masonry) Zoning District.

The existing habitat for the Subject Parcel is classified as scarified.

Analysis:

According to Section 30-221: "A variance is relaxation of the terms of this chapter where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship on the property. As used in this section, a variance is authorized only for height, setbacks, parking, and loading requirements, and landscaping, unless otherwise specified in this chapter. Under no circumstances shall the director of planning and development services or the village council grant a variance to permit a floor area ratio or a use not permitted under the terms of this chapter."

The director, in accordance with the procedures, standards, and limitations of this chapter, shall approve, approve with conditions, or deny an application for an administrative variance of up to 25 percent of the height, setbacks, parking, and loading requirements, and landscaping

of this chapter, after the review and demonstrated compliance with the criteria established in subsection 30-221(d).

Pursuant to Sec. 30-221 (d) "When considering an application for a variance, the director and village council shall consider the following factors, and no variance shall be approved which fails to meet any standard below. Failure to comply with any standard shall be deemed adverse to the public interest.

(1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

Finding: There are conditions peculiar to this property that would allow for the consideration of this variance. The cargo lift cannot be located elsewhere on the property due to site constraints. The setbacks are such that if the lift were located elsewhere, the lift would be in those setbacks (still requiring a variance) and the lift would not be located near the 2nd floor entry access point.

(2) The special conditions and circumstances do not result from the actions of the applicant;

Finding: The applicant would like to construct a cargo lift attached to an existing residence and has applied for a permit. Due to personal circumstances, the Owner needs a cargo lift at their existing residence.

(3) Literal interpretation of the provisions of this chapter deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and works unnecessary and undue hardship on the applicant;

Finding: The site constraints limit the location of the cargo lift to the proposed location.

(4) Granting the variance requested conveys the same treatment to the individual owner as to the owner of other lands, buildings, or structures in the same zoning district;

Finding: Granting the variance would not provide this applicant with different treatment by allowing a reduced setback than those within the same zoning district.

(5) The variance, if granted, is the minimum variance that makes possible the reasonable use of the land, building, or structure; and

Finding: The applicant can still have reasonable use of the property if they were to comply with the Village Code.

(6) The grant of the variance is in harmony with the general intent and purpose of this chapter, and is not injurious to the neighborhood, or otherwise detrimental to the public welfare."

Finding: Granting the variance will allow the Cargo Lift in its proposed location, which is in harmony with the intent and purpose of the Village Code.

Budget Impact:

None.

Staff Impact:

None.

Recommendation:

Staff has reviewed the request for a Variance and determined that the request is consistent with the goals, objectives, and policies of the comprehensive plan and does comply with applicable provisions of the Code of Ordinances. Therefore, the Staff recommends that the Village Council APPROVE the proposed Variance to the construction of a Cargo Lift within the required 10-foot setback by adoption of the attached Resolution.

- Attachments:**
1. Resolution
 2. Attachments Webb
 3. PIC VI
 4. PIC IX
 5. PIC IV
 6. 92 W Plaza Del Sol - APPLICATION

Prepared by and return to:
Planning and Development Services Department
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, Florida 33036

RESOLUTION NO. 24-XX

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF DAVID L AND LAURIE V WEBB FOR A VARIANCE FROM THE PROVISIONS OF SECTION 30-684(E)(4)(B)(2) – SIDE YARD SETBACK, TO ALLOW FOR THE CONSTRUCTION OF A NEW CARGO LIFT WITHIN THE SIDE YARD SETBACK FOR PROPERTY LOCATED AT 92 W PLAZA DEL SOL ON LOWER MATECUMBE KEY, WITHIN THE R1M (RESIDENTIAL SINGLE FAMILY - MASONRY) ZONING DISTRICT, WITH REAL ESTATE NUMBER 00394488-010800, AS LEGALLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, David and Laurie Webb (the "Applicant") is the owner of property located at 92 W Plaza del Sol on Lower Matecumbe Key, with Parcel Identification Number 00394488-010800 and legally described below (the "Property") within Islamorada, Village of Islands, Florida (the "Village"); and,

WHEREAS, the Applicant has submitted an application for a variance from Section 30-684(e)(4)(b)(2) to allow for the new cargo lift within the side yard setback. The proposed variance is for a five foot seven inch (5'-7") reduction in the required ten foot (10') side yard setback; and

WHEREAS, on August 8, 2024, the Village Council of Islamorada, Village of Islands, Florida (the "Village Council") conducted a duly noticed Public Hearing regarding the Variance Request (the "Request").

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

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

Section 2. Findings of Fact. The Village Council, having considered the Request, the relevant support materials and public testimony given at the Hearing, does hereby find and determine:

1. The Request **[complies/does not comply]** with the standards of Code Sec. 30-221(d) for considering Variances.

2. The Request **[is/is not]** consistent with the goals, objectives, and policies of the Village Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use.

3. The Village Council, having considered the testimony and evidence presented by all parties, including Village Staff, does hereby find and determine:

a. The Application for a Variance **[does/does not]** meet the requirements set forth in Code Section 30-221 and **[has/has not]** demonstrated through competent substantial evidence that the criteria for granting the Request have been met; and,

b. The Village Council **[approves/denies]** the Request submitted by the Applicant, for the following described property:

Port Antigua-Plat No 3 and 4, Plat Book 6, Page 24, Lower Matecumbe Lot 199 as shown in the Public Records of Monroe County.

Section 3. Conclusions of Law. Based upon the above Findings of Fact, the Village Council does hereby make the following Conclusions of Law:

(1) The Request has been processed in accordance with the applicable provisions of the LDRs, and **[will/will not]** be detrimental to the community as a whole.

(2) In rendering its decision, as reflected in this Resolution, the Village Council has:

- (a) Accorded procedural due process; and,
- (b) Observed the essential requirements of the law; and,
- (c) Supported its decision by substantial competent evidence contained within the record.

(3) The Request is hereby **[APPROVED/DENIED]**.

Section 4. Effective Date. This Resolution shall not take effect until after both thirty (30) days following the date it is filed with the Village Clerk, during which time the Request herein shall be subject to appeal as provided in the Code; and following the thirty (30) days, this resolution shall not be effective or acted upon by the Applicant until forty-five (45) days following the rendition to the Department of Commerce (DOC), pursuant to Chapter 9J-1 of the Florida Administrative Code. During those forty-five (45) days, the DOC may appeal this resolution to the Florida Land and Water Adjudicatory Commission, and that such an appeal stays the effectiveness of this Resolution until the appeal is resolved by agreement or order.

Motion to adopt by _____, seconded by _____.

FINAL VOTE AT ADOPTION

Mayor Joseph B. Pinder III _____

Vice Mayor Sharon Mahoney _____

Councilmember Mark Gregg _____

Councilmember Elizabeth Jolin _____

Councilmember Henry Rosenthal _____

PASSED AND ADOPTED THIS 8TH DAY OF AUGUST 2024.

JOSEPH B. PINDER III, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN QUICK, INTERIM VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this ____ day of _____, 2024.

GL BAL D MENSIONS INC.
Land Surveying Services

14770 SW 43rd Way,
MIAMI, FL 33185.
PHONE: (305) 512-4225
FAX: (305) 512-1914

SCALE: 1"=20'
JOB NO: 1305-037
FIELD DATE: 05-23-2013
TYPE OF PROJECT:
BOUNDARY SURVEY

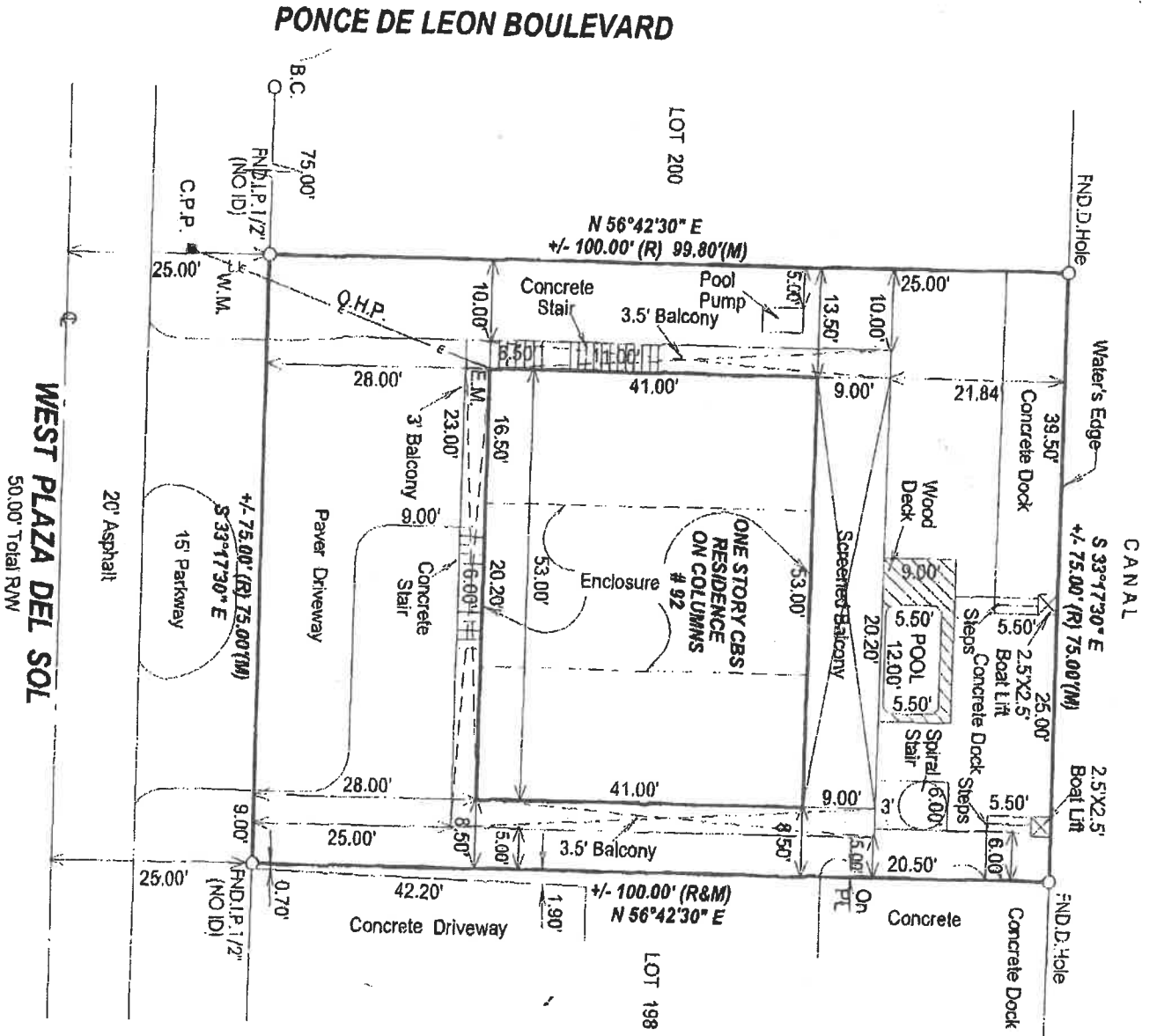
FOR: DAVID WEBB & LAURIE WEBB

PROP. ADDR: 92 W. PLAZA DEL SOL, SLAMORADA, FL 33096

LOT: 199

LEGAL DESCRIPTION:
BLOCK: — SUBMISSION: PORT ANTIGUA, PLAT No.3-4

PLAT BOOK: 6 PAGE: 24 OF: MONROE COUNTY, FLORIDA



SURVEYOR'S NOTES:

- 1) THE SURVEY OF THE PROPERTY SHOWN HEREON IS IN ACCORDANCE WITH THE DESCRIPTION FURNISHED BY CLIENT.
- 2) UNLESS A COMPARISON IS SHOWN, ALL BEARING ANGLES AND DISTANCES SHOWN ARE THE SAME AS PLAT VALUES.
- 3) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT AND THE SAME, IF ANY, MAY BE LOCATED.
- 4) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENT WERE NOT LOCATED.
- 5) FENCES TIES ARE TO THE CENTER LINE OF THE SAME.
- 6) WALL, TIES TO THE FACE OF THE SAME.
- 7) ELEVATION WHEN SHOWN ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM (1929) UNLESS OTHERWISE NOTED.
- 8) THERE NO ABOVE GROUND ENCUMBRANCES OTHER THAN THOSE SHOWN.
- 9) THIS SURVEY IS FOR MORTGAGE PURPOSES ONLY, NOT TO BE USED FOR CONSTRUCTION PURPOSES.

(FLOOD ZONE INFORMATION)

ZONE: AE COMM. 120424, PANEL: 12087C1201 SUFFIX: K DATE: 2-18-2005 BASE: 8.00'

NOTE: DETERMINATION OF FLOOD ZONE LINES WERE BASED ON SCALING OF FEMA MAP LISTED ABOVE.

NOTE: ALL BEARING HEREON ARE BASED TO THE PLAT BEARING OF S 33°17'30" E ON THE CENTER LINE OF South West PROPERTY LINE.

EASEMENT VIOLATIONS: ☐ YES ☒ NO
APPARENT VISIBLE ENCROACHMENTS: ☐ YES ☒ NO
COMMENTS:

CERTIFIED TO:
DAVID WEBB & LAURIE WEBB,
WELLS FARGO BANK, N.A. # 936, ITS SUCCESSORS
AND/OR ASSIGNS,
HERSHOFF, LUPINO & YAGEL LLP,
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.

ABBREVIATIONS:

SWK = Stewie, K. Concrete Block Structure, C.P. = Chain Link Fence,
PL = Property Line, R.P. = Right of Way, U.P. = Utility Pole,
AC = Air Conditioner Pad, P.C. = Power Company, D.C. = Drainage
W.P. = Wood Fence, R.E. = Roadway, D.C. = Drainage, U.P. = Utility
Easement, C.C. = Concrete, S.S. = Steel, R.P. = Right of Way, U.P. = Utility
C.P. = Center Line, O.C. = Owner, T.P. = Title, M.P. = Mortgage, N.C. = Notary,
S.S. = Set, F.P. = Finish Floor Elevation, O.C. = Owner, P.P. = Power Pole,
O.H.P. = Overhead Powerline, W.P. = Water Meter, W.P. = Wood Pole,
E.M. = Electric Meter, M.P. = Metal Fence, P.C. = Chain Link Fence, D.M. = Drainage
Maintenance Easement, C.M. = Central Maintenance Easement, L.L. = Lake
Maintenance Easement, M.E. = Maintenance Easement, B.C. = Back Corner,
P.C. = Point of Curvature, P.D. = Point, NO ID = No Identification.

LEGEND:

The attached Boundary Survey of the lands shown herein is not to be copied, in whole or in part, without the written consent of the Surveyor. The Surveyor is not responsible for any errors or omissions in this survey. The Surveyor is not responsible for any errors or omissions in this survey. The Surveyor is not responsible for any errors or omissions in this survey.

DAVID L. FUTCH
REGISTERED LAND SURVEYOR # 4843
STATE OF FLORIDA LB # 0006974

NOTE: NOT VALID UNLESS
SIGNED AND SEALED

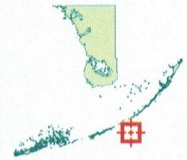
SHEET 1 OF 1



Monroe County, FL



Overview



Legend

- Centerline
- Easements
- Hooks
- Lot Lines
- Road Center
- Rights of Way
- Shoreline
- Condo Building
- Key Names
- Subdivisions
- Parcels

Parcel ID	00394488-010800	Alternate ID	1485381	Owner Address	WEBB DAVID L AND LAURIE V REV TRUST AG
Sec/Twp/Rng	21/64/36				7/20/2010
Property Address	92 W PLAZA DEL SOL LOWER MATECUMBE KEY	Class	SINGLE FAMILY RESID		92 W Plaza del Sol Islamorada, FL 33036
District	50VI				
Brief Tax	LT 199 PORT ANTIGUA-PLAT NO 3 AND 4 LOWER MATECUMBE KEY PB6-24 OR752-1254 OR778-1311/12 OR778-1313 OR1083-96				
Description	OR1314-1236 OR1373-479 OR1425-1725AFF OR1425-1726 OR1667-1966 OR2488-28/29 OR2633-774				
	(Note: Not to be used on legal documents)				

Date created: 4/18/2024
Last Data Uploaded: 4/18/2024 6:56:03 AM

Developed by  Schneider
GEOSPATIAL

GL BAL
D MENSIONS INC.
Land Surveying Services

14770 SW 43rd Way,
MIAMI, FL 33185.

PHONE: (305) 612-4225
FAX: (305) 612-1914

SCALE: 1"=20'

JOB No: 1305-037

TYPE OF PROJECT:

FIELD DATE: 05-23-2013

BOUNDARY SURVEY

FOR: DAVID WEBB & LAURIE WEBB

PROP. ADDR: 92 W. PLAZA DEL SOL, SLAMORADA, FL 33036

LOT: 199

BLOCK: —

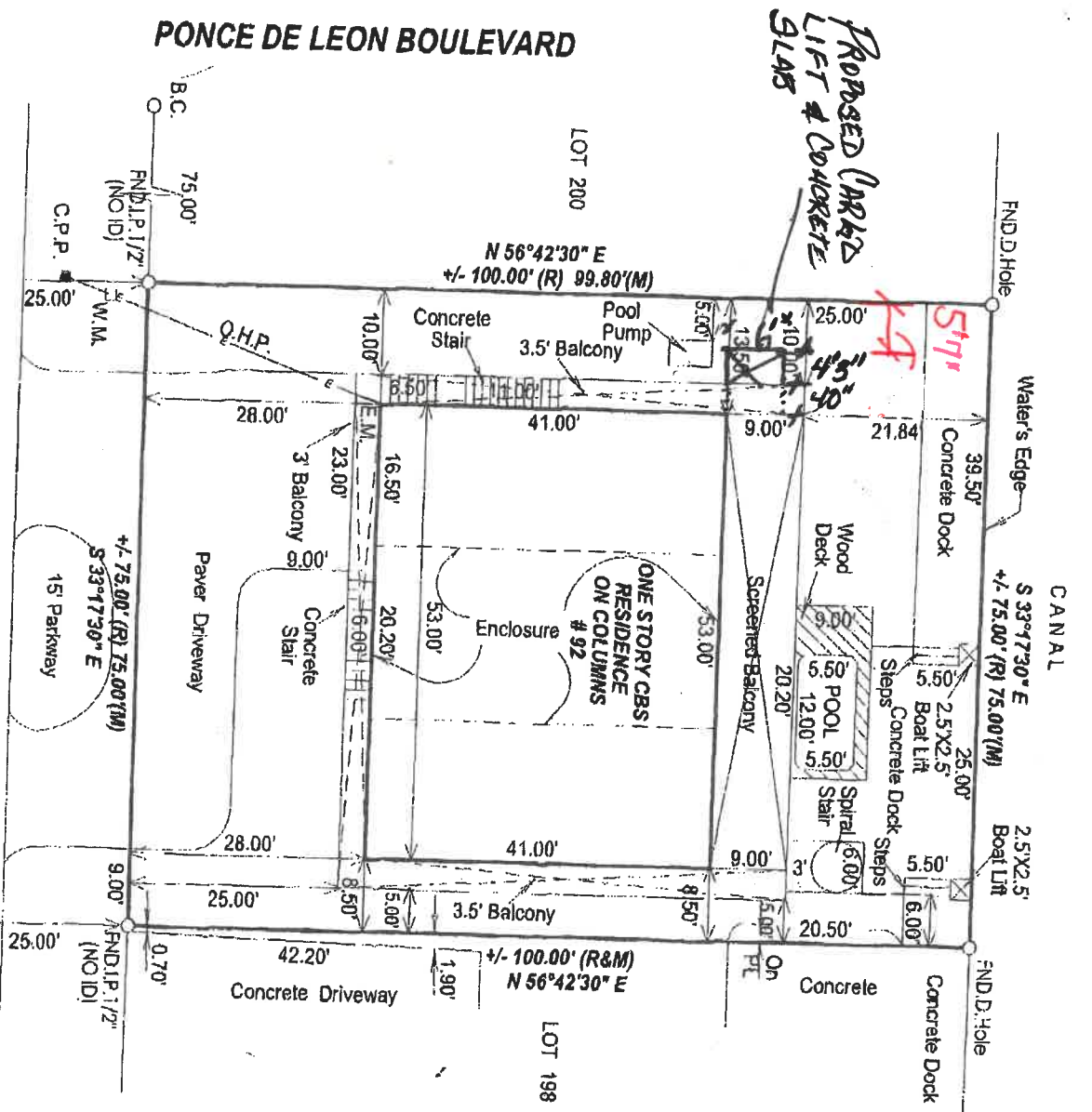
SUBMISSION: PORT ANTICUA, PLAT No. 3-4

PLAT BOOK: 6

PAGE: 24

OF: MONROE

COUNTY, FLORIDA



WEST PLAZA DEL SOL
50.00' Total R/W

SURVEYOR'S NOTES:

- 1) THE SURVEY OF THE PROPERTY SHOWN HEREON IS IN ACCORDANCE WITH THE DESCRIPTION FURNISHED BY CLIENT.
- 2) UNLESS A COMPARISON IS SHOWN, ALL BEARING, ANGLES AND DISTANCES SHOWN ARE THE SAME AS PLAT VALUES.
- 3) THE LINES SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT AND THE SAME, IF ANY MAY NOT BE SHOWN ON THE SKETCH.
- 4) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENT WERE NOT LOCATED.
- 5) FENCES TIES ARE TO THE CENTER LINE OF THE SAME.
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(FLOOD ZONE INFORMATION)

ZONE: AE COMM: 120424 PANEL: 12087C120 SUFFIX: K DATE: 2-18-2005 BASE: 8.00'

NOTE: DETERMINATION OF FLOOD ZONE LINES WERE BASED ON SCALING OF FEMA MAP LISTED ABOVE.

NOTE: ALL BEARING HEREON ARE BASED TO THE PLAT BEARING OF S 33°17'30" E ON THE CENTER LINE OF Southwest PROPERTY LINE.

EASEMENT VIOLATIONS:

APPEARANT VISIBLE ENCUMBRANCES:

- ☐ YES ☒ NO
☐ YES ☒ NO

CERTIFIED TO:
DAVID WEBB & LAURIE WEBB,
WELLS FARGO BANK, N.A. # 936, ITS SUCCESSORS
AND/OR ASSIGNS.
HERSHOFF, LUPINO & YAGEL LLP
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.

ABBREVIATIONS:

SW= Slight SW= Slight SW= Slight
P= Property, G= Gas, C= Chain Link Fence,
AC= Air Conditioning, U= Utility, P= Pool, P= Property Corner, CH= Chain Link Fence,
W= Wood Fence, RES= Residential, C= Clay, D= Drive, H= Iron Road, U= Utility,
E= Eastern, C= Corner, S= Seal, F= Fire, T= Trench, D= Drainage, E= Eastern,
C= Center Line, D= Drainage, T= Trench, D= Drainage, E= Eastern,
S= SE, F= Feet, P= Feet, D= Drainage, E= Eastern,
OHP= Overhead Power Line, W= Water Main, U= Utility, P= Pool, P= Property Corner,
E= Eastern, M= Meter, M= Meter, P= Property Corner, U= Utility, P= Pool, P= Property Corner,
Maintenance Easement, C= Chain Link Fence, P= Property Corner, U= Utility, P= Pool, P= Property Corner,
P.C.= Point of Curvature, P.D.= Point of Discontinuity, NO ID= No Identification.

I HEREBY CERTIFY:
That the attached 'BOUNDARY SURVEY' of the lands shown hereon is true and correct to the best of my knowledge and belief as recently ascertained and drawn by me or under my direct supervision and control, and that the same is a true and correct copy of the original survey as shown to the proper authorities for recording and as shown to the proper authorities for recording and as shown to the proper authorities for recording.

DAVID L. FUTCH
REGISTERED LAND SURVEYOR # 4843
STATE OF FLORIDA
LB # 0006874

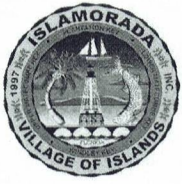
NOTE: NOT VALID UNLESS
SIGNED AND SEALED

SHEET 1 OF 1









Islamorada, Village of Islands Planning & Development Services

86800 Overseas Highway, Islamorada, FL 33036

T: 305-664-6400, F: 305-664-6467

APPLICATION FOR VARIANCE

Pursuant to Code Chapter 30, Article IV, Division 2

Application Type:	Fee:	*Deposit:	Total Fee:
Residential	\$1,500.00	\$500.00	\$2,000.00
Nonresidential	\$2,000.00	\$500.00	\$2,500.00

* A deposit is required for development approval or permits which necessitate additional review and processing, and/or public hearing and notice requirements. Applicants are required to pay a cost recovery deposit which shall be credited toward the fee charged for such additional review and processing and shall pay additional deposits as may be required from time to time. A debit based upon the actual time expended in reviewing an application and the applicable actual amount charged to the Village shall be charged against the cost recovery deposit.

An application must be deemed complete and in compliance with the Village Code by Staff prior to the items being scheduled for review. **See list of required submittals and documents below.**

APPLICANT / AGENT (if applicable): Property owner must submit a **notarized** letter authorizing the applicant/agent to act on their behalf including the agent's name, address and phone number.

Name: GAY MARIE SMITH

Mailing Address: PO BOX 1638 TAVERNIER, FL 33070

Primary Phone: 3053948004

Fax: _____

Email: gaymarie21@yahoo.com

PROPERTY OWNER:

Name: DAVID L AND LAURIE V WEBB

Mailing Address: 92 W PLAZA DEL SOL ISLAMORADA, FL 33036

Primary Phone: 901-606-1886

Fax: _____

Email: lauriefish2003@yahoo.com

LEGAL DESCRIPTION OF PROPERTY: If in metes and bounds, attach legal description on separate sheet.

Physical Address: 92 W PLAZA DEL SOL Mile Marker: 82

Lot: 199

Block: _____

Subdivision: PORT ANTIGUA PLAT NO. 3

☐ Plantation Key

☐ Windley Key

☐ Upper Matecumbe Key

☒ Lower Matecumbe Key

Real Estate (RE) Number: 00394488.010800

Alternate Key: 1485381

PROPERTY DESCRIPTION:

Zoning District: R1

Future Land Use Category: _____

Total Land Area: 7500

Square Feet _____

Existing Use of Property: SINGLE FAMILY RESIDENCE

Proposed Use of Property: SAME AS ABOVE

Application for Variance

PROPOSED VARIANCE:

State the Code Section(s) and the Land Development Regulations standard(s) required (i.e., setbacks, parking, loading, landscaping): SEC 30-664 E.4 B. 2-1 ZONE SIDE YARD SETBACK

PROPOSED VARIANCE (Continued):

Describe the variance requested: WE ARE REQUESTING TO REDUCE THE SIDE YARD SETBACK FROM 10' TO 5'7" TO ACCOMMODATE A CARGO LIFT

List all applications for development permits submitted for the site within the past three (3) years. Please indicate the type of application, name of applicant, date of application and whether the application was approved, denied or withdrawn.

CRITERIA: No variance shall be approved which fails to meet any standard below. Failure to comply with any standard shall be deemed adverse to the public interest. Please describe how the proposed variance meets each standard. Attach additional sheets if necessary.

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district: THE SPECIAL CONDITION WOULD BE THAT DUE TO THE AGE OF THE OWNERS A CARGO LIFT IS NECESSARY TO BRING UP CARGO AND HEAVY ITEMS TO THEIR RESIDENCE

2. The special conditions and circumstances do not result from the actions of the applicant: THE SETBACKS OF THE RESIDENCE ARE REQUIRED TO BE 10' ON ONE SIDE AND 5' ON THE OTHER SIDE OR A COMBINATION OF 15' FOR BOTH SIDES

3. Literal interpretation of the provisions of the Land Development Regulations ("LDRs") deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the LDRs and works unnecessary and undue hardship on the applicant: NOT APPLICABLE

4. Granting the variance requested conveys the same treatment to the individual owner as to the owner of other lands, buildings, or structures in the same zoning district: YES OTHER PROPERTY OWNERS WOULD BE ABLE TO APPLY FOR THE SAME VARIANCE

5. The variance, if granted, is the minimum variance that makes possible the reasonable use of the land, building, or structure: YES THE MINIMUM REDUCTION IS BEING APPLIED FOR

Application for Variance

6. The grant of the variance is in harmony with the general intent and purpose of this chapter, and is not injurious to the neighborhood, or otherwise detrimental to the public welfare: _____

THERE IS NOT ANY AFFECT TO THE NEIGHBORHOOD OR PUBLIC WELFARE AS IT ONLY AFFECTS THE PROPERTY OWNERS

PROPERTY _____

REQUIRED SUBMITTALS: All of the following must be submitted in order to have a complete application.

- ☐ **Correct application fee (Total Fee Amount).**
- ☐ **Notarized agent authorization letter**, if applicable, including the agent's name, address and phone number authorizing the applicant/agent to act on all property owners' behalf.
- ☐ **Proof of ownership** e.g. warranty deed, lease or pending sale contract.
- ☐ **Property record card(s)** from the Monroe County Property Appraiser.
- ☐ **Location map** showing where the project is located on the Key.
- ☐ **Photographs** of site from adjacent streets or a recent aerial photograph with property boundaries delineated.
- ☐ **Signed and sealed survey** prepared by a Florida registered surveyor. The survey shall include elevations and location of all existing structures, paved areas, location of all utility structures, all easements, all bodies of water on and adjacent to the site, docks, piers, mean high water line and total acreage by habitat.
- ☐ **Site plan** prepared by a professional architect, engineer, or landscape architect. See Code Section 30-215 for minimum site plan requirements.

If deemed necessary to complete a full review of the application, the Planning and Development Services Department reserves the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate. I certify that all information required has been provided.

Digital signatures do not require notarization when they can be verified by a Trusted Certificate issued by a third-party Certificate Authority. If you are not using a "verifiable digital signature", print this document and have it notarized.

Signature of Applicant

Date

Print Name:

STATE OF

COUNTY OF

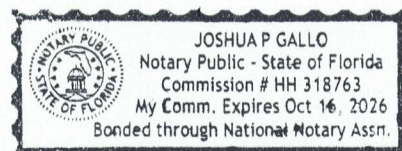
Sworn to and subscribed before me by means of physical appearance or online notarization, this 30 day of April, 2024, by Gary Marie Smith (name of person signing the application) as _____ (type of authority e.g. officer, manager / member, trustee, attorney in fact) for _____ (name of entity or party on behalf of whom application was executed).

Signature of Notary Public

SEAL:

☒ Personally Known ☐ Produced Identification

Type of ID _____





Council Communication

To: Mayor and Village Council
From: Jennifer DeBoisbriand , Planning Director
Date: August 8, 2024
SUBJECT: **An Ordinance Amendment to the Future Land Use Map for Parcel 00404730-000000 - First Reading TAB E**

Background:

The applicant, Lynn L Bell, has submitted a map amendment application requesting an approval for a Future Land Use Map (FLUM) Amendment from Residential Medium (RM) to Mixed-Use (MU) designation on the subject property, located at 81213 Overseas Highway (RE #00404730-000000), comprising 18,385 square feet. The current use of the property is vacant land. This FLUM amendment has a companion application for a Zoning Map Amendment, which proposes a change from a Settlers Residential (SR) District to a Highway Commercial (HC) District, and the FLUM amendment cannot be approved without approval of the companion Zoning Map Amendment. The applicant's agent has submitted a needs analysis detailing the map amendment request.

The subject property currently has an existing Residential Medium (RM) Future Land Use designation. The property to the north is designated Mixed Use (MU). The property to the south is designated Public/Semi-Public (PS). The properties to the East are designated Residential Medium (RM) and the properties to the West across Overseas Highway are designated Residential High (RH) and Mixed Use (MU). The character of the surrounding area is mixed use with residential uses, commercial uses and institutional uses.

The property is scarified. The property is not recognized as habitat to any state or federal listed animal species, and it is not within the state conservation recreation lands' boundary or critical habitat area. Pursuant to the Village's GIS data and records, the parcel is defined as scarified.

Analysis:

Areas designated MU on the Future Land Use Map recognize 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].

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 Units per lot -
 Duplex 2 Units per lot -
 Triplex for Affordable Housing 3 Units per lot -
 Fourplexes for Affordable Housing 4 Units per lot -
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 (1) 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, which 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 two (2) market-rate residential dwelling units or up to six (6) deed-restricted affordable residential dwelling units on the property.

Maximum Non-Residential Intensity (FAR): 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).

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.

Finding: Any new 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.

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 FKA 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.

Finding: At this time it is not apparent if the proposed FLUM amendment is projected to increase 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 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.

Finding: solid waste generated from the Village is currently managed through a contract with Island Disposal and disposed of through existing authorized Monroe County and Miami-Dade County solid waste facilities.

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.

Finding: 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.

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.

Finding: 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.

Finding: 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.

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.

Finding: 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. The FLUM Amendment will not impact the Level of Service in the Schools.

Compatibility with Comprehensive Plan Policies:

- ☐ Policy 1-2.1.14, Criteria for Future Land Use Map (FLUM) Amendments
- ☐ Policy 1-2.4, Recognize Mixed Use Development Patterns
- ☐ 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
- ☐ Objective 1-4.6: Prevent Proliferation of Urban Sprawl

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.

Comprehensive Plan Objective 1-2.4, Recognize Mixed Use Development Patterns, states: "Areas designated Mixed Use (MU) on the Future Land Use Map recognize 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."

Finding: 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.

Finding: The proposed amendment would be consistent with this policy in that it guides redevelopment to the scarified area.

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."

Finding: Any possible future 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 Objective 1-4.6: Prevent proliferation of Urban Sprawl and Coordinate the Timing and Staging of Public and Private Development states, "Land Development Regulations shall ensure that the location, scale, timing and design of development is coordinated with public facilities and services in order to prevent the proliferation of urban sprawl and achieve cost effective land development patterns. Consistent with policies in the Intergovernmental Coordination Element, the Village shall pursue resolution of development and growth management issues with impacts transcending the Village's political jurisdiction, by participating in forums with the Florida Department of Community Affairs, the South Florida Regional Planning Council and other forums convened to coordinate such issues."

Finding: The proposed FLUM amendment would assist in limiting additional development on already scarified vacant land.

Future Land Use Map (FLUM) Amendment Criteria

Pursuant to the DOC 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 following public facilities: sanitary sewer, solid waste, drainage, potable water, traffic circulation, schools, and recreation, as appropriate; and,

Applicant's Response:

There is no anticipated increase on demand of public facilities such as sewer, solid waste, drainage, potable water, traffic circulation, schools and recreation.

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:

Please see statements in application with information regarding the compatibility of this proposal with the Village's Comprehensive Plan policies and objectives.

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.

The Applicant has provided his responses to the criteria in his analysis attached.

(a) Strengthening 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.

Village Staff Response:

The proposed FLUM is consistent with Principle (a) of the Principles for Guiding Development as any redevelopment would be limited to an already scarified area.

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

Village Staff Response:

The proposed FLUM is consistent with Principle (b) of the Principles for Guiding Development as there would be no negative impact on shoreline or marine resources.

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

Village Staff Response:

The proposed FLUM is consistent with Principle (c) of the Principles for Guiding Development as no impact to upland resources. The property is scarified and has no upland resources.

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

Village Staff Response:

The proposed FLUM is consistent with Principle (d) of the Principles for Guiding Development. Any potential future redevelopment of the subject property would support the maximum well-being of the Florida Keys citizens and the economic health of the area.

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

Village Staff Response:

The proposed FLUM is consistent with Principle (e) of the Principles for Guiding Development as there is no impact to the quality of water throughout the Florida Keys. 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) Enhancing 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.

Village Staff Response:

The proposed FLUM is consistent with Principle (f) of the Principles for Guiding Development. The proposed FLUM amendment, from Residential Medium (RM) to Mixed Use (MU), in conjunction with the companion application for a Zoning Map Amendment from Settlers Residential to Highway Commercial, 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) Protecting the historical heritage of the Florida Keys.

Village 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) Protecting 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, treatment and disposal facilities;
3. Solid waste treatment, 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.

Village 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.

Village 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. Coordination with all utilities will be required during the permitting process.

(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.

Village 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) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.

Village 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.

Village Staff Response:

The proposed FLUM is consistent with Principle (l) of the Principles for Guiding Development. The proposed FLUM amendment would allow for development of workforce/affordable housing or affordable housing impact fees.

(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.

Village 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.

Village 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.

The LPA reviewed this proposed amendment at their meeting on June 10, 2024 and unanimously recommended approval of this ordinance.

Budget Impact:

None

Staff Impact:

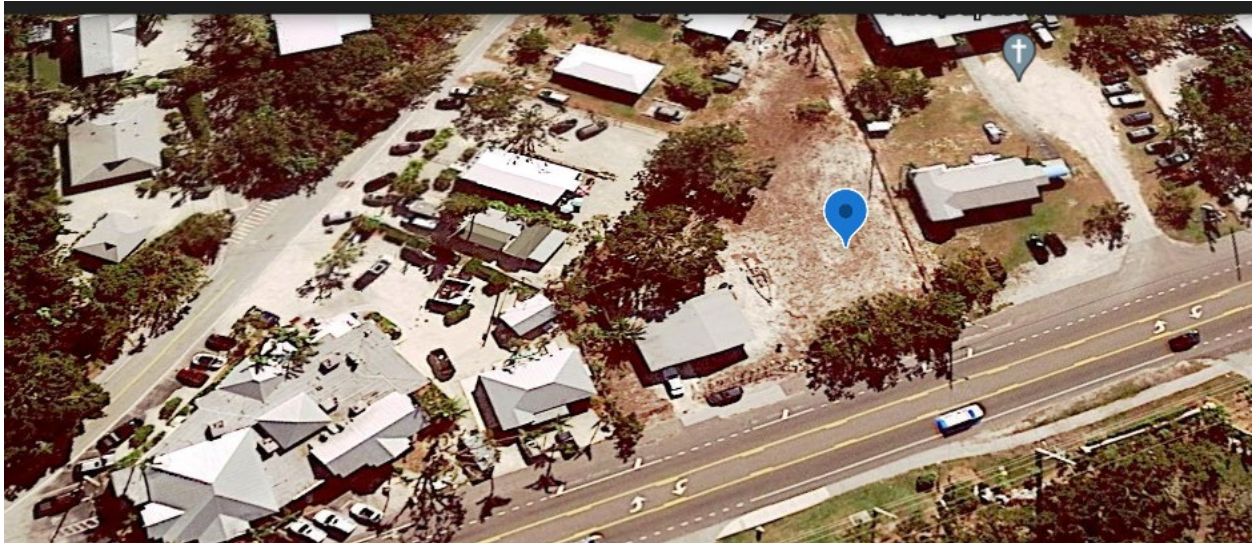
None

Recommendation:

Staff has reviewed the request for FLUM Amendment from Residential Medium to Mixed Use and determined that the request meets the criteria. Therefore, staff recommends approval of the map amendment.

Attachments:

1. Bell CC Attachments
2. Bell FLUM ORD





Overview



Legend

- Centerline
- - - Easements
- Hooks
- - - Lot Lines
- Road Center
- - - Rights of Way
- Shoreline
- [] Condo Building
- Key Names
- [] Subdivisions
- [] Parcels

Parcel ID	00404730-000000	Alternate ID	1497011	Owner Address	BELL LYNN L
Sec/Twp/Rng	32/63/37	Class	COMMERCIAL		158 Milano Dr
Property Address	81213 OVERSEAS Hwy				Islamorada, FL 33036
	UPPER MATECUMBE KEY				
District	50VI				
Brief Tax	SUBDIVISION OF LOTS 3-4 UPPER MATECUMBE PB2-59 PT TR 16 OR466-60 OR676-696 OR838-725 OR1251-2389/2396				
Description	OR1276-1503/04 OR2988-2235 OR3048-0379 OR3209-2423				
	(Note: Not to be used on legal documents)				

Date created: 1/19/2024

Last Data Uploaded: 1/19/2024 6:28:58 AM

Developed by  Schneider
GEOSPATIAL

Needs Analysis & Justifications

The owner of the property identified as RE #00404730-000000 (subject property) is proposing to amend the current FLUM from Residential Medium (RM) to Mixed Use (MU) and the current zoning from Settlers Residential (SR) to Highway Commercial (HC). Since the application for a change in the FLUM and Zoning is requested to run concurrently, we shall address both the FLUM and zoning change in this one document.

RE #00404730-000000, contains 18385 SF of land area, and is scarified.

In the SR zoning district, single-family residences or Multi Family attached dwelling units are permitted uses. Homeowners' parks and municipal facilities are allowed under minor conditional uses and there are no allowed uses under a major conditional use. In the proposed HC district multi-family uses are not allowed, unless they are deed restricted affordable housing units. Since this property lies in a commercial corridor, we maintain the zoning and FLUM for this property should be amended.

Policy 1-2.4.6 1. States the following: ... "In general, residential Zoning Districts shall be established where there are existing residential neighborhoods within the Village Activity Centers. Policy. This area is not in an existing "Neighborhood".

Policy 1-2.4.6 2. states the following: ... "In general, commercial Zoning Districts shall be established where there are existing commercial uses, including single vacant parcels of land located between two (2) existing commercial uses. Although this property has one residential use immediately to the west the majority of the remaining properties are non-residential uses.

It is easy to see that of the two sections, this property should have likely been zoned either PS or HC. The fact it is next to a house on the commercial corridor is no reason to have zoned it SR. The adjacent property is zoned PS and the remaining Zoning Districts in the immediate area are HC. Policy 1-2/4/6 2. Should prevail. Additionally, included in this application is a "pre-86" Zoning Map from Monroe County. The zoning for that property was BU-1 (Business Use). Lastly, the Pre-incorporation of the Village, the county zoning was Suburban Commercial (SC), circa 1986-1997.

Additionally, **Policy 1-2.1. 13 and 14** allow for justification in amending the Future Land Use Maps based on certain criteria. The applicant believes that the demand for HC Zoned, MU FLUM properties will fill the need for additional services including parking and storage for surrounding areas as well as non-residential uses such as professional offices or non-disruptive uses compatible with the flanking residential property. We believe the request is compatible with the surrounding uses.

The Village Comprehensive Plan notes that the functional population of the Village will increase from 10,354 in 2010 to 10,653 in 2020, an increase of approximately 3%. The figures are not accurate as the increase has already exceeded 11,000 per the most recent

figures. Although these figures and the actual figures do not provide the distribution of age, there will be a need for additional non-residential facilities to serve an increasing population. It should be assumed that utilization of scarified properties on a commercial corridor should receive priority when zoning and FLUM changes are being requested.

Additionally, as currently documented by the TDC, transient room occupancies have increased in the last few years thus adding to the need for added Tourist used facilities such as parking, storage, or other support facilities.

Per policy 4-1 of the Villages' Comprehensive plan, the proposed development and on-going development will not further increase the previously anticipated Level of Service for public facilities such as; potable water systems, stormwater management systems, solid waste or wastewater system use.

Per Policy 2-1.2 of the Villages' Comprehensive plan, there should be no increase in impacts on the transportation element, above what was already anticipated or allowed in the Comp Plan. Non-residential uses, although they may affect traffic flows, they do not necessarily create additional trips like additional residential uses might.

Policy 1-1.1.1 Protect Residential Areas from Incompatible Development.

This amendment is consistent with the surrounding uses as the subject property is in a commercial corridor.

Policy 1-2.1.14 Criteria for Future Land Use Map (FLUM) Amendments. 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:

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

Answer: It appears that there is .01% of HC properties compared to other zonings throughout the Village. This seems to be a disproportionate amount. There are only 74 vacant HC/MU properties in the entire Village, there are only 2 vacant HC/MU properties on Upper Matecumbe Key. Both vacant HC/MU parcels on Upper Matecumbe have a Hammock designation. The comprehensive plan recommends that the Village steer development away from these two due to the hammock designation. Many of the HC/MU properties on this and other islands in the incorporated area of Islamorada do not have direct access to US-1 by an existing curb-cut. The two vacant HC/MU properties on Upper Matecumbe do not have

existing curb-cuts to the Old Road or US-1. The property we are seeking a text amendment and code change already has a curb-cut.

2. Compatibility of the sites physical, geological, hydrological, and other environmental features, with uses permitted in the proposed FLUM.

Answer: This site has no unique features as it relates to physical, geological, hydrological, or environmental features. This site has been well utilized and maintained by the current and previous owners and is surrounded by developed properties.

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

Answer: There are no obvious data errors recorded, yet there are, to the immediate east and west several properties that are zoned either MU or HC. In fact, practically the entire US-1 frontage properties from the lower end of Upper Matecumbe to the Green Turtle Restaurant are commercial in nature and most of them are zoned HC with a MU designation.

4. New issues.

Answer: This request will better serve the property and surrounding area. This property is located one lot away from a locally famous restaurant and bar. This amendment is more in line with the uses to the west and the non-residential uses to the east.

5. Recognition of the need for additional detail or comprehensiveness.

Answer: Currently there are only two other undeveloped HC zoned properties on Upper Matecumbe Key. There are also only two undeveloped MU FLUM properties on Upper Matecumbe Key. This request will allow the subject property to be compatible with most of the properties in this one-mile-long stretch of this area of the island.

Policy 1-2.1.13 Future Land Use Map Amendments. "Islamorada, Village of Islands shall not sponsor private applications for Future Land Use Map amendments that would increase the allowable density/intensity of the properties affected."

Answer: Currently SR/RM allows for multi-family units on vacant parcels. HC/MU does not allow for multi-family uses (exclusive of deed restricted affordable units); thus, this request will result in a market rate residential decrease in density.

As a response to Attachment A, please find the following:

1. There is no anticipated increase on demand on public facilities such as sewer, solid waste drainage potable water traffic circulation schools or recreation.
2. Please see previous statements with information regarding the compatibility of this proposal with the Village's Comprehensive plan policies and objectives.

(a). It is the responsibility of local government to maintain a healthy stock of mixed commercial and residential properties. As previously stated, there is a gross lack of vacant HC properties in Upper Matecumbe, that are scarified, located in a commercial corridor, located on US-1 and has established curb-cut access to US-1.

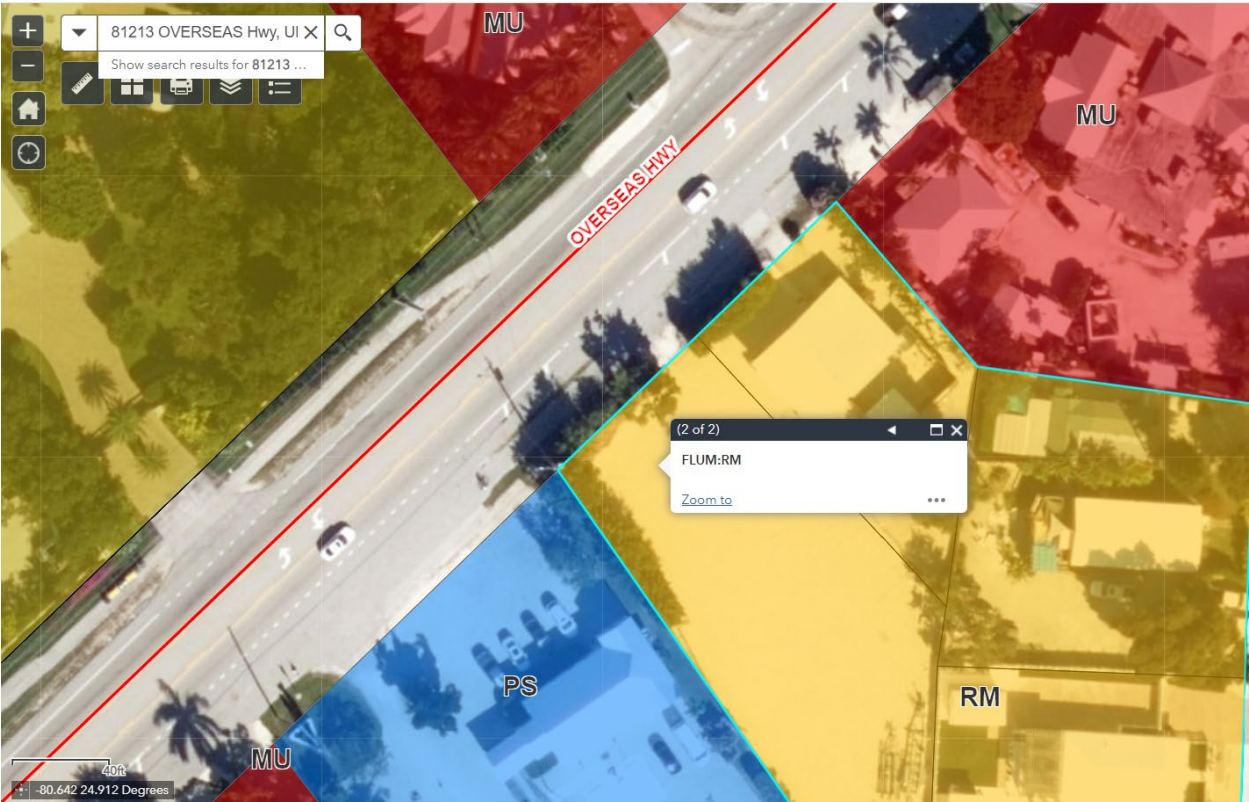
- (b) The proposed amendment is on a property that is landlocked on all four side with development on all four sides and as such there is no impact on shoreline or marine resources.
- (c) This property is scarified and located in a area that is dominated by developed properties on three sides and US-1 on the other. There will be no impact of tropical hammocks, wetlands, or other upland resources.
- (d) As stated, the Village has the responsibility to maintain a healthy mix of residential and commercially zoned properties for future development. Upper Matecumbe has a shortage of HC/MU zoned properties. This amendment will ensure the maximum wellbeing of the citizens through sound economic development.
- (e) There are no anticipated adverse impacts on water quality with this request.
- (f) The Village code would require a scenic highway buffer to be installed if there were future development as a result of this amendment. Surely an enhancement would take place in the future.
- (g) There will be zero impact with regards to the historic heritage of the Florida Keys.
- (h) There is no anticipated devaluation on the efficiency, cost-effectiveness, or amortized life of existing or proposed major public investments including numbers 1 through 9 of section (h).
- (i) Although there are no development plans associated with this application, if improvements were to take place on this property the Village Code has strict guidelines that will protect and improve water quality through a stormwater management plan.
- (j) Although there are no development plans associated with this application, if improvements were to take place on this property the Village Code has strict guidelines that will require connection to, and maintenance of a Village approved Wastewater system.
- (k) There be no adverse impacts to the environmental resources of the Florida Keys.
- (l) Any future development could include affordable housing on the property or could result in affordable housing impact fees that could go towards Village sponsored affordable housing.
- (m) Although there are no development plans associated with this application, if improvements were to take place on this property the Village Code has strict guidelines that will require protection of public safety in the event of a natural or manmade disaster.
- (n) Although there are no development plans associated with this application, if improvements were to take place on this property the Village Code has strict guidelines that will insure the protection of the public health, safety and welfare of the citizens of the Florida Keys.

Due to the statements herein, we believe this request is justified and in keeping with the goals and objectives in the Villages' Comprehensive Plan, and the proposed amendment is consistent with the Principals of Guiding Development within the Florida Keys Area of Critical Concern pursuant to FS. 308.0552 (7).

81213 Zoning Map (Source: Village of Islamorada GIS Web Map Application)



81213 FLUM Map (Source: Village of Islamorada GIS Web Map Application)





Islamorada, Village of Islands,
Planning and Development Services Department

APPLICATION FOR MAP AMENDMENT

Pursuant to Chapter 30, Article IV, Divisions 8 & 9

	Application Type	Application Fee	Deposit	Total Fee Due
☒	Future Land Use and Zoning	\$5,120.00	\$1,000.00	\$6,120.00
☐	Zoning Only	\$2,500.00	\$1,000.00	\$3,500.00

☒ Request concurrent Future Land Use and Zoning Hearings pursuant to 163.3184(12), Florida Statutes

An application must be deemed complete and in compliance with the Village Code by Staff prior to the items being scheduled for review. See the Submittal Requirements below for a list of required submittals and documents.

APPLICANT / AGENT (if applicable): Property owner must submit a notarized letter authorizing the applicant/agent to act on their behalf including the agent's name, address and phone number.

Name: Island Construction Management, Inc.

Mailing Address: 88888 Overseas Highway Tavernier, FL 33070

Primary Phone: 305.852.9607

Fax: NA

Email: don@icm.build; amie@icm.build

PROPERTY OWNER:

Name: Lynn L Bell

Mailing Address: 158 Milano Drive Islamorada Florida 33036

Primary Phone: 586.530.3330

Fax: _____

Email: lynnliggett@yahoo.com

LEGAL DESCRIPTION OF PROPERTY: If in metes and bounds, attach legal description on separate sheet.

Physical Address: 81213 Overseas Highway Mile Marker: 81

Lot: 3-4 Block: _____ Subdivision: MATECUMBE SUB LOTS 3 & 4

☐ Plantation Key

☐ Windley Key

☒ Upper Matecumbe Key

☐ Lower Matecumbe Key

Real Estate (RE) Number: 00404730-000000

Alternate Key: 1497011

PROPERTY DESCRIPTION:

Total Land Area: _____ 18,385 Square Feet _____ .4221 Acres

Existing Use of Property: vacant land

Has an Application for Map Amendment been submitted for this site within the past two (2) years? ☒ Yes ☐ No

If yes, provide name and date of application: Original application submitted 3.22.22 but application was deemed abandoned.

PROPOSED MAP AMENDMENT:

Current Future Land Use Map Category: RM

Current Zoning District: SR

Proposed Future Land Use Map Category: MU

Proposed Zoning District: HC

SUBMITTAL REQUIREMENTS:

- ☒ **Correct application fee** (Total Fee Due)
- ☒ **Notarized agent authorization letter**, if applicable, including the agent's name, address and phone number authorizing the applicant/agent to act on all property owners' behalf.
- ☒ **Proof of ownership** e.g. warranty deed, lease or pending sale contract.
- ☒ **Property record card** from the Monroe County Property Appraiser.
- ☒ **Copy of current Future Land Use Map** clearly marking the boundaries of the property. Map may be request from Planning and Development Service Department prior to application submittal.
- ☒ **Copy of current Official Zoning Map** clearly marking the boundaries of the property. Map may be request from Planning and Development Service Department prior to application submittal.
- ☒ **Photographs** of the site taken from adjacent streets.
- ☒ **Signed and sealed survey** prepared by a Florida registered surveyor. The survey shall include elevations and location of all existing structures, paved areas, location of all utility structures, all easements, all bodies of water on and adjacent to the site, docks, piers, mean high water line and total acreage by habitat (**please provide a digital copy in addition to the signed and sealed survey**).
- ☒ **Data and analysis (including a land use need analysis)** pursuant to Comprehensive Plan Policy 1-2.1.13, demonstrating there is a need for the amount of development allowed by the proposed FLUM designations in order to accommodate the Comprehensive Plan's projected population growth within the planning timeframe of the Comprehensive Plan.
- ☒ **Explanation** of how the application satisfies each of the applicable criteria in the Land Development Regulations, Comprehensive Plan and Principles for Guiding Development pursuant to § 380.0552(7), Florida Statutes. See **Attachment A** for list of criteria.

If deemed necessary to complete a full review of the application, the Planning and Development Services Department reserves the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate. I certify that all information required has been provided.

Digital signatures do not require notarization when they can be verified by a Trusted Certificate issued by a third-party Certificate Authority. If you are not using a "verifiable digital signature", print this document and have it notarized.

[Signature]
Signature of Applicant

1.19.24
Date

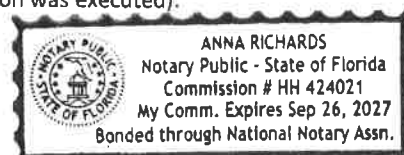
Print Name: Amie Owens

STATE OF Florida
COUNTY OF Monroe

Sworn to and subscribed before me by means of X physical appearance or online notarization, this 19 day of January, 20 24, by Amie Owens (name of person signing the application) as member (type of authority e.g. officer, manager / member, trustee, attorney in fact) for Island Construction, Inc. (name of entity or party on behalf of whom application was executed).

[Signature]
Signature of Notary Public

SEAL:



☒ Personally Known ☐ Produced Identification

Type of ID



Islamorada, Village of Islands,
Planning and Development Services Department

ATTACHMENT A

Future Land Use Map (FLUM) Amendment Criteria. The applicant shall submit all information required to adequately address the filing requirements adopted by the Florida Department of Economic Opportunity (“DEO”). In addition, the applicant shall submit all other information necessary to address the comprehensive planning criteria of the Village.

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

1. A description of the availability of and the demand on the following 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.

All proposed FLUM amendments must be consistent with the Principles for Guiding Development within the Florida Keys Area of Critical State Concern, pursuant to § 380.0552(7), Florida Statutes. The Principles are listed below.

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- (d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
- (e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
- (f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
- (g) Protecting the historical heritage of the Florida Keys.
- (h) Protecting 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, treatment, and disposal facilities;
 3. Solid waste treatment, 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.

- (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.
- (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)(I) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
- (k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.
- (l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
- (m) Providing 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.
- (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

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

1. Demand for the proposed FLUM category in the village in relation to the amount of land currently assigned the FLUM designation and available to accommodate that demand;
2. Compatibility of the site's physical, geological, hydrological and other environmental features, with the uses permitted in the proposed FLUM category;
3. Data errors, including errors in mapping, vegetative types and natural features described in the comprehensive plan;
4. New issues;
5. Recognition of a need for additional detail or comprehensiveness

However, in no event shall an amendment be approved which will result in an adverse community change.

Official Zoning Map Amendment Criteria. The purpose of this application is to provide a means for changing the Official Zoning Map. It is not intended to relieve particular hardships, nor to confer special privileges or rights on any person, nor to permit a change in community character, as analyzed in the Comprehensive Plan, but only to make necessary adjustments in light of changed conditions. In determining whether to grant a requested amendment, the Village Council shall consider the factors set forth below and the consistency of the proposed amendment with the provisions and intent of the Comprehensive Plan.

The Village Council must find that the application is consistent with the Comprehensive Plan, that the applicant has complied with all procedural requirements of the Code and that the maintenance of the existing zoning on the property does not accomplish a legitimate public purpose. The Village Council shall make its determination on legitimate public purpose based on one or more of the following factors:

1. Demand for the proposed zoning district in the Village in relation to the amount of land currently zoned and available to accommodate that demand;
2. Compatibility of the site's physical, geological, hydrological and other environmental features, with the uses permitted in the proposed zoning district;
3. Data errors, including errors in mapping, vegetative types and natural features described in the Comprehensive Plan;
4. New issues;
5. Recognition of a need for additional detail or comprehensiveness; or
6. Compatibility of the proposed district with the property surrounding the site of the requested rezoning and any applicable neighborhood or redevelopment plan.

However, in no event shall an amendment be approved which will result in an adverse community change.

ORDINANCE NO. 24-

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LYNN L BELL TO AMEND THE VILLAGE'S FUTURE LAND USE MAP FROM RESIDENTIAL MEDIUM (RM) TO MIXED USE (MU) FOR THE SUBJECT PROPERTY, LOCATED ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBER 00404730-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

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

WHEREAS, the applicant, Lynn L Bell, has requested an official Future Land Use Map amendment from Residential Medium (RM) to Mixed Use (MU) for a parcel consisting of approximately 18,385 square feet of land, with Real Estate number 00404730-000000, 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 Future Land Use Map Amendment during a duly noticed public hearing held on June 10, 2024; 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 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:

SUBDIVISION OF LOTS 3-4 UPPER MATECUMBE PB2-59 PT TR 16

Section 3. Transmittal. The Village Clerk is hereby authorized to forward a copy of this Ordinance to the State Department of Commerce ("Commerce") 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 Commerce (Commerce) 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 _____, who moved for its adoption on first 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 Sharon Mahoney	_____
Councilman Mark Gregg	_____
Councilwoman Elizabeth Jolin	_____
Councilman Henry Rosenthal	_____

PASSED on the first reading this _____ day of _____, 2024.

[Remainder of this page intentionally left blank]

The foregoing Ordinance was offered by _____, who moved for its 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 Sharon Mahoney	_____
Councilman Mark Gregg	_____
Councilwoman Elizabeth Jolin	_____
Councilman Henry Rosenthal	_____

PASSED AND ADOPTED on the second reading this ____ day of _____, 2024.

JOSEPH B. PINDER III, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN J. QUICK, VILLAGE ATTORNEY



Council Communication

To: Mayor and Village Council
From: Jennifer DeBoisbriand , Planning Director
Date: August 8, 2024
SUBJECT: **An Ordinance Amendment to the Official Zoning Map for Parcel 00404730-000000 - First Reading TAB F**

Background:

The applicant, Lynn L Bell, has submitted a map amendment application requesting an approval for a Zoning Map Amendment from Settlers Residential (SR) District to Highway Commercial (HC) District on the subject property, located at 81213 Overseas Highway (RE #00404730-000000), comprising 18,385 square feet. The current use of the property is vacant land. This Zoning Map amendment has a companion application for a Future Land Use Map (FLUM) Amendment, which proposes a change from a Residential Medium (RM) to a Mixed-Use (MU) designation, and the Zoning Map amendment cannot be approved without approval of the companion FLUM Amendment. The applicant has submitted a Letter of Intent detailing the map amendment request.

The subject property is a 18,385 square foot parcel in Upper Matecumbe Key. The property is vacant land and scarified. The property is not recognized as habitat to any state or federal listed animal species, and it is not within the state conservation recreation lands' boundary or critical habitat area. Pursuant to the Village's GIS data and records the parcel is defined as scarified.

The subject property currently has an existing Settlers Residential (SR) Zoning District designation. The adjacent property to the South is designated Public/Semi-Public (PS). To the North the adjacent property is designated as Settlers Residential (SR). The properties to the West across Overseas Highway are designated as Multi-Family (MF) and Tourist Commercial (TC) and to the East is Settlers Residential (SR). The character of the surrounding area is mixed-use with a collective of commercial uses, institutional (public) uses, and single family residences.

Analysis:

Pursuant to Section 30-696 the purpose of the Highway Commercial (HC) zoning district is to accommodate existing businesses along U.S. 1 and to provide opportunities for new commercial retail shops and services that typically are auto dependent and are used by people on less than a weekly basis, or to accommodate the building and service trades. Single-family or multifamily residential uses and educational uses are an option to commercial use. Though not proposed, any future development of the subject property would require site plan application 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.

Compatibility with Comprehensive Plan Policies:

- ☐ Policy 1-2.1.14, Criteria for Future Land Use Map (FLUM) Amendments
- ☐ Policy 1-2.4, Recognize Mixed Use Development Patterns
- ☐ 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
- ☐ Objective 1-4.6: Prevent Proliferation of Urban Sprawl

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.

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."

Finding: 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.

Finding: The proposed amendment would be consistent with this policy in that it guides redevelopment to the scarified area.

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."

Finding: Any possible future 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 Objective 1-4.6: Prevent proliferation of Urban Sprawl and Coordinate the Timing and Staging of Public and Private Development, states, Land Development Regulations shall ensure that the location, scale, timing and design of development is coordinated with public facilities and services in order to prevent the proliferation of urban sprawl and achieve cost effective land development patterns. Consistent with policies in the Intergovernmental Coordination Element, the Village shall pursue resolution of development and growth management issues with impacts transcending the Village's political jurisdiction, by participating in forums with the Florida Department of Community Affairs, the South Florida Regional Planning Council and other forums convened to coordinate such issues.

Finding: The proposed FLUM amendment would assist in limiting additional development on already scarified vacant land.

Procedures for Amendments to Zoning Map:

Pursuant to Section 30-411(d)(4)(b) of the Code of Ordinances, the Village Council must find that the application is consistent with the Comprehensive Plan, that the applicant has complied with all procedural requirements of this section, and that the maintenance of the existing zoning on the property does not accomplish a legitimate public purpose. The Village Council shall make its determination on a finding of legitimate public purpose based on one or more of the following factors:

1. Demand for the proposed Zoning District in the Village in relation to the amount of land currently zoned and available to accommodate that demand.

Finding: Pursuant to the Village's GIS data and records, there are approximately 538 parcels that are designated within the HC Highway Commercial District, which represents approximately 7.56 percent of the 7,108 total parcels within Islamorada, Village of Islands. Of

the 538 parcels within the HC Highway Commercial District, 85 parcels are vacant, which equates to approximately 15.79 percent of the total parcels.

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

Finding: The Site is currently scarified and vacant. The uses permitted in the proposed zoning district are compatible with the site's features.

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

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

4. New Issues.

Finding: The Village has accepted 300 additional affordable housing units. According to the Department of Commerce, there is an additional need for commercial space in conjunction with those units.

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

Finding: At this time there is no need for additional detail because there are no proposed changes to the subject property.

6. Compatibility of the proposed district with the property surrounding the site of the requested rezoning and any applicable neighborhood or redevelopment plan.

Finding: As previously indicated, the subject property currently has an existing Settlers Residential (SR) Zoning District designation. The adjacent property to the south is designated Public/Semi-Public (PS). To the north, the adjacent property is designated as Settlers Residential (SR). The properties to the West across Overseas Highway are designated as Multi-Family (MF) and Tourist Commercial (TC) and to the East is Settlers Residential (SR). The character of the surrounding area is mixed-use with a collective of commercial uses, institutional (public) uses, and single-family residences.

The LPA reviewed this item at its meeting on June 10, 2024, and unanimously recommended approval.

Budget Impact:

None

Staff Impact:

None

Recommendation:

Staff has reviewed the request for Zoning Map Amendment from Settlers Residential to Highway Commercial and determined that the request meets the criteria. Therefore, staff recommends approval of the map amendment.

Attachments: 1. Bell Zoning ORD

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

ORDINANCE NO.

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LYNN L BELL, TO AMEND THE OFFICIAL ZONING MAP FROM SETTLERS RESIDENTIAL (SR) TO HIGHWAY COMMERCIAL (HC) FOR THE SUBJECT PROPERTY, LOCATED ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBER 00404730-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the property owner, Lynn L Bell, has requested an Official Zoning Map amendment from the Settlers Residential (SR) District to the Highway Commercial (HC) Zoning District for a parcel consisting of approximately 18,385 acres of land with the Parcel ID Number 00404730-000000 (the "Property"), 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 held on June 10, 2024; and

WHEREAS, in accordance with Section 166.041, Florida Statutes, and Section 30-213 of the Village Code, notice of the public hearing(s) 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 consider 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:

SUBDIVISION OF LOTS 3-4 UPPER MATECUMBE PB2-59 PT TR 16

Section 3. Transmittal. The Village Clerk is hereby authorized to forward a copy of this Ordinance to the State Department of Commerce ("Commerce") 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 Commerce (Commerce) 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 _____, who moved for its adoption on first 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 Sharon Mahoney ___
Councilman Mark Gregg ___
Councilwoman Elizabeth Jolin___
Councilman Henry Rosenthal ___

PASSED on the first reading this ____day of_____, 2024.

[Remainder of this page intentionally left blank]

The foregoing Ordinance was offered by _____, who moved for its 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 Sharon Mahoney ___
Councilman Mark Gregg ___
Councilwoman Elizabeth Jolin___
Councilman Henry Rosenthal ___

PASSED AND ADOPTED on the second reading this ____ day of _____, 2024.

JOSEPH B. PINDER III, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN J. QUICK, VILLAGE ATTORNEY



Council Communication

To: Mayor and Village Council
From: Jennifer DeBoisbriand , Planning Director
Date: August 8, 2024
SUBJECT: **An Ordinance Amendment to the Zoning Map for Parcel Numbers 00437590-000000, 00437610-000000 and 00437640-000000 - First Reading TAB G**

Background:

The applicant, LAH Creekside LLC, has submitted a map amendment application requesting an approval for a Zoning Map Amendment from Village Center (VC) District to Neighborhood Commercial (NC) District on the subject property, located at 90611, 90691 and 90701 Old Highway (RE #s 00437590-000000, 00437610-000000, AND 00437640-000000), comprising 1.4698 acres. The current use of the property is hotel/motel. This Zoning Map amendment will allow the applicant to transfer the hotel motel units to another site and redevelop the existing hotel/motel into multi-family affordable housing units. The applicant has submitted a Letter of Intent detailing the map amendment request.

The subject property is a 1.47 acre parcel in Plantation Key. The property is not recognized as habitat to any state or federal listed animal species, and it is not within the state conservation recreation lands' boundary or critical habitat area. Pursuant to the Village's GIS data and records, the parcel is not defined as any habitat.

The subject property currently has an existing Village Center (VC) Zoning District designation. The adjacent property to the south is designated Village Center. To the north, the adjacent property is designated as Village Center. The properties to the West across Old Highway and Overseas Highway are designated as Marine Use (MR) and Recreation (R) and to the East across the canal is Residential Single-Family (R-1). The character of the surrounding area is mixed-use with a collective of commercial uses, open space, and single-family residences.

Analysis:

Pursuant to Section 30-697 the purpose of the Neighborhood Commercial (NC) zoning district is to provide a compact commercial area designed and intended to allow for a mix of residential, office and local retail sales servicing the daily needs of local residents within convenient traveling distance. Though not proposed, any future development of the subject property would require site plan application 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.

Compatibility with Comprehensive Plan Policies:

- ☐ Policy 1-2.1.14, Criteria for Future Land Use Map (FLUM) Amendments
- ☐ Policy 1-2.4, Recognize Mixed Use Development Patterns
- ☐ Policy 1-2.4.1, Guide The Location of Commercial uses and Revitalize Commercial Areas
- ☐ Policy 1-2.4.4: Residential uses in the Mixed Use Designation
- ☐ Objective 1-4.6: Prevent Proliferation of Urban Sprawl

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.

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."

Finding: The proposed map amendment would be consistent with the historical trend of a mixed-use development pattern within the Village. The properties in that area 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.

Finding: The proposed amendment would be consistent with this policy in that it guides the redevelopment of an existing hotel/motel to workforce/affordable housing.

Comprehensive Plan Policy 1-2.4.4, Residential Uses in the MU Designation, states, "Residential uses, including residential institutional uses in MU shall not exceed six (6) units per acre, except that up to twelve (12) units per acre may be allowed pursuant to the standards in the Land Development Regulations when used as receiver sites for the transfer of development rights from approved sender sites and fifteen (15) units per acre may be permitted for purposes of providing affordable housing. Notwithstanding the density limitations each parcel of commercially developed land in the Settlers Residential (SR), Village Center (VC), Tourist Commercial (TC), Commercial Fishing (CF), Marine Use (MR), Highway Commercial (HC), Neighborhood Commercial (NC), and Recreation (R) Zoning Districts shall be entitled to construct, subject to the BPAS, one affordable housing unit subject to all other regulations."

Finding: Any possible future 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 1-2.4.4.

Comprehensive Plan Objective 1-4.6: Prevent proliferation of Urban Sprawl and Coordinate the Timing and Staging of Public and Private Development states, "Land Development Regulations shall ensure that the location, scale, timing and design of development is coordinated with public facilities and services in order to prevent the proliferation of urban sprawl and achieve cost effective land development patterns. Consistent with policies in the Intergovernmental Coordination Element, the Village shall pursue resolution of development and growth management issues with impacts transcending the Village's political jurisdiction, by participating in forums with the Florida Department of Community Affairs, the South Florida Regional Planning Council and other forums convened to coordinate such issues."

Finding: The proposed FLUM amendment would assist in limiting additional development on developed land.

Procedures for Amendments to Zoning Map:

Pursuant to Section 30-411(d)(4)(b) of the Code of Ordinances, the Village Council must find that the application is consistent with the Comprehensive Plan, that the applicant has complied with all procedural requirements of this section, and that the maintenance of the existing zoning on the property does not accomplish a legitimate public purpose. The Village Council shall make its determination on a finding of legitimate public purpose based on one or more of the following factors:

1. Demand for the proposed Zoning District in the Village in relation to the amount of land currently zoned and available to accommodate that demand.

Finding: Pursuant to the Village's GIS data and records, there are approximately 36 parcels that are designated within the NC Neighborhood Commercial District, which represents approximately .01 percent of the 7,108 total parcels within Islamorada, Village of Islands. Of the 36 parcels within the NC Neighborhood Commercial District, 5 parcels are vacant, which

equates to approximately 13.8 percent of the total NC parcels.

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

Finding: The proposed use of conversion for hotel/motel to workforce/affordable housing is an allowed use in the proposed Zoning District.

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

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

4. New Issues.

Finding: The need for workforce/affordable housing still exists within the Village. The Village has accepted 300 additional affordable housing units and is ready to allocate them to aid in meeting our affordable housing goals.

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

Finding: The applicant is working on a TDR application to transfer the hotel/motel units to a different property. All approvals will be before the Village Council at the same time.

6. Compatibility of the proposed district with the property surrounding the site of the requested rezoning and any applicable neighborhood or redevelopment plan.

Finding: As previously indicated, the subject property currently has an existing Village Center (VC) Zoning District designation. The adjacent property to the South is designated Village Center. To the North the adjacent property is designated as Village Center. The properties to the West across Old Highway and Overseas Highway are designated as Marine Use (MR) and Recreation (R) and to the East across the canal is Residential Single-Family (R-1). The character of the surrounding area is mixed-use with a collective of commercial uses, open space, and single family residences.

The LPA reviewed this item at its June 10, 2024, meeting and recommended approval of the ordinance with the condition that construction be sequenced so that the TDRs at the Islander may not pull any building permits until the building permits for the workforce housing at Creekside are issued.

Budget Impact:

None

Staff Impact:

None

Recommendation:

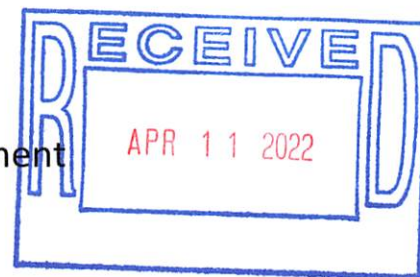
Staff has reviewed the request for Zoning Map Amendment from Village Center to Neighborhood Commercial and determined that the request meets the criteria. Therefore, staff recommends approval of the map amendment.

Attachments:

1. Creekside CC Attachments
2. Creekside Zoning ORD



Islamorada, Village of Islands,
Planning and Development Services Department



APPLICATION FOR MAP AMENDMENT

Pursuant to Chapter 30, Article IV, Divisions 8 & 9

	Application Type	Application Fee	Deposit	Total Fee Due
☐	Future Land Use and Zoning	\$5,120.00	\$1,000.00	\$6,120.00
☒	Zoning Only	\$2,500.00	\$1,000.00	\$3,500.00

☐ Request concurrent Future Land Use and Zoning Hearings pursuant to 163.3184(12), Florida Statutes

PLEASE NOTE: THIS APPLICATION IS ACCEPTED BY APPOINTMENT ONLY.

An application must be deemed complete and in compliance with the Village Code by Staff prior to the items being scheduled for review. See the Submittal Requirements below for a list of required submittals and documents.

APPLICANT / AGENT (if applicable): Property owner must submit a notarized letter authorizing the applicant/agent to act on their behalf including the agent's name, address and phone number.

Name: Smith Hawks, PL / Barton W. Smith / Jess Miles Goodall

Mailing Address: 138 Simonton Street, Key West, Florida 33040

Primary Phone: (304) 296 7227

Fax: _____

Email: Bart@smithhawks.com / Jess@smithhawks.com / Brandi@SmithHawks.com

PROPERTY OWNER:

Name: LAH Creekside LLC

Mailing Address: C/o Agent

Primary Phone: C/o Agent

Fax: C/o Agent

Email: C/o Agent

LEGAL DESCRIPTION OF PROPERTY: If in metes and bounds, attach legal description on separate sheet.

Physical Address: 90611, 90655, 90691, and 90701 Old Highway, Tavernier, FL 33070 Mile Marker: 90.5

Lot: 8-15

Block: 1

Subdivision: BOATMANS COLONY

☒ Plantation Key

☐ Windley Key

☐ Upper Matecumbe Key

☐ Lower Matecumbe Key

Real Estate (RE) Number: 00437590-000000

Alternate Key: 1536857, 1536849, 1536822, 1536806

00437610-000000;

00437630-000000; and 00437640-000000

PROPERTY DESCRIPTION:

Total Land Area: 64,026

Square Feet 1.4698

Acres

Existing Use of Property: Hotel/Motel

Has an Application for Map Amendment been submitted for this site within the past two (2) years? ☐ Yes ☒ No

If yes, provide name and date of application: _____

PROPOSED MAP AMENDMENT:

Current Future Land Use Map Category: Mixed Use (MU)

Current Zoning District: Village Center (VC)

Proposed Future Land Use Map Category: Mixed Use (MU)

Proposed Zoning District: Neighborhood Commercial (NC)



Department of Defense
General Services Administration

APPLICATION FOR MAP AMENDMENT

Standard Form 100-10 (Rev. 1-60)

1. Name of Applicant	2. Address of Applicant	3. City and State
4. Phone Number	5. Zip Code	6. Date of Application
7. Name of Map	8. Sheet Number	9. Scale
10. Description of Proposed Amendment	11. Justification for Amendment	12. Signature of Applicant

The applicant hereby certifies that the information furnished herein is true and correct to the best of his knowledge and belief, and that he is entitled to the proposed amendment.

The applicant further certifies that he is not a member of the public enemy, nor is he a person who has been convicted of a crime involving moral turpitude, nor is he a person who has been convicted of a crime involving the use of force or violence.

The applicant further certifies that he is not a person who has been convicted of a crime involving the use of force or violence, nor is he a person who has been convicted of a crime involving the use of force or violence.

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SUBMITTAL REQUIREMENTS:

- ☒ **Correct application fee.** Check or money order to "Islamorada, Village of Islands". (Previously Provided)
- ☒ **Notarized agent authorization letter**, if applicable, including the agent's name, address and phone number authorizing the applicant/agent to act on all property owners' behalf. (Previously Provided)
- ☒ **Proof of ownership** e.g. warranty deed, lease or pending sale contract.
- ☒ **Property record card** from the Monroe County Property Appraiser.
- ☒ **Copy of current Future Land Use Map** clearly marking the boundaries of the property. Map may be request from Planning and Development Service Department prior to application submittal.
- ☒ **Copy of current Official Zoning Map** clearly marking the boundaries of the property. Map may be request from Planning and Development Service Department prior to application submittal.
- ☒ **Photographs** of the site taken from adjacent streets.
- ☒ **Signed and sealed survey** prepared by a Florida registered surveyor. The survey shall include elevations and location of all existing structures, paved areas, location of all utility structures, all easements, all bodies of water on and adjacent to the site, docks, piers, mean high water line and total acreage by habitat (**please provide a digital copy in addition to the signed and sealed survey**).
- ☒ **Data and analysis (including a land use need analysis)** pursuant to Comprehensive Plan Policy 1-2.1.13, demonstrating there is a need for the amount of development allowed by the proposed FLUM designations in order to accommodate the Comprehensive Plan's projected population growth within the planning timeframe of the Comprehensive Plan.
- ☒ **Explanation** of how the application satisfies each of the applicable criteria in the Land Development Regulations, Comprehensive Plan and Principles for Guiding Development pursuant to § 380.0552(7), Florida Statutes. See **Attachment A** for list of criteria.

If deemed necessary to complete a full review of the application, the Planning and Development Services Department reserves the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate. I certify that all information required has been provided.

Digital signatures do not require notarization when they can be verified by a Trusted Certificate issued by a third-party Certificate Authority. If you are not using a "verifiable digital signature", print this document and have it notarized.


Signature of Applicant

04/08/22
Date

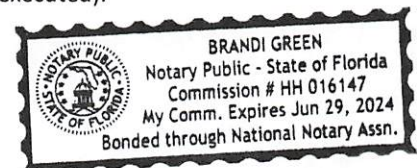
Print Name: _____

STATE OF FLORIDA
COUNTY OF MONROE

Sworn to and subscribed before me by means of ☒ physical appearance or ☐ online notarization, this 8th day of APRIL, 20 22, by JESS MILES GODWIN (name of person signing the application) as AGENT (type of authority e.g. officer, manager / member, trustee, attorney in fact) for LAK CREEKSIDE LLC (name of entity or party on behalf of whom application was executed).


Signature of Notary Public

SEAL:



☒ Personally Known ☐ Produced Identification

Type of ID _____

[Faint, mostly illegible text covering the upper two-thirds of the page, possibly a letter or report.]

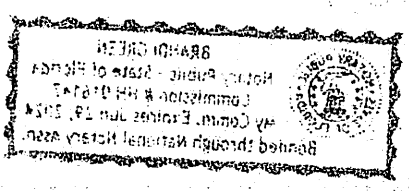
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AGREED
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LOANED FROM

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Islamorada, Village of Islands, Planning and Development Services Department

ATTACHMENT A

Future Land Use Map (FLUM) Amendment Criteria. The applicant shall submit all information required to adequately address the filing requirements adopted by the Florida Department of Economic Opportunity ("DEO"). In addition, the applicant shall submit all other information necessary to address the comprehensive planning criteria of the Village.

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

1. A description of the availability of and the demand on the following 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.

All proposed FLUM amendments must be consistent with the Principles for Guiding Development within the Florida Keys Area of Critical State Concern, pursuant to § 380.0552(7), Florida Statutes. The Principles are listed below.

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- (d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
- (e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
- (f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
- (g) Protecting the historical heritage of the Florida Keys.
- (h) Protecting 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, treatment, and disposal facilities;
 3. Solid waste treatment, 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.

- (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.
- (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)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
- (k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.
- (l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
- (m) Providing 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.
- (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

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

- 1. Demand for the proposed FLUM category in the village in relation to the amount of land currently assigned the FLUM designation and available to accommodate that demand;
- 2. Compatibility of the site's physical, geological, hydrological and other environmental features, with the uses permitted in the proposed FLUM category;
- 3. Data errors, including errors in mapping, vegetative types and natural features described in the comprehensive plan;
- 4. New issues;
- 5. Recognition of a need for additional detail or comprehensiveness

However, in no event shall an amendment be approved which will result in an adverse community change.

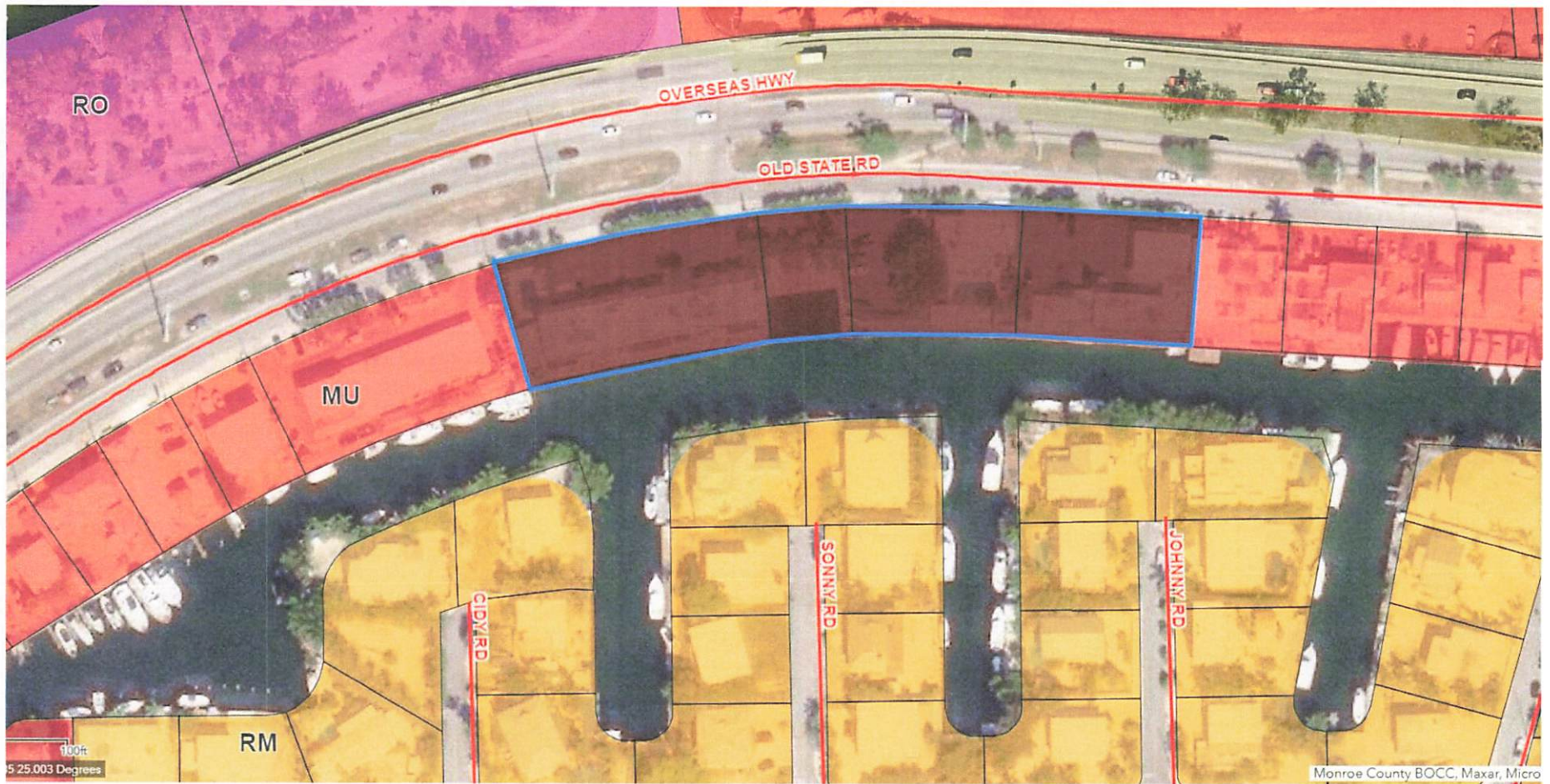
Official Zoning Map Amendment Criteria. The purpose of this application is to provide a means for changing the Official Zoning Map. It is not intended to relieve particular hardships, nor to confer special privileges or rights on any person, nor to permit a change in community character, as analyzed in the Comprehensive Plan, but only to make necessary adjustments in light of changed conditions. In determining whether to grant a requested amendment, the Village Council shall consider the factors set forth below and the consistency of the proposed amendment with the provisions and intent of the Comprehensive Plan.

The Village Council must find that the application is consistent with the Comprehensive Plan, that the applicant has complied with all procedural requirements of the Code and that the maintenance of the existing zoning on the property does not accomplish a legitimate public purpose. The Village Council shall make its determination on legitimate public purpose based on one or more of the following factors:

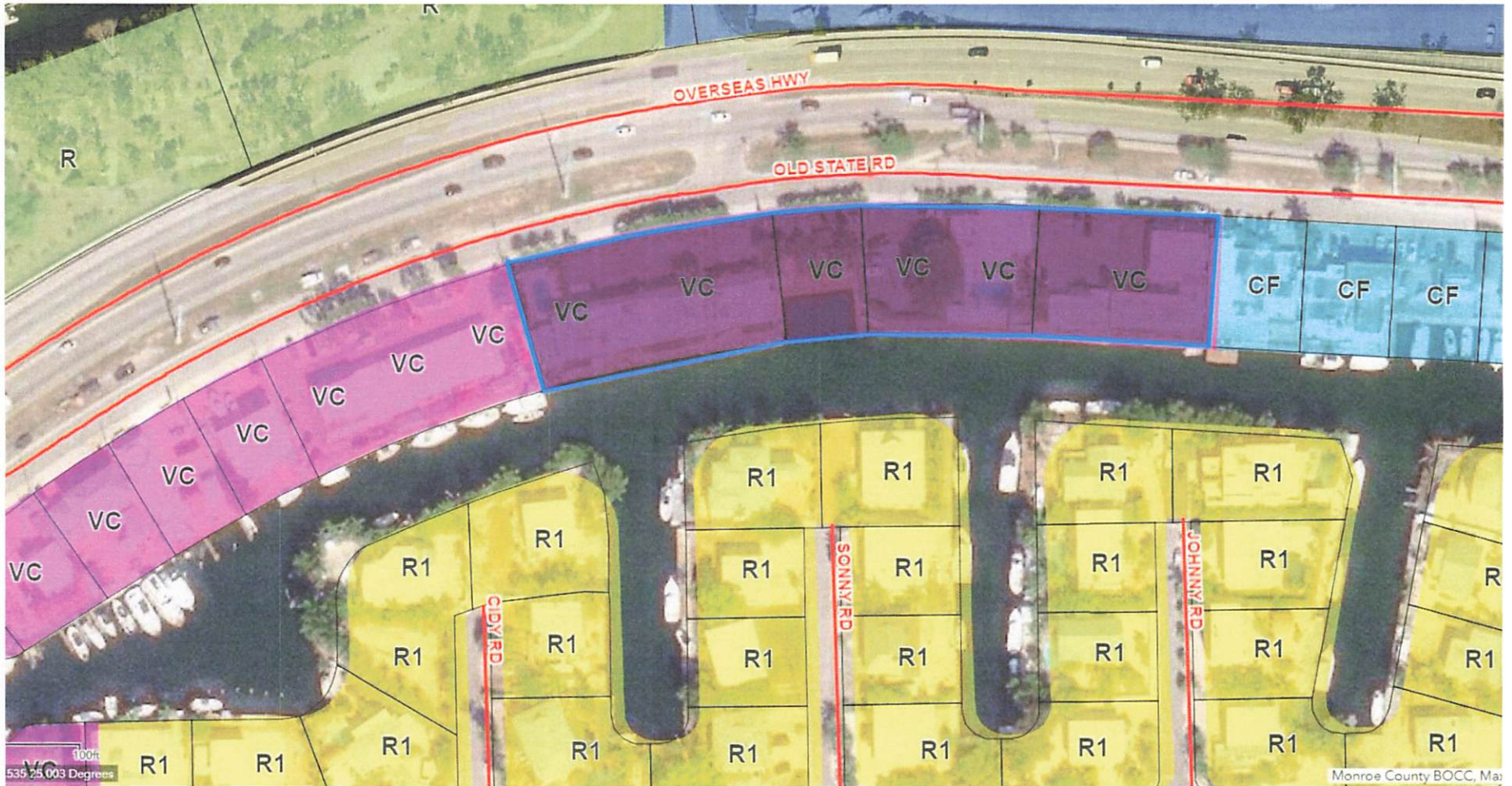
- 1. Demand for the proposed zoning district in the Village in relation to the amount of land currently zoned and available to accommodate that demand;
- 2. Compatibility of the site's physical, geological, hydrological and other environmental features, with the uses permitted in the proposed zoning district;
- 3. Data errors, including errors in mapping, vegetative types and natural features described in the Comprehensive Plan;
- 4. New issues;
- 5. Recognition of a need for additional detail or comprehensiveness; or
- 6. Compatibility of the proposed district with the property surrounding the site of the requested rezoning and any applicable neighborhood or redevelopment plan.

However, in no event shall an amendment be approved which will result in an adverse community change.

Future Land Use Map:



Official Zoning Map:



FIRST AMERICAN TITLE INSURANCE COMPANY
FILE NO. 2061-5287348 - SCHEDULE A, EXHIBIT A:

The land referred to herein below is situated in the County of Monroe, State of Florida, and described as follows:
 Lots 8, 9, 10, 11, 12, 13, 14, and 15, Block 1 of BOATMAN'S COLONY, according to the Plat thereof as recorded in Plat Book 3, Page(s) 90, of the Public Records of Monroe County, Florida.

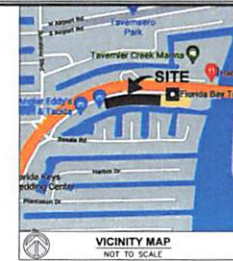
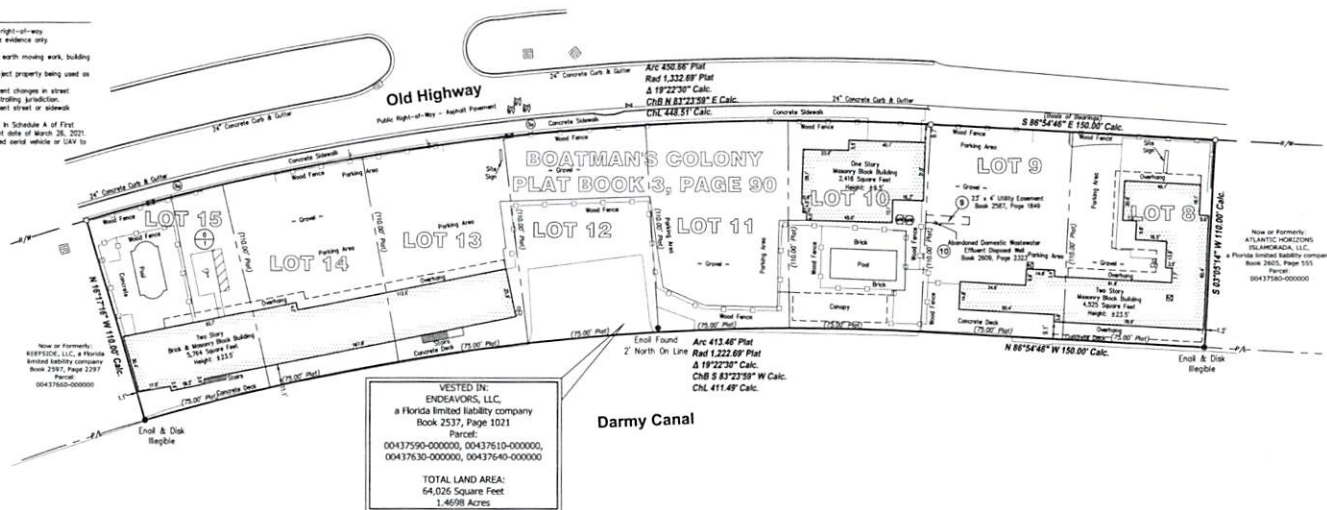
FIRST AMERICAN TITLE INSURANCE COMPANY
FILE NO. 2061-5287348 - SCHEDULE B, SECTION II:

Numbers correspond with survey-related Schedule B exception items contained in the above referenced Title Commitment.

1. Utility Easement granted to Endeavors LLC, recorded September 07, 2012 in Book 2587, Page 1043.
 (AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)
2. Notice of Abandoned Well recorded January 24, 2013 in Book 2608, Page 2322.
 (AFFECTS THE SUBJECT PROPERTY - PLOTTED AND SHOWN HEREON)

MISCELLANEOUS NOTES:

1. There is direct access to the subject property via Old Highway, a public right-of-way.
2. The locations of all utilities shown on the survey are from visible surface evidence only.
3. The posted address on site is 90611 Old Highway, Tavernier, Florida.
4. At the time of this survey, there was no observable surface evidence of earth moving work, building construction or building additions within recent months.
5. At the time of this survey, there was no observable evidence of the subject property being used as a solid waste dump, septic or sanitary landfill.
6. At the time of this survey, there was no observable evidence of any recent changes in street right-of-way lines either completed or proposed, and outside the controlling jurisdiction.
7. At the time of this survey, there was no observable evidence of any recent street or sidewalk construction or repairs.
8. The Property surveyed and shown herein is the same property described in Schedule A of First American Title Insurance Company file No. 2061-5287348 with a commitment date of March 26, 2021.
9. Orthophotography was captured during the field visit utilizing an unmanned aerial vehicle or UAV to assist in completing the survey.



SYMBOL LEGEND

R/W	Right-of-Way
P.L.	Adjacent Property Line
●	Monumentation Found as Noted
○	5/8" Iron Pin w/ Cap Set
○	Stamped "TYP 1201"
(X)	Schedule B-Section 8 Item
Rad	Radius
Ang	Angle
Chd	Chord Length
Chd Bearing	Chord Bearing
Calc	Calculated
Plot	Boatman's Colony Plat Book 3, Page 90
(R)	No. of Regular Parking Spaces
(H)	No. of Handicap Parking Spaces
(S)	Curb Inlet Room w/ Grate
(C)	Grate Basin
(D)	Cleanout
(M)	Sanitary Manhole
(W)	Water Valve
(W)	Water Meter
(M)	Monitoring Well
(H)	Handicap Space
(S)	Sign
(U)	Unknown Value
(-)-(-)	Wood Fence (As Noted)
(-)	No Parking Area
(-)	Building Area

Now or Formerly:
 ATLANTIC-HORSESHOE,
 ISLANDHAKA, LLC,
 a Florida limited liability company
 Book 2605, Page 555
 Parcel: 00437580-000000

CERTIFICATION:

To: First State Bank of the Florida Keys, a banking corporation organized and existing under the laws of the State of Florida, Johnson, Pope, Baker, Ruggie & Burns, LLP, LAI Overseas LLC, a Delaware limited liability company and First American Title Insurance Company

This is to certify that this map is a true and correct copy of the survey as shown on which it is based and was made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and ACSM, and includes Items 2, 3, 4, 6(A), 7(A), 7(B), 7(C), 8, 9, 13, 15, 16 and 17 of Table A thereof. The field work was completed on June 28, 2021.

I hereby certify that this drawing correctly depicts the description shown herein as prepared under my direction and this drawing was made in accordance with minimum technical standards adopted by the Florida Chapter of the American Society of Professional Surveyors, Inc. (ASPS), pursuant to Section 54-17.020-052 F.A.C.

By: *Ronald W. Maling*
 Ronald W. Maling, PSM
 Florida Professional Surveyor and Mapper No. 15,847
 Florida Certificate of Authorization No. 18,730
 For and on behalf of Millman Surveying, Inc.

REVISION HISTORY		
BY	DATE	COMMENT
DMG	07/09/2021	CERTIFICATION

millman
 National Land Services

Transforming the Industry
 Surveying
 Zoning
 Environmental
 Real Support - Title Review
 Millman Surveying, Inc.
 Corporate Headquarters
 4111 Bradley Circle NW
 Canton, OH 44718
 Phone: 800-520-1010
 Fax: 330-342-0834
 www.millmanland.com
 landsurveyors@millmanland.com

**BOUNDARY AND ALTA/NSPS
 LAND TITLE SURVEY
 PREPARED FOR:**

**LAH FLORIDA
 VENTURE, LLC**
 510 Walnut Street
 Ninth Floor
 Philadelphia, Pennsylvania 19106

90611 Old Highway
 City of Tavernier
 County of Monroe
 State of Florida



Not valid without the signature and raised original seal of a Florida Licensed Surveyor and Mapper, unless transmitted electronically.



Surveyor's Seal

Sheet No. **1** of **1**

MSI Project No. 50309
 JLM
 PC: PM: ATK
 Drafter: JLO

BASIS OF BEARING:

The basis for all bearings shown herein is the south right-of-way line of Old Highway, known as being S 86°54'48" E, per Florida Primary Reference Network.

SURVEYORS OBSERVATIONS:

At the time of this survey, there was no visible evidence of encroachments or violations.

FLOOD ZONE:

By scaled map location and graphic plotting only, the subject property appears to be entirely in Zone A1 (Special Flood Hazard Area, (Base Flood Elevation determined)) according to the Flood Insurance Rate Map for the County of Monroe, State of Florida, Community Panel No. 120670918K, Effective Date February 18, 2005.

ZONING:

As of June 28, 2021, we have not yet received the current zoning information for the subject property.

PARKING:

0 Parking Spaces
 1 Handicapped Spaces
 1 Total Parking Spaces

TOTAL LAND AREA:

64,026 Square Feet
 1.4698 Acres

Layer List Legend

Quick Links:

- Real Property Search
- Tangible Property Search
- View Map

Layers:

- ☒ Annotation
- ☐ Buildings
- ☒ Major Roads
- ☒ Centerline
- ☒ Easements
- ☒ Hooks
- ☒ Lot Lines
- ☒ Road Center
- ☒ Rights of Way
- ☐ Section Lines
- ☒ Shoreline
- ☒ Condo Building
- ☒ Qualified Condo Sales
- ☒ Qualified Parcel Sales
- ☐ Conservation Easement
- ☒ Key Names
- ☒ Subdivisions
- ☒ Parcels
- Personal Property
- ☐ Section Poly
- ☒ County Outline
- ☒ 2014 Aerial Photography



Results:

- Parcel ID - 00437640-000000
Alt Id - 1536857
Address - 90611 OLD Hwy
Owner - LAH CREEKSIDE LLC
View: [Report](#) | [Google Maps opens in a new tab](#)
- Parcel ID - 00437610-000000
Alt Id - 1536822
Address - 90691 OLD Hwy
Owner - LAH CREEKSIDE LLC
View: [Report](#) | [Google Maps opens in a new tab](#)
- Parcel ID - 00437630-000000
Alt Id - 1536849
Address - 90655 OLD Hwy
Owner - LAH CREEKSIDE LLC
View: [Report](#) | [Google Maps opens in a new tab](#)
- Parcel ID - 00437590-000000
Alt Id - 1536806
Address - 90701 OLD Hwy
Owner - LAH CREEKSIDE LLC
View: [Report](#) | [Google Maps opens in a new tab](#)





SMITH/HAWKS

ATTORNEYS AT LAW



Barton W. Smith, Esq.
Jess Miles Goodall, Esq.
Telephone: (305) 296-7227
E-mail: Bart@SmithHawks.com
Jess@smithhawks.com

SENT VIA EMAIL & FEDEX
7765 3601 7416

April 8, 2022

Daniel Gulizio, Director of Planning
Islamorada, Village of Islands Planning and Development Services Department
86800 Overseas Highway
Islamorada, Florida 33036
Email: PlanningDirector@Islamorada.FL.US

Re: Proposed Land Use District (zoning) Map Amendment for LAH CREEKSIDE LLC's real property located at 90611, 90655, 90691, and 90701 Old Hwy, Tavernier, FL 33070, having Monroe County Parcel ID Numbers 00437590-000000; 00437610-000000; 00437630-000000; and 00437640-000000

Dear Daniel,

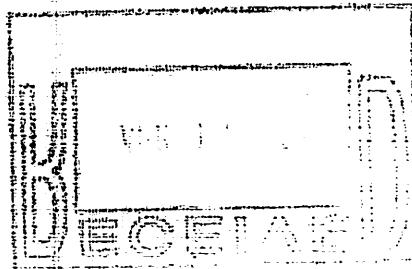
Please find enclosed our client, LAH CREEKSIDE LLC's ("Applicant") application for Land Use District (zoning) Map ("LUD") Amendment (the "Amendment") pursuant to Chapter 30, Article IV, Division 9 of the Islamorada Code of Ordinances ("Application") for the real property located at 90611, 90655, 90691, and 90701 Old Hwy, Tavernier, FL 33070, having Monroe County Parcel ID Numbers 00437590-000000; 00437610-000000; 00437630-000000; and 00437640-000000 (collectively, the "Property"). The Application will allow the conversion of an existing fifty (50) hotel/motel units into a desperately needed multi-family affordable workforce housing development.

A check in the amount of \$3,500.00 (\$2,500.00 application fee, plus \$1,000.00 deposit) and the executed Agent Authorization have been previously provided. Enclosed, please find a duplicate copy of the application package to be date stamped and returned using the enclosed self-addressed FedEx envelope.

PROPERTY BACKGROUND INFORMATION:

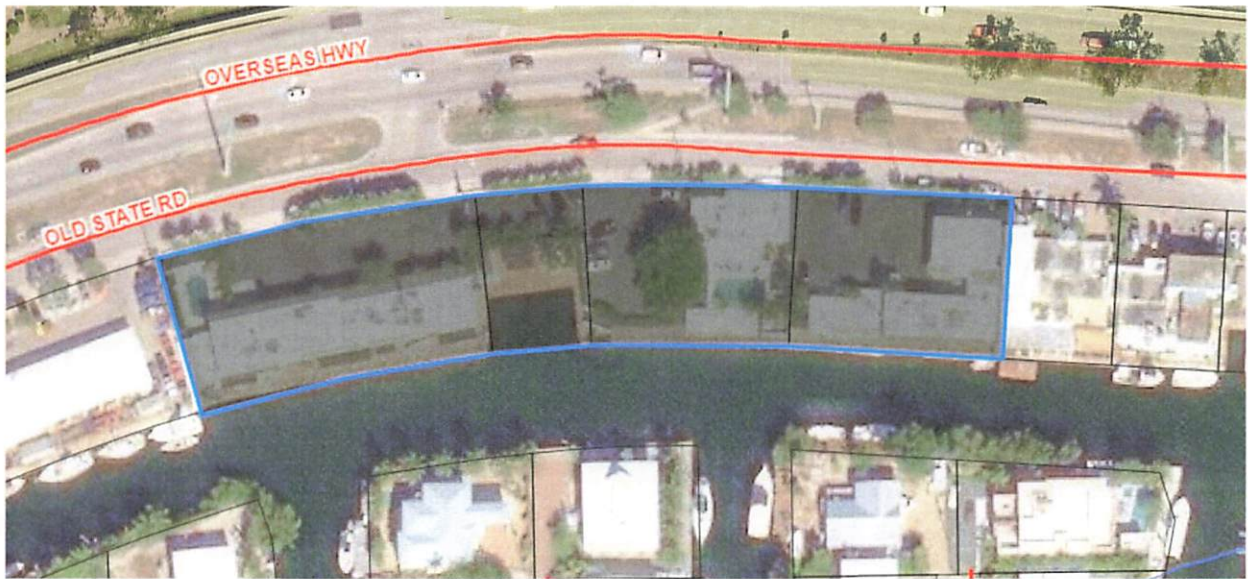
Location:	Creekside – MM 90.5, Village of Islamorada, Florida
Real Estate (RE) Number:	00437590-000000; 00437610-000000; 00437630-000000; and 00437640-000000
Property Owner/Applicant:	LAH Creekside, LLC
Authorized Agent:	SMITH/HAWKS, PL Barton W. Smith, Esq./ Jess Miles Goodall, Esq.
Total Property Area:	64,026 SF or 1.4698 acres

{00254950 - v3 }

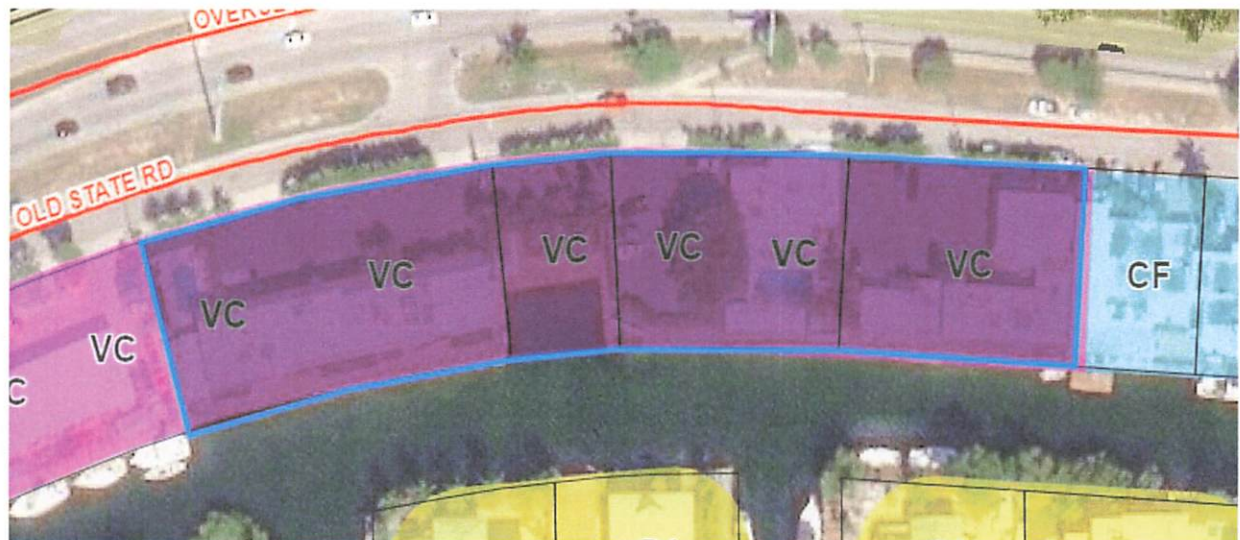


Land Use District:	Village Center (VC)
Future Land Use Map (FLUM) Designation:	Mixed Use (MU)
Flood Zone:	AE8
Existing Uses:	Hotel/Motel
Community Character of Immediate Vicinity:	Commercial, Residential

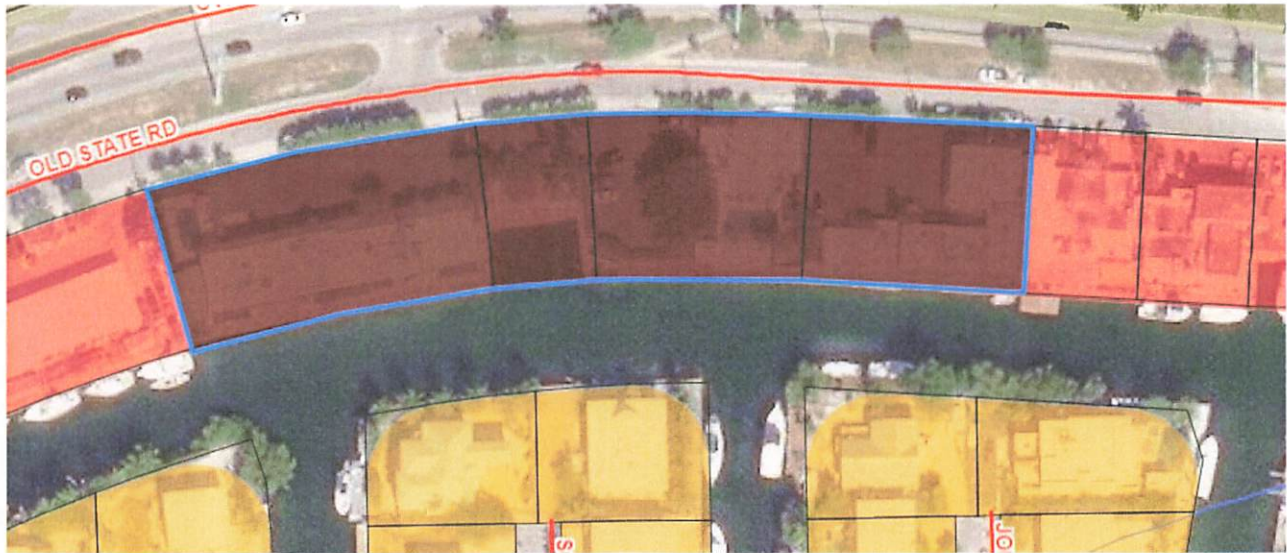
PROPERTY OVERVIEW:



Current LUD:



FUTURE LAND USE MAPS:



I. LAND USE DISTRICT (ZONING) MAP AMENDMENT:

a. Overview

The Amendment seeks to amend the LUD for the approximately 64,026 SF or 1.4698 acres of land located at 90611 Old Hwy, Tavernier, FL 33070, with real estate numbers 00437590-000000; 00437610-000000; 00437630-000000; and 00437640-000000 to permit the conversion of the existing fifty (50) unit Hotel/Motel into a much-needed multi-family affordable workforce housing development.

b. Amendment Request:

The requested LUD amendment is being requested to allow the Applicant to convert and develop the property from its current use as a Hotel/Motel into a much-needed multi-family affordable housing workforce housing development, in a location that will benefit the workforce of Islamorada. The LUD amendment is proposing to change the Property's approximately 64,026 SF or 1.4698 acres from VC to NC.

The Property has a Future Land Use Map ("FLUM") designation of Mixed Use (MU). Both VC and NC zoning districts are both established within the MU FLUM designation, therefore, a FLUM amendment is not required.

Pursuant to Section 30-692 of the Islamorada Code of Ordinances ("Code"), properties located within the VC zoning district are permitted to develop Deed restricted affordable dwelling units, however, the conversion of existing hotels or motels to multifamily attached dwelling units is not permitted. The Property is currently recognized with fifty (50) lawfully established Hotel/Motel units and is operated as a hotel/motel. The NC zoning district permits attached deed restricted affordable

housing dwelling units and does not prohibit the conversion of existing hotel/motels, which will allow the Applicant to redevelop the Property as a multi-family affordable housing development with up to fifty (50) attached deed restricted affordable dwelling units.

Development of the affordable dwelling units will be pursuant to and in compliance with all provisions contained in the Comprehensive Plan and Code.

Proposed changes to the relevant portions of the LUD zoning map are set forth below:

c. The Proposed Amendment

1. Land Use District Map Amendment.

<u>Property Owner</u>	<u>RE No.</u>	<u>Acreeage for LUD zoning Amendment</u>	<u>Current LUD</u>	<u>Proposed LUD</u>	<u>FLUM</u>	<u>Tier Designation</u>
LAH Creekside	00437590-000000; 00437610-000000; 00437630-000000; and 00437640-000000	1.47 acres	VC	NC	MU	III

2. Density Analysis

<u>LUD Category</u>	<u>Allocated Density (per acre)</u>	<u>Maximum Net Density (per acre)</u>	<u>Affordable Housing (per acre)</u>
Village Center (Existing)	6 DU per acre	12 DU (with TDR)	15 DU per acre
Neighborhood Commercial (Proposed)	6 DU per acre	12 DU (with TDR)	15 DU per acre

The Proposed LUD amendment does not increase the allocated density, maximum net density, or the Affordable housing density on the Property.

3. Site Development Standards

<u>Site Development Standard</u>	<u>Village Center (Existing)</u>	<u>Neighborhood Commercial (Proposed)</u>
Min. Lot Area	N/A	N/A
Max Building Height	35 feet.	35 feet.

Setbacks	Front Yard - Minimum 15 feet Street Side Yard – 10 Feet Interior Side Street – 5 feet Rear Yard – 10 feet Rear Yard on Shoreline -	Front Yard – 20 feet Street Side Yard – 10 feet Interior Side Street – 5 feet Rear Yard – 20 feet Rear Yard on Shoreline -
Floor Area	0.35 FAR	0.25 FAR or 0.35 FAR with TDRs
Open Space	0.20 (Scarified Land)	0.20 (Scarified Land)
Max Principal building Size	The maximum nonresidential floor area for a principal structure shall be 10,000 square feet or the maximum intensity (floor area ratio) allowable pursuant to this section, whichever is less.	The maximum nonresidential floor area for a principal structure shall be 10,000 square feet or the maximum intensity (floor area ratio) allowable pursuant to this section, whichever is less.

d. Data and Analysis

1. Housing Data

It is well established that prior to Hurricane Irma the affordable housing shortage in the Florida Keys was staggering. According to Monroe County’s Housing Strategy produced after Hurricane Irma, “[m]any of the business sectors in the Florida Keys, including professional services, retail trade, tourism and health care, find it increasingly difficult to attract and maintain workers.” The City of Islamorada is clearly no different, and like many communities in south Florida, has experienced a dramatic increase in housing sales prices. According to the “Islamorada, Village of Islands Workforce Housing Support Study (“WFH Study”), attached hereto as **Exhibit A**, “Analysis of housing sales data show that sales prices in Islamorada, and in Marathon - another community in the Florida Keys, have increased at a much more rapid rate than housing prices for Florida and the United States.” A trend that has continued post Irma and has been dramatically exacerbated in recent years.

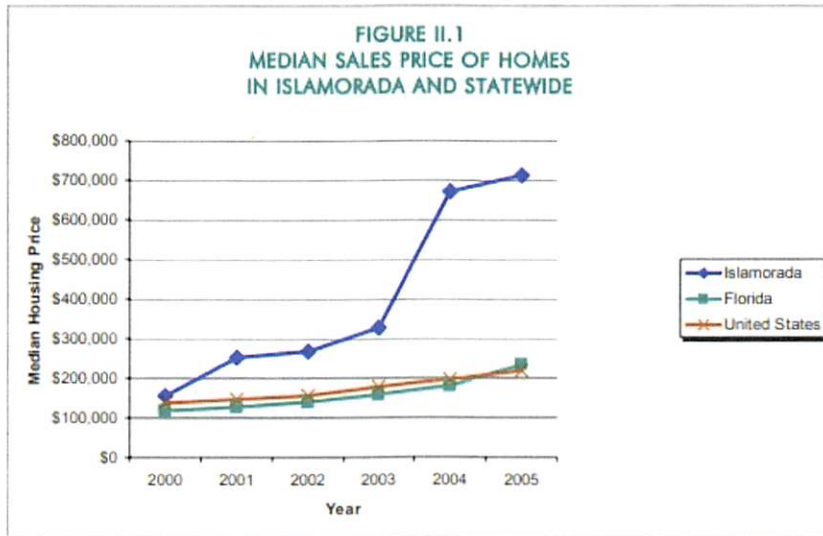
The increase in housing prices in Islamorada, in and of itself creates an affordable workforce housing problem in Islamorada and the Florida Keys in general. However, the problem is accentuated in Islamorada. This is because some of the larger employers in the Village, such as the leisure and hospitality industry, accommodation and food services, retail service businesses and construction industry typically hire more lower wage employees than other industries. A significant percentage of new employees in these businesses earn very modest wages, making it increasingly difficult for them to afford a house for sale in the local real estate market, or rent housing.¹ The table below illustrates this ever worsening issue in Islamorada *See Pg. 2 Islamorada, Village of Islands Workforce Housing Support Study* (Islamorada’s housing prices increased at a rate of 35 percent per year, at an average rate of growth of 22%, while housing prices in Florida increased at 14.9 percent and 9.6 percent nationally, *see below table*).

¹ Islamorada, Village of Islands Workforce Housing Support Study, Clarion Associates, LLC, September 2007
 {00254950 - v3 }

TABLE I.1: PRICES OF EXISTING HOME SALES ISLAMORADA AND COMPARATIVE AREAS 2000 TO 2005 (in thousands)						
Year	Islamorada		Marathon		Florida	US
	Average	Median	Average	Median	Median	Median
2000	\$286.9	\$156.8	\$209.7	\$190.2	\$117.6	\$139.0
2001	\$310.5	\$251.9	\$224.5	\$183.9	\$127.7	\$147.8
2002	\$361.8	\$268.2	\$260.5	\$247.5	\$141.7	\$156.2
2003	\$484.3	\$328.6	\$333.7	\$282.9	\$158.4	\$178.8
2004	\$743.6	\$671.4	\$450.4	\$363.2	\$181.9	\$195.4
2005	\$776.2	\$712.5	\$576.4	\$529.2	\$235.1	\$219.6
Rate of Growth	22.0%	35.4%	22.4%	22.7%	14.9%	9.6%

SOURCES: Monroe County Property Appraiser, Florida Board of Realtors and National Association of Realtors.

NOTE: Data for the State of Florida and the United States are for single family homes only.

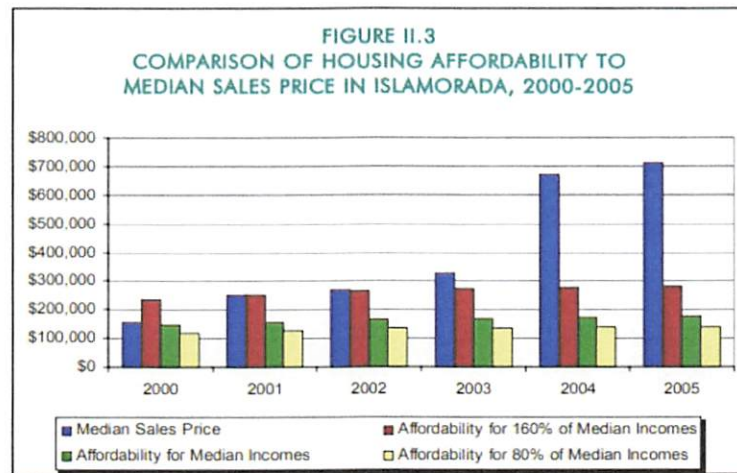


Source: Monroe County Property Appraiser Database and Florida Association of Realtors

Unfortunately, the median income ranges have not historically increase at comparable rates, and this has increasingly caused a larger and larger gap between household incomes and median housing costs, which has resulted in housing becoming less and less affordable to workforce households in Islamorada. In fact, according to the WFH Study, “in 2000, the median income in Monroe County was \$49,300 and the median price of a home in Islamorada was \$156,757-approximately 318 percent of median income levels. By 2003, the median income for a household in Monroe County was \$56,500 and the median price of a home in Islamorada was \$328,571-approximately 582 percent of median income levels. In 2005, the median income for a Monroe County household was \$58,450 and the median price of a home in Islamorada was \$712,500-approximately 1,219 percent of median income levels,” (See below table).

Year	Median Price of Homes	Median Price of Homes as % of Median Income	Median Household Income for Monroe County
2000	\$156,757	318%	\$49,300
2001	\$251,887	483%	\$52,100
2002	\$268,182	487%	\$55,100
2003	\$328,571	582%	\$56,500
2004	\$671,429	1,174%	\$57,200
2005	\$712,500	1,219%	\$58,450

A well-established national benchmark for evaluating affordability is whether median household incomes in a community are at the level where the family could afford a median priced home; more specifically, affordability of owner-occupied housing is normally defined as 300 percent of median household income.² Per Monroe County's housing Strategy, if more than 30% of a household's income is expended for housing, such household is considered "cost burdened." In Islamorada, since 2002, "median priced homes have exceeded the price that was affordable to the households earning 160 percent of the area median income. In 2005, the median priced home cost \$431,940 more than a household earning 160 per cent of the area median income could afford. The housing affordability problem is affecting not only households earning the area median income, but also those earning well above the median income."³

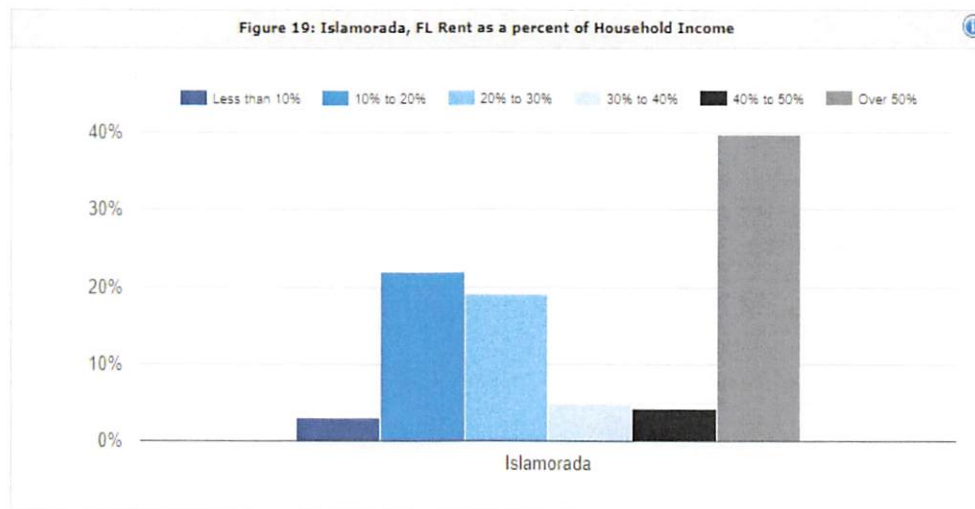


The trends illustrated above have not changed in recent years, and based upon information contained in the US Census for the City of Islamorada, the median household income in the City is \$82,500 while the median sales price homes was \$832,954. The rental market is just as inflated, as illustrated by Town Charts Housing data⁴, large numbers of workers in the city are paying above 50% of their income toward rental housing. See below:

² Islamorada, Village of Islands Workforce Housing Support Study, Clarion Associates, LLC, September 2007.

³ Id. at 17.

⁴ <https://www.towncharts.com/Florida/Housing/Islamorada-FL-Housing-data.html>
 {00254950 - v3 }



Islamorada has a small number of affordable housing units available, and that number was further diminished as a result of Hurricane Irma in 2017. The WFH Study provides “The report’s conclusions include an existing deficiency of 356 units for the resident workforce, an existing deficiency of 794 units for non-resident workforce, and, by the year 2020, a projected total workforce housing need of 1,192 units.”

In fact, the issue of affordable housing has become so dire in Islamorada that the Islamorada Village Council convened in December 2020 to discuss the possibility of utilizing accessory dwelling units as a solution to the issue. According to Councilman Mark Gregg the Village only has 18 affordable housing BPAS allocations available until 2023, and according to a village memorandum, if the Village uses the remaining allocations for all years through 2023, the Village will be short on meeting the immediate demand. However, On May 2, 2018, Governor Rick Scott issued a press release outlining an initiative to the Florida 21 Department of Economic Opportunity (“DEO”) for a Keys Workforce Housing Initiative. The proposed initiative would allow 1,300 additional affordable housing allocations throughout the Florida Keys, for rental workforce housing (with a condition that the rental occupants evacuate in the early phase of a hurricane evacuation). Islamorada is eligible for 300 allocations from this initiative.

Although Islamorada is incorporated, it is important to note that the affordable housing crisis extends county-wide. In Monroe County the percentage of households with mortgages that exceed the HUD threshold for being considered cost-burdened due to the amount of the attendant mortgage payments. According to HUD, “cost-burdened” households pay more than 30% of income for rent or mortgage costs. This is also the standard used by the Florida Department of Economic Opportunity. In 2009, 12,927 Monroe County households (37%) paid more than 30% of income for housing. By comparison, 29% of households statewide are cost burdened. Over six thousand households in Monroe County (18%) must pay more than 50% of household income for housing.

Based on the foregoing, the LUD amendment, will assist the city in providing access to adequate affordable housing that is safe, decent, and structurally sound, and is a smart and practical way to provide affordable housing within the Village, allowing work force employees to reside in close proximity to their jobs. The City of Islamorada does not have many locations that are suitable

for multi-unit developments within the "Village Center." Creekside is located in Village Center on approximately 1.47 acres of land. It is currently utilized as a hotel/motel. The intent of the Applicant is to utilize the existing hotel/motel units and convert the development to deed restricted affordable housing dwelling units, something that is clearly a huge need for the City of Islamorada. In order to permit this site to be utilized as an affordable housing development, the Applicant is seeking this zoning change to permit the conversion of the existing hotel/motel into affordable housing units.

e. Basis for Amendment

1. Demand for the proposed zoning district in the Village in relation to the amount of land currently zoned and available to accommodate that demand

Affordable housing is the largest issue facing Islamorada and Monroe County at the moment. A Majority of the zoning districts that fall within the mixed use FLUM category preclude the conversion of existing hot/motel units into deed restricted affordable housing units. The is an overwhelming demand for affordable housing units and converting existing hotel/motel units within the city limits presents a valuable opportunity for developers to provide affordable housing. The availability of the zoning category is not relevant to the question at hand, as the opportunity before the Village is related specifically to the parcel of land in question. There has been a dramatic change in the median hosing prices within Islamorada, which has made it increasingly difficult for the City to provide the much needed affordable housing options for the hospitality, working waterfront, industrial, and other commercial use employees in and around the City, and the Applicant is seeking to work with the City to provide residents with much needed affordable housing units.

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

The proposed Zoning district and the existing zoning district fall within the MU FLUM designation and the proposed amendment will not provide additional density or development potential. Attached deed restricted affordable housing is permitted in the proposed zoning district, making the conversion of an existing hotel/motel to affordable housing dwelling units compatible with the uses permitted in the NC zoning district.

3. Data errors, including errors in mapping, vegetative types and natural features described in the Comprehensive Plan

N/A

4. New issues

The basis for the amendment is a change in projections (e.g., regarding public service needs) from those on which the text or boundary was based. This LUD amendment Application permits the

conversion of lawfully existing hotel/motel units to approximately fifty (50) deed restricted affordable housing units, which will provide the hospitality, working waterfront, industrial, and other commercial uses in Islamorada, and the surrounding areas with much needed affordable workforce housing which, under the current Code and absent the zoning amendment, the City and Applicant are unable to provide or construct.

5. Recognition of a need for additional detail or comprehensiveness

Pursuant to Objective 3-1.1 of the Islamorada Comprehensive Plan ("Comp. Plan"), Islamorada, Village of Islands shall develop programs and strategies to achieve adequate, affordable and safe housing to meet current and future residents needs by implementing the following policies:

Policy 3-1.1.3: Identify and Address Barriers to Affordable Housing Within the Land Development Regulations. Islamorada, Village of Islands shall maintain Land Development Regulations which identify and eliminate regulatory barriers to affordable housing, found in the current policy.

Prohibiting the conversion of structurally sound hotel/motel units into affordable housing units is a regulatory barrier to affordable housing. The Application is seeking to work with the Village in an attempt to reduce regulatory barriers and provide much needed affordable housing.

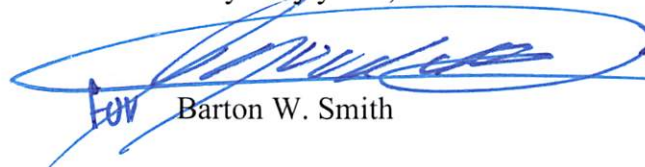
6. Compatibility of the proposed district with the property surrounding the site of the requested rezoning and any applicable neighborhood or redevelopment plan.

The proposed Zoning district and the existing zoning district fall within the MU FLUM designation and the proposed amendment will not provide additional density or development potential. The surrounding uses include residential and commercial uses. A multi-family affordable housing development is compatible with the surrounding uses.

IV. Conclusion

Applicant respectfully requests the specified Amendments be granted based on the changed conditions underlying the demonstrated and increasing need for workforce housing in Monroe County, particularly in proximity to the Islamorada employment centers, and the potential for construction of workforce housing to serve the needs of the community.

Very truly yours,



For Barton W. Smith

BWS/bg

Enclosures

{00254950 - v3 }

EXHIBIT A



Islamorada, Village of Islands

WORKFORCE HOUSING SUPPORT STUDY

September 2007

Submitted by:

CLARION ASSOCIATES, LLC
1526 East Franklin Street, Suite 102
Chapel Hill, NC 27514
(919) 967-9188
www.clarionassociates.com

In association with:

Dr. James C. Nicholas
RRC Associates

EXHIBIT A

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I. INTRODUCTION AND EXECUTIVE SUMMARY

A. INTRODUCTION

Real estate prices in Islamorada, Village of Islands, Florida (hereinafter “Village of Islamorada” or “Islamorada”) have increased significantly in recent years, with housing prices in Islamorada rising since 2000 to the point that a household earning a moderate income today can no longer afford the large majority of housing that is available through the private market. Concern about this issue has grown to the point that business owners are concerned about the difficulties of recruiting and retaining employees because of the lack of local housing that is affordable for their workers.

In response to this problem, the Village of Islamorada initiated an effort to determine the need new residential and non-residential developments create for housing that is affordable to the Village’s workforce as a basis for establishing a workforce housing mitigation program. As part of this effort, Islamorada is preparing this *Workforce Housing Support Study*. It provides background and technical documentation for the workforce housing need created by new development and remodels, develops a methodology for determining need, and provides statistical support for a workforce housing mitigation program. Initially it identifies the workforce housing problem in Islamorada. It then provides the technical documentation and analysis needed to establish whether new development (both residential and non-residential) creates a need for workforce housing. This is done by evaluating the linkage between (1) employment generated by the construction and then maintenance and operations (post-construction) of new residential units and (2) the employment generated by the construction and then employment that occurs at non-residential development (post-construction activities). Because the analysis demonstrates there is a need created by both residential and non-residential development for workforce housing, the Study also identifies the need both in workforce housing units (or a fraction thereof) that could be built to address the need, and funding shortages (workforce housing assistance) that could be addressed to meet the need.

After this Introduction, there is an Executive Summary that summarizes the findings of the Support Study.

The second section in this Support Study describes the housing affordability problem in Islamorada (See Section II. Problem Description). It shows that while employment in the Village has grown over the past decade, wages have tended to stagnate and housing offerings at prices that the large majority of the local employment base can afford have declined.

The third section (Section III: The Need for Workforce Housing Created by New Development) discusses the relationship between new residential and nonresidential development and the demand this new development creates for workforce housing. It outlines the methodology and calculations that determine the need created for workforce housing by new development (both residential and nonresidential). As is highlighted above, because the analysis demonstrates there is a need created by both residential and non-residential development for

workforce housing, the Study identifies the need created both in terms of workforce housing units (or a fraction thereof) that could be built to address the need, as well as the subsidy (workforce housing assistance) that could be paid to address the problem.

B. EXECUTIVE SUMMARY

A summary of the findings and conclusions of the *Workforce Housing Support Study* are outlined below.

1. Problem Description

Islamorada, like many communities in south Florida, has experienced a dramatic increase in housing sales prices over the last five years. Analysis of housing sales data show that sales prices in Islamorada, and in Marathon – another community in the Florida Keys, have increased at a much more rapid rate than housing prices for Florida and the United States between 2000-2005. Islamorada's housing prices increased at a rate of 35 percent per year, over the period, while housing prices in Florida increased at 14.9 percent and 9.6 percent nationally. See Table I.1: *Prices of Existing Home Sales, Islamorada and Comparative Areas, 2000-2005*.

TABLE I.1: PRICES OF EXISTING HOME SALES ISLAMORADA AND COMPARATIVE AREAS 2000 TO 2005 (in thousands)						
Year	Islamorada		Marathon		Florida	US
	Average	Median	Average	Median	Median	Median
2000	\$286.9	\$156.8	\$209.7	\$190.2	\$117.6	\$139.0
2001	\$310.5	\$251.9	\$224.5	\$183.9	\$127.7	\$147.8
2002	\$361.8	\$268.2	\$260.5	\$247.5	\$141.7	\$156.2
2003	\$484.3	\$328.6	\$333.7	\$282.9	\$158.4	\$178.8
2004	\$743.6	\$671.4	\$450.4	\$363.2	\$181.9	\$195.4
2005	\$776.2	\$712.5	\$576.4	\$529.2	\$235.1	\$219.6
Rate of Growth	22.0%	35.4%	22.4%	22.7%	14.9%	9.6%

SOURCES: Monroe County Property Appraiser, Florida Board of Realtors and National Association of Realtors.

NOTE: Data for the State of Florida and the United States are for single family homes only.

a) Median Housing Prices and Median Household Incomes

During this same period, the gap between median household incomes and median housing costs has increased to the point that housing is not affordable to workforce households in Islamorada earning the area median income and beyond.¹ A good way to evaluate this gap in affordability is to compare median priced housing sales prices to 300

¹ Because median income data is not available for the Village of Islamorada, this analysis uses Monroe County median income data as calculated by the U.S. Department of Housing and Urban Development.

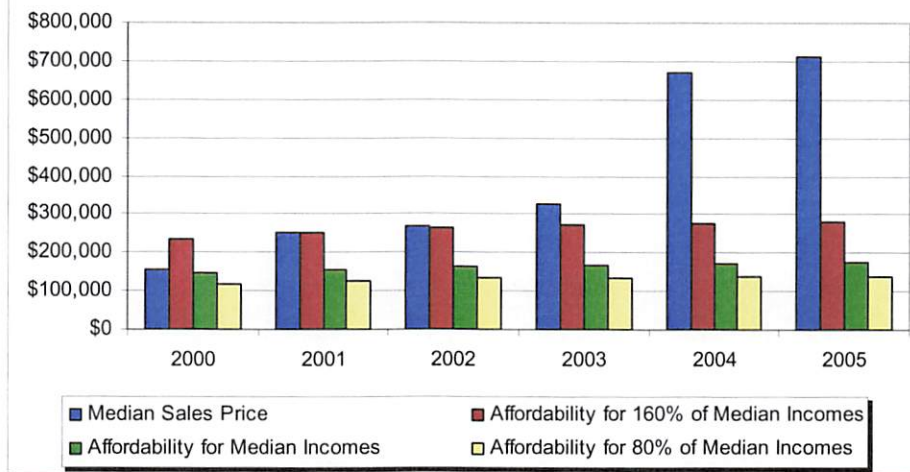
percent of median household income.² Table I.2: *Monroe County Median Household Income and Median Single Family Housing Prices in Islamorada, 2000-2005*, outlines the affordability gap over the last five years. In 2000, the median income in Monroe County was \$49,300 and the median price of a home in Islamorada was \$156,757 – approximately 318 percent of median income levels. By 2003, the median income for a household in Monroe County was \$56,500 and the median price of a home in Islamorada was \$328,571 – approximately 582 percent of median income levels. In 2005, the median income for a Monroe County household was \$58,450 and the median price of a home in Islamorada was \$712,500 – approximately 1,219 percent of median income levels.

TABLE I.2: MONROE COUNTY MEDIAN HOUSEHOLD INCOME AND MEDIAN SINGLE FAMILY HOUSING PRICES IN ISLAMORADA, 2000-2005			
Year	Median Price of Homes	Median Price of Homes as % of Median Income	Median Household Income for Monroe County
2000	\$156,757	318%	\$49,300
2001	\$251,887	483%	\$52,100
2002	\$268,182	487%	\$55,100
2003	\$328,571	582%	\$56,500
2004	\$671,429	1,174%	\$57,200
2005	\$712,500	1,219%	\$58,450

Over the past five years, the market not only priced out employees earning median incomes, but also priced out workers with much higher incomes. This housing affordability comparison (300%) can also be used to evaluate the affordability of housing prices to households earning higher than the area median income (160 percent of area median income) or lower than the area median income (80 percent of area median income). Figure I.1: *Comparison of Housing Affordability to Median Sales Prices in Islamorada*, illustrates that even households earning 160 percent of the area median income can not afford median priced housing in Islamorada, much less those earning 80 percent of area median income.

² A national benchmark for evaluating affordability is whether median household incomes in a community are at the level where the family could afford a median priced home; more specifically, affordability of owner-occupied housing is normally defined as 300 percent of median household income.

FIGURE I.1
COMPARISON OF HOUSING AFFORDABILITY TO
MEDIAN SALES PRICE IN ISLAMORADA, 2000-2005



Source: U.S. Department of Housing and Urban Development and the Monroe County Property Appraiser.

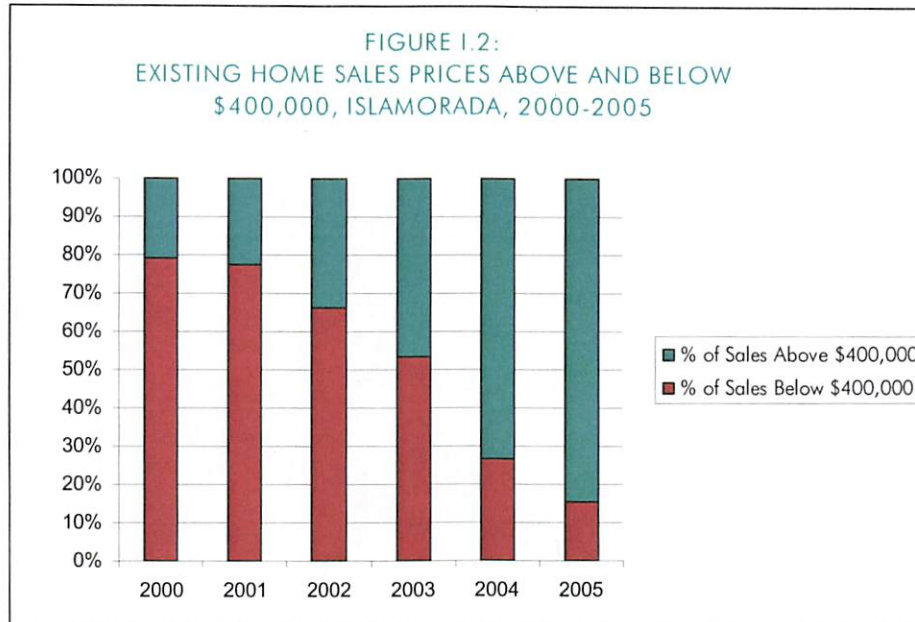
b) Housing Prices are Far Outpacing Increases in Wages/Income

Housing affordability, however, is a relative concept. When inquiring about affordability, it is necessary to ask the question “affordable with respect to what?” Some suggest that attempting to measure housing prices with some type of median or similar measure can be misleading. They suggest that the relevant question is whether housing is available in the market place within the price ranges that local employees can reasonably afford.

The income and housing cost data from the Monroe County Property Appraiser on the sales price of all residential units sold in Islamorada between January 1, 2000 and December 31, 2005, establish a base for comparison. The total sales are divided into those residential units sold below \$400,000 and those that sold for \$400,000 or higher. In 2000, 79.2 percent of all existing home sales in Islamorada were below \$400,000. The average price for all units that year was \$286,872. In 2003, 53.4 percent of residential sales were below \$400,000. By 2005 prices had increased dramatically and only 15.4 percent of sales were under \$400,000. Mobile homes and condominiums are increasing their roles as being the provider of lower price housing – to the extent that \$400,000 can be considered to be low price for a single-family home.

The dynamics of home prices in Islamorada are clearly seen in Figure I.2: *Existing Home Sales Prices Above and Below \$400,000, Islamorada, 2000-2005*. Average prices are sharply increasing while the supply of

dwellings at the lower end is greatly diminished. The phenomenon is not just a matter of rapid increases in prices of high end units. Rather, it is a general increase in unit prices.



Source: Monroe County Property Appraiser Database

Based on what the housing price, housing sales, and income data for Monroe County and Islamorada show, there is no doubt there is a housing affordability problem in Islamorada today.

2. The Need for Workforce Housing Created by New Development

The need to provide housing that is affordable to the Village of Islamorada's workforce is generated by new development that demands labor (employees). Because both residential and non-residential development create demand for labor (employees), both are evaluated to determine the workforce housing need created by each type of development.

a) Residential Development

Residential development in Islamorada has two employment needs: (1) the construction of the residence, and (2) the operation and maintenance of the residence, post-construction.

i) Demand for Workforce Housing Units for Construction Employees

The construction, expansion, or renovation of buildings requires the employment of contractors and construction workers to do the work. The wages of most of these workers are within a range such that they can not afford housing in Islamorada. The method used to assess the

demand for workforce housing created by construction activities involves the following. First, the amount of construction authorized and built in Monroe County over the past four years (measured in square feet) was determined from annual Monroe County Property Appraiser data. Second, the number of construction workers involved in the construction of these buildings was determined using monthly unemployment insurance reports for Monroe County that have data on the number of local construction workers. This data is expressed in person years for 2002-2005. Third, and based upon the amount of square footage built and the number of construction workers needed to construct these buildings, the actual amount of a building (in square feet) a construction employee builds in a year was determined.³ Table 1.3: *Residential and Non-Residential Construction (square feet) and Construction Employment, Monroe County, 2002-2005*, summarizes this analysis. These data illustrate that, on average, one construction employee directly involved in construction builds 859 square feet of space in a year. Put another way, it takes an estimated 1.2 employee-years to construct 1,000 square feet of floor area.⁴

TABLE 1.3 RESIDENTIAL AND NON-RESIDENTIAL CONSTRUCTION (square feet) AND CONSTRUCTION EMPLOYMENT, MONROE COUNTY, 2002-2005	
Residential Construction	4,242,870 FT ²
Non-Residential Construction	995,296 FT ²
Total Construction	5,238,166 FT ²
Employee Years	6,098
FT ² per Construction Employee	859 FT ²

SOURCE: Florida Agency for Workforce Innovation, Labor Market Statistics, ES-202 data for Monroe County, 2002 through 2005 and Monroe County Property Appraiser, tax rolls 2002 through 2005.

Table 1.4: *Construction Employment and Need for Housing in Islamorada*, sets out the number of employees needed to construct different size residential units and the number of workforce housing units needed for these employees, based on the fact that one construction employee builds 859 square feet of space annually. The table shows the number of employee years it takes to construct a building of a certain (see the column in Table 1.5 labeled "Employee Years to Construct Units") the number of

³ For purposes of this calculation, the analysis includes all employees that work in the construction industry, not just those engaged in the physical construction of the structure. For example, an employee installing water or wastewater lines is considered to be engaged in constructing new development as much as those directly involved with the erection of a building.

⁴ This construction analysis aggregates residential and non-residential construction because the average wages and average number of employees needed to construct 1,000 square feet of a structure for both residential and non-residential development is not significantly different.

employees needed over the course of a 40-year construction career to construct a certain size unit (see the column labeled “Employees Needed (Over Career of Employee)”), and the number of housing units needed for those employees (see the column labeled “Housing Units Needed for Employees”).

Table I.4: CONSTRUCTION EMPLOYMENT AND NEED FOR WORKFORCE HOUSING IN ISLAMORADA			
Building Size	Employee Years to Construct Units	Employees Needed (Over Career of Employee)	Housing Units Needed for Employees
500	0.601	0.015	0.009
750	0.901	0.023	0.014
1,000	1.201	0.030	0.019
1,500	1.802	0.045	0.028
2,000	2.403	0.060	0.038
2,500	3.004	0.075	0.047
3,000	3.604	0.090	0.057
3,500	4.205	0.105	0.066
4,000	4.806	0.120	0.076
4,500	5.406	0.135	0.085
5,000	6.007	0.150	0.095

ii) *Demand for Workforce Housing Units for Operation and Maintenance Employees*

Operations and maintenance services provided to residential dwelling units also create a demand for labor (employees). To assess the affect of this labor demand on the need for workforce housing, the Village of Islamorada contracted RRC Associates, Inc. to conduct a survey of homeowners in Islamorada in the spring of 2006, the results of which are summarized in a report titled *Village of Islamorada Residential Job Generation Study* (July 2006) (hereinafter referred to as “*Residential Job Study*”). One of the primary objectives of the *Residential Job Study* was to acquire data on the employment associated with the operations and maintenance of residential units in Islamorada. The *Residential Job Study* asked homeowners questions about the use, both directly and indirectly, of five primary categories of employees that are hired to assist in the operation and maintenance of residential units. They include:

- Direct hires by home owners;
- Hires by property management firms retained by home owners to operate and maintain residential properties;
- Hires by homeowners associations responsible for operating and maintaining residential properties;

- On-sight caretakers; and
- Other local service firms.

The operations and maintenance services asked about include exterior maintenance and upkeep (i.e., gardeners, mowers, and other exterior maintenance), housekeepers, kitchen help, child care/nannies, caretakers, butlers, personal trainers, and administrative assistants for the residential unit. The survey also gathered extensive data about selected operational characteristics of residential homes, firms that households contract with to finance and insure homes, as well as the use patterns and demographics of homeowners.

The results of this survey were analyzed using regression analysis to determine the relationships between the number of operations and maintenance employees used by households in Islamorada. The hypotheses tested are whether there is a relationship between the size of a residential unit and the number of operation and maintenance employees that service the unit. The analyses also tested whether there is a difference in this relationship between house size and operation and maintenance employees serving the unit, and whether the unit is occupied by a permanent resident or otherwise used as a secondary residence, vacation rental, business/corporate rental, long-term rental, or other.

The survey results indicate that there are different employment relationships between dwellings occupied by full-time residents and those occupied for all other purposes. The results also indicate there are different employment relationships between units based on the size of the unit. The formula that explains the best indicator for the number of FEEs (full-time “employee equivalents”) that provide operation and maintenance services to a unit is a linear formula, as shown below:

$$\text{Employees} = -0.01330 + (-0.03846 * \text{Full-time}) + (0.00006466 * \text{Area})$$

The result of applying this formula to units used as full-time resident units of varying sizes or all other units of varying sizes in Islamorada is shown below in Table I.5: *Operations and Maintenance Employment by Home Size and Residency of Unit, Islamorada*. To determine the needed number of residential units these operations and maintenance employees require, the employee equivalent is divided by the average number of employees per dwelling unit that exist today in Monroe County (1.586⁵) to estimate the fraction of a dwelling unit needed to

⁵ See Appendix B: *Employees Per Household, Monroe County*.

house the employees engaged in the operation and maintenance of homes of different sizes.

Table I.5: OPERATIONS AND MAINTENANCE EMPLOYMENT BY HOME SIZE AND RESIDENCY OF UNIT, ISLAMORADA				
Unit Size	Full-Time Resident Units		All Other Units	
	Employees for Full-Time Resident Units	No. of Units Needed for Employees of Full-Time Resident Units	Employees for All Other Units	No. of Units Needed for Employees of All Other Units
500	0.000	0.000	0.019	0.012
750	0.000	0.000	0.035	0.022
1,000	0.013	0.008	0.051	0.032
1,500	0.045	0.029	0.084	0.053
2,000	0.078	0.049	0.116	0.073
2,500	0.110	0.069	0.148	0.094
3,000	0.142	0.090	0.181	0.114
3,500	0.175	0.110	0.213	0.134
4,000	0.207	0.130	0.245	0.155
4,500	0.239	0.151	0.278	0.175
5,000	0.272	0.171	0.310	0.196

iii) Assistance to Address Workforce Housing Need

In fully exploring the need for workforce housing created by residential development, there is one final step that needs to be taken -- determining the amount of assistance (housing subsidy) that is needed to make housing in the community affordable for the construction and operations/maintenance employee households that build and service residential units. To adequately address the different types of households that need workforce housing assistance, three Workforce Housing Categories are developed in this Study. The intent of the categories is to recognize that households of varying income levels live in units of varying size and price. For example, it is logical that a household earning \$60,000 lives in a different and more expensive house than a household earning \$30,000. These three categories address this issue.⁶ These categories are used to better assess workforce housing mitigation at a level that is reflective of the different income categories in the community, and are based upon local prices to construct workforce units in Islamorada.

Using the household incomes earned by construction and operations and maintenance employees, the subsidy needed to afford a workforce housing unit within the appropriate workforce housing

⁶ The Workforce Housing Categories are not linked in any way to income or occupancy eligibility requirements related to the application for affordable housing units in Islamorada. These categories are intended for use as a tool to determine workforce housing mitigation both in terms of units and housing assistance, and do not serve as eligibility requirements.

category was determined by subtracting the amount of housing that is affordable to the household from the price of the appropriate workforce housing unit. The housing assistance needed per unit size for units occupied by full-time residents and all other units are outlined below in Table I.6: *Workforce Housing Need Created by Residential Development, Units Occupied by Full-Time Residents* and in Table I.7: *Workforce Housing Need Created by Residential Development, All Other Units*.

Table I.6:
WORKFORCE HOUSING NEED CREATED BY RESIDENTIAL DEVELOPMENT,
UNITS OCCUPIED BY FULL-TIME RESIDENTS, ISLAMORADA

Unit Size	Construction Employees		Operations & Maintenance Employees of Full-Time Resident Units		Total Housing Assistance Needed per Unit Size
	Housing Units Needed for Employees	Housing Assistance Needed per Unit	Housing Units Needed for Employees	Housing Assistance Needed per Unit	
500	0.009	\$405	0.000	\$0	\$405
750	0.014	\$607	0.000	\$0	\$607
1,000	0.019	\$809	0.008	\$154	\$963
1,500	0.028	\$1,214	0.029	\$539	\$1,752
2,000	0.038	\$1,618	0.049	\$924	\$2,542
2,500	0.047	\$2,023	0.069	\$1,309	\$3,332
3,000	0.057	\$2,427	0.090	\$1,694	\$4,121
3,500	0.066	\$2,832	0.110	\$2,079	\$4,911
4,000	0.076	\$3,236	0.130	\$2,464	\$5,700
4,500	0.085	\$3,641	0.151	\$2,849	\$6,490
5,000	0.095	\$4,045	0.171	\$3,234	\$7,279

Table I.7:
WORKFORCE HOUSING NEED CREATED BY RESIDENTIAL DEVELOPMENT,
ALL OTHER UNITS, ISLAMORADA

Unit Size	Construction Employees		Operations & Maintenance Employees of All Other Units		Total Housing Assistance Needed per Unit Size
	Housing Units Needed for Employees	Housing Assistance Needed per Unit	Housing Units Needed for Employees	Housing Assistance Needed per Unit	
500	0.009	\$405	0.012	\$227	\$631
750	0.014	\$607	0.022	\$419	\$1,026
1,000	0.019	\$809	0.032	\$612	\$1,421
1,500	0.028	\$1,214	0.053	\$997	\$2,210
2,000	0.038	\$1,618	0.073	\$1,382	\$3,000
2,500	0.047	\$2,023	0.094	\$1,767	\$3,790
3,000	0.057	\$2,427	0.114	\$2,152	\$4,579
3,500	0.066	\$2,832	0.134	\$2,537	\$5,369
4,000	0.076	\$3,236	0.155	\$2,922	\$6,158
4,500	0.085	\$3,641	0.175	\$3,307	\$6,948
5,000	0.095	\$4,045	0.196	\$3,692	\$7,738

b) Non-Residential Development

The other basic sector in Islamorada that employs workers is nonresidential development. This includes offices, retail establishments, industrial businesses, tourist/recreational services, institutional uses, and government facilities. Non-residential development places a demand on labor (the workforce) in two ways: (1) demand for workers to construct the building, and (2) demand for employees that will work at the new non-residential development. Construction employees construct the nonresidential buildings. All different types of employees work at the structure after the building is complete, depending on the type of business/land use. Both activities generate employment in Islamorada, and because of the wage levels and existing housing prices, a number of these activities result in a need for affordable workforce housing.

i) Construction Impacts

As discussed previously, the construction, expansion, or renovation of buildings requires the employment of contractors and construction workers to do the work. The need for workforce housing created by construction employees for non-residential development was determined to be the same as residential development.

Table 1.8: *Construction Employment and Need for Housing in Islamorada*, sets out the number of employees needed to construct different size non-residential buildings. Specifically, the table displays the number of employee years it takes to construct a building of a certain size, the number of employees needed over the course of a 40-year construction career to construct a certain size unit, and the number of housing units needed for these employees.

Table 1.8: CONSTRUCTION EMPLOYMENT AND NEED FOR WORKFORCE HOUSING IN ISLAMORADA			
Building Size	Employee Years to Construct Units	Employees Needed (Over Career of Employee)	Housing Units Needed for Employees
500	0.601	0.015	0.009
750	0.901	0.023	0.014
1,000	1.201	0.030	0.019
1,500	1.802	0.045	0.028
2,000	2.403	0.060	0.038
2,500	3.004	0.075	0.047
3,000	3.604	0.090	0.057
3,500	4.205	0.105	0.066
4,000	4.806	0.120	0.076
4,500	5.406	0.135	0.085
5,000	6.007	0.150	0.095

ii) Post-Construction Impacts

The employment impacts on non-residential development, once the building is constructed, comes from the employees that work at the businesses/land uses that use the buildings. In determining the need for workforce housing created by non-residential development, the analysis includes 4 steps:

- Step 1. Using Department of Revenue Codes for Industries, all non-residential development was categorized into seven land use categories (retail, office, industrial, tourist/recreational, institutional, governmental, and other).
- Step 2. The employment and average household earnings in Monroe County for each industry were assigned to the seven land use categories to determine employment and household earnings by land use category.
- Step 3. The amount of building space (in square feet) provided, on average, per employee, was determined for each land use category.
- Step 4. The demand for affordable workforce housing units created by a specific amount (1,000 square feet) of net floor area of development was determined, by land use category.

The need created for workforce housing for post-construction employees is outlined in Table I.9: *Non-Residential Post-Construction Workforce Housing Needed per 1,000 Square Feet*. Here tourist is subdivided into new tourist development and expansion or redevelopment of existing tourist accommodations.

TABLE I.9: NON-RESIDENTIAL POST-CONSTRUCTION WORKFORCE HOUSING NEED, PER 1,000 SQUARE FEET			
Land Use	Household Earnings	Employees / 1,000 Square Ft	Housing Units Needed for Employees/ 1,000 Square Ft
Governmental	\$73,518	0.953	0.601
Industrial	\$65,872	1.327	0.837
Institutional	\$64,258	1.301	0.821
Office	\$67,956	1.778	1.121
Retail	\$45,664	1.460	0.921
Tourist			
Accommodation Expansion	\$39,819	0.981	0.619
New Development	\$39,819	1.509	0.952

iii) Assistance to Address Workforce Housing Need

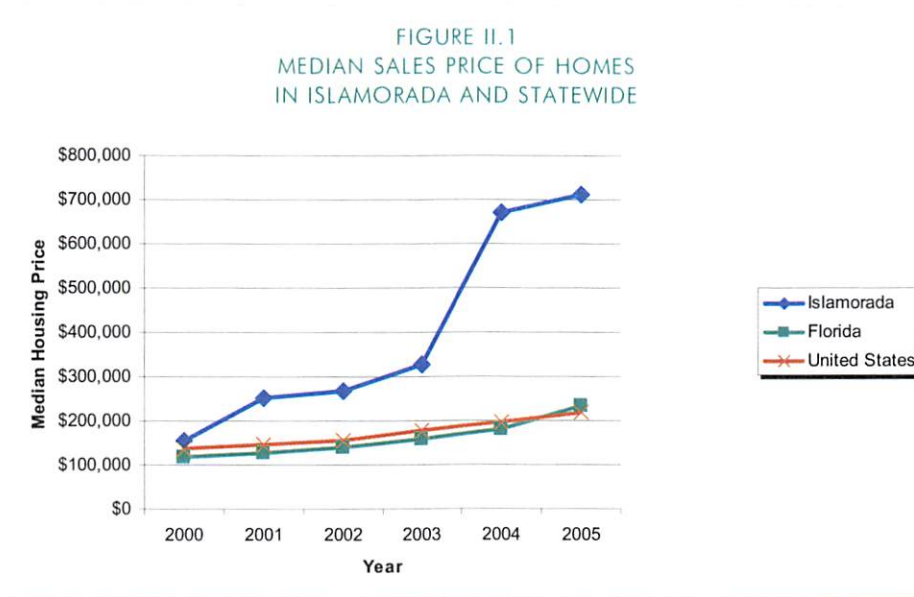
As mentioned previously, to fully explore the need for workforce housing created by non-residential development, there is one final step -- determining the amount of assistance (housing subsidy) that is needed to make housing in the community affordable for the workforce employees that build and service non-residential development. To adequately address the different types of households that need workforce housing assistance, three Workforce Housing Categories are developed in this Study. These categories are used to better assess workforce housing mitigation at a level that is reflective of the different income categories in the community.

Using the household incomes earned by non-residential construction and post-construction employees, the subsidy needed to afford a workforce housing unit, based upon the appropriate Workforce Housing Category, was determined by subtracting the amount of housing that is affordable to the household based on income from the price of the appropriate workforce housing unit. The housing assistance needed per non-residential land use type (per 1,000 square feet) is outlined below in Table I.10: *Need for Workforce Housing Created by Non-Residential Development*.

Table I.10: NEED FOR WORKFORCE HOUSING CREATED BY NON-RESIDENTIAL DEVELOPMENT						
Non-Residential Land Use Type	Construction Employees		Post-Construction Employees		Total Need Demanded by Construction and Post-Construction Employees	
	Housing Units Needed for Employees	Housing Assistance Needed	Housing Units Needed for Employees	Housing Assistance Needed	Total Housing Units Needed	Total Housing Assistance Needed
Per 1,000 Square Feet						
Governmental	0.019	\$809	0.601	\$16,669	0.620	\$17,478
Industrial	0.019	\$809	0.837	\$45,046	0.856	\$45,855
Institutional	0.019	\$809	0.821	\$48,685	0.840	\$49,494
Office	0.019	\$809	1.121	\$52,370	1.140	\$53,179
Retail	0.019	\$809	0.921	\$15,418	0.940	\$16,227
Tourist						
Expansion	0.019	\$809	0.619	\$22,694	0.638	\$23,503
New Development	0.019	\$809	0.952	\$34,917	0.971	\$35,726

II. PROBLEM DESCRIPTION

Like many communities in south Florida, the price of housing in Islamorada over the past five years increased dramatically, while incomes and wages remained relatively static. Figure II.1: *Median Sales Price of Existing Homes in Islamorada, Florida and Nationally*, illustrates the trend of median housing sales prices in Islamorada in comparison to all of Florida and the United States. Since 2000, Islamorada's housing prices have been increasing at a faster rate than state and national median sales prices. This is a trend that is expected to continue.



Source: Monroe County Property Appraiser Database and Florida Association of Realtors

Homes in Florida are expensive, but homes in the Keys and in Islamorada are even more expensive. Table II.1: *Prices of Existing Home Sales, Village of Islamorada and Comparative Areas, 2000-2005*, shows data on sales of existing homes in Islamorada in comparison to the City of Marathon, Florida, and the United States. The average prices in Islamorada grew at about 22% per year, and the median prices grew at 35%. This is much faster than the median price increases in Marathon (22%), Florida (9.6%), and the nation (14.9%).

The data shows that in 2000, the median sales price of a home in Islamorada was \$156,800, and by 2005 the median sales price increased by over \$555,000 to \$712,500. The rate of housing price growth in the Keys has been increasing at a much greater rate than those of the state and substantially higher than for the national rate of growth.

TABLE II.1:
PRICES OF EXISTING HOME SALES
ISLAMORADA AND COMPARATIVE AREAS
2000 TO 2005 (in thousands)

Year	Islamorada		Marathon		Florida	US
	Average	Median	Average	Median	Median	Median
2000	\$286.9	\$156.8	\$209.7	\$190.2	\$117.6	\$139.0
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2003	\$484.3	\$328.6	\$333.7	\$282.9	\$158.4	\$178.8
2004	\$743.6	\$671.4	\$450.4	\$363.2	\$181.9	\$195.4
2005	\$776.2	\$712.5	\$576.4	\$529.2	\$235.1	\$219.6
Rate of Growth	22.0%	35.4%	22.4%	22.7%	14.9%	9.6%

SOURCES: Monroe County Property Appraiser, Florida Board of Realtors and National Association of Realtors.

NOTE: Data for the State of Florida and the United States are for single family homes only.

A. MEDIAN HOUSING PRICES AND MEDIAN HOUSEHOLD INCOMES

Normally, housing affordability is evaluated by comparing the price of housing for a local real estate market to prevailing wage and salary incomes. A national benchmark for evaluating affordability is whether median household incomes in a community are at the level where the household could afford a median priced home. Typically, affordability of owner-occupied housing is defined as 300 percent of median household income.

As Table II.2: *Monroe County Median Household Income and Median Single Family Housing Prices in Islamorada, 2000-2005*, demonstrates, over the past five years the gap between median household incomes and median housing costs resulted in median priced housing that is not affordable to households earning the area median income and beyond.⁷ In 2000, the median income in Monroe County was \$49,300 and the median price of a home in Islamorada was \$156,757 – approximately 318 percent of median income levels. By 2003, the median income for a household in Monroe County was \$56,500 and the median price of a home in Islamorada was \$328,571 – approximately 582 percent of median income levels. In 2005, the median income for a Monroe County household was \$58,450 and the median price of a home in Islamorada was \$712,500 – approximately 1,219 percent of median income levels. Over the past few five years, the market has priced out all wage earners, except for those at the very highest income levels. See Figure II.2: *Comparison of Median Sales Prices and 300% of Median Household Incomes, 2000-2005*.

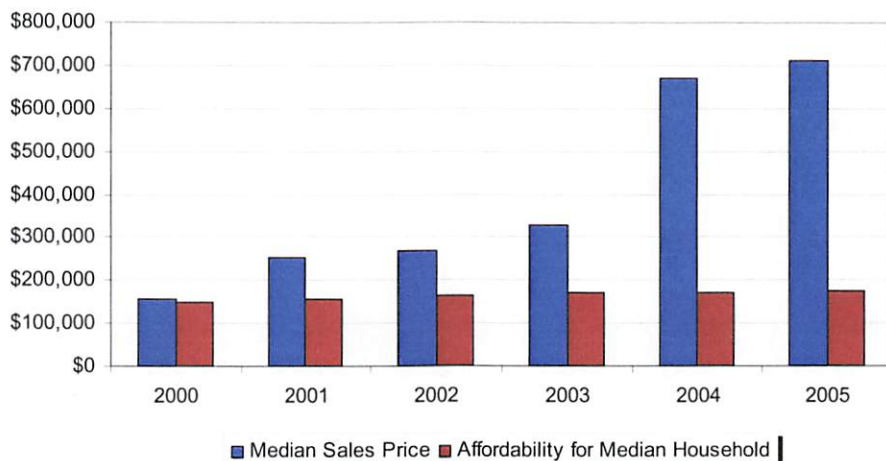
⁷ Because median income data is not available for the Village of Islamorada, this analysis uses Monroe County median income data as calculated by the U.S. Department of Housing and Urban Development.

TABLE II.2:
MONROE COUNTY MEDIAN HOUSEHOLD INCOME AND
MEDIAN SINGLE FAMILY HOUSING PRICES IN ISLAMORADA, 2000-2005

Year	Median Price of Homes	Median Price of Homes as % of Median Income	Median Household Income for Monroe County
2000	\$156,757	318%	\$49,300
2001	\$251,887	483%	\$52,100
2002	\$268,182	487%	\$55,100
2003	\$328,571	582%	\$56,500
2004	\$671,429	1,174%	\$57,200
2005	\$712,500	1,219%	\$58,450

Source: Monroe County Property Appraiser and Florida Housing Finance Corporation.

FIGURE II.2
COMPARISON OF MEDIAN SALES PRICES AND 300% OF
MEDIAN HOUSEHOLD INCOMES, 2000-2005



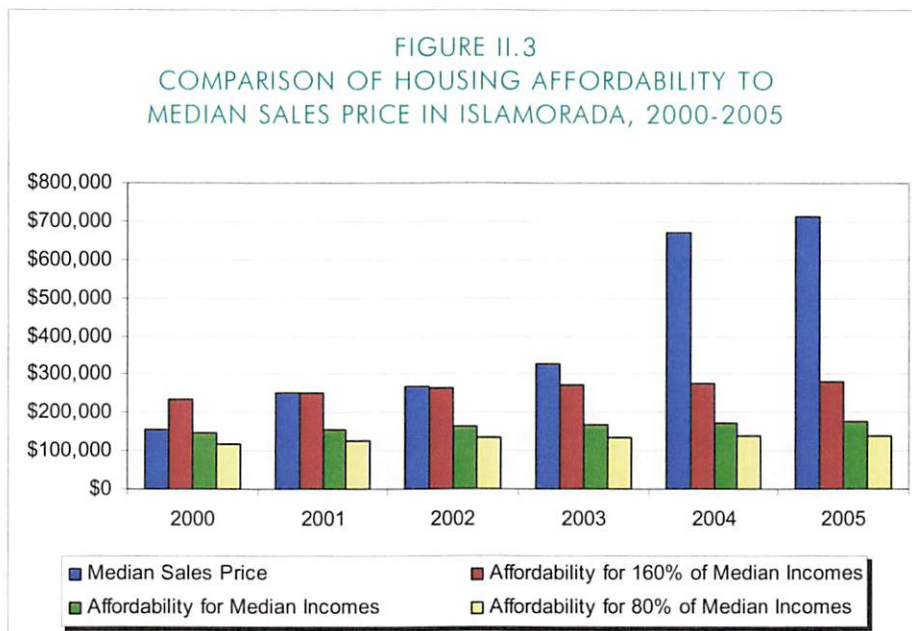
Source: Monroe County Property Appraiser and U.S. Department of Housing and Urban Development.

Figure II.3: *Comparison of Housing Affordability to Median Sales Prices in Islamorada, 2000-2005*, illustrates the comparison of median sales prices in the Village of Islamorada with housing prices that are affordable to Monroe County median income households, as well as households with incomes at 160 percent and 80 percent of median household incomes.⁸ In 2000 and in following years, the median sales prices exceeded the price that was affordable to the median income household and households earning 80 per

⁸ Typically, affordability of owner-occupied housing is defined as 300 percent of median household income. Using this 300 per cent affordability rule of thumb, the housing affordability for households earning area median income, 160 per cent of area median income, and those earning 80 per cent of area median incomes were calculated by multiplying these incomes by three (3) to result in the cost of housing that is affordable for that income. For example, the area median income in 2005 is \$58,450. Multiplying this income by three (3), this rule of thumb estimates that the median income household will be able to afford a home that costs \$175,350.

cent of median income. In 2005, the sales price exceeded the housing price affordable to a median household income by more than \$537,150. What this means is that the median priced unit in 2005 is affordable to a household earning \$237,500 - \$179,050 more than the area median income.

Moreover, since 2002, median priced homes have exceeded the price that was affordable to the households earning 160 percent of the area median income. In 2005, the median priced home cost \$431,940 more than a household earning 160 per cent of the area median income could afford. The housing affordability problem is affecting not only households earning the area median income, but also those earning well above the median income.



Source: U.S. Department of Housing and Urban Development and the Monroe County Property Appraiser.

B. HOUSING PRICES ARE FAR OUTPACING INCREASES IN WAGES/INCOME

Housing affordability, however, is a relative concept. When inquiring about affordability, it is necessary to ask the question "affordable with respect to what?" Some suggest that attempting to measure housing prices with some type of median or similar measure can be misleading. They suggest that the relevant question is whether housing is available in the market place within the price ranges that local employees can reasonably afford.

Review of Monroe County employment and wage data in 2005 and data trended to 2006, indicate that housing in the Village of Islamorada is no longer available at prices that much of the local work force can reasonably afford. The data show that even with employment and wage growth,

Islamorada's workforce is finding it very difficult to find housing in the marketplace they can afford. The data also indicate that a portion of the employment growth is occurring in sectors of the economy that increase the housing affordability problem because of the low wages earned by the new employees.

1. Employment and Wages

Table II.3: *Employment and Earnings in Monroe County, 2005-2006*, presents the 2005 and 2006 earnings of economically active households in Monroe County. The 2005 Monroe data are projected forward to December 2006 to show an estimate of current wages (2006). These wages are compared to wages earned for each industry statewide. The last column illustrates the percentage comparisons of estimated 2006 Monroe County earnings to statewide employee earnings. Generally Monroe County employee earnings are less than for the state. There are some notable exceptions to this trend: fishing, business and professional services, and leisure and hospitality (the tourist industry) are well above statewide average earnings. Retail trade, other services, and public administration are also above state averages. The two largest sectors, tourism and retail, have wages and earnings higher than average, while other categories tend to be less than average.

Table II.3 also shows that while some of the industries in Monroe County with the highest number of employees earn wages that are higher than the state average, they are still earning low wages, especially when compared to housing prices. In 2005, leisure and hospitality employees earned \$23,788 annually, on average; accommodation and food service employees earned \$23,297 annually, on average; and trade, transportation and utilities employees earned \$31,256 annually, on average. These wages are low in comparison to the median income for Monroe County (\$58,450 for 2005). This pattern of a large proportion of employees earning low average salaries further exacerbates the problem of housing affordability, especially in a market where housing prices continue to increase at a rapid rate and are very high to begin with.

Industry Title	Average Employment	Annual Wage		Florida	'06 Monroe Cty Wages as % of Statewide Earnings
		2005	2006	2006	
Total, All Industries	35,895	\$32,788	\$34,214	\$38,376	89.16%
Goods-Producing	2,613	\$32,352	\$33,759	\$40,484	83.39%
Agriculture, Forestry, Fishing and Hunting	102	\$33,145	\$34,587	\$24,004	144.09%
Construction	2,226	\$32,391	\$33,800	\$39,994	84.51%
Manufacturing	285	\$31,764	\$33,146	\$45,301	73.17%
Service-Providing	33,282	\$32,823	\$34,251	\$38,033	90.05%

TABLE II.3:
EMPLOYMENT AND EARNINGS BY INDUSTRY
MONROE COUNTY, 2005-2006

Industry Title	Average Employment	Annual Wage		Florida	'06 Monroe Cty Wages as % of Statewide Earnings
		2005	2006	2006	
Trade, Transportation, and Utilities	7,636	\$31,256	\$32,616	\$36,053	90.47%
Wholesale Trade	520	\$45,167	\$47,132	\$55,030	85.65%
Retail Trade	5,553	\$27,209	\$28,393	\$26,929	105.44%
Information	457	\$47,952	\$50,038	\$55,045	90.90%
Financial Activities	2,364	\$42,750	\$44,610	\$54,909	81.24%
Finance and Insurance	1,220	\$50,038	\$52,215	\$61,889	84.37%
Real Estate and Rental and Leasing	1,144	\$34,976	\$36,497	\$40,672	89.73%
Professional and Business Services	2,603	\$43,410	\$45,298	\$40,927	110.68%
Education and Health Services	4,049	\$37,743	\$39,385	\$39,672	99.28%
Leisure and Hospitality	11,539	\$23,788	\$24,823	\$20,287	122.36%
Accommodation and Food Services	10,136	\$23,297	\$24,310	\$17,661	137.65%
Other Services	1,472	\$27,466	\$28,661	\$26,923	106.45%
Public Administration	3,132	\$47,605	\$49,676	\$46,542	106.73%

SOURCE: Florida Labor Market Statistics, September 2006. NOTE: 2006 earnings were projected using a 2.9% increase over 2005, which was the 2004-2005 increase.

C. THE SUPPLY OF HOUSING AFFORDABLE TO THE WORKFORCE IS SUBSTANTIALLY DECREASING

The breadth of the housing affordability problem in the Village of Islamorada is further demonstrated by considering the income and housing cost data from the Monroe County Property Appraiser on the sales price of all residential units sold in Islamorada between January 1, 2000 and December 31, 2005. The residential sales are categorized into three types of residential units: single-family detached; condominiums; and mobile homes. There have been a total of 1,373 residential sales recorded by the Monroe County Property Appraiser in Islamorada over this six year period. Of these units sold, the large majority are single-family detached units (59.1%) and condominium units (39%). The balance is mobile home units. See Table II.4: *Types of Residential Units Sold, Islamorada, 2000-2005*.

TABLE II.4:
TYPES OF RESIDENTIAL UNITS SOLD,
ISLAMORADA, 2000-2005

Year	Single-Family Detached	Condominiums	Mobile Homes	Total
2000	22	32	3	57
2001	75	63	2	140
2002	124	92	6	222
2003	183	83	5	271
2004	207	107	3	317
2005	200	159	7	366
TOTAL	811	536	26	1,373
Percent of Total	59.1%	39.0%	1.9%	100.0%

Source: Monroe County Property Appraiser Database

Table II.5: *Existing Home Sales by Price Range, Village of Islamorada, 2000-2005*, provides information about the availability of housing units over the past six years being sold in the local housing market that the workforce in Islamorada can afford (see Appendix A for an even more detailed breakdown of housing sales prices). To establish a base for comparison, the total sales are divided into those residential units sold below \$400,000 and those that sold for \$400,000 or higher. In 2000, 79.2 percent of all existing home sales in Islamorada were below \$400,000. The average price for all units that year was \$286,872. In 2003, 53.4 percent of residential sales were below \$400,000. By 2005 prices had increased dramatically and only 15.4 percent of sales were under \$400,000. Mobile homes and condominiums are increasing their roles as being the provider of lower price housing – to the extent that \$400,000 can be considered to be low price for a single-family home.

Probably of greatest relevance to median income members of the workforce, sales of homes under \$200,000 went from 246 in 2000 to twelve (12) in 2005 (see Table II.5: *Existing Home Sales by Price Range, Village of Islamorada, 2000-2005*). Of those twelve (12) homes under \$200,000, seven (7) were single family, none (0) of the homes were mobile homes and five (5) were condominiums.

TABLE II.5: EXISTING HOME SALES BY PRICE RANGE VILLAGE OF ISLAMORADA, 2000 - 2005						
Sales Price	2000	2001	2002	2003	2004	2005
Under \$50k	12	23	29	16	7	2
\$50-100k	42	31	22	17	9	8
\$100-150k	81	54	30	16	13	1
\$150-200k	111	57	52	18	17	1
\$200-250k	39	38	51	38	18	3
\$250-300k	34	53	33	48	15	8
\$300-350k	20	35	25	35	31	11
\$350-400k	27	26	29	34	30	23
\$400-450k	17	14	18	26	26	28
\$450-500k	15	12	17	12	32	27
\$500-550k	7	14	21	12	14	19
\$550-600k	9	6	10	17	9	13
\$600-650k	4	11	12	17	21	17
\$650-700k	12	8	11	17	14	21
\$700-750k	5	4	9	21	23	12
\$750-800k	7	2	8	8	20	15
\$800-850k	3	3	10	6	22	13
\$850-900k	3	4	4	5	11	15
\$900-950k	1	1	1	8	14	6
\$950-1,000k	2	2	5	3	6	14
Over \$1,000k	11	12	12	42	171	112
Average (1,000s)	\$287k	\$310k	\$362k	\$484k	\$744k	\$776k
Median (1,000s)	\$157k	\$252k	\$268k	\$329k	\$671k	\$713k
Total Sales	462	410	409	416	523	369

TABLE II.5: EXISTING HOME SALES BY PRICE RANGE VILLAGE OF ISLAMORADA, 2000 - 2005						
Sales Price	2000	2001	2002	2003	2004	2005
Below \$400k	366	317	271	222	140	57
% Below \$400k	79.20%	77.30%	66.30%	53.40%	26.80%	15.40%
% Above \$400k	20.80%	22.70%	33.70%	46.60%	73.20%	84.60%
Single Family	54.60%	65.30%	67.50%	55.90%	53.60%	38.60%
Mobile Home	2.10%	1.00%	2.10%	3.20%	1.80%	8.80%
Condo	46.90%	36.80%	34.30%	48.90%	57.30%	94.10%

Source: Monroe County Property Appraiser Database

The dynamics of home prices in Islamorada are clearly seen in Figure II.4: *Existing Home Sales Prices Above and Below \$400,000, Village of Islamorada, 2000-2005*. Average prices are sharply increasing while the supply of dwellings at the lower end are greatly diminished. The phenomenon is not just a matter of rapid increases in prices of high end units. Rather, it is a general increase in unit prices.



Source: Monroe County Property Appraiser Database

Based on what the housing price, housing sales, and income data for Monroe County and Islamorada show, there is no doubt there is a housing affordability problem in Islamorada today.

III. THE NEED FOR AFFORDABLE HOUSING CREATED BY NEW DEVELOPMENT

The need to provide housing that is affordable to Islamorada's workforce comes from all new development that demands labor (employees), including both residential and non-residential development. These employees earn different levels of wages that will require different types of workforce housing solutions.

A. BACKGROUND

The increase in housing prices in Islamorada, in and of itself creates an affordable workforce housing problem in Islamorada and the Florida Keys in general. However, the problem is accentuated in Islamorada. This is because some of the larger employers in the Village, such as the leisure and hospitality industry (i.e., tourism), accommodation and food services, retail service businesses and construction industry typically hire more lower wage employees than other industries. A significant percentage of new employees in these businesses earn very modest wages, making it increasingly difficult for them to afford a house for sale in the local real estate market, or rent housing.

For the purposes of evaluating where workforce housing demands originate, it is tempting to think that a community may be divided neatly into an economic sector and a residential sector. The economic sector provides the employment and incomes for the residents and the residential sector provides for the needs of the local employees and their families. In a place like Islamorada, however, this distinction between an economic sector and residential sector is misleading. Instead, it is more useful to conceive of an economy that is divided into two general sectors: the basic sector and the local sector.

The basic sector is that part of the economy that brings income into the Village and distributes that income as wages and salaries within the region – such as tourism, retail, and accommodation and food services. The local sector is that part of the economy that produces goods and services for sale to residents of the region. The basic sector is active while the local sector is reactive. The essential reason for using this model is that the economic health of the region is dependent upon the economic success of the basic sector.

Both residential and non-residential development in Islamorada is very much a part of the basic sector because of the strong tourist/second home component of Islamorada's economy, which helps fuel the tourism, retail, and accommodation and food services businesses. The incomes earned from this demand leads to spending in the local sector. As such, residential development shares many of the characteristics of other and more typical components of the economic base, including its demand for labor.

Residential and non-residential development in Islamorada places a demand on labor (the workforce) in three ways:

- The first is the construction of the building (i.e., construction employees for both residential and non-residential development);
- The second is the operation and maintenance of the building (i.e., employees for residential development); and
- The third is the use of the structure as designed by the builders (i.e., employees for non-residential development).

All three activities generate employment in Islamorada, and because of the wage levels and existing housing prices, these activities consequently result in a need for affordable workforce housing. The demand for labor (employees) that both residential and non-residential developments create, and the demand these employees place on the need for workforce housing is outlined below.

B. RESIDENTIAL DEVELOPMENT

As is discussed above, residential development in Islamorada has two employment needs:

- The first is for the construction of the residence (construction);
- The second is for the operation and maintenance of that residence, post-construction (post-construction).

As discussed below, both construction and post-construction activities generate employment in Islamorada, and many of these workers typically earn wages and salaries that put them in a position of economic stress in terms of their ability to purchase or rent housing.

1. Demand for Workforce Housing Units

a) Construction Impacts

The construction, expansion, or renovation of buildings requires the employment of contractors and construction workers to do the work. The wages of most of these workers are within a range such that they can not afford housing in Islamorada. The method used to assess the demand for workforce housing created by construction activities involves the following. First, the amount of construction authorized and built in Monroe County over the past four years (measured in square feet) was determined from annual Monroe County Property Appraiser data. Second, the number of construction workers involved in the construction of these buildings was determined using monthly unemployment insurance reports for Monroe County that have data on the number of

local construction workers. This data is expressed in person years for 2002-2005. Third, and based upon the amount of square footage built and the number of construction workers needed to construct these buildings, the actual amount of a building (in square feet) a construction employee builds in a year was determined.⁹ Table III.1: *Residential and Non-Residential Construction (square feet) and Construction Employment, Monroe County, 2002-2005*, summarize this analysis. These data illustrate that, on average, one construction employee directly involved in construction builds an average of 859 square feet of space in a year. Put another way, it takes an estimated 1.2 employee-years to construct 1,000 square feet of floor area.¹⁰ Larger construction projects require more construction time (either more people working over the same period of time, or the same number of people working for a longer time) to complete.

TABLE III.1 RESIDENTIAL AND NON-RESIDENTIAL CONSTRUCTION (square feet) AND CONSTRUCTION EMPLOYMENT, MONROE COUNTY, 2002-2005	
Residential Construction	4,242,870 FT ²
Non-Residential Construction	995,296 FT ²
Total Construction	5,238,166 FT ²
Employee Years	6,098
FT ² per Construction Employee	859 FT ²

SOURCE: Florida Agency for Workforce Innovation, Labor Market Statistics, ES-202 data for Monroe County, 2002 through 2005 and Monroe County Property Appraiser, tax rolls 2002 through 2005.

Annual variations in square feet of construction are due primarily to the differing time dimensions of the data series. Permitting must precede construction. It is very common for a residential unit or non-residential development to be permitted in one year and constructed, either in whole or in part, in another year. Because of this phenomenon, there is no reason to expect the amount of square feet constructed from year to year to be consistent. However, over the 4 year period, the problem of timing becomes irrelevant. Consequently, by estimating the amount of space a construction employee builds over a year based on 4 years of

⁹ For purposes of this calculation, the analysis includes all employees that work in the construction industry, not just those engaged in the physical construction of the structure. For example, an employee installing water or wastewater lines is considered to be engaged in constructing new development as much as those directly involved with the erection of a building.

¹⁰ This construction analysis aggregates residential and non-residential construction because the average wages and average number of employees needed to construct 1,000 square feet of a structure for both residential and non-residential development is not significantly different.

development activity, it is possible to derive a reasonable estimate of floor area built by the average construction worker.

Table III.2: *Construction Employment and Need for Housing in Islamorada*, sets out the number of employees needed to construct different size residential units based on the fact that one construction employee builds 859 square feet of space annually (See the column in Table III.2 labeled “Employee Years to Construct Units”). Specifically, the table displays the number of employee years it takes to construct a building of a certain size.

Construction employment is measured in employee years (employee years to construct units). Housing has no such time dimension. Employees will have a definable career and dwellings have an expected life. In estimating the demand construction employees place on a residential unit, it must be recognized that construction employees require housing only during the period of actual construction of the home (even though they live in the community over their career). This must be accounted for in the analysis. The average construction worker career is 40 years. To account for this circumstance, the calculation of construction employee years to construct the unit is therefore divided by 40 to convert to the needed housing over the work career of the employee (See column in Table III.2 labeled “Employees Needed (Over Career of Employee)).

Next, to determine the needed number of residential units these construction employees demand in Islamorada, the employee equivalent is then divided by the average number of employees per dwelling unit that exist today in Islamorada (1.586¹¹) to estimate the fraction of a dwelling unit needed to house the employees engaged in residential construction of homes (See column labeled “Housing Units Needed for Employees”). As shown in Table III.2: *Construction Employment and Need for Housing in Islamorada*, this calculation results in a little over .019 of a dwelling unit demanded for construction employees for every 1,000 square feet of construction.

¹¹ See Appendix B: *Employees Per Household, Monroe County*.

Table III.2:
CONSTRUCTION EMPLOYMENT AND NEED FOR HOUSING IN ISLAMORADA

Building Size	Employee Years to Construct Units	Employees Needed (Over Career of Employee)	Housing Units Needed for Employees
500	0.601	0.015	0.009
750	0.901	0.023	0.014
1,000	1.201	0.030	0.019
1,500	1.802	0.045	0.028
2,000	2.403	0.060	0.038
2,500	3.004	0.075	0.047
3,000	3.604	0.090	0.057
3,500	4.205	0.105	0.066
4,000	4.806	0.120	0.076
4,500	5.406	0.135	0.085
5,000	6.007	0.150	0.095

b) Operations & Maintenance Impacts

In the Spring of 2006, RRC Associates, Inc., conducted a survey of homeowners in the Village of Islamorada, the results of which are summarized in a report titled *Village of Islamorada Residential Job Generation Study* (July 2006) (hereinafter referred to as “*Residential Job Study*”). One of the primary objectives of the *Residential Job Study* was to acquire data on the employment associated with the operations and maintenance of residential units in the Village of Islamorada. The *Residential Job Study* asked homeowners questions about the use, both directly and indirectly, of five primary categories of employees that are hired to assist in the operation and maintenance of residential units. They include:

- Direct hires by home owners;
- Hires by property management firms retained by home owners to operate and maintain residential properties;
- Hires by homeowners associations responsible for operating and maintaining residential properties;
- On-sight caretakers; and
- Other local service firms.

The operations and maintenance services asked about include exterior maintenance and upkeep (i.e., gardeners, mowers, and other exterior maintenance), housekeepers, kitchen help, child care/nannies,

caretakers, butlers, personal trainers, and administrative assistants for the residential unit. The survey also gathered extensive data about selected operational characteristics of residential homes, firms that households contract with to finance and insure homes, as well as the use patterns and demographics of homeowners, which is useful for other policy, planning and research purposes.

The survey was mailed to a sample of 3,000 homeowners in the Village of Islamorada. This includes the population of owners of units in excess of 2,000 square feet, as identified through the Monroe County Property Appraiser records (1,094 total households); a random sample¹² of 48 percent of owners of homes sized within the range of 500 to 2,000 square feet (1,051 total); and a random sample of 63 percent of condominium owners (853 total). Single-family homes below 500 square feet were not included given that many of these are boat pads and similar types of units. A total of 822 surveys were returned for a response rate of 27.5 percent. Of these 822 survey responses, 585 were responded to in full, whereas the remaining surveys lacked responses to some of the survey questions. In conducting analysis on the survey responses, only those surveys that have a response to the related questions in the analysis were used.

For each type of home service the owner uses (homeowners associations, property management companies, independent contractors, on-site caretakers and other directly hired employees), owners were asked to report how much they spend per year on each service and, if known, approximately how many hours employees spent serving their home each year. Annual spending amounts were converted into "full-time equivalents" (FTE) using a combination of wage data and assumptions regarding non-labor costs.¹³ Wage data was based on annualized wage rates for Monroe County for specified industry sectors, as extrapolated from 2004 Quarterly Census of Employment and Wages (QCEW) data.¹⁴ Specific assumptions for individual service providers are as follows:

- Homeowners associations (HOA): A conversion ratio of \$117,390 in homeowners' dues per direct job was assumed. This is based on an assumption of a \$27,475 average wage for HOA employees (Monroe County inflation adjusted 2004 QCEW data – NAICS code 813990) and an assumption that 23.4 percent of HOA costs

¹² The random sample was conducted using SPSS statistical software.

¹³ FTE employees represent the number of workers that would typically be employed to complete the service based on existing employment patterns in the respective industries, which presumably includes a blended hybrid of full-time and part-time employees.

¹⁴ The QCEW data is provided by the U.S. Census Bureau of Labor Statistics, and is available at <http://data.bls.gov/PDQ/outside.jsp?survey=en>

are used for wages (based on the ratio of wages paid to revenue received for HOA's from the 2002 Economic Census for the state of Florida).

- Property management firms (PMF): A conversion ratio of \$117,641 in property management fees per direct job was assumed. This is based on an assumption of a \$30,560 average wage for residential property management employees (Monroe County inflation adjusted 2004 QCEW data – NAICS code 531311) and an assumption that 25.97 percent of property management costs are used for wages (based on the ratio of wages paid to revenue received for PMF's from the 2002 Economic Census for Monroe County).
- Other contracted services: A conversion ratio of \$84,388 in contracted service fees per direct job was assumed for other contracted services. This is based on an assumption of a \$32,320 average wage for buildings and dwellings services employees (Monroe County inflation adjusted 2004 QCEW data – NAICS codes 5616 & 5617) and an assumption that 38.3 percent of service costs are used for wages (based on the ratio of wages paid to revenue received for contract services from the 2002 Economic Census for the State of Florida).
- Direct employees and caretakers: A conversion ratio of \$23,744 in employment costs per direct job was assumed. This is based on the average wage paid by these industries in the State of Florida as reported by the 2004 QCEW data (NAICS code 814110) and adjusted for inflation.

In addition to questions regarding home services employment, survey respondents that were not full-time residents of Islamorada were also asked to describe the tenancy of their Islamorada unit. Data about tenancy (how the unit is used or occupied) was broken into six (6) categories:

- Secondary residence: units owned by the respondent and used as a secondary residence by the owner;
- Vacation rental: units owned by the respondent and leased on a short-term basis, usually as a vacation or seasonal rental;
- Business/corporate rental: units owned by the respondent and leased on a short-term basis to business or corporate entities for retreats and conferences;

- Long-term rental residences: units owned by the respondent and leased on a long-term basis;
- Other (for the respondent to specify): uses other than those listed above for which the unit is occupied; and
- Vacant: amount of time in which the residence is not occupied.

These survey responses were compiled, and then several hypotheses were tested through regression analysis. The hypotheses tested are whether there is a relationship between the size of a residential unit and the number of operation and maintenance employees that service the unit. The analyses also tested whether there is a difference in this relationship between house size and operation and maintenance employees serving the unit, and whether the unit is occupied by a permanent resident or otherwise used as a secondary residence, vacation rental, business/corporate rental, long-term rental, or other. The hypothesis testing this relationship included 585 survey responses. See Table: III.3: *Number of Survey Responses Used in Analysis of Operations and Maintenance Employees*.

Table III.3: NUMBER OF SURVEY CASES USED IN ANALYSIS OF OPERATIONS AND MAINTENANCE EMPLOYEES	
Survey Cases	Number of Responses
All returned responses	822
Fully completed responses	585
Responses from full-time owner-occupied units	406
Responses from units otherwise occupied	416

The survey results indicate that there are different employment relationships between dwellings occupied by full-time residents and those occupied for all other purposes. The results also indicate there are different employment relationships between units based on the size of the unit. The relationship is expressed mathematically as follows:

$$\text{Employees} = -0.01330 + (-0.03846 * \text{Full-time}) + (0.00006466 * \text{Area})$$

Where:

$$\text{Employees} = \text{Operations and Maintenance Employees}^{15}$$

$$\text{Full-Time} = \text{Residential Unit Occupied by Full-time Resident}$$

$$\text{Area} = \text{Gross Square Feet of Unit}$$

¹⁵ Measured by full-time equivalent employees (FTEs).

This formula results from a multiple regression analysis with the number of full time equivalent employees being the dependent variable and the size of the home, in square feet, and the full-time occupancy of the home being the independent variables. Collectively, the independent variables show that the number of employees increase with the size of the dwelling and that the number of employees is greater if the unit is occupied as a secondary residence, vacation rental, business/corporate rental, long-term rental, or other.

The linear relationships identified above effectively describe post construction (operations and maintenance) employment as a function of residency status and size of units in Islamorada. The result of applying this formula to homes of varying sizes is shown below in Table III.4: *Operations and Maintenance Employment by Home Size and Residency of Unit, Islamorada*. To determine the needed number of residential units these operations and maintenance employees demand in Islamorada, the employee equivalent is divided by the average number of employees per dwelling unit that exist today in Islamorada (1.586¹⁶) to estimate the fraction of a dwelling unit needed to house the employees engaged in residential operation and maintenance of residential units occupied by full-time residents versus others (secondary residences, vacation rentals, business/corporate rentals, long-term rentals, or others).

Unit Size	Employees for Full-Time Resident Units	No. of Units Needed for Employees of Full-Time Resident Units	Employees for All Other Units	No. of Units Needed for Employees of All Other Units
500	0.000	0.000	0.019	0.012
750	0.000	0.000	0.035	0.022
1,000	0.013	0.008	0.051	0.032
1,500	0.045	0.029	0.084	0.053
2,000	0.078	0.049	0.116	0.073
2,500	0.110	0.069	0.148	0.094
3,000	0.142	0.090	0.181	0.114
3,500	0.175	0.110	0.213	0.134
4,000	0.207	0.130	0.245	0.155
4,500	0.239	0.151	0.278	0.175
5,000	0.272	0.171	0.310	0.196

c) Summary of Need for Affordable Housing Units

Tables III.5 and III.6 summarize the total workforce housing unit need created by new residential development, for both construction and operation/maintenance employees.

¹⁶ See Appendix B: *Employees per Household, Monroe County*.

Table III.5:
WORKFORCE HOUSING NEED CREATED BY RESIDENTIAL UNITS OCCUPIED BY FULL-TIME RESIDENTS¹⁷

Unit Size (FT²)	Employees				Total Workforce Housing Units Needed (Construction and O&M Employees of Full-Time Resident Units)
	Construction		Operations & Maintenance for Full-Time Resident Units		
	Employees	Workforce Housing Units Needed for Construction Employees	Employees	Workforce Housing Units Needed for O&M Employees of Full-Time Resident Units	
500	0.015	0.009	0.000	0.000	0.009
750	0.023	0.014	0.000	0.000	0.014
1,000	0.030	0.019	0.013	0.008	0.027
1,500	0.045	0.028	0.045	0.029	0.057
2,000	0.060	0.038	0.078	0.049	0.087
2,500	0.075	0.047	0.110	0.069	0.117
3,000	0.090	0.057	0.142	0.090	0.147
3,500	0.105	0.066	0.175	0.110	0.176
4,000	0.120	0.076	0.207	0.130	0.206
4,500	0.135	0.085	0.239	0.151	0.236
5,000	0.150	0.095	0.272	0.171	0.266

¹⁷ Note that the data shown in Table III.5: *Workforce Housing Need Created by Residential Units Occupied by Full-Time Residents*, are illustrative only. The precise formulae should be used for individual dwellings.

Table III.6:
WORKFORCE HOUSING NEED CREATED BY ALL OTHER UNITS ¹⁸

Unit Size (FT²)	Employees				Total Workforce Housing Units Needed (Construction and O&M Employees of All Other Units)
	Construction		Operations & Maintenance for All Other Units		
	Employees	Workforce Housing Units Needed for Construction Employees	Employees	Workforce Housing Units Needed for O&M Employees of All Other Units	
500	0.015	0.009	0.019	0.012	0.021
750	0.023	0.014	0.035	0.022	0.036
1,000	0.030	0.019	0.051	0.032	0.051
1,500	0.045	0.028	0.084	0.053	0.081
2,000	0.060	0.038	0.116	0.073	0.111
2,500	0.075	0.047	0.148	0.094	0.141
3,000	0.090	0.057	0.181	0.114	0.171
3,500	0.105	0.066	0.213	0.134	0.201
4,000	0.120	0.076	0.245	0.155	0.231
4,500	0.135	0.085	0.278	0.175	0.260
5,000	0.150	0.095	0.310	0.196	0.290

¹⁸ Note that the data shown in Table III.6: *Workforce Housing Need Created by All Other Units*, are illustrative only. The precise formulae should be used for individual dwellings.

2. Assistance to Address Workforce Housing Need

In fully exploring the need for workforce housing created by residential development, there is one final step. It involves determining the amount of assistance (workforce housing subsidy) that is needed to make housing in the community affordable for the construction and operations/maintenance employee households that build and service residential units.

As is discussed in Section II: *Problem Description*, housing in Islamorada has become unaffordable to not only low-wage earning households, but also to households earning the median household income and much higher. Consequently, the income range of households that need workforce housing assistance in Islamorada is fairly broad. To adequately address the different types of households that need workforce housing assistance, three Workforce Housing Categories are developed in this Study. The intent of the categories is to recognize that households of varying income levels live in units of varying size and price. For example, it is logical that a household earning \$60,000 lives in a different and more expensive house than a household earning \$30,000. These three categories address this issue. These categories are used to better assess workforce housing mitigation at a level that is reflective of the different income categories in the community.¹⁹

The three Workforce Housing Categories were developed using local cost and square footage data on existing affordable units built in Islamorada and the Florida Keys, other communities in Florida, and other resort communities across the nation. These three Workforce Housing Categories identify the size of an appropriate workforce housing unit for each income category, the type of construction, and the cost per square foot to construct the unit based upon local construction costs. Table III.7: *Workforce Housing Categories, Islamorada*, shows the size, type, cost to construct these units, and household and employee income levels that are needed if these prototypical units are to be considered affordable. (See Appendix D: *Shortage (Housing Assistance) Calculations*, for more detail on the incomes that can afford the workforce units in each of these categories.)

¹⁹ The Workforce Housing Categories are not linked in any way to income or occupancy eligibility requirements related to the application for affordable housing units in Islamorada. These categories are intended for use as a tool to determine workforce housing mitigation both in terms of units and housing assistance, and do not serve as eligibility requirements.

TABLE III.7: WORKFORCE HOUSING CATEGORIES, ISLAMORADA ²⁰			
	Category 1	Category 2	Category 3
Area (FT ²)	500	700	900
Construction Type	Modular	Modular	Modular
Number of Bedrooms	1	2	3
Housing Unit Type	Multi-Family Attached	Multi-Family Attached	Multi-Family Attached
Construction Cost per FT	\$175	\$175	\$175
Construction Cost	\$87,500	\$122,500	\$157,500
Site Prep	\$40,000	\$40,000	\$40,000
Land	\$45,000	\$63,000	\$81,000
Total	\$172,500	\$225,500	\$278,500
Income Required to Afford a Unit			
Income Ratio for Determining Housing Affordability	29.32%	29.32%	29.32%
Annual Household Income Needed to Purchase Unit	\$50,573	\$66,578	\$82,584
Income per Worker in Household	\$31,897	\$41,992	\$52,087

As Table III.7 shows, the type of construction and the cost per square foot to construct the units are the same for all three Workforce Housing Categories. The variation in unit costs is solely dependent upon the size of the unit. The cost shown is a turn-key cost of production under prevailing market conditions. Table III.7 also shows the differences in both household and employee income levels that are needed to make the prototypical units affordable (in Table III.7, see "Annual Household Income Needed to Purchase Unit").

Next, and for the purposes of measuring the assistance needed to make units affordable to members of the workforce at different income levels, the household income levels were evaluated for the different members of the workforce (see Appendix D: *Employment and Household Earnings by Industry, Monroe County, 2005-2006*), and then compared to the household income levels needed to make the prototypical units affordable in each of the Workforce Housing Categories.

Based on this comparison, the household income levels were matched with the Workforce Housing Categories that most closely aligned with the incomes levels.²¹

²⁰ Each of the three Workforce Housing Categories were developed under the assumption that workforce housing units created as a result of a mitigation program that utilizes this workforce housing methodology would develop multi-family attached, modular built residential housing units. Therefore, the cost to develop these units factors in the housing type and housing construction assumptions.

a) Affordable Housing Assistance for Construction Employee Households

Once the reasonable cost for a prototypical workforce housing unit is determined, the next step is to identify the amount of assistance that an employee household requires to afford a prototypical unit within their income category. For new residential units, this requires evaluating the subsidy needed for construction employees and operations and maintenance employees.

As is briefly discussed above, according to the employment and household earnings for the construction industry in Monroe County (see Appendix D: *Employment and Household Earnings by Industry*), individual annual construction employee earnings are \$33,800, and annual household earnings are \$53,590. Based on these earnings, a construction employee household could reasonably afford to spend \$182,792 for housing. As mentioned in the previous section and based upon their income, construction employee households qualify for Category 2 affordable housing that is estimated to cost \$225,500. Given the construction employee household earnings and the maximum housing cost that a construction employee household could afford (\$182,792), Category 2 level of housing requires \$42,708 of workforce housing assistance per worker household to afford a unit. In other words, the difference between the cost of a Category 2 house (\$225,500) and the maximum housing cost that a construction employee household can afford (\$182,792) is the affordable housing assistance needed for a construction employee household to afford a unit (\$42,708). See Table III.8: *Housing Affordability for Construction Employees* shown below.

²¹ For those incomes that are within a modest range above or below the maximum cut off of a Workforce Housing Category, professional judgment has been used to determine the appropriate Workforce Housing Category for the employee household.

TABLE III.8: HOUSING AFFORDABILITY FOR CONSTRUCTION EMPLOYEES	
Construction Earnings	\$33,800
Employees per Household ²²	1.586
Construction Employee Household Earnings	\$53,590
Maximum Housing Cost for Construction Employee Household ²³	\$182,792
Available Housing Cost (Category 2)	\$225,500
Assistance Subsidy per Units Needed for Construction Employee Household	\$42,708

The housing assistance needed by unit size is shown in Table III.9:
Construction Employment and Need for Housing in Islamorada.

Table III.9: CONSTRUCTION EMPLOYMENT AND NEED FOR HOUSING, ISLAMORADA				
Building Size	Employee Years to Construct Units	Employees Needed (Over Career of Employee)	Housing Units Needed for Employees	Housing Assistance Needed per Unit
500	0.601	0.015	0.009	\$405
750	0.901	0.023	0.014	\$607
1,000	1.201	0.030	0.019	\$809
1,500	1.802	0.045	0.028	\$1,214
2,000	2.403	0.060	0.038	\$1,618
2,500	3.004	0.075	0.047	\$2,023
3,000	3.604	0.090	0.057	\$2,427
3,500	4.205	0.105	0.066	\$2,832
4,000	4.806	0.120	0.076	\$3,236
4,500	5.406	0.135	0.085	\$3,641
5,000	6.007	0.150	0.095	\$4,045

b) Workforce Housing Assistance for Operations and Maintenance Employee Households

Based on industry definitions, the earnings of operational and maintenance employees are identified as a weighted average of the individual components of residential operational and maintenance employment. This is shown in Table III.10: *Operational and Maintenance Employee Income, Monroe County.*

²² See Appendix B: *Employees per Household, Monroe County*, for an explanation of the calculation used to result in this figure.

²³ The maximum housing cost for a construction employee household is calculated by dividing the construction employee household earnings (\$53,590) by the income ratio (29.32%) to determine the cost of housing that is affordable to a construction employee household.

TABLE III.10:
OPERATIONAL AND MAINTENANCE
EMPLOYEE INCOME, MONROE COUNTY

	Weight	Individual	Household
Construction	17.5%	\$33,800	\$53,590
Financial Activities	5.0%	\$44,610	\$70,729
Prof & Business Services	37.5%	\$45,298	\$71,821
Education & Health Services	15.0%	\$39,385	\$62,445
Other Services	25.0%	\$28,661	\$45,442
Blended	100.0%	\$38,205	\$60,575

Based upon their income, operations and maintenance employee households qualify for Category 2 affordable housing that is estimated to cost \$225,500. Given that operations and maintenance employee households earn \$60,575 and the maximum housing cost that a construction employee household could afford is \$206,616, Category 2 level of housing would require \$18,884 of workforce housing assistance per operations and maintenance worker household to afford a unit. In other words, the difference between the cost of a Category 2 house (\$225,500) and the maximum housing cost that a construction employee household can afford (\$206,616) is the workforce housing assistance needed for an operations and maintenance employee household to afford a unit (\$18,884). See Table III.11: *Housing Affordability for Construction Employees* shown below.

TABLE III.11:
HOUSING AFFORDABILITY FOR
OPERATIONS AND MAINTENANCE EMPLOYEES

Operations and Maintenance Earnings	\$38,205
Employees per Household ²⁴	1.586
Operations and Maintenance Employee Household Earnings	\$60,575
Maximum Housing Cost for Operations and Maintenance Employee Household ²⁵	\$206,616
Available Housing Cost (Category 2)	\$225,500
Assistance Subsidy per Units Needed for Operations and Maintenance Employee Household	\$18,884

The housing assistance needed by unit size is shown in Table III.12: *Operations and Maintenance Employment and Need for Housing in Islamorada*.

²⁴ See Appendix B: *Employees per Household, Monroe County*, for an explanation of the calculation used to result in this figure.

²⁵ The maximum housing cost for an operations and maintenance employee household is calculated by dividing the operations and maintenance employee household earnings (\$60,575) by the income ratio (29.32%) to determine the cost of housing that is affordable to a construction employee household.

Table III.12: OPERATIONS AND MAINTENANCE EMPLOYMENT AND NEED BY RESIDENCY OF UNIT, ISLAMORADA						
Square Footage in Residential Unit	Units Occupied by Full-Time Residents			All Other Units		
	Employees	No. of Units Needed	Housing Assistance Needed	Employees	No. of Units Needed	Housing Assistance Needed
500	0.000	0.000	\$0	0.019	0.012	\$227
750	0.000	0.000	\$0	0.035	0.022	\$419
1,000	0.013	0.008	\$154	0.051	0.032	\$612
1,500	0.045	0.029	\$539	0.084	0.053	\$997
2,000	0.078	0.049	\$924	0.116	0.073	\$1,382
2,500	0.110	0.069	\$1,309	0.148	0.094	\$1,767
3,000	0.142	0.090	\$1,694	0.181	0.114	\$2,152
3,500	0.175	0.110	\$2,079	0.213	0.134	\$2,537
4,000	0.207	0.130	\$2,464	0.245	0.155	\$2,922
4,500	0.239	0.151	\$2,849	0.278	0.175	\$3,307
5,000	0.272	0.171	\$3,234	0.310	0.196	\$3,692

3. Residential Mitigation

As is outlined above, the wages and salaries earned by a significant portion of Islamorada's workforce that provides services to residential development (construction and operation and maintenance employees) are insufficient to allow these employees to obtain market housing. After determining the number and type of employees that provide service to residential development (construction employees and operations and maintenance employees), the next step is to identify the degree of workforce housing need created by residential development, and then outline mitigation options.

a) Measuring Need

Based on the previous analysis outlined in this section, the degree of workforce housing need for residential development in Islamorada is determined using the following formula.

Residential Construction Employees' Affordable Housing Need

Construction Employees = $0.00003 \times \text{Square Feet of Residential Unit}$

Needed Units for Construction Employee Households = Construction Employees + 1.586

Construction Assistance Needed = Construction Employee Households * \$42,708

Residential Operations and Maintenance (O&M) Employees' Affordable Housing Need

O&M Employees = $-0.01330 + (-0.03846 \times \text{Full-time}) + (0.00006466 \times \text{Area})$

Where:

Full Time = Full Time Residents

Area = square Feet of Residential Unit

O&M Employee Households = O&M Employees + 1.586

O&M Assistance Needed = O&M Employee Households Needing Assistance * \$18,884

Total Units Needed = Needed Units for Construction Employee Households + Needed Units for O&M Employee Households

Total Assistance Needed = Construction Assistance Needed + Operations and Maintenance Assistance Needed

What this formula shows is that the degree of need for workforce housing can be determined either by a workforce housing unit (or fraction thereof) that needs to be built for residential development, or workforce housing assistance amount that needs to be paid to provide a sufficient amount of funds for those employees (or fraction thereof) in need of workforce housing, so they can afford housing at a reasonable price.

Because workforce housing need is based on the size of the home and the residency status of the home, the formula will need to be applied to each residential unit, individually, based on its size (square footage) and residency status. Tables III.13: *Workforce Housing Need Created by Residential Development of Units Occupied by Full-Time Residents* and Tables III.14: *Workforce Housing Need Created by All Other Residential Units*, however, provides examples of workforce housing need for varying sized residential units, both in terms of actual workforce housing units (or a fraction thereof), and workforce housing assistance.

Table III.13:
WORKFORCE HOUSING NEED CREATED BY RESIDENTIAL DEVELOPMENT OF UNITS OCCUPIED BY FULL-TIME RESIDENTS²⁶

Unit Size (FT ²)	Construction			Operations & Maintenance of Full-Time Resident Units			Total Workforce Housing Units Needed (Construction & O&M Employees)	Total Workforce Assistance for Employees (Construction & O&M Employees)
	Employees	Housing Units Needed	Housing Assistance for Construction Employees	Employees	Housing Units Needed	Housing Assistance for Operations and Maintenance Employees		
500	0.015	0.009	\$405	0.000	0.000	\$0	0.009	\$405
750	0.023	0.014	\$607	0.000	0.000	\$0	0.014	\$607
1,000	0.030	0.019	\$809	0.013	0.008	\$154	0.027	\$963
1,500	0.045	0.028	\$1,214	0.045	0.029	\$539	0.057	\$1,752
2,000	0.060	0.038	\$1,618	0.078	0.049	\$924	0.087	\$2,542
2,500	0.075	0.047	\$2,023	0.110	0.069	\$1,309	0.117	\$3,332
3,000	0.090	0.057	\$2,427	0.142	0.090	\$1,694	0.147	\$4,121
3,500	0.105	0.066	\$2,832	0.175	0.110	\$2,079	0.176	\$4,911
4,000	0.120	0.076	\$3,236	0.207	0.130	\$2,464	0.206	\$5,700
4,500	0.135	0.085	\$3,641	0.239	0.151	\$2,849	0.236	\$6,490
5,000	0.150	0.095	\$4,045	0.272	0.171	\$3,234	0.266	\$7,279

²⁶ Note that the data shown in Table III.13: Workforce Housing Need Created by Residential Development of Units Occupied by Full-Time Residents, are illustrative only. The precise formula should be used for individual dwellings.

Table III.14:
WORKFORCE HOUSING NEED CREATED BY ALL OTHER RESIDENTIAL UNITS²⁷

Unit Size (FT ²)	Construction			Operations & Maintenance of All Other Residential Units			Total Workforce Housing Units Needed (Construction & O&M Employees)	Total Workforce Housing Assistance for Employees (Construction & O&M Employees)
	Employees	Housing Units Needed	Housing Assistance for Construction Employees	Employees	Housing Units Needed	Housing Assistance for Operations and Maintenance Employees		
500	0.015	0.009	\$405	0.019	0.012	\$227	0.021	\$631
750	0.023	0.014	\$607	0.035	0.022	\$419	0.036	\$1,026
1,000	0.030	0.019	\$809	0.051	0.032	\$612	0.051	\$1,421
1,500	0.045	0.028	\$1,214	0.084	0.053	\$997	0.081	\$2,210
2,000	0.060	0.038	\$1,618	0.116	0.073	\$1,382	0.111	\$3,000
2,500	0.075	0.047	\$2,023	0.148	0.094	\$1,767	0.141	\$3,790
3,000	0.090	0.057	\$2,427	0.181	0.114	\$2,152	0.171	\$4,579
3,500	0.105	0.066	\$2,832	0.213	0.134	\$2,537	0.201	\$5,369
4,000	0.120	0.076	\$3,236	0.245	0.155	\$2,922	0.231	\$6,158
4,500	0.135	0.085	\$3,641	0.278	0.175	\$3,307	0.260	\$6,948
5,000	0.150	0.095	\$4,045	0.310	0.196	\$3,692	0.290	\$7,738

²⁷ Note that the data shown in Table III.14: *Workforce Housing Need Created by All Other Units*, are illustrative only. The precise formula should be used for individual dwellings.

b) Policy Options/Mitigation Options

A number of policy options are available to the Village of Islamorada to address this workforce housing need created by residential development, once the methodology for determining need is developed and applied. They involve local and state funding, incentive zoning practices, as well as inclusionary or mandatory workforce housing requirements in Islamorada's land development code. Beyond the broad policy options to address the workforce housing need, it should be emphasized in this Support Study that if the workforce housing need is going to be effectively addressed as development occurs, the policy options should address need in one of four ways. These mitigation options include:

- Payment of funds (or a workforce housing assistance fee) to make up the difference between the cost of housing in Islamorada for the employee(s) in need of workforce housing and what the employee(s) can reasonably afford;
- Construction of workforce housing units for the employee in need;
- Conversion of existing market units to workforce units for the employee in need; or
- Providing land for workforce housing that is of equal value to the funds (workforce housing assistance fee) needed.

C. NON-RESIDENTIAL DEVELOPMENT

The other basic sector in Islamorada that employs workers is nonresidential development. This includes offices, retail establishments, industrial businesses, tourist/recreational services, institutional uses, and government facilities. Non-residential development places a demand on labor (the workforce) in two ways:

- The first is the construction of the building (i.e., construction employees for both residential and non-residential development).
- The second is the employees who work at a structure constructed by the builders (i.e., employees of the non-residential activity in the building).

Construction employees construct the nonresidential buildings. All different types of employees work at the building after it is complete. Both activities generate employment in Islamorada, and because of the wage levels and existing housing prices, a number of these activities create a need for workforce housing. The demand for labor (employees) that non-residential development creates, and the demand these employees place on the need for workforce housing is outlined below.

1. Construction Impacts

As is discussed in Section III.B.1: *Construction Impacts*, the construction, expansion, or renovation of buildings requires the employment of contractors and construction workers to do the work. The method used to assess the demand for workforce housing created by construction activities involves the following. First, the amount of construction authorized and built in Monroe County over the past 4 years (measured in square feet) was determined from annual Monroe County Property Appraiser data. Second, the number of construction workers involved in the construction of these buildings was determined using monthly unemployment insurance reports for Monroe County that have data on the number of local construction workers. This data is expressed in person years for 2002-2005. Third, and based upon the amount of square footage built and the number of construction workers needed to construct these buildings, the actual amount of a building (in square feet) a construction employee builds in a year was determined.²⁸ Table III.15: *Residential and Non-Residential Construction (square feet) and Construction Employment, Monroe County*,

²⁸ For purposes of this calculation, the analysis includes all employees that work in the construction industry, not just those engaged in the physical construction of the structure. For example, an employee installing water or wastewater lines is considered to be engaged in constructing new development as much as those directly involved with the erection a building.

2002-2005, summarize this analysis. These data illustrate that, on average, one construction employee directly involved in construction builds an average of 859 square feet of space in a year. Put another way, it takes an estimated 1.2 employee-years to construct 1,000 square feet of floor area.²⁹ Larger construction projects require more construction time (either more people working over the same period of time, or the same number of people working for a longer time) to complete.

TABLE III.15 RESIDENTIAL AND NON-RESIDENTIAL CONSTRUCTION (square feet) AND CONSTRUCTION EMPLOYMENT, MONROE COUNTY, 2002-2005	
Residential Construction	4,242,870 FT ²
Non-Residential Construction	995,296 FT ²
Total Construction	5,238,166 FT ²
Employee Years	6,098
FT ² per Construction Employee	859 FT ²

SOURCE: Florida Agency for Workforce Innovation, Labor Market Statistics, ES-202 data for Monroe County, 2002 through 2005 and Monroe County Property Appraiser, tax rolls 2002 through 2005.

Based on this analysis of prior construction activities in Islamorada, the actual amount of building space built by a construction employee annually is what is used to determine the amount of construction employee need created by a construction worker, annually.

Table III.16: *Construction Employment and Need for Housing*, sets out the number of employees needed to construct different size non-residential development based on the fact that one construction employee builds 859 square feet of space annually (See the column in Table III.16 labeled "Employee Years to Construct Non-Residential Development"). Specifically, the table displays the number of employee years it takes to construct a building of a certain size.

Construction employment is measured in employee years (employee years to construct units). Non-residential development has no such time dimension. Employees will have a definable career and dwellings have an expected life. In estimating the demand construction employees place on non-residential development, it must be recognized that construction employees require housing only during the period of actual construction of the home (even though they live in the community over their career). This must be accounted for in the analysis. The average construction worker career is 40 years. To account for this circumstance, the calculation of

²⁹ This construction analysis aggregates residential and non-residential construction because the average wages and average number of employees needed to construct 1,000 square feet of a structure for both residential and non-residential development is not significantly different.

construction employee years to construct the non-residential development is therefore divided by 40 to convert to the needed housing over the work career of the employee (See column in Table III.16 labeled "Employees Needed (Over Career of Employee)").

Next, to determine the needed number of residential units these construction employees demand in Islamorada, the employee equivalent is then divided by the average number of employees per dwelling unit that exist today in Islamorada (1.586³⁰) to estimate the fraction of a dwelling unit needed to house the employees engaged in residential construction of homes (See column labeled "Housing Units Needed for Employees"). As shown in Table III.16: *Construction Employment and Need for Housing in Islamorada*, this calculation results in a little over .019 of a dwelling unit demanded for construction employees for every 1,000 square feet of construction.

Table III.16: CONSTRUCTION EMPLOYMENT AND NEED FOR HOUSING IN ISLAMORADA			
Building Size	Employee Years to Construct Non-Residential Development	Employees Needed (Over Career of Employee)	Housing Units Needed for Employees
500	0.601	0.015	0.009
750	0.901	0.023	0.014
1,000	1.201	0.030	0.019
1,500	1.802	0.045	0.028
2,000	2.403	0.060	0.038
2,500	3.004	0.075	0.047
3,000	3.604	0.090	0.057
3,500	4.205	0.105	0.066
4,000	4.806	0.120	0.076
4,500	5.406	0.135	0.085
5,000	6.007	0.150	0.095

2. Post Construction Impacts

The employment impacts on non-residential development, once the building is constructed, comes from the employees that work at the businesses/land uses that use the buildings. In determining the need for affordable housing created by nonresidential development, post-construction, the analysis went through four steps.

First, all nonresidential development was categorized into 8 land use categories, as defined by the Florida Department of Revenue codes. Each

³⁰ See Appendix B: *Employees Per Household, Monroe County*.

of the 8 land use categories, and the general uses included in the definition of each category are set out below.

Retail uses includes stores, department stores, supermarkets, shopping centers, restaurants, financial institutions, repair service shops, service stations, auto sales and repair, parking lots, and wholesale outlets.

Office uses includes professional and non-professional office buildings, professional services buildings, and insurance company offices.

Industrial uses include light manufacturing; lumber yards; warehousing and distribution terminals; equipment and materials storage facilities; and other similar uses.

Tourist/Recreational uses include theatres, auditoriums, nightclubs, bowling alleys, tourist attractions, camps, race tracks, golf courses, hotels, motels and ancillary spaces within hotels or motels such as restaurants and shops. In this study, based upon the unique characteristics of Islamorada, tourist land uses are divided into two sub-categories. This first is relevant to the expansion or redevelopment of existing hotel, motel or similar accommodations, and the second is relevant to net new tourist development. This new tourist development includes all tourist/recreational uses outlined above.

Institutional uses include churches; private schools; colleges; daycares; privately owned hospitals; homes for the aged; orphanages; clubs; cultural organizations; and similar uses.

Governmental uses include military facilities; parks and recreational areas; governmental office buildings; and other publicly owned facilities.

Residence uses include household living type uses, including but not limited to single-family units, multi-family units, townhouses, and mobile homes.

Other uses include utility, gas, and electric uses, mining, sewage disposal facilities.

Second, the employment and average household earnings in the county was assigned to one of the eight land use categories. This had to be done because the employment and wage data is categorized into the following industrial sectors: Natural Resources and Construction; Manufacturing; Wholesale Trade; Retail Trade; Trade, Transportation and Utilities; Information (e.g., printing, publishing, TV, etc.); Financial Activities; Professional and Business Services; Education and Health Services; Leisure

and Hospitality; Other Services (which includes operation and maintenance employees); and Government.

The industrial sectors were assigned to the 8 land use categories, based on the description of employment activities related to land uses and related principles found in the *Standard Industrial Classification Manual* (published by the US Government Printing Office); the classic *Land Use Information Systems* (Clawson and Stewart, by Resources for the Future, 1965); *Planner's Estimating Guide: Projecting Land-Use and Facility Needs* (A. C. Nelson, Chicago: Planners Press, 2004); and *Standard Land Use Coding Manual*, (Urban Renewal Administration and Bureau of Public Roads, Government Printing Office, 1965). The percentage assignment of employment for each industry to the corresponding land use categories is set out in Table III.17: *Assignment of Industries to Land Use Categories, Monroe County*.³¹

Table III.17: PERCENTAGE ASSIGNMENT OF INDUSTRIES TO LAND USE CATEGORIES, MONROE COUNTY									
Land Use	Govern- mental	Industrial	Instituti onal	Office	Other	Retail	Residence	Tourist/ Recreational	No Location
Natural Resource & Construction*		15.0%		10.0%			24.0%		51.0%
Manufacturing		75.0%		15.0%	10.0%				
Wholesale Trade ³²		70.0%		10.0%		20.0%			
Retail Trade ³³						90.0%		10.0%	
Trade, Transport & Utilities	15.0%	50.0%		15.0%	10.0%	10.0%			
Information		35.0%		35.0%	10.0%	10.0%			10.0%
Financial Activities		10.0%	20.0%	58.5%		5.0%	6.5%		
Prof. & Bus Services		11.0%	10.0%	30.0%		5.0%	44.0%		
Education & Health Services	30.0%		30.0%	23.7%		5.0%	11.3%		
Leisure & Hospitality					10.0%	20.0%		70.0%	
Other Services		10.0%	10.0%	10.0%	10.0%		46.7%	10.0%	3.3%
Government	90.0%			10.0%					

* For historical data, The Florida Agency for Workforce Innovation reports natural resource industries with construction. For 2005, Monroe County reported 105 individuals employed in mining, indicating that 96% of employees in Natural Resources and Construction are construction employees.

Then, using the percentage assignments of industry employment to land use classifications, the number of employees for each industry was translated into employees per land use categories. See Table III.18: *Estimated Industry Employment by Land Use Categories, Monroe County*.

³¹ It should be noted that some employees, like construction workers, do not work at specific locations. These employees are assigned to the "No Location" category.

³² Wholesale trade is broken out from the broader category of Trade, Transport & Utilities. See Appendix D: *Employment and Household Earnings by Industry*.

³³ Retail trade is broken out from the broader category of Trade, Transport & Utilities. See Appendix D: *Employment and Household Earnings by Industry*.

Average household earnings were then calculated for each land use by multiplying the number of employees per land use times the 2006 estimated household earnings based upon the industry in which the employee is working³⁴, and then dividing the product by the number of workers estimated for that land use (See Table III.18).

Land Use	Govern- mental	Industrial	Institu- tional	Office	Other	Retail	Tourist/ Recreati- onal	No Location	Totals
Natural Resource & Construction	0	349	0	233	0	0	0	1,187	2,328
Manufacturing	0	214	0	43	29	0	0	0	285
Wholesale Trade	0	364	0	52	0	104	0	0	520
Retail Trade	0	0	0	0	0	4,998	555	0	5,553
Trade, Transport & Utilities	234	782	0	234	156	156	0	0	1,563
Information	0	160	0	160	46	46	0	46	457
Financial Activities	0	236	473	1,383	0	118	0	0	2,363
Prof. & Bus Services	0	286	260	781	0	130	0	0	2,603
Ed & Health Services	1,215	0	1,215	960	0	202	0	0	4,050
Leisure & Hospitality	0	0	0	0	1,154	2,308	8,077	0	11,539
Other Services	0	150	150	150	150	0	150	50	1,502
Government	2,819	0	0	313	0	0	0	0	3,132
TOTAL	4,268	2,541	2,098	4,309	1,535	8,062	8,783	1,283	35,895
Average Household Earnings	\$46,369	\$41,546	\$40,528	\$42,861	\$27,934	\$28,801	\$25,114	\$34,908	\$34,261

Source: Standard Industrial Classification Manual by the U.S. Government Printing Office. Land Use Information Systems by Clawson and Stewart, published by Resources for the Future in 1964. Planner's Estimating Guide: Projecting Land-Use and Facility by A.C. Nelson.

Third, the amount of building space (in square feet) provided, on average, per employee, was determined for each land use category. Using data obtained from the Monroe County Property Appraiser on the amount of development built (in square feet) within each land use category, the aggregate square feet of space in the county for each land use category was determined, from 2001-2005. This data was then compared over time to the number of employees in each land use category (See Table III.18: *Estimated Industry Employment by Land Use Categories, Monroe County*) to determine the amount of floor area (in square feet) on average, provided for each employee by each land use category. This analysis is outlined in Table III.19: *Floor Area and Employment by Land Use Category; Floor Area per Employee by Land Use, Monroe County, 2001-2005*.

³⁴ See Appendix D: *Employment and Household Earnings by Industry*.

TABLE III.19 FLOOR AREA AND EMPLOYMENT BY LAND USE CATEGORY, FLOOR AREA PER EMPLOYEE, MONROE COUNTY						
	2001	2002	2003	2004	2005	Typical FT ² Over Period
Government						
Square Ft		4,303,124	3,698,871	4,475,274	4,907,524	
Employment	4,447	4,417	4,523	4,356	4,268	
Square Ft Per Employee		974	818	1,027	1,150	1,049
Industrial						
Square Ft		1,946,221	1,343,901	1,837,525	1,957,005	
Employment	2,625	2,576.64	2,558	2,501	2,541	
Square Ft Per Employee		755.33	525.27	734.72	770.07	753
Institutional						
Square Ft		1,530,746	1,343,901	1,677,183	1,675,718	
Employment	2,117	2,144.30	2,218	2,112	2,098	
Square Ft Per Employee		713.87	606.04	793.97	798.72	769
Office						
Square Ft		2,138,672	2,185,012	2,531,368	2,566,490	
Employment	4,814	4,2615	4,396	4,295	4,309	
Square Ft Per Employee		502	457	589	596	563
Retail						
Square Ft		5,356,420.85	5,163,367	5,817,640	5,730,691	
Employment	8,592	8,422.25	8,302	8,198	8,062	
Square Ft Per Employee		635.98	621.92	709.64	710.80	685
Tourist						
Accommodation Expansion or Re-Development						
Floor Area		4,765,792	3,834,821	4,761,362	4,761,362	4,553,171
Employees	4,976	4,592	4,728	4,855	4,570	
Ft ² per Employee		1,037.96	811.09	980.81	1,041.87	1,019
New Tourist Development						
Square Ft		6,275,497.50	4,952,982.50	5,960,111.50	5,703,320.00	
Employment	9,285	9,095.80	9,125	9,196	8,783	
Square Ft Per Employee		689.93	542.80	648.15	649.37	663
Other						
Employment	1,615	1,566.40	1,570	1,580	1,535	1,615

SOURCE: Monroe County Property Appraiser and Table III.19: Percentage Assignment of Industries to Land Use Categories.

This analysis shows that the square feet per employee ratios have increased slightly over the time period for each land use category with some fluctuations. The typical square footage per employee for each land use

category is identified in the last column, and provides a good estimate in 2006 for the amount of square feet provided per employee, by land use category.

Finally, and based on the previous analyses, the demand for workforce housing units created by a specific amount (1,000 square feet) of net floor area of development was determined, by land use category. This was done in the following way, which is set out in Table III.20: *Non-Residential Post-Construction Housing Need per 1,000 Square Feet*. First, the number of employees employed per 1,000 square feet of space was determined, by land use category, based on the analysis conducted in Table III.19. Then, based on the fact that each household in the Village includes 1.586 employees, the actual number of affordable housing units needed per 1,000 square feet of development was determined ("Housing Units Needed for Employees" column in Table III.20).³⁵

TABLE III.20: NON-RESIDENTIAL POST CONSTRUCTION AFFORDABLE HOUSING NEED PER 1,000 SQUARE FEET			
Land Use	Household Earnings	Employees / 1,000 Square Ft	Housing Units Needed for Employees/ 1,000 Square Ft
Governmental	\$73,518	0.953	0.601
Industrial	\$65,872	1.327	0.837
Institutional	\$64,258	1.301	0.821
Office	\$67,956	1.778	1.121
Retail	\$45,664	1.460	0.921
Tourist			
Accommodation Expansion	\$39,819	0.981	0.619
New Development	\$39,819	1.509	0.952

3. Assistance to Address Workforce Housing Need

As outlined in the residential mitigation fee section (III.B.3: *Assistance to Address Workforce Housing Need*), housing in Islamorada has become unaffordable to not only low-wage earning households, but also to households earning the median household income and higher. To adequately address the different types of households that will need workforce housing assistance in Islamorada, three Workforce Housing Categories are developed in this Study (see discussion in Section

³⁵ See Appendix B: *Employees per Household, Monroe County*, for the calculation of employees per household.

III.B.2, *Assistance to Address Workforce Housing Need*). The intent of the categories is to identify the type of unit that is appropriate for the level of income identified in each of the three categories. For example, it is logical to think that a household earning \$60,000 lives in a larger and more expensive house than a household earning \$30,000. These three categories address this issue. These categories are used to better assess workforce housing mitigation at a level that is reflective of the different income categories in the community.

Table III.21: Workforce Housing Categories, Islamorada outlines the specific costs and unit sizes for each of the three Workforce Housing Categories. (See Appendix C: *Shortage (Housing Assistance) Calculations*, for more detail on the incomes that can afford the workforce units in each of these categories.)

TABLE III.21 WORKFORCE HOUSING CATEGORIES, ISLAMORADA			
	Category 1	Category 2	Category 3
Area (FT ²)	500	700	900
Construction Type	Modular	Modular	Modular
Housing Unit Type	Multi-Family Attached	Multi-Family Attached	Multi-Family Attached
Number of Bedrooms	1	2	3
Construction Cost per FT	\$175	\$175	\$175
Construction Cost	\$87,500	\$122,500	\$157,500
Site Prep	\$40,000	\$40,000	\$40,000
Land	\$45,000	\$63,000	\$81,000
Total	\$172,500	\$225,500	\$278,500
Income Required to Afford a Unit			
Income Ratio for Determining Housing Affordability	29.32%	29.32%	29.32%
Annual Household Income Needed to Purchase Unit	\$50,573	\$66,578	\$82,584
Income per Worker in Household	\$31,897	\$41,992	\$52,087

As Table III.21 shows, the type of construction and the cost per square foot to construct the units are the same for all three Workforce Housing Categories. The variation in unit costs is solely dependent upon the size of the unit. The cost shown is a turn-key cost of production under prevailing market conditions. Table III.21 also shows the differences in both household and employee income levels that are needed to make the prototypical units affordable (in Table III.21, see "Annual Household Income Needed to Purchase the Unit").

Next, and for the purposes of measuring the assistance needed to make units affordable to members of the workforce earning different income levels, the household income levels were evaluated for the different members of the workforce (see Appendix D: *Employment and*

Household Earnings by Industry, Monroe County, 2005-2006), and then compared to the household income levels needed to make the prototypical units affordable in each of the Workforce Housing Categories. Based on this comparison, the household income levels were matched with the Workforce Housing Categories that most closely aligned with the income levels. This alignment is shown in Table III.22 *Workforce Housing Categories for Non-Residential land Uses*

TABLE III.22: WORKFORCE HOUSING CATEGORIES FOR NON-RESIDENTIAL LAND USES		
	Household Earnings	Affordable Housing Category
Construction	\$53,590	Category 2
Governmental	\$73,518	Category 3
Industrial	\$65,872	Category 3
Institutional	\$64,258	Category 3
Office	\$67,956	Category 3
Retail	\$45,664	Category 1
Tourist	\$39,819	Category 1

a) **Workforce Housing Assistance for Construction Employee Households**

Once the cost for a prototypical workforce housing unit for workers in different income categories is determined, the next step is to identify the amount of assistance that an employee household requires to afford a prototypical unit within their income category. According to the employment and household earnings for the construction industry in Monroe County (see Appendix D: *Employment and Household Earnings by Industry*), individual annual employee earnings are \$33,800, and annual household earnings are \$53,590. Based on these earnings, a construction employee household could afford to spend \$182,792 for housing. As mentioned in the previous section and based upon their income, construction employee households qualify for Category 2 affordable housing that is estimated to cost \$225,500. Given the construction employee household earnings and the maximum housing cost that a construction employee household could afford (\$182,792), Category 2 level of housing requires \$42,708 of workforce housing assistance per worker household to afford a unit. In other words, the difference between the cost of a Category 2 house (\$225,500) and the maximum housing cost that a construction employee household can afford (\$182,792) is the workforce housing assistance needed for a construction employee household to afford a unit (\$42,708). See Table III.23: *Housing Affordability for Construction Employees* shown below.

TABLE III.23 HOUSING AFFORDABILITY FOR CONSTRUCTION EMPLOYEES	
Construction Earnings	\$33,800
Employees per Household ³⁶	1.586
Construction Employee Household Earnings	\$53,590
Maximum Housing Cost for Construction Employee Household ³⁷	\$182,792
Available Housing Cost (Category 2)	\$225,500
Assistance Subsidy per Units Needed for Construction Employee Household	\$42,708

The housing assistance for construction employees, by unit size, is shown in Table III.24: *Construction Employment and Need for Housing in Islamorada*.

Table III.24: CONSTRUCTION EMPLOYMENT AND NEED FOR HOUSING, ISLAMORADA				
Building Size	Employee Years to Construct Units	Employees Needed (Over Career of Employee)	Housing Units Needed for Employees	Housing Assistance Needed per Unit
500	0.601	0.015	0.009	\$405
750	0.901	0.023	0.014	\$607
1,000	1.201	0.030	0.019	\$809
1,500	1.802	0.045	0.028	\$1,214
2,000	2.403	0.060	0.038	\$1,618
2,500	3.004	0.075	0.047	\$2,023
3,000	3.604	0.090	0.057	\$2,427
3,500	4.205	0.105	0.066	\$2,832
4,000	4.806	0.120	0.076	\$3,236
4,500	5.406	0.135	0.085	\$3,641
5,000	6.007	0.150	0.095	\$4,045

b) Workforce Housing Assistance for Post-Construction Employee Households

As is outlined earlier, based on the household earnings identified in Table III.18: *Estimated Industry Employment by Land Use Categories, Monroe County*, the employees in the post-construction land use categories were aligned with the Workforce Housing Categories identified in Table III.25: *Workforce Housing Categories for Non-Residential Post-Construction Employment by Land Use Category*.

³⁶ See Appendix B: *Employees per Household, Monroe County*, for an explanation of the calculation used to result in this figure.

³⁷ The maximum housing cost for a construction employee household is calculated by dividing the construction employee household earnings (\$53,590) by the income ratio for determining housing affordability (29.32%).

TABLE III.25: WORKFORCE HOUSING CATEGORIES FOR NON-RESIDENTIAL POST-CONSTRUCTION EMPLOYMENT BY LAND USE CATEGORY		
	Household Earnings	Workforce Housing Category
Governmental	\$73,518	Category 3
Industrial	\$65,872	Category 3
Institutional	\$64,258	Category 3
Office	\$67,956	Category 3
Retail	\$45,664	Category 1
Tourist- Accommodation Expansion	\$39,819	Category 1
Tourist- New Development	\$39,819	Category 1

According to this data, the household earnings for each non-residential post-construction employment in Monroe County are \$73,518 for governmental land uses, \$65,872 for industrial land uses, \$64,258 for institutional land uses, \$67,956 for office land uses, \$45,664 for retail land uses, and \$39,819 for tourist land uses. Based on these earnings, Table III.26: *Post-Construction Housing Affordability Gap by Land Use, Monroe County*, outlines the amount each employee household could afford to spend for housing (see the row labeled "Affordability Limit"), by land use categories, and the shortage, or workforce housing assistance needed to address the shortage, based on the amount of non-residential square feet developed in each land use category.

The difference between the cost to develop the prototypical unit (based on the Workforce Housing Unit Category) and the amount a household could afford to pay for housing is the shortage, or assistance needed to acquire housing (see "Housing Assistance Needed" in Table III.26). For example, retail employees qualify for Category 1 housing, which costs \$172,500. Retail employee households earn on average \$45,664 and can afford to purchase a house priced at \$155,757. The difference between these categories is the shortage or assistance needed to afford a unit -- \$16,743. If this workforce housing assistance were to be put into terms of the housing assistance needed per square foot of new retail development built, it would result in \$15.42 per square foot of development (see "Assistance Needed Per FT² of Non-Residential Development" in Table III.26).

Table III.26:
POST-CONSTRUCTION HOUSING AFFORDABILITY GAP BY LAND USE, MONROE COUNTY

	Non-Residential FT ² per Employee	Income per Household	Affordability Limit ³⁸	Housing Cost for Prototypical Unit	Housing Assistance Needed	Assistance Needed per FT ² of Non-Residential Development
Government	1,049	\$73,518	\$250,764	\$278,500	\$27,736	\$16.67
Industrial	753	\$65,872	\$224,686	\$278,500	\$53,814	\$45.05
Institutional	769	\$64,258	\$219,179	\$278,500	\$59,321	\$48.68
Office	563	\$67,956	\$231,794	\$278,500	\$46,706	\$52.37
Retail	685	\$45,664	\$155,757	\$172,500	\$16,743	\$15.42
Tourist						
Accommodation Expansion	1,019	\$39,819	\$135,819	\$172,500	\$36,681	\$22.69
New Development	663	\$39,819	\$135,819	\$172,500	\$36,681	\$34.92

Table III.27: *Post Construction Housing Affordability Gap by Land Use, Islamorada*, shows the employees, employee households, and housing assistance needed based on 1,000 square feet of development for each land use.

Table III.27 POST CONSTRUCTION HOUSING AFFORDABILITY GAP BY LAND USE, ISLAMORADA			
	per 1,000 FT ²		Gap per 1,000 FT ²
	Employees	Households	
Government	0.953	0.601	\$16,669
Industrial	1.327	0.837	\$45,046
Institutional	1.301	0.821	\$48,685
Office	1.778	1.121	\$52,370
Retail	1.460	0.921	\$15,418
Tourist			
Accommodation Expansion	0.981	0.619	\$22,694
New Development	1.509	0.952	\$34,917

4. Summary of Need for Workforce Housing by Housing Units

Table III.28: *Need for Workforce Housing Created by Non-Residential Development, Monroe County*, summarizes the total workforce housing unit need for non-residential development for both construction and post-construction employees by land use.

³⁸ The maximum housing cost for an employee household is calculated by dividing the employee household earnings by the income ratio for determining housing affordability (29.32%).

TABLE III.28: NEED FOR WORKFORCE HOUSING CREATED BY NON-RESIDENTIAL DEVELOPMENT, MONROE COUNTY			
	Housing Units Needed for Construction Employed Households	Housing Units Needed for Post-Construction Employed Households	Total Housing Units Needed
Per 1,000 Square Feet			
Governmental	0.019	0.601	0.620
Industrial	0.019	0.837	0.856
Institutional	0.019	0.821	0.840
Office	0.019	1.121	1.140
Retail	0.019	0.921	0.940
Tourist			
Accommodation Expansion	0.019	0.619	0.638
New Development	0.019	0.952	0.971

5. Non-Residential Mitigation

As is outlined above, the wages and salaries earned by a significant portion of Islamorada's workforce that works in the businesses and related entities that make up non-residential development are insufficient to allow these employees to obtain market housing at a price they can reasonably afford. After determining the number and type of employees that serve non-residential development (construction and post-construction workers), and how many of these employees cannot reasonably afford housing in Islamorada, the next step is to identify the degree of workforce housing need created by non-residential development, and then outline mitigation options.

a) Measuring Need

Based on the previous analysis outlined in this section, the degree of workforce housing need for non-residential development in Islamorada is determined using the following formulae, by land use category.

Non-Residential Construction Employees' Workforce Housing Need

Construction Employees = 0.00003 * Square feet of Non-Residential Development
 Needed Units (Construction Employee Households) = Construction Employees ÷ 1.568
 Construction Assistance Needed = Needed Units (Construction Employee Households) * \$42,708

Governmental Land Use Employees' Workforce Housing Need

Workforce Housing Units Needed for Governmental Employees =
 (0.601 * Square Feet of Development) ÷ 1,000
 Assistance Needed = Square Feet of Development * \$17.47

Industrial Land Use Employees' Workforce Housing Need

Workforce Housing Units Needed for Industrial Employees =
 (0.837 * Square Feet of Development) ÷ 1,000
 Assistance Needed = Square Feet of Development * \$45.85

Institutional Land Use Employees' Workforce Housing Need

Workforce Housing Units Needed for Institutional Employees =

$(0.821 * \text{Square Feet of Development}) \div 1,000$
Assistance Needed = Square Feet of Development * \$49.49

Office Land Use Employees' Workforce Housing Need
Workforce Housing Units Needed for Office Employees =
 $(1.121 * \text{Square Feet of Development}) \div 1,000$
Assistance Needed = Square Feet of Development * \$53.17

Retail Land Use Employees' Workforce Housing Need
Workforce Housing Units Needed for Retail Employees =
 $(0.921 * \text{Square Feet of Development}) \div 1,000$
Assistance Needed = Square Feet of Development * \$16.22

Tourist Land Use Employees' Workforce Housing Need:

Accommodation Expansion or Redevelopment Need
Workforce Housing Units Needed for Industrial Employees =
 $(0.619 * \text{Square Feet of Development}) \div 1,000$
Assistance Needed = Square Feet of Development * \$23.50

New Tourist Development Need
Workforce Housing Units Needed for Industrial Employees =
 $(0.952 * \text{Square Feet of Development}) \div 1,000$
Assistance Needed = Square Feet of Development * \$35.72

TOTAL UNITS NEEDED = Units Needed for Construction Employee Households + Units Needed for Employees (by Appropriate Land Use Category)

TOTAL ASSISTANCE NEEDED = Construction Assistance Needed + Assistance Needed for Units by Appropriate Land Use Category

What these formulae shows is that the degree of need for workforce housing from non-residential development can be determined either by workforce housing unit(s) (or a fraction thereof), or a workforce housing assistance amount that needs to be paid to provide funds for those employees (or fraction thereof) in need of workforce housing.

Because workforce housing need for non-residential development is based on the size and type of the non-residential development, the formula for the appropriate land use will need to be applied to each non-residential development, individually, based on its size (square footage). Table III.29: *Need for Workforce Housing Created by Non-Residential Development*, however, provides examples of workforce housing need for varying sized non-residential buildings, both in terms of the need for workforce housing units (or a fraction thereof), and workforce housing assistance.

TABLE III.29:
NEED FOR WORKFORCE HOUSING CREATED BY NON-RESIDENTIAL DEVELOPMENT

Land Use	Construction		Post-Construction		Total Workforce Housing Units Needed	Total Workforce Housing Assistance Needed
	Workforce Housing Units Needed	Workforce Housing Assistance Needed	Workforce Housing Units Needed	Workforce Housing Assistance Needed		
Per 1,000 Square Ft						
Governmental	0.019	\$809	0.601	\$16,669	0.620	\$17,478
Industrial	0.019	\$809	0.837	\$45,046	0.856	\$45,855
Institutional	0.019	\$809	0.821	\$48,685	0.840	\$49,494
Office	0.019	\$809	1.121	\$52,370	1.140	\$53,179
Retail	0.019	\$809	0.921	\$15,418	0.940	\$16,227
Tourist						
Expansion	0.019	\$809	0.619	\$22,694	0.638	\$23,503
New Development	0.019	\$809	0.952	\$34,917	0.971	\$35,726

APPENDIX A: RESIDENTIAL SALES, VILLAGE OF ISLAMORADA, 2000-2005

**TABLE A.1:
RESIDENTIAL SALES, ISLAMORADA 2000-2005³⁹**

Selling Price	Single Family		Condominium		Mobile Home		Total	
	Number	%	Number	%	Number	%	Number	%
<\$50,000								
2000	6	1%	6	1%	0	0%	12	3%
2001	13	3%	1	2%	0	0%	23	6%
2002	21	5%	8	2%	0	0%	29	7%
2003	6	1%	10	2%	0	0%	16	4%
2004	3	1%	4	1%	0	0%	7	1%
2005	2	1%	0	0%	0	0%	2	1%
\$50,001-\$100,000								
2000	13	3%	26	6%	3	1%	42	9%
2001	12	3%	19	5%	0	0%	31	8%
2002	14	3%	5	1%	3	1%	22	5%
2003	9	2%	8	2%	0	0%	17	4%
2004	7	1%	2	0%	0	0%	9	2%
2005	5	1%	3	1%	0	0%	8	2%
\$100,001-\$150,000								
2000	34	7%	45	10%	2	0%	81	18%
2001	15	4%	37	9%	2	0%	54	13%
2002	15	4%	15	4%	0	0%	30	7%
2003	5	1%	8	2%	3	1%	16	4%
2004	8	2%	5	1%	0	0%	13	2%
2005	0	0%	1	0%	0	0%	1	0%
\$150,001-\$200,000								
2000	48	10%	63	14%	0	0%	111	24%
2001	36	9%	20	5%	1	0%	57	14%
2002	29	7%	22	5%	1	0%	52	13%
2003	8	2%	9	2%	1	0%	18	4%
2004	4	1%	11	2%	2	0%	17	3%
2005	0	0%	1	0%	0	0%	1	0%
\$200,001-\$250,000								
2000	28	6%	10	2%	1	0%	39	8%
2001	35	9%	3	1%	0	0%	38	9%
2002	31	8%	19	5%	1	0%	51	12%
2003	14	3%	24	6%	0	0%	38	9%
2004	6	1%	12	2%	0	0%	18	3%
2005	1	0%	1	0%	1	0%	3	1%
\$250,001-\$300,000								
2000	29	6%	5	1%	0	0%	34	7%

³⁹ Due to rounding, the sum of the percentages for each housing type in each row may not equal the total percentage at the end of the row.

Selling Price	Single Family		Condominium		Mobile Home		Total	
	Number	%	Number	%	Number	%	Number	%
2001	43	10%	10	2%	0	0%	53	13%
2002	29	7%	4	1%	0	0%	33	8%
2003	35	8%	12	3%	1	0%	48	12%
2004	4	1%	11	2%	0	0%	15	3%
2005	2	1%	5	1%	1	0%	8	2%
\$300,001-\$350,000								
2000	16	3%	3	1%	1	0%	20	4%
2001	28	7%	7	2%	0	0%	35	9%
2002	21	5%	4	1%	0	0%	25	6%
2003	23	6%	11	3%	1	0%	35	8%
2004	21	4%	10	2%	0	0%	31	6%
2005	4	1%	7	2%	0	0%	11	3%
\$350,001-\$400,000								
2000	26	6%	1	0%	0	0%	27	6%
2001	25	6%	1	0%	0	0%	26	6%
2002	23	6%	6	1%	0	0%	29	7%
2003	24	6%	10	2%	0	0%	34	8%
2004	22	4%	8	2%	0	0%	30	6%
2005	8	2%	14	4%	1	0%	23	6%
\$400,001-\$450,000								
2000	16	3%	1	0%	0	0%	17	4%
2001	13	3%	1	0%	0	0%	14	3%
2002	15	4%	3	1%	0	0%	18	4%
2003	19	5%	7	2%	0	0%	26	6%
2004	15	3%	11	2%	0	0%	26	5%
2005	9	2%	19	5%	0	0%	28	8%
\$450,001-\$500,000								
2000	12	3%	3	1%	0	0%	15	3%
2001	11	3%	1	0%	0	0%	12	3%
2002	17	4%	0	0%	0	0%	17	4%
2003	11	3%	1	0%	0	0%	12	3%
2004	15	3%	16	3%	1	0%	32	6%
2005	13	4%	14	4%	0	0%	27	7%
\$500,001-\$550,000								
2000	7	2%	0	0%	0	0%	7	2%
2001	14	3%	0	0%	0	0%	14	3%
2002	15	4%	6	1%	0	0%	21	5%
2003	6	1%	6	1%	0	0%	12	3%
2004	7	1%	7	1%	0	0%	14	3%
2005	13	4%	6	2%	0	0%	19	5%
\$550,001-\$600,000								
2000	9	2%	0	0%	0	0%	9	2%
2001	4	1%	2	0%	0	0%	6	1%
2002	5	1%	5	1%	0	0%	10	2%

TABLE A.1: RESIDENTIAL SALES, ISLAMORADA 2000-2005 ³⁹									
Selling Price	Single Family		Condominium		Mobile Home		Total		
	Number	%	Number	%	Number	%	Number	%	
2003	12	3%	5	1%	0	0%	17	4%	
2004	9	2%	0	0%	0	0%	9	2%	
2005	9	2%	3	1%	1	0%	13	4%	
\$600,001-\$650,000									
2000	1	0%	3	1%	0	0%	4	1%	
2001	7	2%	4	1%	0	0%	11	3%	
2002	11	3%	1	0%	0	0%	12	3%	
2003	15	4%	2	0%	0	0%	17	4%	
2004	20	4%	1	0%	0	0%	21	4%	
2005	13	4%	4	1%	0	0%	17	5%	
\$650,001-\$700,000									
2000	9	2%	3	1%	0	0%	12	3%	
2001	5	1%	3	1%	0	0%	8	2%	
2002	11	3%	0	0%	0	0%	11	3%	
2003	13	3%	4	1%	0	0%	17	4%	
2004	14	3%	0	0%	0	0%	14	3%	
2005	6	2%	15	4%	0	0%	21	6%	
> \$700,000									
2000	31	7%	1	0%	0	0%	32	7%	
2001	24	6%	4	1%	0	0%	28	7%	
2002	46	11%	3	1%	0	0%	49	12%	
2003	82	20%	11	3%	0	0%	93	22%	
2004	231	44%	36	7%	0	0%	267	51%	
2005	147	40%	40	11%	0	0%	187	51%	
All Units									
2000	285	62%	170	37%	7	2%	462	100%	
2001	285	70%	122	30%	3	1%	410	100%	
2002	303	74%	101	25%	5	1%	409	100%	
2003	282	68%	128	31%	6	1%	416	100%	
2004	386	74%	134	26%	3	1%	523	100%	
2005	232	63%	133	36%	4	1%	369	100%	
Grand Total	1,773	68%	788	30%	28	1%	2,589	100%	

Source: Monroe County Property Appraiser

APPENDIX B: EMPLOYEES PER HOUSEHOLD, MONROE COUNTY

Table B.1: EMPLOYED PERSONS PER HOUSEHOLD	
<i>Monroe County</i>	
Total Households	35,106
Households with Earnings (may have multiple workers)	27,689
Households without Earnings	7,417
Labor Force (some not employed, such as retirees)	45,192
Number Employed	43,901
Workers per Household	1.632
Employed Workers per Household	1.586
<i>Islamorada, Village of Islands</i>	
Persons per Household (all households)	2.100
Persons per Household Where One or More Person(s) is Employed	2.560
Persons per Household Where No Persons are Employed	1.890

SOURCE: US Bureau of the Census' American Factfinder <http://factfinder.census.gov>,
US Bureau of the Census Public Use Micro-Sample, and Florida Agency for
Workforce Innovation, Labor Market Statistics.

The focus of the Support Study is to determine the need created for workforce housing for the workforce by residential and non-residential development. In order to determine employed workers per household, recent census data was reviewed related to the number of households and employees in Monroe County. (See Table B.1: Employed Persons per Household.) To determine the average number of employed workers per household from this data, the number of persons employed was divided by households with earnings. The calculation is as follows:

$$\text{Number Employed} \div \text{Households with Earnings} = \text{Employed Workers per Household}$$

or

$$43,901 \div 27,689 = 1.586$$

Additional data is provided here that illustrates the average number of persons per household in Islamorada for all households, for households with one or more employed persons, and for households with no employed persons.

APPENDIX C: SHORTAGE (HOUSING ASSISTANCE) CALCULATIONS

Employee Income Needed to Afford Each of the Prototypical Residential Units in the Workforce Affordability Categories.

To determine the annual employee income needed to afford a residential unit in each of the four categories of workforce housing in Islamorada, an analysis was conducted determining what expenses the employee household incurs to purchase and finance a prototypical residential unit. In the analysis, it is assumed the employee makes a down payment of 3% on the purchase of the home, and takes out a 30 year mortgage at an interest rate of 5.93 percent a year. It is also assumed that the maximum monthly expenses on housing incurred by the employee do not exceed 30 percent of income. Table C.1: *Income Needed to Afford Housing*, outlines the expenses incurred (and assumed) for each category of workforce housing. It shows an annual employee income of \$39,468 is needed to be able to reasonably afford a residential unit priced at \$212,250 (Category 1); an annual employee income of \$43,607 is needed to afford a residential unit priced at \$233,980 (Category 2); an annual employee income of \$47,039 is needed to afford a residential unit priced at \$252,000 (Category 3); and an annual employee income of \$62,182 is needed to afford a residential unit priced at \$331,500 (Category 4).

TABLE C.1: INCOME NEEDED TO AFFORD WORKFORCE HOUSING			
CALCULATION OF AFFORDABILITY			
	Category 1	Category 2	Category 3
Purchase Price	\$172,500	\$225,500	\$278,500
Down Payment	3.00%	3.00%	3.00%
Loan Term	30	30	30
Interest Rate	5.93%	5.93%	5.93%
Points	2.00%	2.00%	2.00%
Mortgage Insurance	0.60%	0.60%	0.60%
Taxes & Insurance	1.83%	1.83%	1.83%
Other Closing Costs	3.00%	3.00%	3.00%
Cash to Close	\$13,697	\$17,905	\$22,113
Mortgage	\$167,325	\$218,735	\$270,145
Mortgage Payment	\$996	\$1,302	\$1,608
Mortgage Insurance	\$84	\$109	\$135
Taxes & Insurance	\$185	\$253	\$322
Total Monthly	\$1,264	\$1,664	\$2,065
Income Ratio for Determining Housing Affordability	30.00%	30.00%	30.00%
Minimum Monthly Income	\$4,214	\$5,548	\$6,882
Annual Household Income Needed to Purchase Unit	\$50,573	\$66,578	\$82,584
Workers per Household	1.586	1.586	1.586
Income per Worker in Household	\$31,897	\$41,992	\$52,087

APPENDIX D: EMPLOYMENT AND HOUSEHOLD EARNINGS BY INDUSTRY

Earnings of Monroe County economically active households are shown below in Table D.1: *Employment and Household Earnings by Industry, Monroe County, 2006*. These wages are used to estimate the wages of employees that construct and operate and maintain residential units, and that construct and work within non-residential developments. The average annual wages for 2005 were used to project 2006 wages using a 2.9% increase over 2005, which was the 2004-2005 increase. The household earnings shown in the last column of the table are the individual employee earnings multiplied by the number of employed persons per household with earnings (1.586⁴⁰). This calculation excludes households that do not have at least one person employed. Not having anyone employed could be due to retirement, disability or unemployment. Regardless of reason, all employed without a person employed are excluded from the definition of economically active households used herein. This method of estimating economically active household income basically assumes that the earnings of the secondary worker in a household will be similar to those of the primary worker.

TABLE D.1 EMPLOYMENT AND HOUSEHOLD EARNINGS BY INDUSTRY MONROE COUNTY, 2005-2006				
Industry Title	Average Employment	Annual Wage		Household Earnings
		2005	2006	
Total, All Industries	35,895	\$32,788	\$34,214	\$54,412
Goods-Producing	2,613	\$32,352	\$33,759	\$53,689
Agriculture, Forestry, Fishing and Hunting	102	\$33,145	\$34,587	\$54,837
Construction	2,226	\$32,391	\$33,800	\$53,590
Manufacturing	285	\$31,764	\$33,146	\$52,553
Service-Providing	33,282	\$32,823	\$34,251	\$54,305
Trade, Transportation, and Utilities	7,636	\$31,256	\$32,616	\$51,712
Wholesale Trade	520	\$45,167	\$47,132	\$74,728
Retail Trade	5,553	\$27,209	\$28,393	\$45,017
Information	457	\$47,952	\$50,038	\$79,335
Financial Activities	2,364	\$42,750	\$44,610	\$70,729
Finance and Insurance	1,220	\$50,038	\$52,215	\$82,787
Real Estate and Rental and Leasing	1,144	\$34,976	\$36,497	\$57,867
Professional and Business Services	2,603	\$43,410	\$45,298	\$71,821
Education and Health Services	4,049	\$37,743	\$39,385	\$62,445
Leisure and Hospitality	11,539	\$23,788	\$24,823	\$39,357
Accommodation and Food Services	10,136	\$23,297	\$24,310	\$38,544
Other Services	1,472	\$27,466	\$28,661	\$45,442
Public Administration-Government	3,132	\$47,605	\$49,676	\$79,002

SOURCE: Florida Labor Market Statistics, September 2006.

⁴⁰ See Appendix B: Employees per Household, Monroe County.

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

ORDINANCE NO.

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LAH CREEKSIDE LLC, TO AMEND THE OFFICIAL ZONING MAP FROM VILLAGE CENTER (VC) TO NEIGHBORHOOD COMMERCIAL (NC) FOR THE SUBJECT PROPERTY, LOCATED ON PLANTATION KEY, WITH REAL ESTATE NUMBERS 00437590-000000, 00437610-000000, 00437630-000000 AND 00437640-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

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

WHEREAS, the property owner, LAH Creekside LLC, has requested an Official Zoning Map amendment from Village Center (VC) District to the Neighborhood Commercial (NC) Zoning District for a parcel consisting of approximately 1.4698 acres of land with the Parcel ID Number 00437590-000000, 00437610-000000, 00437630-000000 AND 00437640-000000 (the "Property"), 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 held on June 10, 2024; and

WHEREAS, in accordance with Section 166.041, Florida Statutes, and Section 30-213 of the Village Code, notice of the public hearing(s) 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 consider 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:

BK 1 LTS 8 AND 9 BOATMANS COLONY PLANTATION KEY AND BK 1 LT 10 AND 11 BOATMANS COLONY PB3-90 PLANTATION KEY AND BK 1 LOTS 12 THRU 15 BOATMANS COLONY PB3-90 PLANTATION KEY

Section 3. Transmittal. The Village Clerk is hereby authorized to forward a copy of this Ordinance to the State Department of Commerce ("Commerce") 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 Commerce (Commerce) 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 _____, who moved for its adoption on first 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 Sharon Mahoney ____
Councilman Mark Gregg ____
Councilwoman Elizabeth Jolin ____
Councilman Henry Rosenthal ____

PASSED on the first reading this ____ day of _____, 2024.

[Remainder of this page intentionally left blank]

The foregoing Ordinance was offered by _____, who moved for its 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 Sharon Mahoney ___
Councilman Mark Gregg ___
Councilwoman Elizabeth Jolin___
Councilman Henry Rosenthal ___

PASSED AND ADOPTED on the second reading this ____ day of _____, 2024.

JOSEPH B. PINDER III, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN J. QUICK, VILLAGE ATTORNEY



Council Communication

To: Mayor and Village Council
From: Jennifer DeBoisbriand , Planning Director
Date: August 8, 2024
SUBJECT: **Amendment to Major Conditional Use - Islander Resort TAB H**

Background:

LAH Islander, LLC has submitted an application for Major Conditional Use approval to allow for the redevelopment of the existing Islander Hotel located at 82100 Overseas Highway. On or about July 17, 2024, notices were mailed to adjacent property owners informing them that the project was scheduled to be reviewed by the Village Council. A sign was also posted on the property on or about July 17, 2024. The Village has received no letters of objection or contact from adjacent owners as of this Council Communication. Pursuant to the Village Code of Ordinances, a Public Hearing before the Village Council to review the request is required.

The property is approximately 55.55 acres in size with about 22.08 acres of upland. The property is located on the east side of Overseas Highway on Upper Matecumbe Key. The property is zoned Tourist Commercial (TC) and within the Mixed Use (MU) Future Land Use Map designation (FLUM). The property is surrounded by properties zoned Tourist Commercial, Village Center, Residential Estate and Settlers Residential and across the street are properties zoned Village Center. The existing use of the property is a resort hotel with amenities. The hotel currently has one hundred and fourteen rooms (114). The property also has four affordable housing dwelling units, a museum and conference center.

The proposed development is to allow for the redevelopment of the northern portion of the property in conjunction with the transfer of fifty (50) hotel/motel units from Creekside Inn. The Major Conditional Use is triggered by the number of rooms. In the Tourist Commercial Zoning District any hotel development of 50 or more rooms requires a major conditional use.

The existing habitat for the Subject Parcel is classified as Disturbed.

Analysis:

Pursuant to Section 30-218 of the Code of Ordinances (the "Code") of Islamorada, Village of Islands, Florida (the "Village"), applications for Major Conditional Use must be considered by the Village Council for approval, approval with conditions, or denial based on the standards in Code Chapter 30, Land Development Regulations (LDRs).

Conditional uses are those uses that are generally compatible with the other uses permitted in a zoning district, but that require individual review of their location, design, configuration and intensity and density of the use and structures and may require the imposition of conditions pertinent thereto in order to ensure the appropriateness and compatibility of the use at a particular location. Conditional use review shall be accompanied by a site plan consistent with

subsection 30-215(d).

Pursuant to Code Section 30-216(d), when considering an application for a Conditional Use, the Director and Village Council shall consider the following factors, and no conditional use shall be approved which fails to meet any standard below. Failure to comply with any standard shall be deemed adverse to the public interest:

(1) The proposed conditional use is consistent with the purposes, goals, objectives, and policies of the Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use;

Policy 1-2.1.4: - Restrict Density and Intensity of Development The maximum range of allocated density and/or intensity (FAR) stated in the Comprehensive Plan and in the Land Development Regulations, for permitted uses in each future land use map category shall not exceed the thresholds established in accordance with the following table
The density (with TDRs) for Mixed Use (MU) has a maximum density of 12 units per acre; the Property will not exceed the allowable density with the transfer of fifty hotel/motel units.

Finding: The proposed development is within the Mixed Use (MU) FLUM Category. The Applicant's proposal meets the general criteria of Objective 1-2.4 of the Comprehensive Plan relating to the type and scope of uses that are permitted within the Mixed Use (MU) FLUM category and Policies 1-2.4.1, 1-2.4.3 and 1-2.4.6 relating to accommodation of existing or proposed tourist-oriented facilities.

OBJECTIVE 1-2.4: RECOGNIZE MIXED USE DEVELOPMENT PATTERNS. Areas designated Mixed Use (MU) on the Future Land Use Map recognize 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.

Policy 1-2.4.1: - Guide the Location of Commercial Uses and Revitalize Commercial Areas. 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.

Policy 1-2.4.3: - Commercial Uses Located Outside of Village Activity

Centers. Redevelopment shall be encouraged for commercial structures and uses designated MU and located outside of the Village Activity Centers, but only to the extent that impacts generated by the new structure and use are equal to or less than that generated by the previous structure and use. Commercial uses adjoining residential canals, except commercial fishing uses, shall be limited to fully enclosed uses of medium to low intensity. In lieu of commercial development, vacant properties shall be allowed, one (1) single family home or a transfer of development rights associated with the property, providing that such transfer restricts all future development options as further implemented by standards in the Land Development Regulations.

Policy 1-2.4.6: Establish Zoning District Criteria for MU. The following criteria shall be used as guidelines for designating Zoning Districts within the Mixed Use FLUM category:

1. Residential Zoning Districts: In general, residential Zoning Districts shall be established where there are existing residential neighborhoods within the Village Activity Centers.
2. Commercial Zoning Districts: In general, commercial Zoning Districts shall be established where there are existing commercial uses, including single vacant parcels of land located between two (2) existing commercial uses.
3. Integrated Use Zoning Districts: Integrated use Zoning Districts, which encourage commercial and residential uses to co-locate on the same parcel or within the same building shall be established to maintain and promote affordable, workforce and employee housing. Appropriate locations for integrated use zoning shall include, in general, areas where such uses already exist, the core areas of the Village Activity Centers and other select locations along U.S. 1 where existing structures, business types and locations lend themselves to compatible co-existence with residential uses.
4. School and Recreational Zoning Districts: These Zoning Districts shall be established to accommodate existing or proposed school or recreational uses.

Finding: The proposed Major Conditional Use is consistent with the above policies. The project is compatible with the surrounding commercial uses and will not negatively impact Level of Service standards.

IN COMPLIANCE.

Objective 1-4.1: Concurrency Management.

Objective 1-4.2: Manage and Coordinate Future Land Use Decisions.

Finding: Letters of coordination will be provided from all required utilities prior to issuance of building permit. The applicant has begun discussions with all applicable entities.

IN COMPLIANCE

(2) The proposed conditional use complies with all relevant and appropriate portions of the LDRs;

Landscaping Standards:

Finding: The proposed redevelopment is an existing hotel. Landscaping plans have been provided and reviewed by the Village Biologist.

IN COMPLIANCE

Parking:

Finding: The Applicant has provided parking in excess of the required number of parking spaces.

IN COMPLIANCE

(3) The proposed conditional use is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development;

Finding: The proposed use is compatible and consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.

IN COMPLIANCE

(4) The design of the proposed conditional use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands;

Finding: The proposed project has been designed to minimize adverse effects on adjacent property.

IN COMPLIANCE

(5) The Proposed Development complies with Division 5 (Concurrency Management) [of Article IV of the LDRs];

Roads:

Finding: The Property is located on Overseas Highway. The proposed project is not expected to impact the Level of Service (LOS) for Overseas Highway. The hotel units are being transferred from another hotel on Overseas Highway. The trips per day have been accounted for. The Applicant has submitted a Traffic Assessment completed by KBP Consulting Inc dated July 20, 2023.

IN COMPLIANCE

Stormwater:

Finding: The Applicant is providing stormwater management for the proposed project. The stormwater has been reviewed and signed off by the Village Review Engineer. IN COMPLIANCE

(6) The proposed conditional use minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment; and,

Finding: There are no environmentally sensitive habitats on the subject property.

IN COMPLIANCE

(7) The proposed conditional use will result in logical, timely and orderly development patterns.

Finding: The proposed project is an expansion project.

IN COMPLIANCE

Budget Impact:

None

Staff Impact:

None

Recommendation:

Staff has reviewed the request for Major Conditional Use Approval and determined that the site plan is consistent with the goals, objectives, and policies of the comprehensive plan and complies with applicable provisions of the Code of Ordinances. Staff recommends that the Village Council APPROVE the proposed Major Conditional Use application by adoption of the attached Resolution, subject to the following Conditions of Approval:

1. Prior to the issuance of a Building permit water quantity calculations along with all applicable rainfall and soil data shall be provided to the planning review engineer to verify exfiltration trench design.
2. During review of Building permit applications, the following Fire Department Conditions shall be met:
 - a. Hydrant required, to be located by AHJ
 - b. Fire Alarm system required
 - c. Aldridge Bengé Signage is required where applicable.
 - d. The structure(s) shall be protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 1-13.3.2.15.2. [101:30.3.5.1].
 - e. All fire lanes must be extended or have landscaping capable of supporting fire apparatus installed.
 - f. Current fire lane access off of Carol St cannot be used as construction entrance. A separate construction entrance must be made available from Old Hwy.
 - g. Further conditions may be applied when building permits are applied for.
3. Prior to the issuance of a Building Permit provide a copy of the SFWMD ERP Permit for the project
4. Project must comply with current Florida Building Code and Village Floodplain Ordinance.
5. Prior to the issuance of any Building Permit, the Applicant, their Successors or Assigns, shall have an approved Stormwater Management Plan for the proposed project and submit it to the Planning and Development Services Department.
6. Prior to the issuance of any Building Permit, the Applicant, their Successors or Assigns, shall coordinate with the Village's Wastewater consultant for the provision of wastewater services. The project shall comply in all aspects with Village Wastewater requirements.
7. No building permits shall be issued until building permits have been issued for Workforce/Affordable housing at Creekside Inn.
8. The proposed Major Conditional Use Permit shall allow for the construction of 56 hotel units and associated site improvements as defined in the Code of Ordinances as depicted on the Site Plan, prepared by Weiler Engineering Corporation dated February 7, 2024, and entitled 'Concept Best Management Practices Plan for Islander Resort.' All improvements shall be completed in substantial conformance with said Site Plan pursuant to the direction of the Department of Planning and Development Services.
9. Landscaping and buffer improvements shall be completed in substantial conformance with the Landscape Plan submitted as a part of the Application pursuant to the direction of the Department of Planning and Development Services prior to the issuance of any Certificates of

Occupancy.

10. The Applicant shall meet the requirements of Comprehensive Plan Coastal Element - Policy 5-1.2.13, which requires a Water Quality Monitoring Program.

11. A Final Certificate of Occupancy shall not be issued for the proposed construction until all required improvements have been completed to the satisfaction of the Department of Planning and Development Services and the Village Building Official.

12. The improvement of the premises, in accordance with the determination of the Village, must commence within thirty-six (36) months after the date of the granting of the Major Conditional Use. If not commenced within this period, the Village reserves the right to revoke any and all approvals associated with the subject property after due public hearing. Thereafter, the operation of the use previously authorized shall be terminated and there shall be no right to non-conformity.

13. The Village reserves the right to rescind in whole or part any aspect of this Major Conditional Use in the event violation of these conditions occurs.

14. All conditions shall be enforceable through all the powers of the Village Attorney's Office and the Village reserves the right after due public hearing, to rescind in whole or part this Major Conditional Use, if violation of the conditions persists.

Attachments:

1. 10_19_2022_Executed_MCU Application - LAH Islander LLC1
2. Islander VC Backup 882024
3. Reso_PLCUP20220131 Islander



Islamorada, Village of Islands Planning & Development Services

86800 Overseas Highway, Islamorada, FL 33036
T: 305-664-6400, F: 305-664-6467

Application for Conditional Use Approval

Pursuant to Code Chapter 30, Article IV, Division 2

<u>Application Type</u>	<u>Fee</u>	<u>*Deposit</u>	<u>Total Fee Due</u>
☒ Major Conditional Use	\$5,220.00	\$5,000.00	\$10,220.00
☐ Minor conditional Use	\$3,510.00	\$5,000.00	\$ 8,510.00
☐ Minor Deviation	\$1,000.00	\$1,000.00	\$ 2,000.00
☐ Docks (pursuant to Code Section 30-1554)	\$1,900.00	\$1,000.00	\$ 2,900.00

After a second Notice of Deficiencies, an additional fee equal to 10% of the application fee shall be due with each re-submittal.

* A deposit is required for development approval or permits which necessitate additional review and processing, and/or public hearing and notice requirements. Applicants are required to pay a cost recovery deposit which shall be credited toward the fee charged for such additional review and processing and shall pay additional deposits as may be required from time to time. A debit based upon the actual time expended in reviewing an application and the applicable actual amount charged to the Village shall be charged against the cost recovery deposit.

PLEASE NOTE: THIS APPLICATION ACCEPTED BY APPOINTMENT ONLY.

An application must be deemed complete and in compliance with the Village Code by Staff prior to the items being scheduled for review. See Attachments A and B for a list of required submittals and documents.

A Pre-Application Conference is mandatory prior to submission of an Application for Conditional Use Approval that would be applicable to the Administrative Design Review Standards set forth in Code Section 30-215(d)(20).

APPLICANT / AGENT (if applicable): Property owner must submit a **notarized** letter authorizing the applicant/agent to act on their behalf including the agent's name, address and phone number.

Name: Barton W. Smith

Mailing Address: 138 Simonton Street

City: Key West State: FL Zip: 33040

Home/Mobile Phone: _____ Office: (305) 296 7227 Fax: _____

Email: Bart@SmithHawks.com / Jess@SmithHawks.com/Brandi@SmithHawks.com

PROPERTY OWNER:

Name: LAH Islander LLC

Mailing Address: C/o Agent

City: C/o Agent State: C/o Agent Zip: C/o Agent

Home/Mobile Phone: C/o Agent Office: C/o Agent Fax: _____

Email: C/o Agent

LEGAL DESCRIPTION OF PROPERTY: If in metes and bounds, attach legal description on separate sheet.

Physical Address: 82100 OVERSEAS Highway & 132 Carroll Street, Upper Matecumbe Key, Florida 33036 Mile Marker: 82

Lot: See Attached Block: See Attached Subdivision: Stratton

☐ Plantation Key ☐ Windley Key ☒ Upper Matecumbe Key ☐ Lower Matecumbe Key

Real Estate (RE) Number: 00400810-000000; Alternate Key: 00400450-000000

PROPERTY DESCRIPTION:

Zoning District: Tourist Commercial (TC)/Settlers Residential (SR) Future Land Use Category: Mixed Use (MU)

Total Land Area: 55.55 Gross Acres 22.08 Upland Square Feet: 2,419,758 gross 961,804.8 upland Acres: 55.55 gross 22.08 upland

Existing Use of Property: Hotel (transient uses); museum; residential

Proposed Use of Property: Hotel (transient uses); museum; residential

PROPOSED CONDITIONAL USE:

If non-residential or commercial floor area is proposed, please provide:

	Existing	Proposed	Change
Total number of non-residential buildings:	1	0	0
Total non-residential floor area in square feet:	20,596 SF	0	0

If residential dwelling units are proposed, please provide:

	Existing	Proposed	Change
Total number of residential buildings:	17	10	27
Total number of permanent, market-rate units:	0	0	0
Total number of permanent, affordable/ workforce housing units:	4	0	4
Total number of transient units (hotel/motel rooms, recreational vehicles):	114	56	170

Have any applications been submitted for this site within the past three (3) years? ☐ Yes ☒ No

If yes, provide name of the applicant and date of applications: _____

Is this an Amendment or a Minor Deviation to a previously approved Conditional Use? ☒ Yes ☐ No

If yes, attach the approved site plan, a revised site plan, and list below all proposed changes. Please provide an explanation of each change: See attached correspondence.

If an Amendment or a Minor Deviation to an approved Conditional Use, please provide prior Project Numbers and/or Resolution Numbers: No. 11-06-33

Pursuant to Code Section 30-216(d), when considering an application for a Conditional Use, the Director of Planning and Development Services ("Director") and Village Council shall consider the following factors, and no Conditional Use shall be approved which fails to meet any standard below. Failure to comply with any standard shall be deemed adverse to the public interest.

Please attach a statement explaining how the proposed Conditional Use meets each standard below.

- (1) The proposed Conditional Use is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use;

- (2) The proposed Conditional Use complies with all relevant and appropriate portions of Village Code Chapter 30, *Land Development Regulations (LDRs)*;
- (3) The proposed Conditional Use is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development;
- (4) The design of the proposed Conditional Use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands;
- (5) The proposed Conditional Use complies with Division 5 (Concurrency Management) of Article IV of the LDRs;
- (6) The proposed Conditional Use minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment; and
- (7) The proposed Conditional Use will result in logical, timely and orderly development patterns.

ATTACHMENT A

The following is a list of submittals and documents required for Conditional Use Approval. One (1) paper copy of all documents is required. One (1) digital copy may also be submitted in PDF format on a CD-ROM or DVD-ROM. Up to 12 additional hard copies may be requested if a public hearing is required. Data furnished in the application shall be to scale and shall include the following information, unless waived in writing by the Director. All paper plans shall be folded to a size no larger than 9"x12".

- ☒ **Correct application fee.** Check or money order to "Islamorada, Village of Islands".
- ☒ **Notarized agent authorization letter**, if applicable, including the agent's name, address and phone number authorizing the applicant/agent to act on all property owners' behalf.
- ☒ **Proof of ownership** e.g. warranty deed, lease or pending sale contract.
- ☒ **Property record card** from the Monroe County Property Appraiser.
- ☒ **Copy of recorded notice of approval or resolution** of prior Conditional Use (if submitting an application for an amendment or minor deviation).
- ☒ **Location map** showing where the project is located on the Key.
- ☒ **Photographs** of site from adjacent streets. A recent aerial photograph with property boundaries delineated may be substituted.
- ☐ **Signed and sealed survey** prepared by a Florida registered surveyor. The survey shall include elevations and location of all existing structures, paved areas, location of all utility structures, all easements, all bodies of water on and adjacent to the site, docks, piers, mean high water line and total acreage by habitat.
- ☒ **Site plan** prepared by a professional architect, engineer, or landscape architect. May be either a Site Plan previously approved and still effective by the Village or a new proposed Site Plan. See **Attachment B** for minimum site plan requirements.
- ☒ **Floor plans** of all proposed structures and for any existing structures to be redeveloped or enlarged, drawn at an appropriate standard architectural scale and including handicap accessibility features.
- ☒ **Elevation drawings** of all proposed structures and any existing structures to be modified with the elevations of the following features referenced to NGVD: Existing grade, finished grade, finished floor elevations (lowest supporting beam for V-zone development), roofline and highest point of the structure.
- ☒ **Landscaping plan** (may be combined with site plan or separate plan) drawn to scale, and at a minimum should include open space preservation areas, existing natural features, class and width of required landscape bufferyards (including the species, size and quantity of plants), street trees, and parking area landscaping.
- ☒ **Outdoor lighting plan** pursuant to Code Chapter 30, Article V, Division 5, including a site plan and inventory containing manufacturer's catalog cuts (where available), lamp type and output specification (lumen output) for each proposed fixture, proposed mounting height of all exterior fixtures, and the aiming direction and scope of illumination for any spotlights or floodlights.
- ☐ **Habitat analysis and/or vegetation survey** pursuant to Code Sections 30-1613 and 30-1614(e), prepared by a Village qualified biologist. N/A

- ☒ **Stormwater management plan** pursuant to Code Section 30-1724, signed and sealed by a Florida registered engineer or architect with drainage calculations and at the same scale as the site plan. The plan must show existing and proposed topography, all drainage structures, retention areas and drainage swales, and existing and proposed permeable and impermeable areas.
- ☐ **Affordable housing mitigation plan** pursuant to Code Chapter 30, Article IV, Division 16. **N/A**
- ☐ **Traffic study** prepared by a licensed traffic engineer pursuant to Monroe County Traffic Report Guidelines Manual. **N/A**
- ☒ **Construction management plan** stating how impacts on nearshore water and surrounding property will be managed (i.e. construction barrier, hay bales, flagging, etc.).
- ☐ **Construction phasing plan** Phased projects must include 20% of the project's land area in the development of each phase, unless a phasing specifically requested as part of the conditional use. **N/A**
- ☐ **Letters of coordination** from the following agencies. Applicants must check with the Staff to identify other agencies expected to review the project. These may include, but are not limited to: **Pending verification from Village**
- ☐ Florida Department of Environmental Protection (DEP)
 - ☐ Florida Department of Health (DOH)
 - ☐ Florida Department of State, Division of Historic Resources (DHR)
 - ☐ Florida Department of Transportation (FDOT)
 - ☐ Florida Fish and Wildlife Conservation Commission (FWC)
 - ☐ Florida Keys Aqueduct Authority (FKAA)
 - ☐ Florida Keys Electric Cooperative (FKEC)
 - ☐ South Florida Water Management District (SFWMD)
 - ☐ U.S. Army Corps of Engineers (ACOE)
 - ☐ U.S. Fish & Wildlife Service (FWS)

If deemed necessary to complete a full review of the application, the Planning and Development Services Department reserves the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate. I certify that all information required, as indicated in Attachments A and B, has been provided.

Digital signatures do not require notarization when they can be verified by a Trusted Certificate issued by a third-party Certificate Authority. If you are not using a "verifiable digital signature", print this document and have it notarized.

Signature of Applicant or Agent: _____ Date: 10/19/2022

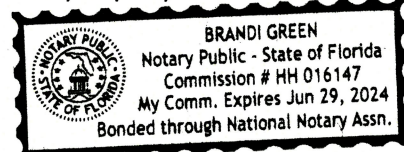
Print Name: Barton W. Smith

STATE OF Florida
COUNTY OF Monroe

Sworn to and subscribed before me by means of ☒ physical appearance or ☐ online notarization, this 19th day of October, 2022, by Barton W. Smith (name of person signing the application) as Agent (type of authority e.g. officer, manager / member, trustee, attorney in fact) for LAH Islander LLC (name of entity or party on behalf of whom application was executed).

Brandi Green
Signature of Notary Public - State of Florida

SEAL:



☒ Personally Known ☐ Produced Identification Type of ID: _____

SMITH/HAWKS
ATTORNEYS AT LAW

Barton W. Smith, Esq.
Telephone: (305) 296-7227
Facsimile: (305) 296-8448
E-mail: Bart@SmithHawks.com

UPLOADED TO CITYVIEW ePORTAL

October 19, 2022

Daniel Gulizio, Director of Planning
Islamorada, Village of Islands
Planning and Development Services Department
86800 Overseas Highway
Islamorada, Florida 33036
Email: PlanningDirector@islamorada.fl.us

**RE: APPLICATION FOR AN AMENDMENT TO A MAJOR CONDITIONAL USE
APPROVAL – [LAH ISLANDER LLC]**

Dear Dan,

Please allow this correspondence to serve as the background and analysis letter in support of our clients, LAH Islander LLC's ("Applicant") application for an Amendment to a Major Conditional Use Approval ("Application"), the amendment ("Amendment") is in accordance with §30-216, and §30-218 of the Code of Ordinances Islamorada, Village of Islands, Florida ("Code"), to authorize the development of a portion of the parcel commonly known as the Islander Resort, with Monroe County Parcel ID No.s: 00400810-000000 and 00400450-000000 (the "Property") with fifty-six (56) transient hotel rooms and accessory structures and uses, making the total number of transient rooms on the Property one hundred and seventy (170).

Please find the application for an Amendment to a Major Conditional Use Approval and all required supporting documentation uploaded to the Cityview ePortal with this background and analysis letter. Additionally, check no. 000052 in the amount of ten thousand two hundred twenty dollars and no cents (\$10,220.00) for the fees and cost related to the Application has been sent via FedEx priority overnight, tracking no.: 7702 5379 9076 to your attention.

Proposed Development:

The Amendment will allow the redevelopment of the northern portion of the Property with fifty-six (56) transient rooms (the "Redevelopment") including associated accessory uses, bringing the total number of transient units on the Property to one hundred and seventy (170) ("Development"). All Development on the Property will be completed pursuant to all relevant sections of the Code.

00270013 - v3

BACKGROUND, WRITTEN DESCRIPTION, CODE COMPLIANCE ANALYSIS

I. BACKGROUND INFORMATION:

- a. **Location:** MM 81/82, Village Of Islamorada, Florida
- b. **Address:** 82100 Overseas Hwy, Upper Matecumbe Key, FL 33036
81998 Old Hwy, Upper Matecumbe Key, FL 33036
132 Carroll St, Upper Matecumbe Key, FL 33036
- c. **Real Estate (RE) Number:** 00400810-000000, And 00400450-000000
- d. **Property Owner/Applicant:** LAH Islander LLC
- e. **Total Islander Resort Area:** Approximately 55.55 Acres, With 22.08 Upland Acres
- f. **Land Use District:** Tourist Commercial (TC) And Settlers Residential (SR)
- g. **Future Land Use Map (FLUM) Designation:** Mixed Use (Mu)
- h. **Flood Zone:** Multiple On Site: AE8, AE9, AE 10 VE 11, VE 10
- i. **Existing Uses:** Hotel (Transient Uses); Museum; Residential
- j. **Community Character of Immediate Vicinity:** Adjacent Land Uses Include Residential; Vacant Land; and Commercial.

The Islander Resort is located at 82100 Overseas Highway, 81998 Old Highway, and 132 Carroll Street, Upper Matecumbe Key, Village of Islamorada, Florida 33036, at approximate mile marker 82 (Atlantic side of U.S. 1). Site Boundaries are shown on the Islander survey uploaded simotenuously with the Application.

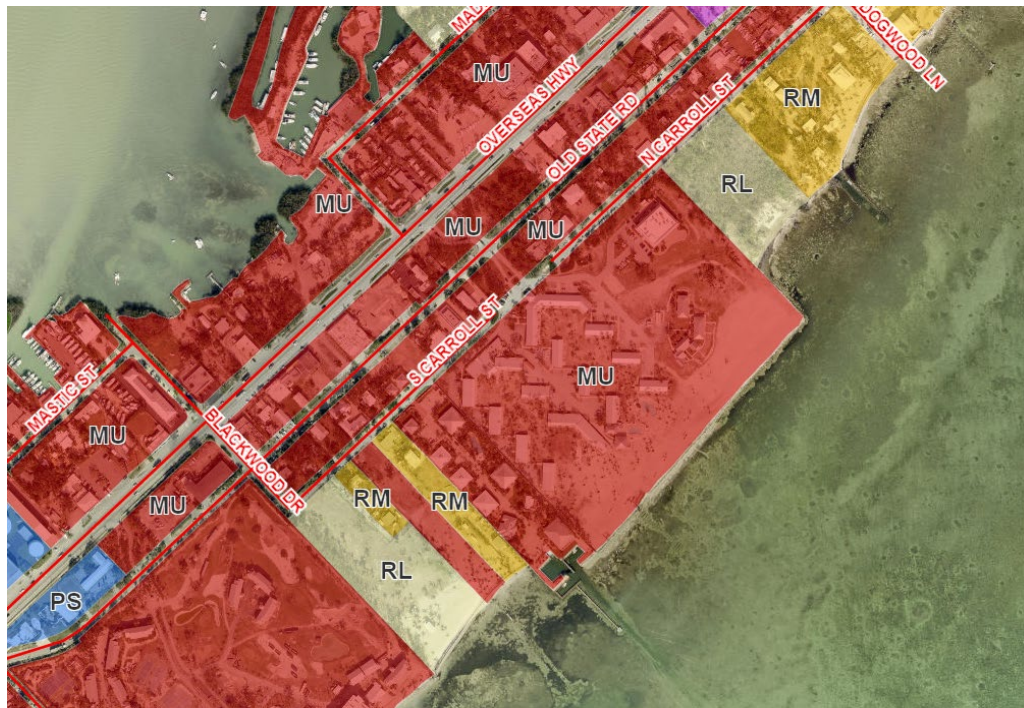
The Islander Resort has a Property Land Use District designation of Tourist Commercial ("TC") and Settlers Residential (SR) and a Future Land Use Map (FLUM) designation of Mixed use ("MU"). The Islander Resort has a gross acreage of approximately 50.55 acres, consisting of approximately 22.08 acres of upland and 28.48 acres of submerged land.

II. EXISTING ZONING AND FLUM ON THE ISLANDER RESORT:

- a. **Zoning:** Parcel ID No.s: 00400810-000000 (Tourist Commercial), 00400400-000000, 00400450-000000 (Settlers Residential):



- b. FLUM: Parcel ID No.s: 00400810-000000, 00400400-000000, 00400450-000000 (Mixed Use):



III. EXISTING DEVELOPMENT- ISLANDER HOTEL:

The Islander Resort is composed of four (4) parcels of land totaling approximately 50.55 acres including 22.08 acres of upland. The Islander Resort is a resort hotel with amenities including meeting facilities; 1,100 feet of white coral sand beach; a lighted fishing pier; two (2) heated pools; shuffleboard; volleyball; and coin operated laundry facilities. Prior approvals (01-07-60, 02-05-29, 11-06-33) recognize a total of one hundred fourteen (114) transient units in seventeen (17) buildings, four (4) affordable housing dwelling units. Additionally, the property contains a 15,336 sq. ft. museum and conference center.

IV. RELEVANT PRIOR CITY ACTIONS:

- a. On January 9, 2001, the Village Council of Islamorada, granted with conditions a waiver from the commercial moratorium imposed by the Village Ordinance to apply for conditional use approval for development at the property (Resolution No. 01-05-31).
- b. On July 26, 2001, the Village Planning Commission approved Resolution No. 01-07-60 granting S&H, Inc. a Major Conditional Use Approval with conditions for development at the property.
- c. On June 25, 2002, the Village Council approved Resolution No. 02-05-29 granting S&H Inc. an amendment to major conditional use approval for deleting the previously approved thirty (30) transient units to be transferred from Sunset Inn; deleting the previously approved transfer of 11,252 sq. ft. of commercial square footage from Sunset Inn; removing three (3) affordable housing units; remodeling existing development; replacing six (6) existing transient units; and reconfiguring existing commercial square footage to accommodate both a beach/pool restaurant/bar facility and a small retail shop approximately 262 sq. ft. in area.
- d. On September 9, 2011, the Village Council approved Resolution No. 11-06-33 granting H&C Islander Resort, LLC an amendment to major conditional use to allow for the construction of a museum and conference center and required affordable residential dwelling units on property located at 82100 Overseas Hwy.
- e. On June 23, 2011, the Village Council executed Resolution No. 11-06-34 approving an affordable housing mitigation agreement with H&C Islander Resort, LLC; authorizing the appropriate Village Officials to execute the affordable housing mitigation agreement and to take all actions necessary to implement the terms and conditions of the affordable housing mitigation agreement.
- f. On April 25, 2013, the Village Council granted Resolution No. 13-04-18 approving the first amendment to an affordable housing mitigation agreement with H&C Islander Resort, LLC, authorizing the appropriate Village Officials to execute the affordable housing mitigation agreement and to take all actions necessary to implement the terms and conditions of the affordable housing mitigation agreement.

V. MAJOR CONDITIONAL USE APPROVAL REQUEST:

The Property is a resort hotel with amenities including meeting facilities; 1,100 feet of white coral sand beach; a lighted fishing pier; two heated pools; shuffleboard; volleyball; and coin operated laundry facilities. Prior approvals (01-07-60, 02-05-29, 11-06-33) recognize a total of 118 units on-site comprised of 114 transient units, and four (4) affordable housing dwelling units. The units were constructed in 1951 and retain their original character. In 2011, the northeastern portion of the Property was redeveloped with a 15,336 sq. ft. museum and conference center pursuant to Village Council approved Resolution No. 11-06-33, which approved an amendment to the major conditional use approval.

The Islander Resort is composed of four parcels located at approximately MM 82.1.



Property 1 is commonly known as the "Annex" and contains two structures that were connected structurally as a condition of a prior development order for the conversion of six (6) transient units and one manager's residence into one affordable unit. Historically, the section of the Annex property facing Carroll Street was a structure that contained six transient units, while on the section of the Annex property facing the Old Highway was a residence used for employee housing. The structures were deeded into two (2) separate affordable housing dwelling units pursuant to the affordable housing mitigation plan approved by Resolution No. 11-06-34. The property is bounded on the northwest by the Old Highway and parking for several commercial businesses fronting US 1; on the northeast by single family residences; on the southeast by single family residences and a resort; and on the southwest by single family residences.

Property 2 contains a portion of the private access road to the resort from US 1 and the wastewater treatment plant. Property 2 is bounded on the northwest by US 1, the Blue Fin Inn and the Islamorada Boat Center; on the northeast by the vacant commercial property; on the southeast by Property 3; and on the southwest by commercial retail.

Property 3 contains a portion of the private access road to the resort. It is bounded on the northwest by Property 2; on the northeast by single family residences; on the southeast by Property 4; and on the southwest by single family residences and mobile homes.

Property 4 is the primary property for the Islander Resort and contains one hundred and fourteen (114) transient units in seventeen (17) buildings, and a 15,336 sq. ft. museum and conference center. The North portion of the Property is the proposed location of the proposed Redevelopment. Property 4 is bounded on the northwest by Carroll Street, Property 3, single family residences, and a small mini self-storage warehouse; on the northeast by a vacant acreage tract; on the southeast by the Atlantic Ocean; and on the southwest by single family residences.

A. ANALYSIS.

Pursuant to Code Section 30-216(d), the Director of Planning and Development Services and Village Council shall consider the following factors, and no conditional use shall be approved which fails to meet any standard below:

- 1. The proposed conditional use is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use.**

The Property is located within the MU FLUM Category. The applicable portions of the Comprehensive Plan relating to the Applicant's proposal including type and scope of uses that are permitted within the Mixed Use (MU) FLUM category are as follows.

OBJECTIVE 1-2.4: RECOGNIZE MIXED USE DEVELOPMENT PATTERNS.

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 (LDRs).

Policy 1-2.4.1: Guide the Location of Commercial Uses and Revitalize Commercial Areas.

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.

Policy 1-2.4.4: Residential Uses in the Mixed-Use Designation.

Residential uses, including residential institutional uses in MU shall not exceed six (6) units per acre, except that up to twelve (12) units per acre may be allowed pursuant to the standards in the Land Development Regulations when used as receiver sites for the transfer of development rights from approved sender sites and fifteen (15) units per acre may be permitted for purposes of providing affordable housing. Notwithstanding the density limitations each parcel of commercially developed land in the Settlers Residential (SR), Village Center (VC), Tourist Commercial (TC), Commercial Fishing (CF), Marine Use (MR), Highway Commercial (HC), Neighborhood Commercial (NC), and Recreation (R) Zoning Districts shall be entitled to construct, subject to the BPAS, one affordable housing unit subject to all other regulations.

Policy 1-2.4.6: Establish Zoning District Criteria for MU.

The following criteria shall be used as guidelines for designating Zoning Districts within the Mixed Use FLUM category:

3. **Integrated Use Zoning Districts:** Integrated use Zoning Districts, which encourage commercial and residential uses to co-locate on the same parcel or within the same building shall be established to maintain and promote affordable, workforce and employee housing. Appropriate locations for integrated use zoning shall include, in general, areas where such uses already exist, the core areas of the Village Activity Centers and other select locations along U.S. 1 where existing structures, business types and locations lend themselves to compatible co-existence with residential uses.

The Property's units have existed since 1951 and its existing infrastructure is sufficient to support the proposed Redevelopment. The proposed Redevelopment would be compatible with the surrounding commercial and residential uses and the required bufferyards have been provided to mitigate any adverse impacts on surrounding properties. Furthermore, the proposed development would not add volume to US 1 that exceeds the available LOS C allocation. Therefore, the proposed Redevelopment is consistent with Objective 1-2.4 and Policies 1-2.4.1, 1-2.4.4 and 1-2.4.6 of the Comprehensive Plan.

B. The proposed conditional use complies with all relevant and appropriate portions of this chapter [Code Chapter 30, Land Development Regulations (“LDRs”)]. Relevant and appropriate portions of the LDRs that apply to the proposed development are as follows:

1. Zoning District:

Pursuant to Code Section 30-693(d)(l) the TC Zoning District allows hotels or motels having more than 50 rooms subject to Major Conditional Use approval. The proposed use is consistent with the purpose of the TC Zoning District to accommodate tourist lodging, tourist attractions and supportive facilities.

2. Density and Intensity

The Islander Resort is comprised of approximately 22.08 acres of upland. The TC zone has an allocated density of six (6) dwelling units per acre and a maximum net density of twelve (12) dwelling units per acre or up to 15 deed restricted affordable housing dwelling units per acre. The following Density analysis will be for the Islander Resort:

Upland Acres = 22.08

Buildable Acres = 17.664 (Upland acres x 0.8)

<i>Dwelling Unit</i>	<i>Allocated Density</i>	<i>Density with TDRs (Buildable Acre)</i>	<i>Allocated Density (Units)</i>	<i>Max Net Density with TDRs</i>
Dwelling units	6	18	6 x 22.08 = 132.48	12 x 17.664 = 212
Affordable Housing	15	N/A	15 x 22.08 = 331	N/A
Proposed Transient Development		56 Units		
Existing Transient Development		114 Units		
Existing Affordable Housing		2 Dwelling Units		

The Property has sufficient density to support the Development with the use of TDRs. The Applicant is permitted to develop 12 dwelling units per buildable acre with the use of Transferable Development Rights (“TDRs”). The Applicant will transfer the required TDRs onto the site in for the proposed Redevelopment. Subject to the transfer of the required TDRs, the Property has sufficient density to complete the proposed Redevelopment and is compliant with the LDR density requirements.

3. Density and Intensity

<i>Land Use</i>	<i>FAR/Density</i>	<i>Size of Upland</i>	<i>Maximum Allowed</i>	<i>Proposed /Existing</i>	<i>Potential Used</i>
Non-Residential Floor Area	0.25	961,804.8 SQ. FT.	240,451.2 SQ. FT.	20,596 SQ. FT.	8.57%
Residential (Transient)	Max Net 12 DU/Buildable Acre	17.664 Buildable Acres	212	170	80.2%
Permanent Residential (Affordable)	15 DU	22.08 Gross Acres	331	4	1.2%
Total			89.97%		

The Applicant is permitted to develop 12 dwelling units per buildable acre with the use of Transferable Development Rights (“TDRs”). The Applicant will transfer the required TDRs onto the site in for the proposed Redevelopment. Subject to the transfer of the required TDRs, the Property has sufficient density and intensity to complete the proposed Redevelopment and is compliant with the LDR density and intensity requirements.

4. Setbacks

Land Use District	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)	Lawfully Altered Shoreline (ft.)
Tourist Commercial (TC)	25	10	20	30

Pursuant to the site plan, the proposed Redevelopment is complaint with the LDR non-shoreline and shoreline setback requirements.

5. Height

Pursuant to the building elevations included with this application, the height of the existing and proposed structures do not exceed the maximum 35 foot height for development pursuant to Code Section 30-693(e), and the proposed Redevelopment is compliant with the LDR height requirements

6. Parking

Pursuant to Code Section 30-852, the Property has the following off street parking requirements:

Units	Number of Units	Parking Required Per Unit	Total Parking required
Hotel Rooms	170	1.0 per room	170
Affordable Housing			
Affordable Housing Dwelling Units	2	4	8
Non-residential Use	Square Feet/Seating	Parking Required	Total Parking Required
Museum	15,336 sq. ft.	1.5 per 1,000 gross square feet of floor area	23
Total			201 Spaces

Shared parking:

Pursuant to Code section 30-852(d), shared parking calculations are permitted where two or more uses on the same lot or separate lots are to share the same parking spaces because their peak parking demands do not occur at the same time.

<u>SHARED PARKING:</u>					
	NIGHT (12-6 am)	WEEKDAY (9am - 4pm)	WEEKDAY (6pm -12am)	WEEKEND (9am -4pm)	WEEKEND (6pm -12am)
Residential Affordable (4 Spaces)					
Multiplier	1	0.6	0.9	0.8	0.9
Spaces	4	2.4	3.6	3.2	3.6
Hotel (170 Spaces)					
Multiplier	0.75	0.75	1	0.75	1
Spaces	127.5	127.5	170	127.5	170
Other (Museum) (23 Spaces)					
Multiplier	1	1	1	1	1
Spaces	23	23	23	23	23
Total	154.5	152.9	196.6	153.7	196.6

Accordingly, the proposed Redevelopment requires a total of one hundred ninety-seven (197) off street parking spaces. Pursuant to the site plan, the proposed Redevelopment is providing the following: eleven (11) ADA accessible spaces, and two hundred twenty-nine (229) standard parking spaces for a total of two hundred forty (240) parking spaces, which exceeds the required amount of off-street parking pursuant to the Code. The Applicant is proposing to provide additional parking that is not required that would in turn accommodate for all parking required for the increase in parking demand. The Applicant meets the requirements for the number of off-street parking spaces.

7. Open Space

The Property has a 20% open space requirement. Therefore, 4.4 acres or 191,664 sq. ft. is required to remain open space. Pursuant to the site plan, the proposed Redevelopment is compliant with the Code requirements for open space.

8. Transferable Development Rights (TDRs)

The proposed Redevelopment will utilize TDRs transferred on site from the Creekside Inn ("Creekside") pursuant to Section 30-503 of the Code and the zoning and use determination application that is currently pending with the village. Utilization of the TDRs increases the density for residential units on the Property to 12 per acre (See density section above). Subject to the transfer of the TDRs, the Property is compliant as to density.

9. Transient BPAS Units

The proposed Redevelopment will utilize fifty (50) Transferable Transient ROGO exemptions/building permit allocations from Creekside pursuant to Code Section 30-506 and the zoning and use determination application that is currently pending with the Village. The proposed Redevelopment will be contingent on the approval and transfer of the required Transferable Transient ROGO Exemptions/building permit allocations.

C. The proposed conditional use is compatible and generally consistent with the uses and character of the land surrounding, in the vicinity of the land proposed for development, and the design of the proposed development minimizes adverse effects, including visual impacts of the proposed use on adjacent properties.

The Islander Resort and subject Property has existed within the surrounding land uses and environment for over 60 years. The Property has been continuously operated as a resort, and the proposed Redevelopment will maintain the same community character that has existed for years. The Property currently maintains a 20-foot Class D bufferyard along the Northeast property line along Overseas Highway, a 5-foot class B bufferyard along Carrol, and a 20-foot Class C Major Street bufferyard running along the entire front property line along Old Highway. Additionally, there is an existing Class D zoning district boundary bufferyard along the Northeast property line. The bufferyards mitigate any potential impacts on surrounding properties.

In addition to the bufferyards, the landscape plan proposes additional landscaping which would further mitigate any visual impacts on adjacent properties.

D. The proposed development complies with Division 5 of Article IV "Concurrency Management" of Chapter 30.

- 1. Code Section 30-301 provides level of service (LOS) standards for concurrency. According to Code Section 30-304(l)(a) Roads, U.S. 1 must maintain an operational margin within 5% of LOS of "C."**

The proposed Redevelopment is proposing to utilize transient BPAS units from the Creekside, which is a hotel/motel located within the Village of Islamorada. The existing transient BPAS units will be transferred from Creekside to the Property prior to development. Based on the current existence and operation of the fifty (50) transient BPAS units at Creekside as an operational hotel/motel, the daily trips associated with the BPAS units have already been accounted for on the relevant segments of U.S. 1. Transferring the existing BPAS units for utilization and development at the Property will not increase the number of transient units located in the Village of Islamorada from what currently exists today, and therefore will not affect the level of service on U.S. 1. Subject to the transfer of the fifty (50) existing transient BPAS units from the Creekside to the Property, the proposed Redevelopment is simply relocating already existing and operating hotel units that have already been accounted for in the County's Arterial Time Delay Studies and is therefore not generating and additional trips on U.S.1 and is compliant with the Code.

- 2. Pursuant to Code Section 30-304(2) Solid Waste, in order for development to be approved there must be sufficient capacity available at a solid waste disposal site to accommodate all existing and approved development for a period of at least three (3) years from the projected date of completion.**

Existing facilities onsite are adequate to serve the proposed and existing uses. As discussed, a letter of coordination from the required utility will be provided once the Village provides a list of required utilities, and once received from the utility.

- 3. Pursuant to Code Section 30-304(3) Potable Water, sufficient potable water from an approved and permitted source shall be available to satisfy the projected water needs of the proposed development.**

Potable water is supplied by the Florida Keys Aqueduct Authority (FKAA). The Applicant has begun the coordination process with FKAA and will provide a coordination letter from FKAA indicating that sufficient potable water is available to satisfy the projected water needs of the proposed development.

4. **Pursuant to Code Section 30-304(4) *Stormwater*, stormwater calculations must be provided demonstrating that post-development runoff does not exceed the pre-development runoff rate for a 25-year storm event, up to and including an event with a 24 hour duration; treatment and disposal facilities meet the design and performance standards as established in the Florida Administrative Code; and stormwater discharging into Outstanding Florida Waters shall provide additional treatment pursuant to the Florida Administrative Code.**

The Stormwater management plan included in this Application is consistent with the requirements of the Code and the South Florida Management District regulations.

5. **Pursuant to Code Section 30-304(5) *Wastewater*, sufficient wastewater treatment capacity shall be available to satisfy the projected needs of the development or use according to level of service (LOS) standards established in Section 30-305(5)(1), (2), and (3).**

The Applicant has begun the coordination process with the Florida Department of Health (DOH) and will provide a coordination letter from DOH indicating sufficient capacity for wastewater treatment.

6. **Pursuant to Code Section 30-304(6) *Parks and Recreation*, of the Village Code, sufficient available recreation and open space facility capacity shall be available to satisfy the projected needs of the development or use at a level of service of 3.79 acres per 1,000 population.**

The adopted LOS for recreation and open space requires 40.6 acres based on a functional population of 10,885. Islamorada currently maintains in excess of 130 acres of recreation and open space, which far exceeds the required amount of land available for recreation. Based on this, the proposed Redevelopment will not negatively impact the current LOS standards for recreation and open space.

- E. **The proposed conditional use minimizes environmental impacts, included but not limited to stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.**

The Stormwater Management Plan included with this Application is compliant with the Code. There are no known protected wildlife or vegetation on the Property and no presence of wetlands. The proposed development is not anticipated to have an impact on the natural functioning of the environment.

- F. **The proposed conditional use will result in logical, timely, and orderly development patterns.**

The applicant proposes to construct the project in one continuous phase.

Daniel Gulizio, Director of Planning and Development Services Department
RE: Application for Amendment To Major Conditional Use Approval - LAH ISLANDER LLC
October 20, 2022
Page 14 of 14

VI. CONCLUSION.

Based on the foregoing, the Applicant requests that staff recommend approval of the requested Amendment to Major Conditional Use Approval.

If you require anything further, or have any questions and/or concerns, please do not hesitate to contact our office.

Sincerely,


Barton W. Smith

BWS/JG/bg

MEMORANDUM

To: Jess Miles Goodall, Esq.
Bart Smith, Esq.

From: Karl Peterson, P.E.

Date: July 20, 2023

Subject: Islander Resort – Islamorada, Florida
Traffic Assessment

The Islander Resort is located on the ocean side of Overseas Highway / US 1 near mile marker 82.1 in Islamorada, Monroe County, Florida. More specifically, the site is located at 82100 Overseas Highway and the Monroe County Parcel ID is 00400810-000000. Based upon our previous discussions, we understand that this resort consists of 114 hotel rooms and plans are underway to increase the number of hotel rooms to 170.

The increase of 56 hotel rooms will be achieved by transferring rooms from other nearby properties in Islamorada. A portion of the rooms will be transferred from the Creekside Inn in Islamorada which is located at 90611 Overseas Highway. The balance of the rooms will be transferred from the Bayside Villas property located at 81450 Overseas Highway in Islamorada.

From a trip generation perspective, the total number of vehicle trips to be generated on a daily and peak hour basis by the subject properties (i.e. the Islander Resort, the Creekside Inn, and the Bayside Villas) will remain constant since there will be no net increase in the number of hotel rooms. And, while the vehicle trips currently generated by the hotel rooms that will be transferred from the Creekside Inn and Bayside Villas to the Islander Resort property will be reassigned on the transportation network (i.e. Overseas Highway / US 1), there will be no net increase in the number of vehicle trips within Islamorada since all of the properties are located within the Village.

As such, it is apparent that a detailed traffic impact study associated with the proposed actions is not warranted.



NORTH SIDE DEVELOPMENT
PERMIT SET
AUGUST 29, 2022



SITE LOCATION



OVERALL RESORT AERIAL

Sheet Index

Sheet Number	Sheet Title
GC-000	COVER
GC-001	GENERAL NOTES
GC-002	KEY PLAN
LD-001	DEMOLITION NOTES
LD-101	TREE DISPOSITION PLAN
LD-102	TREE DISPOSITION PLAN
LD-601	TREE DISPOSITION LIST
LA-101	SITE PLAN
LA-102	SITE PLAN
LH-001	HARDSCAPE NOTES
LH-301	SITE SECTIONS
LP-101	PLANTING PLAN
LP-102	PLANTING PLAN
LP-501	PLANTING DETAILS
LP-601	PLANTING SCHEDULE
LP-601.1	PLANTING SCHEDULE
LP-602	PLANTING SCHEDULE
LL-101	LIGHTING PLAN
LL-102	LIGHTING PLAN
LL-401	LIGHTING CUTSHEETS
LL-402	LIGHTING CUTSHEETS

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LCC000001

Digitally signed
by Robert M
Dugan
Date: 2024.02.06
17:22:54 -05'00'

OVERALL
GENERAL NOTES:

- EDSA AND ARE SHOWN ACCORDING TO THE BEST INFORMATION AVAILABLE AT THE TIME OF THE PREPARATION OF THESE CONTRACT DOCUMENTS. EDSA AND ANY OF THEIR CONSULTANTS SHALL NOT BE HELD RESPONSIBLE FOR THE ACCURACY AND/OR COMPLETENESS OF THAT INFORMATION SHOWN HEREIN OR ANY ERRORS OR OMISSIONS RESULTING FROM SUCH.
2. THE CONTRACTOR SHALL FIELD LOCATE, VERIFY AND FURTHER IDENTIFY THE LOCATIONS, ELEVATIONS AND DIMENSIONS OF ALL EXISTING UTILITIES, STRUCTURES AND OTHER FEATURES ABOVE AND BELOW GRADE AFFECTING ANY COMPONENT OF THE WORK CONTAINED IN THE CONTRACT DOCUMENTS PRIOR TO THE START OF ANY PHASE OF CONSTRUCTION. DISCREPANCIES, CONFLICTS, OR POTENTIAL DEVIATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNERS REPRESENTATIVE IN WRITING WITHIN 48 HOURS OF DISCOVERY. NO CLAIM FOR EXPENSES INCURRED BY THE CONTRACTOR DUE TO SUCH CONDITIONS WILL BE AWARDED IF WRITTEN NOTIFICATION IS NOT PROVIDED PRIOR TO THE START OF ANY PHASE OF CONSTRUCTION.
3. DO NOT TAKE ADVANTAGE OF ANY APPARENT ERROR OR OMISSION DISCOVERED IN THE CONTRACT DOCUMENTS. IMMEDIATELY NOTIFY THE OWNERS REPRESENTATIVE OF ANY SUCH DISCOVERY. THE OWNERS REPRESENTATIVE WILL PROVIDE DIRECTION REGARDING ANY CORRECTION OR INTERPRETATION NECESSARY TO REFLECT THE DESIGN INTENT OF THE CONTRACT DOCUMENTS.
4. ALL EXISTING SITE FACILITIES TO REMAIN SHALL BE PROTECTED FROM ANY DAMAGE THROUGHOUT ALL CONSTRUCTION PHASES. THE CONTRACTOR SHALL REPAIR ANY DAMAGE TO SAID FACILITIES THAT OCCURS DUE TO WORK PERFORMED BY THE CONTRACTOR CALLED FOR IN THE CONTRACT DOCUMENTS.
5. ALL WORK SHALL COMPLY WITH THE CODES, STANDARDS, REGULATIONS, REQUIREMENTS AND ORDINANCES OF ANY GOVERNMENTAL AGENCY HAVING JURISDICTION OVER THE WORK. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO THE START OF CONSTRUCTION AND SCHEDULE ALL INSPECTIONS AND TESTING ACCORDING TO THE REQUIREMENTS OF SAID AGENCIES AND THE CONTRACT DOCUMENTS.
6. THE CONTRACTOR SHALL COORDINATE ALL WORK WITH RELATED CONTRACTORS AND WITH THE GENERAL CONSTRUCTION OF THE PROJECT SO AS NOT TO IMPEDE THE PROGRESS OF THE WORK OF OTHERS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF THE PUBLIC AND ALL PERSONNEL ASSOCIATED WITH THE CONSTRUCTION OF THIS PROJECT. ALL SAFETY REGULATIONS REQUIRED BY APPLICABLE CODES, REGULATIONS AND RECOGNIZED LOCAL PRACTICES SHALL BE ENFORCED DURING THE CONSTRUCTION AND/OR MAINTENANCE OF THIS PROJECT.
8. THE OWNERS REPRESENTATIVE SHALL HAVE THE RIGHT AT ANY STAGE OF THE OPERATION TO REJECT ALL WORK OR MATERIALS WHICH IN THEIR OPINION DO NOT MEET THE WITH THE REQUIREMENTS OF THE CONTRACT DOCUMENTS.
9. ALL REQUIRED SEDIMENT AND EROSION CONTROL MEASURES INSTALLED AS PART OF THIS PROJECT SHALL REMAIN IN PLACE AND SHALL BE MAINTAINED IN GOOD CONDITION UNTIL CONSTRUCTION IS COMPLETE. SEE THE CIVIL ENGINEERING CONTRACT DOCUMENTS FOR ADDITIONAL REQUIREMENTS.
10. THE CONTRACTOR SHALL REFER TO THE LANDSCAPE NOTES, SPECIFICATIONS AND THE CONTRACT DOCUMENTS PREPARED BY BUT NOT LIMITED TO ARCHITECTURAL, MEP, IRRIGATION, STRUCTURAL AND CIVIL ENGINEERING CONSULTANTS FOR ADDITIONAL REQUIREMENTS.
11. CONTRACTOR SHALL FAMILIARIZE THEMSELVES WITH THE SITE CONDITIONS PRIOR TO INITIATING CONSTRUCTION. ALL EXISTING STRUCTURES, PAVING, LANDSCAPE AND OTHER ELEMENTS TO REMAIN SHALL BE PROTECTED FROM ANY DAMAGE UNLESS OTHERWISE NOTED.
12. DEMOLITION AND CONSTRUCTION ACTIVITIES, INCLUDING THE STAGING AND STORAGE OF EQUIPMENT, LANDSCAPE AND CONSTRUCTION MATERIALS, ARE TO BE CONFINED TO THE WORK AREA IDENTIFIED BY THE LIMITS OF CONSTRUCTION.
13. CONTRACTOR IS RESPONSIBLE TO OBTAIN ANY AND ALL NECESSARY PERMITS REQUIRED FOR DEMOLITION PRIOR TO THE BEGINNING OF WORK.
14. TRASH RECEPTACLES ARE LOCATED IN THE LOADING AREA INSIDE THE BUILDING.

GRADING

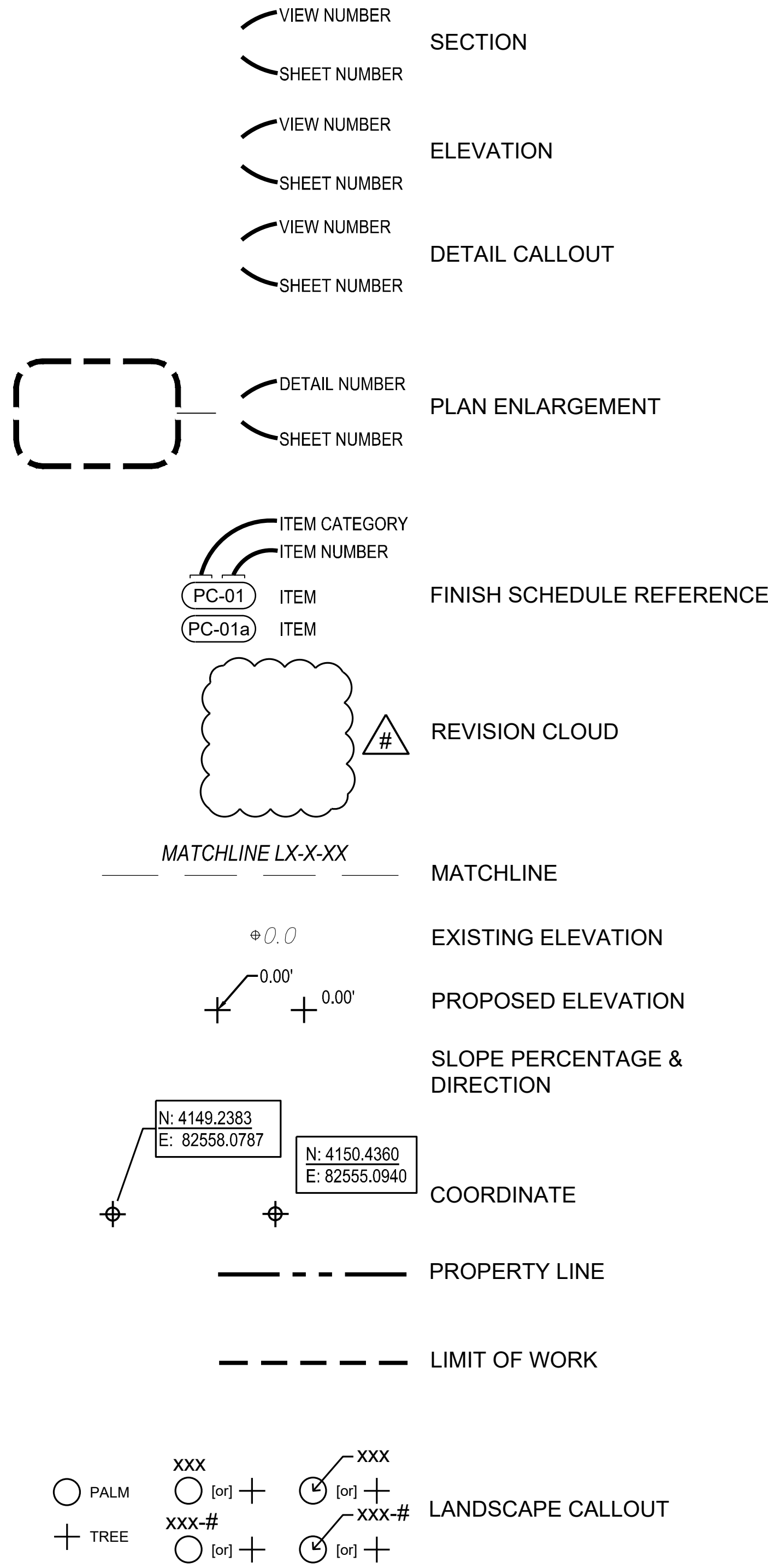
GENERAL NOTES:

1. ALL GRADING INFORMATION PROVIDED IS INTENDED FOR AESTHETIC PURPOSES AND TO SHOW RELATIONSHIPS ONLY. SEE DETAILED GRADING INFORMATION SEE CIVIL ENGINEERS DRAWINGS.
2. ROUGH GRADING AND SITE PREPARATION SHALL BE COMPLETED FOR REVIEW BY OWNER AND/OR LANDSCAPE ARCHITECT PRIOR TO FINAL GRADING.
3. ROADWAY GRADING AND TRANSITION AREAS TO BE REVIEWED AND APPROVED BY CIVIL ENGINEER.
4. CONTRACTOR SHALL NOT SUBSTANTIALLY VARY GRADING FROM GRADING PLAN WITHOUT THE APPROVAL OF DESIGNER. ALL SITE AESTHETIC GRADING IS SUBJECT TO REVIEW AND APPROVAL OF THE LANDSCAPE ARCHITECT.
5. ALL GRADED AREAS SHALL BE DRAGGED WITH A DRAG MAT TO BLEND IN SMALL IMPERFECTIONS AND ROUND OFF ANY SHARP LINES THAT MAY HAVE BEEN CONSTRUCTED BY EQUIPMENT. ALL AREAS TO BE PLANTED SHALL HAVE NO WATER HOLDING POCKETS.
6. THE CONTRACTOR SHALL COMPACT EACH LAYER OF FILL TO ACHIEVE THE FOLLOWING MAXIMUM DENSITY AT OPTIMUM MOISTURE, AASHTO T-180 LATEST EDITION:
 - a. UNDER ROADWAY, CURBS, WALKS, AND OTHER PAVED AREAS: 98%
 - b. UNDER LANDSCAPE AREA: MIN. 90%
7. EXCAVATE WHERE NECESSARY TO OBTAIN SUBGRADES, PERCOLATION, AND SURFACE DRAINAGE.
8. REMOVE ENTIRELY ANY EXISTING OBSTRUCTIONS AFTER APPROVAL BY THE OWNER AND LANDSCAPE ARCHITECT.
9. REMOVE FROM SITE AND PROPERLY DISPOSE OF DEBRIS AND EXCAVATED MATERIAL NOT REQUIRED FOR USE.
10. THE CONTRACTOR SHALL BRING TO THE REQUIRED LINES AND GRADE LEVELS AREAS WHERE SETTLEMENT, EROSION, OR OTHER GRADE CHANGES OCCUR. ADJUST GRADES AS REQUIRED TO CARRY DRAINAGE AWAY FROM BUILDINGS AND TO PREVENT PONDING AROUND BUILDINGS AND ON PAVEMENTS.
11. REMOVE ALL ROCK, OBJECTIONABLE, OR DELETERIOUS MATERIAL LARGER THAN 1 INCH IN ANY DIRECTION PRIOR TO COMMENCEMENT OF LANDSCAPING.
12. CONTRACTOR SHALL BE RESPONSIBLE FOR STABILIZING GRADES BY APPROVED METHODS PRIOR TO LANDSCAPING, AND SHALL BE RESPONSIBLE FOR CORRECTION OF LINES AND GRADES AS MENTIONED ABOVE, AND THE REPAIR AND CLEANUP OF ANY WASHOUTS OR EROSION DAMAGE.
13. DOT TYPE 'D' CURB SHALL BE PROVIDED ALONG THE PERIMETER OF ALL LANDSCAPE, OPEN SPACE, DRAINAGE AND GRASSED AREAS ADJACENT TO PAVED VEHICULAR USE AREAS, EXCEPT WHERE WHEEL STOPS ARE PROVIDED.

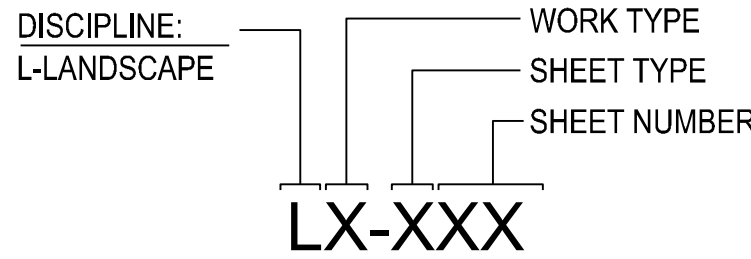
FINE GRADING NOTES:

1. CIVIL AND LANDSCAPE GRADES ARE COMPLEMENTARY. REFER TO THE CIVIL ENGINEERING CONTRACT DOCUMENTS, THE CIVIL GRADING OF THE SITE, FINISH GRADES FOR ALL VEHICULAR PAVEMENT, BUILDINGS, DRAINAGE AND UTILITY STRUCTURES.
2. PRIOR TO INITIATING FINE GRADING THE CONTRACTOR SHALL INSPECT THE SITE TO CONFIRM THAT ROUGH GRADING AND DRAINAGE STRUCTURES HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CIVIL ENGINEERING CONTRACT DOCUMENTS. THE CONTRACTOR SHALL SUBMIT IN WRITING TO THE OWNERS REPRESENTATIVE ANY DISCREPANCIES BETWEEN THE CONTRACT DOCUMENTS AND FIELD CONDITIONS. THE OWNERS REPRESENTATIVE WILL PROVIDE DIRECTION REGARDING ANY CORRECTION OR INTERPRETATION NECESSARY TO RESOLVE ANY DISCREPANCIES.
3. NUMEROUS UNDERGROUND UTILITIES, CONDUITS, SLEEVES AND UTILITY STRUCTURES ABOVE AND BELOW GRADE HAVE BEEN PREVIOUSLY INSTALLED. THE CONTRACTOR SHALL CONDUCT FINE GRADING TO AVOID DAMAGE TO THESE ELEMENTS.
4. ALL PEDESTRIAN PAVEMENT AND LANDSCAPE AREAS SHALL BE GRADED TO POSITIVELY DRAIN AWAY FROM VERTICAL ELEMENTS INCLUDING BUT NOT LIMITED TO BUILDINGS, WALLS AND COLUMNS TOWARD AND INTO DRAINAGE STRUCTURES. LANDSCAPE AREAS SHALL BE SMOOTH AND EVEN IN TRANSITION AND VOID OF WATER HOLDING DEPRESSIONS.
5. PROPOSED SPOT ELEVATIONS REPRESENT FINISHED PAVEMENT OR GROUND SURFACE GRADES UNLESS OTHERWISE NOTED. MAKE ALLOWANCES FOR PAVEMENT THICKNESS AND THE DEPTH OF PREPARED PLANTING SOIL WHERE APPLICABLE.
6. THE CONTRACTOR SHALL NOT SUBSTANTIALLY VARY FINE GRADING FROM THE GRADING PLAN WITHOUT APPROVAL FROM THE OWNERS REPRESENTATIVE. THE OWNERS REPRESENTATIVE MAY ADJUST FINE GRADING SHOWN ON THE PLANS TO ACCOMMODATE UNFORESEEN FIELD CONDITIONS OR TO ACCOMPLISH DESIGN INTENT.
7. PROTECT SITE FEATURES TO REMAIN, INCLUDING BUT NOT LIMITED TO BENCH MARKS, SURVEY CONTROL POINTS, EXISTING STRUCTURES AND PAVING FROM DAMAGE BY GRADING EQUIPMENT.
8. MATCH PROPOSED PAVEMENT GRADES WITH EXISTING CONDITIONS TO REMAIN TO PROVIDE FLUSH INTERFACES WITH ABUTTING SURFACES.
9. GRADES FOR SOD AREAS SHALL BE HELD ONE INCH (1") BELOW ADJACENT PAVEMENT GRADES TO ALLOW FOR INSTALLATION OF SOD.
10. GRADES FOR PLANTING AREAS SHALL BE HELD TWO INCHES (2") BELOW ADJACENT PAVEMENT TO ALLOW FOR THE INSTALLATION OF PREPARED PLANTING SOIL, MULCH AND PLANT MATERIAL.
11. FILL REQUIRED TO BRING THE SITE TO THE REQUIRED LINES AND FINISHED GRADES CONTAINED IN THE CONTRACT DOCUMENTS SHALL BE AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER.
12. FILL SHALL BE COMPACTED AS FOLLOWS:
 - A. UNDER PEDESTRIAN PAVEMENT: AS RECOMMENDED BY CIVIL/GEOTECHNICAL ENGINEER.
 - B. LANDSCAPE AREAS: COMPACT TOP TWELVE INCHES (12") BELOW SUBGRADE AND EACH LAYER OF BACKFILL OR FILL MATERIAL TO 80% MAXIMUM DRY DENSITY ACCORDING TO ASTM D698.
13. CONTOURS FOR LANDSCAPE BERMS, MOUNDS AND SWALES SHALL BE SMOOTH CONTINUOUS ARCS VOID OF SURFACE IRREGULARITIES AND SHALL BLEND INTO SURROUNDING TERRAIN IN A NATURAL MANNER.
14. ALL LANDSCAPE AREAS SHALL BE DRAGGED WITH A DRAG MAT TO BLEND IN SMALL IMPERFECTIONS AND ROUND OFF AND SHARP EDGES.
15. FINE GRADING TOLERANCES FOR LANDSCAPE AREAS...PLUS OR MINUS (+/-) 0.04 FOOT (").
16. FINE GRADING TOLERANCES FOR HARDSCAPE AREAS...PLUS OR MINUS (+/-) 0.02 FOOT (").
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR STABILIZING GRADES AND TO REPAIR AND CLEAN UP AREAS WHERE SETTLEMENT, WASHOUTS, EROSION OR OTHER GRADE CHANGES OCCUR UNTIL FINAL ACCEPTANCE.

STANDARD DRAWING SYMBOLS:



SHEET NUMBERING SYSTEM:



STANDARD ABBREVIATIONS:

ADA	AMERICANS WITH DISABILITIES ACT	EJ	EXPANSION JOINT	NWL	NATURAL WATER LINE
B&B	BALLED AND BURLAPPED	EQ	EQUAL	NIC	NOT IN CONTRACT
BFP	BACKFLOW PREVENTER	ESMT	EASEMENT	NTS	NOT TO SCALE
BS	BOTTOM OF STEP	EW	EACH WAY	OC	ON CENTER
BC	BOTTOM OF CURB	FFE	FINISHED FLOOR ELEVATION	PL	PROPERTY LINE
CJ	CAST-IN-PLACE	GALV	GALVANIZED	PT	PAINT
CIP	CONSTRUCTION JOINT	GA	GUAGE	R	RADIUS
CL	CENTER LINE	HP	HIGH POINT	REBAR	REINFORCING STEEL BARS
CMU	CONCRETE MASONRY UNIT	HWL	HIGH WATER LINE	RIM	RIM ELEVATION
COORD	COORDINATE	INV	INVERT ELEVATION	ROW	RIGHT-OF-WAY
CONT	CONTINUOUS	LF	LINEAR FEET (FOOT)	SIM	SIMILAR
DEMO	DEMOLITION	LP	LOW POINT	SST	STAINLESS STEEL
DIA	DIAMETER	MAX	MAXIMUM	TOC	TOP OF COLUMN
DI	DRAIN INLET	MHW	MEAN HIGH WATER	TW	TOP OF WALL
EA	EACH	MIN.	MINIMUM	TS	TOP OF STEP
				WWF	WELDED WIRE FABRIC
				YD	YARD DRAIN

ISLANDER RESORT

82100 Overseas Highway
Islamorada FL 33036

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PLANNING
LANDSCAPE ARCHITECTURE
URBAN DESIGN

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FORT LAUDERDALE, FLORIDA 33301 USA
TEL: 954.524.3330 | LCC000001

△ Date	Description
2022.10.07	Major Conditional Use Amendment
 2023.10.02	Response to Planning Comments
 2024.02.07	Response to Planning Comments

Seal / Signature

**NOT FOR
CONSTRUCTION**

Project Name

Islander Resort -
North Side Development

Project Number

GENERAL NOTES

Scale

GC-001

Drawing name: C:\Users\SEAR\OneDrive\Documents\Islander Resort\Islander Resort\Islander Resort\GC-000 GENERAL SHEETS.dwg GC-002 Feb 06 2024 3:45pm by jackson



ISLANDER
RESORT

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Tel 305.350.7070
Fax 305.350.7071

edsa

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LANDSCAPE ARCHITECTURE
URBAN DESIGN

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TEL: 954.524.3330 | LCC000001

△	Date	Description
	2022.10.07	Major Conditional Use Amendment
△	2023.10.02	Response to Planning Comments
△	2024.02.07	Response to Planning Comments

Seal / Signature

NOT FOR
CONSTRUCTION

Project Name
Islander Resort -
North Side Development
Project Number
12.0283.000
Description

KEY PLAN

Scale

0100'200'

NORTH

GC-002

© 2018 Gensler Page 203 of 278

TREE / PALM DISPOSITION

GENERAL NOTES:

- DURING CONSTRUCTION, ALL REASONABLE STEPS NECESSARY TO PREVENT DESTRUCTION OF DAMAGING OF VEGETATION DESIGNATED TO BE PRESERVED SHALL BE TAKEN. VEGETATION DESTROYED OR RECEIVING MAJOR DAMAGE MUST BE REPLACED BY VEGETATION OF EQUAL ENVIRONMENTAL VALUE, AS SPECIFIED BY THE DEVELOPMENT SERVICES DIRECTOR, BEFORE OCCUPANCY OR USE UNLESS APPROVAL FOR ITS REMOVAL HAS BEEN GRANTED UNDER PERMIT. (CH. 27, ARTICLE II, DIVISION 1, SEC. 27-45.3).
- DURING CONSTRUCTION, UNLESS OTHERWISE AUTHORIZED BY THE TREE REMOVAL PERMIT, NO EXCESS SOIL, ADDITIONAL FILL, EQUIPMENT, LIQUIDS, OR CONSTRUCTION DEBRIS SHALL BE PLACED WITHIN THE DRIP LINE OF ANY VEGETATION THAT IS REQUIRED TO BE PRESERVED IN ITS PRESENT LOCATION. (CH. 27, ARTICLE II, DIVISION 1, SEC. 27-45.4).
- NO ATTACHMENTS OR WIRES OTHER THAN THOSE OF A PROTECTIVE OR NONDAMAGING NATURE SHALL BE ATTACHED TO ANY VEGETATION DURING CONSTRUCTION. (CH. 27, ARTICLE II, DIVISION 1, SEC. 27-45.5).
- CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS BETWEEN PROPOSED IMPROVEMENTS AND EXISTING TREES/PALMS.

TREE / PALM PROTECTION

GENERAL NOTES:

- THE CONTRACTOR SHALL CALL FOR AND ATTEND AN INSPECTION OF EXISTING TREES/PALMS TO REMAIN WITH THE OWNERS REPRESENTATIVE PRIOR TO COMMENCING DEMOLITION AND/OR SITE CLEARING.
- ALL TREE/PALM PROTECTION SHALL COMPLY WITH ANSI A-300 STANDARDS FOR TREE CARE. ALL TREE CARE ACTIVITIES INCLUDING BUT NOT LIMITED TO CROWN PRUNING, FERTILIZING AND ROOT PRUNING SHALL BE CONDUCTED BY OR PREFORMED UNDER SUPERVISION OF AN ISA CERTIFIED ARBORIST. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND SHALL BEAR THE COST OF THE ARBORIST.
- ERECT TREE/PALM PROTECTION BARRICADES AS DETAILED IN THE CONTRACT DOCUMENTS. ALL BARRICADES SHALL BE PLACED A MINIMUM OF TEN FEET (10') CLEAR DISTANCE FROM THE FACE OF ANY PROTECTED TREE/PALM OR AS INDICATED BY EXISTING CODE OR ORDINANCES WHICHEVER IS GREATER. BARRICADES SHALL FULLY ENCLOSE ALL TREES/PALMS TO REMAIN.
- NOTHING SHALL BE PLACED INSIDE THE BARRICADES INCLUDING BUT NOT LIMITED TO CONSTRUCTION MATERIAL, MACHINERY, CHEMICALS, VEHICLES, OR SOIL DEPOSITS. ANY ACTIVITY THAT INVOLVES DISTURBING SOIL WITHIN THE BARRICADES SHALL BE DONE BY HAND OR LIGHT RUBBER WHEELED EQUIPMENT THAT WILL NOT COMPACT THE SOIL OR DAMAGE THE TREE/PALM ROOTS.
- TREES SUBJECT TO ENCROACHMENT INTO THE DRIP LINE DUE TO PROPOSED CONSTRUCTION SHALL BE ROOT PRUNED EIGHTEEN INCHES (18") FROM THE EDGE OF SAID CONSTRUCTION.
 - ROOT PRUNING SHALL CONSIST OF DIGGING A TRENCH FORTY-EIGHT INCHES (48") DEEP BY SIX INCHES (6") WIDE EITHER BY HAND OR WITH A TRENCHING MACHINE DESIGNED FOR THIS PURPOSE. ALL ROOTS SHALL BE CLEAN CUT WITH NO SPLITS OR TEARS.
 - TRENCH SHALL BE FILLED WITH TOPSOIL (SEE LANDSCAPE NOTES) PLACED IN TWELVE INCH (12") LIFTS. EACH LIFT SHALL BE WATERED IN TO PREVENT AIR POCKETS.
- PROTECTED TREES/PALMS DEEMED UNACCEPTABLE BY THE OWNERS REPRESENTATIVE AT THE PROJECT COMPLETION DUE TO DAMAGE, LACK OF PROTECTION OR NEGLIGENCE ON THE PART OF THE CONTRACTOR SHALL BE REMOVED IN THEIR ENTIRETY AND REPLACED WITH A COMPARABLE SPECIMEN AT NO ADDITIONAL COST TO THE OWNER.
- ALL PROTECTIVE BARRIERS SHALL BE INSTALLED AND MAINTAINED FOR THE PERIOD OF TIME BEGINNING WITH THE COMMENCEMENT OF ANY LAND-CLEARING OR BUILDING OPERATIONS AND ENDING WITH THE COMPLETION OF THE PERMITTED CLEARING OR BUILDING CONSTRUCTION WORK ON THE SITE. (CH.27, ARTICLE II, DIVISION 1, SEC. 27-45.7A).
- THE APPLICANT FOR A TREE REMOVAL PERMIT SHALL, AT THE TIME OF APPLICATION, DESIGNATE AN ON-SITE REPRESENTATIVE WHO WILL BE RESPONSIBLE FOR THE INSTALLATION AND THE MAINTENANCE OF ALL VEGETATION PROTECTIVE BARRIERS. THE REPRESENTATIVE SHALL BE RESPONSIBLE FOR SUPERVISING THE REMOVAL OF ALL EXISTING VEGETATION PERMITTED TO BE REMOVED. THE REPRESENTATIVE SHALL BE ON SITE AT ALL TIMES DURING THE VEGETATION-CLEARING OPERATIONS. (CH.27, ARTICLE II, DIVISION 1, SEC. 27-45.7B).
- WHEN THE CIRCUMFERENCE OF AN AREA OF VEGETATION TO BE PRESERVED IS MORE THAN 200 LINEAR FEET, THE AREAS TO BE PRESERVED SHALL BE PROTECTED DURING LAND ALTERATION AND CONSTRUCTION ACTIVITIES BY PLACING 2-INCH BY 2-INCH WOOD STAKES A MAXIMUM OF 20 FEET APART AROUND THE PERIMETER OF THE AREA OF VEGETATION AND BY TYING RIBBON, SURVEY FLAGGING ETC. FROM STAKE TO STAKE ALONG THE PERIMETER OF SUCH AREAS TO BE PRESERVED. (CH.27, ARTICLE II, DIVISION 1, SEC. 27-45.7C).
- WHEN THE CIRCUMFERENCE OF AN AREA OF PROTECTED VEGETATION IS LESS THAN 200 LINEAR FEET, A PROTECTIVE BARRIER SHALL BE PLACED AROUND THE GROUPS OF VEGETATION THAT ARE INDICATED TO REMAIN. THE BARRIER SHALL NOT BE LESS THAN 3 FEET IN HEIGHT, SHALL LIMIT ACCESS TO THE PROTECTED AREA, AND SHALL BE COMPOSED OF WOOD, METAL OR OTHER SUITABLE MATERIALS. THE BARRIER SHALL BE HIGHLIGHTED WITH STRIPS OF SURVEY FLAGGING PLACED NO MORE THAN 5 FEET ON CENTER. THE PROVIDED BARRIER SHALL NOT HARM THE PROTECTED VEGETATION THROUGH CONSTRUCTION OR ANY OTHER MEANS. (CH.27, ARTICLE II, DIVISION 1, SEC. 27-45.7D).
- WHEN THE RETENTION OF SINGLE TREES OR PALMS IS REQUIRED BY THIS CODE, A PROTECTIVE BARRIER SHALL BE PLACED AROUND THE TREE OR PALM AT A DISTANCE FROM THE TRUNK F 6 FEET OR 2/3 OF THE DRIP LINE, WHICHEVER IS GREATER, OF A HARDWOOD TREE AND 6 FEET OR THE DRIP LINE, WHICHEVER IS GREATER, FOR A SOFTWOOD TREE OR PALM OR AS OTHERWISE DETERMINED BY THE DEVELOPMENT SERVICES DIRECTOR. (CH.27, ARTICLE II, DIVISION 1, SEC. 27-45.7E).

PROTECT COORDINATION NOTES:

- THE CONTRACTOR SHALL COORDINATE AND SCHEDULE ALL WORK TO INTERFACE SMOOTHLY WITH OTHER WORK BEING PREFORMED ON OR ADJACENT TO THE SITE BY OTHER CONTRACTORS AND UTILITY COMPANIES.
- CONTRACTOR SHALL REFER TO THE HARDSCAPE NOTES, LANDSCAPE NOTES, SPECIFICATIONS AND THE CONTRACT DOCUMENTS PREPARED BY BUT NOT LIMITED TO ARCHITECTURAL, MEP, IRRIGATION, STRUCTURAL AND CIVIL ENGINEERING CONSULTANTS FOR ADDITIONAL REQUIREMENTS.

TREE / PALM RELOCATION

GENERAL NOTES:

- TREES/PALMS TO BE RELOCATED ARE DESIGNATED ON THE DRAWINGS OR AS IDENTIFIED BY THE OWNERS REPRESENTATIVE.
- THE CONTRACTOR SHALL CALL FOR AND ATTEND AN INSPECTION OF THE EXISTING CONDITIONS WITH THE OWNERS REPRESENTATIVE AT BOTH THE CURRENT AND PROPOSED LOCATIONS OF RELOCATIONS PRIOR TO COMMENCING WORK. THE CONTRACTOR SHALL SUBMIT A WRITTEN REPORT DOCUMENTING THE EXISTING CONDITIONS INCLUDING BUT NOT LIMITED TO PHOTOGRAPHS IDENTIFYING TREES/PALMS TO BE RELOCATED, POTENTIAL OBSTRUCTIONS AND IDENTIFICATION OF A PROPOSED MOVING ROUTE THAT AVOIDS AND PROTECTS OVERHEAD AND UNDERGROUND UTILITIES. THE REPORT WILL SERVE AS A REFERENCE POINT FOR MONITORING THE EXISTING CONDITIONS WHICH WILL BECOME THE RESPONSIBILITY OF THE CONTRACTOR TO KEEP INTACT.
- ALL TREE/PALM RELOCATIONS SHALL COMPLY WITH ANSI A-300 STANDARDS FOR TREE RELOCATIONS. ALL RELOCATION ACTIVITIES SHALL BE CONDUCTED BY OR PREFORMED UNDER THE SUPERVISION OF AN ISA CERTIFIED ARBORIST. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND SHALL BEAR THE COST OF THE ARBORIST.
- THE CONTRACTOR SHALL NOTIFY THE OWNERS REPRESENTATIVE 24 HOURS IN ADVANCE OF EACH RELOCATION TO ALLOW FOR OBSERVATION OF THE PROCEDURES.
- TREES/PALMS SHALL ONLY BE MOVED ONCE, WITHIN 24 HOURS OF THE PLANTS EXCAVATION. NO NURSERY OR HOLDING ARE MAY BE USED.

PREPARATION NOTES:

- TREES SIX INCH (6") CALIPER OR LESS AND PALMS OTHER THAN THOSE LISTED AS SPECIMEN PALMS MAY BE RELOCATED BY MECHANICAL MACHINERY AND DO NOT REQUIRE ROOT PRUNING. (SEE MECHANICAL RELOCATION)
- TREES/PALMS REQUIRING ROOT PRUNING SHALL HAVE THIS PREFORMED ACCORDING TO THE FOLLOWING SCHEDULE:
 - TREES FOURTEEN INCH (14") CALIPER AND LESS AND SPECIMEN PALMS3 MONTHS PRIOR TO RELOCATING.
 - TREES FIFTEEN INCH (15") TO TWENTY-EIGHT INCH (28") CALIPER.....6 MONTHS PRIOR TO RELOCATING.
 - TREES OVER TWENTY-EIGHT INCH (28") CALIPER.....9 MONTHS PRIOR TO RELOCATING.
- EQUIPMENT USED FOR ROOT PRUNING SHALL BE DESIGNED FOR THIS TASK AND SHALL PRODUCE CLEAN CUTS OF ROOTS WITHOUT DAMAGE TO THE RESULTING ROOT BALL.
- TREES SHALL HAVE A MINIMUM ROOT BALL SIZE OF TEN INCHES (10") PER ONE INCH (1") OF CALIPER. ROOT BALLS ARE TO BE FORMED SQUARE WITH EQUAL DISTANCE FROM THE TRUNK.
- SPECIMEN PALMS SHALL HAVE A MINIMUM ROOT BALL OF THIRTY-SIX INCHES (36") AND SHALL BE FORMED SQUARE WITH EQUAL DISTANCE FROM THE TRUNK.
- ROOT BALLS FOR TREES/PALMS SHALL BE FORMED BY DIGGING A TRENCH FORTY-EIGHT INCHES (48") DEEP AND SIX INCHES (6") WIDE EITHER BY HAND OR BY A TRENCHING MACHINE DESIGNED FOR THE PURPOSE.
- IF ROOT PRUNING HAS BEEN PERFORMED OUTSIDE OF THE SCOPE OF THIS CONTRACT THE CONTRACTOR SHALL CONFIRM IN WRITING WITH THE OWNERS REPRESENTATIVE THAT ROOT PRUNING HAS BEEN ACCOMPLISHED AS DESCRIBED ABOVE.

HAND DIGGING / RELOCATION NOTES:

- TREES/PALMS SHALL BE PRUNED AS DIRECTED BY THE ARBORIST PRIOR TO DIGGING.
- ALL ROOT BALLS SHALL BE THOROUGHLY SOAKED FOR SEVEN (7) DAYS PRIOR TO DIGGING.
- EXCAVATE TWELVE INCHES (12") OUTSIDE OF PREVIOUS ROOT PRUNING TO A DEPTH OF FORTY-EIGHT INCHES (48").
- ROOT BALLS SHALL BE UNDERCUT PRIOR TO LIFTING. DO NOT FORCE TREE/PALM FROM GROUND.
- TREES/PALMS SHALL BE LIFTED AND TRANSPORTED IN SUCH A MANNER AS TO AVOID DAMAGE TO BARK, LIMBS, TRUNKS OR FRONDS. SUPPORT CHAINS, STRAPS AND/OR CABLES SHALL BE PADDED AS REQUIRED. OWNERS REPRESENTATIVE RESERVES THE RIGHT TO REQUIRE DOWELING IN LIEU OF LIFTING BY STRAPS.
- EXCAVATE NEW PLANT PIT TWENTY-FOUR INCHES (24") WIDER THAN ROOT BALL AND TO A DEPTH THAT ALLOWS NEW ROOT BALL TO BE SITUATED THREE INCHES (3") ABOVE PROPOSED GRADE.
- ROTATE TREE/PALM PRIOR TO SETTING TO ACHIEVE BEST POSITIONING AS DIRECTED BY THE OWNERS REPRESENTATIVE.
- BACKFILL PLANTING PIT WITH PREPARED PLANTING SOIL (SEE LANDSCAPE NOTES/SPECIFICATIONS) IN TWELVE INCH (12") LIFTS THOROUGHLY DRENCHING EACH LIFT WITH WATER TO PREVENT AIR POCKETS.
- APPLY FERTILIZER, TRANSPLANT INOCULANTS AND ROOT STIMULANTS AS DIRECTED BY THE ARBORIST.
- TREES/PALMS SHALL BE STAKED AND MULCHED ACCORDING TO THE LANDSCAPE DETAILS.

MECHANICAL DIGGING / RELOCATION NOTES:

- TREES/PALMS SHALL BE PRUNED AS DIRECTED BY THE ARBORIST PRIOR TO DIGGING.
- TREE SPADES SHALL B E LARGE ENOUGH TO ENCOMPASS THE FIBROUS FEEDER ROOTS OF EACH PLANT. TREE SPADES USED TO RELOCATE TREES/ NON-SPECIMEN PALMS SHALL MEET THE FOLLOWING CRITERIA:
 - TREES UP TO THREE INCH (3") CALIPER.....FORTY-FOUR INCH (44") SPADE
 - TREES THREE INCH (3") TO FIVE INCH (5") CALIPER.....SIXTY INCH (60") SPADE
 - TREES UP TO EIGHT INCH (8") CALIPER AND NON-SPECIMEN PALMS.NINETY INCH (90") SPADE
- USE SAME MACHINE TO DIG RECEIVING HOLE AND TO DIG TREE/PALM FOR TRANSPLANTING.
- TREE SPADES SHALL HAVE A MAXIMUM TOLERANCE OF TWO INCHES (2") BETWEEN BLADES AND SHALL BE MOUNTED TO A STABLE MACHINE CAPABLE OF SUPPORTING THE WEIGHT OF ALL RELOCATED MATERIAL.
- CENTER TREE/PALM IN THE SPADE WHEN DIGGING. CLEAN CUT ANY ROOTS PROTRUDING FROM THE DIGGING SPADE FLUSH WITH THE ROOT BALL BEFORE PLANTING.
- AFTER PLACING TREE/PALM IN RECEIVING HOLE IMMEDIATELY FILL ALL CREVICES/VOIDS WITH PREPARED PLANTING SOIL. (SEE LANDSCAPE NOTES/SPECIFICATIONS) THOROUGHLY DRENCH WITH WATER TO PREVENT AIR POCKETS.
- APPLY FERTILIZER, TRANSPLANT INOCULANTS AND ROOT STIMULANTS AS DIRECTED BY THE ARBORIST.
- TREES/PALMS TO BE STAKED AND MULCHED ACCORDING TO THE LANDSCAPE DETAILS.

POST PLANTING MAINTENANCE NOTES:

- DURING THE PROJECT WORK PERIOD PRIOR TO SUBSTANTIAL COMPLETION ACCEPTANCE, THE CONTRACTOR SHALL MAINTAIN ALL TRANSPLANTED TREES/PALMS.
- MAINTENANCE DURING THE PERIOD PRIOR TO SUBSTANTIAL COMPLETION ACCEPTANCE SHALL CONSIST OF WATERING, REMOVAL OF DEAD MATERIAL, REPAIRING AND/OR REPLACING STAKING, RESETTING PLANTS TO PROPER GRADES AND UPRIGHT POSITIONS AND APPLYING SUCH SPRAYS AS DIRECTED BY THE ARBORIST AS NECESSARY TO KEEP PLANT MATERIAL REASONABLY FREE OF DAMAGING INSECTS AND DISEASE.
- ALL RELOCATED TREES/PALMS SHALL BE IRRIGATED BY HAND OR TEMPORARY AUTOMATIC IRRIGATION SYSTEM UNTIL A PERMANENT IRRIGATION SYSTEM IS OPERATIONAL.
- IRRIGATION FOR TREES SHALL INCLUDE MIST HEADS AS DIRECTED BY ARBORIST.

SUBSTANTIAL COMPLETION ACCEPTANCE NOTES:

- UPON WRITTEN NOTICE FROM THE CONTRACTOR, THE OWNERS REPRESENTATIVE SHALL REVIEW THE WORK AND DETERMINE IF THE WORK IS SUBSTANTIALLY COMPLETE.
- FOR THE PURPOSE OF ACCEPTANCE, THE RELOCATED TREES/PALMS TO BE HEALTHY, VIGOROUS, UNDAMAGED AND EXHIBIT EVIDENCE OF ESTABLISHING NEW ROOTS.
- THE MINIMUM ALLOWABLE RATE OF SURVIVAL OF ALL RELOCATED MATERIAL SHALL BE 90%. DETERMINATION OF SURVIVABILITY SHALL BE MADE BY THE OWNERS REPRESENTATIVE AT THE COMPLETION.
- ANY TREE/PALM THAT IS DEEMED UNACCEPTABLE AS A PRODUCT OF NEGLIGENCE BY THE CONTRACTOR SHALL BE REPLACED WITH A COMPARABLE SPECIMEN AT NO ADDITIONAL COST TO THE OWNER.
- THE DATE OF SUBSTANTIAL COMPLETION SHALL BE THE DATE WHEN THE OWNERS REPRESENTATIVE ACCEPTS THAT ALL WORK RELATED TO THE TREE/PALM TRANSPLANTING IS COMPLETE.
- ALL TRANSPLANTED TREES/PALMS SHALL BE WARRANTED FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF WRITTEN NOTIFICATION OF SUBSTANTIAL COMPLETION FROM THE OWNERS REPRESENTATIVE. THE DATE OF SUBSTANTIAL COMPLETION MAY VARY FROM THE DATE OF SUBSTANTIAL COMPLETION FOR OTHER PORTION OF THE PROJECT.

DEMOLITION

GENERAL NOTES:

- AT THE DIRECTION OF THE LANDSCAPE ARCHITECT, THE CONTRACTOR SHALL REMOVE THE UNDERSTORY PLANT MATERIAL THE HOTEL ELECTS TO PRESERVE AND PLACE IT IN THE HOTEL'S HOLDING AREA. THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REPLANT ANY AND ALL DISPLACED PLANT MATERIAL. ALL REMAINING UNDERSTORY SHRUB PLANTINGS ARE SUBJECT TO DEMOLITION AT THE DIRECTION OF THE LANDSCAPE ARCHITECT.
- ALL TREES AND PALMS NOTED TO BE RELOCATED SHALL BE PREPARED PER RELOCATION SPECIFICATIONS. CONTRACTOR SHALL NOTE TIME LINES ASSOCIATED WITH THE PREPARATION AND RELOCATION.
- CONTRACTOR SHALL PRESERVE UNDERGROUND UTILITIES TO REMAIN. CONTRACTOR SHALL VERIFY UTILITY LOCATIONS WITH OWNER AND CIVIL ENGINEER PRIOR TO DEMOLITION.
- UTILITIES OUTSIDE OF THE LIMITS OF CONSTRUCTION ARE TO BE MAINTAINED AND OPERATIONAL THROUGHOUT ALL PHASES OF CONSTRUCTION.
- ALL IRRIGATION LINES ARE TO BE CAPPED AND USED FOR FUTURE IRRIGATION CONNECTIONS. DEMOLITION OF IRRIGATION WITHIN THE LIMIT OF WORK CAN NOT AFFECT THE EXISTING IRRIGATION TO REMAIN. IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO INSURE THAT THE EXISTING IRRIGATION REMAINS FUNCTIONAL. CONTRACTOR TO PROVIDE LIFELINE IRRIGATION FOR ALL EXISTING PALMS AND TREES TO REMAIN WITHIN LIMIT OF WORK.
- CONTRACTOR TO REMOVE ALL SITE ELECTRICAL AND LOW VOLTAGE LANDSCAPE LIGHTING WITHIN THE LIMITS OF WORK. ALL LIGHT FIXTURES SHALL BE PLACED IN THE HOTELS STORAGE FOR REUSE, UNLESS OTHERWISE SPECIFIED BY HOTEL.
- ALL CONCRETE PAVERS ARE TO BE SAVED AND REUSED DURING THIS CONSTRUCTION AT THE DIRECTION OF THE HOTEL.
- ALL CONCRETE TO BE REMOVED SHALL BE SAWCUT TO ENSURE THAT REINSTALLATION IS CLEAN AND SMOOTH.
- ALL LANDSCAPE WALLS TO BE REMOVED SHALL BE SAW CUT AND RE-FINISHED.
- ALL COLUMNS TO BE REMOVED AND PROVIDED TO THE HOTEL FOR FUTURE USE; UNLESS OTHERWISE SPECIFIED BY HOTEL.
- OUTDOOR AUDIO SYSTEM SHALL BE REMOVED. SPEAKERS SHALL BE PROVIDED TO THE OWNER FOR REUSE. CONTRACTOR TO PROVIDE A MARK UP OF ALL CONDUIT LOCATIONS.
- SEE CIVIL AND MEP DRAWINGS FOR DETAILS. CONTRACTOR SHALL OBSERVE ALL APPROPRIATE PRECAUTIONS WHILE WORKING IN THIS AREA.
- CONTRACTOR SHALL PROVIDE SILT FENCING TO ELIMINATE RUNOFF.
- ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSTALLED AND FULLY OPERATIONAL. SEE CIVIL AND MEP DRAWINGS FOR REQUIREMENTS AND DETAILS.
- ALL EXISTING SITE FACILITIES TO REMAIN SHALL BE PROTECTED FROM ANY DAMAGE THROUGHOUT ALL PHASES OF CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE TO SAID FACILITIES THAT OCCURS DUE TO WORK PERFORMED BY THE CONTRACTOR CALLED FOR IN THE CONTRACT DOCUMENTS.

DEMOLITION / SITE CLEARING NOTES:

- THE CONTRACTOR SHALL PROVIDE AT LEAST 48-HOUR NOTICE TO ALL UTILITY COMPANIES PRIOR TO INITIATING DEMOLITION AND/OR SITE CLEARING TO PROVIDE FIELD LOCATES OF EXISTING UTILITIES.
- REMOVE IN THEIR ENTIRETY ALL BUILDINGS, PAVEMENTS, STRUCTURES, RUBBISH, DEBRIS, UTILITIES AND ALL OTHER APPURTENANCES WHICH ARE NECESSARY TO PERMIT THE PROPOSED CONSTRUCTION AS DESIGNATED ON THE CONSTRUCTION DOCUMENTS.
- ALL VEGETATIVE GROWTH, TIMER AND BRUSH SHALL BE REMOVED TO A DEPTH OF 18 INCHES BELOW NATURAL GROUND OR DESIGN GRADE WHICHEVER IS LOWER.
- PAVEMENTS TO BE REMOVED SHALL BE SAW CUT TO ENSURE A CLEAN EDGE. CONCRETE PAVEMENT SHALL BE REMOVED TO THE NEAREST CONTROL JOINT WHERE APPLICABLE.
- ALL DELETERIOUS SUBSURFACE MATERIAL (I.E. MUCK, PEAT, BURIED DEBRIS) IS TO BE EXCAVATED AND REMOVED. EXCAVATED AREAS SHALL BE BACKFILLED WITH CLEAN BUILDERS SAND AND RETURNED TO NATURAL GROUND OR DESIGN GRADE.
- AFTER DEMOLITION / SITE CLEARING TILL/DISK ALL SURFACES TO A DEPTH OF SIX INCHES (6") AND REMOVE ANY REMAINING DELETERIOUS MATERIAL GREATER THAN 1 INCH (1") IN DIAMETER.
- SHOULD ANY HAZARDOUS MATERIALS BE ENCOUNTERED DURING DEMOLITION AND/OR SITE CLEARING THE CONTRACTOR SHALL CEASE WORK IMMEDIATELY IN THE AFFECTED AREA AND NOTIFY THE OWNERS REPRESENTATIVE FOR DIRECTION ON HOW TO PROCEED.
- ALL DEBRIS AND WASTE MATERIALS GENERATED BY DEMOLITION AND/OR SITE CLEARING ACTIVITIES SHALL BE DISPOSED OFF-SITE IN A LEGAL MANNER AT AN APPROVED DISPOSAL FACILITY. THE CONTRACTOR SHALL OBTAIN ALL PERMITS REQUIRED FOR THE HAULING AND DISPOSAL OF WASTE MATERIAL.

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Date	Description
2022.10.07	Major Conditional Use Amendment
2023.10.02	Response to Planning Comments
2024.02.07	Response to Planning Comments

Seal / Signature

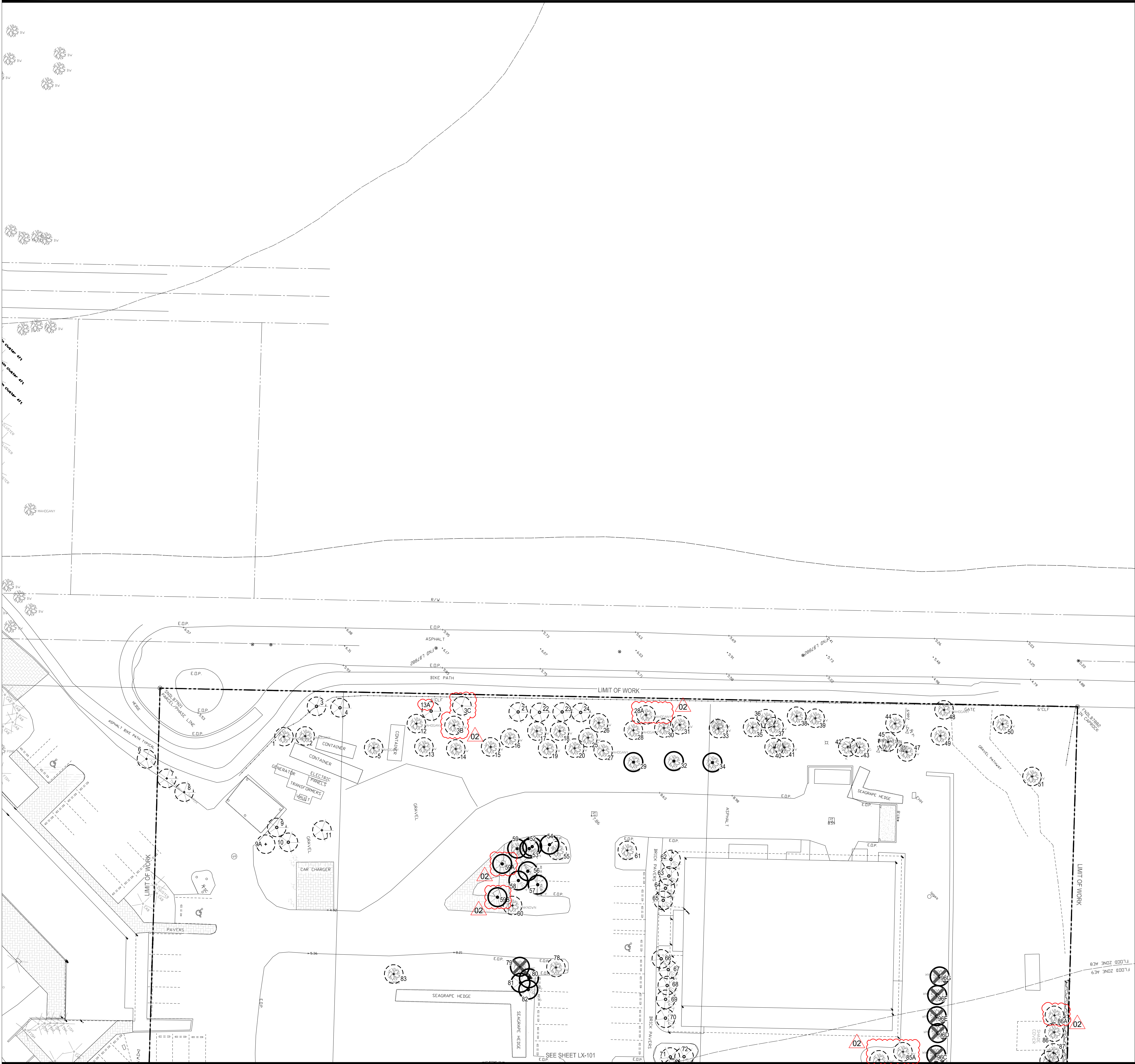
NOT FOR CONSTRUCTION

Project Name
Islander Resort - North Side Development
Project Number
12.0283.000
Description

DEMOLITION NOTES

Scale

LD-001



- TREE DISPOSITION LEGEND:
- RELOCATE EXISTING PALMS
 - PROTECT EXISTING PALM IN PLACE
 - REMOVE PALM
 - RELOCATE EXISTING TREE
 - PROTECT EXISTING TREE IN PLACE
 - REMOVE TREE

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2023.10.02	Response to Planning Comments
2024.02.07	Response to Planning Comments

Key Map

Seal / Signature

NOT FOR CONSTRUCTION

Project Name

Islander Resort - North Side Development

Project Number

12.0283.000

Description

TREE DISPOSITION PLAN

Scale

1" = 20'

0 10' 20' 40'

NORTH

LD-101



- TREE DISPOSITION LEGEND:
- RELOCATE EXISTING PALMS
 - PROTECT EXISTING PALM IN PLACE
 - REMOVE PALM
 - RELOCATE EXISTING TREE
 - PROTECT EXISTING TREE IN PLACE
 - REMOVE TREE

ISLANDER RESORT
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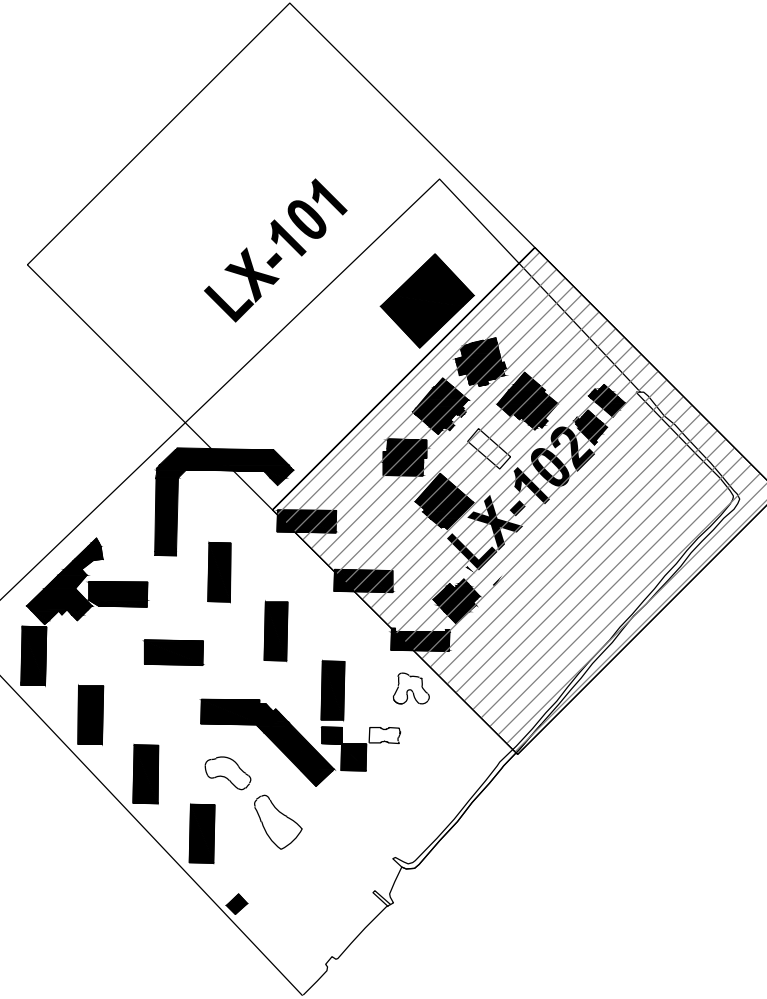
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Date	Description
2022.10.07	Major Conditional Use Amendment
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Key Map



Seal / Signature

NOT FOR CONSTRUCTION

Project Name
Islander Resort - North Side Development
Project Number
12.0283.000
Description

TREE DISPOSITION PLAN

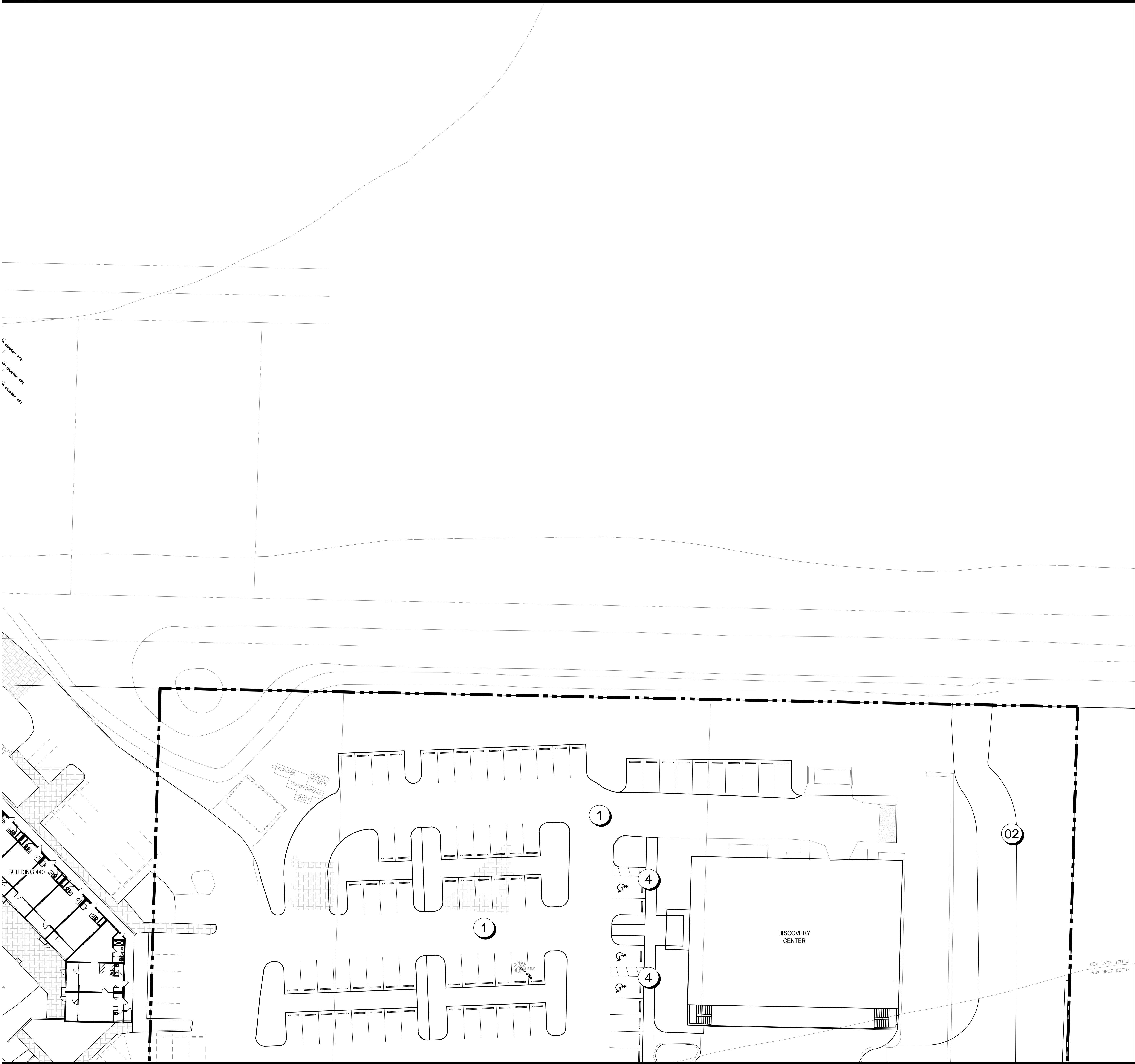
Scale
1" = 20'
0 10' 20' 40'
NORTH

LD-102

Drawing name: G:\Trans\SECA\RESZ\10278 Islander Resort (Gensler)\EDS\06-09-SE\SET\Shrub_Side\LD-601 TREE DISPO.dwg LD-601 Feb 06, 2024 3:46pm by jackson

TREE ID	Common Name	Botanical Name	DBH inches	Height (OA for trees CT for Palms)	Action	Notes
1	Mahogany	Swietenia mahagoni	18	30	Protect in place	
2	Mahogany	Swietenia mahagoni	12	30	Protect in place	
2A	Mahogany	Swietenia mahagoni	18			30
3	Coconut Palm	Cocos nucifera	25		Protect in place	
3A	Coconut Palm	Cocos nucifera	25		Protect in place	
3B	Buttonwood	Conocarpus erectus	2x8	30		
3C	Coconut Palm	Cocos nucifera		6		
4	Coconut Palm	Cocos nucifera	24		Protect in place	
5	Mahogany	Swietenia mahagoni	12		Protect in place	
6	Thatch Palm	Thrinax radiata	3		Protect in place	
7	Thatch Palm	Thrinax radiata	5		Protect in place	
8	Thatch Palm	Thrinax radiata	4		Protect in place	
9	Coconut Palm	Cocos nucifera	5	18	Protect in place	
9A	Bridalveil	Caesalpinia granadillo	6		Protect in place	
10	Coconut Palm	Cocos nucifera		16	Protect in place	
11	Coconut Palm	Cocos nucifera		18	Protect in place	
12	Mahogany	Swietenia mahagoni	13	32	Protect in place	
13	Buttonwood	Conocarpus erectus	3x15, 8, 8	35	Protect in place	
14	Buttonwood	Conocarpus erectus	2x14, 2x8	32	Protect in place	
15	Buttonwood	Conocarpus erectus	2x15, 2x6, 8	32	Protect in place	
16	Buttonwood	Conocarpus erectus	3x9, 3x3, 6	30	Protect in place	
17	Buttonwood	Conocarpus erectus	2x6	30	Protect in place	
18	Buttonwood	Conocarpus erectus	6, 8	30	Protect in place	
19	Buttonwood	Conocarpus erectus	12, 6, 6	30	Protect in place	
20	Buttonwood	Conocarpus erectus	3x9	30	Protect in place	
21	Coconut Palm	Cocos nucifera		18	Protect in place	
22	Coconut Palm	Cocos nucifera		19	Protect in place	
23	Coconut Palm	Cocos nucifera		17	Protect in place	
24	Coconut Palm	Cocos nucifera		18	Protect in place	
25	Buttonwood	Conocarpus erectus	4x9	30	Protect in place	
26	Buttonwood	Conocarpus erectus	6, 6, 8	30	Protect in place	
27	Mahogany	Swietenia mahagoni	9	20	Protect in place	
28	Mahogany	Swietenia mahagoni	7	16	Protect in place	
29	Mango	Mangifera indica	4	Dead	Remove	
30	Mahogany	Swietenia mahagoni	6	Dead	Remove	
31	Buttonwood	Conocarpus erectus	9	25	Protect in place	
32	Mango	Mangifera indica	5	16	Protect in place	
33	Buttonwood	Conocarpus erectus	12, 9, 8	30	Protect in place	
34	Mango	Mangifera indica	6	16	Relocate	
35	Buttonwood	Conocarpus erectus	12, 9, 9	30	Protect in place	
36	Buttonwood	Conocarpus erectus	8, 8	30	Protect in place	
37	Buttonwood	Conocarpus erectus	8, 6, 6	30	Protect in place	
38	Buttonwood	Conocarpus erectus	5x5	28	Protect in place	
39	Buttonwood	Conocarpus erectus	12, 12, 6	32	Protect in place	
40	Buttonwood	Conocarpus erectus	20	30	Protect in place	
41	Buttonwood	Conocarpus erectus	15, 8, 6	30	Protect in place	
42	Buttonwood	Conocarpus erectus	12, 3	30	Protect in place	
43	Sea grape	Coccoloba uvifera	3x5	20	Protect in place	
44	Buttonwood	Conocarpus erectus	8, 8, 6, 6		Protect in place	
45	Buttonwood	Conocarpus erectus	4x4	30	Protect in place	
47	Buttonwood	Conocarpus erectus	12	30	Protect in place	
48	Mahogany	Swietenia mahagoni	12	40	Protect in place	
49	Buttonwood	Conocarpus erectus	4x8	32	Protect in place	
50	Buttonwood	Conocarpus erectus	4x8	28	Protect in place	
51	Buttonwood	Conocarpus erectus	3x8	30	Protect in place	
52	Picabeen palm	Archontophoenix cunninghamiana		4 / multi	Relocate	
53	Picabeen palm	Archontophoenix cunninghamiana		6 / multi	Relocate	
54	Picabeen palm	Archontophoenix cunninghamiana		6 / multi	Relocate	
55	Gumbo Limbo	Bursera simaruba	16	20	Protect in place	
56	Areca Palm	Dypsis lutescens		6 / multi	Relocate	
57	Areca Palm	Dypsis lutescens		6 / multi	Relocate	
58	Alexander palm	Archontophoenix alexandra	8	7	Relocate	
59	Windmill Palm	Trachycarpus fortunei		8	Relocate	
59A	Coconut Palm	Cocos nucifera	16	Relocate		
59B	Coconut Palm	Cocos nucifera	16	Relocate		
60	Thatch Palm	Thrinax radiata	8	Relocate		
61	Gumbo Limbo	Bursera simaruba	12	18	Protect in place	
62	Picabeen palm	Archontophoenix cunninghamiana		8	Protect in place	
63	Picabeen palm	Archontophoenix cunninghamiana		8	Protect in place	
64	Picabeen palm	Archontophoenix cunninghamiana		8	Protect in place	
65	Cabbage palm	Sabal palmetto	24	24	Protect in place	
66	Cabbage palm	Sabal palmetto	24	24	Protect in place	
67	Picabeen palm	Archontophoenix cunninghamiana		8	Protect in place	
68	Picabeen palm	Archontophoenix cunninghamiana		8	Protect in place	
69	Picabeen palm	Archontophoenix cunninghamiana		8	Protect in place	
70	Picabeen palm	Archontophoenix cunninghamiana		8	Protect in place	
71	Picabeen palm	Archontophoenix cunninghamiana		8	Protect in place	
72	Picabeen palm	Archontophoenix cunninghamiana		8	Protect in place	
73	Picabeen palm	Archontophoenix cunninghamiana		8	Protect in place	
74	Buttonwood	Conocarpus erectus	18	35	Protect in place	
76	Oldman Thatch palm	Coccothrinax crinata	4	4	Protect in place	
81	Florida Thatch palm	Thrinax radiata	4	7	Protect in place	
82	Florida Thatch Palm	Thrinax radiata	4	Relocate		
83	Gumbo Limbo tree	Bursera simaruba	13	18	Protect in place	
84	Buttonwood	Conocarpus erectus	40	60	Protect in Place	
85	Screw Pine	Pandanus utilis		19' ht	Remove	
86	Buttonwood	Conocarpus erectus		16	Protect in place	
86A	Sea grape	Coccoloba uvifera	6x4	16	Protect in place	
87	Buttonwood	Conocarpus erectus	8	20	Protect in place	
88	Buttonwood	Conocarpus erectus	2x4	16	Protect in place	
89	Buttonwood	Conocarpus erectus	3x6	18	Protect in place	
90	Buttonwood	Conocarpus erectus	7	18	Protect in place	
91	Buttonwood	Conocarpus erectus	2x5, 7	18	Protect in place	
92	Buttonwood	Conocarpus erectus	3x8	20	Protect in place	
93	Buttonwood	Conocarpus erectus	7	18	Protect in place	
94	Buttonwood	Conocarpus erectus	3x6	20	Protect in place	
95	Buttonwood	Conocarpus erectus	3x5, 7	20	Protect in place	
96	Bamboo	Bambusoideae		35	Remove	
96A	Bamboo	Bambusoideae		35	Remove	
96B	Bamboo	Bambusoideae		35	Remove	
96C	Bamboo	Bambusoideae		35	Remove	
96D	Bamboo	Bambusoideae		35	Remove	
96E	Bamboo	Bambusoideae		35	Remove	
96F	Bamboo	Bambusoideae		35	Remove	
96G	Bamboo	Bambusoideae		35	Remove	
97	Bamboo	Bambusoideae		35	Remove	
99	Fishtail palm	Caryota mitis		35	Remove	
99	Fishtail palm	Caryota mitis		12 / multi	Remove	
100	Fishtail palm	Caryota mitis		12 / multi	Remove	
101	Fishtail palm	Caryota mitis		12 / multi	Remove	
102	Fishtail palm	Caryota mitis		12 / multi	Remove	
102A	Coconut Palm	Cocos nucifera	40	Remove	Too tall to relocate	
102B	Bamboo	Bambusoideae		35	Remove	
102C	Bamboo	Bambusoideae		35	Remove	
102D	Bamboo	Bambusoideae		35	Remove	
102E	Bamboo	Bambusoideae		35	Remove	
102F	Bamboo	Bambusoideae		35	Remove	
102G	Bamboo	Bambusoideae		35	Remove	
102H	Bamboo	Bambusoideae		35	Remove	
102I	Bamboo	Bambusoideae		35	Remove	
102J	Bamboo	Bambusoideae		35	Remove	
102K	Bamboo	Bambusoideae		35	Remove	
102L	Bamboo	Bambusoideae		35	Remove	
102M	Bamboo	Bambusoideae		35	Remove	
102N	Bamboo	Bambusoideae		35	Remove	
102O	Bamboo	Bambusoideae		35	Remove	

TREE ID	Common Name	Botanical Name	DBH inches	Height (OA for trees CT for Palms)	Action	Notes
103	Coconut Palm	Cocos nucifera		25		
104	Coconut Palm	Cocos nucifera		30		
105	Coconut Palm	Cocos nucifera		24	Protect in place	
106	Buttonwood hedge	Conocarpus erectus	140	25	Remove	35 trunks at 3-5" cal.
107	Coconut Palm	Cocos nucifera		30	Relocate	35 replacements
108	Coconut Palm	Cocos nucifera		25	Relocate	
109	Coconut Palm	Cocos nucifera		28	Relocate	
110	Coconut Palm	Cocos nucifera		18	Relocate	
111	Coconut Palm	Cocos nucifera		25	Relocate	
112	Cabbage palm	Sabal palmetto		14	Relocate	
113	Cabbage palm	Sabal palmetto		14	Relocate	
114	Cabbage palm	Sabal palmetto		15	Relocate	
115	Cabbage palm	Sabal palmetto		14	Relocate	
116	Cabbage palm	Sabal palmetto		16	Relocate	
117	Cabbage palm	Sabal palmetto		15	Relocate	
118	Cabbage palm	Sabal palmetto		14	Relocate	
119	Cabbage palm	Sabal palmetto		16	Relocate	
120	Cabbage palm	Sabal palmetto		15	Relocate	
120A	Cabbage palm	Sabal palmetto		15	Relocate	
121	Cabbage palm	Sabal palmetto		18	Relocate	
122	Cabbage palm	Sabal palmetto		16	Relocate	
123	Cabbage palm	Sabal palmetto		14	Relocate	
124	Cabbage palm	Sabal palmetto		18	Relocate	
125	Cabbage palm	Sabal palmetto		16	Relocate	
126	Cabbage palm	Sabal palmetto		18	Relocate	
127	Cabbage palm	Sabal palmetto		20	Relocate	
128	Cabbage palm	Sabal palmetto		16	Relocate	
129	Cabbage palm	Sabal palmetto		14	Relocate	
130	Cabbage palm	Sabal palmetto		25	Relocate	
130A	Thatch palm	Thrinax radiata		8	Relocate	
131	Coconut Palm	Cocos nucifera		32	Relocate	
132	Cabbage palm	Sabal palmetto		20	Relocate	
133	Cabbage palm	Sabal palmetto		16	Relocate	
134	Cabbage palm	Sabal palmetto		18	Relocate	
135	No Tree					
136	Cabbage palm	Sabal palmetto		12	Relocate	
137	Cabbage palm	Sabal palmetto		16	Relocate	
138	Montgomery palm	Veitchia montgomeryana		16	Remove	
139	Montgomery palm	Veitchia montgomeryana		16	Relocate	
140	Montgomery palm	Veitchia montgomeryana		16	Remove	
141	Cabbage palm	Sabal palmetto		8	Relocate	
142	Cabbage palm	Sabal palmetto		12	Relocate	
143	Cabbage palm	Sabal palmetto		14	Relocate	
144	Montgomery palm	Veitchia montgomeryana		16	Remove	
145	Cabbage palm	Sabal palmetto		12	Relocate	
146	Cabbage palm	Sabal palmetto		12	Relocate	
147	Cabbage palm	Sabal palmetto		16	Relocate	
148	Thatch Palm	Thrinax radiata		2	Relocate	
149	Montgomery palm	Veitchia montgomeryana		2x8	Remove	
150	Montgomery palm	Veitchia montgomeryana		3x8	Remove	
151	Thatch Palm	Thrinax radiata		8	Relocate	
152	Sylvester Date palm	Phoenix sylvestris		16	Relocate	
153	Alexander palm	Archontophoenix cunninghamiana		12	Remove	
154	Cabbage palm	Sabal palmetto		18	Relocate	
155	Cabbage palm	Sabal palmetto		18	Relocate	
156	Cabbage palm	Sabal palmetto		18	Relocate	
157	Cabbage palm	Sabal palmetto		10	Relocate	
158	Cabbage palm	Sabal palmetto		14	Relocate	
159	Cabbage palm	Sabal palmetto		18	Relocate	
160	Ravenala madagascariensis	Travelers palm		5x3	Remove	
161	Ravenala madagascariensis	Travelers palm		5x3	Remove	
162	Ravenala madagascariensis	Travelers palm		4x3	Remove	
163	Ravenala madagascariensis	Travelers palm		4x3	Remove	
163A	Green Buttonwood	Conocarpus erectus	20	30	Remove	4 replacements
164	Bamboo	Bambusoideae		35	Remove	
165	Cabbage palm	Sabal palmetto		16	Relocate	
166	Cabbage palm	Sabal palmetto		16	Relocate	
167	Cabbage palm	Sabal palmetto		16	Relocate	
168	Cabbage palm	Sabal palmetto		14	Relocate	
168A	Pigeon plum	Coccoloba diversifolia	4	14	Relocate	
168B	Pigeon plum	Coccoloba diversifolia	5	14	Relocate	
169	Cabbage palm	Sabal palmetto		16	Relocate	
169A	Silver Buttonwood	Conocarpus erectus	3.5	15	Remove	1 replacement
170	Montgomery palm	Veitchia montgomeryana		18	Remove	
171	Thatch Palm	Thrinax radiata		4	Relocate	
171A	Thatch palm	Thrinax radiata		8	Relocate	
172	Thatch Palm	Thrinax radiata		3	Relocate	
173	Thatch Palm	Thrinax radiata		4	Relocate	
174	Thatch Palm	Thrinax radiata		4	Relocate	
175	Cabbage palm	Sabal palmetto		5	Relocate	
176	Cabbage palm	Sabal palmetto		18	Relocate	
176A	Gumbo Limbo	Bursera simaruba	4	12	Remove	Poor condition
177	Cabbage palm	Sabal palmetto		16	Relocate	
177A	Jerusalem Thorn	Parkinsonia acuminata	5	15	Remove	1 replacement
178	Areca Palm Cluster	Dypsis lutescens		18	Protect in place	
179	Coconut Palm	Cocos nucifera		14	Protect in Place	
180	Cabbage palm	Sabal palmetto		18	Relocate	
181	Cabbage palm	Sabal palmetto		18	Relocate	
182	Cabbage palm	Sabal palmetto		16	Relocate	
183	Bamboo	Bambusoideae		16	Remove	
184	Bamboo	Bambusoideae		20	Remove	
185	Bamboo	Bambusoideae		20	Remove	
186	Ravenala madagascariensis	Travelers palm		3x5	Remove	
187	Cabbage palm	Sabal palmetto		18	Relocate	
187A	Bamboo	Bambusoideae		30	Remove	
187B	Bamboo	Bambusoideae		30	Remove	
187C	Bamboo	Bambusoideae		30	Remove	
188	Palm Cluster			5x3	Remove	
189	Traveler Palm	Ravenala madagascariensis		5x2	Remove	
190	Palm Cluster			4x2	Remove	
191	Cabbage palm	Sabal palmetto		16	Relocate	
191A	Bamboo	Bambusoideae		30	Relocate	
191B	Bamboo	Bambusoideae		30	Remove	
191C	Bamboo	Bambusoideae		30	Remove	
191D	Bamboo	Bambusoideae		30	Remove	
191E	Bamboo	Bambusoideae		30	Remove	
192	Cabbage palm	Sabal palmetto		3	Remove	
192A	Bamboo	Bambusoideae		30	Remove	
193	Cabbage palm	Sabal palmetto		14	Relocate	
194	Cabbage palm	Sabal palmetto		16	Relocate	
195	Palm Cluster			4x2	Remove	
196	Cabbage palm	Sabal palmetto		18	Relocate	
197	Cabbage palm	Sabal palmetto		14	Relocate	
198	Cabbage palm	Sabal palmetto		18	Relocate	
199	Cabbage palm	Sabal palmetto		12	Relocate	
200	Cabbage palm	Sabal palmetto		14	Relocate	
201	Cabbage palm	Sabal palmetto		18	Relocate	
201A	Pigeon plum	Coccoloba diversifolia	5	14	Relocate	
202	Coconut Palm	Cocos nucifera		9	Protect in place	
203	Coconut Palm	Cocos nucifera		20	Protect in place	
204	Coconut Palm	Cocos nucifera		9	Protect in place	
205	Coconut Palm	Cocos nucifera		20	Protect in place	
206	Coconut Palm	Cocos nucifera		8	Protect in place	
207	Coconut Palm	Cocos nucifera		25	Protect in place	
208	Coconut Palm	Cocos nucifera		27	Protect in place	
209	Coconut Palm	Cocos nucifera		18	Protect in place	
210	Coconut Palm	Cocos nucifera		22	Protect in place	
211	Coconut Palm	Cocos nucifera		24	Protect in place	
212	Coconut Palm	Cocos nucifera		30	Protect in place	
213	Coconut Palm	Cocos nucifera		20	Protect in place	
214	Coconut Palm	Cocos nucifera		6	Protect in place	



LEGEND

1. VEHICULAR CIRCULATION - ASPHALT
2. PROPOSED FIRE LANE
3. PEDESTRIAN WALKWAY
4. A.D.A PARKING
5. POOL DECK
6. POOL
7. ELEVATED BOARDWALK
8. SHADE STRUCTURE
9. WATER FEATURE
10. RETAINING WALL
11. BOARDWALK ON SAND
12. GAZEBO

ISLANDER RESORT

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PLANNING
LANDSCAPE ARCHITECTURE
URBAN DESIGN

1512 E. BROWARD BOULEVARD, SUITE 110
FORT LAUDERDALE, FLORIDA 33301 USA
TEL: 954.524.3330 | LCC000001

△	Date	Description
	2022.10.07	Major Conditional Use Amendment
△	2023.10.02	Response to Planning Comments
△	2024.02.07	Response to Planning Comments

Key Map

Seal / Signature

NOT FOR CONSTRUCTION

Project Name

Islander Resort - North Side Development

Project Number

12.0283.000

Description

SITE PLAN

Scale

1" = 20'
0 10' 20' 40'

NORTH

LA-101

Drawing name: 01 Trans-Side-A-RS-10278 Islander Resort - Gensler/EDSA/0106-SHEET'S North Side/LA-101 SITE PLAN.dwg LA-101 Feb 08, 2024 3:47pm by jackson

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LEGEND

- 1. VEHICULAR CIRCULATION - ASPHALT
- 2. PROPOSED FIRE LANE
- 3. PEDESTRIAN WALKWAY
- 4. A.D.A PARKING
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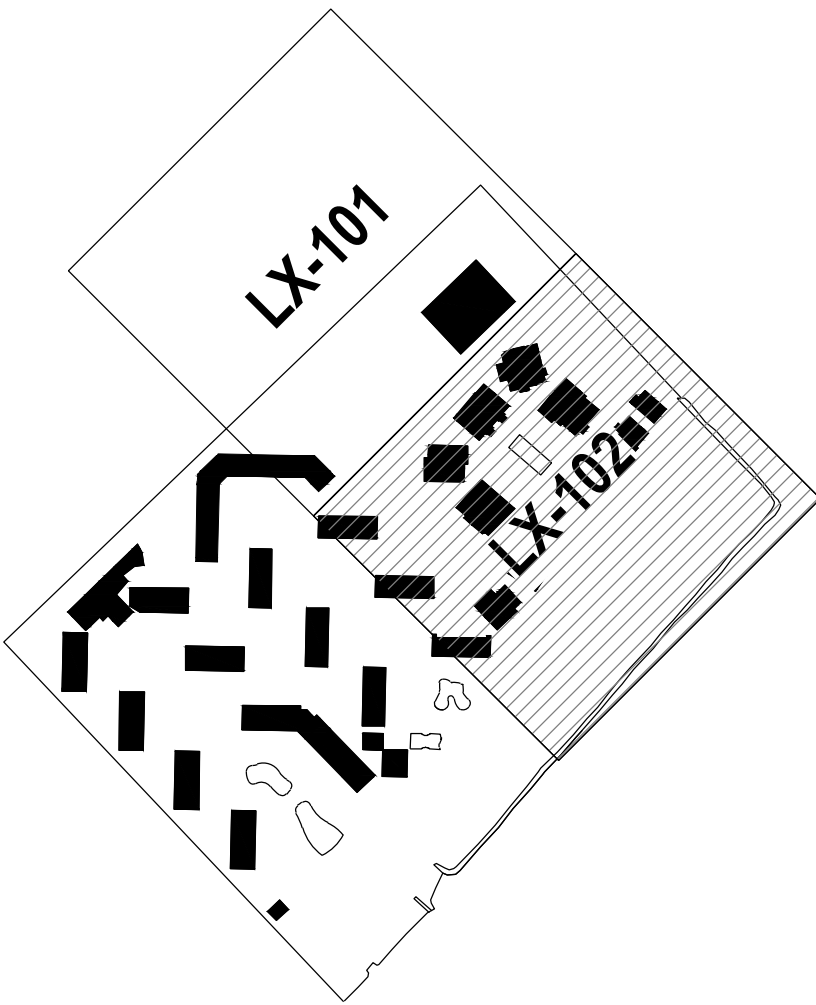
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Key Map



Seal / Signature

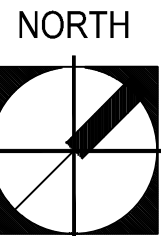
NOT FOR
CONSTRUCTION

Project Name
Islander Resort -
North Side Development
Project Number
12.0283.000
Description

SITE PLAN

Scale
1" = 20'
0 10' 20' 40'

LA-102



Drawing name: C:\Teams\SECAR\SET\0278 Islander Resort (Gensler)\EDS\06-06-SHEET\Shawn_Sidel\LH-001 HARDSCAPE NOTES.dwg Feb 06, 2024 3:47pm by: jackson

HARDSCAPE GENERAL NOTES:

1. PRIOR TO THE COMMENCEMENT OF HARDSCAPE CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THE CONDITION AND COMPLETENESS OF ALL WORK PERFORMED BY OTHER CONTRACTORS WORKING ON THIS PROJECT IN RELATION TO THE WORK RESPONSIBILITIES DEPICTED IN THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL NOTIFY THE OWNERS REPRESENTATIVE IN WRITING OF ANY POTENTIAL DEVIATIONS WITHIN 48 HRS OF DISCOVERY. NO CLAIM FOR EXPENSES INCURRED BY THE CONTRACTOR DUE TO SUCH CONDITIONS WILL BE AWARDED IF WRITTEN NOTIFICATION IS NOT PROVIDED PRIOR TO THE START OF HARDSCAPE CONSTRUCTION.
2. THE CONTRACTOR SHALL SURVEY, LAYOUT AND STAKE THE LOCATION OF ALL FOOTINGS, PIERS, WALLS, COLUMNS AND PAVEMENT FOR REVIEW BY THE OWNERS REPRESENTATIVE PRIOR TO COMMENCEMENT OF HARDSCAPE CONSTRUCTION. THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY RECONSTRUCTION OF HARDSCAPE CONSTRUCTION RESULTING FROM UNAUTHORIZED CONSTRUCTION.
3. THE CONTRACTOR SHALL PROVIDE SHOP DRAWINGS AND/OR FIELD MOCKUPS FOR ALL ITEMS LISTED ON THE FINISH SCHEDULE UNLESS SPECIFICALLY NOTED OTHERWISE. MOCKUPS SHALL BE SET UP IN A SECURED LOCATION ON THE SITE FOR REFERENCE AS DIRECTED BY THE OWNERS REPRESENTATIVE. MOCKUPS WILL REMAIN ON SITE UNTIL THE COMPLETION OF HARDSCAPE CONSTRUCTION.
4. ANY REFERENCE IN THE HARDSCAPE CONSTRUCTION DOCUMENTS TO BRANDED PRODUCTS, PROCEDURES OR PATENTED PROCESSES ARE ASSUMED TO CARRY AN IMPLIED STATEMENT OF "OR APPROVED EQUAL" UNLESS SPECIFICALLY NOTED OTHERWISE WITH "NO SUBSTITUTIONS PERMITTED"
5. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES REQUIRED FOR THE SAFE EXECUTION AND COMPLETION OF THE WORK.
6. THE CONTRACTOR SHALL VERIFY ALL MEASUREMENTS AT THIS SITE AND BE RESPONSIBLE FOR THE ACCURACY AND CORRECTNESS OF SAME.
7. THE CONTRACTOR SHALL EMPLOY AS REQUIRED BY THE CONSTRUCTION DOCUMENTS AND/OR GOVERNING AUTHORITIES, A TESTING LABORATORY APPROVED BY THE OWNERS REPRESENTATIVE TO CONDUCT ALL TESTS NECESSARY TO ENSURE COMPLIANCE WITH THE CONTRACT DOCUMENTS, APPLICABLE STANDARDS AND CODES.
8. WRITTEN DIMENSIONS, COORDINATES AND/OR ELECTRONIC FILES PREVAIL OVER SCALED DIMENSIONS. DO NOT SCALE FROM THE CONTRACT DOCUMENTS.
9. REFER TO ARCHITECTURAL PLANS FOR ALL BUILDING DIMENSIONS.
10. REFER TO CIVIL PLANS FOR OVERALL SITE LAYOUT/DIMENSIONS.
11. HARDSCAPE DIMENSIONS ARE FROM THE FACE AND/OR CENTERLINE OF THE OBJECT AT 90 DEGREE ANGLES UNLESS NOTED OTHERWISE. ALL RADII AND CURVES ARE TO HAVE SMOOTH AND CONTINUOUS TRANSITIONS WITHOUT ABRUPT CHANGES OR BENDS.
12. PAVER DIMENSIONS ARE NOMINAL. VERIFY ACTUAL PAVER DIMENSIONS PRIOR TO LAYOUT OF PAVER FIELDS.
13. ALL REFERENCES TO "GRAY CONCRETE" SHALL MEAN NATURAL CONCRETE WITH NO COLOR ADDITIVE.
14. INFORMATION ON STRUCTURAL REINFORCEMENT, ANCHORS, FASTENERS, FOUNDATIONS OR OTHER STRUCTURAL ELEMENTS SHOWN ON THE SITE HARDSCAPE DOCUMENTS RELATED TO WALLS, SLABS, STRUCTURES AND ALL CAST IN PLACE CONCRETE IS SHOWN FOR MATERIAL RELATIONSHIPS ONLY. REFER TO CONTRACT DOCUMENTS PREPARED BY BUT NOT LIMITED TO ARCHITECTURAL, MEP, STRUCTURAL AND CIVIL ENGINEERING CONSULTANTS FOR ACTUAL CONSTRUCTION DOCUMENTATION.
15. CROSS SLOPE ON HARDSCAPE PAVEMENT SHALL NOT EXCEED 2%. RUNNING SLOPE SHALL NOT EXCEED 5% UNLESS NOTED OTHERWISE. SEE LANDSCAPE GRADING FOR ADDITIONAL REQUIREMENTS.
16. SITE FURNISHINGS SHALL BE INSTALLED AS DETAILED IN THE CONSTRUCTION DOCUMENTS UNLESS NOTED OTHERWISE. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ANCHORING DETAILS WITH THE ITEM'S MANUFACTURER PRIOR TO PURCHASE/INSTALLATION.
17. HARDSCAPE ON-STRUCTURE: SITE HARDSCAPE ELEMENTS FOR ALL PODIUM, ROOF LEVEL AND BUILDING RELATED SURFACES ARE SHOWN FOR MATERIAL RELATIONSHIP ONLY. REFER TO CONTRACT DOCUMENTS PREPARED BY BUT NOT LIMITED TO ARCHITECTURAL, MEP AND STRUCTURAL ENGINEERING CONSULTANTS FOR ACTUAL CONSTRUCTION DOCUMENTATION FOR ALL ANCHORS, REINFORCING, WATERPROOFING, DRAINAGE FIXTURES, MATERIAL ATTACHMENTS, SETTING METHODS AND SLAB PENETRATIONS FOR PAVING, IRRIGATION, DRAINAGE AND ELECTRICAL FIXTURES.
18. WATER FEATURES: SITE HARDSCAPE ELEMENTS SHOWN FOR FOUNTAINS, POOLS, SPA WATERFALLS AND OTHER WATER FEATURES ARE SHOWN FOR MATERIAL RELATIONSHIP ONLY. REFER TO CONTRACT DOCUMENTS PREPARED BY BUT NOT LIMITED TO ARCHITECTURAL, MEP, STRUCTURAL AND FOUNTAIN/POOL ENGINEERS FOR ACTUAL CONSTRUCTION DOCUMENTATION.
19. LIGHT FIXTURES: LIGHT FIXTURES ARE SHOWN FOR MATERIAL RELATIONSHIP AND ORIENTATION WITH HARDSCAPE/LANDSCAPE ELEMENTS ONLY. REFER TO CONTRACT DOCUMENTS PREPARED BY BUT NOT LIMITED TO ELECTRICAL ENGINEER FOR ACTUAL CONSTRUCTION DOCUMENTATION.

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NOT FOR CONSTRUCTION

Project Name

Islander Resort -
North Side Development

Project Number

12.0283.000

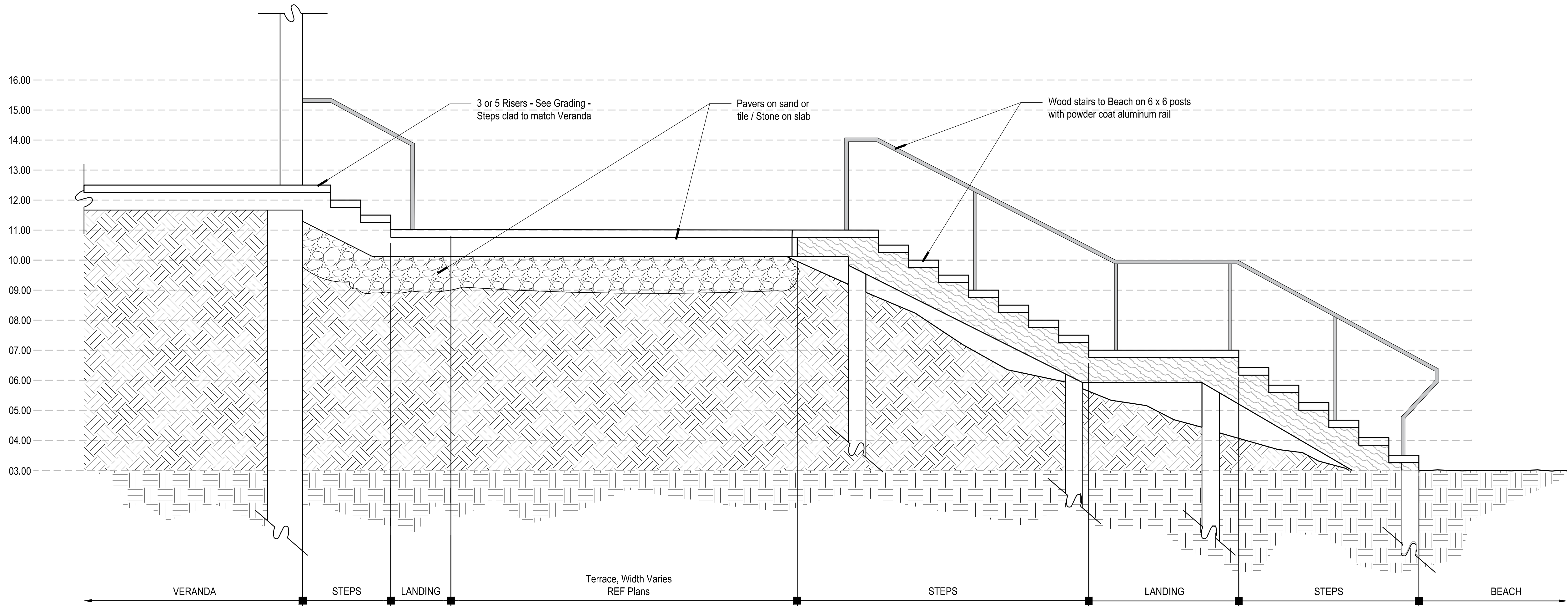
Description

HARDSCAPE NOTES

Scale

LH-001

Drawing name: C:\Teams\SECA\RESZ\0278 Islander Resort (Gensler)\EDS\040906-SHEET\North Side\LH-301 SITE SECTIONS.dwg LH-301 Feb 06, 2024, 3:47pm by jackson



01

TYPICAL BEACHFRONT UNIT STAIRS

SCALE - 1/2" = 1'-0"

ISLANDER RESORT

82100 Overseas Highway
Islamorada FL 33036

Gensler

10 North Park Place
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Fax: 305.350.7071

edsa
PLANNING
LANDSCAPE ARCHITECTURE
URBAN DESIGN
1512 E. BROWARD BOULEVARD, SUITE 110
FORT LAUDERDALE, FLORIDA 33301 USA
TEL: 954.524.3330 | LCC000001

△ Date	Description
2022.10.07	Major Conditional Use Amendment
△ 2023.10.02	Response to Planning Comments
△ 2024.02.07	Response to Planning Comments

Seal / Signature

NOT FOR
CONSTRUCTION

Project Name
Islander Resort -
North Side Development
Project Number
12.0283.000
Description

SITE SECTIONS

Scale

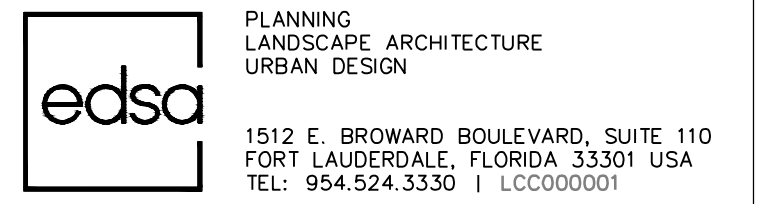
LH-301

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United States

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Tel 305.350.7070
Fax 305.350.7071



PLANT SCHEDULE	
TREES	BOTANICAL NAME
BS	Bursera simaruba
BS-EX	Bursera simaruba
CR	Clusia rosea
CD	Coccoloba diversifolia
CU	Coccoloba uvifera
CE-EX	Conocarpus erectus
CE	Conocarpus erectus
CS	Cordia sebestena
DR	Delonix regia
EF	Eugenia foetida
MF	Myrcianthes fragrans
PL	Plumeria rubra
SM	Swietenia mahagoni
SM-EX	Swietenia mahagoni
TS	Tecoma stans
PALM TREES	BOTANICAL NAME
AWX	Accolorrhaphie wrightii
VMX	Adnondia merillii
CNX	Archontophoenix cunningghamiana
CNX-EX	Cocos nucifera 'Green Malayan'
CNX-R	Cocos nucifera 'Green Malayan'
CNX	Cocos nucifera 'Green Malayan'
SPX-R	Sabal palmetto
TRX	Thrinax radiata
SHRUB AREAS	BOTANICAL NAME
CHR	Chrysobalanus icaco 'Redtip'
COC-I	Coccoloba uvifera
HAM	Hamelia patens
PSY	Psychotria nervosa
GROUND COVERS	BOTANICAL NAME
CAL	Callicarpa americana
HEL	Helianthus debilis
MUH	Muhlenbergia capillaris
SPA	Spartina bakeri
SOD	BOTANICAL NAME
SOD	Stenotaphrum secundatum

△	Date	Description
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△	2024.02.07	Response to Planning Comments

Seal / Signature

**NOT FOR
CONSTRUCTION**

Project Name

Islander Resort -
North Side Development

12.0283.000

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PLANTING PLAN

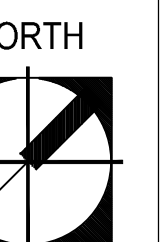
Scale

1" = 20'

0 10' 20' 40'

A horizontal graphic scale bar with tick marks at 0, 10', 20', and 40'. The bar is divided into four equal segments, each representing 10 feet. The segments are filled with alternating black and white colors.

LP-101



Drawing name: C:\Team\SECA\RESZ\0278 Islander Resort\Gensler\EDS\06-06-SHEET\North Side\LP-601 PLANTING PLAN.dwg LP-601 Feb 06 2024 3:50pm by jackson

DISCOVERY CENTER PARKING LOT (OFF STREET PARKING LOT) LANDSCAPING					
Requirement per 24 parking spaces	Multiplier for 80 parking spaces	Requirement for 80 parking spaces	Amount provided in plan (within 8' of parking lot)	Amount of native plants provided	Percentage of native plants provided
1500 SF Landscape	3.33	5000 SF	10355 SF	-	-
5 Canopy Trees	3.33	16.67	21 (2 BS, 3 BS-EX, 8 CE-EX, 2 DR, 6 SM)	19 (2 BS, 3 BS-EX, 8 CE-EX, 6 SM)	90
1 Understory Tree	3.33	3.33	8	8 (2 CS, 4 EF, 2 ACX)	100
12 Shrubs	3.33	40	447	447	100

PLANT SCHEDULE DISCOVERY CENTER PARKING LOT						
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE
TREES						
	BS-EX	3	Bursera simaruba	Gumbo Limbo (Existing)	-	EXISTING
	BS	2	Bursera simaruba	Gumbo Limbo	45 Gal	12' HT, 6' SPR
	CE-EX	8	Conocarpus erectus	Green Buttonwood (Existing)	-	EXISTING
	CS	2	Cordia sebestena	Red Geiger Tree	45 Gal.	6' Hgt. x 4' Spd.
	DR	2	Delonix regia	Royal Poinciana	F.G.	14' HT. x 8' SPD.
	EF	4	Eugenia foetida	Spanish Stopper	45 Gal.	6' ht x 4' spr
	SM	6	Swietenia mahagoni	West Indian Mahogany	FG	12' HT, 7' SPR
EXISTING PALMS						
	ACX	2	Archontophoenix cunninghamiana	King Palm	100 L	

PLANT SCHEDULE DISCOVERY CENTER PARKING LOT							
SHRUB AREAS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	SIZE	SPACING
	CHR	203	Chrysobalanus icaco 'Horizontal'	Horizontal Cocoplum	3 gal	18" O.A	24" o.c.
	HAM	147	Hamelia patens 'Nodosa'	Dwarf Firebush	7 gal	24" O.A.	36" o.c.
	PSY	92	Psychotria nervosa	Wild Coffee	3 gal		24" o.c.
SOD	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HEIGHT	SPACING
	SOD	9 617 sf	Stenotaphrum secundatum	St. Augustine Grass	sod		

NORTHEAST BUFFERYARD TYPE 'D' (20' wide) LANDSCAPING					
Requirement per 100 linear feet	Multiplier for 504 linear feet	Requirement for 504 linear feet	Amount provided in plan	Amount of native plants provided	Percentage of native plants provided
6.5 Canopy Trees	5.04	32.76	33 (6 CD, 7 CU, 3 CE-EX, 12 CE, 5 SM)	33 (6 CD, 7 CU, 3 CE-EX, 12 CE, 5 SM)	100
3.5 Understory Trees	5.04	17.64	18 (18 SPX-R)	18 (18 SPX-R)	100
28 Shrubs	5.04	141.12	484	484	100

PLANT SCHEDULE NORTHEAST BUFFER YARD						
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE
TREES						
	CD	6	Coccoloba diversifolia	Pigeon Plum	25 Gal.	8' Hgt. x 3' Spd.
	CU	7	Coccoloba uvifera	Seagrape	B&B	8' Hgt. x 4' Spd.
	CE-EX	3	Conocarpus erectus	Green Buttonwood (Existing)	-	EXISTING
	CE	12	Conocarpus erectus	Green Buttonwood	FG	14' HT x 6' SP
	SM	5	Swietenia mahagoni	West Indian Mahogany	FG	12' HT, 7' SPR
PALM TREES						
	SPX-R	18	Sabal palmetto	Cabbage Palmetto (Relocated)	RELOCATE	EXISTING

PLANT SCHEDULE NORTHEAST BUFFER YARD							
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	SIZE	SPACING
SHRUB AREAS							
	CHR	271	Chrysobalanus icaco 'Horizontal'	Horizontal Cocoplum	3 gal	18" O.A	24" o.c.
	HAM	46	Hamelia patens 'Nodosa'	Dwarf Firebush	7 gal	24" O.A.	36" o.c.
	PSY	159	Psychotria nervosa	Wild Coffee	3 gal		24" o.c.
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HEIGHT	SPACING
GROUND COVERS							
	CAL	189	Callicarpa americana	Beautyberry	3 gal	18" O.C.	24" o.c.

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Seal / Signature

NOT FOR
CONSTRUCTION

Project Name

Islander Resort -
North Side Development

Project Number

12.0283.000

Description

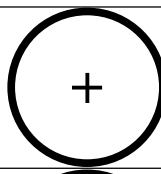
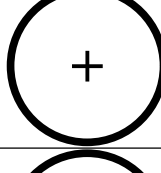
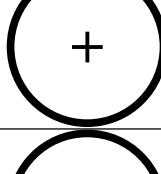
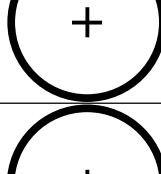
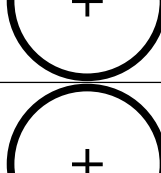
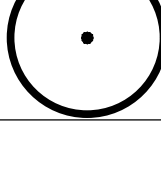
PLANTING SCHEDULE

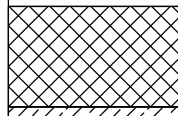
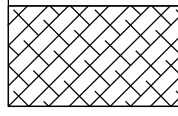
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LP-601

Drawing name: C:\Teams\SECA\RESZ\0278 Islander Resort\Gensler\EDS\06-05-SHEET\North Side\LP-400 PLANTING PLAN.dwg LP-601.1 Feb 06, 2024 3:59pm by jhaskon

NORTHWEST BUFFERYARD TYPE 'D' (20' wide) LANDSCAPING					
Requirement per 100 linear feet	Multiplier for 453 linear feet	Requirement for 453 linear feet	Amount provided in plan	Amount of native plants provided	Percentage of native plants provided
6.5 Canopy Trees	4.53	29.45	30 (3 CD, 16 CE-EX, 1 CE, 5 SM-EX, 5 SM)	30 (3 CD, 16 CE-EX, 1 CE, 5 SM-EX, 5 SM)	100
3.5 Understory Trees	4.53	15.86	16 (14 MF, 2 CNX-EX)	14 (14 MF)	87
28 Shrubs	4.53	126.84	377	377	100

PLANT SCHEDULE NORTHWEST BUFFER YARD						
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE
TREES						
	CD	3	Coccoloba diversifolia	Pigeon Plum	25 Gal.	8' Hgt. x 3' Spd.
	CE-EX	16	Conocarpus erectus	Green Buttonwood (Existing)	-	EXISTING
	CE	1	Conocarpus erectus	Green Buttonwood	FG	14' HT x 6' SP
	MF	14	Myrcianthes fragrans	Simpson's Stopper	25 Gal.	6' ht x 4' spr
	SM-EX	5	Swietenia mahagoni	West Indian Mahogany	-	
	SM	5	Swietenia mahagoni	West Indian Mahogany	FG	12' HT, 7' SPR
PALM TREES						
	CNX-EX	8	Cocos nucifera 'Green Malayan'	Coconut Palm (Existing)	-	EXISTING

PLANT SCHEDULE NORTHWEST BUFFER YARD							
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	SIZE	SPACING
SHRUB AREAS							
	HAM	75	Hamelia patens 'Nodosa'	Dwarf Firebush	7 gal	24" O.A.	36" o.c.
	PSY	192	Psychotria nervosa	Wild Coffee	3 gal		24" o.c.
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HEIGHT	SPACING
GROUND COVERS							
	CAL	210	Callicarpa americana	Beautyberry	3 gal	18" O.C.	24" o.c.

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Seal / Signature

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Project Name
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North Side Development
Project Number
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Description

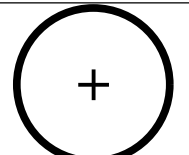
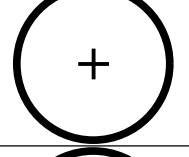
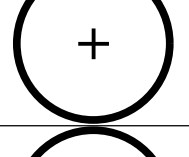
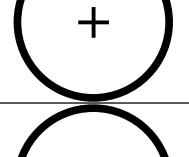
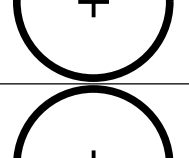
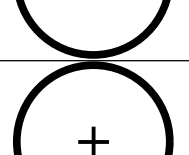
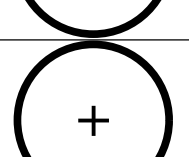
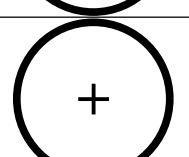
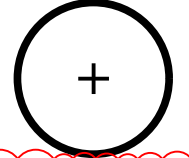
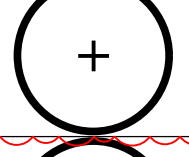
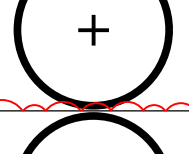
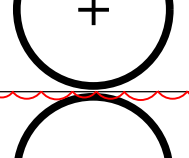
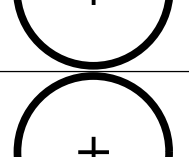
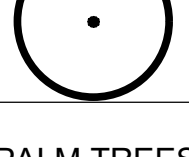
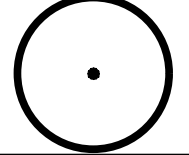
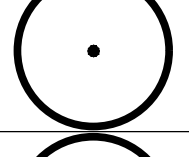
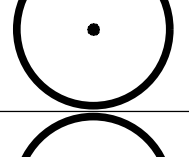
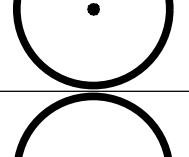
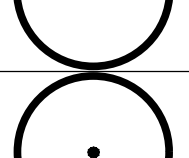
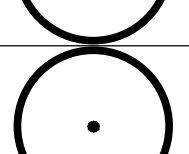
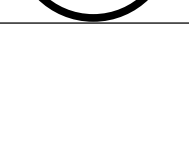
PLANTING SCHEDULE

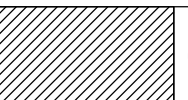
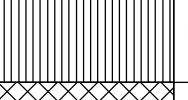
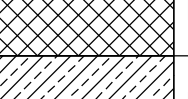
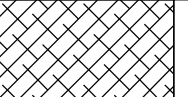
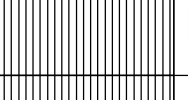
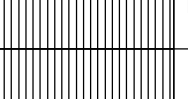
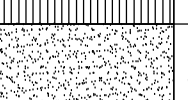
Scale

LP-601.1

02

Drawing name: C:\Team\SECA\RES2\0278 Islander Resort\Gensler\EDS\06-06-SHEET\Shrub Side\LP-602 PLANTING PLAN.dwg LP-602 Feb 06 2024 3:50pm by jackson

PLANT SCHEDULE - WHOLE SITE							
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE	REMARKS
TREES							
	BS-EX	3	Bursera simaruba	Gumbo Limbo (Existing)	-	EXISTING	
	BS	2	Bursera simaruba 3" Cal.	Gumbo Limbo	45 Gal	12' HT, 6' SPR	3" Cal.
	CR	3	Clusia rosea 3" Cal.	Pitch Apple	100 GAL	14' HT. x 8' SPD.	3" Cal.
	CD	10	Coccoloba diversifolia	Pigeon Plum	25 Gal.	8' Hgt. x 3' Spd.	
	CU	15	Coccoloba uvifera	Seagrape	B&B	8' Hgt. x 4' Spd.	
	CE-EX	26	Conocarpus erectus	Green Buttonwood (Existing)	-	EXISTING	
	CE	23	Conocarpus erectus 3" Cal.	Green Buttonwood	FG	14' HT x 6' SP	3" Cal.
	CS	5	Cordia sebestena	Red Geiger Tree	45 Gal.	6' Hgt. x 4' Spd.	
	DR	9	Delonix regia 3" Cal.	Royal Poinciana	F.G.	14' HT. x 8' SPD.	3" Cal.
	EF	4	Eugenia foetida	Spanish Stopper	45 Gal.	6' ht x 4' spr	
	MF	14	Myrcianthes fragrans	Simpson's Stopper	25 Gal.	6' ht x 4' spr	
	PR	9	Plumeria rubra	Red Frangipani	45 Gal.	6' ht x 4' spr	
	SM-EX	5	Swietenia mahagoni	West Indian Mahogany	-		
	SM	27	Swietenia mahagoni 3" Cal.	West Indian Mahogany	FG	12' HT, 7' SPR	3" Cal.
	TS	11	Tecoma stans	Yellow Elder	45 Gal	6' Hgt. x 4' Spd.	
EXISTING PALMS							
	ACX	2	Archontophoenix cunninghamiana	King Palm	100 L		
PALM TREES							
	AWX	1	Acoelorrhaphe wrightii	Paurotis Palm	B&B	12'-14' Ht	
	VMX	10	Adonidia merrillii	Christmas Palm	F.G.	10'-14' OA	
	CNX-EX	35	Cocos nucifera 'Green Malayan'	Coconut Palm (Existing)	-	EXISTING	
	CNX	51	Cocos nucifera 'Green Malayan'	Coconut Palm	F.G.	8'-12' C.W.	
	CNX-R	27	Cocos nucifera 'Green Malayan'	Coconut Palm (Relocated)	RELOCATE	EXISTING	
	SPX-R	67	Sabal palmetto	Cabbage Palmetto (Relocated)	RELOCATE	EXISTING	
	TRX	3	Thrinax radiata	Florida Thatch Palm	F.G.	12'-14' O.A.	

PLANT SCHEDULE								
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	SIZE	SPACE	SPACING
SHRUB AREAS								
	CHR	474	Chrysobalanus icaco 'Horizontal'	Horizontal Cocoplum	3 gal	18" O.A.		24" o.c.
	COC-1	109	Coccoloba uvifera	Sea Grape	7 gal	3' HT.	30" O.C.	30" o.c.
	HAM	268	Hamelia patens 'Nodosa'	Dwarf Firebush	7 gal	24" O.A.		36" o.c.
	PSY	443	Psychotria nervosa	Wild Coffee	3 gal			24" o.c.
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	HEIGHT	NATIVE	SPACING
GROUND COVERS								
	CAL	399	Callicarpa americana	Beautyberry	3 gal	18" O.C.		24" o.c.
	HEL	685	Helianthus debilis	Dune Sunflower	1 gal	12" O.A		18" o.c.
	MUH	328	Muhlenbergia capillaris	Pink Muhly Grass	3 gal	14" O.A.		18" o.c.
	SPA	2 720	Spartina bakeri	Sand Cordgrass	1 gal	18" O.A		18" o.c.
	SOD	9 617 sf	Stenotaphrum secundatum	St. Augustine Grass	sod			

ISLANDER
RESORT
82100 Overseas Highway
Islamorada FL 33036

Gensler

10 North Park Place
Suite 400
Morristown, NJ 07960
United States
Tel 973.290.8500
Fax 973.290.8585
545 NW 26th St.
Suite 250
Miami, Florida 33127
United States
Tel 305.350.7070
Fax 305.350.7071

edso
PLANNING
LANDSCAPE ARCHITECTURE
URBAN DESIGN
1512 E. BROWARD BOULEVARD, SUITE 110
FORT LAUDERDALE, FLORIDA 33301 USA
TEL: 954.524.3330 | LCC000001

 Date	Description
 2022.10.07	Major Conditional Use Amendment
 2023.10.02	Response to Planning Comments
 2024.02.07	Response to Planning Comments

Seal / Signature

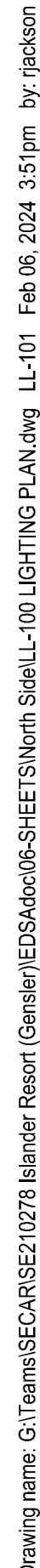
NOT FOR
CONSTRUCTION

Project Name
Islander Resort -
North Side Development
Project Number
12.0283.000
Description

PLANTING SCHEDULE

Scale

LP-602



*TRANSFORMERS TO BE REMOTE, DIMMABLE, LOW VOLTAGE, TO BE PLACED NEARBY IN DRY, CLEAN, WELL-VENTILATED, ACCESSIBLE LOCATION.

82100 Overseas Highway
Islamorada FL 33036

10 North Park Place
Suite 400
Morristown, NJ 07960
United States

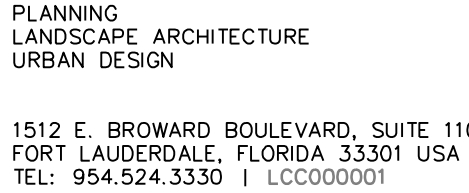
Tel 973.290.8500
Fax 973.290.8585

545 NW 26th St.
Suite 250
Miami, Florida 33127
United States

Tel 305.350.7070
Fax 305.350.7071

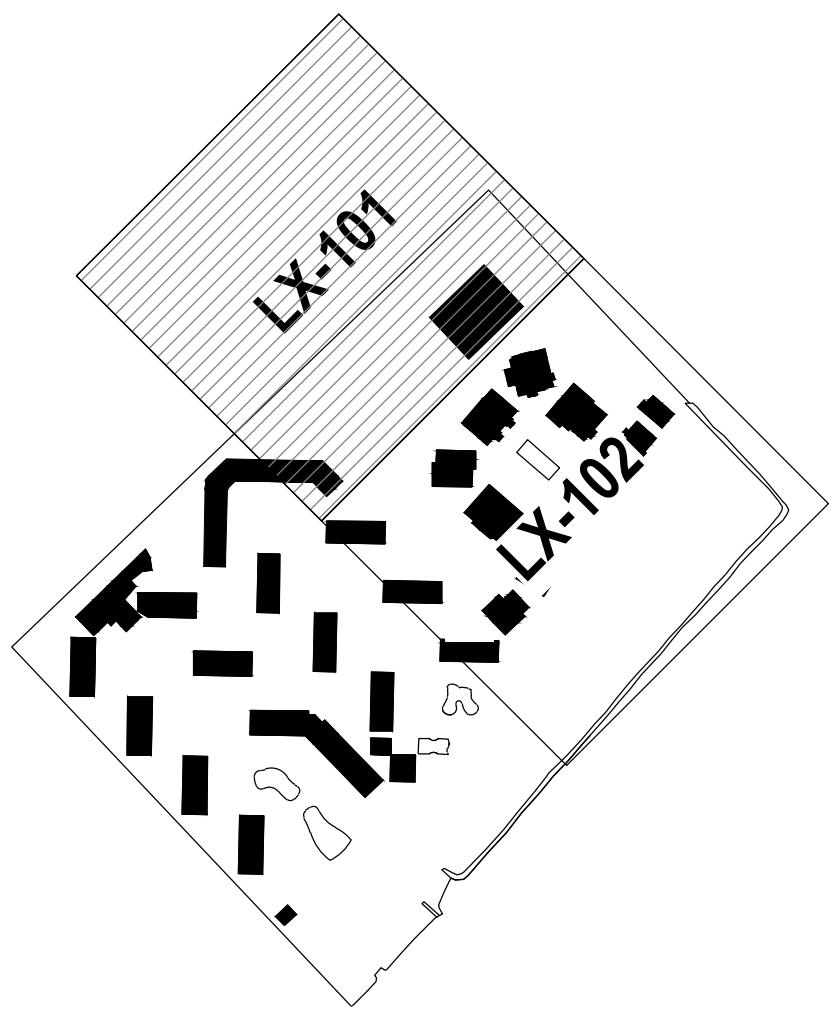
Tel 973.290.8500
Fax 973.290.8585

Tel 305.350.7070
Fax 305.350.7071



△ Date	Description
2022.10.07	Major Conditional Use Amendment
 2023.10.02	Response to Planning Comments
 2024.02.07	Response to Planning Comments

Key Map



Seal / Signature

**NOT FOR
CONSTRUCTION**

Project Name	Islander Resort - North Side Development
Project Number	12.0283.000
Description	

LIGHTING PLAN

Scale

1" = 20'

0 10' 20' 40'

11-101

NORTH



© 2022 ANP Lighting. All rights reserved. These specifications are intended for general purposes only.
ANP reserves the right to change material or design, without prior notice, in a continuing effort to upgrade its products.

01 PARKING LOT LIGHTING - 14' HEIGHT

SCALE - CUTSHEET - NOT TO SCALE

**ISLANDER
RESORT**
82100 Overseas Highway
Islamorada FL 33036

Gensler

10 North Park Place
Suite 400
Morristown, NJ 07960
United States

Tel 973.290.8500
Fax 973.290.8585

545 NW 26th St.
Suite 250
Miami, Florida 33127
United States

Tel 305.350.7070
Fax 305.350.7071



△ Date	Description
2022.10.07	Major Conditional Use Amendment
91 2023.10.02	Response to Planning Comments
92 2024.02.07	Response to Planning Comments

Seal / Signature

**NOT FOR
CONSTRUCTION**

Project Name	Islander Resort - North Side Development
Project Number	12.0283.000
Description	

LIGHTING CUTSHEETS

Scale

LL-402

Page 222 of

PROJECT DATA:

PROJECT: THE ISLANDER RESORT - NORTH
82100 OVERSEAS HIGHWAY
UPPER MATECOMBE KEY

OWNERSHIP: LAH ISLANDER LLC
510 WALNUT STREET #19
PHILADELPHIA, PENNSYLVANIA 19106

ENGINEER: THE WEILER ENGINEERING CORPORATION
MICHAEL J. GIARDULLO, P.E. NO. 70676
201 W. MARION AVE., SUITE 1306
PUNTA GORDA, FLORIDA 33950
941.505.1700

SURVEYOR: BRENT THURKETTLE, PSM
PROSPECT SURVEYING
103400 OVERSEAS HIGHWAY, SUITE 111
KEY LARGO, FL 33037

DATUM: NGVD 29

FLOOD ZONE: MULTIPLE ZONES ON SITE
"A50", "A50T", "VE1T", "VE12" & "VE14"
AS SHOWN ON:
F.E.M.A. FLOOD INSURANCE RATE MAP:
1208/C1004
COMMUNITY 120424
PANEL # 1004-1 SUFFIX: K
EFFECTIVE DATE: FEBRUARY 18, 2005

LEGEND:

BEST MANAGEMENT PRACTICE
DETAIL NUMBER AND REFERENCE

TYPICAL SILT FENCE
INSTALLATION LOCATION

TYPICAL FILTER SOCK
INSTALLATION LOCATION

PARCEL BOUNDARY

MEAN HIGH WATER LINE

CONSTRUCTION LIMITS

PUBLIC RIGHT OF WAY

PARCEL LOT LINE

ADJACENT PARCEL BOUNDARY

EXISTING BUILDING

EXISTING ASPHALT

EXISTING CONCRETE

PROPOSED BUILDING

PROPOSED PORCH, ENTRY, ETC

PROPOSED STRUCTURE

PROPOSED ASPHALT

PROPOSED HARDSCAPE

PROPOSED GRAVEL

PROPOSED POOL

PROPOSED RETAINING WALL

EROSION CONTROL MAINTENANCE SCHEDULE:

THE CONTRACTOR SHALL INSTALL SILT FENCE, SYNTHETIC BALES, AND OTHER EROSION CONTROL DEVICES AS SHOWN ON THE DRAWINGS PRIOR TO BEGINNING CONSTRUCTION. THESE INSTALLATIONS AS SHOWN ON THE DRAWINGS SHALL BE CONSIDERED THE MINIMUM EROSION/SEDIMENTATION PROTECTION REQUIRED FOR THE SITE. IN ADDITION THE ENGINEER, OWNER, OR OWNER'S REPRESENTATIVE MAY DEEM IT NECESSARY TO INSTALL PROTECTIVE FACILITIES ELSEWHERE ON THE SITE.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE EROSION PROTECTION FACILITIES THROUGH COMPLETION OF CONSTRUCTION. THE CONTRACTOR SHALL PERFORM DAILY INSPECTIONS OF THE FACILITIES TO ENSURE THAT THE EROSION PROTECTION FACILITIES ARE MAINTAINING THEIR PROTECTION FUNCTIONS AND INTEGRITY.

IN ADDITION TO THE INSTALLATION OF EROSION PROTECTION FACILITIES, THE ENGINEER, OWNER, OR OWNER'S REPRESENTATIVE MAY DEEM IT NECESSARY, UPON INSPECTION OF THE SITE, THAT TURBIDITY MONITORING BE PERFORMED BY THE CONTRACTOR. THE MONITORING SHALL BE PERFORMED DAILY IF BACKGROUND TURBIDITY LEVELS REACH 25-29 NTUS, OR BACKGROUND TURBIDITY LEVELS LESS THAN 25 NTUS, TURBIDITY MONITORING SHALL BE PERFORMED WEEKLY. IF BACKGROUND TURBIDITY LEVELS ARE GREATER THAN 29 NTUS, ALL CONSTRUCTION ACTIVITIES SHALL STOP AND THE CONTRACTOR SHALL PROVIDE ADDITIONAL EROSION PROTECTION NECESSARY TO RETURN LEVELS TO 29 NTUS OR LESS. CONSTRUCTION ACTIVITIES SHALL BEGIN AGAIN ONLY UPON APPROVAL BY THE ENGINEER, OWNER, OR OWNER'S REPRESENTATIVE.

ALL EROSION PROTECTION FACILITIES SHALL BE REMOVED AFTER CONSTRUCTION COMPLETION, AND WHEN A VEGETATIVE COVER HAS BEEN WELL ESTABLISHED OVER THE CONSTRUCTED AREA PER THE PLAN, THE CONTRACTOR SHALL REMOVE PROTECTION FACILITIES ONLY UPON APPROVAL BY THE ENGINEER, OWNER, OR OWNER'S REPRESENTATIVE.

1 TYPICAL SILT FENCE
NOT TO SCALE

2 SYNTHETIC BALES
NOT TO SCALE

3 PROTECTION AROUND INLETS OR SIMILAR STRUCTURES
NOT TO SCALE

4 PROTECTION FOR DITCH BOTTOM INLETS
NOT TO SCALE

5 ROCK CONSTRUCTION ENTRANCE
NOT TO SCALE

6 TYPICAL FILTER SOCK BARRIER FOR EXISTING IMPERVIOUS SURFACE
NOT TO SCALE

**CONCEPT ONLY
NOT FOR
CONSTRUCTION**

PROJECT DATA:

PROJECT: THE ISLANDER RESORT - NORTH
82100 OVERSEAS HIGHWAY
UPPER MATECUMBE KEY

OWNERSHIP: LAH ISLANDER LLC
510 WALNUT STREET 9B
PHILADELPHIA, PENNSYLVANIA 19106

ENGINEER: THE WEILER ENGINEERING CORPORATION
MICHAEL J. GIARDULLO, P.E. NO. 70676
201 W. MARION AVE, SUITE 1306
PUNTA GORDA, FLORIDA 33950
941.505.1700

SURVEYOR: BRENT THURKLETT, PSM
PROSPECT SURVEYING
103400 OVERSEAS HIGHWAY, SUITE 111
KEY LARGO, FL 33037

DATUM: NAD 83

FLOOD ZONE: MULTIPLE ZONES ON SITE:
"AE9", "AE10", "VE11", "VE12" & "VE14"
AS SHOWN ON
F.E.M.A. FLOOD INSURANCE RATE MAP:
12097C1004
COMMUNITY 120424
PANEL # 1004 | SUFFIX: K
EFFECTIVE DATE: FEBRUARY 18, 2005

ZONING: TOURIST COMMERCIAL (TC)

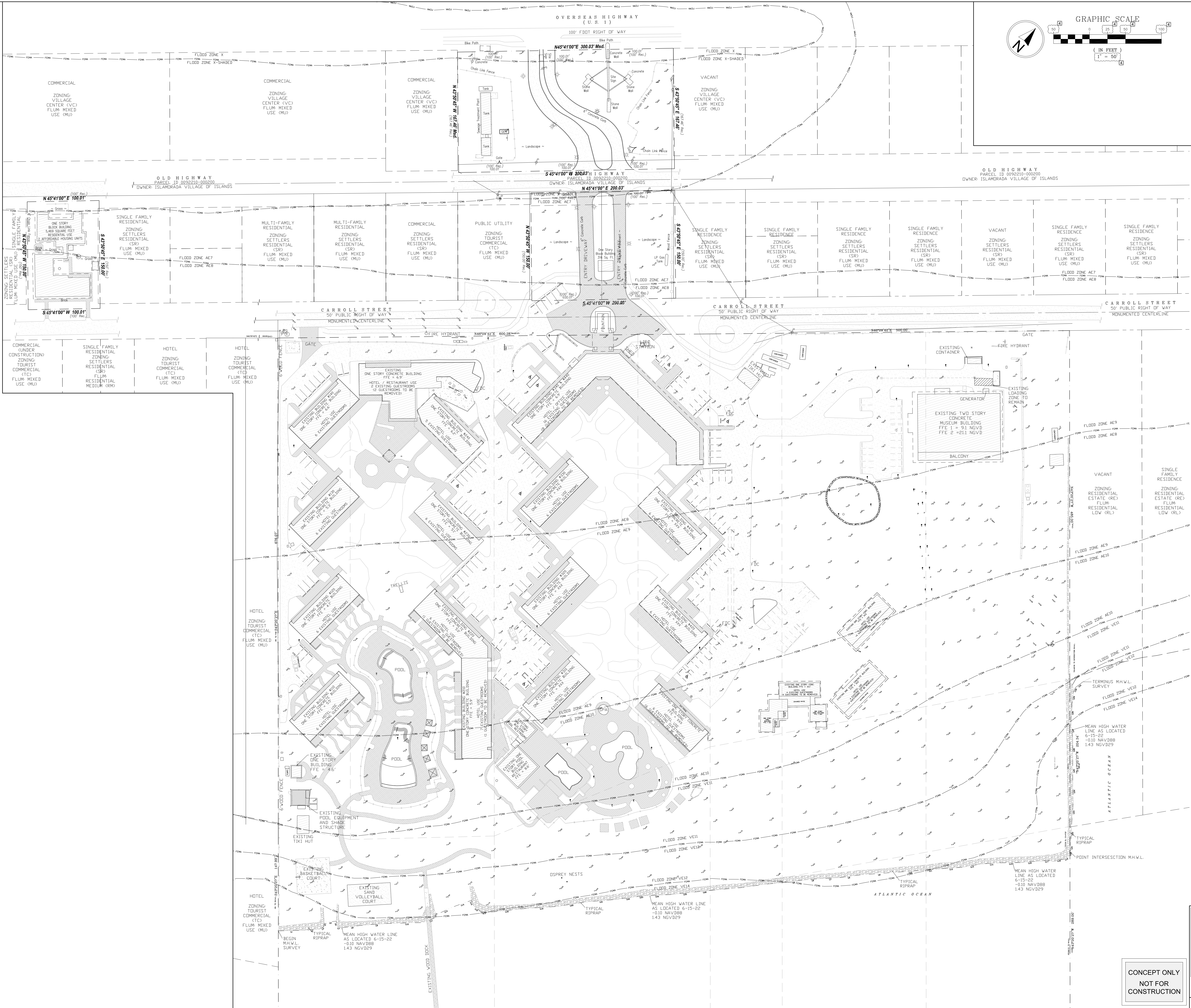
FLUM DESIGNATION: MIXED USE (MU)

WATER UTILITY: FLORIDA KEYS AQUEDUCT AUTHORITY (FKAA)

SEWER UTILITY: VILLAGE OF ISLAMORADA

LEGEND:

PARCEL BOUNDARY
MEAN HIGH WATER LINE
PUBLIC RIGHT OF WAY
PARCEL LOT LINE
ADJACENT PARCEL BOUNDARY
EFFECTIVE FEMA FLOOD
ZONE BOUNDARY
EXISTING BUILDING
EXISTING ASPHALT
EXISTING CONCRETE



EXISTING CONDITIONS PLAN
for
THE ISLANDER RESORT

Description	Revisions
1 ISSUED FOR MAJOR CONDITIONAL USE AMENDMENT 10-07-22 JNB	
2 REVISED PER PLANNING COMMENTS 05-26-23 JNB	
3 REVISED PER PLANNING COMMENTS 02-08-24 JNB	
4 RESPONSE TO PLANNING COMMENTS	

Michael J. Giardullo,
Professional Engineer,
State of Florida,
License No. 70676
This item has been
digitally signed and sealed by
Michael J. Giardullo, P.E.
on the date indicated here.
02-07-2024
Printed copies of this document are
not considered signed and sealed
and the signature must be verified
on any electronic copies.

Michael J. Giardullo
Professional Engineer
State of Florida
Registration No. 70676
Sheet No. C-1.00

Approved By: MJC
Design: JNB/MJC
Scale: 1" = 50'
Job No: 22014.002
Checked: AM/MJC
Date Issued: 02-07-2024
ED: #5856

WEILER ENGINEERING CORPORATION
25 years of experience in engineering
201 W. MARION AVE, SUITE 1306
PUNTA GORDA, FLORIDA 33950
941.505.1700

CONCEPT ONLY
NOT FOR
CONSTRUCTION

RESOLUTION NO. 24-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LAH ISLANDER LLC FOR AN AMENDMENT TO A MAJOR CONDITIONAL USE APPROVAL FOR THE EXPANSION OF THE EXISTING HOTEL FOR PROPERTY LOCATED AT 82100 AND 81998 OVERSEAS HIGHWAY AND 132 CARROLL STREET ON UPPER MATECUMBE KEY WITHIN THE TOURIST COMMERCIAL (TC) AND SETTLERS RESIDENTIAL (SR) ZONING DISTRICTS, WITH REAL ESTATE NUMBERS 00400810-000000 AND 00400450-000000 AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF COMMERCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, LAH Islander LLC, (the "Applicant") has submitted an application for a Major Conditional Use pursuant to Section 30-217 of the Code of Ordinances (the "Code") of Islamorada, Village of Islands, Florida (the "Village") to allow for the redevelopment of the existing hotel; for property located at 82100 Overseas Highway, 81998 Old Highway and 132 Carroll Street on Upper Matecumbe Key within the Village, as legally described herein (the "Property"); and,

WHEREAS, the Property is located within the Tourist Commercial (TC) Zoning District and the Settlers Residential (SR) Zoning District; and

WHEREAS, a Notice of Public Hearing was sent to adjacent property owners and posted a sign on the subject properties on or about July 17, 2024; and,

WHEREAS, on August 8, 2024, the Village Council held a Public Hearing.

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

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

Section 2. Findings of Fact.

The Village Council, having considered the testimony and evidence presented by all parties, including Village Staff, does hereby find and determine:

(1) The Application for a Major Conditional Use meets the requirements set forth in Code Section 30-216, 30-218, and 30-221 and has demonstrated through competent substantial evidence that the criteria for granting the Request have been met; and

(2) The Village Council approves the Request submitted by the Applicant, which is attached as Exhibit "A" and incorporated herein by this reference, for the following described property:

STRATTONS SUBD PB 2-38 UPPER MATECUMBE LOT 8 SQR 9 and
BK 8 LTS 10-12 BK9 LTS 11-12 BK 10 NE 1/2 LT 4 AND LTS 5-9 AND BAY BOTTOM
SLY AND ADJ TO BK 10 NE 1/2 LT 4 AND LTS 5-9 BLK STRATTONS SUBD PB2-38
UPPER MATECUMBE and
BK 9 LT 4 STRATTONS SUBD PB2-38 UPPER MATECUMBE

(3) The approval is subject to the following Conditions of Approval:

1. Prior to the issuance of a Building permit water quantity calculations along with all applicable rainfall and soil data shall be provided to the planning review engineer to verify exfiltration trench design.
2. During review of Building permit applications, the following Fire Department Conditions shall be met:
 - a. Hydrant required, to be located by AHJ
 - b. Fire Alarm system required
 - c. Aldridge Bengé Signage is required where applicable.
 - d. The structure(s) shall be protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 1-13.3.2.15.2. [101:30.3.5.1].
 - e. All fire lanes must be extended or have landscaping capable of supporting fire apparatus installed.

- f. Current fire lane access off of Carol St cannot be used as construction entrance. A separate construction entrance must be made available from Old Hwy.
 - g. Further conditions may be applied when building permits are applied for.
- 3. Prior to the issuance of a Building Permit provide a copy of the SFWMD ERP Permit for the project
- 4. Project must comply with current Florida Building Code and Village Floodplain Ordinance.
- 5. Prior to the issuance of any Building Permit, the Applicant, their Successors or Assigns, shall have an approved Stormwater Management Plan for the proposed project and submit it to the Planning and Development Services Department.
- 6. Prior to the issuance of any Building Permit, the Applicant, their Successors or Assigns, shall coordinate with the Village's Wastewater consultant for the provision of wastewater services. The project shall comply in all aspects with Village Wastewater requirements.
- 7. No building permits shall be issued until building permits have been issued for Workforce/Affordable housing at Creekside Inn.
- 8. The proposed Major Conditional Use Permit shall allow for the construction of 56 hotel units and associated site improvements as defined in the Code of Ordinances as depicted on the Site Plan, prepared by Weiler Engineering Corporation dated February 7, 2024, and entitled 'Concept Best Management Practices Plan for Islander Resort.' All improvements shall be completed in substantial conformance with said Site Plan pursuant to the direction of the Department of Planning and Development Services.
- 9. Landscaping and buffer improvements shall be completed in substantial conformance with the Landscape Plan submitted as a part of the Application pursuant to the direction of the Department of Planning and Development Services prior to the issuance of any Certificates of Occupancy.
- 10. The Applicant shall meet the requirements of Comprehensive Plan Coastal Element - Policy 5-1.2.13, which requires a Water Quality Monitoring Program.
- 11. A Final Certificate of Occupancy shall not be issued for the proposed construction until all required improvements have been completed to the satisfaction of the Department of Planning and Development Services and the Village Building Official.
- 12. The improvement of the premises, in accordance with the determination of the Village, must commence within thirty-six (36) months after the date of the granting of the Major Conditional Use. If not commenced within this period, the Village reserves the right to revoke any and all approvals associated with the subject property after due public hearing. Thereafter, the operation of the use previously authorized shall be terminated and there shall be no right to non-conformity.
- 13. The Village reserves the right to rescind in whole or part any aspect of this Major Conditional Use in the event violation of these conditions occurs.
- 14. All conditions shall be enforceable through all the powers of the Village Attorney's Office and the Village reserves the right after due public hearing, to rescind in whole or part this Major Conditional Use, if violation of the conditions persists.

Section 3. Conclusions of Law.

Based upon the above Findings of Fact, the Village Council does hereby make the following Conclusions of Law:

(1) The Request has been processed in accordance with the Village Comprehensive Plan and the Code; and

(2) In rendering its decision, as reflected in this Resolution, the Village Council has:

- (a) Accorded procedural due process; and
- (b) Observed the essential requirements of the law; and
- (c) Supported its decision by competent substantial evidence contained within the record.

Section 4. Effective Date.

This Resolution shall not take effect until after both thirty (30) days following the date it is filed with the Village Clerk, during which time the Request herein shall be subject to appeal as provided in the Code; and following the thirty (30) days, this resolution shall not be effective or acted upon by the Applicant until forty-five (45) days following the rendition to the Department of Commerce (DOC), pursuant to Chapter 9J-1 of the Florida Administrative Code. During those forty-five (45) days, the DOC may appeal this resolution to the Florida Land and Water Adjudicatory Commission, and that such an appeal stays the effectiveness of this Resolution until the appeal is resolved by agreement or order.

Motion to adopt by _____, second by _____.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS:

Mayor Joseph B. Pinder III
Vice Mayor Sharon Mahoney
Councilmember Mark Gregg
Councilmember Elizabeth Jolin
Councilmember Henry Rosenthal

PASSED AND ADOPTED THIS ____ DAY OF _____ 2024.

JOSEPH B. PINDER III, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN J. QUICK, INTERIM VILLAGE ATTORNEY



Council Communication

To: Mayor and Village Council
From: Jennifer DeBoisbriand , Planning Director
Date: August 8, 2024
SUBJECT: **Transfer of Development Rights - Creekside Inn to Islander Resort TAB**
I

Background:

LAH Creekside, LLC, has submitted an application for the transfer of fifty (50) hotel/motel units, pursuant to Chapter 30, Article IV, Division 12, Transfer of Development Rights, of the Village Code of Ordinances (the "Code"). The Applicant is represented by Smith Hawks, PL.

The Sender Site consists of four (4) lots located at 90611, 90655, 90691, and 90701 Old Hwy on Plantation Key with Real Estate Numbers 00437590-000000, 00437610-000000, 00437630-000000 AND 00437640-000000 (the "Sender Site") and is located within the Village Center (VC) Zoning District. However, The Applicant is also requesting a Zoning change to Neighborhood Commercial (NC) as part of the overall project. The Sender Site contains a shoreline.

The Receiver Site consists of three (3) lots located at 82100 Overseas Hwy, 81998 Old Hwy and 132 Carroll St on Upper Matecumbe Key with Real Estate Numbers 00400810-000000, 00400400-000000 and 00400450-000000 (the "Receiver Site") and is located within the Tourist Commercial (TC) and Settler's Residential (SR) Zoning Districts. However, the hotel/motel units are being transferred to 82100 Overseas Hwy specifically which is zoned TC. The Receiver Site contains a shoreline.

The Applicant proposes the transfer of fifty (50) hotel/motel units from the Sender Site to the Receiver Site. This proposal requires the Application be reviewed pursuant to the Major Conditional Use procedures outlined in Section 30-218 of the Code. The Applicant has filed a Declaration of Covenants and Restrictions removing the proposed rights from the Sender Site. The Declaration is attached to your packet. The Receiver Site has a pending Major Conditional Use Application proposing development of an additional fifty (56) hotel/motel units to the existing one hundred and fourteen (114) hotel/motel units. That application is before you this evening as well for review.

Analysis:

Pursuant to Code Section 30-504 of the Code of Ordinances (the "Code") of Islamorada, Village of Islands, Florida (the "Village"), the following criteria apply to all applications for the transfer of development rights:

(a) The applicant(s) must provide documentation of ownership of sender and receiver sites through the form of a deed or other legal documentation as approved by the village attorney.

For the purposes of this division, sender site and receiver site shall mean those parcels of land as they legally existed on November 29, 2007.

Finding: The Applicant has provided documented ownership of the sender and receivers sites through Warranty Deeds. Both the sender and receiver parcels exist as they legally existed on November 29, 2007.

(b) The receiver site shall be less environmentally sensitive than the sender site, according to a vegetation survey and/or a habitat analysis conducted by a certified biologist, and verified unless otherwise exempted or limited by the director of planning and development services or his designee, pursuant to habitat classifications described in subsection 30-1616(b)(2) of this Code, whereby the following conditions additionally apply:

- (1) Transfer shall be permitted from Class I parcels to Class II or Class III parcels;
- (2) Transfer shall be permitted from Class II parcels to Class II or Class III parcels; and
- (3) Transfer shall be permitted from Class III parcels to Class III parcels.

Finding: Staff has determined that the properties contain similar environmental characteristics and are both Class III parcels. Neither the Sender Site or the Receiver Site contain tropical hardwood hammock.

(c) Eligible receiver sites shall demonstrate compliance with all applicable criteria set forth in this chapter.

Finding: The Receiver Site satisfies the density requirements established within the Tourist Commercial (TC) Zoning District. Any resulting development will be required to comply with setbacks, open space, or other restrictions as set forth in Code Section 30-693.

(d) An application for transfer of development rights shall be submitted to the director of planning and development services, in accordance with the provisions of this section, accompanied by a cost recovery fee as established, and may be amended by resolution, by the village council. The application shall contain the information required on a form provided by the director of planning and development services.

Finding: The Applicant has submitted a complete application with the correct application fee.

(e) No application for transfer of development rights (TDRs) shall be processed if the sender or receiver site has any open permits or active code violations; all bonds, assessments, back village taxes, fees and liens (other than mortgages) affecting the lot(s) shall be paid in full prior to approval of transfer of development rights.

Finding: A search of applicable Village records did not indicate the existence of any fees owed or open code violations. The only open permits are related to the redevelopment of this project at the Islander.

(f) After receipt of a complete application for transfer of development rights, the director of planning and development services shall initiate a review of the application to determine compliance with this division and chapter. The director of planning and development services and/or the village council, in accordance with the procedures, standards, and limitations of this chapter, shall approve, approve with conditions, or deny an application for transfer of development rights (TDRs).

Finding: After review of the Application, Staff recommends APPROVAL with conditions.

Pursuant to Code Section 30-506 of the Code of Ordinances (the "Code") of Islamorada, Village of Islands, Florida (the "Village"), the transfer of five (5) or more hotel or motel units shall be reviewed using the procedures for major conditional use review pursuant to Code Section 30-218 and shall be noticed pursuant to the procedures in Code Section 30-213(i). Additionally, per Code Section 30-506(b)3, the receiver site shall be located in either the Village Center (VC), Tourist Commercial (TC) or Highway Commercial (HC) zoning district.

Pursuant to Code Section 30-216(d), when considering an application for a transfer of development rights utilizing the conditional use review process as required by Code Section 30-506, the Director of Planning (the "Director") and the Village Council shall consider the following factors, and no conditional use shall be approved which fails to meet any standard below. Failure to comply with any standard shall be deemed adverse to the public interest.

(1) The proposed conditional use is consistent with the purposes, goals, objectives and policies of the Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use;

Finding: The Applicant proposes the transfer of fifty (50) hotel/motel units. The Sender Site has a Mixed Use (MU) FLUM designation. The Receiver Site has a Mixed Use (MU) FLUM designation. The density (with TDRs) for MU has a maximum density of 12 units per acre; the Property will not exceed the allowable density with the transfer of fifty hotel/motel units. The Application is consistent with Comprehensive Plan Policy 1-2.1.4: Restrict Density and Intensity of Development.

IN COMPLIANCE

(2) The proposed conditional use complies with all relevant and appropriate portions of the LDRs.

Finding: The Applicant is proposing the transfer of fifty (50) hotel/motel units from a Sender Site in the Village Center (VC) Zoning District to a Receiver Site in the Tourist Commercial (TC) Zoning District. Per Code Section 30-506, parcels that are within the TC Zoning District are eligible receiver sites for hotel/motel units located on sender sites within the VC Zoning District.

The TC Zoning District, per Code Section 30-693(e)(6), may have up to twelve (12) dwelling units per acre with TDRs. The resulting density from the proposed TDRs will not exceed the allowable density for the TC Zoning District.

Any development resulting from the proposed TDRs would be required to comply with all regulations set forth in the Village's Code and Comprehensive Plan.

IN COMPLIANCE

(3) The proposed conditional use is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development;

The surrounding land is characterized within the Future Land Use Maps (FLUM) as mostly

Mixed Use (MU), a pocket of Residential Medium (RM), and a pocket of Residential Low (RL), with Zoning Districts including Tourist Commercial, Village Center, Settlers Residential, and Residential Estate. The Receiver Site is adjacent to other properties with existing transient and commercial uses as well as some single-family residences. The proposed TDRs are consistent with the uses and character of the surrounding land.

Finding: The Property and the adjacent lands are mixed use in nature. The proposed transfer of development rights would comply with Comprehensive Plan Objective 1-2.4: Recognize Mixed Use Development Patterns.

IN COMPLIANCE

(4) The design of the proposed conditional use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands;

Finding: Any development resulting from the proposed transfer of development rights would be required to follow all necessary guidelines set forth in the Village's Land Development Regulations and Comprehensive Plan governing intensity, bufferyards, open space, setbacks, and shoreline development.

IN COMPLIANCE

(5) The Proposed Development complies with Division 30-IV-5 (Concurrency Management) of Village Code;

Finding: A traffic study and letters of coordination have been provided with the Major Conditional Use application which the approval of this Application is contingent on. Staff does not anticipate that the resulting development from the TDRs will negatively impact LOS standards for other public facilities.

IN COMPLIANCE

(6) The proposed conditional use minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment; and

Finding: The Proposed TDR is for the transfer of fifty (50) hotel/motel units. Any development resulting from the proposed transfer of development rights would be required to follow all necessary guidelines set forth in the Village's Land Development Regulations and Comprehensive Plan governing intensity, bufferyards, open space, setbacks, and shoreline development.

IN COMPLIANCE

(7) The proposed conditional use will result in logical, timely and orderly development patterns.

Finding: The proposed TDRs are contingent upon the approval by the Village Council of a Major Conditional Use Application, which is also before you this evening. Staff notes the request proposes an increase of fifty-six (56) hotel units from the one-hundred and fourteen (114) hotel units that exist on the Receiver Site. After the transfer, zero (0) vested hotel/motel rights remain on the Sender Site.

IN COMPLIANCE

Budget Impact:

None

Staff Impact:

None

Recommendation:

Staff recommends that the Village Council approve with conditions the Applicant's request for Transfer of Development Rights through adoption of the attached Resolution with the following conditions:

1. This approval shall not take effect prior to the effective date of the Resolution approving Major Conditional Use Application PLCUP20220131.
2. Upon approval of the Major Conditional Use PLCUP20220131, the Village shall record the executed Declaration of Covenants, Conditions, and Restrictions provided herein, removing the fifty (50) hotel/motel development rights from the Sender Site.
3. No permits shall be issued to the transferred units at the Receiver Site until permits are issued for Workforce/Affordable Housing at the Sender Site.

- Attachments:**
1. Creekside Backup VC 882024
 2. Creekside TDR Reso

Hotel	Zoning District	Approximate Acreage	Existing Hotel Rooms
Blue Fin Inn	VC	0.69	14
Breezy Palms Motel	TC	2.79	40
Casa Morada Hotel	TC	1.55	16
Cheeca Lodge	TC	25.53	233
Chesapeake Resort	TC	5.23	65
Coconut Cove Resort	TC	2.46	10
Conch On Inn	TC	0.27	9
Days Inn	VC	1.85	37
Drop Anchor Resort Motel	TC	1.64	19
Hampton Inn/Outback	TC	4.51	105
Harbor Lights	TC	3.61	37
Holiday Isle	TC	13.45	151
Islamorada Motel	TC	0.83	13
Key Lantern Motel	VC	1.03	10
Keys Motel	TC	3.7	27
La Jolla Resort	TC	0.91	19
La Siesta Resort	TC	5.49	51
Lookout Lodge	TC	0.58	9
Oceanview Motel and Pub	TC	1.47	8
Pelican Cove	TC	3.46	63
Pines and Palms	TC	1.8	26
Ragged Edge Resort	TC	1.16	10
Sands of Islamorada	TC	0.58	9
Sea Isle Motel/Carribean Resort	TC	3.52	8
Shady Palms Motel	TC	0.86	7
Smugglers Cove	TC	0.88	10
Sunset Inn	VC	2.75	30
The Islander	TC	21.5	114
The Moorings	TC	12.42	18
Tropic Vista Motel	VC	0.38	23
White Gate Court	TC	2.74	7



Monroe County, FL

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Summary

Parcel ID 00437640-000000
 Account# 1536857
 Property ID 1536857
 Millage Group 50VI
 Location 90611 OLD Hwy,
 Address PLANTATION KEY
 Legal BK 1 LOTS 13, 14, & 15
 Description BOATMANS COLONY PB3-
 90 PLANTATION KEY
 OR322-573 OR455-664
 OR614-858 OR918-1731
 OR978-1525 OR1043-2499
 OR1046-1317 OR1125-
 1186 OR1154-69C OR1181-
 1863/64 OR2122-1980
 OR2208-
 1399/1402(AGREE)
 OR2416-1993/96 OR2533-
 48/51C/T OR2537-1021/22
 (Note: Not to be used on
 legal documents.)
 Neighborhood 10020
 Property HOTEL/MOTEL (3900)
 Class
 Subdivision BOATMAN'S COLONY
 Sec/Twp/Rng 33/62/38
 Affordable No
 Housing



Currently Creekside Inn
 VC / MW

Owner

[ENDEAVORS LLC](#)
 90800 Overseas Hwy
 Tavernier FL 33070

Valuation

	2020	2019	2018	2017
+ Market Improvement Value	\$1,695,174	\$1,256,825	\$1,034,374	\$1,140,606
+ Market Misc Value	\$169,517	\$139,647	\$114,930	\$126,734
+ Market Land Value	\$1,525,657	\$1,396,472	\$1,149,305	\$1,267,341
= Just Market Value	\$3,390,348	\$2,792,944	\$2,298,609	\$2,534,681
= Total Assessed Value	\$2,012,963	\$1,829,967	\$1,663,607	\$1,512,370
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$3,390,348	\$2,792,944	\$2,298,609	\$2,534,681

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(3900)	23,760.00	Square Foot	144	110

Commercial Buildings

Style HOTEL/MOTEL C / 39C
 Gross Sq Ft 13,503
 Finished Sq Ft 8,401
 Perimeter 0
 Stories 4
 Interior Walls
 Exterior Walls C.B.S.
 Quality 300 ()
 Roof Type
 Roof Material
 Exterior Wall1 C.B.S.
 Exterior Wall2
 Foundation

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CONTACT US

CREEKSIDE INN

90611 Old Highway Islamorada,
FL 33036

Phone : (305) 852-2351

Fax : 1(888) 490-0332

Email : creeksideinn@terranova.net
(<mailto:creeksideinn@terranova.net>).

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Tropic Vista Hotel At Islamorada

★ ★ ★ ★ ★ 0 Votes

90701 Old Hwy, Tavernier, FL, 33070

(305) 852-8799

Category: [Hotels](#)

Website: [cayclubs.com](#)

Email: N/A

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Directions

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Address, City, State:

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Opening hours not available. Please contact **Tropic Vista Hotel At Islamorada** at **305-852-8799**.

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More Nearby

[The Keys Motel At Islamorada](#)

★ ★ ★ ★ ★ 0 Votes

📍 0.1 miles

90611 Old Hwy

[Historic Tavernier Inn](#)

★ ★ ★ ★ ★ 0 Votes

📍 0.9 miles

91865 Overseas Hwy

[Tavernier Hotel & Restaurant](#)

★ ★ ★ ★ ★ 0 Votes

📍 0.9 miles

91865 Overseas Hwy

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🏥 Health Spas

89240 Overseas Hwy



Hotel	Zoning District	Approximate Acreage	Existing Hotel Rooms
Blue Fin Inn	VC	0.69	14
Breezy Palms Motel	TC	2.79	40
Casa Morada Hotel	TC	1.55	16
Cheeca Lodge	TC	25.53	233
Chesapeake Resort	TC	5.23	65
Coconut Cove Resort	TC	2.46	10
Conch On Inn	TC	0.27	9
Days Inn	VC	1.85	37
Drop Anchor Resort Motel	TC	1.64	19
Hampton Inn/Outback	TC	4.51	105
Harbor Lights	TC	3.61	37
Holiday Isle	TC	13.45	151
Islamorada Motel	TC	0.83	13
Key Lantern Motel	VC	1.03	10
Keys Motel	VC	3.7	27
La Jolla Resort	TC	0.91	19
La Siesta Resort	TC	5.49	51
Lookout Lodge	TC	0.58	9
Oceanview Motel and Pub	TC	1.47	8
Pelican Cove	TC	3.46	63
Pines and Palms	TC	1.8	26
Ragged Edge Resort	TC	1.16	10
Sands of Islamorada	TC	0.58	9
Sea Isle Motel/Carribean Resort	TC	3.52	8
Shady Palms Motel	TC	0.86	7
Smugglers Cove	TC	0.88	10
Sunset Inn	VC	2.75	30
The Islander	TC	21.5	114
The Moorings	TC	12.42	18
Tropic Vista Motel	VC	0.38	23
White Gate Court	TC	2.74	7
Total			1,198

It is a VC zone.



Monroe County, FL

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Summary

Parcel ID 00437590-000000
 Account# 1536806
 Property ID 1536806
 Millage Group 50VI
 Location 90701 OLD Hwy, PLANTATION KEY
 Address
 Legal BK 1 LTS 8 AND 9 BOATMANS COLONY PLANTATION KEY OR516-547 OR626-413
 Description OR652-16 OR713-843/844 OR770-456 OR819-453 OR825-92 OR929-1163 OR954-66C OR968-369 OR964-1933 OR964-1934 OR968-368C OR968-369C OR1057-102C OR1168-1938/39C OR2122-1974 OR2208-1399/1402(AGREE) OR2416-1993/96 OR2533-48/51C/T OR2537-1021/22
 (Note: Not to be used on legal documents.)
 Neighborhood 10020
 Property Class HOTEL/MOTEL (3900)
 Subdivision BOATMAN'S COLONY
 Sec/Twp/Rng 33/62/38
 Affordable No
 Housing



Owner

ENDEAVORS LLC
 90800 Overseas Hwy
 Tavernier FL 33070

Valuation

	2020	2019	2018	2017	2016
+ Market Improvement Value	\$1,418,714	\$1,010,018	\$934,270	\$1,037,563	\$0
+ Market Misc Value	\$141,871	\$112,224	\$103,808	\$115,285	\$0
+ Market Land Value	\$1,276,842	\$1,122,242	\$1,038,078	\$1,152,847	\$1,219,235
= Just Market Value	\$2,837,427	\$2,244,484	\$2,076,156	\$2,305,695	\$1,219,235
= Total Assessed Value	\$1,785,081	\$1,622,801	\$1,475,274	\$1,341,159	\$1,219,235
- School Exempt Value	\$0	\$0	\$0	\$0	\$0
= School Taxable Value	\$2,837,427	\$2,244,484	\$2,076,156	\$2,305,695	\$1,219,235

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(3900)	16,500.00	Square Foot	150	110

Commercial Buildings

Style HOTEL/MOTEL B / 39B
 Gross Sq Ft 8,761
 Finished Sq Ft 5,267
 Perimeter 0
 Stories 2
 Interior Walls
 Exterior Walls C.B.S.
 Quality 350 ()
 Roof Type
 Roof Material METAL
 Exterior Wall1 C.B.S.
 Exterior Wall2
 Foundation
 Interior Finish
 Ground Floor Area
 Floor Cover
 Full Bathrooms 0
 Half Bathrooms 0
 Heating Type
 Year Built 1961
 Year Remodeled
 Effective Year Built 1995

VC / MU

Condition				
Code	Description	Sketch Area	Finished Area	Perimeter
CPF	COVERED PARKING FIN	1,134	0	0
FLA	FLOOR LIV AREA	5,267	5,267	0
OPF	OP PRCH FIN LL	1,088	0	0
OUF	OP PRCH FIN UL	757	0	0
PUF	SC PRCH FIN UL	312	0	0
SBF	UTIL FIN BLK	203	0	0
TOTAL		8,761	5,267	0

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
SEAWALL	1958	1959	1	420 SF	4
CONCRETE DOCK	1958	1959	1	980 SF	2
SEAWALL	1960	1961	1	486 SF	4
CONCRETE DOCK	1960	1961	1	891 SF	2
CONC PATIO	1975	1976	1	1488 SF	2
ASPHALT PAVING	1979	1980	1	2184 SF	2
UTILITY BLDG	1983	1984	1	180 SF	3
WOOD DECK	1983	1984	1	671 SF	2
WOOD DECK	1983	1984	1	980 SF	2
CUSTOM POOL	1999	2000	1	1400 SF	5
TIKI	1999	2000	1	200 SF	5
FENCES	2014	2015	1	520 SF	2

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
9/21/2011	\$1,500,000	Warranty Deed		2537	1021	05 - Qualified	Improved
9/6/2011	\$1,254,100	Certificate of Title		2533	48	11 - Unqualified	Improved
5/12/2009	\$4,769,700	Warranty Deed		2416	1993	05 - Qualified	Improved
6/10/2005	\$4,000,000	Warranty Deed		2122	1974	M - Unqualified	Improved
1/1/1981	\$250,500	Warranty Deed		825	92	U - Unqualified	Improved
10/1/1980	\$234,900	Warranty Deed		819	453	U - Unqualified	Improved

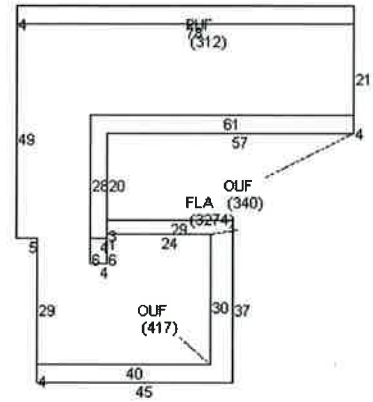
Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
FWC201301050	12/5/2013	3/13/2014	\$157	Commercial	PICKET FENCE (WOOD)
DMC201300280	5/31/2013		\$1		DEMO (5 MOTEL UNITS)
20042322	11/23/2004	4/22/2005	\$1		R/R RAILING & DECK
0302283	11/24/2003	9/17/2004	\$1		REROOF W/METAL
9811121	11/30/1998	12/29/1999	\$1		POOL

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Map



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Summary

Parcel ID 00437630-000000
 Account# 1536849
 Property ID 1536849
 Millage Group 50VI
 Location 90655 OLD Hwy, PLANTATION KEY
 Address
 Legal BK 1 LT 12 BOATMANS COLONY PB3-90 PLANTATION KEY OR373-535/536 OR504-52/Q OR873-843/845 OR983-2100/2102 OR1052-2107/JB OR1117-1852 OR1275-2163 OR1656-2077 OR1656-2079AFF OR1656-2080AFF OR2122-1974 OR2208-1399/1402(AGREE) OR2416-1993/96 OR2533-48/51C/T OR2537-1021/22
 Description (Note: Not to be used on legal documents.)
 Neighborhood 10020
 Property STORE COMBO (1200)
 Class
 Subdivision BOATMAN'S COLONY
 Sec/Twp/Rng 33/62/38
 Affordable No
 Housing



Owner

ENDEAVORS LLC
 90800 Overseas Hwy
 Tavernier FL 33070

VC/MU

Valuation

	2020	2019	2018	2017	2016
+ Market Improvement Value	\$32,494	\$27,078	\$25,335	\$26,180	\$28,544
+ Market Misc Value	\$33,741	\$33,785	\$26,159	\$26,203	\$20,532
+ Market Land Value	\$317,565	\$337,435	\$278,277	\$84,500	\$84,500
= Just Market Value	\$383,800	\$398,298	\$329,771	\$136,883	\$133,576
= Total Assessed Value	\$182,190	\$165,628	\$150,571	\$136,883	\$133,576
- School Exempt Value	\$0	\$0	\$0	\$0	\$0
= School Taxable Value	\$383,800	\$398,298	\$329,771	\$136,883	\$133,576

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(1200)	5,470.00	Square Foot	72	110
(9500)	2,450.00	Square Foot	0	0

Commercial Buildings

Style OFF BLDG-1 STY-D / 17D
 Gross Sq Ft 1,125
 Finished Sq Ft 418
 Perimeter 0
 Stories 1
 Interior Walls
 Exterior Walls MIN WOOD SIDING with 100% METAL SIDING
 Quality 300 ()
 Roof Type
 Roof Material
 Exterior Wall1 MIN WOOD SIDING
 Exterior Wall2 METAL SIDING
 Foundation
 Interior Finish
 Ground Floor Area
 Floor Cover
 Full Bathrooms 0
 Half Bathrooms 0
 Heating Type
 Year Built 1987
 Year Remodeled

Effective Year Built 1987

Condition

Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	418	418	0
PTO	PATIO	707	0	0
TOTAL		1,125	418	0

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
CONCRETE DOCK	1963	1964	1	816 SF	2
SEAWALL	1963	1964	1	840 SF	2
WALL AIR COND	1985	1986	1	1 UT	2
UTILITY BLDG	1985	1986	1	160 SF	2
FENCES	2014	2015	1	300 SF	2

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
9/21/2011	\$1,500,000	Warranty Deed		2537	1021	05 - Qualified	Improved
9/6/2011	\$1,254,100	Certificate of Title		2533	48	11 - Unqualified	Improved
5/12/2009	\$4,769,700	Warranty Deed		2416	1993	05 - Qualified	Improved
6/10/2005	\$1	Warranty Deed		2122	1974	M - Unqualified	Improved
10/4/2000	\$200,000	Warranty Deed		1656	2077	C - Unqualified	Improved
1/1/1990	\$160,000	Warranty Deed		1117	1852	U - Unqualified	Improved
5/1/1988	\$160,000	Warranty Deed		1052	2107	U - Unqualified	Vacant
2/1/1983	\$60,000	Warranty Deed		874	844	U - Unqualified	Vacant
1/1/1983	\$11,900	Warranty Deed		873	843	Q - Qualified	Vacant

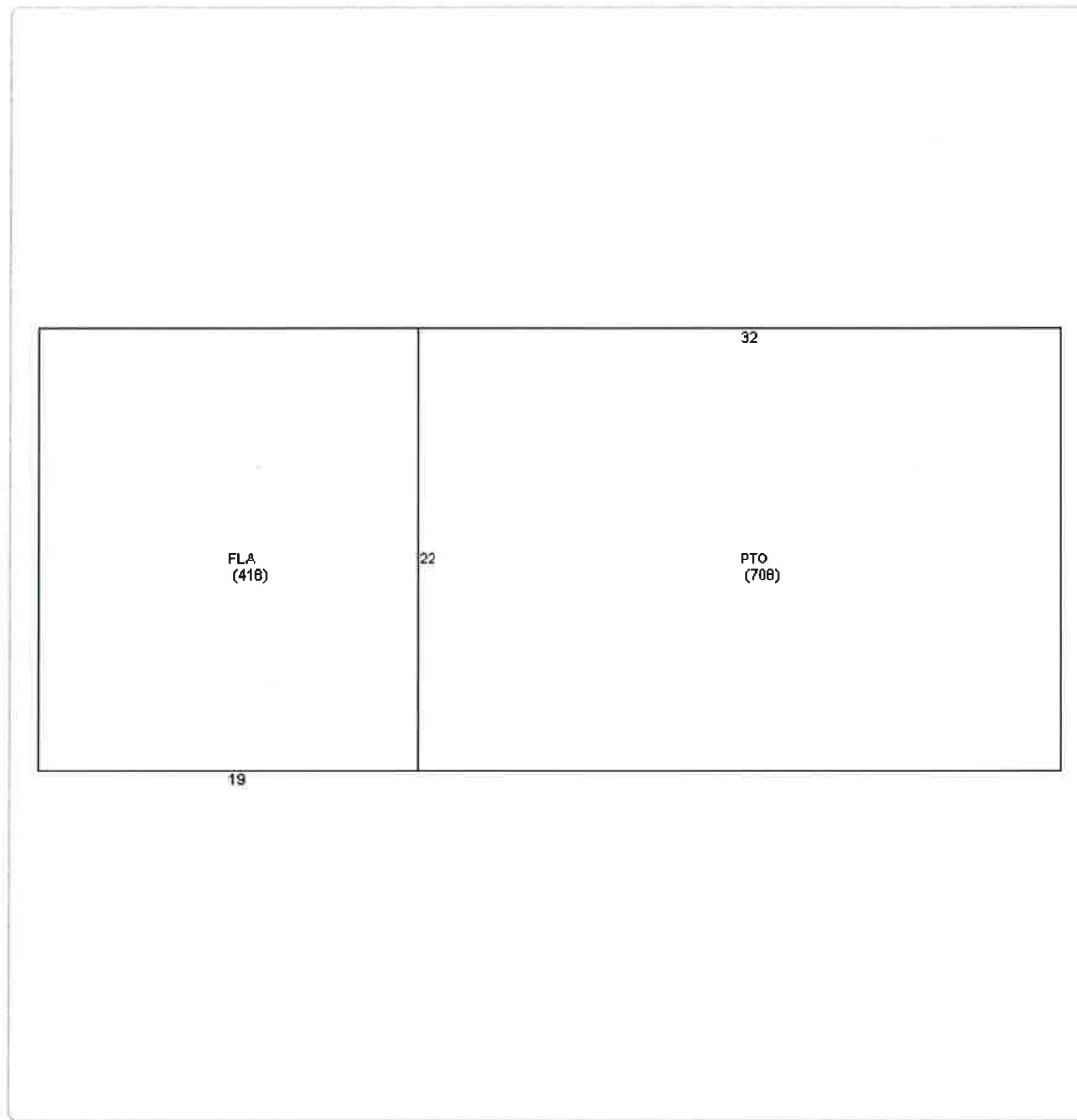
Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
FWR201400031	2/13/2014		\$1		PICKET FENCE

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Sketches (click to enlarge)

**Photos**

Map



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Summary

Parcel ID 00437610-000000
 Account# 1536822
 Property ID 1536822
 Millage Group 50VI
 Location 90691 OLD Hwy, PLANTATION KEY
 Address
 Legal BK 1 LT 10 AND 11 BOATMANS COLONY PB3-90 PLANTATION
 Description KEY OR93-23 OR560-1040 OR569-308 OR827-255 OR868-2061 OR956-2369 OR1409-2111/12 OR1424-1858/59C OR1503-446 OR1503-452/60AFF OR2122-1974 OR2208-1399/1402(AGREE) OR2416-1989/92 OR2533-48/51C/T OR2537-1021/22
 (Note: Not to be used on legal documents.)
 Neighborhood 10020
 Property RESTAURANT (2100)
 Class
 Subdivision BOATMAN'S COLONY
 Sec/Twp/Rng 33/62/38
 Affordable No
 Housing



✓C / MU

Owner

ENDEAVORS LLC
 90800 Overseas Hwy
 Tavernier FL 33070

Valuation

	2020	2019	2018	2017	2016
+ Market Improvement Value	\$186,359	\$186,359	\$168,556	\$185,412	\$189,708
+ Market Misc Value	\$135,541	\$139,238	\$131,407	\$134,788	\$120,057
+ Market Land Value	\$627,264	\$324,720	\$307,296	\$269,280	\$269,280
= Just Market Value	\$949,164	\$650,317	\$607,259	\$589,480	\$579,045
= Total Assessed Value	\$715,348	\$650,317	\$607,259	\$589,480	\$579,045
- School Exempt Value	\$0	\$0	\$0	\$0	\$0
= School Taxable Value	\$949,164	\$650,317	\$607,259	\$589,480	\$579,045

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(2100)	15,840.00	Square Foot	144	110

Commercial Buildings

Style RESTRNT/CAFETR-B- / 21B
 Gross Sq Ft 2,436
 Finished Sq Ft 2,436
 Perimeter 0
 Stories 2
 Interior Walls
 Exterior Walls C.B.S.
 Quality 350 ()
 Roof Type
 Roof Material
 Exterior Wall1 C.B.S.
 Exterior Wall2
 Foundation
 Interior Finish
 Ground Floor Area
 Floor Cover
 Full Bathrooms 0
 Half Bathrooms 1
 Heating Type
 Year Built 1956
 Year Remodeled

Effective Year Built 1980

Condition

Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	2,436	2,436	0
TOTAL		2,436	2,436	0

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
WOOD DOCKS	1997	1998	1	285 SF	5
WOOD DECK	1997	1998	1	855 SF	1
FENCES	2000	2006	1	160 SF	2
TILE PATIO	2000	2006	1	486 SF	1
CONCRETE DOCK	1970	2006	1	560 SF	1
CUSTOM POOL	2000	2006	1	595 SF	2
CONC PATIO	2000	2006	1	738 SF	2
SEAWALL	1955	1956	1	700 SF	4
WALL AIR COND	2000	2011	1	4 UT	2
SEAWALL	1955	1956	1	230 SF	4
BOAT RAMP	1965	1966	1	252 SF	3
WOOD DOCKS	1997	1998	1	1188 SF	3
FENCES	2014	2015	1	432 SF	2

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
9/21/2011	\$1,500,000	Warranty Deed		2537	1021	05 - Qualified	Improved
9/6/2011	\$1,254,100	Certificate of Title		2533	48	11 - Unqualified	Improved
5/12/2009	\$768,900	Warranty Deed		2416	1989	05 - Qualified	Improved
6/10/2005	\$1	Warranty Deed		2122	1974	M - Unqualified	Improved
2/1/1998	\$400,000	Warranty Deed		1503	0446	M - Unqualified	Improved
6/1/1996	\$230,200	Warranty Deed		1409	2111	M - Unqualified	Improved
10/1/1985	\$1	Warranty Deed		956	2369	M - Unqualified	Improved
2/1/1981	\$174,000	Warranty Deed		827	255	U - Unqualified	Improved

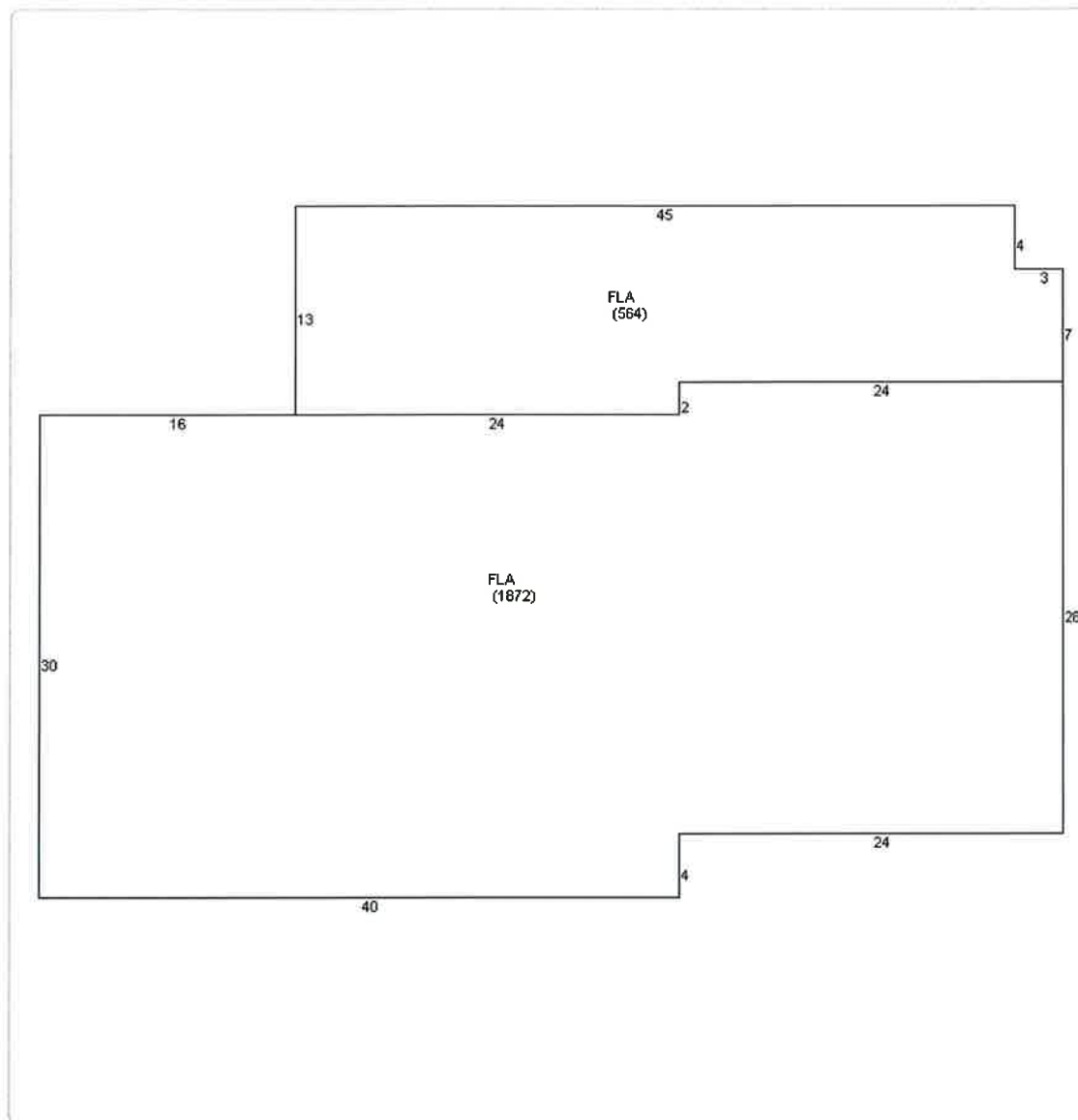
Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
FWC201400535	7/11/2014	7/17/2014	\$2,000	Commercial	PICKET FENCE
0100452	3/9/2001	1/1/2003	\$1		REMOVE STRUCTURE

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



Photos



Map



TRIM Notice

[2020 TRIM Notice \(PDF\)](#)**2020 Notices Only**

No data available for the following modules: Buildings, Mobile Home Buildings, Exemptions.

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the

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Developed by
 Schneider
GEOSPATIAL

Version 2.3.125

Doc # 2303841 Bk# 3075 Pg# 915 Electronically Recorded 2/12/2021 at 9:31 AM Pages 4
Filed and Recorded in Official Records of MONROE COUNTY KEVIN MADOK
Electronically REC: \$35.50 Deed Doc Stamp \$112,000.00

Prepared By:

Akerman LLP
98 Southeast Seventh Street, Suite 1100
Miami, Florida 33131
Attn: Jennifer Kramer
NCS-999115FL1

After Recording, Return To:

LAH Islander LLC
510 Walnut Street, 9th Floor
Philadelphia, PA 19106
Attn: Shawn Tuli and Legal Department

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of January 28, 2021, by **H&C ISLANDER BAYSIDE, LLC**, a Florida limited liability company, whose address is 4119 Massard Road, Fort Smith, Arkansas, 72903 (“**Grantor**”), to **LAH ISLANDER LLC**, a Delaware limited liability company (“**Grantee**”), whose address is 510 Walnut Street, 9th Floor, Philadelphia, Pennsylvania 19106. (Whenever used herein, the terms “Grantor” and “Grantee” include the parties to this instrument, and their successors and assigns).

WITNESSETH:

THAT the Grantor, for the sum of \$10.00 and other good and valuable considerations, the receipt of which is hereby acknowledged, hereby grants, bargains, sells, alienates, remises, releases, conveys and confirms unto the Grantee, all of Grantor’s right, title and interest in and to all of that certain real property situated in Monroe County, Florida, legally described on **Exhibit A** hereto (the “**Property**”), subject however, to the following (collectively, the “**Permitted Exceptions**”):

- (i) taxes and any other assessments for 2021 and all subsequent years not yet due and payable;
- (ii) all easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, reservations, and all other matters of record without reimposition of the same to the extent any of the foregoing have been released, expired, or are not in force; and
- (iv) all unrecorded leases and the rights of tenants thereunder.

TOGETHER WITH all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversions and reversions and remainder and remainders thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above-bargained premises, with the hereditaments and appurtenances;

55600902;2

TO HAVE AND TO HOLD, the Property in fee simple forever;

AND the Grantor hereby does hereby warrants and will defend the title to said Property, subject to the Permitted Exceptions, and will defend the same against the lawful claims of all and every person or persons claiming the whole or any part thereof, by, through or under Grantor, but against no others.

[Signatures on Next Page]

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

WITNESSES:

Colby Curry
 Printed Name: Colby Curry
Lustie Rimmer
 Printed Name: Lustie Rimmer

GRANTOR:

H&C ISLANDER BAYSIDE, LLC,
 a Florida limited liability company

By: *C. David Curry*
 Name: C. David Curry
 Title: Manager

STATE OF ARKANSAS)

COUNTY OF SEBASTIAN)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 20th day of January, 2021, by C. David Curry, as Manager of H&C ISLANDER BAYSIDE, LLC, a Florida limited liability company, on behalf of the limited liability company.

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced: _____

Kelli Peters
 (Signature of Notary Public)
Kelli Peters
 (Print, Type, or Stamp Commissioned Name of Notary Public)

My Commission expires: 4/1/2028

Affix Notary SEAL

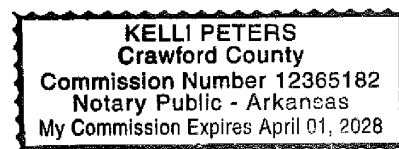


EXHIBIT A**LEGAL DESCRIPTION**

The Land referred to herein below is situated in the County of Monroe, State of Florida, and is described as follows:

A PARCEL OF LAND AND SUBMERGED LAND IN A PART OF SECTION 32, TOWNSHIP 63 SOUTH, RANGE 37 EAST, UPPER MATECUMBE KEY, MONROE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE DIVIDING LINE BETWEEN TRACTS 6 AND 7, WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF OVERSEAS HIGHWAY (STATE ROAD NO. 5), AS SHOWN ON PLAT OF SUBDIVISION OF LOTS 3 AND 4, UPPER MATECUMBE KEY, RECORDED IN PLAT BOOK 2, PAGE 59, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE RUN SOUTH 44° 35' 00" WEST ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF OVERSEAS HIGHWAY AND THE SOUTHEASTERLY LINES OF TRACTS 7 AND 8 FOR A DISTANCE OF 219.53 FEET; THENCE RUN NORTH 39° 23' 30" WEST FOR A DISTANCE OF 430 FEET MORE OR LESS TO THE MEAN HIGH TIDE LINE OF THE BAY OF FLORIDA AND THE MOST SOUTHERLY CORNER OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND DEED NO. 24126; THENCE RUN NORTH 34° 23' 00" WEST FOR A DISTANCE OF 207.55 FEET TO THE MOST WESTERLY CORNER OF SAID T.I.I.F. DEED NO. 24126; THENCE RUN NORTH 64° 51' 00" EAST FOR A DISTANCE OF 51.93 FEET TO THE MOST NORTHERLY CORNER OF SAID T.I.I.F. DEED NO. 24126 AND THE MOST WESTERLY CORNER OF T.I.I.F. DEED NO. 23077; THENCE RUN NORTH 56° 11' 30" EAST FOR A DISTANCE OF 146.9 FEET TO THE MOST NORTHERLY CORNER OF SAID T.I.I.F. DEED NO. 23077; THENCE RUN SOUTH 34° 51' 50" EAST ALONG THE NORTHEASTERLY LINE OF SAID T.I.I.F. DEED NO. 23077 FOR A DISTANCE OF 188.14 FEET TO A POINT ON THE MEAN HIGH TIDE LINE OF THE BAY OF FLORIDA AND THE NORTHWESTERLY PROJECTION OF THE NORTHEASTERLY LINE OF SAID TRACT 7; THENCE RUN SOUTH 42° 02' 30" EAST ALONG THE NORTHWESTERLY PROJECTION OF AND ALONG THE NORTHEASTERLY LINE OF SAID TRACT 7 FOR A DISTANCE OF 399.52 FEET MORE OR LESS BACK TO THE POINT OF BEGINNING.

55600902;2

FIRST AMERICAN TITLE INSURANCE COMPANY
FILE NO. 2061-5287348 - SCHEDULE A, EXHIBIT A:

The land referred to herein below is situated in the County of Monroe, State of Florida, and described as follows:

Lots 8, 9, 10, 11, 12, 13, 14, and 15, Block 1 of BOATMANS COLONY, according to the Plat thereof as recorded in Plat Book 3, Page(s) 90, of the Public Records of Monroe County, Florida.

FIRST AMERICAN TITLE INSURANCE COMPANY
FILE NO. 2061-5287348 - SCHEDULE B, SECTION II:

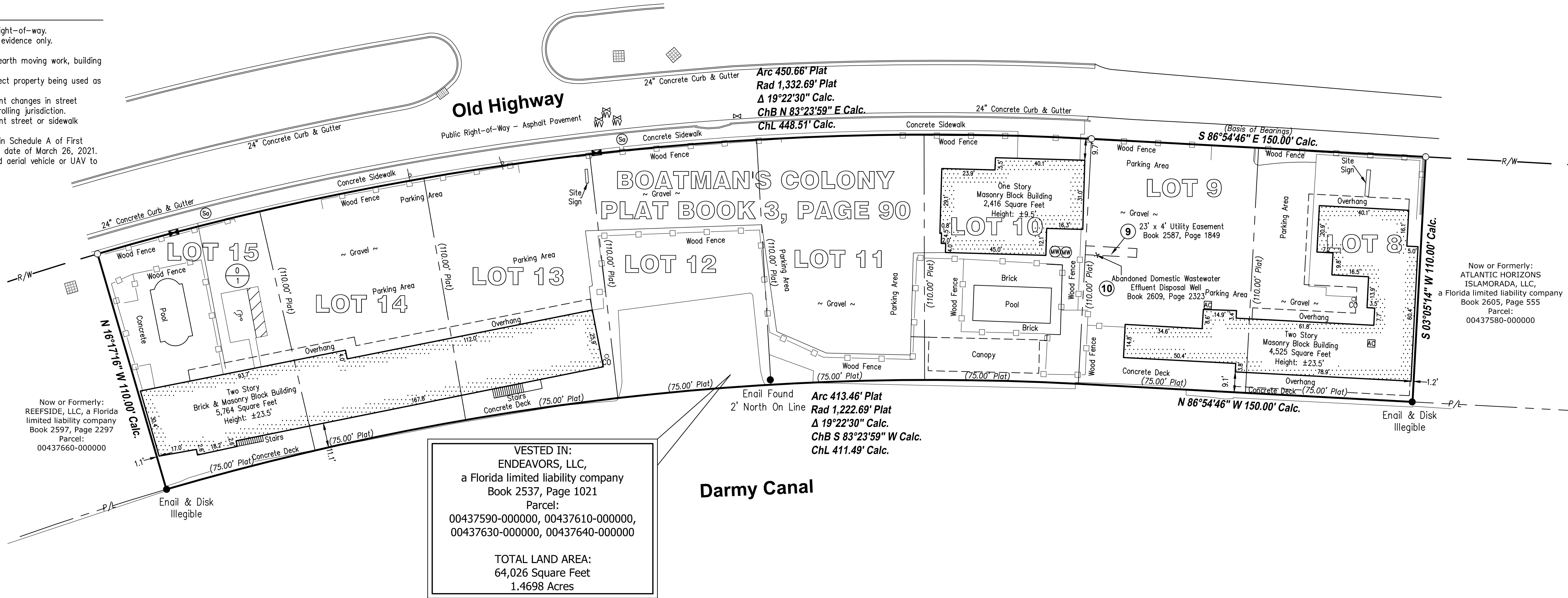
Numbers correspond with survey-related Schedule B exception items contained in the above referenced Title Commitment.

9. Utility Easement granted to Endeavors LLC, recorded September 07, 2012 in Book 2587, Page 1849.
(AFFECTS THE SUBJECT PROPERTY – PLOTTED AND SHOWN HEREON)

10. Notice of Abandoned Well recorded January 24, 2013 in Book 2609, Page 2322.
(AFFECTS THE SUBJECT PROPERTY – PLOTTED AND SHOWN HEREON)

MISCELLANEOUS NOTES:

1. There is direct access to the subject property via Old Highway, a public right-of-way.
2. The locations of all utilities shown on the survey are from visible surface evidence only.
3. The posted address on site is 90611 Old Highway, Tavernier, Florida.
4. At the time of this survey, there was no observable surface evidence of earth moving work, building construction or building additions within recent months.
5. At the time of this survey, there was no observable evidence of the subject property being used as a solid waste dump, sump or sanitary landfill.
6. At the time of this survey, there was no observable evidence of any recent changes in street right-of-way lines either completed or proposed, and available from the controlling jurisdiction.
7. At the time of this survey, there was no observable evidence of any recent street or sidewalk construction or repairs.
8. The Property surveyed and shown hereon is the same property described in Schedule A of First American Title Insurance Company File No. 2061-5287348 with a commitment date of March 26, 2021.
9. Orthophotography was captured during the field visit utilizing an unmanned aerial vehicle or UAV to assist in completing the survey.



VESTED IN:
ENDEAVORS, LLC,
a Florida limited liability company
Book 2537, Page 1021
Parcel:
00437590-000000, 00437610-000000,
00437630-000000, 00437640-000000

TOTAL LAND AREA:
64,026 Square Feet
1.4698 Acres

SYMBOL LEGEND	
R/W	Right-of-Way
P/L	Adjiner Property Line
●	Monumentation Found as Noted
○	5/8" Iron Pin w/Cap Set Stamped "PSM 7351"
(X)	Schedule B-Section II Item
Rad	Radius
Arc	Arc Length
Δ	Delta Angle
ChL	Chord Length
ChB	Chord Bearing
Calc.	Calculated
Plat	Boatman's Colony Plat Book 3, Page 90
XX	No. of Regular Parking Spaces
XY	No. of Handicap Parking Spaces
⊗	Curb Inlet Basin w/ Grate
⊕	Catch Basin
⊖	Cleanout
⊙	Sanitary Manhole
⊗	Water Valve
⊘	Water Meter
⊙	Monitoring Well
⊙	Handicap Space
⊙	Sign
⊙	Unknown Valve
⊙	Wood Fence (As Noted)
⊙	No Parking Area
⊙	Building Area

Now or Formerly:
ATLANTIC HORIZONS
ISLAMORADA, LLC,
a Florida limited liability company
Book 2605, Page 555
Parcel:
00437580-000000

BASIS OF BEARING:

The basis for all bearings shown hereon is the south right-of-way line of Old Highway, known as being S 86°54'46" E, per Florida Primary Reference Network.

SURVEYOR'S OBSERVATIONS:

At the time of this survey, there was no visible evidence of encroachments or violations.

FLOOD ZONE:

By scaled map location and graphic plotting only, the subject property appears to lie entirely in Zone AE (Special Flood Hazard Area; Base flood elevations determined) according to the Flood Insurance Rate Map for the County of Monroe, State of Florida, Community Panel No. 12087C0918K, Effective Date February 18, 2005.

ZONING:

As of June 29, 2021, we have not yet received the current zoning information for the subject property.

PARKING:

0 Parking Spaces
1 Handicapped Spaces
1 Total Parking Spaces

TOTAL LAND AREA:

64,026 Square Feet
1.4698 Acres

CERTIFICATION:

To: First State Bank of the Florida Keys, a banking corporation organized and existing under the laws of the State of Florida; Johnson, Pope, Bokor, Ruppel & Burns, LLP; LAH Creekside LLC, a Delaware limited liability company, and First American Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 2, 3, 4, 6(a), 7(a), 7(b)(1), 7(c), 8, 9, 13, 15, 16 and 17 of Table A thereof. The field work was completed on June 28, 2021.

Date of Plat or Map: June 29, 2021.

I hereby certify that this drawing correctly depicts the description shown hereon as prepared under my direction and this drawing was made in accordance with minimum technical standards adopted by the Florida Division of Consumer Services Agriculture Division of the Florida Administrative Code, pursuant to Section 5J-17.050-052 F.A.C.

By: *Ronald W. Walling*
Ronald William Walling, PSM
Florida Professional Surveyor and Mapper No. LS 6473
Florida Certificate of Authorization No. LB 7351
For and on behalf of Millman Surveying, Inc.

REVISION HISTORY		
BY:	DATE:	COMMENT:
EMG	07/09/2021	CERTIFICATION

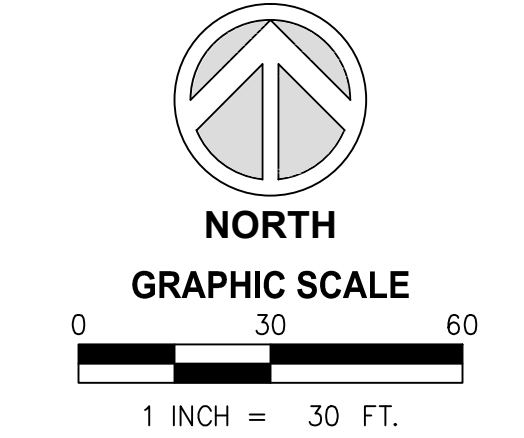
millman
National Land Services

Transforming the Industry
Surveying
Zoning
Environmental
Real Support - Title Review
Millman Surveying, Inc.
Corporate Headquarters
4111 Bradley Circle NW
Canton, OH 44718
Phone: 800-520-1010
Fax: 330-342-0834
www.millmanland.com
landsurveyors@millmanland.com

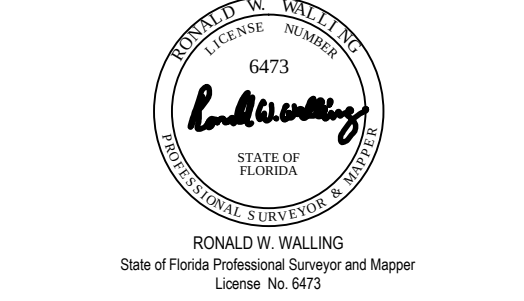
BOUNDARY AND ALTA/NSPS
LAND TITLE SURVEY
PREPARED FOR:

LAH FLORIDA
VENTURE, LLC
510 Walnut Street
Ninth Floor
Philadelphia, Pennsylvania 19106

90611 Old Highway
City of Tavernier
County of Monroe
State of Florida



Not valid without the signature and raised original seal of a Florida Licensed Surveyor and Mapper, unless transmitted electronically.

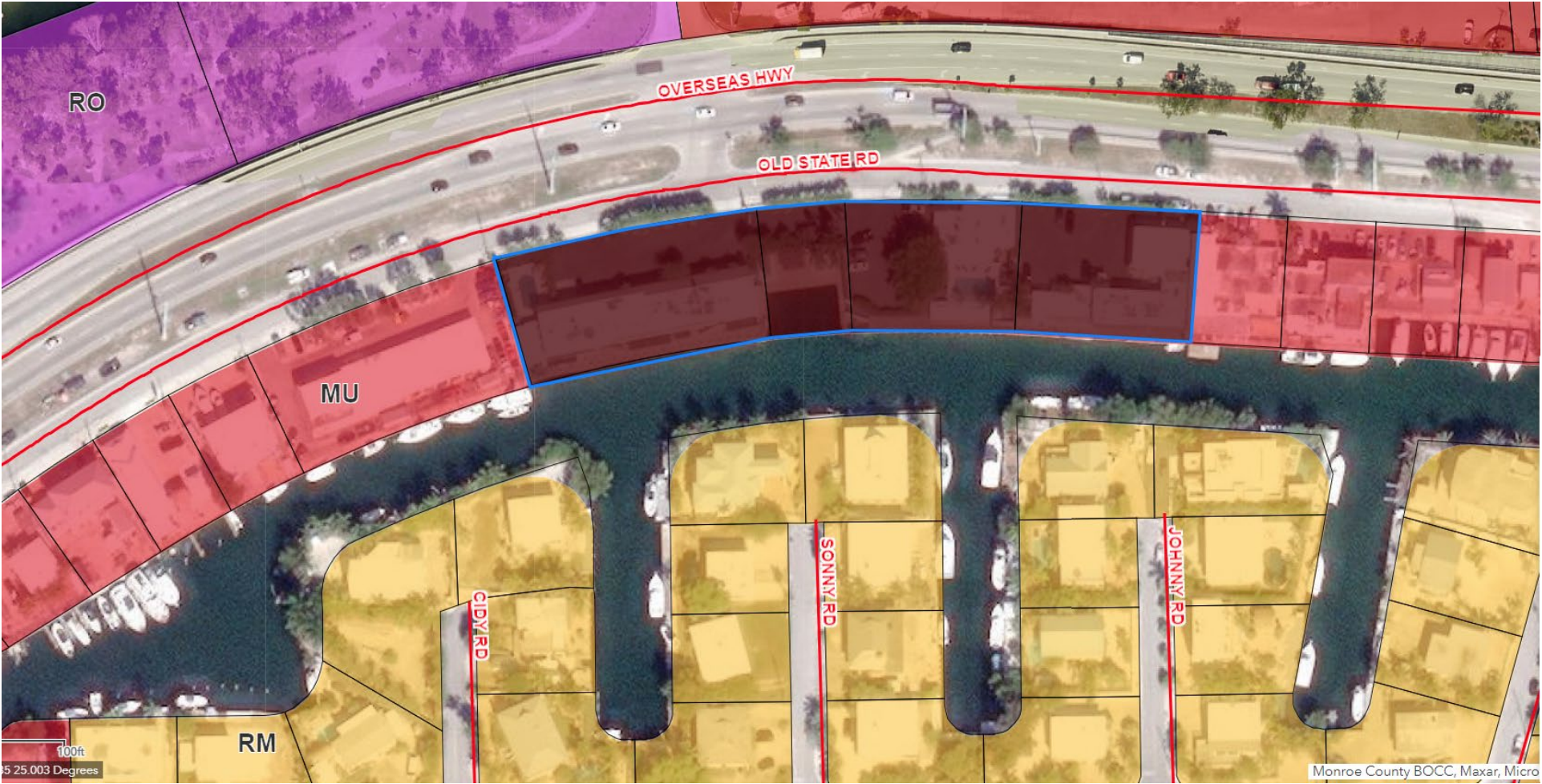


Surveyor's Seal

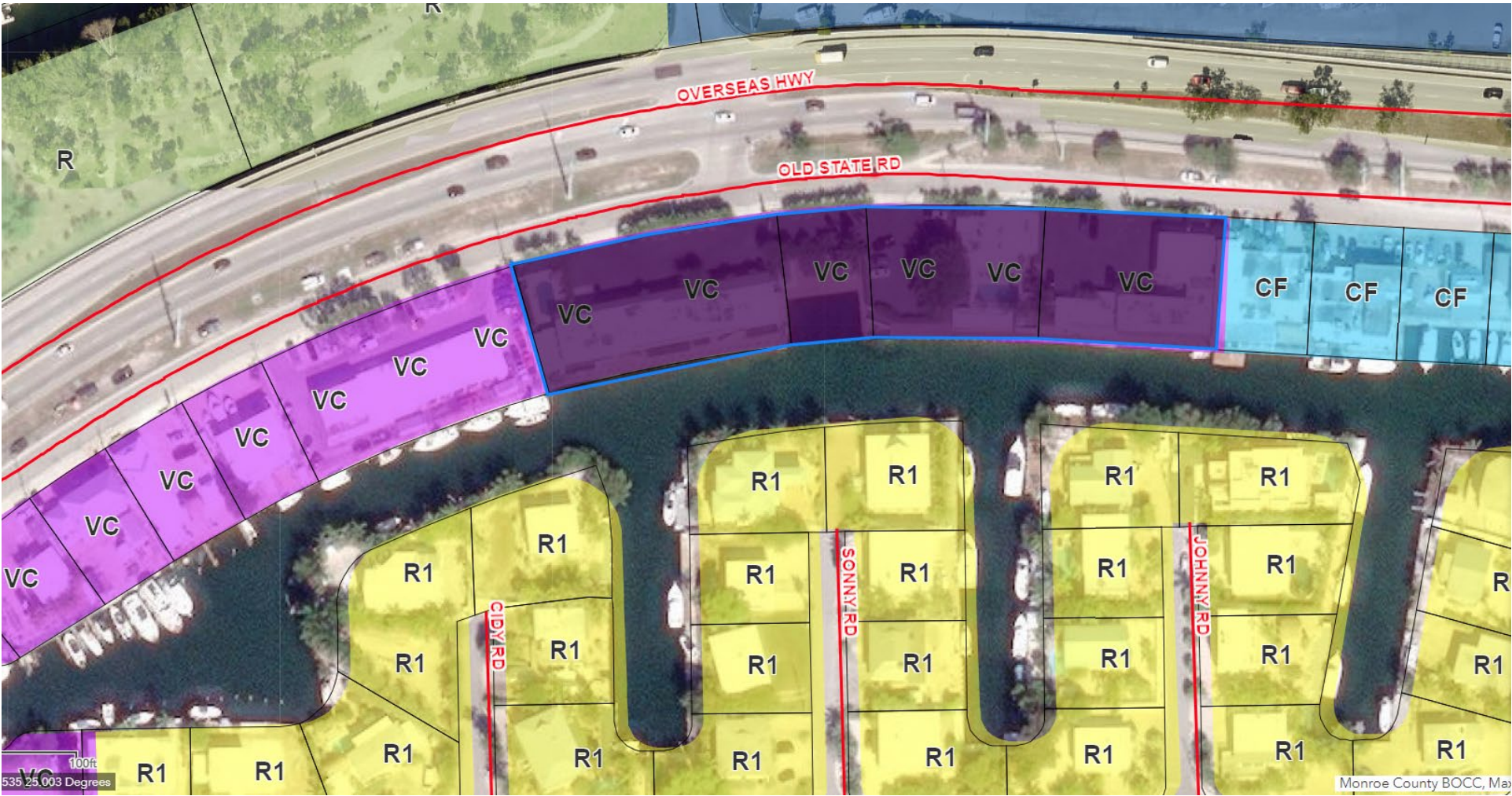
Sheet No. **1** of **1**

MSI Project No. 50309
PC: JLL
PM: ATK Drafter: JLO

Future Land Use Map:



Official Zoning Map:



This instrument was prepared by:

Jess Miles Goodall, Esq.
Smith Hawks, PL
138 Simonton Street,
Key West, FL 33040

After Recording Return To:

Islamorada, Village of Islands
Planning and Development Services Department
86800 Overseas Highway
Islamorada, Florida 33036

RE #s 00437640-000000

00437590-000000

00437630-000000

00437610-000000 Sender Site

RE # 00400810-000000 Receiver Site

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
(SENDER SITE)

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this “Declaration”) is made this ____ day of _____ 2024, by **LAH CREEKSIDE, LLC**, a Delaware limited liability company, whose address is 44 Hersha Drive, Harrisburg, PA 17102 (the “Owner”) to and in favor of **LAH ISLANDER LLC**, a Delaware limited liability company, whose principal address is 510 Walnut Street, 9th Floor, Philadelphia, FL 19106.

R E C I T A L S

1. The Owner holds fee simple title to real property located in Islamorada, Village of Islands (the “Village”), Monroe County, Florida, as more particularly legally described as follows:

See Exhibit “A” (the “Property”);

2. The Property consists of approximately 1.4698 acres of land with fifty (50) Hotel/Motel development rights, disturbed land, zoned Village Center (VC).

3. Pursuant to the Village Land Development Regulations, Chapter 30, Article IV, Division 12, and Section 30-506(1)(a), and Chapter 30, Article IV, Division 2, Owner has applied for an off-site Transfer of Development Rights (“TDR”) from the Property to the Receiver Site (as hereinafter described), which off-site transfer consists of fifty (50) Hotel/Motel units to the Receiver Site located at 82100 Overseas Highway, Upper Matecumbe Key, Florida, and legally described as follows:

See Exhibit “B” (the “Receiver Site”);

4. The Owner has agreed to a TDR in the form of an off-site transfer of fifty (50) Hotel/Motel Units from the Property to the Receiver Site, which would allow for the development of fifty (50) Hotel/Motel units as part of the re-development of the existing resort on the Receiver Site;

5. The TDR of fifty (50) Hotel/Motel Units from the Property to the Receiver Site reduces the remaining units on the Property to zero (0) remaining development rights for the property; and

6. As a condition of approval of the TDR from the Property to the Receiver Site, and in order to document and restrict the remaining density or acreage on the Property, and as condition for the issuance of permits on the Receiver Site, the Village requires that the Owner execute this Declaration.

NOW, THEREFORE, in order to assure the Village that the representations made by the Owner during the TDR process from the Sender Site to the Receiver Site will be abided by, and as a condition to the issuance of a permit to the Receiver Site, 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. **Recitals Adopted.** Each of the above recitals is hereby confirmed and adopted.

2. **Village's Right to Inspect Property.** The Owner hereby acknowledges and agrees that any official Village inspector or duly authorized agent of the Village has the right to enter upon and inspect the use of the Property at any time during normal working hours to determine whether the Owner is in compliance with the conditions of this Declaration.

3. **Covenant Running with the Land.** This Declaration shall constitute a covenant running with the land and shall be recorded, at the Owner's expense, in the Public Records of Monroe County, Florida. This Declaration shall remain in full force and effect and be binding upon the 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 5 herein below.

4. **Term.** This Declaration shall be binding on the 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.

5. **Modification, Amendment Release.** This Declaration may only be modified, amended, or released by a written instrument executed by the Director of the Village's Planning and Development Services Department, or his/her designee.

6. **Enforcement.** This Declaration may be enforced by the Village 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.

7. **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.

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

9. **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.

**[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK,
SIGNATURE OF OWNER FOLLOWS ON NEXT PAGE]**

Signed, witnessed, executed, and acknowledged on this ____ day of _____, 2024.

OWNER:

LAH CREEKSIDE, LLC, a Delaware limited liability company

By: _____

Name: _____

Title: _____

WITNESSES:

Print Name: _____

Print Name: _____

STATE OF FLORIDA)
 SS:
COUNTY OF MONROE)

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____, 2024, by _____ in his capacity as _____ of LAH Creekside, LLC, a Delaware limited liability company, on behalf of the company, who is ☐ personally known or ☐ has produced _____ as identification.

My Commission Expires:

NOTARY PUBLIC, State of Florida
Print Name: _____

EXHIBIT A

Lots 8, 9, 10, 11, 12, 13, 14, and 15, Block 1 of BOATMANS COLONY, according to the Plat thereof as recorded in Plat Book 3, Page(s) 90, of the Public Records of Monroe County, Florida.

EXHIBIT B

A PARCEL OF LAND AND SUBMERGED LAND IN A PART OF SECTION 32, TOWNSHIP 63 SOUTH, RANGE 37 EAST, UPPER MATECUMBE KEY, MONROE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE DIVIDING LINE BETWEEN TRACTS 6 AND 7, WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF OVERSEAS HIGHWAY (STATE ROAD NO. 5), AS SHOWN ON PLAT OF SUBDIVISION OF LOTS 3 AND 4, UPPER MATECUMBE KEY, RECORDED IN PLAT BOOK 2, PAGE 59, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE RUN SOUTH 44° 35' 00" WEST ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF OVERSEAS HIGHWAY AND THE SOUTHEASTERLY LINES OF TRACTS 7 AND 8 FOR A DISTANCE OF 219.53 FEET; THENCE RUN NORTH 39° 23' 30" WEST FOR A DISTANCE OF 430 FEET MORE OR LESS TO THE MEAN HIGH TIDE LINE OF THE BAY OF FLORIDA AND THE MOST SOUTHERLY CORNER OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND DEED NO. 24126; THENCE RUN NORTH 34° 23' 00" WEST FOR A DISTANCE OF 207.55 FEET TO THE MOST WESTERLY CORNER OF SAID T.I.I.F. DEED NO. 24126; THENCE RUN NORTH 64° 51' 00" EAST FOR A DISTANCE OF 51.93 FEET TO THE MOST NORTHERLY CORNER OF SAID T.I.I.F. DEED NO. 24126 AND THE MOST WESTERLY CORNER OF T.I.I.F. DEED NO. 23077; THENCE RUN NORTH 56° 11' 30" EAST FOR A DISTANCE OF 146.9 FEET TO THE MOST NORTHERLY CORNER OF SAID T.I.I.F. DEED NO. 23077; THENCE RUN SOUTH 34° 51' 50" EAST ALONG THE NORTHEASTERLY LINE OF SAID T.I.I.F. DEED NO. 23077 FOR A DISTANCE OF 188.14 FEET TO A POINT ON THE MEAN HIGH TIDE LINE OF THE BAY OF FLORIDA AND THE NORTHWESTERLY PROJECTION OF THE NORTHEASTERLY LINE OF SAID TRACT 7; THENCE RUN SOUTH 42° 02' 30" EAST ALONG THE NORTHWESTERLY PROJECTION OF AND ALONG THE NORTHEASTERLY LINE OF SAID TRACT 7 FOR A DISTANCE OF 399.52 FEET MORE OR LESS BACK TO THE POINT OF BEGINNING.



Islamorada, Village of Islands Planning & Development Services

86800 Overseas Highway, Islamorada, FL 3303
T: 305-664-6400, F: 305-664-6467

Application for Transfer of Development Rights

Pursuant to Code Chapter 30, Article IV, Division 12

Application Type: Nonresidential Floor Area	Fee	Deposit*	Total Fee
☐ Transfer of 4,999 square feet of nonresidential floor area or less:	\$1,500	\$500	\$2,000
☐ Transfer of 5,000 square feet of nonresidential floor area or more:	\$2,500	\$500	\$3,000

Application Type: Residential dwelling units and density or hotel/motel units	Fee	Deposit	Total Fee
☐ Transfer of four or less dwelling units or hotel/motel units:	\$1,500	\$500	\$2,000
☒ Transfer of five or more dwelling units or hotel/motel units:	\$2,500	\$500	\$3,000

* A deposit is required for development approval or permits which necessitate additional review and processing, and/or public hearing and notice requirements. Applicants are required to pay a cost recovery deposit which shall be credited toward the fee charged for such additional review and processing and shall pay additional deposits as may be required from time to time. A debit based upon the actual time expended in reviewing an application and the applicable actual amount charged to the Village shall be charged against the cost recovery deposit.

An application must be deemed complete and in compliance with the Village Code by Staff prior to the items being scheduled for review.

Applicant / Agent (if applicable): Property owner must submit a **notarized** letter authorizing the applicant/agent to act on their behalf including the agent's name, address and phone number.

Name: SMITH HAWKS, PL/ Barton W. Smith, Esq. / Jess Miles Goodall, Esq.

Mailing Address: 138 Simonton Street

City: Key West State: FL Zip: 33040

Home/Mobile Phone: _____ Office: (305) 296-7227 Fax: _____

Email: Bart@SmithHawks.com / Jess@SmithHawks.com / Brandi@SmithHawks.com

Sender Site Property Owner: If multiple sender sites, please provide details of such on separate page.

Name: LAH Creekside LLC

Mailing Address: c/o Agent

City: c/o Agent State: c/o Agent Zip: c/o Agent

Home/Mobile Phone: c/o Agent Office: c/o Agent Fax: c/o Agent

Email: c/o Agent

Sender Site Legal Description: If in metes and bounds, attach legal description on separate page.

Physical Address: 90611, 90655, 90691, and 90701 Old Hwy, Tavernier, FL 33070 Mile Marker: 90.5

Lot: _____ Block: _____ Subdivision: _____

☒ Plantation Key ☐ Windley Key ☐ Upper Matecumbe Key ☐ Lower Matecumbe Key

Real Estate (RE) Number: 00437590-000000; 00437610-000000; 00437630-000000; and 00437640-000000 Alternate Key: 1536857, 1536849, 1536822, & 1536806

Zoning District: Village Center (VC)

Future Land Use Category: Mixed Use (MU)

Total Land Area: 64,026

Square Feet 1.4698 acres

Proposed TDR Sender Site:	Existing Development Rights	Proposed Transfer to Receiver Site(s)	Remaining Development Rights
Amount of nonresidential floor are in square feet (SF):	N/A	N/A	N/A
Number of residential Market Rate dwelling units:	N/A	N/A	N/A
Number of residential Affordable dwelling units:	N/A	N/A	N/A
Amount of residential density in acres (AC):	50 hotel/motel Unit	50 hotel/motel Units	Affordable density
Number of hotel/motel units:	50	50	0

Receiver Site Property Owner: If multiple sender sites, please provide details of such on separate page.

Name: LAH Islander LLC

Mailing Address: c/o Agent

City: c/o Agent State: c/o Agent Zip: c/o Agent

Home/Mobile Phone: c/o Agent Office: c/o Agent Fax: c/o Agent

Email: c/o Agent

Receiver Site Legal Description: If in metes and bounds, attach legal description on separate page.

Physical Address: 82100 Overseas Highway; 81998 Old Highway; and 132 Carroll St, L Mile Marker: 81/82

Lot: _____ Block: _____ Subdivision: STRATTON'S

☐ Plantation Key ☐ Windley Key ☒ Upper Matecumbe Key ☐ Lower Matecumbe Key

Real Estate (RE) Number: 00400400-000000; 00400450-000000; and 00400810-000000 Alternate Key: 1492680; 1492736; and 14931

Zoning District: Tourist Commercial (TC) and SR Future Land Use Category: Mixed Use (MU)

Total Land Area: 2,419,758 gross, 961,804.8 upland Square Feet 55.55 gross acres, 22.08 Upland acres

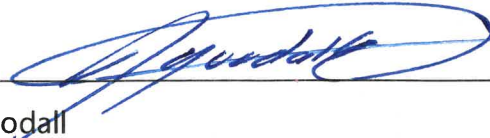
Please submit the following documents for all applications:

- ☒ **Correct application fee:** Check or money order made payable to "Islamorada, Village of Islands".
- ☒ **Notarized agent authorization letter** from all owners of sender and receiver sites.
- ☒ **Proof of ownership** of sender and receiver sites (i.e. warranty deeds).
- ☒ **Signed and sealed survey** prepared by a Florida registered surveyor.
- ☐ **Vegetation survey and/or a habitat analysis** prepared by a qualified biologist of all sites.
- ☒ **Declaration of Covenants, Conditions and Restrictions** on the sender site indicating the recorded amount of nonresidential floor area, residential dwelling units or hotel/motel units remaining.
- ☐ **Grant of Conservation Easement Agreement** on the sender site prohibiting any future development on all hammock areas of the property.
- ☐ **Restoration plan** prepared by a qualified biologist in accordance with Code Section 30-1615.

If deemed necessary to complete a full review of the application, the Planning & Development Services Department reserve the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate. I certify that all information required has been provided.

Digital signatures do not require notarization when they can be verified by a Trusted Certificate issued by a third-party Certificate Authority. If you are not using a "verifiable digital signature", print this document and have it notarized.

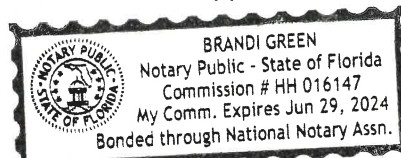
Signature of Applicant or Agent:  Date: April 15, 2024
Print Name: Jess Miles Goodall

STATE OF FLORIDA
COUNTY OF MONROE

Sworn to and subscribed before me by means of ☒ physical appearance or ☐ online notarization, this 15th day of April, 2024, by Jess Miles Goodall (name of person signing the application) as Agent (type of authority e.g. officer, manager / member, trustee, attorney in fact) for LAH Creekside LLC (name of entity or party on behalf of whom application was executed).


Signature of Notary Public - State of Florida

SEAL:



☒ Personally Known ☐ Produced Identification

Type of ID: N/A

**THIS INSTRUMENT PREPARED BY
AND RETURN TO:**

William T. Conroy, Esq.
Johnson, Pope, Bokor, Ruppel & Burns, LLP
490 First Avenue South, Suite 700
St. Petersburg, FL 33701

Parcel ID Nos. 00437590-000000; 00437610-
000000; 00437630-000000; and 00437640-000000

Space above this line for Recorder's use only

SPECIAL WARRANTY DEED

THIS INDENTURE is made as of July 15, 2021, by ENDEAVORS, LLC, a Florida limited liability company, which has principal address of 90800 Overseas Highway, Tavernier, Florida 33070 (hereinafter called the "**Grantor**"), in favor of LAH CREEKSIDE LLC, a Delaware limited liability company, which has a principal address of 44 Hersha Drive, Harrisburg, PA 17102 (hereinafter called the "**Grantee**").

WITNESSETH:

Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, to it in hand paid, the receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, its successors and assigns forever, all that certain parcel of land lying and being in the County of Monroe, State of Florida, as more particularly described in **Exhibit "A"** attached hereto and incorporated herein by reference (the "**Property**");

TOGETHER WITH all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

SUBJECT TO the easements, restrictions, agreements and reservations of record, if any, which are specifically not reimposed or extended hereby, and all real estate taxes for 2021 and all subsequent years.

TO HAVE AND TO HOLD the above described Property, with the appurtenances, unto the said Grantee, its successors and assigns, in fee simple forever.

And the Grantor does fully warrant the title to said Property subject to the matters referred to above and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but not otherwise.

NOTE TO RECORDER: Documentary stamp taxes in the amount of \$87,500.00 are being paid on consideration of \$12,500,000.00 in connection with this Deed as required pursuant to Section 201.02, Florida Statutes.

IN WITNESS WHEREOF, the Grantor has caused these presents to be duly executed in its name and by those thereunto duly authorized, the day and year first above written.

WITNESSES:

GRANTOR:

ENDEAVORS, LLC, a Florida limited liability company

Nora M. Kerrigan
Print Name: NORA M. KERRIGAN
Jerrett Bernster
Print Name: Jerrett Bernster

By: [Signature]
Name: German Fucaraccio
Title: Manager

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing Special Warranty Deed was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12th day of July, 2021, by German Fucaraccio in his capacity as Manager of **ENDEAVORS, LLC**, a Florida limited liability company, and he is ☒ personally known to me, or ☐ has produced _____ as identification.

My Commission Expires: 8-5-21

Nora M. Kerrigan
Print Name: NORA M. KERRIGAN
NOTARY PUBLIC

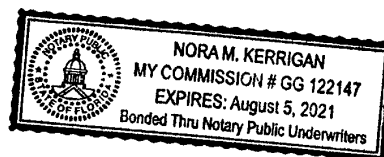


EXHIBIT "A"
LEGAL DESCRIPTION

Lots 8, 9, 10, 11, 12, 13, 14, and 15, Block 1 of BOATMANS COLONY, according to the Plat thereof as recorded in Plat Book 3, Page(s) 90, of the Public Records of Monroe County, Florida.

RESOLUTION NO. 24-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LAH ISLANDER LLC FOR A TRANSFER OF DEVELOPMENT RIGHTS OF FIVE OR MORE HOTEL/MOTEL UNITS FROM THE PROPERTY LOCATED AT 90611, 90655, 90691 AND 90701 OLD HIGHWAY IN TAVERNIER WITH REAL ESTATE NUMBERS 00437590-000000, 00437610-000000, 00437630-000000 AND 00437640-000000 AS LEGALLY DESCRIBED HEREIN TO PROPERTY LOCATED AT 82100 AND 81998 OVERSEAS HIGHWAY AND 132 CARROLL STREET ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBERS 00400810-000000 AND 00400450-000000 AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF COMMERCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, LAH Creekside LLC applied for the Transfer of Development Rights pursuant to Section 30-503 of the Code of Ordinances Islamorada, Village of Islands, FL on April 16, 2024, to transfer fifty (50) hotel/motel units from the real property located at 90611, 90655, 90691 AND 90701 Old Highway in Tavernier with Real Estate Numbers 00437590-000000, 00437610-000000, 00437630-000000 and 00437640-000000 (Sender Site) to the real property located at 82100 Overseas Highway and 81998 Old Highway and 132 Carroll Street on Upper Matecumbe Key, with real estate numbers 00400810-000000, 00400400-000000 and 00400450-000000 (Receiver Site); and

WHEREAS, the Staff reviewed the Request and recommended approval with conditions of the Request; and

WHEREAS, pursuant to the applicable provisions of the Code, the Staff Report dated August 8, 2024 recommended to the Village Council that the Request be approved with conditions; and

WHEREAS, the Village Council conducted a duly noticed Public Hearing regarding the application for Transfer of Development Rights and has considered the Request, the relevant supporting materials, the Staff's recommendations, public testimony and evidence given.

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

Section 1. **Recitals.** The above recitals are true, correct, and incorporated into this Resolution by this reference.

Section 2. **Findings of Fact.** The Village Council having considered the testimony and evidence presented by all parties, including Village Staff, does hereby find and determine:

(1) The Application for a Transfer of Development Rights meets the requirements set forth in Village Code Chapter 30, Article IV, Division 12-Transfer of Development Rights and has demonstrated through competent substantial evidence that the criteria for granting the Request have been met.

(2) The Applicant has furnished the Village with a Declaration of Covenants, Conditions, and Restrictions for the Sender Site on a form acceptable to and approved by the Village Attorney affecting the removal of the fifty (50) development rights proposed for transfer from the Sender Site.

(3) The Request is consistent with the purposes, goals, objectives, and policies of the Village Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use.

Section 3. **Conclusions of Law.** Based upon the above Findings of Fact, the Village Council does hereby make the following Conclusions of Law:

(1) The Request has been processed in accordance with the Village's Comprehensive Plan and Code, and

(2) In rendering its decision, as reflected in this Resolution, the Village Council has:

(a) Accorded procedural due process; and

(b) Observed the essential requirements of the law; and

(c) Supported its decision by competent substantial evidence contained within the record; and

(3) Imposed the following Conditions:

1. This approval shall not take effect prior to the effective date of the Resolution approving Major Conditional Use Application PLCUP20220131.

2. Upon approval of the Major Conditional Use PLCUP20220131, the Village shall record the executed Declaration of Covenants, Conditions, and Restrictions provided herein, removing the fifty (50) hotel/motel development rights from the Sender Site.

3. No permits shall be issued to the transferred units at the Receiver Site until permits are issued for Workforce/Affordable Housing at the Sender Site.

Section 4. Effective Date.

This approval shall not take effect prior to the effective date of the Resolution approving Major Conditional Use Application PLCUP20220131. This Resolution shall not take effect until after both thirty (30) days following the date it is filed with the Village Clerk, during which time the Request herein shall be subject to appeal as provided in the Code; and following thirty (30) days, this Resolution shall not be effective or acted upon by the Applicant until forty-five (45) days following the rendition to the Florida Department Of Commerce ("DOC"), pursuant to

Chapter 9J-1 of the Florida Administrative Code. During those forty-five (45) days, the DOC may appeal this Resolution to the Florida Land and Water Adjudicatory Commission, and that such an appeal stays the effectiveness of this Resolution until the appeal is resolved by agreement or order.

Motion to adopt by_____, second by_____.

FINAL VOTE AT ADOPTION
VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS:

Mayor Joseph B Pinder III	_____
Vice Mayor Sharon Mahoney	_____
Councilman Mark Gregg	_____
Councilman Henry Rosenthal	_____
Councilwoman Elizabeth Jolin	_____

PASSED AND ADOPTED THIS _____ DAY OF _____, 2018.

JOSEPH B. PINDER III, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN J. QUICK, INTERIM VILLAGE ATTORNEY