



## MEMORANDUM

### MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

*We strive to be caring, professional and fair*

**To:** Monroe County Development Review Committee and  
Emily Schemper, CFM, AICP, Senior Director of Planning & Environmental Resources

**From:** Cheryl Cioffari, AICP, Assistant Director of Planning

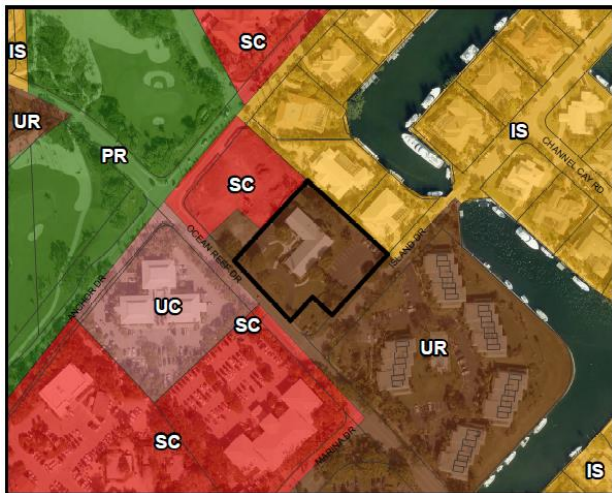
**Date:** February 14, 2020

**Subject:** An Ordinance by the Monroe County Board of County Commissioners amending the Monroe County Land Use District (Zoning) Map from Urban Residential (UR) to Suburban Commercial (SC) / Institutional (I) Overlay for 32 Ocean Reef Drive, Ocean Reef, Key Largo as proposed Ocean Reef Chapel, Inc. (File 2019-221)

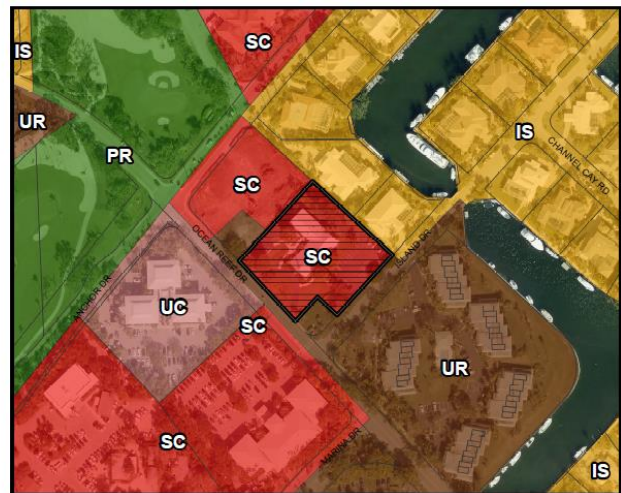
**Meeting:** February 25, 2020

## I REQUEST

On November 12, 2019, the Planning and Environmental Resources Department received an application from Smith/Hawks, PL (the "Agent") on behalf of Ocean Reef Chapel, Inc. (the "Property Owner" and the "Applicant") to amend the Monroe County Land Use District (Zoning) Map from Urban Residential (UR) to Suburban Commercial (SC) / Institutional (I) Overlay for 32 Ocean Reef Drive, Ocean Reef, Key Largo (the "Property"). The Applicant has also requested a corresponding Future Land Use Map (FLUM) amendment for the Property from Residential High (RH) to Institutional (INS). *The subject of this staff report is the proposed Zoning amendment.*



Existing Land Use (Zoning) District



Proposed Land Use (Zoning) District

1 **II. BACKGROUND INFORMATION**

2  
3 **Site Information:**

4 **Address:** 32 Ocean Reef Drive, Key Largo, Ocean Reef Club

5 **Parcel ID:** 00081740-000100

6 **Owner/Applicant:** Ocean Reef Chapel, Inc.

7 **Size of Property:** 1.277 acres per survey completed by Kenneth  
8 J. Buchanan, P.S.M. of Watham Group, Inc. dated and signed  
9 November 2, 2019

10 **FLUM Designation:** Residential High (RH)

11 **Land Use District:** Urban Residential (UR)

12 **Tier Designation:** none

13 **Flood Zones:** AE (EL 9)

14 **CBRS:** No

15 **Existing Use:** Institutional (Ocean Reef Chapel)

16 **Existing Vegetation/Habitat:** Developed Land

17 **Community Character of Immediate Vicinity:** Adjacent land  
18 uses include single-family residential uses to the northeast,  
19 multi-family residential uses to the east (formerly the medical  
20 center) and nonresidential uses to the south.



21  
22 **Habitat Type**

23 The Property currently has a Land Use District (Zoning) designation of Urban Residential (UR) and a  
24 Future Land Use Map (FLUM) designation of Residential High (RH). The Property was within the  
25 BU-2 (medium business district ) zoning district prior to September 15, 1986. The Property was re-  
26 designated as UR (urban residential) with the final adoption of the LUD map in 1992. With the  
27 adoption of the Comprehensive Plan’s FLUM in 1997, the Property was given the current FLUM  
28 designation of Residential High (RH).

29 The Applicant is also requesting proposed Future Land Use Map (FLUM) amendment for the Property  
30 from Residential High (RH) to Institutional (INS).

31 The Applicant states that the reason for the proposed amendment is:

32 The Proposed Amendments seek to allow Applicant to fully redevelop and expand an existing  
chapel on the Property. During 2017, the County made substantial amendments to the Comp. Plan  
(the “Amendments”), which included revisions to the LUD zoning district maximum  
nonresidential land use intensities. As part of the Amendments, the County errantly reduced the  
maximum intensity for UR zoning districts from thirty (30) percent to zero. Prior to the  
Amendments, Applicant would have been permitted to redevelop and expand the existing church  
under a UR zoning district, which allowed a thirty (30) percent maximum nonresidential land use  
intensity, now the existing church on the Property is not permitted because the Maximum Floor  
Area Ratio (“FAR”) is 0 and therefore the church is a nonconforming use. Consequently, any  
redevelopment of the church is limited to the existing square footage, which is 6,500 square feet.  
The Proposed Amendments would allow Applicant to redevelop and expand the existing church.

33 The Applicant’s full explanation and justification of the proposed amendments is included in the file  
34 for the application (File 2019-221).  
35  
36

Staff has reviewed the Applicant’s position and supporting documentation, and is also reviewing the proposed amendment for consistency with State Statutes (including 163.3187, F.S., above), Rules, internal consistency with the Comprehensive Plan and balancing all the requirements and policy issues.

**Community Meeting and Public Participation**

In accordance with LDC Section 102-159(a), a community meeting was held on January 8, 2020 at 5:05 PM at the Property to discuss the proposed Future Land Use Map (FLUM) amendment and corresponding Land Use District (Zoning) Map amendment, and to provide for public participation. There was one (1) attendee who had questions about the design process.

**Development Review Committee and Public Input**

At a regular meeting held on February 25, 2020, the Development Review Committee (DRC) considered the proposed FLUM map amendment, provided for public comment and recommended \_\_\_ through DRC Resolution \_\_\_-20.

**Planning Commission and Public Input**

At a regular meeting held on March 25, 2020, the Planning Commission recommended \_\_\_ of the proposed FLUM map amendment through PC Resolution P \_\_\_-20 and provided for public comment.

**III. AMENDMENT REVIEW**

**Maximum Allocated Density and Intensity by Land Use District (Zoning) Map Designation**

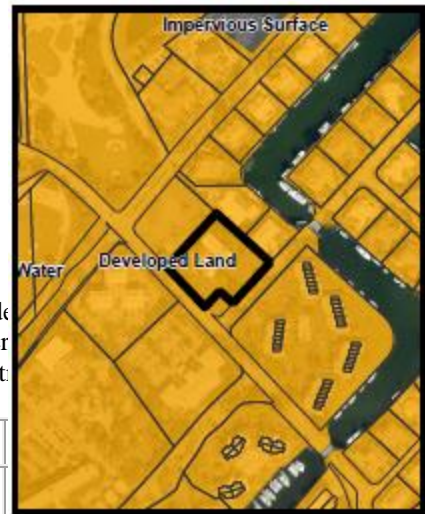
Existing Zoning	Type	Adopted Standards	Maximum development potential based upon density/intensity
<b>Urban Residential (UR)</b>  <b>Total Upland Area: 1.277 acres (55,626.12 sf)</b>  <b>1.02 buildable acres (1.277 ac – 0.20 open space ratio)</b>	Residential Allocated Density	6 du / acre	7.66 units
	TDR/Market Rate Residential Max Net Density	12 du / buildable acre	12.26 units
	Affordable Residential Max Net Density	25 du / buildable acre	25.54 units
	Transient Allocated Density	10 rooms/spaces per acre	12.77 rooms or spaces
	Nonresidential Maximum Intensity	0 FAR	0 SF
Proposed Zoning	Type	Adopted Standards	Development potential based upon density
<b>Suburban Commercial (SC) / Institutional (INS) Overlay<sup>1</sup></b>	Residential Allocated Density	0 du / acre	0 units

<sup>1</sup> Sec. 130-125. - Institutional Use Overlay (INS). The Institutional Use zoning overlay district provides classifications of property for institutional uses by federally tax-exempt, non-profit facilities, including, but not limited to, educational, scientific, religious, social service, cultural, health care, and recreational organizations. Property identified on the Monroe County Future

<b>Total Upland Area: 1.277 acres (55,626.12 sf)</b>  <b>1.02 buildable acres (1.277 ac – 0.20 open space ratio)</b>	TDR/Market Rate Residential Max Net Density	N/A	N/A
	Affordable Residential Max Net Density	N/A	N/A
	Transient Allocated Density	3-15 rooms/spaces per acre	3.83 - 19.16 rooms/spaces
	Nonresidential Maximum Intensity	0.30 FAR	16,688 SF
<b>Net Change in Development Potential Based on Zoning</b>	<b>Residential Market Rate Allocated: -7.66 units</b>		
	<b>TDR/Market Rate Residential Max Net: -12.26 units</b>		
	<b>Affordable Residential Max Net: -25.54 units affordable</b>		
	<b>Transient Allocated: +6.39 rooms or spaces</b>		
	<b>Nonresidential: +16,688 SF</b>		

The above table provides an approximation of the development potential for residential, transient and commercial development. Section 130-156(b) of the Land Development Code states: “The density and intensity provisions set out in this section are intended to be applied cumulatively so that no development shall exceed the total density limits of this article. For example, if a development includes both residential and commercial development, the total gross amount of development shall not exceed the cumulated permitted intensity of the parcel proposed for development.” Furthermore, the use within the overlay district (INS) shall be subject to all land development regulations of the underlying zoning district (SC) with the exception of those regulations controlling density and intensity.

As shown in the blue portion of the table, the proposed Zoning amendment would result in a decrease of 7.66 units in permanent allocated residential development potential; a decrease of 12.16 units in max net density residential potential for market rate units with the use of TDRs; a decrease of 25.54 units in affordable residential development potential; an increase of 6.39 rooms or



**Habitat Type**

Land Use Map with a designation of "INS" may have any land use district as its de the overlay district shall be subject to all land development regulations of the under those regulations controlling density and intensity. The use within the overlay dist density and intensity regulations:

Residential	
Allocated Density (Per Upland Acre)	Maximum Net Density (Per Buildable Acre)
0 du 3—15 rooms/spaces	N/A 6—24 rooms/spaces

spaces for transient units; and an increase in nonresidential development potential up to 16,688 square feet.

**Compatibility with the Surrounding Area**

- a. Existing Vegetation/Habitat: Developed Land
- b. Existing Tier Designation: None
- c. Number of Listed Endangered or Threatened Species: None
- d. Existing Use: Institutional (Ocean Reef Chapel)
- e. Community Character of Immediate Vicinity: Adjacent land uses include single-family residential uses to the northeast, multi-family residential uses to the east (formerly the medical center) and nonresidential uses to the south.

*The proposed Zoning amendment is not anticipated to adversely impact the community character of the surrounding area. The proposed change in zoning designation is consistent with the historical use, (Ocean Reef Chapel) of the Property.*

**IV. CONSISTENCY WITH THE MONROE COUNTY YEAR 2030 COMPREHENSIVE PLAN AND THE MONROE COUNTY LAND DEVELOPMENT CODE**

**A. The proposed amendment is consistent with the Goals, Objectives and Policies of the Monroe County Year 2030 Comprehensive Plan (Note: compliance with Policy 101.5.26 must be established prior to BOCC adoption of the proposed FLUM amendment). Specifically, it furthers:**

**Goal 101:** Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

**Objective 101.5**

Monroe County shall regulate future development and redevelopment to maintain and enhance the character of the community and protect natural resources by providing for the compatible distribution of land uses consistent with the designations shown on the Future Land Use Map.

**Policy 101.5.12**

The principal purpose of the Institutional (INS) future land use category is to provide for institutional uses by federally tax-exempt, nonprofit facilities, including, but not limited to, educational, scientific, religious, social service, cultural, healthcare, and recreational organizations. Related institutional residential and nonresidential uses, including student and employee housing, shall be allowed. [F.S. § 163.3177(6)(a)]

**Policy 101.5.25**

Monroe County hereby adopts the following density and intensity standards for the future land use categories, which are shown on the FLUM and described in Policies 101.5.1—101.5.20. [F.S. § 163.3177(6)(a)1.]

<b>Future Land Use Densities and Intensities</b>	
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Future Land Use Category And Corresponding Zoning	Residential <sup>(d)</sup>		Nonresidential	Minimum Open Space Ratio <sup>(c)</sup>
	Allocated Density <sup>(a)</sup> (per upland acre)	Maximum Net Density <sup>(a) (b)</sup> (per buildable acre)	Maximum Intensity (floor area ratio)	
* * *				
Residential High (RH)	6 du (UR) 1du/lot (URM, URM-L) 2 du/lot (IS-D)  0—10 rooms/spaces	12—25 du (UR) <sup>(k)</sup> N/A (IS-D, URM, URM-L)  0—20 rooms/spaces	0	0.20
* * *				
Institutional (INS)	0 du 15 rooms/spaces	N/A 24 rooms/spaces	0.30	Per underlying zoning

Notes:

- (a) The allocated densities for submerged lands, salt ponds, freshwater ponds, and mangroves shall be 0 and the maximum net density bonuses shall not be available.
- (b) The Maximum Net Density is the maximum density allowable with the use of TDRs, or for qualifying affordable housing development. TDRs can be utilized to attain the density between the allocated density standard up to the maximum net density standard. Deed restricted affordable dwelling units may be built up to the maximum net density without the use of TDRs. “N/A” means that maximum net density bonuses shall not be available. Buildable acres means the portion of a parcel of land that is developable and is not required open space.
- (c) Additional open space requirements may apply based on environmental protection criteria; in these cases, the most restrictive requirement shall apply.
- (d) Future land use categories of Agriculture/Aquaculture, Education, Institutional, Preservation, Public Buildings/Lands, and Public Facilities, which have no directly corresponding zoning, may be used with new or existing zoning districts as appropriate.
- (e) Within the Mainland Native future land use district, campground spaces and nonresidential buildings shall only be permitted for educational, research or sanitary purposes.
- (f) For properties consisting of hammocks, pinelands or disturbed wetlands within the Mixed Use/ Commercial and Mixed Use/ Commercial Fishing future land use categories, the maximum floor area ratio shall be 0.10 and the maximum net density bonuses shall not be available.
- (g) A mixture of uses shall be maintained for parcels designated as MI zoning district that are within the MC future land use category. Working waterfront and water dependent uses, such as marina, fish house/market, boat repair, boat building, boat storage, or other similar uses, shall comprise a minimum of 35% of the upland area of the property, adjacent to the shoreline, pursuant to Policy 101.5.6.
- (h) In the RV zoning district, commercial apartments shall be allowed, not to exceed 10% of total spaces allowed or in existence on the site, whichever is less.
- (i) The allocated density for the CFSD-20 zoning district (Little Torch Key) shall be 1 dwelling unit per acre, or 1 dwelling unit per parcel for those parcels existing as of September 15, 1986, whichever is less, and the maximum net density bonuses shall not be available. Residential density shall be allowed in addition to the permitted nonresidential uses and intensity (i.e., density and intensity shall not be counted cumulatively).
- (j) Within IS subdivisions with primarily single family residential units, IS-D zoning may be used with a RM future land use designation for platted lots which have a duplex that was lawfully established prior to September 15, 1986.
- (k) The maximum net density shall be 25 du/buildable acre for the UR zoning district and shall be 18 du/buildable acre for the MU and SC zoning district for development where all units are deed restricted affordable dwelling units. For the UR zoning district market rate housing may be developed as part of an affordable or employee housing project with a maximum net density not exceeding 18 du/buildable acre.

(l) Vessels, including live-aboard vessels, or associated wet slips are not considered dwelling units and do not count when calculating density.

**B. The proposed amendment is consistent with the provisions and intent of the Monroe County Code Land Development Code.**

In accordance with MCC §102-158(d)(5)b., the BOCC may consider the adoption of an ordinance enacting the proposed change based on one or more of the following factors:

*1. Changed projections (e.g., regarding public service needs) from those on which the text of boundary was based;*

Per the Applicant: “Not Applicable”

*2. Changed assumptions (e.g., regarding demographic trends);*

Per the Applicant: “Not Applicable”

*3. Data errors, including errors in mapping, vegetative types and natural features described in Volume I of the plan;*

Per the Applicant: “The proposed LUD amendment is based on a need to revise data errors contained within the Comp. Plan. Due to a data error in the Comp. Plan updated maximum FAR for UR zoning districts, which was reduced from thirty (30) percent to zero for churches. The proposed Amendments seeks to change the LUD from UR to SC, and the Comp. Plan from RH to INS, respectively. Development of a church is allowed as of right in SC zoning districts, and the maximum FAR in SC districts is thirty (30) percent.”

Pursuant to LDC Section 101-1, *Institutional use* means a use that serves the religious, educational, cultural, scientific, research, social service, or health needs of the community, including but not limited to, educational and scientific research facilities that serve the region and day care and preschool facilities.

The proposed Suburban Commercial (SC) zoning district / Institutional (INS) Overlay is a more appropriate designation for the Property with the existing established use of a chapel.

*4. New issues;*

Per the Applicant: “Not Applicable”

The Applicant has proposed a corresponding FLUM amendment changing the FLUM designation on the property from Residential High (RH) to Institutional (INS). The proposed Suburban Commercial (SC) zoning district / Institutional (INS) Overlay is a more appropriate designation for the Property with the existing established use of a chapel.

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

2  
3 Per the Applicant: “Not Applicable”

4  
5 6. *Data updates.*

6  
7 Per the Applicant: “Not Applicable”

8  
9 **In accordance with MCC §102-158(d)(5)c., in no event shall an amendment be approved which**  
10 **will result in an adverse community change to the planning area in which the proposed**  
11 **development is located or to any area in accordance with a livable community master plan**  
12 **pursuant to findings of the board of county commissioners.**

13  
14 Per the Applicant: “There will be no adverse change to unincorporated Monroe County if the proposed  
15 Amendment is approved. The proposed Amendment is geographically limited in scope.”

16  
17 The proposed LUD Amendment is consistent and is not anticipated to result in an adverse community  
18 change as the proposed zoning designation is more consistent with the historical use of the Property  
19 as a chapel.

20  
21 **V. STAFF RECOMMENDATION**

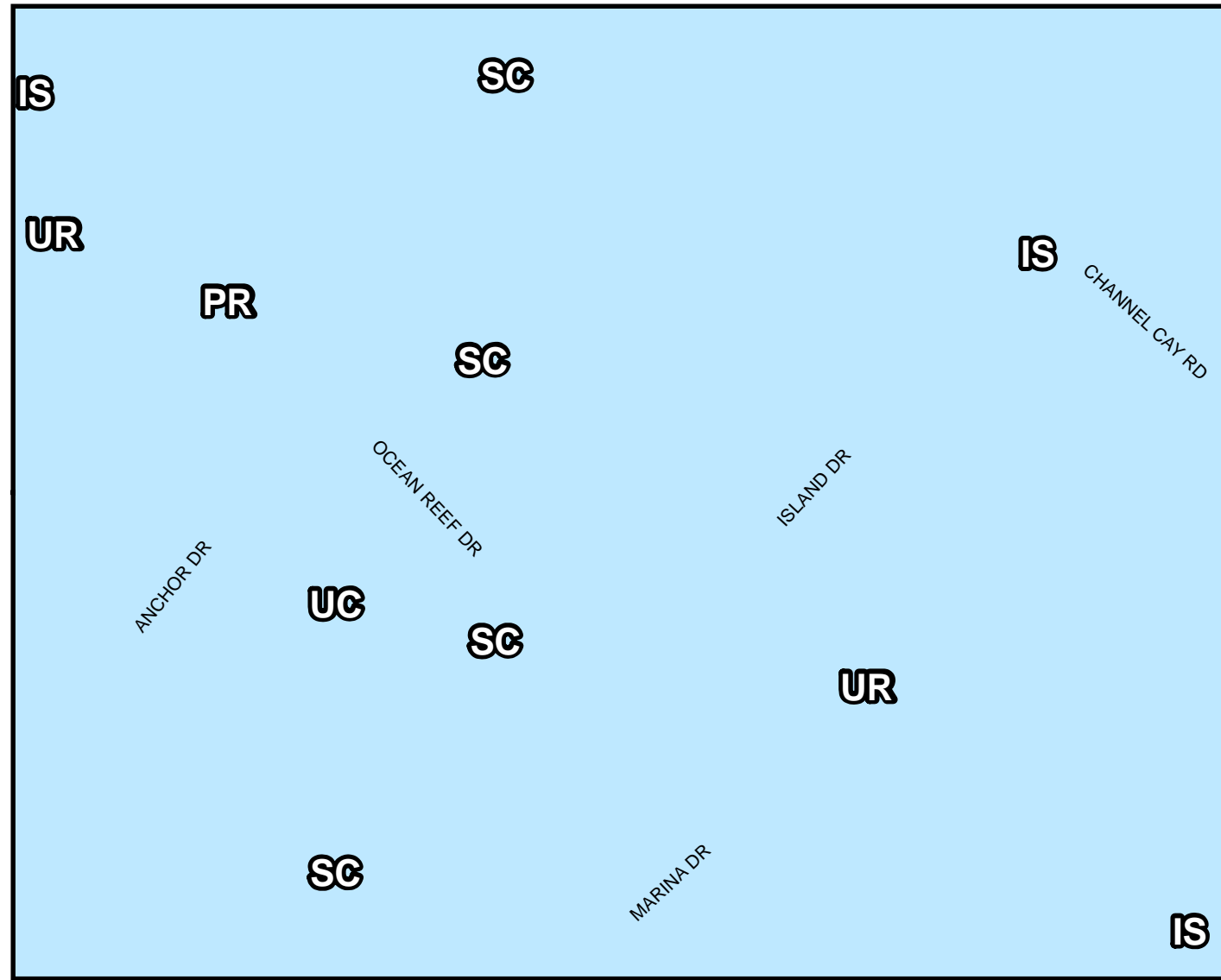
22  
23 Staff recommends approval of the proposed Zoning amendment from Urban Residential (UR) to  
24 Suburban Commercial (SC) / Institutional (INS) Overlay, contingent on adoption and effectiveness of  
25 the proposed corresponding FLUM amendment from Residential High (RH) to Institutional (INS).

26  
27 **VI. EXHIBIT**

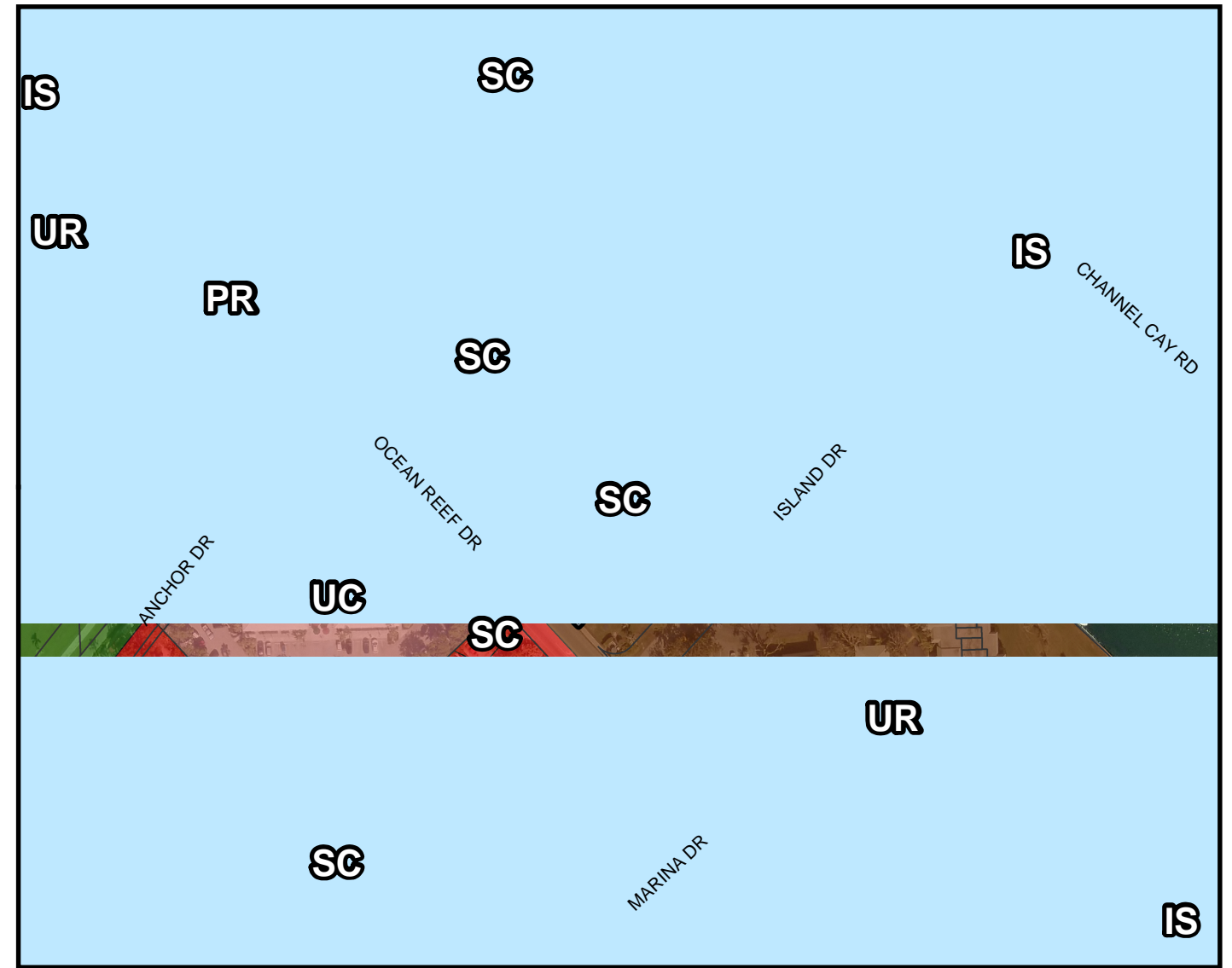
28  
29 1. 11” by 17” LUD Amendment Maps



# Monroe County Land Use Amendment

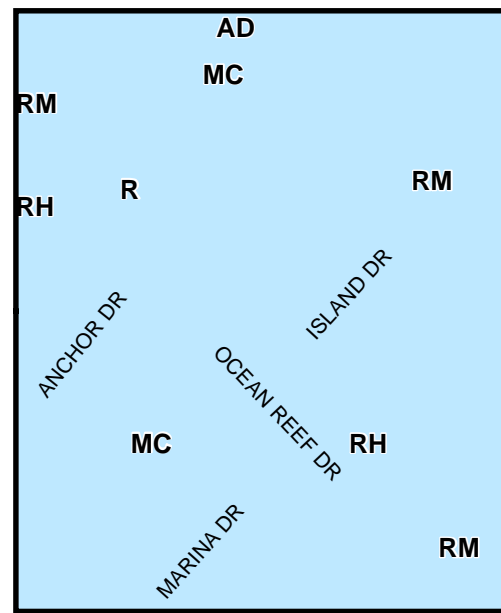


Existing Conditions



Proposed Conditions

Land Use Designations: AD = Airport District; CD = Conservation District; C1= Commercial 1; C2= Commercial 2; CFA = Commercial Fishing Area; CFSD = Commercial Fishing Special District; DR = Destination Resort; I = Industrial; IS = Improved Subdivision; MF = Military Facilities; MI = Maritime Industries; MN = Mainland Native Area; MU = Mixed Use; NA = Native Area; OS = Offshore Island; PR = Park and Refuge; P= Preservation; RV = Recreational Vehicle; SC = Suburban Commercial; SR = Suburban Residential; SS = Sparsely Settled; UC = Urban Commercial; UR = Urban Residential; URM = Urban Residential Mobile Home



Future Land Use



Tier Designation

**Growth Management Division**  
We strive to be caring, professional, and fair.

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The Monroe County Land Use District is proposed to be amended as indicated above and briefly described as:

Key: Ocean Reef Mile Marker: N/A Map Amendment #: \_\_\_\_\_  
 Acreage: 1.25 Land Use District Map #: 62  
 Ordinance No.: \_\_\_\_\_  
 Date of Adoption: \_\_\_\_\_

Proposal:  
 Land Use District change of a parcel of land in Ocean Reef having Real Estate Number 00081740-000100 from Urban Residential (UR) to Suburban Commercial (SC) with an Institutional Overlay.

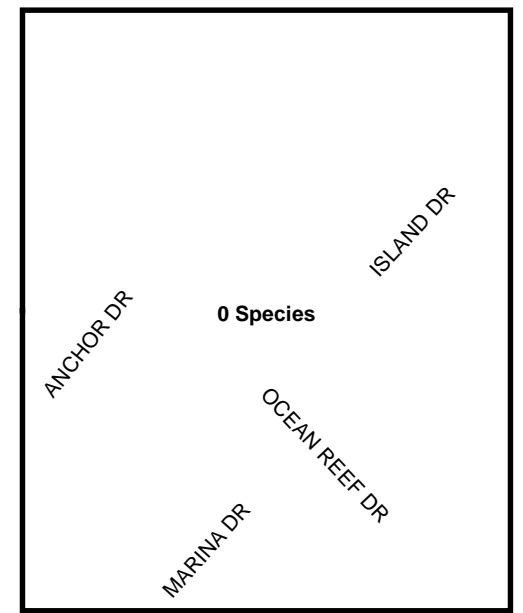
Property Description:  
 RE Number: 00081740-000100

Monroe County LUD	Monroe County LUD	Monroe County LUD	LUD Overlays
AD - Airport District	CD - Conservation District	C1 - Commercial 1	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	C2 - Commercial 2	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	CFA - Commercial Fishing Area	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	CFSD - Commercial Fishing Special District	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	DR - Destination Resort	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	I - Industrial	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	IS - Improved Subdivision	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	MF - Military Facilities	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	MI - Maritime Industries	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	MN - Mainland Native Area	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	MU - Mixed Use	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	NA - Native Area	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	OS - Offshore Island	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	PR - Park and Refuge	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	P - Preservation	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	RV - Recreational Vehicle	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	SC - Suburban Commercial	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	SR - Suburban Residential	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	SS - Sparsely Settled	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	UC - Urban Commercial	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	UR - Urban Residential	IO - Institutional Overlay
AD - Airport District	CD - Conservation District	URM - Urban Residential Mobile Home	IO - Institutional Overlay

This map is for use by the Monroe County Growth Management Division only. The data contained herein is not a legal representation of boundaries, parcels, roads right of ways or other geographical data.



Habitat Type



Number of Protected Species