

# ISLAMORADA VILLAGE OF ISLANDS

## AGENDA



### REGULAR VILLAGE COUNCIL MEETING

September 26, 2013

5:30 PM

Islamorada Founders Park Community Center  
87000 Overseas Hwy,  
Islamorada, FL 33036

#### VILLAGE COUNCIL

Ken Philipson, Mayor  
Ted Blackburn, Vice Mayor  
Mike Forster, Councilman  
Deb Gillis, Councilwoman  
Dave Purdo, Councilman

Edward Koconis, AICP, Village Manager

Ariana S. Lawson, Village Clerk

Nina Boniske, Village Attorney

Our Mission:     } to Protect the Resident's Right to Quiet Enjoyment of Life  
                          } to Plan for Enhancing Our "Village" Character  
                          } to Preserve Our Community: Its People, Natural Resources, and Pride  
                          } to Provide Basic Services to Support Our Quality of Life





**ISLAMORADA, VILLAGE OF ISLANDS  
REGULAR VILLAGE COUNCIL MEETING**

**Founders Park Community Center  
87000 Overseas Hwy  
Islamorada, FL 33036  
Thursday, September 26, 2013  
5:30 PM**

**I. CALL TO ORDER / ROLL CALL**

**II. PLEDGE OF ALLEGIANCE**

**III. PRESENTATIONS AND ANNOUNCEMENTS**

- A. Proclamation – Fire Safety Week (Chief Terry Abel)**

**IV. PUBLIC COMMENT**

**V. AGENDA: Request for Deletion / Emergency Additions**

**VI. CITIZENS' ADVISORY COMMITTEE UPDATES**

- A. Local Planning Agency Update (Chairperson John Fernandez)**
- B. Water Quality Improvement Citizens' Advisory Committee Update  
(Chairperson David Makepeace)**
- C. Workforce/Affordable Housing Citizens' Advisory Committee Update  
(Chairperson Barry Wray)**

**VII. VILLAGE MANAGER REPORTS AND UPDATES**

**VIII. CONSENT AGENDA**

(All items on the Consent Agenda are considered routine by the Village Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event, the item will be moved to the Main Agenda.)

- A. Proposed Resolution Approving First Amendment to the Agreement between Professional Emergency Services, Inc. and Islamorada, Village of Islands for Medical Director Services**

**TAB 1**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,  
VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FIRST  
AMENDMENT TO THE AGREEMENT BETWEEN PROFESSIONAL  
EMERGENCY SERVICES, INC. AND ISLAMORADA, VILLAGE OF**

**ISLANDS FOR A MEDICAL DIRECTOR; AND PROVIDING FOR AN EFFECTIVE DATE**

- B. Approving 2013 Environmental Sustainability Plan **TAB 2**

**IX. ORDINANCES**

- A. First Reading – Comprehensive Plan Text Amendment for Bulkheads, Seawalls or Other Hardened Vertical Shoreline Structures and Stabilization Canals and Shorelines **TAB 3**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING THE COASTAL MANAGEMENT ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING POLICY 5-1.1.5 “PROHIBIT CONSTRUCTION OF NEW BULKHEADS, SEAWALLS OR OTHER HARDENED VERTICAL SHORELINE STRUCTURES ON OPEN WATER”; POLICY 5-1.1.6 “ENACT MEASURES TO STABILIZE CANALS AND SHORELINES”; AND FURTHER AMENDING POLICY 5-1.1.7 “LIMIT HARDENED SHORELINES” TO ENSURE CONSISTENCY WITH STATE LAW AND REGIONAL POLICIES AND PROVIDING FOR INTERNAL CONSISTENCY AND CLARIFICATION; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY**

- B. First Reading – Land Development Regulation Text Amendment for Bulkheads, Seawalls or Riprap **TAB 4**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE II “RULES OF CONSTRUCTION AND DEFINITIONS,” SECTION 30-32 “SPECIFIC DEFINITIONS;” FURTHER AMENDING ARTICLE VII “ENVIRONMENTAL REGULATIONS,” DIVISION 2 “DOCKS AND SHORELINE USES;” SECTION 30-1545 “BULKHEADS, SEAWALLS OR RIPRAP” OF THE CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY**

- C. First Reading – Ordinance Amending the Comprehensive Plan to Amend Policy Regarding Enlargement or Extensions to Nonconforming Structures **TAB 5**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING POLICY 1-2.2.6 “ENLARGEMENT OR EXTENSIONS TO NON-CONFORMING STRUCTURES” OF THE VILLAGE COMPREHENSIVE PLAN; PROVIDING FOR THE**

**TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY**

- D. First Reading – Ordinance Amending the Land Development Regulations Related to Nonconformities**

**TAB 6**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE V “SCHEDULE OF DISTRICT USE AND DEVELOPMENT STANDARDS,” DIVISION 3 “NONCONFORMITIES,” SECTION 30-732 “DEFINITIONS”, SECTION 30-739 “NONCONFORMING STRUCTURE” AND SECTION 30-741 “CRITERIA FOR ADMINISTRATIVE VARIANCE FOR SPECIFIED CHANGES TO NONCONFORMITIES” OF THE VILLAGE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY**

- E. Second Reading - Ordinance Amending the Comprehensive Plan to Amend Transfer of Development Rights (TDRs)**

**TAB 7**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING POLICY 1-3.1.3 “INSTITUTE A PROGRAM FOR TRANSFER OF DEVELOPMENT RIGHTS (TDRS)” OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY**

**X. QUASI-JUDICIAL**

**XI. RESOLUTIONS**

- A. Resolution Considering a Request by Ocean Dawn LLC dba Ocean House for a 2COP Alcoholic Beverage Permit**

**TAB 8**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY OCEAN DAWN LLC DBA OCEAN HOUSE FOR A 2COP ALCOHOLIC BEVERAGE USE PERMIT TO ALLOW PACKAGE SALES AND ON-PREMISES CONSUMPTION OF BEER AND WINE ON PROPERTY LOCATED AT 82885 OLD HIGHWAY ON UPPER MATECUMBE KEY, AS LEGALLY DESCRIBED IN EXHIBIT “A;”**

**WITHIN THE RESIDENTIAL ESTATE (RE) ZONING DISTRICT;  
AND PROVIDING FOR AN EFFECTIVE DATE**

- B. Resolution Approving Amendment to State Wastewater Funding Distribution Agreement for Year Two of Four** **TAB 9**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE AMENDMENT TO “STATE WASTEWATER FUNDING DISTRIBUTION AGREEMENT FOR ‘YEAR TWO OF FOUR’”; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE**

- C. Consideration of Six (6) Separate Temporary Use Permits Associated with One (1) Three Day Special Music Event held at number venue locations throughout the Village.** **TAB 10**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE APPLICATION BY BEACH ROAD TRIP WEEKEND, INC. FOR SIX (6) SEPARATE TEMPORARY USE PERMITS ASSOCIATED WITH ONE (1) THREE DAY SPECIAL MUSIC EVENT HELD AT NUMEROUS VENUE LOCATIONS THROUGHOUT THE VILLAGE, ALSO KNOWN AS “BEACH ROAD TRIP WEEKEND”, THAT IS ANTICIPATED TO DRAW BETWEEN 150 TO 1,000 PERSONS AT ANY GIVEN TIME BEGINNING ON NOVEMBER 1, 2013 THROUGH NOVEMBER 3, 2013 ON PROPERTIES LOCATED AT 85500 OVERSEAS HIGHWAY ON WINDLEY KEY WITHIN THE TOURIST COMMERCIAL (TC) ZONING DISTRICT AS LEGALLY DESCRIBED IN EXHIBIT “A”; 84457 OLD HIGHWAY ON WINDLEY KEY WITHIN THE TOURIST COMMERCIAL (TC) ZONING DISTRICT AS LEGALLY DESCRIBED IN EXHIBIT “B”; 84801 OVERSEAS HIGHWAY ON WINDLEY KEY WITHIN THE TOURIST COMMERCIAL (TC) ZONING DISTRICT AS LEGALLY DESCRIBED IN EXHIBIT “C”; 83413 OVERSEAS HIGHWAY ON UPPER MATECUMBE KEY WITHIN THE TOURIST COMMERCIAL (TC) ZONING DISTRICT AS LEGALLY DESCRIBED IN EXHIBIT “D”; AND AT WINDLEY KEY FOSSIL REEF GEOLOGICAL STATE PARK AT APPROXIMATELY MM 84.9 OVERSEAS HIGHWAY ON WINDLEY KEY WITHIN THE CONSERVATION (C) ZONING DISTRICT AS LEGALLY DESCRIBED IN EXHIBIT “E”; AND PROVIDING FOR AN EFFECTIVE DATE**

**XII. MOTIONS**

- A. Discussion and Direction Regarding Stratton’s Right-of-Way Abandonment** **TAB 11**

**XIII. WASTEWATER MATTERS**

- A. Wastewater Project Update** **TAB 12**

- B. Direction Regarding Wastewater Collection System Design Alternatives
- C. Discussion and Direction Regarding Potential Bike Lane Construction on Sunshine Blvd.

#### **XIV. MAYOR / COUNCIL COMMUNICATIONS**

- A. Co-Designation of Dogwood Lane / George Hommell Lane (Councilman Forster)
- B. Discussion and Direction Regarding Activities for Florida City Government Week October 20-16, 2013 (Mayor Philipson) **TAB 13**

#### **XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS**

- A. Discussion Regarding No-Motor Zones

#### **XVI. ADJOURNMENT**

A limited number of agendas will be available for the public at the time of the meeting. The agenda and backup documentation may be viewed and printed from the Village website at [www.islamorada.fl.us](http://www.islamorada.fl.us) as early as the Monday prior to the meeting.

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 Administrative Center and Public Safety Headquarters at 664-6412 at least 48 hours before the scheduled meeting.

Anyone wishing to appeal any decision made by the Islamorada Village Council with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

All video, computer or technical devices that will be used at Council meetings must be given to the Village Clerk 48 hours prior to the meeting.

**Anyone giving out documents during public comment shall provide a minimum of 15 copies to the Village Clerk prior to the start of the meeting.**

Two or more committee members from various Village Committees may be present at this meeting.