



Council Communication

To: Mayor and Village Council
From: Jennifer DeBoisbriand , Planning Director
Date: November 13, 2025
SUBJECT: **Ordinance to Amend the Official Zoning Map From Residential Single Family to Highway Commercial at the Property Located at 87469 Old Highway - First Reading**

Background:

The applicant, Ty Harris, PA on behalf of the property owner Jaime and Mike Snyder, has submitted a map amendment application requesting a Zoning Map Amendment from Residential Single Family (R-1) District to Highway Commercial (HC) District on the subject property, located at 87469 Old Highway (RE #00413300-000000), comprising 12,000 square feet of land area. The current use of the property is a commercial business known as "Island Air." This Zoning Map amendment has a companion application for a Future Land Use Map (FLUM) Amendment, which proposes a change from Residential Medium (RM) to Mixed-Use (MU) Designation, and the Zoning Map amendment cannot be approved without approval of the companion FLUM Amendment. The applicant's agent has submitted a needs analysis detailing the map amendment request.

The subject property currently has an existing Residential Single Family (R-1) Zoning District. The properties to the North and West are designated Residential Single Family (R-1). Properties to the South are designated Highway Commercial (HC). The properties to the East across Old Highway are designated Residential Estate (RE) and Multifamily (MF). The character of the surrounding area is mixed use with residential uses and commercial uses.

The property is scarified and contains not protected habitat. The property is not recognized as habitat to any state or federal listed animal species. Pursuant to the Village's GIS data and records the parcel is defined as hammock and scarified.

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 1-2.1.9, Promote Low and Medium Intensity and Varied Commercial Designations

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

Policy 1-2.4.6: Establish Zoning District Criteria for MU

Comprehensive Plan Policy 1-2.1.9, Promote Low and Medium Intensity and Varied Commercial Designations, 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 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.

It is the staff's opinion that is request is compatible with the two policies as it does not result in an adverse community change. The property has been operating as a commercial business for some time. No change to the property is proposed. The change has been requested to bring the property into compliance with the current use.

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."

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 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.

The proposed amendment would be consistent with this policy in that it is already developed as a commercial use.

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."

The proposed amendment is consistent with Policy 1-2.4.5 as the Property meets the FAR requirements for nonresidential intensity.

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.

The proposed amendment is consistent with Policy 1-2.4.6 (2) as it establishes Commercial Zoning where a commercial use already exists.

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 scarified and currently being used a commercial property. This use is compatible with the proposed zoning designation.

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: The Village is currently undergoing an update to the Comprehensive Plan. That should be completed within the year. This change will be incorporated into any update.

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

Finding: The proposed zoning change to Highway Commercial is compatible with the surrounding properties. The adjacent properties to the South are also Highway Commercial.

At its meeting on September 15, 2025, the LPA voted unanimously to recommend approval of this ordinance.

Budget Impact:

None

Staff Impact:

None

Recommendation:

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

Attachments: 1. 87469 Old Zoning ORD

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

ORDINANCE NO. 25-

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF TY HARRIS PA, AGENT FOR JAIME AND MIKE SNYDER, TO AMEND THE OFFICIAL ZONING MAP FROM RESIDENTIAL SINGLE FAMILY (R-1) TO HIGHWAY COMMERCIAL (HC) FOR THE SUBJECT PROPERTY AT 87469 OLD HIGHWAY LOCATED ON PLANTATION KEY, WITH REAL ESTATE NUMBER 00413300-000000, 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, Jaime and Mike Snyder, has requested an Official Zoning Map amendment from the Residential Single Family (R-1) District to the Highway Commercial (HC) Zoning District for a parcel consisting of approximately 12,000 square feet of land with the Parcel ID Number 00413300-000000 (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 September 15, 2025; 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 4 LOTS 7-8 PLANTATION BEACH PB2-76 PLANTATION KEY G72-506/07

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 Sharon Mahoney
Vice Mayor Don Horton
Councilman Steve Friedman
Councilwoman Deb Gillis
Councilwoman Anna Richards

PASSED on the first reading this ____day of_____, 2025.

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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 Sharon Mahoney
Vice Mayor Don Horton
Councilman Steve Friedman
Councilwoman Deb Gillis
Councilwoman Anna Richards

PASSED AND ADOPTED on the second reading this ____ day of _____, 2025.

SHARON MAHONEY, 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