



## MEMORANDUM

### MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

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

From: Devin Tolpin, CFM, Principal Planner  
Michael Roberts, CEP, PWS, Assistant Director/Environmental Resources

Date: November 29, 2021

Subject: *A REQUEST FOR A MINOR CONDITIONAL USE PERMIT FOR THE  
DEVELOPMENT OF A LIGHT INDUSTRIAL USE LOCATED AT 311  
MAHOGANY DRIVE, KEY LARGO, MILE MARKER 102, AND DESCRIBED AS  
LOT 16, BLOCK 5, PAMELA VILLA, ACCORDING TO THE PLAT THEREOF,  
RECORDED IN PLAT BOOK 3, PAGE 125, OF THE PUBLIC RECORDS OF  
MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBER  
00464640-000000 (FILE # 2021-163).*

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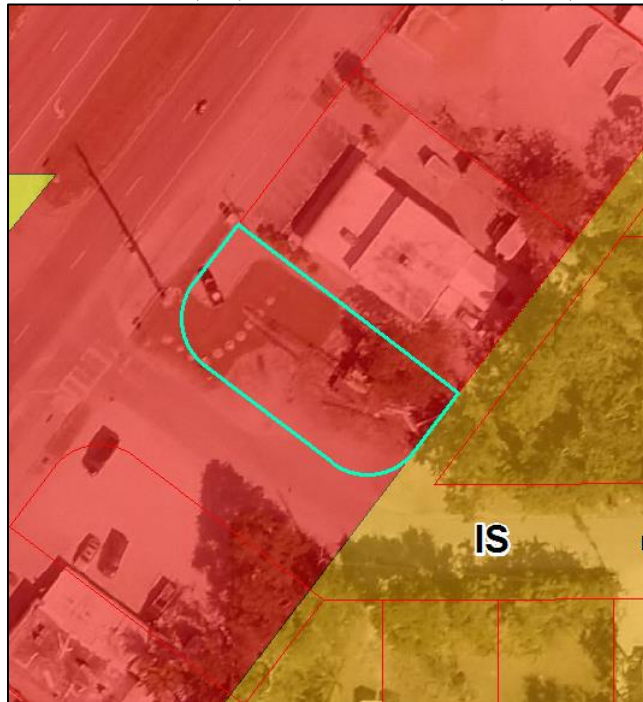
**Meeting: January 25, 2022**

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I REQUEST

The applicant is requesting approval of a minor conditional use permit which would allow for the construction of a structure to be used for indoor storage, a light industrial use, located within the Suburban Commercial (SC) Land Use District (LUD) on the subject property.



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7

*Subject Property (highlighted in blue) with Land Use District Map (2018 Aerial)*

1 **II BACKGROUND INFORMATION:**

2 **Location:** Key Largo, near U.S. 1 Mile Marker 102, ocean side

3 **Address:** 311 Mahogany Drive

4 **Legal Description:** Lot 16, Block 5, Pamela Villa, according to the plat thereof, recorded in  
5 Plat Book 3, Page 125, of the Public Records of Monroe County, Florida

6 **Parcel Identification Number:** 00464640-000000

7 **Property Owner/Applicant:** Warren and Carol Ubben

8 **Size of Site:** 6,273 square feet

9 **Land Use District:** Suburban Commercial (SC)

10 **Future Land Use Map (FLUM) Designation:** Mixed Use/Commercial (MC)

11 **Tier Designation:** III (Infill Area)

12 **Flood Zone:** X

13 **Existing Uses:** Vacant

14 **Existing Vegetation / Habitat:** Developed land

15 **Community Character of Immediate Vicinity:** Commercial retail, public building, office,  
16 single family residences

17  
18 **III RELEVANT PRIOR COUNTY ACTIONS:**

19  
20 No relevant prior county actions.

21  
22 **IV REVIEW OF APPLICATION:**

23 Section 110-67 of the Monroe County Land Development Code (LDC) provides the standards  
24 that are applicable to all conditional uses. When considering applications for a conditional use  
25 permit, the Development Review Committee and the Director of Planning & Environmental  
26 Resources shall consider the extent to which:

- 27  
28 (a) *The conditional use is consistent with the purposes, goals, objectives and standards of the*  
29 *Comprehensive Plan and the Land Development Code: **In compliance.***

30  
31 Specific policies from the *Monroe County Year 2030 Comprehensive Plan* that directly  
32 pertain to the proposed conditional use include:

33  
34 **Policy 101.5.6**

35 The principal purpose of the Mixed Use/Commercial (MC) future land use category is to  
36 provide for the establishment of mixed use commercial land use (zoning) districts where  
37 various types of commercial retail and office may be permitted at intensities which are  
38 consistent with the community character and the natural environment. Employee housing  
39 and commercial apartments are also permitted. In addition, Mixed Use/Commercial land  
40 use districts are to establish and conserve areas of mixed uses, which may include maritime  
41 industry, light industrial uses, commercial fishing, transient and permanent residential,  
42 institutional, public, and commercial retail uses.

1 This future land use category is also intended to allow for the establishment of mixed use  
2 development patterns, where appropriate. Various types of residential and nonresidential  
3 uses may be permitted; however, heavy industrial uses and similarly incompatible uses  
4 shall be prohibited. The County shall continue to take a proactive role in encouraging the  
5 preservation and enhancement of community character and recreational and commercial  
6 working waterfronts.  
7

8 In order to protect environmentally sensitive lands, the following development controls  
9 shall apply to all hammocks, pinelands, and disturbed wetlands within this land use  
10 category:

- 11 1. only low intensity commercial uses shall be allowed;
- 12 2. a maximum floor area ratio of 0.10 shall apply to nonresidential development; and
- 13 3. maximum net residential density shall be zero.

14  
15  
16  
17  
18 The subject property is located within the Key Largo Livable CommuniKeys Plan (LCP)  
19 which is adopted as part of the Comprehensive Plan and implemented as objectives and  
20 policies of the Comprehensive Plan. The following LCP Strategies and Action Items are  
21 specifically applicable to the property and the proposed development:

22 **Action Item 1.1.2:** Adopt the Tier System Overlay Map as a separate map to use as a  
23 planning and regulatory overlay on the existing Land Use District Map. The Tier System  
24 Overlay Map shall be used primarily to focus acquisition efforts into Tier I and Tier III  
25 SPA and to guide development to appropriate areas in Tier III as implemented Keys-wide.  
26

27 **Action Item 1.3.1:** Continue to use the FLUM and Land Use District Maps to regulate  
28 development of individual parcels with respect to density, intensity, bulk regulations, and  
29 all other land development regulation. This will protect the existing conformance status of  
30 most uses and promote orderly development consistent with the Comprehensive Plan.  
31

32 **Action Item 4.2.1:** Require new developments to supply or fund employee, affordable and  
33 workforce housing in return for receiving dwelling unit or commercial floor space  
34 allocations.  
35

- 36 (b) *The conditional use is consistent with the community character of the immediate vicinity*  
37 *of the parcel proposed for development: **In compliance.***  
38

39 The proposed structure, to be used as an indoor storage building, is consistent with the  
40 community character of the immediate vicinity of the parcel proposed for development. No  
41 outdoor storage areas are proposed.  
42

- 43 (c) *The design of the proposed development minimizes adverse effects, including visual*  
44 *impacts, of the proposed use on adjacent properties: **In compliance.***  
45

1 The applicant is proposing to complete construction of the 1,249 square foot nonresidential  
2 building in a single phase of development. The development proposal is in compliance  
3 with the County LDC, including landscaping, bufferyards, off-street parking and loading,  
4 stormwater management, outdoor lighting and solid waste/recycling collection.  
5

6 The design of the proposed development and use minimizes adverse effects, including  
7 visual impacts, on adjacent properties.  
8

9 (d) *The proposed use will have an adverse impact on the value of surrounding properties: **In***  
10 ***compliance.***

11  
12 Staff has not evidence to support or disprove that the proposed development will have an  
13 adverse impact on the value of the surrounding properties.  
14

15 (e) *The adequacy of public facilities and services: **Compliance to be determined***

16  
17 *Transportation/Roadways:*

18  
19 Localized Impacts & Access Management: The County Engineering Department has  
20 provided comment indicating that the submitted plans are in compliance with localized  
21 impacts and access management standards in an email to staff dated 12/1/2021 (located  
22 in file).  
23

24 Level of Service (LOS): According to the 2021 US1 Arterial Travel Time and Delay  
25 Study, Segment 23, Key Largo (MM 99.5 through 106) currently operates at a LOS A.  
26

27 The submitted Traffic Statement, prepared by Karl Peterson, P.E., KBP Consulting,  
28 Inc., indicates that the proposed development is projected to generate two (2) daily  
29 vehicle trips on Segment 23 in Key Largo. It has been determined that there is adequate  
30 roadway capacity for the proposed development.  
31

32 *Solid Waste*: The applicant is coordinating with Monroe County Solid Waste  
33 Management. Coordination letter dated August 3, 2021 in file.  
34

35 *Potable Water*: The applicant is coordinating with the Florida Keys Aqueduct Authority.  
36 Coordination letter, dated August 9, 2021, in file.  
37

38 *Sanitary Sewer*: The applicant is coordinating with the Florida Department of Health and  
39 Key Largo Wastewater Treatment District to determine compliance with the applicable  
40 regulations. Coordination letters, dated July 16, 2021 and May 24, 2021, respectively,  
41 in file.  
42

43 *Drainage/Stormwater*: The revised drainage plans (SP-2, 11/03/21) meet the water quality  
44 and water quantity criteria of the Land Development Code. See stormwater review  
45 later in this report.

1            *Schools:* Sufficient school classroom capacity is available to accommodate the proposed  
2            development, according to the 2021-2023 Monroe County Public Facilities Capacity  
3            Assessment Report.

4  
5            *Recreation and Open Space:* Sufficient recreation and open space capacity is available to  
6            accommodate the proposed development, according to the 2021-2023 Monroe County  
7            Public Facilities Capacity Assessment Report.

8  
9            (f) *The applicant for conditional use approval has the financial and technical capacity to*  
10            *complete the development as proposed and has made adequate legal provision to*  
11            *guarantee the provision and development of any improvements associated with the*  
12            *proposed development:*

13  
14            Staff has no evidence to support or disprove the applicant’s financial and technical  
15            capacity.

16  
17            (g) *The development will adversely affect a known archaeological, historical, or cultural*  
18            *resource:*

19  
20            The proposed development would not adversely affect a known archaeological, historical,  
21            or cultural resource.

22  
23            (h) *Public access to public beaches and other waterfront areas is preserved as part of the*  
24            *proposed development:*

25  
26            The proposed development would have no impact on the preservation of public access to  
27            public beaches and other waterfront areas.

28  
29            (i) *The proposed use complies with all additional standards imposed on it by the particular*  
30            *provision of this Land Development Code authorizing such use and by all other applicable*  
31            *requirements:*

- 32  
33            1. Residential Rate of Growth Ordinance (ROGO) ( LDC Chapter 138, Article II):  
34            *Not applicable.*  
35  
36            2. Nonresidential Rate of Growth Ordinance (NROGO) (LDC Chapter 138, Article III):  
37            ***In compliance, subject to approval of the requested minor conditional use permit,***  
38            ***building permit, and allocation of 1,249 square feet of nonresidential floor area.***  
39  
40            3. District Purpose (LDC Section 130-31 and 130-35): ***In compliance.***

41  
42            The purpose of the SC district is to establish areas for commercial uses designed and  
43            intended primarily to serve the needs of the immediate planning area in which they are  
44            located. This district should be established at locations convenient and accessible to  
45            residential areas to reduce trips on U.S. 1.  
46

- 1 4. Permitted and Conditional Uses (LDC Section 130-93): *In compliance following*  
 2 *receipt of the requested minor conditional use permit and adherence to proposed*  
 3 *conditions of approval.*  
 4

5 Pursuant to LDC Section 130-93 (b)(7), the proposed light industrial use, in the form  
 6 of indoor storage, is permitted as a Minor Conditional Use in the SC District, subject  
 7 to the standards and procedures set forth in LDC Chapter 110, Article III, which are  
 8 being analyzed throughout this report.  
 9

10 Pursuant to LDC Section 101-1:

11 *Industrial use, light* means a use devoted to the manufacture, warehousing, assembly,  
 12 packaging, processing, fabrication, indoor and outdoor storage, or distribution of goods  
 13 and materials whether new or used and/or the substantial refinishing, repair and/or  
 14 rebuilding of vehicles or vessels.  
 15

- 16  
 17 5. Land Use Intensities (LDC Chapter 130, Article V): *In compliance.*  
 18

19 *The maximum nonresidential land use intensities for those uses permitted pursuant to LDC*  
 20 *Section 130-164 shall be in accordance with the following table:*

<i>Use within Suburban Commercial</i>	<i>Maximum Floor Area Ratio</i>	<i>Total Area (square feet)</i>	<i>Total Amount Allowed (square feet)</i>	<i>Total Proposed</i>	<i>Percent Proposed</i>
Light Industrial	0.30	6,273	1,881.9	1,249 SF	66%

- 21  
 22 6. Required Open Space (LDC Sections 118-4, 118-12, 130-157, 130-162 & 130-164): *In*  
 23 *compliance.*  
 24

25 In the SC District, there is a general required open space ratio (OSR) of at least 0.20 or  
 26 20%. Based on a total upland area of 6,273 square feet, the minimum OSR is 1,254.6  
 27 square feet of upland. The proposed development includes 2,434 square feet of open  
 28 space, or 38%.  
 29

- 30 7. Required Setbacks (LDC Sections 118-12, 131-1 & 131-3): *Compliance to be*  
 31 *determined.*  
 32

33 The required non-shoreline setbacks in the SC District are as follows:  
 34

<i>Land Use District/ Land Use</i>	<i>Primary Front Yard (ft.)</i>	<i>Secondary Front Yard (ft.)</i>	<i>Primary Side Yard (ft.)</i>	<i>Secondary Side Yard (ft.)</i>	<i>Rear Yard (ft.)</i>
Suburban Commercial	25	15	10	5	10

35 Pursuant to LDC Section 131-3, a front yard is a required setback on a parcel of land  
 36 that is located along the full length of the front property line of the parcel, is generally  
 37

1 the property frontage to which development on the parcel is oriented and is generally  
2 adjacent a road. On parcels fronting more than one road, such as corner lots and double  
3 frontage parcels, each yard along a road shall be a front yard.  
4

5 The proposed development includes coverage within the 15 foot secondary front yard  
6 setback with an access driveway. Pursuant to LDC Section 131-3, Accessory structures,  
7 limited to driveways and walkways, may be permitted within a required front yard  
8 setback provided they do not exceed six (6) inches in height as measured from grade.  
9 In no event shall the total combined area of all accessory structures occupy more than  
10 60 percent of the required front yard setback area. The access driveway covers  
11 approximately 59% of the secondary front yard setback area.  
12

13 LDC Section 101-1 does not provide a definition of driveway nor parking aisle.  
14

15 The following definitions have been pulled from the American Planners Association  
16 (APA) 'A Planners Dictionary' for **Driveway**:  
17

- 18 ▪ A private roadway providing access for vehicles to a parking space, garage,  
19 dwelling, or other structure. (Blacksburg, Va.)
- 20 ▪ A minor private way used by vehicles and pedestrians for common access to a  
21 single lot or facility. (Perryville, Mo.)
- 22 ▪ A private access road, the use of which is limited to persons residing, employed,  
23 or otherwise using or visiting the parcel in which it is located. (North Liberty,  
24 Iowa)
- 25 ▪ An unobstructed paved area providing access to a vehicle parking, loading, or  
26 maneuvering facility. (Lake Elsinore, Calif.)
- 27 ▪ Access to any property by vehicles and to be located at least three feet from the  
28 abutting lot line. (Rock Hall, Md.)
- 29 ▪ A paved or unpaved access strip of land providing a vehicular connector be-  
30 tween the public right-of-way of the street and the parking space or garage of a  
31 private or public property, and in conformance with the parking requirements  
32 of this ordinance. (Dewey Beach, Del.)
- 33 ▪ Any driveway used for vehicular traffic and any easement or right-of-way that  
34 provides access to more than one parcel or lot which has not been dedicated to  
35 the public and which is not maintained by a government agency. This term shall  
36 include but is not limited to driveways in mobile home parks, apartments,  
37 condominiums, and commercial or industrial complexes, which have been  
38 named and signed. (Temple Terrace, Fla.)  
39

40 The following definitions have been pulled from the American Planners  
41 Association (APA) 'A Planners Dictionary' for **Parking Aisle**:  
42

- 43 ▪ The clear space for either one- or two-way traffic movement and maneuvering  
44 between rows of parking stalls. (Pittsburgh, Pa.)

- 1           ▪ The area immediately adjacent to the car parking stalls which permits
- 2           maneuvering of the cars entering and leaving a parking stall, and which
- 3           connects the parking stalls to the driveway. (Temple Terrace, Fla.)
- 4           ▪ That portion of the off-street parking area used exclusively for the maneuvering
- 5           and circulation of motor vehicles and in which parking is prohibited. (Burien,
- 6           Wash.)
- 7           ▪ A vehicular traffic way or lane within an off-street parking area, used as a means
- 8           of ingress/egress from parking spaces.(Wood River, Ill.)
- 9           ▪ The driving portion of the parking area. The aisle provides access to each
- 10          space.(Sandy, Ore.)

11  
12          According to the site plan submitted, it appears that the proposed development involves

13          a combination of a driveway/parking aisle that is almost completely located within the

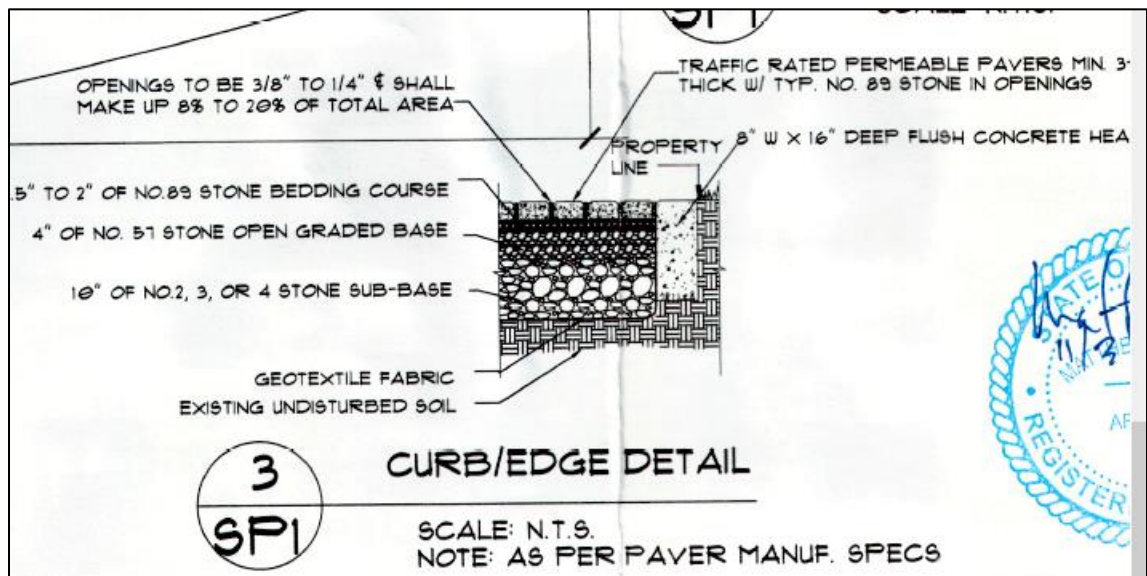
14          secondary front yard setback. The area is to be paved right up to the southern property

15          line. According to the curb/edge detail provided (pictured below), the proposed

16          cur/edge is even with grade, resulting in little to no differentiation between the

17          driveway area and the property line.

18



21          It is recommended that a raised barrier be constructed along this property line, between

22          access drives, in order to differentiate between the proposed driveway/ parking aisle

23          and the property line.

24

25          The proposed development is in compliance with the required setbacks, but may require

26          a curb or delineation of the property line which defines the extent of the parking aisle.

27

28          8. Maximum Height (LDC Sections 101-1 & 131-2): ***In Compliance.***

29

30          According to the boundary survey submitted, the subject property has grade elevations

31          that vary from 12.3 NGVD 29 to 12.9 NGVD 29. The maximum height of the proposed

32          structures is 47.9 NGVD 29.



1  
2 According to Sheet A-1 of the submitted plans, the proposed structure has a maximum  
3 height of 45.53 NGVD 29 or 32.63 feet.  
4

5 The proposed development is in compliance with the maximum height restriction of 35  
6 feet pursuant to LDC Section 131-2.  
7

8 *Grade* means the highest natural elevation of the ground surface, prior to construction,  
9 next to the proposed walls of a structure, or the crown or curb of the nearest road  
10 directly adjacent to the structure, whichever is higher. To confirm the natural elevation  
11 of the ground surface, prior to construction, the county shall utilize the Light Detection  
12 and Ranging (LiDAR) dataset for Monroe County prepared in 2007 and other best  
13 available data, including, but not limited to, pre-construction boundary surveys with  
14 elevations, pre-construction topographic surveys, elevation certificates and/or other  
15 optical remote sensing data.  
16

17 9. Surface Water Management Criteria (LDC Section 114-3): ***In Compliance***  
18

19 The revised stormwater management plan (Sheet SP-2, dated 11/03/2021, demonstrates  
20 compliance with the water quality and water quantity criteria of LDC Chapter 114-3.  
21

22 10. Wastewater Treatment Criteria (LDC Section 114-4): ***Compliance to be determined by***  
23 ***the Florida Keys Aqueduct Authority prior to the issuance of a building permit.***  
24

25 11. Fences (LDC Section 114-13): ***Not applicable.***  
26

27 The proposed development does not include fencing. Fencing will require a Building  
28 Permit in accordance with LDC Section 114-13  
29

30 12. Floodplain Management (LDC Chapter 122): ***Compliance to be determined upon***  
31 ***submission to Building Department***  
32

33 All new structures must be built to floodplain management standards.  
34

35 13. Energy Conservation Standards (LDC Section 114-45): ***Full compliance to be***  
36 ***determined upon building permit application review.***  
37

38 14. Potable Water Conservation Standards (LDC Section 114-46): ***Full compliance to be***  
39 ***determined upon building permit application review.***  
40

41 15. Environmental Design Criteria and Mitigation Standards (LDC Sections 118-6, 118-7  
42 & 118-8): ***In compliance.***  
43

44 The subject parcel (RE # 00464640-000000) is a developed lot with no existing native  
45 habitat. The site plan (Sheet SP-2) submitted with the CUP application and 2021 aerial  
46 photography indicates that a canopy tree of undetermined species is located in the

1 northeast corner of the parcel, and that the tree is not proposed for removal. Please  
2 note that applications for development approval will need to include identification of  
3 the subject tree and if proposed for removal, mitigation may be required in accordance  
4 with LDC Section 118-8.  
5

6 16. Required Off-Street Parking (LDC Section 114-67): *In compliance.*  
7

8 The proposed development would be subject to the following off-street parking  
9 requirements:  
10

<i>Specific Use</i>	<i>Multiplier</i>	<i>Required Spaces</i>	<i>Proposed Spaces</i>
Industrial uses	2.0 spaces per 1,000 sq. ft. of nonresidential floor area within building	2	2
Total			2

11 Pursuant to LDC Section 114-67(j), All impervious surface parking spaces shall be  
12 clearly marked by striping or other markings acceptable to the Planning Director. All  
13 pervious and impervious surface parking spaces shall have a wheel stop, bumper blocks  
14 or similar barriers where the front of the parking space is adjacent a building, required  
15 yard or required landscaping, to designate each parking space. **Although the proposed  
16 two off street parking spaces do not explicitly require a barrier at the front of the  
17 parking space, they should be required as a condition of approval due to the close  
18 proximity of the concrete sidewalk.**  
19  
20

21 17. Required Loading and Unloading Spaces (LDC Section 114-69): *In compliance.*  
22

23 Pursuant to LDC Section 114-69, all nonresidential uses of over 100 square feet in floor  
24 area, involving the receipt and distribution by vehicles of materials and merchandise,  
25 shall provide for off-street loading. The applicant is proposed one 11 by 35 foot  
26 loading/unloading space.  
27

28 18. Bicycle Parking (LDC Section 114-71): *Not in compliance.*  
29

30 Pursuant to LDC Section 114-71, all nonresidential development within 200 feet of  
31 an existing or programmed state or county bikeway shall provide a bicycle parking  
32 rack. All bicycle parking racks shall be separated from vehicular traffic by at least  
33 five feet or a physical barrier; the minimum dimensions for a bicycle parking rack  
34 shall be two-foot-wide by six-foot-long stalls with a minimum aisle width of five feet.  
35 Location criteria can be modified by the Planning Director if he or she determines  
36 that a superior alternative exists.  
37

38 The site plan submitted includes a 3.66 foot wide access aisle adjacent the bicycle  
39 parking rack. A 5 foot wide access aisle is required.  
40

41 19. Required Landscaping (LDC Chapter 114, Article IV): *In compliance.*

1  
2 The proposed site plan contains less than 6 parking spaces. Parking lot landscaping  
3 (LDC 114-100) is not required.  
4

5 20. Scenic Corridor & Bufferyards (LDC Chapter 114, Article V): ***In compliance.***  
6

7 A Class B Major Street buffer is required along the U.S. 1 frontage. A Class D District  
8 Boundary buffer is required between the subject parcel and the Improved Subdivision  
9 (IS) District along the southeastern property line. The required buffers are depicted on  
10 Sheet SP-1 and are in compliance with LDC 114-125 and LDC 114-126.  
11

12 21. Outdoor Lighting (LDC Chapter 114, Article VI): ***Full compliance to be determined***  
13 ***upon building permit application review.***  
14

15 No structure or land shall be developed, used or occupied unless all outdoor lighting  
16 conforms to the requirements of LDC Chapter 114, Article VI and the sea turtle  
17 protection provisions of Chapter 12, Article V of the County Code of Ordinances,  
18 unless otherwise specified within the LDC.  
19

20 22. Signs (LDC Chapter 142): ***Full compliance to be determined upon building permit***  
21 ***application review.***  
22

23 Signage is not being reviewed as part of this application. Signs shall be reviewed  
24 independently for compliance as an accessory use under a building permit application.  
25

26 23. Access Standards (LDC Chapter 114, Article VII): ***In compliance.***  
27

28 Access to the development is proposed by means of a local roadway, Mahogany Drive.  
29 The development proposal is in compliance with the County's access standards as  
30 documented by the Engineering Department in an email to staff dated 12/1/2021  
31 (located in file).  
32

33 24. Recycling and Solid Waste Collection Areas (LDC Section 114-14): ***In compliance.***  
34

35 Pursuant to LDC Section 114-14(a), any nonresidential development shall make  
36 adequate provision for a solid waste and recycling collection area. For 0 to 5,000 square  
37 feet of floor area, the minimum collection area is 82 square feet.  
38

39 25. Accessibility (Chapter 533, Florida Statues): ***Full compliance to be determined upon***  
40 ***submittal to Building Department.***  
41

42 All standards and requirements of the American with Disabilities Act (ADA) must be  
43 met.  
44

45 26. Inclusionary Housing Requirements (LDC Section 139-1): ***Compliance to be***  
46 ***determined at the time of building permit review.***

1  
2 Nonresidential and transient use development or redevelopment generates a direct  
3 impact on housing for the workforce. LDC Section 139-1(3) requires workforce  
4 housing be provided for all new development and expansions in an amount  
5 proportionate to the need for affordable workforce housing that the nonresidential and  
6 transient uses create. Per LDC Section 139-1(3)(a), Each new development project not  
7 exempted by subsection (4), **shall mitigate 50% of the workforce housing demand**  
8 **created by the proposed development by one or a combination of the methods**  
9 **identified in subsection (5)**

10  
11 The table indicates the number of workforce housing units or in-lieu fee needed for  
12 every square foot (and per 1,000sf) of new development or redevelopment (expanded  
13 or converted square footage) for each category of non-residential land use.

TOTAL NEED CREATED BY NONRESIDENTIAL DEVELOPMENT (for construction and post-construction employees)				
			50% Mitigation	
Land Use Category	Total Housing Need per sf (units/sf)	Total In-Lieu Fee per sf (monetary fee/sf)	Units	In-Lieu Fees
<b>Industrial</b> (Light manufacturing, lumber yards, warehousing, storage facilities, etc.)	0.000226	\$24.39	<b>0.28</b>	<b>\$15,231.55</b>
e. If the workforce housing requirement results in less than one (1) affordable dwelling unit, then the applicant may choose to build one (1) affordable dwelling unit or pay the in-lieu amount.				

14 The inclusionary housing requirement (or required number of workforce housing  
15 dwelling units) shall be calculated by multiplying the per square foot requirements for  
16 the appropriate type of land use category by the proposed square footage of the  
17 nonresidential development and/or incremental increase in size of the nonresidential  
18 use and applying the appropriate mitigation standard.

19 All nonresidential uses not exempted by subsection (4) shall mitigate the demand for  
20 workforce housing created by the proposed development or redevelopment by one or a  
21 combination of methods identified below.

- 22 1. The construction of workforce housing dwelling units on the site of the  
23 development project. The workforce housing dwelling units shall meet the  
24 County’s affordable housing restrictions as specified in Section 139-1(b) and (c),  
25 for a period not less than 99 years.

- 1           2. The construction of workforce housing dwelling units off-site of the development  
2 project but within a 15 mile radius of the nonresidential development/  
3 redevelopment. The workforce housing dwelling units shall meet the County's  
4 affordable housing restrictions as specified in Section 139-1(b) and (c), for a period  
5 not less than 99 years.
  
- 6           3. The deed-restriction of existing dwelling units within a 15 mile radius of the  
7 nonresidential development/ redevelopment. The workforce housing dwelling units  
8 shall meet the County's affordable housing restrictions as specified in Section 139-  
9 1(b) and (c), for a period not less than 99 years.
  
- 10          4. The donation of land to the County, upon the acceptance of the BOCC of a proposed  
11 parcel or parcels, may satisfy the requirements of this subsection by donating one  
12 (1) IS or URM zoned platted lot for each workforce housing unit required but not  
13 provided through actual construction or in-lieu fees (or a Tier III parcel or parcels  
14 of land zoned other than IS or URM as long as the donated parcel(s) have the  
15 appropriate density available to support the development of the required number of  
16 workforce units); and/or
  
- 17          5. The payment of a fee in-lieu for the inclusionary housing requirements for all or a  
18 percentage of the workforce housing units required. The in-lieu fee shall be paid  
19 prior to issuance of a building permit for the nonresidential affordable housing trust  
20 fund and spent solely on the purposes allowed for that fund.

21       **According to an email sent from the applicant on October 17, 2021, the Inclusionary**  
22 **Housing Requirement is intended to be satisfied by paying an in- lieu fee prior to issuance**  
23 **of the building permit for the proposed structure.**

24  
25       V RECOMMENDED ACTION:  
26

27       Pursuant to LDC Section 110-69(b), an application for a minor conditional use permit shall be  
28 reviewed by the Development Review Committee (DRC). At the meeting, DRC members shall  
29 make comment on the application and responsible Planning and Environmental Resources  
30 Department staff shall provide their staff report(s) to the Planning Director. The applicant shall  
31 provide any additional information requested by the DRC within 6 months of the date of the  
32 DRC meeting when the application was considered. If such information is not received within  
33 this timeframe, the application will be deemed withdrawn.  
34

35       Pursuant to LDC Section 110-69(b), Staff requires that prior to the issuance of a development  
36 order, the applicant shall revise the site plan so as to demonstrate compliance with the  
37 following:  
38

- 39           1. The access aisle adjacent the required bicycle rack must be increased to five feet in  
40 width.  
41  
42  
43

1 **Staff recommends APPROVAL of the requested Minor Conditional Use Permit, with**  
2 **the following conditions:**  
3

- 4 1. The applicant must obtain an NROGO allocation award of 1,249 square feet for the  
5 construction of the proposed 1, 249 square foot structure.  
6  
7 2. Wheel stops, bumper blocks or similar barriers will be required to be installed at the front of  
8 each off street parking space.  
9  
10 3. All access drives must be constructed to Monroe County standards and will require a  
11 right-of-way permit from Monroe County Engineering Department.  
12  
13 4. Prior to issuance of a building permit for any lighting on the site, lighting details and a  
14 photometric plan shall be provided demonstrating compliance with Chapter 114, Article  
15 VI.  
16  
17 5. Prior to the issuance of a building permit that includes fencing, the fencing must be shown to  
18 comply with LDC Section 114-13.  
19  
20 6. The scope of work has not been reviewed for compliance with Florida Building Code. Prior to  
21 the issuance of Building Permits, new development and structures shall be found in compliance  
22 by the Monroe County Building Department, Floodplain Administrator, and the Office of the  
23 Fire Marshal.  
24  
25 7. Prior to the issuance of a building permit, all standards and requirements of the American with  
26 Disabilities Act (ADA) must be met.  
27  
28  
29 8. A minor conditional use permit is not a final approval for certain development. The  
30 applicant shall obtain a building permit(s) for any improvement requiring such an  
31 approval.  
32  
33

34 **VI PLANS REVIEWED:**  
35

- 36 1. Site Plan and Data, Sheet SP1, by Matthew Fowler, Architect, signed and sealed on  
37 11/03/2021  
38 2. Stormwater Management Plan, Sheet SP2, by Matthew Fowler, Architect, signed and  
39 sealed on 11/03/2021  
40 3. Elevations, Sheet A1, by Matthew Fowler, Architect, signed and sealed on 09/30/2021  
41 4. Construction Management Plan, Sheet SP3, by Matthew Fowler, Architect, signed and  
42 sealed on 09/30/2021  
43 5. Sketch of Boundary Survey prepared by Karl Kuhn, Professional Surveyor and Mapper,  
44 dated on 07/14/2021  
45 6. Traffic Statement prepared by KBP Consulting, Inc. signed by Karl B. Peterson, P.E., dated  
46 October 4, 2021