

DEVELOPMENT REVIEW COMMITTEE

-  
Thursday, February 14, 2013

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AGENDA

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The Monroe County Development Review Committee will conduct a meeting on Thursday, February 14, 2013, beginning at 10:30 AM at the Marathon Government Center, Media & Conference Room (1<sup>st</sup> floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL

DRC MEMBERS:

Townsley Schwab, Senior Director of Planning and Environmental Resources  
Mike Roberts, Sr. Administrator, Environmental Resources  
Joe Haberman, Planning & Development Review Manager  
DOT Representative  
Steve Zavalney, Captain, Fire Prevention  
Public Works Department Representative

STAFF MEMBERS

Christine Hurley, Growth Management Division Director  
Jerry Smith, Building Official  
Mayte Santamaria, Assistant Planning Director  
Mitch Harvey, Comprehensive Plan Manager  
Rey Ortiz, Planning & Biological Plans Examiner Supervisor  
Emily Schemper, Sr. Planner  
Steven Biel, Sr. Planner  
Barbara Bauman, Planner  
Tim Finn, Planner  
Gail Creech, Planning Commission Coordinator

CHANGES TO THE AGENDA

MINUTES FOR APPROVAL

MEETING

-

New Items:

The DRC will be reviewing the following:

- Conservation and Coastal Management Element  
[Conservation and Coastal Mgmt - Proposed Amendments - DRC.pdf](#)
- Recreation and Open Space Element  
[Rec and Open Space Element - Proposed Amendments - DRC.pdf](#)
- Intergovernmental Coordination Element  
[Intergovernmental Coordination Element - Proposed Amendments - DRC.pdf](#)
- Introduction  
[Introduction - Background - Proposed Amendments - DRC.pdf](#)
- Ports, Aviation and Related Facilities Element  
[Ports Aviation and Related Facilities Element - Proposed Amendments - DRC.pdf](#)
- Capital Improvements Element  
[Capital Improvement Element - Proposed Amendments - DRC.pdf](#)
- Cultural Resources Element  
[Cultural Resources - Proposed Amendments - DRC.pdf](#)

ADJOURNMENT

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

underline = proposed new text  
 strike-through = proposed deletions

## 3.2 CONSERVATION AND COASTAL MANAGEMENT

### GOAL 201

Air quality in Monroe County shall ~~be maintained at existing high levels such that it continues~~continue to meet all attainment standards set by the State of Florida and the U.S. Environmental Protection Agency (EPA). ~~[9J-5.013(2)(a)]~~ to ensure that air quality is maintained at the highest levels. [§163.3177(6)d.2.a., F.S.]

#### Objective 201.1

Monroe County shall continue to maintain existing ambient air quality levels in compliance with the National Ambient Air Quality Standards (NAAQS). ~~[9J-5.013(2)(b)]~~ [§163.3177(6)d.2.a., F.S.]

#### Policy 201.1.1

By September 30th of each year, Monroe County, in coordination with local ~~DER~~Florida Department of Environmental Protection (FDEP) representatives, shall review the annual air quality monitoring data for Monroe County. Any violations of the NAAQS or trends in ambient air quality shall be reported to the BOCC. ~~[9J-5.013(2)(b)]~~ [§163.3177(6)d.2.a., F.S.]

#### Policy 201.1.2

~~Applicable DER and EPA permits for required pollution control devices shall be obtained prior to receiving a Monroe County building permit for all proposed projects. [9J-5.013(2)(b)]~~

#### Policy 201.1.3

Development Orders shall require that land areas exposed during construction be treated with mulch, spray, grass or other appropriate methods in order to minimize air pollution. ~~[9J-5.013(2)(b)]~~ [§163.3177(6)d.2.a., F.S.]

#### Policy 201.1.4

All ~~mining~~resource extraction activities shall comply with ~~DER~~FDEP standards designed to ~~reduce~~minimize point sources of air pollution. ~~[9J-5.013(2)(b)]~~ [§163.3177(6)d.2)(b)], a., F.S.]

#### Policy 201.1.5

~~Monroe County shall support state government programs for the inspection and maintenance of automobile emission control systems. [9J-5.013(2)(b)]~~

#### Policy 201.1.6

Monroe County shall support state government programs to regulate petroleum and gasoline storage facilities with an emphasis on controlling VOC emissions. ~~[9J-5.013(2)(b)]~~ [§163.3177(6)d.2.a., F.S.]

**GOAL 202**

The environmental quality of Monroe County's estuaries, nearshore waters (canals, harbors, bays, lakes and tidal streams,) and associated marine resources shall be maintained and, where possible, ~~enhanced.~~ ~~[9J-5.012(3)(a); 9J-5.013(2)(a)]~~ improved.  
[§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.]

**Objective 202.1**

Monroe County shall continue to work cooperatively with the U.S. Environmental Protection Agency (EPA), the ~~Florida Department of Environmental Regulation (DER); FDEP,~~ the South Florida Water Management District (SFWMD), and the National Oceanic and Atmospheric Administration (NOAA) to ~~develop and~~ implement the Water Quality Protection Program (WQPP) for the Florida Keys National Marine Sanctuary. ~~Pursuant to the Florida Keys National Marine Sanctuary Act (H.R. 5909), this program shall be enacted no later than July/August 1993. [9J-5.012(3)( [§163.3177(6)d.2.b)2; 9J-5.013(., F.S.; §163.3177(6)d.2)(b)2].e., F.S.]~~

**Policy 202.1.1**

Monroe County shall continue to coordinate with EPA, ~~DER~~FDEP, SFWMD and NOAA to ~~determine the scope of studies required to~~ document pollutant loads for Florida Keys waters. [§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.]

~~Phase I of the Development Plan for the Florida Keys National Marine Sanctuary Water Quality Protection Program (EPA and DER, in preparation), recommends several studies are undertaken in order to:~~

- ~~1. provide data to document relationships between water quality and declines in seagrass beds and coral communities; and~~
- ~~2. to provide the basis for institutional and regulatory changes which will protect against further declines in the quality of confined and nearshore waters and their biotic communities.~~

~~Recommended studies include the following:~~

- ~~1. monitoring to characterize the nutrient inputs to groundwater;~~
- ~~2. data collection and modeling in order to understand the transportation of groundwater nutrients to marine coastal waters;~~
- ~~3. monitoring to characterize the constituents within stormwater based on use, as well as determination of what percentage of stormwater results in overland flow to marine coastal waters;~~
- ~~4. data collection pertaining to natural nutrient regeneration due to decomposition of floating Sargassum and seagrass within confined water bodies;~~

- ~~5. evaluation of the relative contributions of point source discharges, groundwater input, stormwater overland flow, natural decomposition of organic matter, and other mechanisms of nutrient input and potential for further declines in water quality within the confined waters of the Florida Keys National Marine Sanctuary;~~
- ~~6. monitoring of water, sediment and biotic parameters for confined and nearshore waters; and~~
- ~~7. development of potential engineering solutions applicable to the Florida Keys, with cost estimates, for selected representative areas of confined waters that are experiencing poor water quality.~~

~~By January 4, 1997, Monroe County shall seek to enter into an agreement with the EPA, DER, SFWMD, and NOAA which shall describe the responsibilities of each agency and of the County in each of these studies. Monroe County shall:~~

- ~~1. obtain and/or make available the necessary funds to complete the study tasks for which it is responsible; and~~
- ~~2. execute those tasks in accordance with the timeframes outlined by the agreement.~~

~~Special studies to be undertaken by Monroe County as identified in other elements of the Monroe County Year 2010 Comprehensive Plan shall be coordinated with these special studies. Specifically:~~

- ~~1. the scope of work for the Sanitary Wastewater Master Plan shall be developed so as to include special studies required to assess pollutant loadings to ground and nearshore waters from sanitary wastewater facilities (See Objective 901.4 and related policies);~~
- ~~2. the scope of work for the Stormwater Management Master Plan shall be developed so as to include special studies required to assess:
  - ~~a) non point source contributions to surface water discharges from stormwater; and~~
  - ~~b) non point source contributions to groundwater from stormwater (See Drainage Element Objective 1001.3 and related policies); and~~~~
- ~~3. the scope of the Live Aboard Study shall be developed so as to collect data required to determine pollutant loadings from live aboard vessels (See Policy 202.4.2). [9J-5.012(3)(e)1,3 and 13; 9J-5.013(2)(e)1]~~

**Policy 202.1.2**

~~Monroe County shall coordinate with EPA, DER, SFWMD and NOAA during completion of Phase II of the Florida Keys National Marine Sanctuary Water Quality Protection Program. Pursuant to the Florida Keys National Marine Sanctuary Act (H.R. 5909), Phase II shall:~~

- ~~1. adopt or revise, under applicable Federal and State laws, applicable water quality standards for the Sanctuary;~~
- ~~2. adopt enforceable pollution control measures (including water quality-based effluent limitations and best management practices) and methods to eliminate or reduce pollution from point and nonpoint sources; and~~
- ~~3. establish a comprehensive water quality monitoring program to:
  - ~~a) determine the sources of pollution causing or contributing to existing or anticipated pollution problems in the Sanctuary;~~
  - ~~b) evaluate the effectiveness of efforts to reduce or eliminate those sources of pollution; and~~
  - ~~c) evaluate progress toward achieving and maintaining water quality standards and toward protecting and restoring the coral reefs and other living marine resources of the Sanctuary. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~~~

**Policy 202.1.3**

~~Within six months following completion of the Water Quality Protection Program by DER, Monroe County shall:~~

- ~~1. review the County's policies and regulations pertaining to water quality protection; and~~
- ~~2. shall draft and complete revisions, as appropriate, to the County's policies and regulations, including the Land Development Regulations and other sections of the Monroe County Code, as appropriate, to comply with the requirements and intent of the Water Quality Protection Program. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 202.1.4**

~~Within six months following completion of the Water Quality Protection Program by DER, Monroe County shall seek to enter into an agreement with EPA, DER, SFWMD and NOAA which shall describe the responsibilities of each agency and of the County in the water quality monitoring program. Monroe County shall:~~

1. ~~obtain and/or make available the necessary funds to complete the monitoring program tasks for which it is responsible; and~~
2. ~~execute those tasks in accordance with the timeframes outlined by the agreement. [9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~

**~~Policy 202.1.5~~**

~~Monroe County shall continue to maintain the Monroe County Department of Marine Resources with adequate staff and funding to support the development and implementation of the Florida Keys National Marine Sanctuary Management Plan, including the Water Quality Protection Program. [9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~

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Objective 202.2

~~Monroe County shall develop~~ Policy 202.1.2

Monroe County shall maintain and implement permitting, inspection, and enforcement procedures designed to reduce pollutant discharges into ground and surface waters from on-site disposal systems: and wastewater treatment plants.

(See Goal 901 and related objectives and policies.) ~~[9J-5.012(3)(~~

~~][163.3177(6)d.2.b)2; 9J-5.013(., F.S.; §163.3177(6)d.2)(b)2].e., F.S.]~~

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**Objective Policy 202.1.3**

Monroe County shall ~~develop~~work cooperatively with FDEP, the Florida Keys National Marine Sanctuary (FKNMS) and ~~implement~~the US Army Corps of Engineers (USACE) to identify the water quality and ~~permitting, inspection, and enforcement procedures designed to~~ issues related to the use of aerators, backfilling, the opening of dead end canals, and utilization of weed restriction devices in canal systems. [§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.]

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**Objective 202.4**

Monroe County shall support existing vessel discharge regulations and encourage use and expansion of sewage pump-out facilities throughout Monroe County to reduce pollutant discharges into ~~ground and nearshore~~ surface waters from ~~wastewater treatment plants~~. (See Goal 901 and related objectives and policies.) [9J-5.012(3)(b)2; 9J-5.013(2)(b)live-aboard vessels. [§163.3177(6)d.2},b., F.S; §163.3177(6)d.2.e., F.S.]

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**Objective 202.4**

~~By January 4, 1998, Monroe County shall develop and implement siting and discharge regulations, fee requirements, and enforcement provisions designed to reduce pollutant discharges into surface waters from moored/anchored vessels (live-aboards) in nearshore waters to the extent allowed by law. [9J-5.012(3)(b)2; 9J-5.013(2)(b)2]~~

**Policy 202.4.1**

~~By January 4, 1997, Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), Monroe County shall adopt revisions to the Monroe County Code and maintain regulations pertaining to live-aboard vessels which:~~

- ~~1. adopt existing federal regulations for required marine sanitation;~~
- ~~2. define the term "live-aboard vessel" in terms of type and duration of vessel use (to be consistent with or more strict than pending DNR rule defining "live-aboard vessel");~~
- ~~3. prohibit living on board vessels and floating structures of any type in residential districts;~~
- ~~4.1. require non-conforming live-aboard vessels in use as of January 4, 1997, to comply except at marinas with all applicable regulations on or before January 4, 1998; pump-out stations;~~
- ~~5.2. require that new and existing marinas at which a with ten slips or one live-aboard vessel is proposed to be docked slip provide a pump-out station;~~
- ~~6.3. require all marinas, regardless of size, to provide signage conspicuously posted at dockage sites which that educate the live-aboard public about the importance of pumping out and which that give clear directions to the nearest pump-out stations;. [§163.3177(6)d.2.b., F.S; §163.3177(6)d.2.e., F.S.]~~

**Policy 202.4.2**

~~Existing marinas making application for site improvements shall provide a plan for retrofitting existing facilities to include an on-site pump-out station and sewage treatment. This requirement shall apply to all marinas which permit docking of live-aboard vessels. [§163.3177(6)d.2.b., F.S; §163.3177(6)d.2.e., F.S.]~~

**Policy 202.4.2 1/2**

~~Existing marinas which permit docking of live-aboard vessels, which have not been retrofitted within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), shall submit a plan to Monroe County for retrofitting existing facilities to include an on-~~

site pump-out station. Existing marinas subject to the retrofitting requirement shall be identified through the Marina Survey (See Policy 212.4.2).

- ~~7. prohibit construction of docks which permit commercial docking of boats with on-board toilets unless the dock facility is equipped with a sewage pump-out; and~~
- ~~8. prohibit construction of docks which permit docking of a live-aboard vessel unless such vessel has an operable holding tank. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6].~~

**Policy 202.4.2**

~~By January 4, 1998, Monroe County, with the assistance of the Marine and Port Authority Committee, shall present a report to the BOCC concerning live-aboard vessels. This report shall:~~

- ~~1. recommend criteria for siting live-aboard mooring areas;~~
- ~~2. identify potential locations of live-aboard mooring areas;~~
- ~~3. identify live-aboard sanitation requirements;~~
- ~~4. identify maximum vessel allowances in live-aboard mooring areas~~
- ~~5. identify methods for registration and fee collection;~~
- ~~6. propose definitions for live-aboard status;~~
- ~~7. identify pollutant loadings from live-aboards;~~
- ~~8. identify needs for public pump-out facilities; and~~
- ~~9. determine the extent of local government jurisdiction pertaining to the use of waters of the Florida Keys. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

The County shall notify owners of compliance requirements in writing within 18 months after the adoption of the 2030 Comprehensive Plan Update. The owner shall submit the plan for retrofitting the marina within one year of notification by the County, and shall fully implement the plan within a year after approval of the plan by the County. [§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.].

**Policy 202.4.3**

Development of the management recommendations for live-aboard vessels shall be coordinated with NOAA to ensure consistency with recommendations of the Florida Keys National Marine Sanctuary Revised Management Plan. ~~[9J-~~

~~5.012(3)(e)1, [§163.3177(6)d.2,3 and 8; 9J-5.013(b., F.S; §163.3177(6)d.2)(e)1 and 6].e., F.S.]~~

**Policy 202.4.4**

~~By January 4, 1998, Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015),~~ Monroe County shall adopt revisions to the Monroe County Code pertaining to ~~liveboard~~live-aboard vessels which establish the following:

1. live-aboard vessel siting criteria;
2. maximum vessel allowances;
- ~~3. no discharge zones within harbors and near shore waters;~~
- 4.3. sanitation requirements;
- 5.4. requirements for live-aboard provisions (such as parking and solid waste disposal);
- 6.5. establishes a registration and fee structure for live-aboard moorings (to offset costs of mooring buoys, enforcement efforts and public pump-outs);
- 7.6. concurrency provisions, and
8. impact fee provisions. ~~[9J-5.012(3)(e)1, [§163.3177(6)d.2,3 and 8; 9J-5.013(b., F.S; §163.3177(6)d.2)(e)1 and 6].e., F.S.]~~

**Policy 202.4.5**

~~By January 4, 1998, Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015),~~ Monroe County shall ~~adopt~~develop a plan for providing public pump-out facilities in county-owned locations. ~~[9J-5.012(3)(e)1, [§163.3177(6)d.2,3 and 8; 9J-5.013(b., F.S; §163.3177(6)d.2)(e)1 and 6].e., F.S.]~~

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**Objective 202.5**

Monroe County shall develop ~~and implement permitting, inspection, and enforcement~~ procedures designed to reduce pollutant discharges into surface waters ~~from marinas and fueling facilities. [9J-5.012(3)(b). [§163.3177(6)d.2; 9J-5.013(b), F.S.; §163.3177(6)d.2)(b)2], e., F.S.]~~

**Policy 202.5.1**

~~By January 4, 1997, Monroe County shall adopt revisions to the Land Development Regulations requiring new marinas having ten (10) or more slips (wet or dry), or at which a live-aboard vessel is proposed to be docked, to provide an on-site pump-out station and appropriate sewage treatment to accommodate the number of slips present according to DER and HRS standards. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

The County shall encourage new marinas to adopt Best Management Practices as recommended by Florida Department of Environmental Protection’s Clean Marina Program.

**Policy 202.5.2**

~~By January 4, 1997, Monroe County shall adopt revisions to the Land Development Regulations requiring existing marinas making application for site improvements to provide a plan for retrofitting existing facilities to include an on-site pump-out station and sewage treatment. This requirement shall apply to all marinas having ten (10) or more slips (wet or dry), or at which a live-aboard vessel is docked. Implementation of this plan shall be a condition of permit issuance for site improvements at existing marinas. The plan shall be fully implemented within one year of permit issuance. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 202.5.3**

~~Existing marinas having ten (10) or more slips (wet or dry), or at which a live-aboard vessel is docked, which have not been retrofitted by January 4, 1998, shall submit a plan to Monroe County for retrofitting existing facilities to include an on-site pump-out station and sewage treatment. This plan shall be submitted by January 5, 1998, and shall be fully implemented by January 4, 1999.~~

~~Existing marinas subject to the retrofitting requirement shall be identified through the Marina Survey (See Policy 212.4.2). The County shall notify owners of compliance requirements in writing by January 4, 1997. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 202.5.4**

~~By January 4, 1998, Monroe County shall require an annual operating permit for all marinas having ten (10) or more slips (wet or dry) or at which a live-aboard vessel is docked. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 202.5.5**

~~By January 4, 1998, Monroe County shall develop and implement an enforcement program designed to ensure compliance with existing state and federal regulations pertaining to adequate spillage prevention, containment, and clean up of fuel or hazardous material at marina sites and fueling facilities. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

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**Policy 202.6.3**

~~Monroe County shall adopt revisions to~~ Monroe County shall maintain regulations in the Monroe County Code pertaining to the disposal of fish and shellfish by-products from seafood processing facilities, including the following:

1. by-products shall not be dumped into surface waters or wastewater disposal systems;
2. by-products shall be disposed of as solid waste; and
3. consideration shall be given to suitable reuse of by-products. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3177(6)d.2.b., F.S; §163.3177(6)d.2.e., F.S.]

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Objective 202.7

~~By January 4, 1998, Monroe County shall develop and implement a boating impacts management program designed to reduce adverse impacts on water quality and living marine resources associated with recreational boating. (See Objective 203.5 and related policies.) [9J-5.012(3)(b)2; 9J-5.013(2)(b)2]~~

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**Objective 202.8**

~~By January 4, 1997, Monroe County shall adopt Land Development Regulations~~**Objective 202.8**

Monroe County shall maintain land development regulations which implement county policies controlling pollutant discharges into surface waters from dredge and fill activities. ~~[9J-5.012(3)(b)2; 9J-5.013(2)(b)2]~~ [§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.]

**Policy 202.8.1**

Monroe County shall support state and federal policies and regulations concerning the permitting of dredge and fill activity, except in those instances where more stringent regulations adopted by Monroe County shall be maintained. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.]

**Policy 202.8.2**

No new dredging shall be permitted in Monroe County. ~~[9J-5.012(3)(e)1, [§163.3177(6)d.2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3177(6)d.2)(e)1 and 6]e., F.S.]

**Policy 202.8.3**

No maintenance dredging shall be permitted within areas vegetated with seagrass beds or characterized by hardbottom communities except for maintenance in public navigation channels. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.]

**Policy 202.8.4**

In order to ~~facilitate establishment~~prevent degradation of bottom vegetation, maintenance dredging in artificial waterways shall not exceed depths greater than minus six (-6) feet mean low water. This policy does not apply to the entrance channels into Key West Harbor and Safe Harbor. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.]

**Policy 202.8.5**

All dredged spoil resulting from maintenance dredging shall be placed on permitted upland sites where drainage can be contained on-site. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.]

**Policy 202.8.6**

No "after-the-fact" permits shall be issued that violate Monroe County dredge and fill regulations. All illegal structures and fill shall be removed and damages mitigated. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.]

**Policy 202.8.7**

~~Monroe County shall develop a schedule of monetary penalties that provides for fair and equitable penalties for all dredge and fill violations. Penalty revenues obtained from these violations shall be set aside and used specifically for water quality enhancement projects. [9J 5.012(3)(c)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~

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**Objective 202.9**

~~By January 4, 1997, Monroe County shall develop and implement permitting, inspection, and enforcement procedures designed to reduce pollutant discharges into ground and surface waters from stormwater runoff. (See Drainage Goal 1001 and related objectives and policies.) [9J-5.012(3)(b)2; 9J-5.013(2)(b)2]~~

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**Objective 202.10**

~~By January 4, 1997, Monroe County shall develop and initiate implementation of a soil erosion and sedimentation control program. This program shall be designed to reduce pollutant discharges into surface waters due to soil erosion and sedimentation. [9J-5.012(3)(b)2; 9J-5.013(2)(b)2 and 3]~~

**Policy 202.10.1**

~~Monroe County, in consultation with the Soil Conservation Service (SCS) District Conservationist for Dade Monroe Counties, shall identify the technical assistance available from the SCS for development and implementation of a soil erosion and sedimentation control program for Monroe County. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 202.10.2**

~~Monroe County, in coordination with SFWMD, DER, FDOT and SCS, shall develop and adopt best management practices for temporary and permanent erosion and sedimentation control practices for construction and other non-agricultural land disturbing activities in the Florida Keys. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 202.10.3**

~~By January 4, 1997, Monroe County shall adopt a Stormwater Management Ordinance which adopts the level of service standards for the quality and quantity of stormwater discharges in this Comprehensive Plan (See Drainage Policy 1101.1.1). Best management practices (BMPs) developed pursuant to Policy 202.10.2 above for temporary and permanent erosion and sedimentation control shall be incorporated by reference into this ordinance and shall be recommended for use to meet water quality criteria of the ordinance. At a minimum, BMPs shall include minimizing alteration of the natural landscape due to paving and elevational changes and the use of retention basins, detention basins, vegetated swales, and/or exfiltration trenches on site, as appropriate.~~

**Policy 202.10.4**

~~Monroe County shall require use of the adopted best management practices for erosion and sedimentation control, where appropriate, as stipulations for land development orders. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 202.10.5**

~~Monroe County shall identify erosion and sedimentation problem areas within existing subdivisions and disturbed or scarified lands. The Stormwater Management Master Plan will address drainage improvements required for these areas to mitigate erosion and sedimentation problems (See Drainage Objective 1001.3 and related policies). [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 202.10.6**

~~By January 4, 1997, Monroe County shall adopt revisions to the Land Development Regulations pertaining to shoreline stabilization (See Objective 212.6 and related policies.) [9J 5.012(3)(e)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~

**~~Policy 202.10.7~~**

~~Monroe County shall identify shoreline areas on public and private lands where there is evidence of serious shoreline erosion and shall assess options for shoreline stabilization. [9J 5.012(3)(e)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~

**~~Policy 202.10.8~~**

~~All mining activities shall be conducted in accordance with sedimentation and erosion control plans (See Policies 208.2.2 and 208.2.7.). [9J 5.012(3)(e)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~

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**Objective 202.11**

~~By January 4, 1998, Monroe County shall immediately take actions to promote mosquito control techniques which will reduce the entry of pollutants from aerial pesticide applications into ground and surface waters. [9J 5.012(3)(b)2; 9J 5.013(2)(b)2]~~

**Policy 202.11.1**

~~Monroe County shall coordinate with the Monroe County Mosquito Control Board, the EPA and the FKNMS to review:~~

- ~~1. application guidelines for aerial pesticide spraying; and~~
- ~~2. alternatives to aerial applications of pesticide.~~

**Policy 202.11.2**

~~Monroe County shall request that the state undertake a state-wide research and development program for alternatives to aerial applications of pesticides for mosquito control. This program should emphasize ground controls, including biological controls. It should be conducted through existing mosquito control districts and independent researchers, in cooperation with EPA and the Florida Keys National Marine Sanctuary. [9J 5.012(3)(c)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~

**Policy 202.11.3**

~~Until alternatives can be identified, Monroe County, in coordination with the Monroe County Mosquito Control Board, shall develop and implement a plan for spraying which will minimize the impact on marine resources and human health by avoiding marine waters and the property of owners who have requested no spray. [9J 5.012(3)(c)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~

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**Objective 202.12**

~~The Monroe County HRS Unit shall continue to undertake activities designed to reduce pollutant discharges into ground and surface waters from aboveground and underground storage tanks. [9J 5.012(3)(b)2; 9J 5.013(2)(b)2]~~

**Policy 202.12.1**

~~The Monroe County HRS Unit shall perform compliance and enforcement activities pertaining to storage tanks regulated by DER under Chapter 17-761, F.A.C. (underground storage tanks) and Chapter 17-762, F.A.C. (aboveground storage tanks). This activity shall be undertaken under the terms of the Compliance Verification Contract between DER and the Monroe County HRS Unit. [9J 5.012(3)(c)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~

**Policy 202.12.2**

~~The Monroe County HRS Unit shall seek to expand its storage tank program such that all storage tank facilities in the Keys comply with state and federal financial responsibility requirements or participate in the optional Florida Petroleum Liability Insurance and Restoration Program. [9J 5.012(3)(c)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~

**Policy 202.12.3**

~~By January 4, 1998, Monroe County shall establish a requirement by development regulations that all new and replacement petroleum and gasoline storage facilities be double walled.~~

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Objective 202.13

~~Monroe County shall undertake activities which support existing state and federal laws pertaining to the handling, transportation and disposal of hazardous wastes. (See Solid Waste Objective 801.5 and related policies.) [9J 5.012(3)(b)2; 9J 5.013(2)(b)2 and 10]~~

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**Objective 202.14**

~~By January 4, 1998, Monroe County shall make a determination as to the appropriate use of aerators, backfilling, the opening of dead end canals, and the utilization of weed restriction devices as a means of improving water quality in canal systems and shall request, if appropriate, a special rule for the Florida Keys pertaining to the use of same. [9J-5.012(3)(b)1,2 and 3; 9J-5.013(2)(b)2]~~

**Policy 202.14.1**

~~Monroe County shall work cooperatively with DER and the ACOE to identify the water quality and permitting issues related to the use of aerators, backfilling, the opening of dead end canals, and utilization of weed restriction devices in canal systems. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~

**Policy 202.14.2**

~~Monroe County shall support an independent research study through a university or other impartial research foundation designed to determine the possible applications and impacts of aeration, backfilling, the opening of dead end canals, and utilization of weed restriction devices in canal systems in the Florida Keys. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 202.14.3**

~~Monroe County shall, if deemed appropriate after study of water quality issues, request consideration of a special rule for the Florida Keys pertaining to the use of aerators, backfilling, the opening of dead end canals, and utilization of weed restriction devices in canal systems. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~

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**Objective 202.15**

~~By January 4, 1998, Monroe County shall make a determination as to the water quality impacts associated with unplugging residential canals and shall request, if appropriate, a special rule for the Florida Keys pertaining to opening of canal plugs. [9J-5.012(3)(b)1,2 and 3; 9J-5.013(2)(b)2]~~

**Policy 202.15.1**

~~Monroe County shall work cooperatively with DER and the ACOE to identify the water quality and permitting issues related to the unplugging of residential canals. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 202.15.2**

~~Monroe County shall, if deemed appropriate after study of water quality issues, request consideration of a special rule for the Florida Keys pertaining to the opening of plugged, residential canals. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

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**Objective 202.16**

By January 4, 1998, Monroe County shall ~~implement an ongoing coordination program~~continue to coordinate with other local governments and with state and federal agencies to address existing and regional water management practices on the Florida mainland which may affect:

1. the conservation, use and protection of water quality, marine benthic communities, and fisheries in Florida Bay; and
2. the wetlands, unique vegetative communities, and species of special status on mainland Monroe County. ~~—[9J-5.012(3)(b)1 and 2; 9J-5.013(2)(b)2,3,4,6 and 10]~~[§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.g., F.S.]

**Policy 202.16.1**

Monroe County shall meet periodically with agencies and local governments in the region to discuss water management practices and potential issues related to:

1. the delivery of water, both in terms of quantity and quality, to Card Sound, Barnes Sound and Florida Bay; and
2. alternatives to offshore disposal of waste.

These agencies and local governments ~~shall~~may include, ~~at a minimum~~:

1. National Park Service;
2. ~~DER;~~  
Florida Department of Environmental Protection;
3. South Florida Water Management District;
4. Miami-Dade County;
5. Collier County;
6. South Florida Regional Planning Council; and
7. Environmental Protection Agency.
8. ~~[9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1,5,6,8 and 9]~~  
[§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.g., F.S.]

**Policy 202.16.2**

Monroe County shall ~~participate in preparing~~ monitor and provide input on future revisions to the following plans:

1. Surface Water Improvement and Management Plan for the Everglades;
2. Surface Water Improvement and Management Plan for Biscayne Bay; and
3. any additional Surface Water Improvement and Management Plans which may be completed for Monroe County waters. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1,5,6,8 and 9]~~ [\$163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.g., F.S.]
4. Everglades National Park General Management Plan (GMP)
5. Big Cypress National Preserve (GMP)

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**GOAL 203**

The health and integrity of living marine resources and marine habitat, including mangroves, seagrasses, coral reefs and fisheries, shall be protected and, where possible, ~~enhanced.~~ ~~[9J-5.012(3)(a); 9J-5.013(2)(a)]~~ restored and enhanced. ~~[§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]~~

**Objective 203.1**

Monroe County shall protect its mangrove wetlands by implementing regulations which will further reduce disturbances to mangroves and which will mitigate the direct and indirect impacts of development upon mangroves. ~~—[9J-5.012(3)(b)1; 9J-5.013(~~ ~~[§163.3177(6)d.2)(b)3 and 4], d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]~~

**Policy 203.1.1**

As set forth in the Land Development ~~Regulations (Monroe County BOCC, 1990), Code,~~ the open space requirement for mangroves shall be one hundred (100) percent. No fill or structures shall be permitted in mangrove wetlands except for elevated, pile-supported walkways, docks, piers and utility pilings. ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)6] [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]~~

**Policy 203.1.2**

Monroe County shall ~~adopt~~maintain a mangrove trimming ordinance for the Florida Keys. ~~Regulations of this ordinance shall be developed in cooperation with the DER and shall be consistent with Chapter 17 321, F.A.C.~~ These regulations shall restrict mangrove trimming to the minimal alteration necessary to maintain navigation in existing navigable channels and canals, or where necessary to allow an upland owner limited ingress and egress to waters in conjunction with a permitted structure installed according to the design guidelines of this plan and limited visual access consistent with or more restrictive than state standards. ~~Any ordinance enacted pursuant to this policy shall not affect any mangrove alteration made by the County pursuant to the governmental exemptions contained in Florida's Mangrove Protection Act. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]~~

**Policy 203.1.3**

Monroe County shall require minimum vegetated setbacks of fifty (50) feet to be maintained as an open space buffer for development occurring adjacent to all types of wetlands except for tidally inundated mangrove fringes and as provided for in Policy **204.2.2, 204.2.3 and 204.2.4**. If a 50-foot setback results in less than 2,000 square feet of principal structure footprint of reasonable configuration, then the setback may be reduced to allow for 2,000 square feet of principal structure footprint of reasonable configuration-, provided that the setback is not reduced to less than twenty-five (25) feet-. On properties classified as scarified adjacent to wetlands, the wetland setback may be reduced to twenty-five (25) feet, without regard to buildable area, if the entire setback management plan is managed in accordance with County regulations approved by the County Biologist and is

placed under conservation easement. ~~“Development” shall include all activities as currently defined in the F.S. 380.05 compliant Land Development Regulations, hereby incorporated by reference. The effectiveness of this policy shall be reviewed during the Evaluation and Appraisal Review (EAR) Process.~~

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~~[§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]~~

**Objective 203.2**

Monroe County shall protect submerged lands vegetated with seagrasses by ~~implementing~~maintaining regulations which ~~will~~ further reduce direct and indirect disturbances to seagrasses. ~~[9J 5.012(3)(b)1; 9J 5.013(2)(b)3 and 4] [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.]~~

**Policy 203.2.1**

~~Upon adoption of the Comprehensive Plan,~~ Monroe County shall continue to prohibit the location of mooring sites over submerged land which is vegetated with seagrasses or characterized by a hard-bottom community, regardless of water depth, except as may be permitted by the ~~Florida Department of Environmental Protection-FDEP.~~ This prohibition shall ~~also not~~ apply to mooring fields. ~~[9J-5.012(3)(e)1, [§163.3177(6)d.2,3 and 8; 9J-5.013(d., F.S.; §163.3177(6)d.2)(e)1 and 6].e., F.S.]~~

**Policy 203.2.2**

~~Upon adoption of the Comprehensive Plan,~~ Monroe County shall continue to prohibit the termination of docking facilities and piers over submerged land which is vegetated with seagrasses or characterized by a hard-bottom community, regardless of water depth, except as may be permitted by the ~~Florida Department of Environmental Protection-FDEP.~~ Design criteria to permit sunlight to reach the bottom shall be ~~adopted~~maintained. No boat shelters or gazebos shall extend over submerged lands vegetated with seagrasses or over hardbottom communities. ~~[9J-5.012(3)(e) 1,2,3 and 8; 9J 5.013(2)(e)1 and 6] [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.]~~

**Policy 203.2.3**

~~Effective upon plan adoption,~~ Monroe County shall continue to:

1. prohibit new dredging in the Florida Keys; and
2. prohibit maintenance dredging within areas vegetated with seagrass beds except for maintenance dredging in public navigation channels. (See Objective **202.8** and related policies.) ~~[9J 5.012(3)(e)1,2,3 and 8; 9J 5.013(2)(e)1 and 6][163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.]~~

**Policy 203.2.45**

~~By July/August 1993, Monroe County shall seek to enter into an agreement with NOAA, EPA and DER regarding support of scientific studies of stresses on seagrass ecosystems in the Florida Keys region. This agreement shall be developed following completion of the Florida Keys National Marine Sanctuary Management Plan. This plan shall identify the research needs to be addressed in this agreement. [9J 5.012(3)(e)1,2,3 and 8; 9J 5.013(2)(e)1 and 6]~~

**Policy 203.2.5**

~~Monroe County shall~~ Monroe County shall continue to support the public education program for users of the Florida Keys National Marine Sanctuary as outlined in the *Florida Keys National Marine Sanctuary Revised Management Plan* (U.S. Dept. of Commerce, NOAA, ~~in preparation~~). This program shall promote user education related to, among other items, seagrass bed conservation and navigational safety in nearshore waters. ~~[9J 5.012(3)(e)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~ [\\$163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.]

**Policy 203.2.6**

~~By January 4, 1998, Monroe County shall enter digital information describing the location of seagrass beds in the Florida Keys into the County's Geographic Information System. These data shall be made available from the Florida Keys National Marine Sanctuary Management Program. [9J 5.012(3)(e)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~

**Objective 203.3**

Monroe County shall continue to support state and federal agencies in development and implementation of management measures designed to protect coral reefs located in the waters off the Florida Keys. ~~[9J 5.012(3)(b)1; 9J 5.013(2)(b)3 and 4] [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.]~~

**Policy 203.3.12**

~~By January 4, 1998, Monroe County shall seek to enter into an agreement with NOAA, EPA and DER regarding support of scientific studies of stresses on coral reef ecosystems in the Florida Keys region. This agreement shall be developed following completion of the Florida Keys National Marine Sanctuary Management Plan. This plan shall identify the research needs to be addressed in this agreement. [9J 5.012(3)(c)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~

**Policy 203.3.2**

~~Monroe County shall~~ Monroe County shall continue to support the public education program for users of the Florida Keys National Marine Sanctuary as outlined in the *Florida Keys National Marine Sanctuary Revised Management Plan* (U.S. Dept. of Commerce, NOAA, ~~in preparation~~). This program shall ~~promote~~promotes user education related to, among other items, coral reef conservation and navigational safety. ~~[9J 5.012(3)(c)1, [§163.3177(6)d.2,3 and 8; 9J 5.013(2)(c)1, F.S.; §163.3177(6)d.2)(c)1 and 6]e., F.S.; §163.3177(6)d.2.f., F.S.]~~

**Policy 203.3.3**

~~By January 4, 1998, Monroe County shall enter digital information describing the location of coral communities in the Florida Keys into the County's Geographic Information System. These data shall be made available from the Florida Keys National Marine Sanctuary Management Program. [9J 5.012(3)(c)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~

**Policy 203.3.4**

Monroe County shall continue to protect, preserve, and enhance the coral reef through its land development regulations which address water quality (See Conservation and Coastal Management Element Goal **202** and related objectives and policies), including efforts to:

1. limit the location of water-dependent activities to locations that will not have a significant adverse impact on the offshore resources of hard coral bottoms;
2. control and regulate land and water activities in the vicinity of coral as identified in the Florida Keys Coastal Management Study in an effort to arrest further deterioration; and

3. include the ~~following management policies for John Pennekamp State Park and Looe Keys~~ strategies identified in the Florida Keys National Marine Sanctuary Revised Management Plan:
- ~~a) management and recreational activities in the designated areas must be consistent with preservation of these underwater preserves;~~
  - ~~b) development activity on Key Largo and islands facing the Looe Key National Marine Sanctuary, including dredging, filling, urban water run-off, and wastewater treatment facilities, will be controlled and regulated in order to minimize stresses which result in water quality deterioration; and~~
  - ~~c) the County will explore state and federal funding sources for the acquisition of land in the immediate vicinity of John Pennekamp State Park and Looe Key National Marine Sanctuary so as to create a buffer zone between urbanized and preservation areas. Monroe County will cooperate with State and Federal acquisition activities.~~

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~~[§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.f., F.S.]~~

**Policy 203.3.5**

Monroe County shall support the objectives and action steps of the Florida Reef Resilience Program Climate Change Action Plan for the Florida Reef System.

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**Objective 203.4**

Monroe County shall support state and federal agencies in development and implementation of management measures designed to protect the fisheries of the Florida Keys. ~~[9J-5.013(2)(b)4] [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.f., F.S.; §163.3177(6)d.2.g., F.S.]~~

**Policy 203.4.1**

~~By January 4, 1998, Monroe County shall implement an ongoing coordination program with the NPS, SFWMD, Collier County and Dade County designed to address existing and potential land management problems in the region which may affect the conservation, use and protection of water quality and fisheries in Florida Bay. (See Objective 202.16 and related policies.) [9J-5.012(3)(b)1 and 2; 9J-5.013(2)(b)2,3,4,6 and 10] May 1, 2012 Monroe County shall coordinate with FWC and other applicable agencies to encourage best practices to protect natural habitats in regards to commercial and recreational fishing gear and methods.~~

**Policy 203.4.2**

Monroe County ~~shall continue to may~~ propose actions for consideration by the Florida Marine Fisheries Commission designed to reduce adverse impacts of the Lobster Sport Fishing Season on the lobster fishery and sensitive marine resources of the Florida Keys. ~~[9J-5.013(2)(e)6] [§163.3177(6)d.2.e., F.S.]~~

**Policy 203.4.3**

Monroe County shall periodically meet with the Florida Marine Fisheries Commission to assess measures which could be implemented by Monroe County to protect the fisheries of the Florida Keys. To the extent practicable, Monroe County shall take steps to implement such protection measures as may be identified through this cooperative effort. ~~[9J-5.013(2)(e)6] [§163.3177(6)d.2.e., F.S.]~~

**Policy 203.4.4**

Monroe County shall support ~~the efforts to develop a comprehensive fisheries management program for of the agencies having jurisdiction to implement the Florida Keys utilizing an ecosystem approach. This would propose consolidation of activities now distributed among the Florida~~*National Marine Fisheries Commission, the Division of Marine Resources, and the Florida Game and Fresh Water Fish Commission.* ~~[9J-5.013(Sanctuary Revised Management Plan. [§163.3177(6)d.2)(e)6]~~

**Policy 203.4.5**

~~By January 4, 1998, Monroe County shall adopt a mangrove trimming ordinance for the Florida Keys. (See Policy 203.1.2.) [9J-5.013(2)(e)6]~~

**Policy 203.4.6**

~~By January 4, 1998, Monroe County shall develop and implement a boating impacts management program which shall address the problem of propeller~~

~~damage to seagrasses. (See Objective 203.6 and related policies.) [9J-5.013(2)(e)6.e., F.S.;~~

**Policy 203.4.7**

Monroe County shall continue to support scientific studies ~~of~~regarding stresses on seagrass and coral ecosystems in the Florida Keys region. (See **Policies 203.2.4. and 203.3.1**) ~~[9J-5.013(2)(e)6]~~ [§163.3177(6)d.2.e., F.S.]

**Policy 203.4.8**

Monroe County shall ~~support, and wherever feasible, aid~~encourage private and non-profit groups, as well as public agencies, in promoting aquaculture. The purpose(s) of such aquaculture shall be to augment fisheries, limit stress on fisheries, and/or replace depleted stock in the Florida Keys. ~~[9J-5.013(2)(e)6]~~ [§163.3177(6)d.2.e., F.S.]

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**Objective 203.5**

~~By January 4, 1998, Monroe County shall develop and implement a boating impacts management program. [9J-5.012(3)(b)1; 9J-5.013(2)(b)4]~~

**Policy 203.5.1**

~~Monroe County shall develop and implement siting and discharge regulations, fee requirements and enforcement provisions pertaining to moored/anchored vessels (live-aboards) in nearshore waters. (See Objective 202.4 and related policies.) [9J-5.012(3)(b)1,2 and 3; 9J-5.013(2)(b)2]~~

**Policy 203.5.2**

~~Monroe County shall develop a management plan for derelict vessels, including:~~

- ~~1. identification of procedures for locating and inventorying derelict vessels; and~~
- ~~2. identification of procedures for removal of derelict vessels.~~

~~Monroe County shall immediately commence implementation of the derelict vessel removal plan. [9J-5.012(3)(b)1,2 and 3; 9J-5.013(2)(b)2]~~

~~Monroe County shall continue to review the best management practices identified in *The Boating Impacts Management Plan Final Report (1992)*; *Keys-Wide Mooring Field System Preliminary Planning Document (2002)*; and *Development of a Boating Management Plan for the Boca Chica Harbor Area (2008)*, which are designed to reduce adverse impacts on water quality and living marine resources associated with recreational boating. [§163.3177(6)d.2.e., F.S.]~~

**Policy 203.5.3**

Monroe County shall develop criteria for marina siting which shall meet or exceed state standards and which shall rate potential marina sites. (See Objective 212.4 and related policies.) [9J-5.012(3)(b)1,2 and 3; 9J-5.013(2)(b)2] [§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.i., F.S.]

**Policy 203.5.4**

Monroe County shall prepare/maintain a plan for mooring buoy sites. ~~Two types of sites shall be identified~~, including:

1. live-aboard mooring sites (See Policy 202.4.2); and
2. short-term recreational mooring sites.

Identification of mooring sites shall be undertaken in coordination with NOAA; ~~DER~~, and ~~DNRFDEP~~, and shall be consistent with recommendations of the Florida Keys National Marine Sanctuary Management Plan ~~(U.S. Dept. of Commerce, NOAA, in preparation)~~. ~~Mooring sites shall be entered into the County's Geographic Information System. [9J-5.012(3)(e)1,2,3 and 8; 9J-~~

~~5.013(2)(c)1 and 6]. [§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.;§163.3177(6)d.2.i., F.S.]~~

**Policy 203.5.56**

~~Monroe County shall develop and commence implementation of strategies for protection of submerged lands in shallow water areas from boating impacts. These shall include strategies to reduce seagrass propeller scarring and to minimize vessel groundings. To accomplish this, Monroe County shall:~~

- ~~1. identify problem areas and issues related to channel and shallows marking;~~
- ~~2. establish criteria and priorities for identifying channels and shallows to be marked; and~~
- ~~3. make recommendations for channel marking and review these recommendations with NOAA and DNR.~~

~~Markers shall be installed after completion of the plan, as funding is available. Funding shall be obtained from maintain a variety of federal, state and local funds, including Boating Improvement Funds. Enforcement shall be by the DNR Marine Patrol, NOAA, and FWS, depending upon location. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 203.5.6**

~~By the effective date of this Plan, Monroe County shall recommend methods to improve boater education, based on the inventory of existing boater education programs.~~

~~The County's boater education program shall be designed and implemented in coordination with the Cooperative Extension Service, Florida Sea Grant, DNR and NOAA. It shall be consistent with recommendations of the Florida Keys National Marine Sanctuary Management Plan. FDEP and NOAA.~~

~~The boater education program shall place particular emphasis upon the following:~~

- ~~1. navigational safety, including channel locations, in nearshore and backcountry waters;~~
- ~~2. seagrass bed conservation~~
- ~~3. coral reef conservation~~
- ~~4. marine sanitation regulations;~~
- ~~5. litter and debris control regulations;~~

6. ~~proper use of weed gates;~~
7. ~~disposal of fish carcasses;~~
8. ~~existing rules and regulations pertinent to user activities; and~~
9. ~~general appreciation for marine resources, and awareness of user impacts.~~  
~~{9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6}~~

**Policy 203.5.7**

~~Monroe County shall consider requests by the Boating Impacts Workshop to adopt speed controls in nearshore waters and/or creation of a boating restricted or boating protection zone. {9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6}~~

**Policy 203.5.8**

~~Implementation of the boating management program recommendations shall be coordinated by the Monroe County Department of Marine Resources. {9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6}~~  
~~[§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.i., F.S.]~~

**Policy 203.5.9**

~~Monroe County shall establish a citizens advisory council for boating management. This group shall be appointed by the BOCC and shall be advisory to the BOCC, the Marine and Port Advisory Committee, and the Monroe County Department of Marine Resources continue to coordinate with the Citizens Advisory Council for boating management regarding boating management issues. {9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6} [§163.3177(6)d.2.b., F.S.; §163.3177(6)]~~

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~~**Objective 203.**d.2.e., F.S.;§163.3177(6)d.2.i., F.S.]~~

~~Monroe County shall coordinate development and implementation of programs and regulations to protect the living marine resources of the Florida Keys with other federal, state and local authorities with jurisdiction over marine activities within the Florida Keys. [9J-5.012(3)(b)1; 9J-5.013(2)(b)4]~~

~~**Policy 203.6.1**~~

~~Monroe County shall assist the DCA in developing a coordinated agency review pursuant to section 380.051, Florida Statutes. The Monroe County Growth Management Division shall continue to conduct meetings with the Department of Environmental Regulation, the National Oceanographic and Atmospheric Administration, the Department of Natural Resources, and the U.S. Army Corps of Engineers to identify the environmental issues and contradictions in rules and authorities related to the permitting process for marinas, docking facilities, piers, mooring sites, hardened vertical shoreline structures, and dredging in the Florida Keys. Within one year of the effective date of this comprehensive plan, after issues have been identified, Monroe County shall revise the Land Development Regulations. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

~~**Policy 203.6.2**~~

~~Monroe County shall continue to support the Florida Keys National Marine Sanctuary (FKNMS) Management Program. This program shall include management strategies for the protection of living marine resources in the waters of the Florida Keys. The County shall:~~

- ~~1. participate in the formulation of the management plan;~~
- ~~2. recommend management strategies;~~
- ~~3. review the final management plan to assess the common goals and policies between the FKNMS management plan and this comprehensive plan;~~
- ~~4. coordinate with NOAA and other appropriate agencies to minimize redundancy and increase efficiency in the effort to accomplish common goals; and~~
- ~~5. enter into memoranda of understanding, as necessary, with NOAA and/or other agencies to specify which policies will be implemented by each agency. Monroe County shall implement those portions of the FKNMS Management Plan:~~
  - ~~a) which are consistent with the goals, objectives, and policies of this comprehensive plan;~~
  - ~~b) which are within the County's jurisdiction; and~~

~~e) for which funding is available.~~

**~~Policy 203.6.3~~**

~~By January 1998, Monroe County shall coordinate its boating impacts management activities with those of NOAA, DNR Marine Patrol, DNR Park Service, and the U.S. FWS. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**~~Policy 203.6.4~~**

~~By January 4, 1997, Monroe County shall request NOAA, EPA, DNR, and DER to develop a plan to correct the deficiencies identified in the Florida Keys Monitoring Study dated July 1987 (205J).~~

**GOAL 204**

The health and integrity of Monroe County's marine and freshwater wetlands shall be protected and, where possible, ~~enhanced.~~ ~~[9J-5.012(3)(a); 9J-5.013(2)(a)]~~ restored and enhanced. [§163.3177(6)d.2.j., F.S.; §163.3177(6)d.2.k., F.S.]

**Objective 204.1**

~~By January 4, 1998,~~ Monroe County shall ~~develop an information system to be used as the basis for regulating land development activities in wetland areas, to~~ identify potential wetland restoration sites, and ~~to~~ identify high quality wetland sites for possible future acquisition by the County, State and/or private non-profit conservation organizations. ~~[9J-5.012(3)(b)1; 9J-5.013(2)(b)3]~~ [§163.3177(6)d.2.j., F.S.; §163.3177(6)d.2.k., F.S.]

**Policy 204.1.1**

~~Monroe County shall participate in the Florida Keys Advance Identification of Wetlands (ADID) Program. This program is designed to facilitate the regulatory process under Section 404 of the Clean Water Act of 1973 by providing comprehensive wetlands mapping and assessment information.~~

~~The proposed geographic scope of the ADID Program includes the entire Florida Keys, prioritized as follows:~~

- ~~1. privately owned lands with development potential on the islands connected by US 1;~~
- ~~2. publicly owned lands on the islands connected by US 1; and~~
- ~~3. offshore islands (which appear in imagery of the islands connected by US 1).~~

~~As part of the ADID Program, Monroe County shall:~~

- ~~1. inform and educate the public regarding wetlands protection and the application of information forthcoming from the ADID Program;~~
- ~~2. retain a consultant to map preliminary ACOE and DER jurisdictional lines;~~
- ~~3. compile wetlands mapping information on the County's geographic information system;~~
- ~~4. assist with development of a Florida Keys wetlands functional quality analysis;~~
- ~~5. assist with the functional assessment of wetlands;~~
- ~~6. assist with ground truthing mapped information; and~~

~~7. assist with preparing a draft Technical Support Document. [9J-5.013(2)(e)9]~~

**Policy 204.1.2**

The Monroe County shall coordinate with other agencies in developing and administering a wetlands restoration program.

**Policy 204.1.2**

Monroe County shall work cooperatively with the USACE, EPA, FWS, FDEP and FWC, and others as appropriate, to determine funding sources to support the wetlands restoration program. [§163.3177(6)d.2.j., F.S.; §163.3177(6)d.2.k., F.S.]

**Policy 1301.6.5**

~~Monroe County shall cooperate with the Florida Game and Fresh Water Fish Commission (FGFWFC) in its ongoing effort~~coordinate with the FWC to map update as needed and maintain the existing freshwater wetlands and disturbed wetlands in the Lower Keys. [9J-5.013(2)(e)9]mapping.

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**Policy 204.1.3**

~~Monroe County shall use the refined, up to date wetlands information made available from the ADID Program and from the FGFWFC to generate a new set of wetlands maps. These wetlands maps shall replace those currently in use by the County.~~

~~In order to prepare the new wetlands maps, Monroe County shall compile information obtained from the ADID Program and from the FGFWFC in the Geographic Information System (GIS). The new composite map set shall be plotted by the GIS at a scale of 1"=200'. The maps and/or overlays shall show:~~

- ~~1. all undisturbed and disturbed marine and freshwater wetlands by vegetative cover type;~~
- ~~2. advisory ACOE and DER jurisdictional lines mapped as part of the ADID Program; and~~
- ~~3. wetland "suitable/unsuitable" designations with respect to ACOE Section 404 permitted activities mapped as part of the ADID Program (See Policy 204.1.3). [9J-5.013(2)(e)9]~~

**Policy 204.1.4**

~~As part of the ADID Program, Monroe County shall cooperate with the EPA, ACOE, FGFWFC, SFWMD and FWS to develop a wetlands functional assessment protocol. *This* assessment protocol shall be tailored for use in the Florida Keys and shall be based upon habitat suitability;~~

~~water quality, and flood flow alteration functions of marine and freshwater wetlands. [9J-5.013(2)(e)9]~~  
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**Policy 204.1.5**

~~As part of the ADID Program, Monroe County, EPA, FWS, and FGFWFC will jointly carry out the functional analysis of wetlands. This shall be completed on all wetland vegetative cover areas within improved subdivisions and on selected sites outside improved subdivisions, according to statistically valid selected sample locations for each wetland vegetative cover type.~~

~~In addition to the functional analysis, the field team shall ground truth the wetland vegetative cover maps using a differential global positioning system. The wetland vegetative cover boundaries in the GIS shall be revised to reflect results of the ground truthing (See Policy 204.1.1). [9J-5.013(2)(e)9]~~

**Policy 204.1.6**

~~By September 30th of each year, Monroe County shall update the wetlands data in the Geographic Information System to reflect information obtained during wetlands permitting and wetland impact mitigation during the preceding year. [9J-5.013(2)(e)9]~~

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**Objective 204.2**

Monroe County shall ~~eliminate~~not allow the loss of undisturbed wetlands ~~and shall eliminate~~or the net loss of disturbed wetlands. ~~[9J-5.012(3)(b)1; 9J-5.013(~~[§163.3177(6)d.2.j., F.S.; §163.3177(6)d.2.k., F.S.]

**Policy 204.2.1**

Monroe County shall utilize the Uniform Mitigation Assessment Method (UMAM) to determine mitigation requirements for impacts to wetlands. [§163.3177(6)d.2.j., F.S.; §163.3177(6)d.2)(b)3].k., F.S.]

**Policy 204.2.1**

To protect submerged lands and wetlands the open space requirement shall be 100 percent of the following types of wetlands:

1. submerged lands;
2. mangroves;
3. salt ponds;
4. freshwater wetlands;
5. freshwater ponds; and
6. undisturbed ~~saltmarsh~~salt marsh and buttonwood wetlands.

Allocated density (dwelling units per acre) shall be assigned to freshwater wetlands and undisturbed salt marsh and buttonwood wetland only for use as transferable development rights away from these habitats. Submerged lands, salt ponds, freshwater ponds and mangroves shall not be assigned any density or intensity. ~~[9J-5.012(3)(e)1 and 2; 9J-5.013(2)(e)6]~~ Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), the County shall revise the LDC to include a prohibition of development in salt ponds. [§163.3177(6)d.2.j., F.S.; §163.3177(6)d.2.k., F.S.]

**Policy 204.2.2**

No structures shall be permitted in submerged lands, mangroves, salt ponds, or wetlands, except for elevated, pile-supported walkways, docks, piers, and utility pilings. No fill shall be permitted in submerged lands, mangroves, salt ponds, or wetlands except;

1. as specifically allowed by Objective **212.6** and subsequent Policies;
2. to fill a manmade, excavated water body, such as a canal or swimming pool if the Director of Environmental Resources determines that such

filling will not have a significant adverse impact on marine or wetland communities; ~~or~~

3. as needed for shoreline stabilization or beach renourishment projects with a valid public purpose that furthers the goals of the Monroe County Comprehensive Plan, as determined by the ~~Directors of Planning and Environmental Resources. All such projects shall require approval by the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers prior to the issuance of a County building permit. [9J-5.012(3)(e)1 and 2; 9J-5.013(2)(e)6]County;~~

**Policy 204.2.3**

~~No fill or structures shall be permitted in mangroves or wetlands except 4. as~~ allowed by Policy 204.2.2 (as amended) and for bridges extending over mangroves or wetlands that are required to provide automobile or pedestrian access to dwelling units located on upland areas within the same property for which there is no alternative means of access. Such bridges shall be elevated on pilings such that the natural movement of water, including volume, rate, and direction of flow shall not be disrupted or altered. Upland areas shall include disturbed wetlands that have been lawfully converted into uplands through filling. ~~(9J-5.012(3)(e)1 and 2; 9J-5.013(2)(e)6)[§163.3177(6)d.2.j., F.S.; §163.3177(6)d.2.k., F.S.]~~

**Policy 204.2.4**

~~Notwithstanding other provisions of this comprehensive plan regarding disturbed wetlands, no development activities shall be allowed in wetlands pending completion of the ADID program (referenced in Policy 204.1.1 above) or other similar functional assessment of disturbed wetlands in the County. No later than January 4, 1999, the ADID or other similar revised program shall assess the functional value of disturbed wetlands in the County and develop an evaluation index to determine the appropriate level of development for disturbed wetlands. Upon completion and adoption of the functional assessment, it shall be incorporated into the plan, along with a functional definition of disturbed wetlands, by plan amendment.~~

**Policy 204.2.6**

Monroe County shall ~~adopt revised~~maintain environmental standards and environmental design criteria which ~~establish~~provide minimum vegetated setbacks of fifty (50) feet to be maintained as an open space buffer for development occurring adjacent to all types of wetlands ~~—except for tidally inundated mangrove fringes and as provided for in Policies 204.2.2, and 204.2.3;~~

~~and 204.2.4.~~ The setback is measured from the landward extent of the wetlands as determined pursuant to 62-340.300 F.A.C.

If a 50-foot setback results in less than 2,000 square feet of principal structure footprint of reasonable configuration, then the setback may be reduced to allow for 2,000 square feet of principal structure footprint of reasonable configuration, provided that the setback is not reduced to less than twenty-five (25) feet. On properties classified as scarified adjacent to wetlands, the wetland setback may be reduced to twenty-five (25) feet, without regard to buildable area, if the entire setback area is planted and maintained in native vegetation with a site-suitable stormwater management plan in accordance with County regulations and approved by the County Biologist and placed under conservation easement. “Development” shall include all activities as currently defined in the F.S. 380.05-compliant Land Development Regulations land development regulations, hereby incorporated by reference. The effectiveness of this policy shall be reviewed during the Evaluation and Appraisal Review (EAR) Process. [§163.3177(6)d.2.j., F.S.; §163.3177(6)d.2.k., F.S.]

**Policy 204.2.7**

Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), the County shall evaluate revising the LDC to modify the definition of disturbed wetlands to include those wetlands that receive a KEYWEP total functional index of 5.5 or less.

**Policy 204.2.8**

Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), Monroe County shall revise the LDC to provide a definition of wetlands that is consistent with the State definition contained in 62-340.200 (373.019(17) F.S.).

**Policy 204.2.9**

Monroe County shall attempt to ensure that dredge and fill activities that require permits from federal, state, regional, and county regulatory authorities are done through a coordinated interagency review process. ~~In addition, applicants for a dredge and fill permit shall be required to obtain all necessary permits from state and federal regulatory agencies prior to issuance of a County permit (See Policies 101.2.2 and 101.3.2.) (HB530)~~

**Policy 204.2.89**

No "after-the-fact" permits shall be issued that violate Monroe County dredge and fill regulations. All illegal structures and fill shall be removed and damages mitigated. ~~[9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 204.2.910**

Monroe County shall develop, maintain, and update as necessary, a schedule of monetary penalties that provides for fair and equitable penalties for all dredge and

fill violations. Penalty ~~revenues obtained from these violations~~reviews shall be paid to the Monroe County Environmental Land Management and Restoration Fund or set aside and used specifically for water quality enhancement projects. ~~[9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Policy 204.2.10**

~~By January 4, 1998 or upon completion of the functional assessment of wetlands in the ADID program, Monroe County shall revise the land development regulations to include additional environmental standards pertaining to open space ratios, permitted uses, filling, and setbacks as may be deemed appropriate to protect wetland habitats. [9J-5.012(3)(c)1 and 2; 9J-5.013(2)(c)6]~~

**Objective 204.3**

~~By January 4, 1998, Monroe County shall initiate a program to restore disturbed marine and freshwater wetlands. (See Goal 210 and related objectives and policies.) [9J-5.012(3)(b)1; 9J-5.013(2)(b)3]~~

**Policy 204.3.1**

~~The Monroe County Growth Management Division shall be responsible for coordinating with other agencies in developing and administering the wetlands restoration program.~~

**Policy 204.3.2**

~~A list of publicly owned priority wetland restoration sites shall be drafted and updated every other year. This list shall be developed by Monroe County in consultation with representatives of the ACOE, EPA, FWS, DER, DNR, FGFWFC, and others as appropriate. Priority wetland restoration sites shall be those disturbed wetlands offering the greatest potential increase in functional value after mitigation, as determined in the Florida Keys ADID Program. [9J-5.012(3)(c)2; 9J-5.013(2)(c)6]~~

**Policy 204.3.3**

~~Monroe County shall work cooperatively with the ACOE, EPA, FWS, DER, DNR, FGFWFC, and others as appropriate, to determine funding sources to support the wetlands restoration program. [9J-5.012(3)(c)2; 9J-5.013(2)(c)6]~~

**Policy 204.3.4**

~~A wetlands restoration fund shall be established. This fund shall include, at a minimum,~~

- ~~1. restoration fees paid by landowners developing in disturbed salt marsh and buttonwood wetlands; and~~
- ~~2. fines collected by the Environmental Crimes Task Force for wetlands violations.~~

~~If possible, additional funds shall be obtained for the fund from state and federal agencies through fees, fines and/or special programs (as determined by Policy 204.3.3)-enhancement projects.~~

**Policy 204.3.52.11**

~~The Environmental Crimes Task Force County shall enforce county its regulations pertaining to illegal dumping. [9J-5.012(3)(c)2; 9J-5.013(2)(c)6] [§163.3177(6)d.2.i., F.S.]~~

**Policy 204.3.62.12**

The ~~Environmental Crimes Task Force~~County shall enforce county, state, and federal regulations pertaining to illegal use of off-road and all terrain vehicles. ~~[9J-5.012(3)(e); 9J-5.013(2)(e)]~~ [\[§163.3177\(6\)d.2.e., F.S.\]](#)

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**Objective 204.4**

By January ~~Objective 204.4~~, 1998, Monroe County shall ~~establish~~maintain a program for acquiring or restoring high quality ~~undisturbed salt marsh and buttonwood~~-wetlands. (See Future Land Use Objective ~~102.4~~ and related policies.) ~~[9J-5.012(3)(b)1; 9J-5.013(2)(b)3]~~ [§163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

**Policy 204.4.1**

The Monroe County Growth Management Division in coordination with the Monroe County Land Authority and other federal and state agencies will continue with wetlands acquisition through Florida Forever program, and other funding mechanisms such as the Monroe County Land Acquisition Fund. Priority wetland acquisition sites shall include the following:

**Policy 204.4.2**

~~A list of priority wetlands acquisition sites shall be drafted and updated annually. This list shall be developed by Monroe County in consultation with representatives of the ACOE, EPA, FWS, DER, DNR, FGFWFC, and others as appropriate. Priority wetland acquisition sites shall include the following:~~

1. wetlands having the greatest functional value as determined ~~in the Florida Keys ADID Program~~by KEYWEP;
2. wetlands which are documented habitat of species of special status; and/or
3. undisturbed and disturbed wetlands located within ~~Improved Subdivisions~~. ~~[9J-5.012(3)(e)2; 9J-5.013(2)(e)6]~~the Improved Subdivision (IS) zoning district. [§163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

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**GOAL 205**

The health and integrity of Monroe County's native upland vegetation shall be protected and, where possible, enhanced. ~~[9J-5.012(3)(a); 9J-5.013(2)(a)]~~ [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.h., F.S.]

**Objective 205.1**

Monroe County shall ~~utilize the computerized geographical information system (GIS) and the data, analysis and mapping generated in the Florida Keys Carrying Capacity Study (FKCCS), FMRI, habitat maps and field evaluation to identify and map areas of upland vegetation in the Florida Keys and to prepare~~ maintain the Tier Overlay District Maps as required in Policy **105.2.2.** ~~[9J-5.012(3)(b)1; 9J-5.013( [§163.3177(6)d.2)(b)3] d., F.S.; §163.3177(6)d.2.h., F.S.]~~

**Policy 205.1.1**

The County shall establish the following criteria, at a minimum, to use when designating Tiers: ~~[9J-5.013( [§163.3177(6)d.2)(e)9]d., F.S.; §163.3177(6)d.2.h., F.S.]~~

4. 1. Land located outside of Big Pine Key and No Name Key shall be designated as Tier I based on following criteria:
  - Natural areas including old and new growth upland native vegetated areas, above 4 acres in area;
  - Vacant land which can be restored to connect upland native habitat patches and reduce further fragmentation of upland native habitat;
  - Lands required to provide an undeveloped buffer, up to 500 feet in depth, if indicated by appropriate special species studies, between natural areas and development to reduce secondary impacts; canals or roadways, depending on size may form a boundary that removes the need for the buffer or reduces its depth;
  - Lands designated for acquisition by public agencies for conservation and natural resource protection;
  - Known locations of threatened and endangered species;
  - Lands designated as Conservation and Residential Conservation on the Future Land Use Map or within a buffer/restoration area as appropriate;  
or
  - Areas with minimal existing development and infrastructure.
2. 2. Lands on Big Pine Key and No Name Key designated as Tier I, II, or III-A Special Protection Area (SPA) shall be in accordance with the wildlife habitat quality criteria as defined in the Habitat Conservation Plan for those islands.
3. 3. Lands located outside of Big Pine Key and No Name Key that are not designated Tier I shall be designated Tier III.

4. Designated Tier III lands located outside of Big Pine Key and No Name Key with tropical hardwood hammock or pinelands of one acre or greater in area shall be designated as Special Protection Areas.
5. Lands within the Ocean Reef planned development shall be excluded from any Tier designation.

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~~**Policy 205.1.2**~~

~~The County shall ground-truth the upland habitats identified in the ADID habitat maps, aerial photography, satellite imagery and the FKCCS, including mapping and preliminary habitat evaluations. Priority shall be given to natural upland communities of four acres or greater. [9J-5.013(2)(e)9]~~

~~**Policy 205.1.3**~~

~~The County shall enter ground-truthed upland native vegetated area location and evaluation data into the Geographic Information System (GIS) and use the GIS to analyze the data and prepare the Tier Overlay District Maps for adoption as required in Policy 105.2.2. [9J-5.013(2)(e)9]~~

~~**Policy 205.1.4**~~

~~The GIS will be used to evaluate the lands designated in the different Tiers, identifying vacant lands, platting and ownership status, zoning, and appraised values for acquisition planning. [9J-5.013(2)(e)9]~~

~~**Policy 205.1.5**~~

~~Land management activities, land acquired and permit data shall be incorporated into the GIS annually. [9J-5.013(2)(e)9]~~

~~**Policy 205.1.6**~~

~~The County shall coordinate its upland native vegetation mapping and evaluation efforts with those of federal and state agencies and private researchers so as to avoid duplication of effort. These agencies shall include, at a minimum, the Environmental Protection Agency (EPA), Army Corps of Engineers (ACOE), Florida Department of Environmental Protection (FDEP), Florida Department of Community Affairs (FDCA), South Florida Water Management District (SFWMD), Florida Fish and Wildlife Conservation (FWC), and nongovernmental environmental groups. [9J-5.013(2)(e)9]~~

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**Objective 205.2**

To implement **Goal 105** of this Plan and the recommendations in the Florida Keys Carrying Capacity Study (FKCCS), Monroe County shall ~~adopt revisions to the Land Development Regulations~~maintain land development regulations which further protect and provide for restoration of the habitat values of upland native vegetated communities, including hardwood hammocks and pinelands.—~~[9J-5.012(3)(b)1; 9J-5.013(2)(b)3]~~  
[§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.h., F.S.]

**Policy 205.2.1**

Monroe County shall designate the boundaries of the overlay tier system based on the criteria in **Policy 205.1.1**.

**Policy 205.2.2**

Monroe County shall discourage developments in Tier I and within tropical hardwood hammock or pinelands of one acre or more in area to protect areas of native upland vegetation. (See **Policy 101.5.4**).—~~[9J-5.012(3)(e)1, [§163.3177(6)d.2 and 3; 9J-5.014(d., F.S.; §163.3177(6)d.2)(e)6].h., F.S.]~~

**Policy 205.2.3**

~~Clustering~~Monroe County shall maintain clustering requirements ~~shall be revised to require the following~~as follows:

1. when a parcel proposed for development contains more than one (1) habitat type, development shall be:
  - a) clustered on the least sensitive portion of the parcel, until the maximum allowable density is reached;
  - b) if further development occurs, it shall be clustered on the next least sensitive portion of the parcel, until maximum allowable density is reached, etc.; and
2. development permitted on the least sensitive portion(s) of a parcel shall be clustered within that portion(s) of the parcel.

~~Habitat~~For the purpose of this policy, the relative sensitivity of separate habitat types shall be defined by the ranking currently contained in the Land Development Regulations Section as listed below with 1 (freshwater wetlands) being the most sensitive and 16 (disturbed with exotics) the least sensitive.

1. Freshwater wetlands;
2. Salt marsh and/or buttonwood association wetlands;
3. Cactus hammock;
4. Palm hammock;
5. Beach/berm;

[6. Pinelands](#)

[7. High Hammock](#)

[8. Low hammock](#)

~~9.5-345(a), hereby incorporated by reference~~ [Disturbed beach/berm;](#)

[10. Disturbed with freshwater wetlands;](#)

[11. Disturbed with salt marsh and/or buttonwood association wetlands;](#)

[12. Disturbed with slash pines;](#)

[13. Disturbed with high hammock;](#)

[14. Disturbed with low hammock;](#)

[15. Disturbed; and](#)

[16. Disturbed with exotics.](#)

**Policy 205.2.4**

Bulk regulations and development standards shall be reviewed and revised so as to allow greater flexibility for clustering.

**Policy 205.2.5**

~~Environmental Impact Assessments~~ [Existing Conditions Reports](#) shall include identification of measures for protecting native upland vegetation (See **Goal 218** and related objectives and policies). Successful implementation of these measures shall be required as a condition of issuance of a certificate of occupancy. ~~[9J-5.013(2)(e)3]~~ [\[§163.3177\(6\)d.2.d.\]](#)

**Policy 205.2.6**

The [allowable amount of](#) permitted clearing of native upland vegetation communities shall be defined by habitat and the location of the property in the tier overlay district maps. Clearing of upland native vegetation communities in the Tiers I, II, and III-A (SPA) shall be limited for the portion of the property containing upland native vegetation in accordance with Policy **101.4.22**. [\[§163.3177\(6\)d.2.d., F.S.\]](#)

**Policy 205.2.7**

Clearing of native vegetation shall be limited to the percentage and maximum allowed in Policy **101.4.22**. For applications that receive points for lot aggregation under the Permit Allocation System for residential development, clearing of upland native vegetation shall be limited to a maximum of 7,500 square feet, or as specified in Policy **101.4.222**. The immediate development area shall include the area of approved clearing shown on the approved site plan. The immediate development area shall be fenced throughout the duration of construction. During construction, there shall be no disturbances of the ground surface and vegetation within areas of native upland vegetation not approved for clearing. ~~[9J-5.013(2)(e)3]~~ [\[§163.3177\(6\)d.2.d., F.S.\]](#)  
(Ordinance 026-2012)

**Policy 205.2.8**

Development shall not disturb the following vegetation:

1. champion trees;
2. specimen trees (diameter at breast height that is greater than seventy-five (75) percent of the record tree of the same species for the State of Florida); and
3. plant species listed by the FWS as threatened and endangered. ~~[9]-5.013(2)(e)3]~~ [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.h., F.S.]

**Policy 205.2.9**

Development shall be sited so as to minimize impacts on the following plants:

1. species listed by the Florida Department of Agriculture and Consumer Services as threatened, endangered or commercially exploited (excluding those specifically protected by Policy **205.2.8**);
2. other locally rare native species (See Policy **205.3.1**); and
3. native trees with diameter at breast height (dbh) of four (4) inches or greater.

In those instances, where an applicant can demonstrate that avoidance of such species or trees is not possible by clustering or by an alternate design approach, then ~~successful transplantation of such species shall be considered on-site. "Successful" transplantation shall be defined as one hundred (100) percent survival after a period of one (1) year.~~ the following options shall be considered by the County Biologist:

(1) successful transplantation of affected plants/individuals shall be considered ("successful transplantation" shall be defined as one-hundred (100) percent survival after a period of one (1) year; or

(2) Where the probability of survivability of transplanted plants is low or when the there is no suitable planting are on the subject site (as determined in writing by the County Biologist), then the applicant shall be required to ~~pay~~make a payment into the Monroe County Land Management and Restoration Fund (See Goal **210** and related objectives and policies), ~~or~~. Payments into this Fund for this purpose shall be calculated as follows: Payments shall be equal to ~~donate~~the replacement cost at a rate of 2:1 for all native trees over four inches dbh ; all listed species of any size, and all locally rare native species; or

(3) donation of nursery stock to county or state restoration projects. (subject to approval by the receiving public agency/manager). Donated nursery stock shall be identical in species composition to that which will be lost to construction. ~~or as determined by the receiving public agency/manager for the restoration project.~~

Stock shall be donated according to the ~~following~~ replacement ~~schedule~~; rate (2:1) described above. The County Biologist may also approve alternative native species, as requested by the receiving public agency/manager. [~~§163.3177(6)d.2.d., F.S.~~]

~~1. for native trees over four (4) inches dbh, three (3) replacements for each taken;~~

~~2. for listed species of any size, three (3) replacements for each taken; and~~

~~3. for locally rare native species, three (3) replacements for each taken.~~

~~In situations where replacement stock is not available, then a replacement schedule utilizing alternative species shall be approved in writing by the County Biologist. This alternative shall be utilized only after all possible sources of replacement species have been exhausted.~~

~~In situations where payments are made in lieu of donations of stock, such payments shall be sufficient to purchase stock in numbers corresponding to the above replacement schedule. [9J-5.013(2)(e)3]~~

**Policy 205.2.10**

Invasive exotic vegetation shall be removed from the development parcel as a condition for issuance of a Certificate of Occupancy. [~~9J-5.013(2)(e)3~~]  
[~~§163.3177(6)d.2.d., F.S.~~]

**Policy 205.2.11**

A list of invasive exotic upland plants shall be ~~prepared~~ maintained by the County biologist. [~~9J-5.013(2)(e)3~~ and made available to the general public.]  
[~~§163.3177(6)d.2)(e)3~~.d., F.S.]

**Policy 205.2.12**

Monroe County shall use the legal conditions of land existing as of February 28, 1986 and as depicted on the "December 1985 Habitat Classification Aerial Photographs," hereby incorporated by reference as a base line for the type and extent of habitat on a parcel. The 1985 maps shall be supplemented by recent aerial photography and existing site analysis to determine any increases in the amount of upland native vegetated areas.

(no Policy 205.2.13)

**Policy 205.2.14**

Monroe County shall require, in the Land Development Regulations Code an Existing Conditions Report including a vegetation survey for any development

that may disturb native upland vegetation. At a minimum the report shall include an analysis of the potential impacts of the proposed development on native upland habitats, a description of the measures designed to reduce identified adverse impacts including clustering.

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**Objective 205.3**

By January 4, 1998, Monroe County shall ~~implement an expanded~~ maintain the existing program for identification and protection of plant species of special status. These shall include plants designated as threatened and endangered by the FWS and those designated as threatened, endangered, or commercially exploited by the Florida Department of Agriculture. ~~[9J-5.013( [§163.3177(6)d.2)(b)3]~~ d., F.S. ; §163.3177(6)d.2.e., F.S.]

**Policy 205.3.1**

Monroe County shall ~~develop~~ maintain a list of locally rare plant species. This list shall include species which are rare within the Florida Keys but which do not have special status. ~~[9J-5.013(2)(e)9]~~ [§163.3177(6)d.2.d., F.S. ; §163.3177(6)d.2.e., F.S.]

**Policy 205.3.2**

Monroe County shall ~~expand and update its~~ maintain maps showing occurrences of the following species:

1. plant species designated by the FWS as threatened and endangered;
2. plant species designated by the Florida Department of Agriculture as threatened, endangered or commercially exploited; and
3. plant species designated as locally rare.

Information shall be obtained from the Florida Natural Areas Inventory ~~data base-~~ database, which shall be entered into the County's GIS. To the extent possible, the historic occurrence data shall be plotted on specific parcels for which the occurrences were recorded. The GIS data base shall be updated annually. ~~[9J-5.013(2)(e)9]~~ [§163.3177(6)d.2.d., F.S. ; §163.3177(6)d.2.e., F.S.]

**Policy 205.3.3**

Monroe County shall ~~actively~~ participate in the Florida Champion Tree Program of the Florida Department of Agriculture. ~~[9J-5.013( [§163.3177(6)d.2)(e)9]~~ d., F.S. ; §163.3177(6)d.2.e., F.S.]

**Policy 205.3.4**

Monroe County shall work cooperatively with the FWS to promote the recovery of plant species designated by the federal government as threatened and endangered. Related activities shall include:

1. identification of sites in the Keys with key tree-cactus (~~Cereus~~ *Cereus robinii* ~~Polosocereus~~ *Polosocereus polygonus*), Small's milkpea (*Galactia smallii*), and Garber's spurge (~~Euphorbia~~ *Chamaesyce garberi*);

2. notification to the FWS when development proposals are received for sites having historic and/or current occurrences of federally-designated plant species list in (1.) above;
3. cooperation with the FWS in locating potential introduction sites for federally-designated plant species; and
4. technical assistance, and where possible, financial assistance, with acquisition of:
  - a) sites having known populations of federally-designated plant species; or
  - b) sites deemed highly suitable as re-introduction sites for such species. [\[9J-5.013\(2\)\(e\)9\] \[§163.3177\(6\)d.2.d., F.S.;](#)  
[§163.3177\(6\)d.2.e., F.S.\]](#)

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**Objective 205.4**

~~By January 4, 1998, Monroe County shall implement an ongoing coordination program with the NPS, SFWMD, Collier County and Dade County designed to address existing and potential land management problems in the region which may affect unique vegetative communities on mainland Monroe County. (See Objective 202.16 and related policies). [9J-5.012(3)(b)1 and 2; 9J-5.013(2)(b)2,3,4,6 and 10]~~

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**Objective 205.5**

Monroe County, together with private, state, and federal agencies, shall ~~establish~~maintain a program for acquiring and maintaining native upland habitat to implement Goal **105** and the recommendations in the FKCCS. (See Future Land Use Objective **102.4** and related policies). ~~[9J-5.012(3)(b)4; 9J-5.013(2)(e)6]~~ [§163.3177(6)d.2)(e)6].d., F.S.; §163.3177(6)d.2.e., F.S.]

**Policy 205.5.1**

The Monroe County Division ~~of Growth Management~~ shall work cooperatively with the Monroe County Land Authority and other responsible state and federal agencies in developing and administering the acquisition program. Acquisition shall be undertaken to implement the Monroe County Land Acquisition Master Plan (Objective 102.4). ~~[9J-5.012(3)(e)2; 9J-5.013(2)(e)6]~~ [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.]

**Policy 205.5.2**

~~A list of priority native upland habitat acquisition sites in Tier I shall be drafted and reviewed annually with public input taken. This list shall be developed by Monroe County in consultation with representatives of FDEP, FDCA, USFWS, SFWMD, FWC and others as appropriate.~~

~~**Objective** Monroe County shall support the acquisition of native upland habitat for conservation within areas designated Tier I, Tier II, Tier III-A, and Florida Forever project boundaries. [§163.3177(6)d.2.h., F.S.]~~

**Policy 205.65.3**

~~By January 4, 1998,~~ Monroe County shall ~~initiate a program~~continue to restore and maintain ~~disrupted~~ native upland vegetation systems on ~~public~~County-owned lands. (See Objective **210.1** and related policies). ~~[9J-5.012(3)(b)4; 9J-5.013(2)(e)]~~ [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.]

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**GOAL 206**

The health and integrity of Monroe County's beach/berm resources shall be protected and, where possible, enhanced. [9J 5.012(3)(a); 9J 5.013(2)(a)]

**Objective 206.1**

~~Upon adoption of the Comprehensive Plan, Monroe County shall revise the Land Development Regulations to include revised development standards pertaining to permitted uses, siting of structures, disturbances, removal of invasive vegetation, and restoration of native vegetation in undisturbed and disturbed beach/berm areas. [9J 5.012(3)(b)4]~~

**Policy 206.1.1**

~~Upon adoption of the Comprehensive Plan, Monroe County shall implement the Permit Allocation and Point System. Monroe County shall assign a negative point rating to developments which require disturbance of undisturbed beach/berm areas. (See Policy 101.5.4). [9J 5.012(3)(c)1,2 and 3; 9J 5.013(2)(c)6]~~

**Policy 206.1.2**

~~Minimum coastal construction setbacks currently in use in Monroe County shall be reviewed in coordination with DNR. Existing setbacks in the Land Development Regulations (Monroe County BOCC, 1990) shall be revised as deemed appropriate based upon findings of this review. (See Objective 212.2 and related policies). [9J 5.012(3)(c)1,2 and 3; 9J 5.013(2)(c)6]~~

**Policy 206.1.3**

~~Permitted uses within the shoreline setback along natural shorelines characterized by beach/berm vegetation shall be limited to docks and walkways. Access shall be restricted to wooden dune walkover structures which, in the absence of a dock, shall terminate at the waterward toe of the dune. All structures shall be elevated on pilings or other supports. [9J 5.012(3)(c)1,2 and 3; 9J 5.013(2)(c)6]~~

**Policy 206.1.4**

~~No beach/berm material shall be excavated or removed and no fill shall be deposited on a beach/berm. [9J 5.012(3)(c)1,2 and 3; 9J 5.013(2)(c)6]~~

**Policy 206.1.5**

~~Clearing of beach/berm vegetation in the area landward of the shoreline setback shall be limited to the minimum clearing required to allow development of a permitted use. Prior to commencement of construction, the immediate area required for construction shall be enclosed with fencing. No vehicular or pedestrian traffic shall be permitted outside the fenced areas for the duration of the construction period. All areas disturbed during construction shall be managed to avoid the introduction and/or establishment of invasive exotic species.[9J 5.012(3)(c)1,2 and 3; 9J 5.013(2)(c)6]~~

**Policy 206.1.6**

~~Beach/berm areas disturbed during construction shall be immediately restored to stable condition. Restoration techniques shall be designed to achieve the maximum stability possible. Native plants shall be used exclusively in re-vegetation. [9J-5.012(3)(c)1,2 and 3; 9J-5.013(2)(c)3 and 6]~~

**Policy 206.1.7**

~~Invasive exotic vegetation shall be removed from the development site as a condition for issuance of a Certificate of Occupancy. [9J-5.012(3)(c)1,2 and 3; 9J-5.013(2)(c)3 and 6]~~

**Policy 206.1.8**

~~A list of invasive exotic beach/berm plants shall be prepared by the County Biologist. [9J-5.013(2)(c)3; 9J-5.013(2)(c)6]~~

**Policy 206.1.9**

~~Existing and new outdoor lighting shall be restricted/or prohibited, as appropriate, so as to avoid adverse impacts on beach nesting areas (See Policies 207.9.6 and 207.9.7). [9J-5.012(3)(c)1,2 and 3; 9J-5.013(2)(c)6]~~

**Policy 206.1.10**

~~Seawalls shall be prohibited on any beach or open water shoreline. [9J-5.012(3)(c)1,2 and 3; 9J-5.013(2)(c)6]~~

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**Objective 206.2**

~~By January 4, 1998, Monroe County shall initiate a program to restore and maintain disturbed beach/berm resource areas on public lands. (See Objective 210.1 and related policies.) [9J 5.012(3)(b)4; 9J 5.013(2)(c)6]~~

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Objective 206.3

~~Beginning in 1998, Monroe County shall prepare annual beach management plans for all publicly owned beaches (See Recreation and Open Space Objective 1201.11 and related policies). These plans shall be prepared by September 30th of each year. They shall be consistent with the current county restoration plan (See Objective 210.1 and related policies). [9J-5.012(3)(b)4; 9J-5.013(2)(c)6]~~

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**Objective 206.4**

~~By January 4, 1998, Monroe County shall establish a program for acquiring undisturbed beach/berm resource areas (See Future Land Use Objective 102.4 and related policies). [9J 5.012(3)(b)4; 9J 5.013(2)(c)6]~~

**Policy 206.4.1**

~~The Monroe County Department of Environmental Resources shall work cooperatively with the Monroe County Land Authority in developing and administering the beach/berm acquisition program. Acquisition shall be undertaken as part of the Monroe County Natural Heritage and Park Program. [9J 5.012(3)(c)2; 9J 5.013(2)(c)6]~~

**Policy 206.4.2**

~~A list of priority undisturbed beach/berm acquisition sites shall be drafted and updated annually. This list shall be developed by Monroe County in consultation with representatives of the DNR and others, as appropriate. Priority beach/berm acquisition sites shall include those which:~~

- ~~1. are documented nesting sites for state and federally designated species (See Policy 207.9.2); and/or~~
- ~~2.1. can accommodate public recreation uses without adverse impacts on sensitive natural resources (See Parks and Open Space Element Policy 1201.2.4); and/or~~
- ~~3. are located within Improved Subdivisions. [9J 5.012(3)(c)2; 9J 5.013(2)(c)6]~~

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**GOAL 207**

Monroe County shall protect and conserve existing wildlife and wildlife habitats. ~~[9J-5.012(3)(a); 9J-5.013( [§163.3177(6)d.2)(a)]e., F.S.]~~

**Objective 207.1**

~~By January 4, 1997,~~ Monroe County shall ~~adopt revisions~~continue to the ~~Land Development Regulations~~enforce land development regulations which ~~shall~~ protect wildlife and wildlife habitat from adverse impacts of development. ~~[9J-5.012(3)(b)1; 9J-5.013(2)(b)6]~~

**Policy 207.1.1**

An ~~Environmental Impact Assessment (EIA)~~Existing Conditions Report (ECR) shall be required for ~~major~~land development projects that impact or propose removal of native habitat. (See **Goal 218** and related objectives and policies.)

As part of the ~~EIA~~ECR, the applicant shall be required to ~~complete~~provide the following ~~activities~~information related to wildlife and wildlife habitat:

1. a ~~species~~vegetation survey ~~to include, at a minimum, species of special status that are known to inhabit biological communities similar to those existing on that~~ identifies the site in the project area distribution and quality of native habitats;
2. an assessment of ~~probable impacts on those~~any endangered/threatened or protected species ~~associated with~~for which potential suitable habitat occurs within the parcel or lot proposed ~~development~~to be developed; and
3. identification of measures that will avoid or lessen the identified wildlife impact.

Monroe County ~~shall~~may, when deemed appropriate, incorporate the wildlife impact avoidance measures as stipulations for the land development order. ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.1.2**

Development shall be prohibited on offshore islands (including spoil islands) which have been documented as an established bird rookery, ~~as identified on the current Protected Animal Species Map~~. ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.1.3**

~~The Open Space Requirement for undisturbed salt marsh and buttonwood wetlands shall be one hundred (100) percent. (See Policy 204.2.1). [9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6].~~

**Policy 207.1.4**

Clustering requirements shall be revised so as to reduce habitat fragmentation  
(See Policy 205.2.3). ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

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**Objective 207.2**

~~By January 4, 1998,~~ Monroe County shall provide guidance to private landowners to reduce disturbances to wildlife species designated by the FWS ~~and the State~~ as threatened or endangered. ~~[9J-5.012(3)(b)1; 9J-5.013(2)(b)6]~~

**Policy 207.2.1**

~~The Monroe County Biologist, in coordination with DNR, FGFWFC, and the FWS,~~ shall ~~prepare~~ distribute management guidelines ~~(if available)~~ for wildlife species designated as threatened and endangered by the state and federal governments. ~~To the maximum extent possible, the County shall rely on guidelines and public educational materials prepared by the state and federal governments.~~

The guidelines shall provide public education to residents and prospective developers within critical habitat areas regarding activities disruptive or harmful to specific wildlife species. As appropriate for each species, the guidelines shall ~~may~~ address items such as feeding, free-roaming domestic pets, ~~invasive exotic species,~~ noise, traffic, fencing, pesticide applications, etc. ~~Existing laws and penalties for their violation shall be identified. A separate set of guidelines shall be developed for each species. [9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.2.2**

Monroe County shall make the management guidelines for designated wildlife species available to the general public. ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.2.3**

Monroe County shall ~~may~~, as appropriate, incorporate specific management guidelines for ~~state and~~ federally-designated wildlife species as ~~stipulations~~ conditions for land development orders. ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

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**Objective 207.3**

~~Monroe County shall protect native wildlife species, especially state and federally designated species, from disturbance and predation by free roaming domestic pets, particularly cats and dogs. [9J 5.012(3)(b)1; 9J 5.013(2)(b)6]~~

**Policy 207.3.1**

~~Big Pine and No Name Keys shall be high priority areas for controlling free-roaming dogs. In addition, by January 4, 1998, the County Biologist shall identify other areas within the County where priority should be placed in enforcing animal control laws so as to protect native wildlife populations. [9J 5.012(3)(c)1; 9J 5.013(2)(c)5 and 6]~~

**Policy 207.3.2**

~~The County Biologist shall meet periodically with the Monroe County Animal Control Department to review priorities for animal control (as identified pursuant to Policy 207.3.1). [9J 5.012(3)(c)1; 9J 5.013(2)(c)5 and 6]~~

**Policy 207.3.3**

~~By January 4, 1998, the Monroe County Animal Control Department shall develop and begin implementation of an Animal Control Plan. This plan shall address long term staffing and facility needs within the Upper, Middle and Lower Keys for protecting residents and native wildlife populations from the hazards of free-roaming domestic pets. [9J 5.012(3)(c)1; 9J 5.013(2)(c)5 and 6]~~

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**Objective 207.4**

~~Monroe County shall protect its native wildlife populations from invasive exotic wildlife species. [9J-5.012(3)(b)1; 9J-5.013(2)(b)6]~~

**Policy 207.4.1**

~~By January 4, 1998, the Monroe County Biologist shall coordinate with the FGFWFC and the FWS to develop a list of undesirable exotic wildlife species (exclusive of horses, domestic dogs, and domestic cats). [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

**Policy 207.4.2**

~~By January 4, 1998, Monroe County shall adopt an exotic wildlife ordinance which shall prohibit and/or restrict the sale and handling of listed undesirable exotic species (exclusive of horses, domestic dogs, and domestic cats). [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

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**Objective 207.5**

~~By January 4, 1998, Monroe County shall implement an expanded program for mapping occurrences and habitat of species of special status. These shall include wildlife species designated as threatened and endangered by the FWS and those designated as threatened, endangered or species of special concern by the FGFWFC. [9J-5.012(3)(b)1; 9J-5.013(2)(b)6]~~

**Policy 207.5.1**

~~Monroe County shall develop a list of locally rare wildlife species. This list shall include species which are rare within the Florida Keys but which do not have special status. [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

**Policy 207.5.2**

~~Monroe County shall expand and update its maps showing occurrences of the following species:~~

- ~~1. \_\_\_\_\_ wildlife species designated as threatened and endangered by the FWS;~~
- ~~2. \_\_\_\_\_ wildlife species designated as threatened, endangered or species of special concern by the FGFWFC; and~~
- ~~3. \_\_\_\_\_ wildlife species designated as locally rare.~~

~~Information shall be obtained from the Florida Natural Areas Inventory data base. It shall be entered into the County's GIS. To the extent possible, the historic occurrence data shall be plotted on specific parcels for which the occurrences were recorded. GIS data shall be updated annually. [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

**Policy 207.5.3**

~~Monroe County shall seek an interagency agreement with the Florida Natural Areas Inventory, FGFWFC, and FWS to assist the County in identifying the probable concentrated range of wildlife species of special status. [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

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**Objective 207.6**

~~By January 4, 1998, Monroe County shall implement a cooperative program with the FWS, DNR, and FGFWFC to promote the recovery of wildlife species designated by the federal government as threatened and endangered. [9J-5.012(3)(b)1; 9J-5.013(2)(b)6]~~

**Policy 207.6.1**

~~Monroe County shall routinely notify the FWS, DNR, and FGFWFC, as appropriate, when development proposals are received for sites having historic and/or current occurrences of species designated as threatened or endangered by the federal and state governments. [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

**Policy 207.6.2**

~~Monroe County shall cooperate with the FWS and FGFWFC in locating potential introduction sites for federally designated wildlife species. [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

**Policy 207.6.3**

~~Monroe County shall provide technical assistance, and where possible, financial assistance with acquisition of:~~

- ~~1. \_\_\_\_\_ sites having known populations of federally designated wildlife species; or~~
- ~~2. \_\_\_\_\_ sites deemed highly suitable as reintroduction sites for such species.~~

~~Site acquisition shall be considered through the Monroe County Natural Heritage and Park Program. (See Future Land Use Objective 102.4 and related policies). [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

**Policy 207.6.4**

~~Monroe County shall support special activities to protect specific species designated by the FWS as threatened or endangered (pursuant to FKAA Rule Chapter 48-7). (See Objectives 207.8 through 207.13 and related policies). [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

**Policy 207.6.5**

~~Monroe County shall continue to monitor water connections and hookups by the FKAA to confirm compliance with mandatory requirements of the FWS. These FWS requirements prohibit water connections or hookups within National Wildlife Refuge areas or hardwood hammock areas within its jurisdiction. [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

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**Objective 207.7**

~~Monroe County shall implement activities to prohibit~~ Monroe County shall continue to discourage the destruction of the federally-designated Key deer (*Odocoileus virginianus clavium*) and to protect its habitat. ~~[9J-5.012(3)(b)1; 9J-5.013(2)(b)6]; through the implementation of the policies incorporated herein.~~

**Policy 207.7.1**

Monroe County shall regulate future development and coordinate the provision of public facilities on Big Pine Key and No Name Key, consistent with the ~~Goals, Objectives and Policies of this Comprehensive Plan and in order~~ Habitat Conservation Plan for Florida Key Deer and other Protected Species on Big Pine Key and No Name Key (HCP) to:

1. protect the Key deer;
2. preserve and enhance the habitat of the Key deer; and
3. maintain the rural, suburban, and open space character of Big Pine Key. (See Future Land Use Objective 103.1 and related policies.) ~~[9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

**Policy 207.7.3**

~~By January 4, 1998,~~ Monroe County shall ~~identify~~ continue to designate Key deer habitat areas as priority acquisition sites for conservation purposes. ~~Emphasis shall be placed upon acquisition of movement corridors, sources of freshwater, and undisturbed native vegetation areas which are located within Improved Subdivisions and which are outside of~~ in accordance with the acquisition areas identified by the FWS (for the National Key Deer Refuge), DNR (for the Coupon Bight CARL Project), and SFWMD (for the Big Pine Key Save Our Rivers project). ~~HCP.~~

~~Acquisition shall be considered through the Monroe County Natural Heritage and Park Program.~~ (See Future Land Use **Objective 102.4** and related policies). ~~[9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

**Policy 207.7.4**

~~By January 4, 1998, Monroe County shall meet with federal agencies, state agencies, and private non-profit conservation organizations, to determine how the County can support programs for acquisition of land for conservation purposes within habitat areas of the Key deer.~~ ~~[9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

**Policy 207.7.6**

~~Monroe County shall monitor FKAA compliance with federal regulations prohibiting potable water hookups to designated habitat areas of the Key deer (pursuant to FKAA Rules Chapter 48-7).~~ ~~[9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

**Policy 207.7.8**

~~By January 4, 1998, the County Biologist shall designate Key deer habitat on Big Pine Key, No Name Key, and other keys as appropriate, as priority areas for enforcement of animal control laws (pursuant to Policy 207.3.1). Adequate staff shall be provided at the animal shelter on Big Pine Key to enforce animal control laws (determined pursuant to Policy 207.3.3). [9J 5.012(3)(e)1; 9J 5.013(2)(e)5 and 6]~~

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**Policy 207.7.12**

~~By January 4, 1997, Monroe County shall meet with the FWS to determine measures which can be taken by the County to support the FWS in enforcing existing no feeding laws pertaining to the Key deer. [9J 5.012(3)(e)1; 9J 5.013(2)(e)5 and 6]~~

**Policy 207.7.13**

~~On an ongoing basis, Monroe County shall strictly enforce speed limits on roads on Big Pine, No Name, Big Torch, Middle Torch and Cudjoe Keys. [9J 5.012(3)(e)1; 9J 5.013(2)(e)5 and 6]~~

**Policy 207.7.14**

~~By January 4, 1998, Monroe County shall initiate volunteer programs to encourage landowners to voluntarily remove Brazilian pepper, Australian pines and other invasive plants from their properties. [9J 5.012(3)(e)1; 9J 5.013(2)(e)5 and 6]~~

**Policy 207.7.15**

~~By January 4, 1998, Monroe County shall distribute management guidelines for Key deer (developed pursuant to Policy 207.2.1) to private landowners on Big Pine Key. [9J 5.012(3)(e)1; 9J 5.013(2)(e)5 and 6]~~

**Policy 207.7.16**

~~The Monroe County Biologist shall meet routinely with the director of the National Key Deer Refuge to review progress toward attainment of Key deer management objectives and the need for implementation of revised or additional management actions for Key deer protection. [9J 5.012(3)(e)1; 9J 5.013(2)(e)5 and 6]~~

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**Objective 207.8**

Monroe County shall implement activities to prohibit the destruction of the Florida manatee (*Trichechus manatus*), American Crocodile (*Crocodylus acutus*), and marine turtles, as well as to protect the habitat of these species. Species of marine turtles to be protected shall include the Atlantic Loggerhead Turtle (*Caretta caretta*), Leatherback Turtle (*Dermochelys coriacea*), Atlantic Hawksbill Turtle (*Eretmochelys imbricata*), Green Turtle (*Chelonia mydas*), and ~~any other marine turtle using Monroe County beaches as nesting habitat.~~ ~~[9J-5.012(3)(b)1; 9J-5.013(2)(b)6]~~ Kemp's ridley Turtle (*Lepidochelys kemp*).

**Policy 207.8.1**

~~By January 4, 1997,~~ Monroe County shall ~~revise the Land Development Regulations to include revised~~ maintain land development ~~standards~~ regulations pertaining to permitted uses, siting of structures, disturbances, removal of invasive vegetation, and restoration of native vegetation in beach/berm areas. (See Objective **206.1** and related policies). ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.8.2**

~~By January 4, 1998,~~ Monroe County shall ~~initiate a program~~ continue to restore and maintain disturbed beach/berm areas on Monroe County owned or managed public lands. (See Policies **210.1** through **210.9**). ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.8.36**

~~By January 4, 1998,~~ Monroe County shall ~~develop and implement a boating impacts management program for protection of marine turtles and manatees.~~ (See Objective 203.6 and related policies).

**Policy 207.8.4**

~~By January 4, 1997,~~ Monroe County shall ~~adopt revisions to the Land Development Regulations which will reduce pollutant discharges into surface waters from dredge and fill activities.~~ (See Objective 202.8 and related policies). ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.8.5**

~~Upon completion of the Florida Keys National Marine Sanctuary Plan,~~ Monroe County shall ~~amend the Comprehensive Plan to specify how the County will assist in implementation of the plan for an oil spill response team for the Florida Keys.~~ ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.8.6**

~~By January 4, 1998,~~ Monroe County shall ~~adopt a~~ maintain the turtle protection ordinance, ~~and may periodically amend the ordinance to reflect current Florida Fish & Wildlife Conservation Commission sea turtle lighting guidelines.~~ (62B-55

[FAC; 161.163 F.S.](#)) Regulations of this ordinance ~~shall~~ apply to existing and new development and ~~shall~~ generally accomplish the following:

1. prohibit activities disruptive to marine turtles;
2. ~~establish~~[maintain](#) standards for preventing interior lighting from illuminating nesting areas during the nesting season;
3. ~~establish~~[maintain](#) standards for mechanical beach cleaning; and
4. protect marine turtles from predation. ~~{9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6}~~

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**Policy 207.8.7**

Monroe County shall continue to protect marine turtles, crocodiles, and alligators from land development activities. Regulations shall generally accomplish the following:

1. restrict existing and prohibit new beachfront outdoor lighting in the vicinity of nesting areas;
2. prohibit structures within fifty (50) feet of the crest of the beach/berm for any beach which is known to serve as an active nesting area;
3. establish general standards for coastal construction in the vicinity of active nesting areas; and
4. require removal of invasive exotic vegetation from development sites in beach/berms as a condition of development approval for adjacent uplands.

**Policy 207.8.8~~9~~**

Monroe County ~~shall support and, when appropriate, assist the efforts of non-profit conservation groups.~~

**Policy 207.8.9**

~~Staff of the Monroe County Department of Environmental Resources and the Monroe County Department of Marine Resources shall~~staff may attend routine ~~DNR~~ training sessions in marine turtle handling. This training shall qualify staff to handle marine turtles and their eggs, as appropriate, when they are observed during beach site inspections. ~~[9J-5.012(3)(e)1]~~

**Policy 207.8.10**

~~By January 4, 1998, Monroe County shall identify undisturbed beach nesting habitat of marine turtles as priority acquisition sites for conservation purposes. Particular emphasis shall be placed upon acquisition of undisturbed beaches which are located within Improved Subdivisions.~~

~~Acquisition shall be considered through the Monroe County Natural Heritage and Park Program. (See Future Land Use Objective 102.4 and related policies). [9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.8.11**

~~By January 4, 1998, Monroe County shall consider requests by the Boating Impacts Workshop to adopt speed controls in nearshore waters and/or creation of a boating restricted or boating protection zone. [9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~

**Policy 207.8.12**

~~Monroe County shall monitor FKAA compliance with federal regulations prohibiting potable water hookups to designated habitat areas of the American crocodile (pursuant to FKAA Rules Chapter 48-7). [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

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Objective 207.9

Monroe County shall

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**Objective 207.9**

Monroe County shall implement measures intended to protect the critical nesting and resting sites of its bird populations, including permanent and transient species.—[9J-5.012(3)(b)1; 9J-5.013(2)(b)6]

**Policy 207.9.17**

~~By January 4, 1998, the Monroe County Biologist, in cooperation with DNR, FGFWFC, FWS, and the National Audubon Society Research Department shall update the list of offshore island bird rookeries where development shall be prohibited. Until the list is updated, the offshore islands which are established bird rookeries shall be defined as any offshore island designated as a known habitat for a nesting bird on the latest update of the Protected Animal Species Map. (See Policy 207.1.3, 207.9.1 and 1301.7.10.)~~ [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]

**Policy 207.9.2**

~~By January 4, 1998, the Monroe County Biologist, in cooperation with DNR, FGFWFC, and the National Audubon Society Research Department shall compile a list of nesting sites in the Lower, Middle and Upper Keys known to be used by federally-designated birds, including the southern bald eagle (*Haliaeetus leucocephala*), roseate tern (*Sterna dougalii*), piping plover (*Charadrius melodus*), perrigrine falcon (*Falco peregrinus tundrius*), and least tern (*Sterna antillarum*).~~ [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]

**Policy 207.9.3**

~~By January 4, 1998, the Monroe County Biologist shall prepare management guidelines for private landowners to address the special sensitivity during the nesting period of the southern bald eagle (*Haliaeetus leucocephala*), osprey (*Pandion haliaetus*), the brown pelican (*Pelecanus occidentalis*), and the roseate tern (*Charadrius melodus*). Development of these guidelines shall be undertaken in coordination with the Florida Game and Freshwater Fish Commission and the FWS.~~ [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]

**Policy 207.9.4**

~~By January 4, 1997, Monroe County shall retain existing regulations of Section 9.5-478 of the Land Development Regulations (Monroe County BOCC, 1990) which limit land uses and establish wildlife habitat protection measures for wintering grounds of the piping plover (*Charadrius melodus*) on Ohio Key.~~ [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]

**Policy 207.9.7**

~~By January 4, 1998, Monroe County shall identify/include the following as priority/potential acquisition sites for conservation purposes:~~

1. nesting sites of the southern bald eagle (*Haliaeetus leucocephala*), osprey (*Pandion haliaetus*), the brown pelican (*Pelecanus occidentalis*), and the roseate tern (*Sterna dougallii*); and
2. wintering grounds for the peregrine falcon (*Falco peregrinus*) and the piping plover (*Charadrius melodus*).

~~Acquisition shall be considered through the Monroe County Natural Heritage and Park Program.~~ \_\_\_\_\_ (See Future Land Use **Objective 102.4** and related policies.)  
~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

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**Objective 207.10**

Monroe County shall implement activities to prohibit the destruction of the federally-designated Schaus swallowtail butterfly (*Heracles aristodemus ponceanus*).—[9J-5.012(3)(b)1; 9J-5.013(2)(b)6] and the Miami blue butterfly (*Cyclargus thomasi bethunebakeri*).

**Policy 207.10.13**

By January 4, 1998, Monroe County, in cooperation with the FWS and FGFWFC, shall identify the native upland habitats used by the Schaus swallowtail butterfly which are not protected in publicly-owned conservation lands.—[9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]

**Policy 207.10.2**

By January 4, 1998, sites identified pursuant to Policy 207.10.1 shall be identified as priority acquisition sites for conservation purposes.

Acquisition shall be considered through the Monroe County Natural Heritage and Park Program.—(See Future Land Use Objective 102.4 and related objectives and policies.) [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]

**Policy 207.10.3**

Upon adoption of the Comprehensive Plan, Monroe County shall implement the Permit Allocation and Point System.— Monroe County shall assign a negative point rating to developments proposed within hammocks (identified pursuant to Policy 207.10.1) used by the Schaus swallowtail butterfly.—(See Policy 101.5.4). [9J-5.012(3)(c)5 and 6]

**Policy 207.10.4**

Monroe County shall coordinate regularly with the Mosquito Control District to promote continued conformance with aerial pesticide spraying guidelines for avoiding Schaus swallowtail butterfly habitat.— [9J-5.012(3)(c)1; 5.013(2)(c)5 and 6]

**Policy 207.10.5**

Monroe County shall promote research and development of mosquito control methods which are an alternative to aerial spraying.—(See Objective 202.11 and related policies.) [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]

Monroe County shall continue to implement the Rate of Growth Ordinance.

**Policy 207.10.6**

Monroe County shall encourage the planting of torchwood (*Amyris elemifera*) within the range of the Schaus swallowtail butterfly habitat. Restoration sites shall be re-vegetated, in part, with torchwood. Tree donations for replacement of impacted potentially suitable habitat for the Schaus swallowtail butterfly shall include torchwood.—(9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6)

**Policy 207.10.7x**

Monroe County shall ~~monitor FCAA compliance with federal regulations prohibiting potable water hookups to designated habitat areas~~ encourage the planting of ~~the Schaus swallowtail~~ larval food plants of the Miami blue butterfly (pursuant to ~~FCAA Rules Chapter 48-7~~). ~~[9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~ in suitable habitats.

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**Objective 207.11**

Monroe County shall implement activities to prohibit the destruction of the federally-designated Stock Island tree snail (*Orthalicus reses*). ~~{9J-5.012(3)(b)1; 9J-5.013(2)(b)6}~~

**Policy 207.11.1**

The Monroe County Biologist shall continue to provide periodic population counts for the Stock Island tree snail to the FWS. ~~{9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6}~~

**Policy 207.11.2**

~~By January 4, 1998,~~ Monroe County shall ~~take actions to work~~coordinate with the ~~Monroe County Florida Keys~~ Mosquito Control ~~Board~~District to take actions to direct spraying of mosquito control pesticides away from known populations and critical habitat of the Stock Island Tree Snail. ~~{9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6}~~

**Policy 207.11.3**

~~By January 4, 1998,~~ Monroe County shall cooperate with the FWS in locating potential introduction sites for the Stock Island Tree Snail. ~~{9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6}~~

**Policy 207.11.4**

Potential introduction sites for the Stock Island Tree Snail, which are not currently in public ownership shall be designated as priority acquisition sites for conservation purposes.

Acquisition shall be considered through the Florida Forever program and other funding mechanisms such as the Monroe County Land Acquisition Fund.

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**Objective 207.12**

Monroe County shall implement activities to protect the habitat of, and to prohibit the destruction of, the federally-designated eastern indigo snake (*Drymachron corais couperi*), Key Largo wood rat (*Neotoma floridana smalli*), silver rice rat (*Orzomys argentatus*), Key Largo cotton mouse (*Peromyscus gossypinus allapaticola*), American crocodile (*Crocodylus acutus*), and the Lower Keys marsh rabbit (*Sylvilagus palustris hefneri*). ~~[9J-5.012(3)(b)1; 9J-5.013(2)(b)6]~~

**Policy 207.12.1**

~~By January 4, 1998,~~ Monroe County, in cooperation with the FWS and ~~FGFWFCFWC~~, shall identify wetland and native upland habitats which are ~~documented~~potentially suitable habitat for the following:

1. eastern indigo snake (*Drymachron corais couperi*) (sites from No Name Key to Sugarloaf Key, on Big Torch Key, Middle Torch Key, Big Pine Key and Plantation Key);
2. silver rice rat (*Orzomys argentatus*) (sites on Cudjoe, Summerland, Big Torch, Middle Torch, Saddlebunch, Little Pine, Raccoon, Water, and Johnson Keys);
3. Lower Keys marsh rabbit (*Sylvilagus palustris hefneri*) (sites on Sugarloaf, Welles, Annette, Boca Chica, Big Pine and Hopkins Keys);
4. Key Largo wood rat (*Neotoma floridana smalli*) (on Key Largo);
5. Key Largo cotton mouse (*Peromyscus gossypinus allapaticola*) (on Key Largo); and
6. American crocodile (*Crocodylus acutus*). ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.12.2**

Sites identified pursuant to Policy **207.12.1** shall be identified as priority acquisition sites for conservation purposes. Particular emphasis shall be placed upon acquisition of identified wetland and native upland sites which are located within Improved Subdivisions. Acquisition shall be considered through the Florida Forever program and other funding mechanisms such as the Monroe County Land Acquisition Fund.

**Policy 207.12.3**

~~Upon adoption of the Comprehensive Plan, Monroe County shall implement the Permit Allocation and Point System. Monroe County shall assign a negative point rating to developments proposed within hammocks (identified pursuant to Policy 207.12.1) used by the Key Largo wood rat (*Orzomys argentatus*) and the~~

~~Key Largo cotton mouse (*Peromyscus gossypinus allapaticola*). (See Policy 101.5.4). [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

~~**Policy 207.12.4**~~

~~By January 4, 1998, the Monroe County Biologist shall coordinate with FGFWFC to identify specific measures which could be implemented by the County to better protect the eastern indigo snake from illegal collection for the pet trade. The Environmental Crimes Task Force shall be responsible for implementing identified measures. [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

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~~**Policy 207.12.5**~~

~~By January 4, 1997, Monroe County shall adopt revisions to the Land Development Regulations which shall establish the open space requirement for undisturbed salt marsh and buttonwood wetlands at one hundred (100) percent. (See Policy 204.2.1). [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

~~**Policy 207.12.6**~~

~~Monroe County shall monitor FKAA compliance with federal regulations prohibiting potable water hookups to designated habitat areas of the Key Largo cotton mouse, Key Largo wood rat, and eastern indigo snake (pursuant to FKAA Rules Chapter 48-7). [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

~~**Policy 207.12.7**~~

~~By January 4, 1998, the Monroe County Biologist shall coordinate with the FWS and FGFWFC to determine the protection and habitat preservation measures which could be implemented by Monroe County to assist with recovery of these designated species. [9J-5.012(3)(c)1; 9J-5.013(2)(c)5 and 6]~~

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**Objective 207.13**

Monroe County shall implement activities to protect the habitat of, and to prohibit the destruction of, the federally-designated American alligator (*Alligator mississippiensis*).  
~~[9J-5.012(3)(a); 9J-5.013(2)(a)]~~

**Policy 207.13.1**

~~By January 4, 1997, Monroe County shall adopt revisions to the Land Development Regulations which shall continue to maintain land development regulations which~~ establish the open space requirement for freshwater ponds and freshwater wetlands at one-hundred (100) percent (Monroe County BOCC, 1990). (See Policy 204.2.1) ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.13.2~~3~~**

~~By January 4, 1998, Monroe County shall meet with the FWS, DNR and SFWMD to determine how Monroe County can support acquisition of freshwater wetlands and critical recharge areas in the Lower Keys by FWS, DNR, and SFWMD. [9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.13.3**

~~By January 4, 1998, Monroe County shall~~ Monroe County shall continue to identify additional privately-owned lands with freshwater wetlands (not within the acquisition areas of the FWS, DNR or SFWMD) which provide important alligator habitat as priority acquisition sites for conservation purposes.

~~Acquisition shall be considered through the Monroe County Natural Heritage and Park Program. (See Future Land Use Objective 102.4 and related policies). [9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

**Policy 207.13.4**

~~By January 4, 1998, Monroe County shall identify~~ continue to protect the freshwater lens systems and associated recharge areas on Big Pine Key and adjacent keys. Special measures shall be implemented to protect the quantity and quality of groundwater recharge to the freshwater lenses. (See Natural Groundwater Aquifer Recharge Element Objective **1101.2** and related policies).  
~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~

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**GOAL 208**

Monroe County shall protect, conserve, and appropriately use its soil and mineral resources. ~~[9J-5.012(3)(a); 9J-5.013( [\\$163.3177(6)d.2)(a)].d., F.S.]~~

**Objective 208.2**

Within one (1

~~By January 4, 1997, Monroe County shall develop and implement a soil erosion and sedimentation control program. (See Objective 202.10 and related policies). [9J-5.013(2)(b)3]~~

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**Objective 208.2**

By January 4, 1997, the 2030 Comprehensive Plan Update (or approximately June 2015), Monroe County shall adopt revisions to the Land Development Regulations land development regulations which establish additional health, safety, and environmental protection standards for the extraction or use of mineral resources. ~~[9J-5.013(2)(b)3]~~

**Policy 208.2.1**

New miningresource extraction activities and expansions to existing miningresource extraction operations shall be prohibited. Oil and gas exploration, extraction and production in Monroe County shall be prohibited.— Monroe County shall also oppose oil, gas and mineral exploration, extraction and production in the Florida Keys National Marine Sanctuary.

**Policy 208.2.2**

Existing miningresource extraction operations may continue in accordance with the specific limitations of their current permits. All existing miningresource extraction operations shall be required to utilize methods to prevent permanent groundwater and surface water contamination during miningresource extraction operations. These shall include but not be limited to the following:

1. the first flush of runoff from the miningresource extraction site shall be retained on-site;
2. turbidity controls shall be used to prevent contamination of adjacent off-site surface waters; and
3. ~~turbidity controls shall be used to prevent contamination of adjacent off-site surface waters; and~~
4. all point sources of pollution shall be reduced/managed in accordance with applicable regulations of the Department of Environmental Regulation/FDEP and the U.S. Army Corps of Engineers.

When an application for annual permit for existing miningresource extraction operations is proposed, the requirement for groundwater and surface water quality protection measures shall be attached as permit conditions.

Monitoring shall be required to determine compliance with state water quality standards. In the event that water quality standards are violated as a result of a mining operation, the mining activity shall be stopped.

**Policy 208.2.23**

Measures Monroe County shall ~~be utilized to decrease air quality impacts of existing mining operations.~~

**Policy 208.2.3**

~~Proper precautions shall be taken to maintain land development regulations to prevent adverse effects from blasting within two (2) miles of areas with concentrations of development of more than one unit per acre. [9J-5.013(2)(c)2].~~

**Policy 208.2.4**

Resource extraction activities shall not involve extraction below sixty (60) feet. [9J-5.013(2)(c)2]

**Policy 208.2.5**

~~Monroe County shall develop and implement local reclamation standards which shall be at least as stringent as the criteria and standards contained in F.S. 1989, Chapter 378, Part IV. These standards shall be reviewed and revised in cooperation with DNR (Bureau of Mine Reclamation) and DER. [9J-5.013(2)(c)2]~~

**Policy 208.2.6**

As a condition of renewal for ~~annual~~ operating permits, existing resource extraction operators shall submit the following plans:

1. stormwater management plan;
2. soil erosion and sedimentation control plan;
3. fugitive dust control plan;
4. reclamation plan (consistent with standards adopted pursuant to **Policy 208.2.5**); the reclamation plan shall be approved by Monroe County;
5. survey information documenting maximum depth of excavation ~~and~~;
6. a risk analysis and mandatory pre-blasting survey shall be conducted for every structure within a scaled distance of 150 feet as defined in the Monroe County Blasting and Explosives Ordinance; and
7. proof of financial responsibility including a reclamation guarantee to ensure monies will be available to complete the reclamation.

**Policy 208.2.7**

Monroe County shall periodically inspect permitted sites to verify compliance with provisions of the control plans and reclamation plan upon which the annual operating permit is conditioned. [9J-5.013(2)(c)2]

**Policy 208.2.8**

~~Applicants for annual permit renewal of existing mining operations shall have a reclamation plan approved by Monroe County.~~

**Policy 208.2.9**

No permit renewals shall be issued for non-conforming uses within zoning districts.

**Policy 208.2.105**

~~Oil and gas exploration, extraction and production in Monroe County shall be prohibited.~~ Monroe County will also oppose oil, gas and mineral exploration, extraction and production in the Florida Keys National Marine Sanctuary. Monroe County shall encourage reclamation in accordance with the LDC; the FDEP standards contained in F.S. Chapter 378 Part IV; FDEP Rule 62C-36 (*Limestone Reclamation Requirements*); and FDEP Rule 62C-39 (*Reclamation Requirements for Solid Resource other than Phosphate, Limestone, Heavy Minerals, and Fullers' Earth*); whichever is most stringent.

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**Objective 208.34**

~~By January 4, 1998, Monroe County shall revise the Land Development Regulations to protect fresh groundwater lenses from accelerated saltwater intrusion due to limestone mining activity. [9J 5.013(2)(b)3]~~

**Policy 208.3.1**

~~Within one (1) year after the adoption of fresh groundwater resources (See Natural Groundwater and Aquifer Recharge Objective 1101.2 and related policies). [9J 5.013(2)(c)2]~~

**Policy 208.3.2**

~~Monroe County shall propose and adopt regulations to protect fresh groundwater resources from the impacts of limestone mining, including:~~

- ~~1. prohibition of limestone mining within 2030 Comprehensive Plan Update (or adjacent to any seasonal or permanent freshwater lens or lens recharge area; and/or~~
- ~~2. restoration requirements which promote preservation of freshwater lens integrity.~~

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**Objective 208.4**

~~By January 4, 1998, approximately June 2015), Monroe County shall prepare an inventory of active and abandoned mining sites ~~and develop a plan for the cleanup and productive reuse of abandoned mining sites. [9J 5.013(2)(b)3].~~~~

**Policy 208.4.1**

~~Monroe County shall work cooperatively with DER and DNR to identify alternatives for adaptive reuse and reclamation of abandoned mining pits in the Florida Keys. [9J 5.013(2)(e)2]~~

**Policy 208.4.2**

Monroe County shall inventory active and abandoned ~~mining~~resource extraction pits in the Florida Keys. The inventory shall include, at a minimum, the location, ownership, parcel and pit size, general assessment of remaining permitted resource potential, ~~general~~ description of existing site conditions, ~~and~~ environmental problems for each ~~abandoned pit. [9J 5.013(2)(e)2]~~pit, a description of the reclamation plan, and a description of any financial assurances for reclamation.

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**Objective 208.5**

Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), Monroe County shall develop a plan for the reclamation and productive reuse of active and abandoned resource extraction sites.

**Policy 208.4.1**

Monroe County shall work cooperatively with FDEP and South Florida Water Management District (SFWMD) to identify alternatives for adaptive reclamation and productive reuse of resource extraction pits in the Florida Keys.

**Policy 208.4.3**

Monroe County shall develop and implement a strategy for encouraging reclamation and productive reuse of active and abandoned miningresource extraction sites. ~~[9J-5.013(2)(c)2]~~

**Policy 208.4.4**

~~Monroe County shall work with~~This shall include resource extraction sites presently exempted from reclamation. The strategy shall encourage owners of abandoned minesresource extraction sites, and encourage adjacent property owners, to implement strategies for reclamation and productive reuse~~of abandoned mining sites. [9J-5.013(2)(c)2].~~

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**GOAL 209**

Monroe County shall discourage private land uses on its mainland, offshore islands and undeveloped coastal barriers, and shall protect existing conservation lands from adverse impacts associated with private land uses on adjoining lands. ~~[9J-5.012(3)(a); 9J-5.013(2)(a)]~~  
[\[§163.3178\(2\)\(f\), F.S.\]](#)

**Objective 209.1**

Development of the mainland area of Monroe County shall be controlled so as to reduce public expenditures and to preserve the ~~wilderness state~~[natural, cultural and historic resources](#) of the [mainland](#) area, ~~as defined under the Wilderness Act.~~ (See Future Land Use [Objective 102.6](#) and related policies.) ~~[9J-5.013(3)(b)1]~~

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Objective [§163.3177(6)d.2.g., F.S.; §163.3178(2)(f), F.S.]

**Policy 209.21.1**

Monroe County shall continue to regulate land use activities on the offshore islands ~~in the surrounding waters of Florida Bay, Hawk Channel, and other waters~~ within the legal boundaries of Monroe County. ~~[9J-5.012(3)(e)1; 9J-5.013(2)(e)5 and 6]~~ [§163.3178(2)(f), F.S.]

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**Objective Policy 209.31.2**

Monroe County shall take immediate actions to discourage private development in areas designated as units of the Coastal Barrier Resources System (CBRS). (See Future Land Use Objective 102.8 and related policies.) ~~9-5.012(3)(b)1~~ [§163.3178(2)(f), F.S.]

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Objective 209.4

~~By January 4, 1998, Monroe County shall complete and implement a cooperative land management program for private and county owned lands located within and adjacent to parks and conservation lands which are owned by the state and federal governments in the Florida Keys. (See Future Land Use Objective 102.9 and related policies.) [9J-5.012(2)(e)7; 9J-5.014(3)(b)1 and 4]~~

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**GOAL 210**

Monroe County shall ~~continue to maintain and~~ restore, ~~where practicable, disrupted~~as needed, and as funding is available, native habitat including marine, wetland, beach/berm, and native upland ~~vegetation~~ systems on County-owned ~~public lands~~. [~~9J 5.012(3)(a); 9J 5.013(or managed conservation lands. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2)(a)]e., F.S.;~~§163.3178(2)(e), F.S.]

**Objective 210.1**

~~By January 4, 1998~~As funding is available, Monroe County shall ~~initiate a program~~~~continue~~ to restore and maintain ~~disrupted~~marine, wetland, beach/berm and native upland ~~vegetation~~ systems on Monroe County ~~public lands owned or managed conservation lands~~. [~~§163.3177(6)d.2.e.; §163.3177(6)d.2.j., F.S.; §163.3178(2)(e), F.S.]~~

**Policy 210.1.1**

~~Priority wetland restoration sites~~Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), a list of invasive exotic plants shall be ~~drafted and updated every other year~~prepared by the Monroe County Land Steward. This list shall be ~~developed by Monroe County in consultation with representatives of the ACOE, EPA, FWS, DER, DNR and FGFWFC.~~ updated as necessary and shall be made available to the public.

**Policy 210.1.2**

Priority wetland restoration sites shall be those disturbed wetlands having the greatest functional value as determined ~~in the Florida Keys Advance Identification of Wetlands Program. [9J 5.012(3)(e)2; 9J 5.013(2)(e)6]~~through quantitative wetland assessment. [~~§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.;~~§163.3178(2)(e), F.S.; §163.3178(2)(f), F.S.]

**Policy 210.1.23**

~~A list of priority native upland vegetation restoration sites shall be drafted and updated every other year. This list shall be developed by Monroe County in consultation with the Florida Department of Agriculture and Consumer Services (Division of Plant Industries), the Florida Natural Areas Inventory, and the National Audubon Society Research Department.~~Priority upland restoration sites shall be identified on the basis of findings of the general evaluation of upland vegetation (See Objective 205.1 and related policies). Priority sites shall be those disturbed areas whose restoration will result in the greatest habitat benefit at the least cost. ~~Candidate restoration sites shall include publicly owned as well as privately owned sites. [9J 5.013(2)(e)3]~~ [§163.3177(6)d.2.d., F.S.]

**Policy 210.1.3**

~~A list of priority seagrass bed restoration sites shall be drafted and updated every other year. This list shall be developed by Monroe County in consultation with NOAA, EPA, DNR, and DER. Priority sites shall reflect findings of the Management Plan for the Florida Keys National Marine Sanctuary. [9J 5.012(3)(e)2]~~

**Policy 210.1.4**

~~A Monroe County shall continue the program shall be developed and updated every other year for removing to remove invasive exotic vegetation from existing county County-owned or managed conservation lands (exclusive of trade lands owned by the Monroe County Land Authority), including plans for re-vegetation. (See Open Space and Recreation Objective 1201.11 and related policies). [9J-5.012(3)(e)2].~~ The County shall also continue to actively participate in the Florida Keys Invasive Exotics Task Force.

**Policy 210.1.5**

~~A program shall be developed and updated every other year for restoring county-owned beach/berm areas. (See Recreation and Open Space Objective 1201.11 and related policies). [9J-5.012(3)(b)4; 9J-5.013(2)(e)6]~~

The restoration of County-owned beach/berm areas shall be a priority of the County's Land Management Program. [§163.3178(2)(e), F.S.]

**Policy 210.1.6**

~~A list shall be developed and updated every other year which selects from the identified priority wetland, seagrass and upland vegetation mitigation and restoration sites, those which shall be implemented in the following two years. Monroe County shall develop this plan working cooperatively~~Restoration priorities shall be developed by Monroe County in consultation with agencies of the federal and state government owning lands in the Florida Keys, and with appropriate federal and state regulatory agencies.—[9J-5.013(2)(e)7] (See Recreation and Open Space Objective **1201.11** and related policies).

**Policy 210.1.7**

Restoration projects shall be completed as funding becomes available. Local, state and federal funding sources shall be used to support restoration projects. [9J-5.013(2)(e)7]

**Policy 210.1.8**

~~A restoration fund shall be established. This fund shall consist of moneys paid, according to a designated fee structure, in lieu of tree relocation or replacement (pursuant to Policy 205.2.8). The fund shall be used to purchase trees for county restoration projects on upland sites. [9J-5.013(2)(e)7]~~

Monroe County shall continue to utilize the Monroe County Environmental Land Management and Restoration Fund for the management of County-owned and County-managed conservation lands. The Fund may only be used for restoration and management activities of public resource protection and conservation lands.

**Policy 210.1.9**

Monroe County shall support the efforts of state and federal agencies and private groups that buy land for conservation purposes to remove invasive exotic vegetation from acquisition sites.

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**Goal 206**

The health and integrity of Monroe County’s beach/berm resources shall be protected and, when possible, restored and enhanced.

**Objective 206.1**

Monroe County shall protect beach/berm resources by maintaining regulations that protect beach/berm resources.

**Policy 206.1.1**

Permitted uses within the shoreline setback along natural shorelines characterized by beach/berm vegetation shall be limited to docks and walkways. Access shall be restricted to wooden dune walkover structures which, in the absence of a dock, shall terminate at the waterward toe of the dune. All structures shall be elevated on pilings or other supports.

**Policy 206.1.2**

No beach/berm material shall be excavated or removed and no fill shall be deposited on a beach/berm.

**Policy 206.1.3**

Clearing of beach/berm vegetation in the area landward of the shoreline setback shall be limited to the minimum clearing required to allow development of a permitted use. Prior to commencement of construction, the immediate area required for construction shall be enclosed with fencing. No vehicular or pedestrian traffic shall be permitted outside the fenced areas for the duration of the construction period. All areas disturbed during construction shall be managed to avoid the introduction and/or establishment of invasive exotic species.

**Policy 206.1.4**

Beach/berm areas disturbed during construction shall be immediately restored to stable condition. Restoration techniques shall be designed to achieve the maximum stability possible. Native plants shall be used exclusively in re-vegetation. Invasive exotic vegetation shall be removed from the development site as a condition for issuance of a Certificate of Occupancy.

**Policy 206.1.5**

Existing and new outdoor lighting shall be restricted or prohibited, as appropriate, so as to avoid adverse impacts on beach nesting areas (See Policies [207.9.6](#) and [207.9.7](#)).

**Policy 206.1.6**

Seawalls shall be prohibited on any beach or open water shoreline.

**Policy 206.1.7**

Monroe County shall maintain a program to restore and maintain disturbed beach/berm resource areas on public lands.

**Policy 206.1.8**

Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), Monroe County shall prepare beach management plans for all publicly-owned beaches (See Recreation and Open Space Objective **1201.11** and related policies). They shall be maintained to be consistent with the current County Restoration Plan.

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**Objective 206.2**

Monroe County shall maintain a program for acquiring undisturbed beach/berm resource areas (See Future Land Use Objective 102.4 and related policies). [§163.3178(2)(e), F.S.]

**Policy 206.2.1**

The County, in cooperation with the Monroe County Land Authority shall continue to develop and administer a beach/berm acquisition program. [§163.3178(2)(e), F.S.]

**Policy 206.2.2**

Monroe County shall support the acquisition of undisturbed beach/berm resource areas for conservation within areas designated Tier I, Tier II, Tier III-A, and the Florida Forever project boundaries. Priority beach/berm acquisition sites shall include those that:

2. are documented nesting sites for state- and federally- designated species (See Policy 207.9.2); and/or
- 4.3. can accommodate public recreation uses without adverse impacts on sensitive natural resources (See Parks and Open Space Element Policy 1201.2.4); and/or
4. are located within Improved Subdivisions. ~~-, including both publicly owned and privately owned lands. [9J 5.012(3)(e)2]~~ [§163.3178(2)(e), F.S.]

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**GOAL 211**

Monroe County shall conserve and protect potable water resources and cooperate with regional efforts to ensure the continued availability of high quality potable water. ~~[9J-5.011(~~  
~~§163.3177(6)d.2)(a); 9J-5.013(b., F.S.; §163.3177(6)d.2)(a)]c., F.S.]~~

**Objective 211.1**

Monroe County shall encourage the use of water conservation strategies, including, but not limited to cisterns, on-site stormwater collection systems used for irrigation and bio-swales, and work cooperatively with FKAA and Miami-Dade County to encourage water conservation efforts and assure that land use planning and development controls are maintained which ~~shall protect~~protects the recharge area of the Florida City Wellfield from potential sources of groundwater contamination and saltwater intrusion. (See Potable Water Objective **701.4** and related policies). ~~[9J-5.013(2)(b)2]~~  
~~[§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.c., F.S.]~~

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**Objective Policy 211.21.1**

Monroe County shall continue to assist the FKAA with water conservation efforts ~~and to assist in~~, including implementing the FKAA's Water Conservation Plan, consistent with SFWMD's Water Shortage Plan and Water Consumption Guidelines, and shall implement measures to further conserve potable water. (See Potable Water Objective **701.9** and related policies). ~~[9J-5.013(2)(b)2]~~  
[§163.3177(6)d.2.b., F.S.; §163.3177(6)d.2.c., F.S.]

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**Objective Policy 211.31.2**

~~By January 4, 1998, Monroe County shall identify~~ has identified the freshwater lens system and associated recharge areas of the Florida Keys ~~and shall implement programs regulating~~ as noted within *Water Resources of Big Pine Key, Florida*, (Hanson, 1980). Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), the County shall adopt land development regulations that regulate the storage and use of hazardous materials in recharge areas, prohibiting new water withdrawals, and phasing out existing water withdrawals to protect ~~against saltwater intrusion~~ freshwater lenses. (See Natural Groundwater Aquifer Recharge Objectives **1101.2** and **1101.3** and related policies). ~~[9J-5.013( [§163.3177(6)d.2)(b), F.S.; §163.3177(6)d.2]i., F.S.]~~

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**GOAL 212**

Monroe County shall prioritize shoreline land uses and establish criteria for shoreline development in order to preserve and enhance coastal resources and to ensure the continued economic viability of the County. ~~[9J 5.012(3)(a); 9J 5.013 [§163.3178(2)(a)]g), F.S.]~~

**Objective 212.1**

~~By December 31, 2006, Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015),~~ Monroe County shall develop and implement measures for regulating shoreline uses ~~consistent with~~. Such measures shall reflect the following order of priorities:

~~a) water dependent uses;~~

~~b) water related uses; and~~

~~e) uses that are not dependent upon or related to shoreline access. [9J 5.012(3)(b)3]~~  
1. Water Dependent: "Water-dependent" uses are economically and physically dependent upon a coastal location and are given a higher priority than those land and water uses and activities that are not water-dependent. Water-dependent uses include, but may not be limited to:

(a) Boat harbors;

(b) Freight, fuel or other docks;

(c) Marine-based tourism facilities;

(d) Boat repair, haul outs, marine ways and accessory attached house;

(e) Shipwrights;

(f) Facilities that service the transportation of goods and services between the marine transportation system and the road system;

(g) Mariculture activities and fish processing; and

(h) Facilities to provide public access to coastal waters.

2. Water-Related: "Water-related" uses include, but are not limited to charters, captains for hire, trailer storage, marine supplies, marine parts, boat dealers, and marine maintenance and repair.

3. Water-Enhanced: Water-enhanced facilities include facilities that do not require access to the water and may not be water-dependent or water-related, but are enhanced by proximity to water. Water-enhanced commercial activities may include hotels, restaurants and other similar uses that provide views and access to the waterfront. Commercial uses that promote physical or visual use of shorelines by the public shall be given preference over other commercial uses in developing shoreline locations.

4. Uses and activities that are not water-dependent, water-related, or water-enhanced, but for which there is no practicable upland alternative to meet the public need for the use or activity, shall receive the lowest priority for a coastal location.

[§163.3178(2)(g), F.S.]

**Policy 212.1.1**

~~By December 31, 2003,~~Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), Monroe County shall develop a Shoreline Use Priorities Plan which shall provide for siting of ~~water-dependent and water-related~~ uses consistent with the following order of priority: 1) water-dependent uses, 2) water-related uses, 3) water-enhanced uses, and ~~34)~~ uses that are not dependent upon or related to shoreline access. The plan shall accomplish the following:

1. establish performance standards for shoreline development, consistent with criteria for marina siting (See Objective 212.4 and related policies);
2. identify environmentally suitable waterfront areas and recommend strategies for reserving such areas for water-dependent, water-related, and ~~water-related~~enhanced development sites consistent with estimated need;
3. analyze conflicts among existing shoreline uses and recommend strategies for reducing or eliminating such conflicts; and
4. identify strategies for encouraging appropriate mixed use development that includes water-dependent, water-related, and ~~water-related~~enhanced uses and is compatible with existing land uses.—~~[9J-5.012(3)(e)8]~~  
[§163.3178(2)(g), F.S.]

**Policy 212.1.2**

~~By December 31, 2006,~~Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), Monroe County shall:

1. adopt an amendment to the Comprehensive Plan ~~which~~that incorporates recommendations of the Shoreline Use Priorities Plan; and
2. adopt ~~Land Development Regulations which~~land development regulations that regulate existing and new shoreline development consistent with the recommendations of the Shoreline Use Priorities Plan.—~~[9J-5.012(3)(e)8]~~  
[§163.3178(2)(g), F.S.]

**Policy 212.1.3**

Monroe County shall maintain existing commercial fishing operations as conforming uses. ~~[9J-5.012(3)(e)8]~~[§163.3178(2)(g), F.S.]

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**Objective 212.2**

Monroe County shall adopt minimum performance standards designed to reduce the stormwater runoff impacts, aesthetic impacts, and hydrologic impacts of shoreline development. [\[§163.3178\(2\)\(g\), F.S.\]](#)

**Policy 212.2.1**

~~Minimum~~ [Within one \(1\) year after the adoption of the 2030 Comprehensive Plan Update \(or approximately June 2015\), Monroe County shall evaluate the minimum](#) coastal construction setbacks currently in use in Monroe County ~~shall be reviewed~~ in coordination with ~~DNR~~ [DEQ](#), [FDEP](#) and [FGFWFCFWC](#). Setbacks shall be identified which will accomplish the following:

1. protect natural shoreline vegetation;
2. protect marine turtle nesting beaches;
3. protect water quality ~~(through assimilative and filtrative uptake of pollutants by protected natural shoreline vegetation);~~
4. protect structures from the effects of long-term sea level rise;
5. protect beaches and shorelines from erosion; and
6. ~~protect~~ [allow redevelopment of existing waterfront commercial structures consistent with the existing community character and preserve overwater views of.](#)

~~6. Within one (1) year after the community.~~

~~Existing~~ [adoption of the 2030 Comprehensive Plan Update \(or approximately June 2015\), existing](#) setbacks in the Land Development [Regulations Code](#) (Monroe County BOCC, 1990) shall be revised as deemed appropriate based upon findings of this review. The setbacks currently in use ~~shall be the minimum and shall not may~~ be relaxed ~~through the variance or Special Approval process~~. Existing setbacks in the ~~Land Development Regulations LDC~~ are summarized as follows:

1. twenty (20) feet from the mean high tide line of manmade water bodies and/or lawfully altered shorelines of natural water bodies;
2. fifty (50) feet from natural water bodies with unaltered shorelines or unlawfully altered shorelines, measured from the landward limit of mangroves, if any, and where mangroves do not exist, from the mean high tide line; and [Revision 1 — 8/2004](#)
3. fifty (50) feet from any shoreline area which is known to serve as an active nesting or resting area for marine turtles, crocodiles, terns, gulls and other

birds. ~~[9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~  
[\[§163.3178\(2\)\(g\), F.S.\]](#)

**Policy 212.2.2**

Definitions for the terms "altered shoreline" and "unaltered shoreline" shall be adopted concurrent with this comprehensive plan and shall be written to recognize the following general features of each:

1. altered shorelines are generally located directly along dredged canals, basins and channels and/or have been filled or vertically bulkheaded to such a degree that the original natural slope landward of the water is no longer present.
2. unaltered shorelines are generally located along natural non-dredged waterways and open water and have a sloping profile typical of the original natural conditions of the shoreline even though fill or riprap may be present.

**Policy 212.2.32**

Permitted uses and performance standards within the shoreline setback shall be as follows:

~~Principal~~ [Except as provided herein, principal](#) structures shall be set back as follows:

- ~~1.~~ [1.](#) Along lawfully altered shorelines including manmade canals, channels, and basins, principal structures shall be set back at least twenty (20) feet as measured from the mean high water (MHW) line;
- ~~2.~~ [2.](#) Along lawfully altered shorelines including manmade canals, channels, and basins, parcels less than 4,000 ~~Square Feet~~[square feet](#), that are developed with a lawfully established principal use, the required setback may be reduced to a minimum of ten (10) feet provided that the structure is sited so as to protect community character and minimize environmental impacts by maintaining open space and protecting shoreline vegetation.
- ~~3.~~ [3.](#) Along open water shorelines not adjacent to manmade canals, channels, or basins, and which have been altered by the legal placement of fill:
  - a. Where a mangrove fringe of at least ten (10) feet in width occurs across the entire shoreline of the property, principal structures shall be set back at least thirty (30) feet as measured from the mean high

water (MHW) line or the landward extent of the mangroves, whichever is further inland.

- b. Where no mangrove fringe exists, principal structures shall be set back at least thirty (30) feet from the mean high water (MHW) line, provided that native vegetation exists or is planted and maintained in a ten (10) foot width across the entire shoreline as approved by the County Biologist, and is placed under conservation easement; otherwise the setback shall be fifty (50) feet as measured from the mean high water (MHW) line.
- c. On infill lots surrounded by significant development where principal structures are set back less than fifty (50) feet from mean high water (MHW) or the landward extent of mangroves, the Director of Planning and Environmental Resources 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 twenty (20) feet. On shorelines where the existing pattern of setback is greater than thirty (30) feet, the greater setback shall apply.

6.4 Along unaltered and unlawfully altered shorelines, principal structures shall be set back fifty (50) feet as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further landward;

Accessory structures within the shoreline setback shall be designed to meet the following criteria:

1. Along altered shorelines, including manmade canals, channels, and basins:
  - a. In no event shall the total, combined area of all structures occupy more than sixty (60) percent of the upland area of the shoreline setback ;
  - b. Pools and spas shall be set back a minimum of ten (10) feet, as measured from the mean high water (MHW) line;
2. Along open water shorelines which have been altered by the legal placement of fill, and where a mangrove fringe of at least ten (10) feet in width occurs across the entire shoreline of the property:

- a. In no event shall the total, combined area of all structures occupy more than thirty (30) percent of the upland area of the shoreline setback;
  - b. Accessory structures other than docks and erosion control structures shall be set back a minimum of fifteen (15) feet, as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further landward;
3. Along unaltered shorelines:
- a. In no event shall the total, combined area of all structures occupy more than thirty (30) percent of the upland area of the shoreline setback;
  - b. Accessory structures other than docks and erosion control structures shall be set back a minimum of twenty-five (25) feet, as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further landward;
4. Any proposed development within the shoreline setback shall include a site-suitable stormwater management plan for the entire developed parcel which meets the requirements of the [Land Development Regulations land development regulations](#);
5. All structures within the shoreline setback shall be located such that the open space ratios for the entire parcel and all scenic corridors and bufferyards are maintained;
6. Structures shall be located in existing cleared areas before encroaching into native vegetation. The remaining upland area of the shoreline setback shall be maintained as native vegetation or landscaped areas that allow infiltration of stormwater runoff;
7. Side yard setbacks must be maintained for all structures in the shoreline setback except for docks, sea walls, fences, retaining walls, and boat shelters over existing boat ramps;
8. No enclosed structures, other than a dock box of five (5) feet in height or less, shall be allowed within the shoreline setback. Non-enclosed gazebos must be detached from any principal structure on the parcel. No decks or habitable spaces may be constructed on the roof of any non-enclosed gazebo in the shoreline setback;
9. Pools, spas, fish cleaning tables, and similar pollutant sources may not discharge directly into surface waters. Where no runoff control structures

are present, berms and vegetation shall be used to control runoff. Native vegetation shall not be removed to install berms or runoff control structures;

10. All boat ramps shall be confined to existing scarified shoreline areas of manmade canals, channels, and basins with little or no native vegetation, and shall be located and designed so as not to create a nonconformity for other structures set back from the new mean high water (MHW) line created by the boat ramp; and
11. The roof and supporting members of a boat shelter constructed in compliance with [Section 9-5-345118-10](#) of the [Land Development Regulations Code](#), as amended (hereby incorporated by reference), may extend two (2) feet into the shoreline setback around the perimeter of a boat basin or ramp. This area shall be subtracted from the total area allowed for all structures within the shoreline setback.
12. Shoreline structures shall be designed to protect tidal flushing and circulation patterns. Any project that may produce changes in circulation patterns shall be approved only after sufficient hydrographic information is available to allow an accurate evaluation of the possible impacts of the project. Previously existing manmade alterations shall be evaluated so as to determine whether more hydrological benefits will accrue through their removal as part of the project.

4.1 No development other than pile supported docks and walkways designed to minimize adverse impacts on marine turtles shall be allowed within fifty (50) feet of any portion of any beach berm complex which is known to serve as a nesting area for marine turtles:

- a. The fifty (50) foot setback shall be measured from either the landward toe of the most landward beach berm or from fifty (50) feet landward of MHW, whichever is less. The maximum total setback will be one hundred (100) feet from MHW.
- b. Structures designed to minimize adverse impacts on marine turtles shall have a minimum horizontal distance of four (4) feet between pilings or other upright members and a minimum clearance of two (2) feet above grade. The entire structure must be designed to allow crawling turtles to pass underneath it moving only in a forward direction. Stairs or ramps with less than the minimum two (2) feet clearance above grade are discouraged. If built, these portions of the structure shall be enclosed with vertical or horizontal barriers no more than two (2) inches apart, to prevent the entrapment of crawling turtles.
- c. Beaches known to serve as nesting areas for marine turtles are those areas documented as such on the County's threatened and endangered species maps and any areas for which nesting or nesting attempts ("crawls") have been otherwise documented. Within

mapped nesting areas, the Director of Planning and Environmental Resources may, in cooperation with the ~~Florida Department of Environmental Protection~~FDEP, determine that specific segments of shoreline have been previously, lawfully altered to such a degree that suitable nesting habitat for marine turtles is no longer present. In such cases, the Director may recommend reasonable measures to restore the nesting habitat. If such measures are not feasible, the Director will waive the setback requirements of this paragraph. Restoration of suitable nesting habitat may be required for unlawfully altered beaches.

2.2) Special Approvals:

- a. For structures serving commercial uses, public uses, or more than three dwelling units, the Planning Commission may approve deviations from the above standards as a major or minor conditional use. Such approval may include additional structures or uses provided that such approval is consistent with any permitted uses, densities, and intensities of the land use district, furthers the purposes of this section, is consistent with the general standards applicable to all uses, and the proposed structures are located in a disturbed area of an altered shoreline. Such additional uses are limited to waterfront dining areas, pedestrian walkways, public monuments or statues, informational kiosks, fuel or septic facilities, and water-dependent marina uses. Any such development shall make adequate provision for a water quality monitoring program for a period of five (5) years after the completion of the development.
- b. For structures serving three or fewer dwelling units, the Director of Planning and Environmental Resources may approve designs that address unique circumstances such as odd shaped lots, even if such designs are inconsistent with the above standards. Such approval may be granted only upon the Director's written concurrence with the applicant's written finding that the proposed design furthers the purpose of this section and the goals of the Monroe County Comprehensive Plan. Only the minimum possible deviation from the above standards will be allowed in order to address the unique circumstances. No such special approval will be available for after-the-fact permits submitted to remedy a Code Enforcement violation.
- c. All structures lawfully existing within the shoreline setback along manmade canals, channels, or basins, or serving three or fewer dwelling units on any shoreline, may be rebuilt in the same footprint provided that there will be no adverse impacts on stormwater runoff or navigation.
- d. Docks or docking facilities lawfully existing along the shoreline of manmade canals, channels, or basins, or serving three or fewer dwelling units on any shoreline, may be expanded or extended beyond the size limitations contained in this section in order to reach the water depths specified for docking facilities in Policy 212.5.2. Any dock or docking facility so enlarged must comply with each and every other requirement of this Policy and Section ~~9.5-345~~118-12 of

the Land Development [Regulations Code](#), as amended (hereby incorporated by reference). [\[§163.3178\(2\)\(g\), F.S.\]](#)

**Policy 212.2.4**

Stormwater management criteria applicable to the shoreline setbacks shall encourage Best Management Practices (BMPs) which utilize natural berms and vegetation to control runoff from waterfront property. Berms shall not be installed where shoreline vegetation is present. Where berms are used along artificial waterways, they shall be raised so that there is a gradual slope away from the canal edge. In any case, all stormwater management criteria shall conform to adopted level of service standards for water quality and quantity (See Drainage Element Objective **1001.1** and related policies).

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**Objective 212.3**

~~By January 4, 1998, Monroe County shall develop and implement siting and discharge regulations, fee requirements and enforcement provisions pertaining to moored/anchored vessels (live aboards) in nearshore waters. (See Objective 202.4 and related policies.) [9J-5.012(3)(b)1,2 and 3; 9J-5.013(2)(b)2]~~

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**Objective 212.4**

By January 4, 1998, Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), Monroe County shall complete an analysis of the need for additional marina facilities and shall develop criteria for marina siting which shall meet or exceed state standards. — [9J-5.012(3)(b)1,2 and 3; 9J-5.013(2)(b)2] [§163.3178(2)(g), F.S.]

**Policy 212.4.1**

New marinas having three (3) or more slips shall be prohibited until:

1. a marina survey is completed; and
2. marina siting criteria are adopted by Monroe County and approved by ~~DER, DNR and ACOE. [9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ FDEP, and USACE. [§163.3178(2)(g), F.S.]

**Policy 212.4.2**

Monroe County shall complete a survey of all existing recreational and commercial marinas. Such survey shall include, at a minimum:

1. number of wet and dry slips;
2. usage rates of wet and dry slips;
3. breakout of slips by boat size;
4. on-site amenities including the number of parking spaces;
5. surrounding uses and any known or potential compatibility problems;
6. availability for public use (recreational marinas only);
7. number of boat ramps provided and the boat lanes for each ramp;
8. condition of facilities;
9. existing ~~DER~~FDEP-accepted documentation of water quality trends;
10. availability of pump-out facilities; and
11. potential for marina expansion according to siting criteria (See Policy 212.4.3). ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3178(2)(g), F.S.]

**Policy 212.4.3**

Monroe County shall develop and adopt marina siting criteria. In general, marinas shall be located in areas where maximum physical advantages exist and where no unreasonable or excessive impacts are foreseen on marine resources. Marina construction shall not involve destruction of any significant marine wetlands or seagrass beds.

Specific criteria for marina siting shall be developed consistent with ~~DER Rule 17-312, F.A.C., DNR/DEP Rule 18-21.0040041~~ F.A.C., and regulations of ~~ACOEUSACE~~. They shall reflect consideration of the following:

1. benthic vegetation and faunal assemblages;
2. adequacy of circulation and tidal flushing;
3. access to deep water through existing channels of adequate depth (See Policy 212.5.2);
4. minimal shoreline modification necessary;
5. quality and size of upland areas and degree of alteration necessary;
6. ability to restore and enhance marina resource values at sites subject to past alteration;
7. location of propeller dredging problem areas; and
8. impact of boats on crocodiles, manatees, and turtles. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [\[§163.3178\(2\)\(g\), F.S.\]](#)

#### **Policy 212.4.4**

Applicants for development approval of marinas with three (3) or more slips shall meet the following:

1. Monroe County's marina siting criteria (See [Policy 212.4.3](#));
2. Monroe County's dock siting criteria (See Objective 212.5 and related policies); and
3. criteria of Rule ~~17-312 Part IV and Rule 18-21.0040041~~, F.A.C. ~~[9J-5.012(3)(e)1,2,3(Florida Keys Marina and Dock Siting Policies and 8; 9J-5.013(2)(e)1 and 6]Criteria)~~
4. [\[§163.3178\(2\)\(g\), F.S.\]](#)

#### **Policy 212.4.5**

Applicants for development approval of docking facilities for fewer than three (3) slips shall meet the following criteria:

1. Monroe County's dock siting criteria (See Objective 212.5 and related policies); and
2. criteria of Rule ~~17-312 Part IV and Rule 18-21.0040041~~, F.A.C.—~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~

**Policy 212.4.6**

Siting of new marinas with three (3) or more slips shall be prohibited until full utilization of existing marinas has occurred within a five (5) mile radius of a proposed new marina site. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3178(2)(g), F.S.]

**Policy 212.4.7**

Applicants for Issuance of a permit from the County to to develop a new marina facility shall ~~obtain~~be conditioned upon the applicant obtaining necessary permits from all applicable state and federal regulatory agencies ~~prior to issuance of a County permit.~~ ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~t. HB530

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**Objective 212.5**

~~By January 4, 1997, Monroe County shall adopt revisions to the Land Development Regulations maintain land development regulations~~ pertaining to mooring fields and structures built over water (including, but not limited to, boat docks, fishing piers, swimming piers and observation decks). ~~[9J-5.012(3)(b)1,2 and 3; 9J-5.013(2)(b)2]~~ [§163.3178(2)(g), F.S.]

**Policy 212.5.1**

Monroe County shall support state policies and regulations concerning the permitting of marinas, docks and piers, except in those instances where more stringent regulations adopted by Monroe County shall be maintained. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3178(2)(g), F.S.]

**Policy 212.5.2**

Except as provided herein, siting of single family docks, boat ramps, and boat slips on manmade water bodies shall require minus four (-4) feet mean low water (MLW) depths at the terminal end. These structures must have continuous access to open water at depths of minus four (-4) feet (MLW) or greater over a channel width of twenty (20) feet, or access to open water via a marked, federally and state approved navigation channel.

1. Docking facilities may be developed on any shoreline if there is a mean low water (MLW) depth of at least minus four (-4) feet at the terminal end of the docking facility, and continuous access to open water, or
2. Docking facilities may be developed on the shoreline of lots in a subdivision if the docking facility is located in a channel or canal or basin that connects five or more contiguous lots which was dredged before 1986, and if there is a mean low water (MLW) depth of at least minus four (-4) feet at the terminal end of the docking facility.

For purposes of this policy “open water” means the portion of the straits of Florida, Florida Bay, the Gulf of Mexico, or the Atlantic Ocean which consists of an uninterrupted expanse of water deeper than four (4) feet at mean low water (MLW) and “continuous access” means a natural passage or an existing manmade channel no shallower than four (4) feet at mean low water (MLW) and no narrower than twenty (20) feet.

**Policy 212.5.3**

The minimum water depth requirement at the mooring site shall be minus four ~~(-4) feet mean low water. [9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ (-4) feet mean low water.

**Policy 212.5.4**

The following restrictions shall apply to all structures built over or adjacent to water (including but not limited to boat docks, fishing piers, swimming piers and observation decks):

1. the maximum permitted length of docks shall be commensurate with the shoreline width of the land parcel at which the dock is located, subject to a maximum length of 100 feet from the mean low water line;
2. the length of docks shall not exceed ten (10) percent of the width of the waterbody as measured laterally across the waterbody from the proposed location of placement and from the point of mean low water to the opposing point of mean low water (exception to this shall be made in cases where adequate depth at the terminal end of the dock pursuant to Policies [212.5.2](#) and [212.5.3](#) is not available; in such cases the dock may be shortened only enough to allow the centerline of an average width vessel to lie in four feet of water at mean low water);
3. no dock together with a moored boat shall preempt more than twenty-five (25) percent of the navigable portion of a man-made waterbody. This should allow for a structure built over water on either side of the waterbody to have a moored boat and room for free passage of two boats down the center of the waterbody;
4. all fishing, swimming, and other piers and observation decks shall conform to design criteria to be adopted in the [Land Development Regulations](#) [land development regulations](#) which prohibit their use as a dock.

~~A variance procedure, separate from that set forth in the current Land Development Regulations Section 9.5-523, shall be included in the Land Development Regulations to allow the minimum relaxation of the above restrictions which is necessary to provide the upland owner reasonable access to adjacent waters for recreational use. That variance procedure shall incorporate, among other criteria, requirements that such structures not be inconsistent with community character, not interfere with public recreational uses in or on adjacent waters, and pose no navigational or safety hazard.~~

#### **Policy 212.5.5**

~~Upon adoption of the Comprehensive Plan, Monroe County shall [continue to](#) prohibit the location of mooring sites over submerged land which is vegetated with seagrasses or characterized by a hard-bottom community, regardless of water depth, except as may be permitted by the [Florida Department of Environmental Protection-FDEP](#). This prohibition shall also apply to mooring fields. ~~[9J-5.012(3)(c)1, [§163.3178(2,3 and 8; 9J-5.013(2)(c)1 and 6)](g), F.S.]~~~~

#### **Policy 212.5.6**

Docking facilities and piers shall not terminate on submerged land which is vegetated with seagrasses or characterized by a hard-bottom community, regardless of water depth, except as may be permitted by the [Florida Department of Environmental Protection-FDEP](#). Design criteria to permit sunlight to reach

the bottom shall be adopted. No boat shelters or gazebos shall extend over submerged lands vegetated with seagrasses or over hard-bottom communities.

**Policy 212.5.7**

Monroe County shall ~~establish~~evaluate and identify sites for the installation of mooring fields and maintain policies and regulations ~~pertaining to mooring fields,~~ which specifically address the following:

1. siting criteria;
2. requirements for supervision from on-shore facilities (including among other items, pump-out stations and wastewater treatment facilities); and
3. construction practices. ~~[9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6] [§163.3178(2)(g), F.S.]~~

**Policy 212.5.8**

~~Monroe County shall assist the DCA in developing a coordinated agency review pursuant to section 380.051, Florida Statutes. The Monroe County Growth Management Division shall continue to conduct meetings with the Department of Environmental Regulation, the National Oceanographic and Atmospheric Administration, the Department of Natural Resources, and the U.S. Army Corps of Engineers to identify the environmental issues and contradictions in rules and authorities related to the permitting process for marinas, docking facilities, piers, mooring sites, hardened vertical shoreline structures, and dredging in the Florida Keys. Within one year of the effective date of this comprehensive plan, after issues have been identified, Monroe County shall revise the Land Development Regulations. (See Policies 103.2.13, 203.6.1, 212.4.7, and 212.6.5.) [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]~~

**Objective 212.6**

~~By January 4, 1997, Monroe County shall adopt revisions to the Land Development Regulations pertaining to shoreline stabilization. [9J-5.012(3)(b)1,2 and 3; 9J-5.013(2)(b)2]~~

**Objective 212.6**

Monroe County shall maintain land development regulations pertaining to shoreline stabilization. [§163.3178(2)(e), F.S.]

**Policy 212.6.1**

No new bulkheads, seawalls or other hardened vertical shoreline structures shall be permitted on open water. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3178(2)(e), F.S.]

**Policy 212.6.2**

In lieu of bulkheads, seawalls or other hardened vertical shoreline structures, residential canals and altered shorelines shall be stabilized by maintaining native vegetation. When it can be demonstrated that native vegetation will not prevent erosion, then riprap or sloping rock revetments shall be permitted. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3178(2)(e), F.S.]

**Policy 212.6.3**

Bulkheads, seawalls or other hardened vertical shoreline structures shall be permitted on residential canals and altered shorelines only in the following situations:

1. to replace an existing deteriorated bulkhead or seawall; or
2. to stabilize a severely eroding shoreline area. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3178(2)(e), F.S.]

**Policy 212.6.4**

Shoreline structures shall be designed to protect tidal flushing and circulation patterns. Any project which may produce changes in circulation patterns shall be approved only after sufficient hydrographic information is available to allow an accurate evaluation of the possible impacts of the project. Previously existing manmade alterations shall be evaluated so as to determine whether more hydrological benefits will accrue through their removal as part of the project. ~~[9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~ [§163.3178(2)(e), F.S.]

**Policy 212.6.5**

~~Monroe County shall assist the DCA in developing a coordinated agency review pursuant to section 380.051, Florida Statutes. The Monroe County Growth Management Division shall continue to conduct meetings with the Department of Environmental Regulation, the National Oceanographic and Atmospheric Administration, the Department of Natural Resources, and the U.S. Army Corps of Engineers to identify the environmental issues and contradictions in rules and authorities related to the permitting process for marinas, docking facilities, piers, mooring sites, hardened vertical shoreline structures, and dredging in the~~

~~Florida Keys. Within one year of the effective date of this comprehensive plan, after issues have been identified, Monroe County shall revise the Land Development Regulations. (See Policies 103.2.13, 203.6.1, 212.4.7, and 212.5.10.) [9J 5.012(3)(e)1,2,3 and 8; 9J 5.013(2)(c)1 and 6]~~

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**GOAL 213**

Monroe County shall ensure adequate public access to the beach or shoreline. ~~[9J-5.012(3)(a); 9J-5.013 [§163.3178(2)(a)]g), F.S.]~~

**Objective 213.1**

Monroe County shall maintain and increase the amount of public access to the beach or shoreline consistent with the estimated public need and environmental constraints. ~~[9J-5.012(3)(b)9] [§163.3178(2)(g), F.S.]~~

**Policy 213.1.1**

~~By December 31, 2006, Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015),~~ Monroe County shall complete a Public Access Plan for unincorporated Monroe County. The Public Access Plan shall estimate the existing capacity of and need for the following types of public access facilities which are available to the general public:

1. public access points to the beach or shoreline through public lands;
2. public access points to the beach or shoreline through private lands;
3. parking facilities for beach or shoreline access;
4. coastal roads and facilities providing scenic overlooks;
5. marinas;
6. boat ramps;
7. public docks;
8. fishing piers; and
9. traditional shoreline fishing areas. ~~[9J-5.012(3)(e)9] [§163.3178(2)(g), F.S.]~~

**Policy 213.1.2**

~~By December 31, 2006, Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015),~~ Monroe County shall ~~adopt Land Development Regulations which:~~

4. implement the recommendations of the Public Access Plan; ~~;~~  
[§163.3178(2)(g), F.S.]
2. ~~provide for the enforcement of public access to beaches renourished at public expense by prescription, prescriptive easement, or any other legal means;~~

- ~~3. provide for the enforcement of public access requirements of the Coastal Zone Protection Act of 1985;~~
- ~~4. specify standards for transportation and parking facilities for beach and shoreline access.~~
- ~~5. include environmental design criteria which reflect environmental constraints. [9J-5.012(3)(e)9]~~

**Policy 213.1.3**

~~Beginning in 1998,~~ Monroe County shall maintain or replace physical public access to beaches and shorelines in accordance with provisions of the appropriate park master plans and current management plans for County-owned beaches. (See Recreation and Open Space Objectives **1201.3.7** and **1201.11** and related policies.) ~~[9J-5.012(3)(e)9] [§163.3178(2)(g), F.S.]~~

**Policy 213.1.4**

~~By December 31, 2006, Monroe County shall incorporate public access facilities into the GIS for use in future public access and shoreline planning. [9J-5.012(3)(e)9]~~

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**GOAL 214**

~~Monroe County shall recognize, designate, protect, and preserve its historic resources. [9J-5.012(3)(a); 9J-5.013(2)(a)]~~

**Objective 214.1**

~~Monroe County shall establish and maintain a comprehensive inventory of historic and archaeological resources, including buildings, structures, districts, sites, objects, and significant places. (See Future Land Use Objective 104.1 and related policies). [9J-5.006(3)(b)4; 9J-5.012(3)(b)10]~~

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Objective 214.2

~~Monroe County shall formally recognize significant historic and archaeological resources by nominating appropriate resources on the National Register and/or the Florida Keys Historic Register. (See Future Land Use Objective 104.2 and related policies). [9J-5.006(3)(b)4; 9J-5.012(3)(b)10]~~

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**Objective 214.3**

~~Monroe County shall adopt and implement measures for the protection and preservation of historic resources. (See Future Land Use Objective 104.3 and related policies). [9J-5.006(3)(b)4; 9J-5.012(3)(b)10]~~

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Objective 214.4

~~Monroe County shall adopt and implement measures for the protection and preservation of historic resources on public lands. (See Future Land Use Objective 104.4 and related policies). [9J 5.006(3)(b)4; 9J 5.012(3)(b)10]~~

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Objective 214.5

~~Monroe County shall seek to increase public awareness and appreciation of the historic resources and historic preservation activities in the County. (See Future Land Use Objective 104.5 and related policies). [9J 5.006(3)(b)4; 9J 5.012(3)(b)10]~~

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Objective 214.6

~~Monroe County shall coordinate with public agencies and non-profit organizations to protect, preserve and increase awareness of historic resources. (See Future Land Use Objective 104.6 and related policies). [9J 5.006(3)(b)4; 9J 5.012(3)(b)10]~~

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**GOAL 215**

Monroe County shall provide the necessary services and infrastructure to support existing and new development proposed by the Future Land Use Element while limiting public expenditures which result in the loss of or adverse impacts to environmental resources in the Coastal Zone. ~~[9J-5.012(3)(a); 9J-5.013(2)(a)]~~ [§163.3178(2)(f), F.S.; §163.3178(2)(i),

**Objective 215.1**

Public expenditures for infrastructure in the Coastal Zone shall be phased in accordance with a capital improvements schedule to maintain the adopted level of service (LOS) standards established in the Comprehensive Plan. ~~[9J-5.012[§163.3178(2)(b)]+f),F.S.;~~ §163.3178(2)(i)]

**Policy 215.1.1**

Monroe County shall adopt level of service standards (LOS) for the following public facility types required by Chapter 9J-5, F.A.C: roads, sanitary sewer, solid waste, drainage, potable water, parks and recreation, and mass transit. The LOS standards are established in the following sections of the Comprehensive Plan:

1. The LOS for roads is established in Traffic Circulation Policy **301.1.1**;
2. The LOS for potable water is established in Potable Water Policy **701.1.1**;
3. The LOS for solid waste is established in Solid Waste Policy **801.1.1**;
4. The LOS for sanitary sewer is established in Sanitary Sewer Policy **901.1.1**; and
5. The LOS for drainage is established in Drainage Policy **1001.1.1**; and
6. ~~The LOS for parks and recreation is established in Recreation and Open Space Policy 1201.1.1.~~

**Policy 215.1.2**

~~By January 4, 1997, Monroe County shall adopt Land Development Regulations~~ maintain land development regulations which provide a Concurrency Management System (See Capital Improvements Policy **1401.4.5**). The Concurrency Management System shall ensure that no permits will be issued for new development unless adequate public facilities needed to support the development at the adopted LOS standards are available concurrent with the impacts of development. ~~[9J-5.012(3)(e)+2]~~ [§163.3178(2)(f), F.S.; §163.3178(2)(i),

**Policy 215.1.3**

~~By January 4, 1997, the Monroe County Capital Improvements Program shall be revised to include the infrastructure improvements identified in the Comprehensive Plan Five Year Schedule of Capital Improvements which are~~

~~required to serve development or redevelopment in the coastal area at the densities proposed by the Future Land Use Element, in accordance with the adopted LOS standards referenced in Policy 215.1.1. The Capital Improvements Program shall be monitored and updated annually to ensure that facilities and services are available concurrent with the impacts of development. Development approval may be phased to allow the provision of public facilities and services necessary to maintain the adopted levels of service. [9J-5.012(3)(e)12]~~

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**Objective 215.2**

~~By January 4, 1997, Monroe County shall initiate programs which require exploration of feasible alternatives to funding of public facilities and infrastructure which will result in the loss of or damage to significant coastal or natural resources, including, but not limited to, wilderness areas, wildlife habitats, and natural vegetative communities. [9J-5.012(2)(b)11]~~

**Policy 215.2.1**

~~By January 4, 1997, Monroe County shall adopt Land Development Regulations which require consideration of feasible design and siting alternatives for new public facilities and infrastructure proposed within the coastal zone in order to minimize adverse impacts to natural resources. [9J-5.012(3)(c)1]~~

**Policy 215.2.2**

Monroe County shall limit public expenditure on the mainland to the repair and maintenance of existing public facilities and infrastructure. [9J-5.012(3)(e)9][§163.3178(2)(f), F.S.; §163.3178(2)(i),

**Policy 215.2.3**

~~No public expenditures shall be made for new or expanded facilities in areas designated as units of the Coastal Barrier Resources System, saltmarsh and buttonwood wetlands, or offshore islands not currently accessible by road, with the exception of expenditures for conservation and parklands consistent with natural resource protection, and expenditures necessary for public health and safety. [9J-5.012(3)(e)1]~~

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**GOAL 216**

Monroe County shall provide for hurricane evacuation, shelters and refuges, and communication capabilities to promote safeguarding of the public against the effects of hurricanes and tropical storms. ~~[9J-5.012(3)(a); 9J-5.013 [§163.3178(2)(a)]d), F.S.]~~

**Objective 216.1**

Monroe County shall ~~reduce~~maintain, a maximum hurricane evacuation clearance time ~~to~~of 24 hours ~~by the year 2010. [9J-5.012(3)(b)7]. [§163.3178(2)(d), F.S.]~~

**Policy 216.1.1**

~~Within one year of the effective date of this plan, Monroe County shall adopt Land Development Regulations which establish a Permit Allocation System for new residential development. The Permit Allocation System shall limit the number of permits issued for new residential development to be consistent with the Future Land Use Element in order to maintain hurricane evacuation clearance times at a maximum of 24 hours (See Land Use Objective 101.2 and supporting policies). [9J-5.012(3)(c)4]~~

**Policy 216.1.2**

~~Monroe County will initiate an interlocal agreement with affected municipalities within Monroe County. The agreement shall establish an entity comprised of representatives of the affected jurisdictions which shall be responsible for:~~

- ~~1. allocating the relative proportions of future residential development within the four jurisdictions consistent with the Permit Allocation System;~~
- ~~2. establishing a system to monitor future development within the jurisdictions; and~~
- ~~3. mediating disputes between the jurisdictions regarding the allocation of future development.~~

~~Monroe County shall seek the assistance of the Florida Department of Community Affairs and/or the South Florida Regional Planning Council to ensure execution of the agreement by January 4, 1998 and subsequent compliance. Monroe County shall continue to work cooperatively with the municipalities and DEO to complete the tasks within Rule 28-20.140 F.A.C. related to hurricane evacuation modeling. [§163.3178(2)(d), F.S.]~~

**Policy 216.1.3**

During a hurricane evacuation, Monroe County shall designate US 1 and Card Sound Road ~~after Card Sound Road improvements are completed~~ as evacuation routes as directed by the Department of Emergency Management. ~~[9J-5.012(3)(c)4] [§163.3178(2)(d), F.S.]~~

**Policy 216.1.4**

Monroe County shall annually identify and establish staffing and equipment need priorities which are directly related to increasing efficiency during hurricane evacuation, including, but not limited to, communication systems, emergency coordination personnel, public education personnel, and development review personnel. Opportunities for fulfilling the deficiencies with reliable interagency support shall be identified and interlocal agreements initiated. [9J-5.012(3)(c)4] [§163.3178(2)(d), F.S.]

**Policy 216.1.5**

~~As part of the 5-year Comprehensive Plan Evaluation and Appraisal Report process, Monroe County shall, in coordination with the South Florida Regional Planning Council and the municipalities of Key West, Layton, and Key Colony Beach, re-run updated transportation models of the Southeast Florida Hurricane Evacuation Study in order to re-evaluate and adjust such factors as participation rates, visitor population levels, total growth allocations, allocations to sub-areas and municipal jurisdictions and estimates of the effectiveness of programs and policies to reduce the number of evacuating vehicles.~~

~~No later than six months after the effective date of this comprehensive plan and as part of every Evaluation and Appraisal Report thereafter, Monroe County shall review and re-evaluate the key variables on which hurricane clearance times have been calculated, with the highest priority given to conducting surveys necessary to more accurately predict peak seasonal occupancy rates, behavioral response factors and related assumptions.~~

~~If data becomes available to indicate need for an adjustment of any factor such data shall, within one year of certification of such data, be used to re-run transportation models of the Southeast Florida Hurricane Evacuation Study. New clearance times produced by such additional runs of the Southeast Florida Hurricane Evacuation Study shall be incorporated by plan amendment. [9J-5.012(3)(c)4]~~

**Policy 216.1.6**

~~Monroe County shall seek an interlocal agreement with the National Oceanic and Atmospheric Administration (NOAA) for installation of at least four tide gauges at critical locations throughout the Keys in conjunction with the Florida Keys National Marine Sanctuary Program. The interlocal agreement shall address funding sources. [9J-5.012(3)(c)4]~~

**Policy 216.1.7**

~~Monroe County shall seek an interlocal agreement, with one or more appropriate agencies, to draft and implement a comprehensive program for expanded resident and visitor hurricane awareness and evacuation procedures. The program will identify education needs and adequate funding sources to include, at a minimum,~~

~~staffing requirements, distribution of hurricane public awareness brochures, media coverage, and public announcements in English and Spanish. [9J-5.012(3)(e)4]~~

### Policy 216.1.8

In the event of a pending major hurricane (category 3-5) Monroe County shall implement the following staged/phased evacuation procedures to achieve and maintain an overall 24-hour hurricane evacuation clearance time for the resident population.

1. Approximately 48 hours in advance of tropical storm winds, a mandatory evacuation of non-residents, visitors, recreational vehicles (RV's), travel trailers, live-aboards (transient and non-transient), and military personnel from the Keys shall be initiated. State parks and campgrounds should be closed at this time or sooner and entry into the Florida Keys by non-residents should be strictly limited.
2. Approximately 36 hours in advance of tropical storm winds, a mandatory evacuation of mobile home residents, special needs residents, and hospital and nursing home patients from the Keys shall be initiated.
3. Approximately 30 hours in advance of tropical storm winds, a mandatory phased evacuation of permanent residents by evacuation zone (described below) shall be initiated. Existing evacuation zones are as follows:
  - a) Zone 1 – Key West, Stock Island and Key Haven to Boca Chica Bridge (MM 1-6)
  - b) Zone 2 – Boca Chica Bridge to West end of 7-mile Bridge (MM 6-40)
  - c) Zone 3 – West end of 7-Mile Bridge to West end of Long Boat Key Bridge (MM 40-63)
  - d) Zone 4 – West end of Long Boat-Key Bridge to CR 905 and CR 905A intersection (MM 63-106.5)
  - e) Zone 5 – 905A to, and including Ocean Reef (MM 106.5–126.5)

The actual sequence of the evacuation by zones will vary depending on the individual storm. The concepts embodied in this staged evacuation procedures should be embodied in the appropriate County operational Emergency Management Plans.

The evacuation plan shall be monitored and updated on an annual basis to reflect increases, decreases and or shifts in population; particularly the resident and non-resident populations. ~~[9J-5.012(3)(e)4]~~ [§163.3178(2)(d), F.S.]

For the purpose of implementing Policy 216.1.8, this Policy shall not increase the number of allocations to more than 197 residential units a year, except for workforce housing. Any increase in the number of allocations shall be for workforce housing only.

**Policy 216.1.9**

In accordance with the Monroe County Hurricane Preparedness Evacuation and Shelter Plan, special needs populations shall be identified by the Monroe County Department of Emergency Management. Monroe County shall implement the procedures contained in the Plan for the safe evacuation of these populations. ~~[9J-5.012(3)(e)4]~~ [\[§163.3178\(2\)\(d\), F.S.\]](#)

**Policy 216.1.10**

~~By January 4, 1998, Monroe County shall coordinate with the Florida Department of Transportation to draft and implement a program which will establish priorities for elevation of low segments of US 1. The program shall, at a minimum, identify funding sources and scheduling. Priority consideration shall be given to elevation of the 18 mile stretch of US 1 northbound from Key Largo. [9J-5.012(3)(e)4]~~

**Policy 216.1.11**

~~By January 4, 1997, Within one (1) year after the adoption of the 2030 Comprehensive Plan Update (or approximately June 2015), Monroe County shall adopt Land Development Regulations [land development regulations](#) which require that all new and redeveloped marinas provide a hurricane contingency plan for review and approval before permits can be issued. [9J-5.012(3)(e)4]~~ [\[§163.3178\(2\)\(d\), F.S.\]](#)

**Policy 216.1.12**

Monroe County shall establish separate dedicated funds to accommodate future technological advances in hurricane analyses and communication systems for the Emergency Management and Emergency Communications Department. ~~[9J-5.012(3)(e)4]~~ [\[§163.3178\(2\)\(d\), F.S.\]](#)

**Policy 216.1.13**

During a hurricane evacuation, Monroe County shall implement the procedures contained in the Monroe County Hurricane Preparedness Evacuation and Shelter Plan for modifying normal bridge openings including coordination with the U. S. Coast Guard and Florida Department of Transportation. ~~[9J-5.012(3)(e)4]~~ [\[§163.3178\(2\)\(d\), F.S.\]](#)

**Policy 216.1.14**

~~By January 4, 1998, Monroe County shall [completemaintain](#) a Post-Disaster Recovery Plan which will include a structured procedure aimed at debris removal preparedness during hurricane evacuation and re-entry (See Objective [217.2](#) and related policies). [9J-5.012(3)(e)4]~~ [\[§163.3178\(2\)\(d\), F.S.\]](#)

**Policy 216.1.15**

Monroe County shall consider implementing impact fees to offset the public costs of hazard mitigation, evacuation, reconstruction of public facilities, emergency communications equipment and similar needs. ~~[9J-5.012(3)(e)4]~~ [\[§163.3178\(2\)\(d\), F.S.\]](#)

**Policy 216.1.16**

Monroe County shall coordinate with the Florida Department of Transportation (FDOT) to ensure that US 1 roadway capacity improvements necessary to maintain hurricane evacuation clearance time at 24 ~~hours, including but not limited to improvements to US 1 between MM 80 and MM 90, are~~ hours are completed. See Traffic Circulation Policy **301.7.3**. ~~[9J-5.012(3)(e)4]~~ [\[§163.3178\(2\)\(d\), F.S.\]](#)

**Policy 216.1.17**

~~By January 4, 1998,~~ Monroe County shall ~~develop~~ [continue to evaluate](#) programs to reduce the number of evacuating vehicles including, but not limited to programs to encourage ride-sharing and transit usage and, consistent with applicable law, evacuating vehicle registration requirements. ~~—[9J-5.012(3)(e)4]~~ [\[§163.3178\(2\)\(d\), F.S.\]](#)

**Policy 216.1.18**

~~Reduced evacuation clearance times which may result from adjustments to evacuation model variables, programs to reduce the number of evacuating vehicles or increased roadway facility capacity, shall not be used to increase development expectations beyond the growth allocations provided herein, except to the extent that a hurricane evacuation clearance time of 24 hours can be maintained. Any necessary reduction in hurricane clearance times shall be accomplished by a plan amendment within 180 days of the re-assessment.~~

**Policy 216.1.19**

~~For the purposes of hurricane evacuation clearance time modeling purposes, clearance time shall begin when the Monroe County Emergency Management Coordinator issues the evacuation order for permanent residents for a hurricane that is classified as a Category 3-5 wind event or Category C-E surge event. The termination point shall be U.S. Highway One and the Florida Turnpike in Homestead/Florida City. (Rule 28-20.140 5/1/2011)~~

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**Objective 216.2**

~~By January 4, 1998, Monroe County shall implement a plan to correct address existing and projected shelter deficiencies for Category 1 and 2 storms. [9J-5.012(3)(b)7]~~

**Policy 216.** [~~§163.3178(2-1)(d), F.S.~~]

~~By January 4, 1997, Monroe County shall determine the existing level of deficiency in number and location of shelter spaces for Category 1 and 2 storms according to the projected residential and transient population. Existing buildings shall also be identified that could serve as shelters along with actions needed to bring them up to American Red Cross and Emergency Management specified standards. By January 4, 1998, a plan of action for correcting deficiencies shall be presented for adoption by the BOCC. The plan shall be monitored and updated on an annual basis. [9J-5.012(3)(c)4]~~

**Policy 216.2.1**

Monroe County shall monitor the need for in-county shelters on an annual basis. [§163.3178(2)(d), F.S.]

**Policy 216.2.2**

Monroe County shall coordinate with State and Federal agencies to potentially establish a dedicated Category 5 Emergency Operations Center.

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**Objective 216.3**

~~By January 4, 1998, Monroe County shall develop and implement a plan providing sufficient approved~~continue to seek to provide additional shelter spaces outside Monroe County for all county residents who will require shelter from a Category 3 or greater hurricane. ~~[9J-5.012(3)(b)7] [§163.3178(2)(d), F.S.]~~

**Policy 216.3.1**

~~By January 4, 1997, Monroe County shall~~ continue to coordinate with the ~~Department of Community Affairs' Florida~~ Division of Emergency Management, the South Florida Regional Planning Council, ~~Miami-~~Dade County, the Red Cross and other appropriate agencies to identify sufficient approved shelter spaces outside of Monroe County for all county residents who will require shelter from a Category 3 or greater hurricane. Priority consideration shall be given to expansion of the currently designated shelter at Florida International University in order to consolidate Monroe County shelter spaces in one location. ~~[9J-5.012(3)(e)4] [§163.3178(2)(d), F.S.]~~

**Policy 216.3.2**

~~Immediately following plan adoption,~~ Monroe County shall initiate~~maintain~~ an intergovernmental agreement with ~~Miami-~~Dade County and other appropriate agencies (e.g., Board of Regents, American Red Cross) in an attempt to provide sufficient approved spaces outside of Monroe County for all county residents who will seek shelter from a Category 3 or greater hurricane. ~~In particular Monroe County shall request that the Board of Regents identify sufficient shelter spaces based on professionally accepted standards, in the updated campus master plan for Florida International University to be prepared in 1992-93. [9J-5.012(3)(e)4] (See Policy 1301.8.6) [§163.3178(2)(d), F.S.]~~

**Policy 216.3.3**

~~Monroe County shall, at least every five years in conjunction with application of the updated transportation model required by Policy 216.1.5, update the results of the Monroe County Behavioral Analysis contained in the Lower Southeast Florida Hurricane Evacuation Study to determine the number of Monroe County residents who will require shelter outside of Monroe County during a Category 3 or greater hurricane. [9J-5.012(3)(e)4]~~

**Policy 216.3.4**

~~By January 4, 1998, Monroe County shall evaluate and confirm the space available at all identified shelters and determine an estimate of shelter deficiencies.~~

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**GOAL 217**

Monroe County shall ~~develop and implement~~maintain a program of hazard mitigation and post-disaster redevelopment to increase public safety and reduce damages and public expenditures. ~~[9J-5.012(3)(a); 9J-5.013(2)(a)]~~ [§163.3178(2)(d), F.S.; §163.3178(2)(h), F.S.]

**Objective 217.1**

Monroe County shall ~~develop and implement~~maintain a program of hazard mitigation in the Coastal High Hazard Area (CHHA) which reduces floodplain alteration and damage or loss due to natural disasters. ~~[9J-5.012(3)(b)8]~~ [§163.3178(2)(h), F.S.]

**Policy 217.1.1**

Monroe County shall define the CHHA as the area ~~subject to inundation by below the SLOSH (elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes) associated with a Category 1 (SLOSH) computerized storm surge model.~~ The CHHA shall be ~~incorporated into the county Geographic Information System for use in managing future land use.~~ ~~[9J-5.012(3)(e)7]~~ shown on the Future Land Use Map. [§163.3178(2)(h), F.S.]

**Policy 217.1.2**

Monroe County shall require that all new or replacement sanitary sewage systems in the CHHA meet the following requirements:

- a) All new or replacement sanitary sewage systems shall be designed and constructed to minimize or eliminate infiltration of floodwaters into the system and discharge from the system into floodwaters. Joints between sewer drain components shall be sealed with caulking, plastic or rubber gaskets, and all manhole covers shall be sealed in a similar manner.
- b) All new or replacement sanitary sewage systems shall be located and constructed to minimize or eliminate damage to them and contamination from them during flooding. ~~[9J-5.012(3)(e)3]~~ [§163.3178(2)(h), F.S.]

**Policy 217.1.3**

Monroe County shall coordinate with the ~~Florida Keys Aqueduct Authority~~FKAA (FKAA) in the continued development of an Aquifer Storage Recovery System to supply emergency potable water in the event that the transmission lines from the mainland are disrupted during a natural disaster (See Potable Water Objective 701.6 and related policies). The ~~FKAA~~County shall ~~continue~~encourage FKAA to provide emergency service during electric power outages and hurricanes (See Potable Water Objective 701.7 and Policy 701.7.1). Monroe County endorses burying the potable water transmission lines to reduce their exposure to natural disasters where economically feasible. ~~[9J-5.012(3)(e)3]~~

**Policy 217.1.4**

Monroe County shall continue its policy of reviewing the current Building Code and, as appropriate, adopting structural standards and site alteration restrictions that meet or exceed the minimum FEMA requirements. The Building Code shall be reviewed and revised at least every five years. The recommendations of the applicable interagency hazard mitigation report shall be considered in revisions to the Code. ~~[9J-5.012(3)(e)3]~~ [\[§163.3178\(2\)\(d\), F.S.\]](#)

**Policy 217.1.5**

Monroe County shall continue to participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) to the maximum extent possible and shall seek to improve its current CRS Class 9-rating.—~~[9J-5.012(3)(e)3]~~ [\[§163.3178\(2\)\(d\), F.S.\]](#)

**Policy 217.1.6**

Monroe County shall continue to enforce federal, state and local setback and elevation requirements to promote the protection and safety of life and property. Revisions to the existing setback requirements contained in the ~~Land Development Regulations~~ [land development regulations](#) shall be considered as a means of reducing property damage caused by storms.—~~[9J-5.012(3)(e)3]~~ [\[§163.3178\(2\)\(d\), F.S.\]](#)

**Policy 217.1.7**

Monroe County shall consider floodplain management and CHHA issues in making public acquisition decisions. ~~[9J-5.012(3)(e)3]~~ [\[§163.3178\(2\)\(h\), F.S.\]](#)

~~**Policy 217.1.8**~~

~~Monroe County shall require that, to the greatest extent practicable, development activity, such as land clearing, grading and filling will not disturb natural drainage patterns.~~

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**Objective 217.2**

~~By January 4, 1998,~~ Monroe County shall ~~develop~~maintain a Post-Disaster Redevelopment Plan which addresses priorities for immediate recovery and long-term redevelopment including reducing the exposure of human life to natural hazards. ~~[9J-5.012(3)(b)8]~~ [§163.3178(2)(d), F.S.]

**Policy 217.2.1**

As provided by its Hurricane Preparedness Evacuation and Shelter Plan, Monroe County shall annually coordinate post-disaster recovery operations to clarify the roles and responsibilities of county departments, state and federal agencies, private and public utilities, and other applicable entities. Deficiencies shall be identified and Monroe County shall immediately initiate interlocal agreements or interdepartmental directives as necessary to remedy the existing deficiencies. ~~[9J-5.012(3)(e)5]~~ [§163.3178(2)(d), F.S.]

**Policy 217.2.2**

~~By January 4, 1998,~~ Monroe County shall ~~develop~~maintain a Post-Disaster Redevelopment Plan which specifies procedures for implementing programs for immediate repair, replacement, and cleanup, and long-term rebuilding and redevelopment. The plan shall also include procedures for the identification of damaged infrastructure and consideration of alternatives to its repair or replacement in the CHHA. ~~Monroe County will review and evaluate policies contained in Post Disaster Redevelopment Planning: Model Plan for Three Florida Scenarios as it prepares its Post Disaster Redevelopment Plan.~~ ~~[9J-5.012(3)(e)5 and 7]~~ [§163.3178(2)(d), F.S.]

**Policy 217.2.3**

The Post-Disaster Redevelopment Plan shall identify areas particularly susceptible to damage within the CHHA such as the FEMA designated V-zones and repetitive loss areas as defined by FEMA and shall specify procedures for relocating or replacing public infrastructure away from them, where feasible. ~~[9J-5.012(3)(e)7]~~ [§163.3178(2)(d), F.S.]

**Policy 217.2.4**

Monroe County shall limit redevelopment in areas within the CHHA particularly susceptible to repeated damage as defined by the Post-Disaster Redevelopment Plan. ~~[9J-5.012(3)(e)5]~~ [§163.3178(2)(d), F.S.]

**Policy 217.2.5**

In accordance with Land Use Element Objective **101.7**, Monroe County shall identify areas in need of redevelopment and shall draft a redevelopment plan for each area as well as procedures for implementing the program upon damage or loss due to a natural disaster. ~~[9J-5.012(3)(e)6]~~ [§163.3178(2)(d), F.S.]

**Policy 217.2.6**

In no event shall emergency declarations before, during or following hurricane disaster negate the requirements of these policies and goals, or any regulations derived from them except following a public health menace declaration.

**Policy 217.2.7**

Following completion of the Post-Disaster Redevelopment Plan, guidelines contained therein for development after a natural disaster shall be incorporated within the Comprehensive Plan by plan amendment. Such amendment shall be processed at the next available plan amendment cycle following completion of the redevelopment plan.

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**Objective 217.3**

~~By January 4, 1997, Monroe County shall adopt Land Development Regulations maintain land development regulations which shall direct future growth away from the Coastal High Hazard Area (CHHA). [9J-5.012(3)(b)6]~~

**Policy 217.3.1**

~~The Permit Allocation and Point System shall assign a negative point rating to developments proposed within the CHHA (See Policy 101.5.4). (See Future Land Use Element Objectives 101. [§163.3178(2, 101.3, and 101.5 and related policies.) [9J-5.012(3)(e)3](h), F.S.]~~

**Policy 217.3.2**

Monroe County shall prohibit the construction of mobile homes within the CHHA except on an approved lot within an existing mobile home park or subdivision zoned for such use as of the effective date of this plan. [5.012(3)(e)3]

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**Objective 217.4**

~~With the following exceptions, public~~Public expenditures within the CHHA shall be limited to the restoration or enhancement of natural resources and parklands, expenditures required to serve existing development such as the maintenance or repair of existing infrastructure, and expenditures necessary for public health and safety. The following exceptions may be considered:

1. public expenditures within the CHHA may be permitted where required to meet adopted level of service standards or to maintain or reduce hurricane evacuation clearance times and where no feasible alternatives to siting the required facilities within the CHHA exist.
  
- ~~2.~~ 2. public expenditures within the CHHA may be permitted for improvements and expansions to existing public facilities, which improvements or expansions are designed to minimize risk of damage from flooding. ~~—[9J-5.012(3)(b)5]~~ [§163.3178(2)(h), F.S.]

**Policy 217.4.1**

~~By January 4, 1997,~~ Monroe County shall ~~adopt Land Development Regulations which~~ limit public expenditures in the CHHA by requiring consideration of feasible siting and design alternatives for public facilities and infrastructure. ~~[9J-5.012(3)(e)3]~~ [§163.3178(2)(h), F.S.]

**Policy 217.4.2**

No public expenditures shall be made for new or expanded facilities in areas designated as units of the Coastal Barrier Resources System, saltmarsh and buttonwood wetlands, or offshore islands not currently accessible by road, with the exception of expenditures for conservation and parklands consistent with natural resource protection, and expenditures necessary for public health and safety. [§163.3178(2)(h), F.S.]

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No public expenditures shall be made for new or expanded facilities in areas designated as units of the Coastal Barrier Resources System, undisturbed saltmarsh and buttonwood wetlands, or offshore islands not currently accessible by road, with the exception of expenditures for conservation and parklands consistent with natural resource protection, and expenditures necessary for public health and safety. [9J-5.012(3)(c)1]

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**GOAL 218**

~~Applicants for permits to construct a major development project in the Florida Keys shall make available to Monroe County adequate information to allow ready determination of the impacts of the proposed development on the natural resources, public facilities and services, and human environment of the Florida Keys. [9J-5.006(3)(a); 9J-5.012(3)(a); 9J-5.013(2)(a)~~

The coastal area of Monroe County shall be managed to promote public access to the marine and coastal waters, to balance the protection of recreational and commercial working waterfront and commercial fishing uses and the preservation and protection of coastal and natural resources and the community character. [§163.3178(2)(g), F.S.]

**Objective 218.1**

~~By January 4, 1997, Monroe County shall adopt revisions to the Land Development Regulations which shall require an Environmental Impact Assessment (EIA) for all major development projects. [9J-5.006(2)(b)1,3,4 and 8; 9J-5.012(3)(b)1 and 4; 9J-5.013(2)(b)1 to 4]~~

Monroe County shall adopt and implement incentives and criteria to encourage the preservation of 1) public access to the navigable waters of the State, 2) commercial fishing uses and 3) recreational and commercial working waterfront uses, as defined by Section 342.07, F.S., excluding transient uses. [§163.3178(2)(g), F.S.]

**Policy 218.1.1**

~~Guidelines shall be incorporated into the Land Development Regulations specifying the form and content of EIAs.~~

~~At a minimum, an EIA shall contain the following:~~

- ~~1. description of the proposed development action;~~
- ~~2. description of existing site conditions;~~
- ~~3. analysis of impacts of the proposed development, on the following:~~
  - ~~a) soils;~~
  - ~~b) wetlands;~~
  - ~~c) native upland vegetation;~~
  - ~~d) wildlife habitat;~~
  - ~~e) rare and endangered plant and animal species;~~

~~water~~The strategy to preserve and protect commercial fishing and recreational and commercial working waterfront uses shall include the following:

1. Exemptions from the requirements of the Permit Allocation System for new non-residential development, pursuant to Policy 101.3.3;
2. Providing for the preservation of recreational and commercial working waterfront uses within the Mixed Use Commercial Future Land Use category, pursuant to Policy 101.4.5;

3. Revisions to comprehensive plan policies and land development regulations to allow lawful, non-conforming structures/uses build-back to provide for the preservation and continued viability of commercial fishing and recreational and commercial working waterfront uses. Flexibility in nonconforming use/structure standards, setbacks, parking, buffers, landscaping and other bulk regulations may be adopted to retain waterfront character and function while providing for basic safety, stormwater handling, flood protection and other concerns;

4. Adoption of marina siting criteria for new marinas;

5. Not vacating, diminishing, or otherwise impair publicly-owned pathways, sidewalks, roads, ends of roads, parking areas, docks or boat launching facilities, and other access points that are currently used by the public to access the shorelines; and

- f) Assurances that the quality;
- g) living marine of coastal and natural resources;
- h) air quality;
- i) drainage;
- j) water supply;
- k) wastewater treatment and disposal;
- l) solid waste disposal;
- m) transportation;
- n) housing;
- o) historic and archaeological resources;
- p) conservation lands;
- q) community character;
- r) economic impacts;
- s) other special considerations as may be identified by the Department of Planning; and

~~4. measures designed to eliminate identified adverse impacts. [9J-5.012(3)(e)1]~~

~~6. **Policy 218.1.** are protected and maintained. [§163.3178(2)(g), F.S.] Mitigation measures identified in the EIA shall be specified, where deemed appropriate by the County, as conditions of the Development Order. [9J-5.012(3)(e)1]~~

**Policy 218.1.3**

~~Prior to adoption, the EIA requirements shall be subject to review. To the extent possible, the reviewers shall include those individuals who participated in the development of the existing HEI methodology. [9J-5.012(3)(e)1]~~

underline = proposed new text  
strike-through = proposed deletions

### 3.12 RECREATION AND OPEN SPACE

#### **GOAL 1201**

Monroe County shall provide a recreation and open space system to conserve valuable natural resources and to provide recreational opportunities adequate to serve the present and future population of Monroe County, including permanent residents and visitors. ~~[9J-5.014(3)(a)]~~ [\[§163.3177\(6\)\(e\), F.S.\]](#)

#### **Objective 1201.1**

Monroe County shall ensure that at the time a development permit is issued, adequate park and recreation lands and facilities are available to serve the development at the adopted ~~level-of-service standards~~ [Recreational Guidelines](#) concurrent with the impacts of such development. ~~[9J-5.013(2)(b)3]~~

#### **Policy 1201.1.1**

Monroe County hereby adopts the following ~~level-of-service standards~~ [Recreational Guidelines](#) to achieve **Objective 1201.1**, and shall use these standards as the basis for determining recreation land and facility capacity:

~~Level-of-Service Standards~~ [Recreational Guidelines](#) for Neighborhood and Community Parks:

1. ~~0.821.5~~ acres per 1000 functional population of passive, resource-based neighborhood and community parks; and
2. ~~0.821.5~~ acres per 1000 functional population of activity-based neighborhood and community parks within each of the Upper Keys, Middle Keys, and Lower Keys subareas. ~~[9J-5.014(3)(e)4]~~

#### **Policy 1201.1.2**

Monroe County hereby adopts the following ~~standards~~ [Recreational Guidelines](#) as ~~goal levels-of-service~~ [goals](#). They shall be used as advisory guidelines only, and shall not be used for concurrency purposes.

~~Goal Levels-of-Service~~ [Monroe County will review the following advisory guidelines as goals only, which shall not be used](#) for ~~Specific~~ [concurrency purposes](#). [Goals for](#) Recreational Facilities:

1.            one (1) baseball/softball field for every ~~75~~,000 functional population;
2.            one (1) tennis court for every ~~62~~,000 functional population;
3.            one (1) equipped play area for every 10,000 functional population;
4.            one (1) picnic area for every ~~156~~,000 functional population; and

5. one (1) mile of recreational (sandy) beach shoreline for every 100,000 functional population.

~~These goal levels of service shall be applied to each of the Upper, Middle and Lower Keys subareas. [9J-5.014(3)(e)4]~~

6. one (1) football/rugby/soccer fields for every 6,000 functional population.
7. one (1) basketball courts for every 5,000 functional population.
8. one (1) volleyball courts for every 6,000 functional population.
9. one (1) racketball/handball courts for every 10,000 functional population.
10. one (1) nine hole golf for every 25,000 population and eighteen hole golf for every 50,000 functional population.
11. one (1) swimming pools for every 25,000 functional population.
12. one (1) boat ramp for every 5,000 functional population.
13. one (1) mile bicycling for every 5,000 functional population.
14. one (1) acre camping areas for every 6,750 functional population.
15. one (1) 800 linear feet of non boat fishing for every 5,650 functional population.
16. one (1) course physical exercise for every 15,000 functional population.
17. one (1) mile hiking/nature trails for every 6,750 functional population.

**Policy 1201.1.3**

Monroe County shall periodically review and revise the ~~level of service standards~~Recreational Guidelines and advisory guidelines in policies **1201.1.1** and **1201.1.2** based on the most recent survey of community preferences.

**Policy 1201.1.4**

~~By January 4, 1997, Monroe County shall adopt Land Development Regulations providing a Concurrency Management System (See Capital Improvements Policy 1401.4.5). The Concurrency Management System shall ensure that no permits will be issued for new development or redevelopment which would cause recreation lands and facilities to operate below the adopted level of service.~~

**Policy 1201.1.5**

Monroe County shall review all legal subdivision plats to determine any dedication of property to the County for park lands. Those properties shall be utilized as needed to meet ~~recreational requirements~~Recreational Guidelines.

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**Objective 1201.2**

Monroe County shall secure additional acreage for use and/or development of resource-based and activity-based neighborhood and community parks consistent with the adopted ~~level of service standards. [9J-5.014(3)(b)3]~~ [Recreational Guidelines](#).

**Policy 1201.2.1**

Land required to eliminate existing deficiencies in neighborhood and community parks shall be made available through one or a combination of the following mechanisms:

1. development of park and recreation facilities on land which is already owned by the County but which is not being used for park and recreation purposes;
2. acquisition of new park sites [on a limited basis, with focus upon the Upper Keys ROSPA](#);
3. interlocal agreements with the Monroe County School Board for use of existing school-based park facilities by county residents;
4. interlocal agreements with incorporated cities within Monroe County for use of existing city-owned park facilities by county residents;
5. intergovernmental agreements with agencies of the state and federal governments for use of existing publicly-owned lands or facilities by county residents; and
6. long-term lease arrangements or joint use agreements with private entities for use of private park facilities by county residents.

The same mechanisms shall be used for purposes of providing adequate land to satisfy the demand for parks and recreation facilities resulting from future residential development. ~~[9J-5.014(3)(e)2 and 5]~~

Monroe County shall not rely upon joint use facilities to eliminate existing deficiencies or meet future ~~LOS requirements~~ [Recreational Guidelines](#) until interlocal, intergovernmental, or private joint use agreements are executed which demonstrate that the facilities will be available for general use to Monroe County residents to meet peak season, weekend, or time of day recreation demands. ~~[9J-5.013(3)(e)2 and 5]~~

**Policy 1201.2.2**

~~By January 4, 1998,~~ Monroe County shall [continue to](#) identify potential sites which could be used for the provision of park and recreation facilities. These shall include:

1. sites which could be used to correct or improve existing parks and recreation deficiencies; and
2. sites which could be used for development of future neighborhood and community parks to serve the anticipated needs of the future population.

Candidate sites shall include neighborhood and community parks already owned by Monroe County and sites as listed above in Policy 1201.2.1. [9J-5.014(3)(e)2]

**Policy 1201.2.3**

Priority shall be given to locating new neighborhood and community parks in communities which demonstrate the greatest deficiencies in parks and recreation. [9J-5.014(3)(e)2 and 5]

**Policy 1201.2.4**

In selecting sites for future activity-based neighborhood and community parks, Monroe County shall give priority to sites which have been previously disturbed or scarified. The County shall avoid acquiring sites for activity-based parks which involve potential disturbances to sensitive natural resources including but not limited to:

1. high quality undisturbed pineland and hammock vegetation;
2. documented habitat of species designated as rare or endangered by the state and federal governments;
3. undisturbed beach/berm; and
4. undisturbed mangrove, salt marsh, buttonwood and freshwater wetlands.

When park sites are acquired which include sensitive natural resources, then the park master plan (See Policy 1201.3.6 and 1201.3.8) and the annual park management plan (See Policy 1201.11.2 and 1201.11.3) shall designate such areas for passive recreation and shall avoid potential adverse impacts of park development and use upon those resources. [9J-5.014(3)(e)2, 3 and 5]

**Policy 1201.2.5**

~~By January 4, 1998, conceptual plans shall be developed for candidate park sites. These plans shall be adequate for purposes of assessing suitability of candidate sites for park development, the nature of facilities which could be accommodated on the site, and preliminary costs of park development. The conceptual site plans shall be made available to the Monroe County Board of County Commissioners (BOCC) for review during consideration of park acquisition alternatives. [9J-5.014(3)(e)2]~~

**Policy 1201.2.6**

Funding for land acquisition for county-owned neighborhood and community parks shall be obtained from a combination of local and state funding sources, including but not limited to:

1. Florida Recreation Development Assistance Program;
2. ~~Preservation 2000 Trust Fund~~
3. ~~Conservation and Recreation Lands (CARL) Program;~~
2. ~~Florida Forever ;~~
- 4.3. Land and Water Conservation Fund;
- 5.4. Urban Parks and Recreation Recovery (UPARR) ~~Action~~ Grants;
- 6.5. local funds made available from fair share community park impact fees for growth-related needs (paid pursuant to the Monroe County Land Development Regulations); and
- 7.6. local funds as may be made available through special appropriation by the BOCC. ~~[9J-5.014(3)(c)2 and 5]~~

**~~Policy 1201.2.7~~**

~~Acquisition of neighborhood and community park sites shall be undertaken as part of the Monroe County Natural Heritage and Park Program. (See Future Land Use Objective 102.4 and related policies.) [9J-5.014(3)(c)2 and 5]~~

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**Objective 1201.3**

Monroe County shall make available adequate active recreation facilities at county-owned resource-based and community-based neighborhood and community parks consistent with the adopted ~~level of service standards and the concurrency management system.~~ ~~[9J-5.014(3)(b)3]~~ Recreational Guidelines.

**Policy 1201.3.1**

Programming for active recreation facilities at neighborhood and community parks shall reflect the needs and desires of residents living within the service areas of such parks. Public input into facilities programming shall be solicited through neighborhood public participation programs designed to identify local preferences for specific types of recreational facilities. ~~[9J-5.014(3)(e)5]~~

**Policy 1201.3.2**

Priority shall be given to developing active recreation facilities at neighborhood and community parks which are not currently served with such facilities. ~~[9J-5.014(3)(e)5]~~

~~**Policy 1201.3.3**~~

~~By January 4, 1998, Monroe County shall complete a master plan for each existing county-owned neighborhood and community park. [9J-5.014(3)(e)5]~~

**Policy 1201.3.4**

A park mastersite plan shall be completed for all new neighborhood and community parks ~~by September 30th of the~~ within one year following the acquisition of real property or rights therein for purposes of outdoor recreation. Exceptions shall occur when park mastersite plans are required as a condition of an intergovernmental agreement, interlocal agreement, joint use agreement or long-term lease arrangement; in such instances the mastersite plan shall be prepared prior to acquisition of property rights to serve outdoor recreation. ~~[9J-5.014(3)(e)3 and 5]~~

**Policy 1201.3.5**

Park mastersite plans shall be consistent with the goals, objectives and policies established in the following:

1. the *Monroe County* ~~Park~~ Parks and Recreation Master Plan (upon its adoption by the BOCC) ~~(See Objective 1201.10); and~~
2. the Future Land Use and Coastal and Conservation Management Elements of the Monroe County Comprehensive Plan. ~~[9J-5.014(3)(e)3 and 5]~~

**Policy 1201.3.6**

Park mastersite plans shall address the following issues:

1. public uses and facilities;

2. public access;
3. compatibility with adjacent land uses;
4. [waterways\[§163.3177\(6\)\(e\).. F.S\];](#)
4. [5.](#) protection of sensitive natural resources; and
5. [6.](#) restoration of disturbed lands. ~~[9J-5.014(3)(e)2, 3 and 5]~~

**Policy 1201.3.7**

For parks which include beaches and shoreline areas, park [mastersite](#) plans shall provide for the maintenance and/or improvement of existing levels of beach and shore access. ~~The park master plan shall, and~~ be ~~consistent with~~[addressed in](#) the ~~Monroe County Public Access Plan-parks and recreation management and maintenance plan.~~ (See Conservation and Coastal Management Objective [213.1.1.](#)) ~~[9J-5.014(3)(e)3 and 5]~~

**Policy 1201.3.8**

Park [mastersite](#) plans shall be designed so as to avoid and/or mitigate adverse impacts of park use upon sensitive natural resources. Such areas include, but are not limited to the following:

1. high quality undisturbed pineland and hammock vegetation;
2. documented habitat of species designated as rare or endangered by the state and federal governments;
3. undisturbed beach/berm; and
4. undisturbed mangrove, salt marsh, buttonwood and freshwater wetlands.

Public use shall be directed away from or minimized in such areas through controlled access and limitations on permitted activities. ~~[9J-5.014(3)(e)3 and 5]~~

**Policy 1201.3.9**

Park [mastersite](#) plans shall-;

1. identify areas of disturbed wetlands as potential wetlands mitigation sites. (See Conservation and Coastal Management [Objective 204.3](#) and related policies.) ~~[9J-5.014(3)(e)2 and 5]~~

~~**Policy 1201.3.10**~~

2. ~~Park master plans shall~~ include provisions for the removal of invasive, exotic vegetation. ~~[9J-5.014(3)(c)2 and 5]~~

**Policy 1201.3.11**

3. ~~Park master plans shall~~ specify the use of native vegetation for landscaping and for restoration of areas from which invasive, exotic vegetation is removed. ~~[9J-5.014(3)(c)2 and 5]~~

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**Objective 1201.4**

~~By January 4, 1997, Monroe County shall revise the Land Development Regulations to permit and facilitate park related development activities at county owned sites. [9J-5.014(3)(b)3]~~

**Policy 1201.4.13.X**

~~Existing county owned neighborhood and community parks shall be assigned to the Park and Refuge Land Use District. [9J-5.014(3)(e)1]~~

**Policy 1201.4.2**

~~Upon fee simple acquisition, new county owned neighborhood and community park sites shall be reassigned to the Park and Refuge Land Use District. [9J-5.014(3)(e)1]~~

**Policy 1201.4.3**

~~Regulations pertaining to the Park and Refuge Land Use District which shall be revised to facilitate park and recreation uses shall include the following:~~

- ~~1. land use intensities;~~  
~~\_\_\_\_\_~~
- ~~2. bulk regulations;~~  
~~\_\_\_\_\_~~
- ~~3. development standards;~~  
~~\_\_\_\_\_~~
- ~~4. environmental standards;~~  
~~\_\_\_\_\_~~
- ~~5. park and loading standards; and~~  
~~\_\_\_\_\_~~
- ~~6. landscaping standards. [9J-5.014(3)(e)1]~~

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**Objective 1201.5**

~~By January 4, 1997, Monroe County shall adopt revisions to the Land Development Regulations pertaining to fair share community park impact fees which will assist the county with maintaining adopted levels of service for parks and recreation facilities. [9J-5.014(3)(b)2]~~

**Policy 1201.5.1**

~~Monroe County shall continue to collect fair share community park impact fees for any new permanent and transient residential units (including units constructed on existing platted lots) prior to issuance of a Certificate of Occupancy. [9J-5.014(3)(c)1]~~

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**Objective 1201.6**

Monroe County shall continue to ensure access to publicly-owned recreation and open space areas and facilities, including beach and shoreline areas, for all Monroe County residents and visitors, including the handicapped and disabled. [9J-5.014(3)(b)1]

**Policy 1201.6.1**

~~By January 4, 1998, Monroe County shall complete a master plan for all county-owned neighborhood and community parks (See Policies 1201.3.3 through 1201.3.11). These plans shall include, among other items:~~

- ~~1. an assessment of the adequacy of public access; and~~
- ~~2. recommended public access improvements, which may include but not be limited to, additional parking, boat ramps and handicapped access facilities. [9J-5.014(3)(c)3]~~

**Policy 1201.6.2**

~~Beginning in 1998, Monroe County shall prepare annual park and recreation facility management plans. Among other items, the annual management plans shall address continued management requirements needed to ensure safe public access. (See Objective 1201.11 and related policies.) [9J-5.014(3)(c)3]~~

**Policy 1201.6.3**

~~By January 4, 1998, Monroe County shall complete a Public Access Plan for unincorporated Monroe County. This plan shall address publicly-owned and privately-owned lands. (See Conservation and Coastal Management Objective 213.1 and related policies.) [9J-5.014(3)(c)3]~~

**Policy 1201.6.4**

~~By January 4, 1998, Monroe County shall complete a Parks and Recreation Plan (See Policy 1201.10.1). This Plan shall, among other items, evaluate the need for and feasibility of a combined trail and bikeway system which links parks and recreation areas with one another as well as with residential areas. (See Objective 1201.10) [9J-5.014(3)(c)3]~~

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**Objective 1201.7**

Monroe County shall implement an ongoing coordination program with community groups and commercial enterprises owning private recreational facilities to make available such facilities for use by county residents. ~~[9J-5.014(3)(b)2 and 4 [§163.3177(6)(e), F.S]~~

**Policy 1201.7.1**

~~By January 4, 1998, Monroe County shall develop standard written agreements for summer recreation programs at destination resorts, private recreation clubs, private schools, churches and other community groups owning open space and/or recreation facilities. The County shall seek to execute these agreements with such groups on a regular annual basis. [9J-5.014(3)(c)2 and 5]~~

**Policy 1201.7.2**

Monroe County shall encourage the use of privately-owned parks and recreation facilities for public recreation purposes ~~through allocation of county funds for construction and maintenance of recreation facilities on privately owned lands. [9J-5.014(3)(c)2 and 5].~~

**Policy 1201.7.3**

Monroe County shall encourage community groups and commercial enterprises to develop and maintain private recreational facilities consistent with County design guidelines. —The County shall provide planning assistance to such groups. Assistance efforts shall be directed to areas where:

1. there is an existing deficit of activity-based neighborhood and community parks; and
2. there are no future opportunities for public recreation sites.

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**Objective 1201.8**

Monroe County shall implement an ongoing coordination program with other city, state and federal governmental agencies to make city, state and federally-owned parks and recreational facilities available for use by county residents. ~~[9J 5.014(3)(b)2 and 4 [§163.3177(6)(e), F.S]~~

**Policy 1201.8.1**

Monroe County shall enter into ~~an~~and/or maintain interlocal ~~agreement~~agreements, as necessary, with the Monroe County School Board ~~which will to~~ provide for the use of school-based recreation areas by county residents. ~~This agreement~~ These agreements shall set forth responsibilities for maintenance, expansion and operating hours at school-based facilities which will be made available for use by county residents. ~~This agreement, and~~ shall be reviewed on an annual basis. ~~[9J 5.014(3)(e)2 and 5]~~

**Policy 1201.8.2~~5~~**

~~Monroe County, through the Planning Department, Land Authority and/or Public Facilities Maintenance staff, shall initiate discussions with the Department of Natural Resources to determine the potential for use of state owned lands for activity based and/or resource based neighborhood and community parks. Through negotiations, the County shall strive to secure special consideration for County residents, such as reduced fees or special use permits for certain times or locations, for the use of existing state recreational facilities. The County shall also encourage the construction of and participate in the planning of new recreational facilities on state owned lands. If necessary, the County shall enter into an interlocal agreement with DNR. [9J 5.014(3)(e)2 and 5]~~

**Policy 1201.8.3**

~~Monroe County, through the Planning Department, Land Authority and/or Public Facilities Maintenance staff, shall continue to coordinate with the U.S. Navy to determine the potential for use of Navy owned lands for activity based and/or resource based neighborhood and community parks. Through negotiations, the County shall encourage the construction of new recreational facilities on Navy owned lands, and shall strive to secure the use of new facilities for County residents. The County shall also review and comment on the plans for any new facilities proposed for use by County residents. If necessary, the County shall enter into an interlocal agreement with the U.S. Navy. [9J 5.014(3)(e)2 and 5]~~

**Policy 1201.8.4**

~~Monroe County, through the Planning Department, Land Authority and/or Public Facilities Maintenance staff, shall initiate discussions with the National Park Service (NPS) to determine the potential for use of NPS owned parcels for activity based or resource based neighborhood and community parks. Through negotiations, the County shall strive to secure special consideration for County residents, such as reduced fees or special use permits for certain times or locations, for the use of existing NPS recreational facilities. The County shall~~

~~also consider a joint County-NPS effort to plan and construct new recreational facilities on NPS owned lands, if County residents were guaranteed a high priority in access to the facilities. If necessary, the County shall enter into an interlocal agreement with the NPS. [9J 5.014(3)(c)2 and 5]~~

**~~Policy 1201.8.5~~**

~~Monroe County, through its Planning Department Staff/Scenic Highway Coordinator, will assist the Florida Keys Scenic Corridor Alliance~~Monroe County will assist the Florida Keys Scenic Corridor Management entity and the Florida Department of Transportation in the implementation of the Florida Scenic Highway Corridor Management Plan. (Ord. 022-2009)

**~~Policy 1201.8.6~~**

~~Monroe County, through its Planning Department Staff/Scenic Highway Coordinator, supports the nomination of the Florida Scenic Highway as a National Scenic Byway All American Road. (Ord. 022-2009)~~

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**Objective 1201.910**

By ~~January 4, 1998~~ May 1, 2014, Monroe County shall ~~establish~~update and ~~fund a professionally staffed~~ adopt the existing *Monroe County Parks and Recreation Department*. ~~[9J-5.014(3)(b)3]~~Master Plan.

**Policy 1201.910.1**

~~By January 4, 1998, there shall be an interdivisional agreement between the Division of Public Works and the Division of Growth Management providing for the development and organization of the~~ The *Monroe County Parks and Recreation Department*. ~~[9J-5.014(3)(e)1 to 5]~~

**Policy 1201.9.2**

~~By January 4, 1998, the BOCC, in cooperation with the Monroe County Public Parks and Recreation Advisory Board, shall approve and fund organization of the Monroe County Parks and Recreation Department.~~ ~~[9J-5.014(3)(e)1 to 5]~~

**Policy 1201.9.3**

~~Until such time as the Monroe County Parks and Recreation Department is organized, planning and management of county owned parks and recreation facilities shall be undertaken by the Division of Growth Management and the Division of Public Works, respectively.~~ ~~[9J-5.014(3)(e)1 to 5]~~

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**Objective 1201.10**

~~By December 31, 2003, Monroe County shall complete a Parks and Recreation Plan. [9J 5.014(2)(b)1 to 4]~~

**Policy 1201.10.1**

~~The Parks and Recreation~~*Master Plan* shall ~~address~~update the following issues:

1. inventory of recreation lands and facilities;
2. demand for recreation lands and facilities;
3. ~~level of service~~Recreational standards;
4. development and acquisition;
5. public ~~access; and~~surveys;
6. ~~management and maintenance.~~ [9J 5.014(3)(c)5]

**Policy 1201.10.2**

~~The preparation of the Parks and Recreation Plan will include a public participation program in order to determine the demand for recreation areas and facilities.~~

**Policy 1201.10.3**

6. ~~Level of service standards for recreation lands and facilities will be modified to reflect the demand for recreation lands and facilities as determined through the, and public participation program~~access.

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**Objective 1201.11**

Monroe County shall manage all park and recreation facilities for which it has assumed management responsibility ~~according to management plans. [9J 5.014(3)(b)1 and 2].~~

**Policy 1201.11.1**

~~Beginning in 1998~~By May 1, 2015, Monroe County shall prepare ~~annual park~~ parks and recreation ~~facility~~ management ~~plans. These plans and maintenance master plan. This plan shall be prepared by September 30th of each year. They shall be~~evaluate and incorporate, among other factors, the following:

1. ~~Proper management techniques~~ consistent with the ~~current county restoration plan (See updated elements of Future Land Use, Recreation and Open Space, Historic Sites, and Conservation and Coastal Management Objective 210.1 and related policies). [9J 5.014(3)(c)3 and 5];~~
2. ~~Restoration of disturbed wetland areas;~~
3. ~~The removal of exotic species;~~
4. ~~Regular evaluation of recreation sites and facilities including equipment, planting and maintenance of native species; and~~
5. ~~General maintenance requirements and costs.~~

**Policy 1201.11.2**

~~Management plans for individual park and recreation units shall be consistent with goals, objectives and policies established in the following:~~

1. ~~the master plan for the specific park~~The parks and recreation facility;
2. ~~the Monroe County Park and Recreation Plan (upon its adoption by the BOCC) (See Objective 1201.10); and~~
3. ~~the Land Use Element and the Conservation and Coastal Management Element of the Monroe County Year 2010 Comprehensive Plan. [9J 5.014(3)(c)3 and 5]~~

**Policy 1201.11.3**

~~Park management plans and maintenance plan shall be designed so as to~~include provisions to avoid and/or mitigate adverse impacts of park use upon sensitive natural resources. Such areas include, but are not limited to the following:

1. high quality undisturbed pineland and hammock vegetation;
2. documented habitat of species designated as rare or endangered by the state and federal governments;
3. undisturbed beach/berm (particularly turtle nesting beaches); and
4. undisturbed mangrove, salt marsh, buttonwood and freshwater wetlands.

Public use shall be directed away from or minimized in such areas through controlled access and limitations on permitted activities. ~~[9J-5.014(3)(e)3 and 5]~~

**Policy 1201.11.4**

For parks which include beaches and shoreline areas, ~~park~~the parks and recreation management plans and maintenance plan shall provide for the maintenance and/or improvement of existing levels of beach and shore access. ~~[9J-5.014(3)(e)3 and 5]~~

**Policy 1201.11.5**

~~Park management plans shall identify areas of disturbed wetlands as potential wetlands mitigation sites. (See Conservation and Coastal Management Element Policy 204.3.2.) [9J-5.014(3)(e)2 and 5]~~

**Policy 1201.11.6**

~~Park~~The parks and recreation management plans and maintenance master plan shall include provisions for removal of invasive, exotic vegetation. (See Conservation and Coastal Management Element Objective 210.1 and policies.) ~~[9J-5.014(3)(e)2 and 5]~~

**Policy 1201.11.7**

~~Park~~The parks and recreation management plans and maintenance master plan shall specify the use of native vegetation for landscaping and for restoration of areas from which invasive, exotic vegetation is removed. ~~[Policy 9J-5.014(3)(e)2 and 5]~~

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**Objective 1201.12**

~~By January 4, 1998, Monroe County shall develop and implement a cooperative land management program designed to Monroe County~~ protect open space (conservation lands), where appropriate, from the impacts of land use activities.

**Policy 1201.12.1**

~~Monroe County shall continue to implement a cooperative land management program to protect open space (conservation lands) from the impacts of land use activities on adjacent private lands.- (See Future Land Use~~ **Objective 102.9** ~~and related policies.- [9J-5.014(3)(b)1 and 2].~~

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**Monroe County Comprehensive Plan Update**

underline = proposed new text  
 strike-through = proposed deletions

**3.13 INTERGOVERNMENTAL COORDINATION****GOAL 1301**

Monroe County shall promote and encourage intergovernmental coordination between the County; the municipalities of Key West, Key Colony Beach, ~~and Islamorada~~, Layton; ~~and Marathon~~; the Counties of Miami-Dade and Collier; regional, ~~state~~State, and federal governments and private entities in order to anticipate and resolve present and future concerns and conflicts. ~~[9J-5.015(3)(a)]~~ [§163.3177(6)(h)1., F.S.]

**Objective 1301.1**

Monroe County shall establish or maintain coordination mechanisms to ensure that full consideration is given to the impacts of development allowed by the Monroe County Comprehensive Plan upon the plans of adjacent municipalities, adjacent counties of Miami-Dade and Collier, the region, the State and the ~~Federal Governments~~federal governments, as well as the impacts of those entities' plans on the County. ~~[9J-5.015(3)(b) [§163.3177(4)(a), §163.3177(6)(h)1, 2 & 3], §163.3177(6)(h)3.a., and b., F.S.]~~

**Policy 1301.1.1**

~~By January 4, 1997, Monroe County shall increase the amount and effectiveness of coordination mechanisms with the South Florida Regional Planning Council (SFRPC) by receiving the Council's comments on the revised Monroe County Comprehensive Plan and the land development regulations and addressing these comments in plan revisions. [9J-5.015(3)(b)3]~~

**Policy 1301.1.2**

Monroe County shall coordinate with Miami-Dade County, Florida Department of ~~Natural Resources (DNR)~~Environmental Protection (FDEP), and the South Florida Water Management District (SFWMD) on all land and water management plans affecting Card Sound. ~~[9J-5.015(3)(c)6]~~

**Policy 1301.1.3**

Monroe County shall resolve conflicts ~~including but not limited to annexation issues~~, with Broward, ~~Collier~~ and Miami-Dade Counties, the ~~Cities~~municipalities of Key West, Key Colony Beach, Marathon, Islamorada and Layton, and the State of Florida through the South Florida Regional Planning Council's ~~informal mediation process. [9J-5.015(3)(c)2 and 4]~~Regional Dispute Resolution Process (RDRP)[§163.3177(6)(h)1.b., F.S.]

**Policy 1301.1.4**

~~By January 4, 1998, Monroe County shall initiate an review, update as necessary, and maintain the~~ interlocal agreement with Miami-Dade County providing for notification and review procedures in order to provide a mechanism for Monroe County ~~comment~~comments on land use and regulatory issues concerning the potable water wellfield, aquifer, and aquifer recharge areas. ~~[9J-5.015(3)(b)2 [§163.3177(6)(h)3.a., F.S.]~~

**Policy 1301.1.5**

Monroe County ~~and shall work cooperatively with~~ the Florida Keys Aqueduct Authority (FKAA) ~~shall work cooperatively with~~, the SFWMD and Miami-Dade County to ensure the protection and availability of an adequate raw water supply to meet Monroe County needs through ~~2010~~2030 from the Florida City ~~well field~~ by wellfield.

1. ~~renewing of consumptive use permit by January 4, 1998 and thereafter as required by SFWMD; and~~
2. ~~if necessary, conducting an exploratory study of the feasibility of reverse osmosis and other technologies. [9J-5.015(3)(b)2]~~

**Policy 1301.1.6**

By ~~January 4, 1997~~May 1, 2014, Monroe County ~~and the City of Key West~~ shall ~~set up and implement, by interlocal agreement, an entity called the Monroe County Technical Coordination Committee. The committee will consist of six officials, three representing the City of Key West and three representing Monroe County, appointed at the discretion of the City Manager and County Administrator. These officials will represent the~~coordinate with municipalities in order to address concerns of the following offices with each government:

1. Community Services
2. Public Works
3. Planning

The Committee will meet at least twice a year with the following agenda, with subsequent summary reports provided to the County Administrator and City Manager:

1. Land Use/Development Impact Review
2. Transportation Management
3. Affordable Housing
4. Public Facilities
5. Public Safety
6. Solid Waste (to include recycling)
7. Recreation and Open Space
8. Potable Water
9. Drainage
10. Natural Groundwater Aquifer Recharge
11. Conservation
12. Coastal Management
13. Permit Allocation
14. Hurricane Evacuation and Recovery  
~~[9J-5.015(3)(e)5 and 9J-5.015.(3)(b)2]~~  
§163.3177(6)(h)3.a., F.S

**Policy 1301.1.7**

~~By January 4, 1997 and each year thereafter on an ongoing basis Monroe County and FKAA will continue to coordinate anwith FKAA on the evaluation and appraisal of the Monroe County Comprehensive Plan, adopted levels of service, annual public facility capacity analysis, and the Consumptive Use Permit. [9J-5.015(3)(c)1]~~

**Policy 1301.1.8**

~~Monroe County shall, through means in policies 1301.1.3, 1301.1.6 and 1301.1.9, improve communication and conflict resolution among the County, its municipalities, and the State of Florida within the context of the County's designation as an area of critical state concern. Improvement shall be measured based on the ability of developing joint resolutions in areas of mutual concern.~~

**Policy 1301.1.9**

~~By January 4, 1997, Monroe County shall request that the Department of Community Affairs (DCA) initiate intergovernmental agreements with the Department of Health and Rehabilitative Services, Department of Natural Resources, and Department of Environmental Regulation in order to assist them in their efforts to streamline their effectiveness by clearly establishing a coordinated agency review procedure that establishes each agency's responsibilities within Monroe County as stated in Chapter 163, F.S., Chapter 380, F.S. and Section 381.272, F.S. The agreements will establish coordinated permit procedures and greater understanding of mutual concerns and long-term goals.~~

**Policy 1301.1.10**

~~On a semi-annual basis, Monroe County shall meet with representatives of federal, state, regional and local agencies that have regulatory authority in the County, and periodically review those agencies' written rules in order to keep up-to-date and informed as to how other agencies' regulatory activities affect implementation of Monroe County's Comprehensive Plan. Monroe County shall be responsible for developing a list to be revised annually of contact persons within all agencies which have jurisdiction in Monroe County. In addition, the periodic review of agency rules by the County shall be in writing and provided to the relevant agency to assure further understanding.~~

**Policy 1301.1.11**

~~Monroe County shall attempt to ensure that development activities that require permits from federal, state, regional, and county regulatory authorities are done through a coordinated interagency review. [9J-5.015(3)]~~

**Policy 1301.1.12**

By ~~January 4, 1997,~~May 1, 2015 Monroe County shall establish a complete list of existing and planned intergovernmental and interagency agreements, which shall be updated annually.

**Policy 1301.1.13**

~~All permitting agencies shall be required per Chapter 163, F.S. to observe and adhere to the Monroe County Comprehensive Plan and regulations if more stringent than their own.~~

**Policy 1301.1.14**

Monroe County shall continue to participate wherever possible in SFWMD planning and management activities. Monroe County shall continue to review and comment on SFWMD's proposed plans and regulation amendments, ~~and to delegate representatives to SFWMD's Advisory Committees.~~ Monroe County shall also seek, through County Commission resolution, to maintain equal representation on the SFWMD Governing Board.

**Policy 1301.1.15**

Monroe County shall ~~consult~~coordinate with the Florida Keys Aqueduct Authority (FKAA) to confirm the availability of water supply prior to the issuance of a building permit. (Ord. 022-2009)

**Policy 1301.1.16**

Monroe County shall ~~initiate~~maintain an ~~Interlocal~~interlocal agreement with the Florida Keys Aqueduct Authority (FKAA) ~~to establish~~which establishes a mechanism whereby the FKAA and the County identify the availability of water supply needed to serve existing and new development within the Unincorporated Area, monitor the utilization of water supply, and implement such alternative water supply projects, traditional water supply projects, conservation projects, and reuse necessary to meet Monroe County's water supply needs. (Ord. 022-2009)

**Policy 1301.1.X**

By May 1, 2014 Monroe County shall coordinate with FWC and other applicable agencies to encourage best practices to protect natural habitats in regards to commercial and recreational fishing gear and methods.

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**Objective 1301.2**

Through the adoption of one or more intergovernmental agreements, Monroe County shall coordinate with municipalities and other appropriate entities in order to plan and/or implement programs to improve water quality. ~~[9J 5.015(3)(c) 3 and 6]~~

**Policy 1301.2.1**

Monroe County shall ~~by specified dates given below implement~~ coordinate with other agencies on the following water quality improvement programs ~~by intergovernmental agreement:~~

<u>Entity/Entities Subject</u>	<u>Subject Entity/Entities (or their designees)</u>	<u>Date</u>
Wastewater treatment inspection/compliance program for all OSDS, package plants, and wastewater treatment plants	Florida Department of Environmental Protection ( <del>DEP</del> FDEP) & Florida Department of Health <del>and Rehabilitative Services (HRS)</del> (DOH)	<del>1/4/</del> 97
Regulation and enforcement program for live-aboard disposal system discharge	U.S. Coast Guard, Marine and Port Advisory Committee, BOCC, NOAA, <del>DEP</del> FDEP, U.S. Environmental Protection Agency (EPA), and incorporated municipalities	<del>1/4/</del> 97
<del>Identification and replacement of deficient</del> OSDS	HRS	<del>1/4/</del> 97
Engineering study of drainage in the Florida Keys	SFWMD, <del>DEP</del> FDEP	<del>1/4/</del> 97
Interjurisdictional drainage facilities impacting on the Everglades and Florida Bay	<u>Miami</u> -Dade, Broward, Collier, and Palm Beach Counties and SFWMD	<del>1/4/</del> 97
Nearshore and Florida Bay water quality monitoring program	SFWMD, EPA, <del>DEP</del> FDEP, and Florida Keys National Marine Sanctuary (FKNMS)	<del>1/4/</del> 98
<del>Preparation of the</del> Sanitary Wastewater/Stormwater Master Plan	FCAA, SFWMD	<del>1/4/</del> 97
Water Quality and permitting issues related to canal system aeration, backfilling, and unplugging	<del>DEP</del> FDEP, ACOE, NOAA, EPA	<del>1/4/</del> 98

<del>Scientific studies of stress on coral reef ecosystems</del>	<del>NOAA, EPA, and DEP</del>	<del>fall following completion of FKNMS Plan</del>
Coordination of existing <del>and potential</del> land management problems affecting water quality and fisheries	Nat'l Park Service, SFWMD, Collier and <u>Miami-Dade</u> Counties	<del>1/4/97</del>

**Objective 1301.3**

Level of service standards established by the Comprehensive Plan shall be reviewed with the entity actually responsible for providing the facilities to ensure that adequate capacity is available to meet the needs of existing and future residents. ~~[9J-5.015(3)(b)3]~~ §163.3177(6)(h)3.b., F.S.

**Policy 1301.3.1**

When conflicts with other local governments arise, including but not limited to the following topics:

1. establishing when, how and which public facilities' LOS standards shall be measured across jurisdictional lines;
2. evaluating the impact on levels of service caused by development within each jurisdiction, to ensure concurrency, and to assess the development's impacts on land use;
3. allocating the relative proportions of future development;
4. establishing a system to monitor future development within the jurisdictions; and
5. mediating disputes between the jurisdictions regarding the allocation of future development.

Monroe County shall initiate and utilize the South Florida Regional Planning Council's (SFRPC) ~~informal mediation process~~ Regional Dispute Resolution Process (RDRP) to resolve conflicts. ~~[9J-5.015(3)(e)2]~~ §163.3177(6)(h)1.b., F.S.

**Policy 1301.3.2**

Monroe County shall, through its development review process, consider the impacts of proposed developments on the LOS standards of adjacent local governments and the Counties of Miami-Dade and Collier. ~~[9J-5.015(3)(e)5]~~

**Policy 1301.3.3**

As part of the planning process, Monroe County shall consider the impacts of projected development on the comprehensive plans of incorporated communities within the County. ~~[9J-5.015(3)(e)7]~~ §163.3177(6)(h)1., F.S.

**Policy 1301.3.4**

By ~~January 4, 1997~~ May 1, 2014, Monroe County shall ~~initiate an interlocal agreement with~~ coordinate Miami-Dade County to evaluate the impact of development on levels of service within one mile of County borders, and ensure concurrency and assess ~~impacts~~ impacts on existing and proposed land use. ~~[9J-5.015(3)(e)5]~~

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**Objective 1301.4**

Establish or maintain coordination mechanisms to ensure transportation related programs, plans, and facility improvements are fully considered by the appropriate federal, stateState, regional or local agency. ~~[9J-5.015(§163.3177(6)(h)3)(b)3], F.S.]~~

**Policy 1301.4.1**

Monroe County shall continue operating the Monroe County Transportation Disadvantaged Program and coordinating the program with ~~the~~Key West ~~Port and Transit Authority~~, and the Florida Department of Transportation 5-Year Transportation Plan. ~~[9J-5.015(§163.3177(6)(h)3)(b)3], F.S.]~~

**Policy 1301.4.2**

Monroe County shall ~~continue~~coordinate with Miami-Dade Transit (MDT) and Key West Transit to ~~seek funds for the transportation disadvantaged and other~~better coordinate transit and paratransit operations from all applicable federal, state, regional, and other sources and shall continue to provide gas tax revenues to public transit and paratransit servicesservice between Key West and Miami-Dade County.

**Policy 1301.4.3**

Monroe County shall coordinate all development proposals for port or~~and~~ related facilities with the plans~~requirements~~ of the United States Army Corps of Engineers, ~~resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes and approved by the Governor and Cabinet,~~ and the Florida Department of Transportation 5-Year Plan as adopted. ~~[9J-5.015(3)(§163.3177(6)(h)3)(b)3], F.S.]~~

**Policy 1301.4.4**

Monroe County shall coordinate port related improvements with ~~the~~Key West ~~Port and Transit Authority (PATA)~~(KWT) by designating a member of the staff of the Planning Department to act as a liaison with PATA. ~~[9J-5.015(KWT. §163.3177(6)(h)3)(b)3], F.S.]~~

**Policy 1301.4.5**

Monroe County shall coordinate all County-owned aviation or related facilities with the plans of the Federal Aviation Administration, military services, ~~resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes and approved by the Governor and Cabinet,~~ the Florida Department of Transportation 5-Year Plan, and the Continuing Florida Aviation System Planning Process as adopted. ~~[9J-5.015(§163.3177(6)(h)3)(b)3], F.S.]~~

**Policy 1301.4.6**

Monroe County shall maintain and update a master plan for each public airport pursuant to the rules of the Federal Aviation Administration.

**Policy 1301.4.7**

Monroe County shall work with the Florida Department of Transportation and Federal Aviation Administration to secure airport improvement grants.

**Policy 1301.4.8X**

Monroe County shall coordinate with the cities of Key West and Marathon for the County to review land development permit applications related to the Key West International Airport and the Florida Keys Marathon Airport, as the County's Airport District Future Land Use applies to these airports.

**Policy 1301.4.8**

Monroe County shall coordinate expansions and operation of the Key West airport with the U.S. Navy.

**Policy 1301.4.9**

Monroe County shall continue to coordinate with the Florida Department of Transportation (FDOT) to ensure that US 1 roadway capacity improvements are placed on FDOT's five year plan to reduce hurricane evacuation clearance times to 24 hours by the year 2010. (See Capital Improvements Policies 1401.1.4 and 1401.1.5). ~~19J-5.015(§163.3177(6)(h)3)(b)3, F.S.]~~

**Policy 1301.4.10X**

Monroe County, ~~through its Planning~~ shall coordinate with the Florida Department Staff/Scenic Highway Coordinator of Transportation (FDOT) on future US1 roadway projects as they relate to the existing visions and goals of the Livable CommuniKeys Plans.

**Policy 1301.4.10**

Monroe County, will assist the Florida Keys Scenic Corridor Alliance designated corridor management entity and the Florida Department of Transportation (FDOT) to support the implementation of the Vision, Goals, Objectives and Strategies of the Florida Scenic Highway Corridor Master Plan and the recommendations of the Florida Scenic Highway Interpretive Master Plan. (Ord. 022-2009)

**Policy 1301.4.11**

Monroe County, ~~through its Planning Department Staff/ Scenic Highway Coordinator,~~ will assist the Florida Keys Scenic Corridor Alliance designated corridor management entity and the Florida Department of Environmental Protection (FDEP) to support the implementation of the Florida Keys Overseas Heritage Trail Master Plan. (Ord. 022-2009)

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**Objective 1301.5**

Ensure that implementation, monitoring, and evaluation of the Monroe County Comprehensive Plan is coordinated with the plans and programs of:

- The Land Authority of Monroe County,
- The Monroe County Property Appraiser's Office
- The District School Board of Monroe County
- The Florida Department of Transportation
- The South Florida Regional Planning Council
- The South Florida Water Management District
- The Florida Department of Environmental ~~Regulation~~Protection
- The Florida Keys Aqueduct Authority
- ~~The City Electric Service,~~
- ~~Keys Energy Services~~
- The Florida Department of Health ~~and Rehabilitative Services~~
- The Florida Keys Electric Cooperative
- The Monroe County Sheriff's Department
- Monroe County Housing Authority
- ~~The Key West Port and Transit Authority~~

~~and other providers of health, safety, and educational services not having regulatory authority over the use of land. [9J-5.015(3)(b)1] [§163.3177(6)(h)1., F.S.]~~

**Policy 1301.5.1**

~~Monroe County shall request that private providers of health, safety, and educational services review and comment regarding this comprehensive plan. [9J-5.015(3)(c)1]~~

**Policy 1301.5.2**

~~Monroe County shall continue to share data with the City Electric Service, Florida Keys Aqueduct Authority, the Monroe County Property Appraiser, SFWMD and other agencies for use in GIS applications. [9J-5.015(3)(c)3]~~

**Policy 1301.5.3**

~~The existing coordination mechanism between the Monroe County Land Authority and the Florida Department of Community Affairs shall be maintained. By January 4, 1998, the Land Authority shall research and publish a report examining the potential to expand its operations and effectiveness, particularly within the context of the needs identified in this Comprehensive Plan, including the Land Authority becoming the responsible authority for acquiring and administering a TDR program. The report shall identify specific actions (if any) which Monroe County should take to assist the Land Authority.~~

**Policy 1301.5.4**

~~By January 4, 1997~~ Monroe County, in updating its drainage policies and ordinances, shall meet with the SFWMD ~~and the SFRPC~~ to ensure that the local regulatory framework is consistent with the planning objectives and regulations of the region. ~~[9J-5.015(3)(b)[§163.3177(6)(h)3], F.S.]~~

**Policy 1301.5.5**

~~The Growth Management Division~~ Monroe County shall work with the County Housing Authority to encourage development of elderly and institutional housing and identify funding sources for community-based non-profit organizations to provide affordable housing for low-income residents.

**Policy 1301.5.6**

Monroe County shall coordinate with the District School Board of Monroe County on the siting and expansion of required facilities.

**Policy 1301.5.7**

Monroe County shall, ~~on an annual basis~~ during the preparation of the Concurrency Management Report, coordinate with the ~~Municipal Services District, the Florida Keys Aqueduct Authority, City Electric~~ applicable municipalities and ~~the Florida Keys Electric Cooperative~~ utility providers to determine the acreage and location of land needed to accommodate projected service expansions. ~~[9J-5.015(3)(b)[§163.3177(6)(h)1], F.S.]~~

**Policy 1301.5.8**

Monroe County shall, ~~on an annual basis~~, coordinate with hospitals in the County to ensure the availability of adequate land to meet hospital expansion and improvement requirements.

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**Objective 1301.6**

~~Monroe County shall establish or maintain mechanisms of coordination and cooperation to ensure the protection and restoration of wetlands.~~

**Policy 1301.6.1**

~~Monroe County shall participate in the Florida Keys Advance Identification of Wetlands (ADID) Program.~~

**Policy 1301.6.2**

~~As part of the ADID Program, Monroe County shall continue to cooperate with the EPA, the U.S. Army Corps of Engineers (ACOE), the Florida Game and Fresh Water Fish Commission (FGFWFC), and the U.S. Fish and Wildlife Service (USFWS) to develop a wetlands functional assessment protocol. This assessment protocol shall be tailored for use in the Florida Keys and shall be based upon habitat suitability, water quality, and flood flow alteration functions of marine and freshwater wetlands.~~

**Policy 1301.6.3**

~~As part of the ADID Program, Monroe County, EPA, USFWS, and FGFWFC will jointly carry out the functional analysis of wetlands. This shall be completed on all wetland vegetative cover areas within improved subdivisions and on selected sites outside improved subdivisions, according to statistically valid selected sample locations for each wetland vegetative cover type.~~

**Policy 1301.6.4**

~~Monroe County shall work cooperatively with the ACOE, EPA, DER, DNR, FGFWFC, and others as appropriate, to determine funding sources to support the wetlands restoration program.~~

**Policy 1301.6.5**

~~Monroe County shall cooperate with the FGFWFC in its effort to map freshwater wetlands and disturbed wetlands.~~

**Policy 1301.6.6**

~~The Monroe County Growth Management Division in conjunction with the Monroe County Land Authority and other federal and state agencies will develop and administer the wetlands acquisition program as part of the Monroe County Land Acquisition Master Plan.~~

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**Objective 1301.7**

Monroe County shall implement mechanisms to identify and resolve intergovernmental coordination needs pertaining to environmental issues and natural resource protection.

**Policy 1301.7.12**

~~By January 4, 1997, Monroe County shall initiate an interlocal agreement with the U.S. Fish and Wildlife Service (USFWS) and SFWMD to continue to identify and map the freshwater lenses of the Florida Keys and their associated recharge areas. Previously conducted studies by the Audubon Society and the SFWMD will be utilized to the greatest extent possible. An analysis of the condition of the lenses shall also be completed. The mapping shall be incorporated onto the Geographical Information System.~~

**Policy 1301.7.2**

~~Monroe County shall coordinate with applicable stateState agencies to promote utilization of greyreclaimed water storage systems and utilization for all exterior irrigation and flushing purposes.~~

**Policy 1301.7.3**

~~By September 30<sup>th</sup> of each year, Monroe County, in coordination with local DERFDEP representatives, shall review the annual air quality monitoring data for Monroe County. Any violations of the NAAQS or trends in ambient air quality shall be reported to the Board of County Commission.~~

**Policy 1301.7.4**

The County shall coordinate its upland habitat mapping and evaluation efforts with the U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, Florida Department of Environmental ~~Regulation, Florida Department of Natural Resources, Protection (FDEP),~~ South Florida Water Management District, ~~(SFWMD), Florida Game and Fresh Water Fish and Wildlife Conservation Commission, (FWC),~~ and the National Audubon Society (Research Department).

**Policy 1301.7.5**

~~Monroe County, in cooperation with appropriate state and/or federal agencies, shall identify current and future land use activities causing or potentially causing adverse impacts on sensitive natural features and resources within state and federal conservation lands and develop a management plan for the protection of each Conservation Land Protection Area.~~

**Policy 1301.7.6**

~~Monroe County shall assist the DCA in developing a coordinated agency review pursuant to section 380.051, Florida Statutes. The Monroe County Growth Management Division shall continue to conduct meetings with the Department of Environmental Regulation, the National Oceanographic and Atmospheric Administration, the Department of Natural Resources, and the U.S. Army Corps of Engineers to identify the environmental issues and contradictions in rules and~~

~~authorities related to the permitting process for marinas, docking facilities, piers, mooring sites, hardened vertical shoreline structures, and dredging in the Florida Keys. Within one year of the effective date of this comprehensive plan, after issues have been identified, Monroe County shall revise its Land Development Regulations. (See Policies 103.2.13, 203.6.1, 212.4.7, 212.5.10, and 212.6.5.) [9J-5.012(3)(e)1,2,3 and 8; 9J-5.013(2)(e)1 and 6]~~

**Policy 1301.7.7**

Monroe County shall coordinate its boating impacts management activities with those of the National Marine Sanctuary Management Plan, the [Florida Department of Natural Resources Environmental Protection](#), the Coast Guard, ~~and~~ the U.S. Fish and Wildlife Service, [and the Citizens Advisory Council](#).

**Policy 1301.7.8**

Monroe County shall work cooperatively with the U.S. Fish and Wildlife [Service](#), [Florida Keys National Marine Sanctuary \(FKNMS\)](#), and the National Park Service to promote the recovery of plant species designated by the federal government as threatened and endangered.

**Policy 1301.7.9**

~~By January 4, 1998 Monroe County shall implement an ongoing coordination program with the National Park Service, the South Florida Water Management District, Dade County and Collier County~~

**Policy 203.6.2**

Monroe County shall continue to support the Florida Keys National Marine Sanctuary (FKNMS) Management Program. This program shall include management strategies for the protection of living marine resources in the waters of the Florida Keys. The County shall:

1. participate in the formulation of the management plan;
2. recommend management strategies;
3. review the final management plan to assess the common goals and policies between the FKNMS management plan and this comprehensive plan;
4. coordinate with NOAA and other appropriate agencies to minimize redundancy and increase efficiency in the effort to accomplish common goals; and
5. enter into memoranda of understanding, as necessary, with NOAA and/or other agencies to specify which policies will be implemented by each agency. Monroe County shall implement those portions of the FKNMS Management Plan:

- a) which are consistent with the goals, objectives, and policies of this comprehensive plan;
- b) which are within the County's jurisdiction; and
- c) for which funding is available.

**Policy 1301.7.9**

By May 1, 2014 Monroe County coordinate with other applicable agencies and counties to address existing and potential land management problems in the region which may affect the conservation, use and protection of unique vegetative communities and species of special status on mainland Monroe County.

**Policy 1301.7.10**

Monroe County shall continue to implement the following species of special status identification and protection programs in coordination and cooperation with all pertinent agencies and organizations, including but not limited to the following:

<u>Subject</u>	<u>Coordination Entity/Entities</u>
Prepare management guidelines for federally-designated wildlife species	<u>DEP, FGFWFCFDEP, FWC,</u> and <u>USFWS</u>
<del>By January 4, 1998 prepare</del> <u>Maintain</u> a list of undesirable exotic wildlife populations	<del>FGFWFCFWC</del> and USFWS
Identify probable concentrated range of wildlife species of special status	<del>DEPFDEP,</del> The Nature Conservancy, <u>FGFWFCFWC,</u> and USFWS
Promote recovery of threatened and endangered species by coordinating development review and protection <del>of horizon sites.</del>	<u>FGFWFCFWC</u> and USFWS
<del>By January 4, 1998 update</del> <u>Maintain</u> the list of offshore island rookeries and nesting areas where development shall be prohibited	<del>DEPFDEP,</del> National <del>Audobon</del> <u>Audubon</u> Society, USFWS, NOAA, and <u>FGFWFCFWC</u>
<del>Determine</del> <u>Maintain</u> protection and habitat preservation measures to assist with recovery of the <u>Eastern</u> Indigo Snake, Key <u>Deer,</u> Key Largo Wood Rat, Silver Rice Rat, Key Largo	USFWS and <u>FGFWFCFWC</u>

Cotton Mouse, [Key Tree Cactus](#),  
[Schaus Swallowtail Butterfly](#), [Stock  
Island Tree Snail](#), and the Lower Keys  
Marsh Rabbit

**Policy 1301.7.11**

Monroe County shall work cooperatively with the [Florida Department of Environmental Regulation](#) [Protection \(FDEP\)](#) and the [Department of Natural Resources](#) [South Florida Water Management District \(SFWMD\)](#) to identify alternatives for adaptive ~~reuse and~~ reclamation ~~of abandoned mining and~~ [productive reuse of resource extraction](#) pits in the Florida Keys.

**Policy 1301.7.12**

~~By January 4, 1998,~~ Monroe County shall initiate discussions with the FCAA and providers of electricity and telephone service to assess the measures which could be taken to discourage or prohibit extension of facilities and services to Coastal Barrier Resource Systems (CBRS) units. ~~[9J-5.006(3)(e)6]~~

**Policy 1301.7.13**

~~Monroe County shall encourage and participate in the development and implementation of pollution response plans. These shall include participation in an oil response team (See Policy 207.8.6), and plans for hazardous materials emergencies (See Policy 801.5.2).~~

**Policy 1301.7.14**

~~Monroe County shall, by January 4, 1998, identify the technical assistance available from the U.S. Department of Agriculture, Soil Conservation Service for development and implementation of a soil erosion and sedimentation control program.~~

**Policy 1301.7.15**

Monroe County shall coordinate with [DNR](#) [DEP](#) and encourage total acquisition of North Key Largo under the ~~CARL program~~ [Florida Forever Project](#).

**Policy 1301.7.16**

The Monroe County Growth Management Division shall continue its active involvement with the ongoing **Florida Keys interagency committee**. Through this established process, Monroe County shall solicit comments from and offer comments to ~~DER, DNR~~FDEP, NOAA, SFWMD, USFWS, ~~FGFW~~CFWC, ACOE and DCADEO on permitting, planning, regulatory revisions, and other agency-related issues.

~~(The remainder of this page left intentionally blank.)~~ **Policy 1301.7.X**

Monroe County shall encourage coordination with the appropriate agencies to develop a natural disasters response plan pertaining to beach restoration and natural area clean-up.

**Objective 1301.8**

~~By January 4, 1997,~~ Monroe County shall continue to initiate the necessary interlocal coordination mechanisms to improve hurricane evacuation times and assure the provision of an adequate number of shelter facilities for evacuating Monroe County residents.

**Policy 1301.8.1**

~~Monroe County shall seek interlocal agreements with one or more appropriate agencies for installation and funding sources of at least four tide gauges at critical locations throughout the Keys.~~

**Policy 1301.8.2**

~~Monroe County shall initiate an interlocal agreement, with the incorporated municipalities and other appropriate agencies including the National Weather Service, to draft and implement a comprehensive program for expanded resident and visitor hurricane awareness and evacuation procedures. The program will identify education needs and adequate funding sources to include, at a minimum, staffing requirements, distribution of hurricane public awareness brochures, media coverage, and public service announcements in English and Spanish.~~

**Policy 1301.8.3**

~~By January 4, 1998, Monroe County shall coordinate with the Florida Department of Transportation to draft and implement a program which will establish priorities for elevation of low segments of U.S. Highway 1. The program shall, at a minimum, identify funding sources and scheduling.~~

**Policy 1301.8.4**

~~By January 4, 1997, Monroe County shall develop~~

**Policy 1301.8.3**

Pursuant to Rule 28-20.140(5)(a)11., Monroe County shall continue to coordinate and maintain the memorandum of understanding (MOU) with the Department of Economic Development (DEO), Division of Emergency Management, Marathon, Islamorada, Key West, Key Colony Beach and Layton. The MOU was executed by all parties and has an effective date of November 5, 2012.

**Policy 1301.8.4**

Monroe County shall consider developing a plan which will identify the appropriate agencies required for coordination and funding of one Category 5 Emergency Operations Center (EOC), ~~at a minimum~~, in each of the three EOC districts.

**Policy 1301.8.5**

~~By January 4, 1997,~~ Monroe County shall continue to coordinate with the Department of ~~Community Affairs~~Economic Opportunity's Division of Emergency Management, the South Florida Regional Planning Council, and Miami-Dade County to identify sufficient approved shelter spaces outside of Monroe County for all county residents who will require shelter from a Category

~~III or greater hurricane. Priority consideration shall be given to expansion of the currently designated shelter at Florida International University in order to consolidate Monroe County shelter spaces in one location.~~ 3 or greater hurricane.

**Policy 1301.8.6**

By ~~January 4, 1998,~~ May 1, 2014 Monroe County shall enter into an interlocal agreement with Miami-Dade County and other appropriate agencies (e.g., the Board of Regents) to provide sufficient additional approved spaces outside of Monroe County capable of withstanding Category III or stronger hurricanes and their associated surges for all county residents who will require shelter from a Category III or greater hurricane.

**Policy 1301.8.7**

~~By January 4, 1998,~~ Monroe County shall continue to coordinate with the U.S. Coast Guard to identify areas of mutual concern during a hurricane evacuation and identify the appropriate coordination mechanisms and procedures.

**Objective 1301.9**

~~Monroe County shall by January 4, 1998, implement an ongoing coordination program with other city, state and federal governmental agencies to make available city, state and federally owned parks and recreational facilities for use by county residents. (See Recreation and Open Space Objective 1201.8 and related policies.) [9J-5.014(3)(b)2 and 4]~~

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**Objective 1301.10**

Monroe County shall increase intergovernmental coordination efforts with the Department of ~~Community Affairs (DCA)~~Economic Opportunity (DEO), the Florida Department of Environmental ~~Regulation (DER)~~Protection (FDEP), the South Florida Regional Planning Council (SFRPC), and the County's municipalities to develop and implement the most cost-effective and environmentally sound methods of regional solid and hazardous waste management.

**Policy 1301.10.1**

Monroe County shall continue to negotiate an interlocal agreement with the Cities of ~~Key West~~, Key Colony Beach, Marathon and Layton for the consolidated handling, processing and disposal of solid waste.

**Policy 1301.10.24**

Monroe County shall continue ~~coordination efforts with the DER and other involved federal and state agencies to pursue funding for the~~assess implementation of ~~Monroe County's Solid Waste and Resource Recovery Management Plans.~~

**Policy 1301.10.3**

~~Monroe County shall coordinate with and pursue with the Florida Association of Counties for the State-wide enactment of beverage container deposit laws.~~

**Policy 1301.10.4**

~~By January 4, 1998, Monroe County shall implement a County-wide mandatory curbside recycling program for all residential units and continue commercial, unless an alternate method of recycling programs for all handling and disposal of newspapers, glass, plastics and aluminum waste products is put in order to meet mandated state solid waste requirements~~place.

**Policy 1301.10.5**

~~By January 4, 1998, Monroe County shall participate in a Region-wide hazardous waste program consistent with the SFRPC Regional Comprehensive Policy Plan.~~

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**GOAL 1302**

~~Monroe County shall improve coordination within County government agencies in order to provide better service to the citizens of Monroe County.~~

**Objective 1302.1**

~~By January 4, 1997, Monroe County Government and its Divisions of Public Safety, Community Services, Growth Management, and Public Works shall inventory, analyze, create, and improve formal and informal coordination mechanisms.~~

**Policy 1302.1.1**

~~By January 4, 1998, discussions between the Divisions of Public Safety, Community Services, Growth Management, and Public Works shall formalize existing or new coordination mechanisms to avoid conflicts and improve delivery of services to the citizens of Monroe County. These coordination mechanisms will address the following issues:~~

- ~~1. The development review process, permit allocation process and the concurrency management process;~~
- ~~2. The responsibilities of the Department of Code Enforcement;~~
- ~~3. Hurricane preparedness and response plans;~~
- ~~4. Public safety needs, including law enforcement coordination requirements; and~~
- ~~5. The County's need for a utilities coordination group similar to that which exists in the City of Key West. [9J-5.015(3)(c)3]~~

**Policy 1302.1.2**

~~Upon adoption by the Monroe County Board of County Commissioners of revised land development regulations, the Growth Management Division shall establish written standard operating procedures to expedite all proposed amendments to the land development regulations and comprehensive plans in the most efficient and least time-consuming manner possible, as per Chapter 380, F.S. In addition, the Growth Management Division will establish procedures to ensure that all plan amendments and land development regulation amendments are reviewed for consistency with the adopted plan and minimum state laws and rules.~~

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**GOAL 1303**

Monroe County shall increase the involvement of the citizens of the County and government related entities that operate within the County in the comprehensive planning and growth management process.

**Objective 1303.1**

Monroe County shall provide for and facilitate public participation and awareness in the comprehensive planning process.

**Policy 1303.1.1**

Monroe County shall continue to utilize an information exchange program, including the full utilization of an updated mailing list, to provide for the communication of issues in summary form between the County and all interested parties.

**Policy 1303.1.2**

Monroe County shall develop public awareness of the Comprehensive Plan by providing for public education programs designed to promote a widespread understanding of the Plan's purpose and intent.

**Policy 1303.1.3**

All entities listed in the "Inventory of Government Related Entities" section of the Intergovernmental Coordination Element of this comprehensive plan shall receive a copy of this comprehensive plan within six weeks after final adoption of the plan by the Monroe County Board of County Commissioners.

**Policy 1303.1.4**

By May 1, 2014 Monroe County shall implement, through its Land Development Code, a community participation meeting program to emphasize the importance of citizen participation as early as possible in the planning and development review process. Applicants requesting a Major Conditional Use application, Land Use (Zoning) District Map amendment, Land Use (Zoning) Overlay Map amendment, and Future Land Use Map Amendment applications shall provide for community participation. Prior to the public hearings a community meeting shall be held. This meeting shall include a representative from the Monroe County Growth Management Division, the applicant, and the surrounding property owners, located within 300 feet of the subject property.

underline = proposed new text  
 strike-through = proposed deletions

## 1.0 INTRODUCTION & BACKGROUND

### The Introduction:

Monroe County includes the Mainland area and over 1,700 islands which lie along the Florida Straits, dividing the Atlantic Ocean to the east from the Gulf of Mexico to the west, and defining one edge of the Florida Bay. The mainland part of the County is made up of the Everglades National Park and the southern portion of Big Cypress National Preserve. The Florida Keys extend 233 miles southwestward in a gradual arc from Biscayne Bay to the Dry Tortugas in the Gulf of Mexico

The Florida Keys are a chain of islands located in Monroe County that are connected by 110 miles of US Highway 1, extending from Key Largo to Key West, representing the most southerly point of the continental United States. The surrounding water is designated an Outstanding Florida Water and includes the Florida Keys National Marine Sanctuary, the second largest marine sanctuary in the United States.

The significant environment of the Florida Keys prompted its designation by the Administration Commission as an Area of Critical State Concern in December, 1975 and the Florida Legislature in 1979 (Section 380.0552, F. S.). The Florida Keys are the location of North America's only coral reef and the third largest coral reef system in the world. The Keys are also home to over 30 species of threatened and endangered species and is one of the most ecologically diverse ecosystems in the United States.

Federal and State government involvement in Monroe County (the "County") land use planning and decision-making is extensive due to the presence of these aquatic and terrestrial resources that are of regional and national significance. This involvement has heavily influenced the County's comprehensive planning process. Many of the County's goals, objectives, and policies have been mandated by the State pursuant to the Area of Critical State Concern designation.

Pursuant to Sections 380.05 and 380.0552(7), F. S., all planning and development must be consistent with the Principles for Guiding Development adopted by the Florida Legislature for the Florida Keys area.

#### 380.0552(7), F. S. - PRINCIPLES FOR GUIDING DEVELOPMENT.

State, regional, and local agencies and units of government in the Florida Keys Area shall coordinate their plans and conduct their programs and regulatory activities consistent with the principles for guiding development as specified in chapter 27F-8, Florida Administrative Code, as amended effective August 23, 1984, which is adopted and incorporated herein by reference. For the purposes of reviewing the consistency of the adopted plan, or any amendments to that plan, with the principles for guiding development, and any amendments to the principles, the principles shall be construed as a whole and specific provisions may not be construed or applied in isolation from the other provisions. However, the principles for guiding development are repealed 18 months

from July 1, 1986. After repeal, any plan amendments must be consistent with the following principles:

- (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 ss. 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 postdisaster 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.

Additionally, in Rule 28-20.140, F.A.C., the State has adopted a Work Program and reporting requirements for the County. Beginning November 30, 2011, Monroe County and the State Land Planning Agency annually reports to the Administration Commission (Commission) documenting the degree to which the work program objectives for the work program year have been achieved. The Commission considers the findings and recommendations provided in those reports and determines whether progress has been achieved.

#### WORK PROGRAM.

##### (a) Carrying Capacity Study Implementation.

1. By July 1, 2012, Monroe County shall adopt the conservation planning mapping (the Tier Zoning Overlay Maps and System) into the Comprehensive Plan based upon the recommendations of the Tier Designation Review Committee with the adjusted Tier boundaries.
2. By July 1, 2012, Monroe County shall adjust the Tier I and Tier IIIA (SPA) boundaries to more accurately reflect the criteria for that Tier as amended by Final Order DCA07-GM166 and implement the Florida Keys Carrying Capacity Study, utilizing the updated habitat data, and based upon the recommendations of the Tier Designation Review Committee Work Group.
3. By July 1, 2012, Monroe County shall create Goal 106 to complete the 10 Year 2010 Work Program found in Rule 28-20.110, F.A.C., and to establish objectives to develop a build-out horizon in the Florida Keys and adopt conservation planning mapping into the Comprehensive Plan.
4. By July 1, 2012, Monroe County shall create Objective 106.2 to adopt conservation planning mapping (Tier Maps) into the Monroe Comprehensive Plan based upon the recommendations of the Tier Designation Review Committee Work Group.
5. By July 1, 2012, Monroe County shall adopt Policy 106.2.1 to require the preparation of updated habitat data and establish a regular schedule for continued update to coincide with evaluation and appraisal report timelines.
6. By July 1, 2012, Monroe County shall adopt Policy 106.2.2 to establish the Tier Designation Work Group Review Committee to consist of representatives selected by the Florida Department of Community Affairs from Monroe County, Florida Fish & Wildlife Conservation Commission, United States Fish & Wildlife Service, Department of Environmental Protection and environmental and other relevant interests. This Committee shall be tasked with the responsibility of Tier designation review utilizing the criteria for Tier placement and best available data to recommend amendments to ensure implementation of and adherence to the Florida Keys Carrying Capacity Study. These proposed amendments shall be recommended during 2009 and subsequently coincide with the Evaluation and Appraisal report timelines beginning with the second Evaluation and Appraisal review which follows the adoption of the revised Tier System and Maps as required above adopted in 2011. Each evaluation and appraisal report

- submitted following the 2011 evaluation and appraisal report shall also include an analysis and recommendations based upon the process described above.
7. By July 1, 2012 and each July thereafter, Monroe County and the Monroe County Land Authority shall submit a report annually to the Administration Commission on the land acquisition funding and efforts in the Florida Keys to purchase Tier I and Big Pine Key Tier II lands and the purchase of parcels where a Monroe County building permit allocation has been denied for four (4) years or more. The report shall include an identification of all sources of funds and assessment of fund balances within those sources available to the County and the Monroe County Land Authority.
  8. By July 1, 2012, Monroe County shall adopt Land Development Regulations to require that administrative relief in the form of the issuance of a building permit is not allowed for lands within the Florida Forever targeted acquisition areas or Tier I lands unless, after 60 days from the receipt of a complete application for administrative relief, it has been determined the parcel will not be purchased by any county, state, federal or any private entity. The County shall develop a mechanism to routinely notify the Department of Environmental Protection of upcoming administrative relief requests at least 6 months prior to the deadline for administrative relief.
  9. By July 1, 2012, in order to implement the Florida Keys Carrying Capacity Study, Monroe County shall adopt a Comprehensive Plan Policy to discourage private applications for future land use changes which increase allowable density/intensity.
  10. By July 1, 2011, Monroe County shall evaluate its land acquisition needs and state and federal funding opportunities and apply annually to at least one state or federal land acquisition grant program.
  11. By July 1, 2012, Monroe County shall enter into a memorandum of understanding with the Department of Community Affairs, Division of Emergency Management, Marathon, Islamorada, Key West, Key Colony Beach, and Layton after a notice and comment period of at least 30 days for interested parties. The memorandum of understanding shall stipulate, based on professionally acceptable data and analysis, the input variables and assumptions, including regional considerations, for utilizing the Florida Keys Hurricane Evacuation Model or other models acceptable to the Department to accurately depict evacuation clearance times for the population of the Florida Keys.
  12. By July 1, 2012, the Florida Keys Hurricane Evacuation Model shall be run with the agreed upon variables from the memorandum of understanding to complete an analysis of maximum build-out capacity for the Florida Keys Area of Critical State Concern, consistent with the requirement to maintain a 24-hour evacuation clearance time and the Florida Keys Carrying Capacity Study constraints. This analysis shall be prepared in coordination with the Department of Community Affairs and each municipality in the Keys.
  13. By July 1, 2012, the County and the Department of Community Affairs shall update the data for the Florida Keys Hurricane Evacuation Model as professionally acceptable sources of information are released (such as the Census, American Communities Survey, Bureau of Economic and Business Research, and other studies). The County shall also evaluate and address appropriate adjustments to the hurricane evacuation model within each Evaluation and Appraisal Report.

14. By July 1, 2012, the Department of Community Affairs shall apply the derived clearance time to assess and determine the remaining allocations for the Florida Keys Areas of Critical State Concern. The Department will recommend appropriate revisions to the Administration Commission regarding the allocation rates and distribution of allocations to Monroe County, Marathon, Islamorada, Key West, Layton and Key Colony Beach or identify alternative evacuation strategies that support the 24 hour evacuation clearance time. If necessary, the Department of Community Affairs shall work with each local government to amend the Comprehensive Plans to reflect revised allocation rates and distributions or propose rule making to the Administration Commission.
15. By July 1, 2013, if necessary, the Department of Community Affairs shall work with each local government to amend the Comprehensive Plan to reflect revised allocation rates and distribution or propose rule making to the Administration Commission.

(b) Wastewater Implementation.

1. By July 1, 2011, Monroe County shall annually evaluate and allocate funding for wastewater implementation. Monroe County shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.
2. By December 1, 2013, Monroe County shall work with the owners of wastewater facilities and onsite systems throughout the County and the Department of Health (DOH) and the Department of Environmental Protection (DEP) to fulfill the requirements of Sections 403.086(10) and 381.0065(3)(h) and (4)(l), F.S., regarding implementation of wastewater treatment and disposal. This will include coordination of actions with DOH and DEP to notify owners regarding systems that will not meet the 2015 treatment and disposal standards.
3. By July 1, 2011, Monroe County shall annually draft a resolution requesting the issuance of \$50 million of the \$200 million of bonds authorized under Section 215.619, F.S., and an appropriation of sufficient debt service for those bonds, for the construction of wastewater projects within the Florida Keys.
4. By July 1, 2011, Monroe County shall develop a mechanism to provide accurate and timely information and establish the County's annual funding allocations necessary to provide evidence of unmet funding needs to support the issuance of bonds authorized under Section 215.619, F.S., and to assure the timely completion of work as necessary to fulfill any terms and conditions associated with bonds.
5. By July 1, 2011, Monroe County shall evaluate its wastewater needs and state and federal funding opportunities and apply annually to at least one state or federal grant program for wastewater projects and connections.
6. By July 1, 2011, Monroe County shall develop and implement local funding programs necessary to timely fund wastewater construction and future operation, maintenance and replacement of facilities.
7. By December 1, 2013, the County shall provide a report of addresses and the property appraiser's parcel numbers of any property owner that fails or refuses to connect to the central sewer facility within the required timeframe to the Monroe County Health Department, Department of Environmental Protection, and the Department of

Community Affairs. This report shall describe the status of the County's enforcement action.

(c) Wastewater Project Implementation.

1. Key Largo Wastewater Treatment Facility. Key Largo Wastewater Treatment District is responsible for wastewater treatment in its service area and the completion of the Key Largo Wastewater Treatment Facility.
  - a. By July 1, 2012, Monroe County shall complete construction of the South Transmission Line;
  - b. By July 1, 2013, Monroe County shall complete design of Collection basin C, E, F, G, H, I, J, and K;
  - c. By July 1, 2012, Monroe County shall complete construction of Collection basins E-H;
  - d. By December 1, 2011, Monroe County shall schedule construction of Collection basins I-K;
  - e. By July 1, 2011, Monroe County shall complete construction of Collection basins I-K;
  - f. By July 1, 2011, Monroe County shall complete 50% of hook-ups to Key Largo Regional WWTP;
  - g. By July 1, 2012, Monroe County shall complete 75% of hook-ups to Key Largo Regional WWTP;
  - h. By July 1, 2013, Monroe County shall complete all remaining connections to Key Largo Regional WWTP.
2. Hawk's Cay, Duck Key and Conch Key Wastewater Treatment Facility.
  - a. By July 1, 2012, Monroe County shall complete construction of Hawk's Cay WWTP upgrade/expansion, transmission, and collection system;
  - b. By July 1, 2013, Monroe County shall complete construction of Duck Key collection system;
  - c. By July 1, 2012, Monroe County shall initiate property connections to Hawk's Cay WWTP;
  - d. By December 1, 2012, Monroe County shall complete 50% of hook-ups to Hawk's Cay WWTP;
  - e. By July 1, 2013, Monroe County shall complete 75% of hook-ups to Hawk's Cay WWTP; and
  - f. By July 1, 2014, Monroe County shall complete all remaining connections to Hawk's Cay WWTP.
3. South Lower Keys Wastewater Treatment Facility (Big Coppitt Regional System).
  - a. By July 1, 2012, Monroe County shall complete 75% hookups to South Lower Keys WWTP; and
  - b. By July 1, 2013, Monroe County shall complete all remaining connections to the South Lower Keys WWTP.
4. Cudjoe Regional Wastewater Treatment Facility
  - a. By July 1, 2011, Monroe County shall complete planning and design documents for the Cudjoe Regional Wastewater Treatment Facility, the Central Area

- (Cudjoe, Summerland, Upper Sugarloaf) collection system and the Central Area Transmission Main;
- b. By October 1, 2012, Monroe County shall initiate construction of Wastewater Treatment Facility, Central Area Collection System and Central Area Transmission Main;
  - c. By July 1, 2014, Monroe County shall initiate construction of Wastewater Treatment Facility, Central Area Collection System and Central Area Transmission Main;
  - d. By February 1, 2012, Monroe County shall complete construction of Wastewater Treatment, Outer Area Collection System and Transmission Main;
  - e. By February 1, 2015, Monroe County shall complete construction of Outer Area collection and transmission main;
  - f. By July 1, 2014, Monroe County shall initiate property connections – complete 25% of hook-ups to Cudjoe Regional WWTP;
  - g. By July 1, 2015, Monroe County shall complete 50% of hook-ups to Cudjoe Regional WWTP; and
  - h. By December 1, 2015, Monroe County shall complete remaining hook-ups to Cudjoe Regional WWTP.

(d) Stormwater Treatment Facilities.

- 1. By July 1, 2011, Monroe County shall evaluate and allocate funding for stormwater implementation. Monroe County shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.
- 2. By July 1, 2011, Monroe County shall apply for stormwater grants from the South Florida Water Management District.
- 3. By July 1, 2011, Monroe County shall complete Card Sound Road stormwater improvements.

**Background:**

The Monroe County Year 2030 Comprehensive Plan is divided into three volumes: a Technical Document, (data and analysis), Policy Document, (Comprehensive Plan), and Map Atlas.

Technical Document: The 2030 Technical Document is intended to address the data, inventory, and analyses requirements of Chapter 163, Florida Statutes (F.S.). The data, inventory and analyses contained within the Technical document supports the development of goals, objectives, policies, and implementation programs established in the Policy Document component of the Monroe County 2030 Monroe County Comprehensive Plan. The Technical Document contains background information including the technical support data and analyses for the various elements of the plan.

Comprehensive Plan: The Policy Document contains the goals, objectives and policies for each element, the capital improvements implementation program, and the Comprehensive Plan monitoring and evaluation procedures.

Map Atlas: The Map Atlas contains maps depicting background information for the various elements (Existing Land Use, Natural Features, Existing Transportation, etc.), as well as the Future Land Use and Future Transportation Map series.

In accordance with the requirements of ~~Rule 9J-5~~Chapter 163, F.A.C., S., Part II, the Policy Document contains the following sections of the Comprehensive Plan adopted by the Board of County Commissioners (BOCC):

1. ~~the~~The Goals, Objectives and Policies contained in Chapter 3.0;
2. ~~the~~The requirements for capital improvements implementation, including the Five- Year Schedule of Capital Improvements, contained in Chapter 4.0;
3. ~~the~~The procedures for monitoring and evaluation of the plan, contained in Chapter 5.0; and
4. ~~the Plan Adoption Ordinance, contained in Appendix A.~~

~~5.4.~~ The map series included in the Map Atlas which ~~depict~~depicts future conditions in Monroe County, Future Land Use and Future Transportation, also require adoption by the BOCC. The remainder of the map series contained in the Map Atlas and the background data and analyses contained in the Technical Document do not require adoption by the BOCC.

The Goals, Objectives and Policies contained in Chapter 3.0 are the primary mechanism for implementation of the Comprehensive Plan. Goals, Objectives and Policies are presented for the following required elements:

1. Future Land Use
2. Conservation and Coastal Management
3. Traffic Circulation
4. Mass Transit
5. Ports, Aviation and Related Facilities
6. Housing
7. Potable Water
8. Solid Waste
9. Sanitary Sewer
10. Drainage
11. Natural Groundwater Aquifer Recharge
12. Recreation and Open Space
13. Intergovernmental Coordination
14. Capital Improvements

| [15. Energy and Climate](#)

*Chapter 4.0, Capital Improvements Implementation*, establishes a schedule of capital improvements in support of the Goals, Objectives and Policies for the five-year period subsequent to plan adoption. Also included in this chapter are the programs which will be adopted to ensure that public facilities and services meeting the level of service standards established in the Comprehensive Plan will be available concurrent with the impacts of development.

*Chapter 5.0, Monitoring and Evaluation Procedures*, describes the procedures that the County will follow to ensure that the Goals, Objectives, and Policies of the Comprehensive Plan are implemented.

## 2.0 GENERAL

### Policy 1

Implementation of this Plan, particularly:

- A. Policies 101.6.1 and 101.6.3 (land acquisition for permit allocation system), 204.2.1 (100% open space ratio for salt marsh and buttonwood wetlands), 204.4.2 (wetland acquisition) and 901.2.1 (inspection of on-site sewage disposal systems); and
- B. Implementation of Objectives 901.4 (sewer master plan) and 1001.3 (stormwater master plan), as found in Table 3.1 (five year schedule of capital improvements)

will require funding which exceeds the reasonable budgetary constraints of Monroe County. As an Area of Critical State Concern and site of unique natural resources of national importance, Monroe County should not be expected to bear the sole burden of implementing these policies without substantial financial assistance. The State of Florida has made a substantial commitment to provide, and actively assist in securing, financial assistance to implement these policies. Accordingly, Monroe County will pursue, in cooperation with the State Land Planning Agency, all available federal, state and private funding sources for implementation of these policies and for preparation of studies and master plans identified in the Plan. Monroe County recommends that no less than 35% of the Monroe County Land Authority annual budget to the acquisition of lands rendered unbuildable by this Plan, and, where feasible, will commit additional funds from other local revenue sources. When an implementation date cannot be met by reason of unavailability of sufficient funds, that date will be extended by Plan amendment to the earliest date that is reasonably practical after receipt of sufficient funds.

### Policy 2

To provide specific interim criteria and standards pending the adoption and effective date of revisions to the land development regulations which are consistent with and further the policies set forth in this Plan, certain land development regulations in effect on the adoption date of this Plan have been incorporated by reference. Upon the effective date of revisions to the land development regulations which are required by and consistent with this Plan, all references in this Plan to prior land development regulations shall include or be superseded by such revisions.

### Policy 4

Monroe County shall be responsible to implement the Comprehensive Plan to the extent authorized by law. While all plan policies are contingent upon funding, many require substantial funds in order to be implemented. Therefore, the County shall be responsible to implement the objectives and policies enumerated in Policy 1 (a) and (b) above, to the extent that local funds for implementation are available, and to maintain and continue implementation to the extent that additional local funds or state and federal funds, become available. Further, the County, with the

assistance of the State, shall determine the ultimate fiscal cost of implementing the plan and the federal, state and local fair share of implementation.

### **Policy 5**

Monroe County is not required to increase property taxes in order to provide funds necessary to implement this Plan. It is, however, required to commit its reasonably available funds to funding what the Department of Community Affairs and Monroe County ultimately agree is Monroe County's reasonable share of the cost of implementation. Policy 4 above, does not require Monroe County's taxpayers to bear the entire financial burden imposed by the Monroe County 2030 Comprehensive Plan. Monroe County's commitment is limited to its reasonable ability to fund only part of the cost of implementation. To the extent that the state should assist Monroe County and does not, Monroe County is not required to provide such funds.

### **Policy 6**

Florida's Growth Management System, including rules promulgated by the Administration Commission, has created major mandates of state requirements for Monroe County with respect to the County's designation as an area of critical state concern. These mandates, together with other federal statutes and programs, have created an interlocking partnership between the state, Monroe County and federal agencies to plan for and implement major environmental and growth management systems. This partnership entails responsibilities for the state, federal government, and County to work together in policy development and legal proceedings so responsibility for liabilities that arise from this partnership are fairly allocated.

Monroe County Comprehensive Plan Update

3.5 PORTS, AVIATION AND RELATED FACILITIES

**GOAL 501**

Monroe County shall provide aviation facilities ~~to all existing and future residents and guests~~ in a manner that maximizes safety, convenience, economic benefit, environmental compatibility and consistency with other elements of the comprehensive plan. ~~—[9J-5.009(3)(a)], including exercising its planning and land use authorities on County-owned airport properties within incorporated areas of the County. [§ 163.3177(6)(b)3.b., F.S.]~~

**Objective 501.1**

Because of the Florida Key's unique nature as an archipelago, Monroe County shall promote the preservation of existing airports, airstrips, and related activities.

**Policy 501.1.1**

Monroe County shall ~~establish~~maintain aviation related land uses adjacent to the public airports and additionally prohibit intrusion into all airport zones. ~~Within twelve months after the effective date of the Comprehensive Plan, Monroe County shall amend the Land Development Regulations to accomplish such. [9J-5.009(3)(e)5]~~

**Policy 501.1.2**

Monroe County shall continue to prohibit structures and activities that interfere with the operation of aircraft at airports and airstrips whether public or private. Such structures and activities include but are not limited to tall structures, smoke, tall trees, and electromagnetic radiation. ~~Within twelve months after the effective date of the Comprehensive Plan, Monroe County shall adopt Land Use District or Zoning Maps depicting the control surfaces around public and private airports [9J-5.009(3)(e)5]~~

**Policy 501.1.3**

~~Within twenty four months of the effective date of the Comprehensive Plan~~By May 1, 2015, Monroe County shall adopt an ordinance regulating the operation of ultralights, balloons, parachutes, kites, banner towing, model airplanes and similar activities within the proximity of the public airports or private airstrips. ~~[9J-5.009(3)(e)5]~~

Comment [DS1]: Does the County want to maintain this policy?

**Policy 501.1.4**

Monroe County shall continue to include existing airports and airstrips in airport land use districts that only permit airport related land uses including those the County owns and operates within incorporated areas of the County.

**Policy 501.1.5**

Monroe County shall encourage the development of aviation facilities and activities that relieve the traffic on U.S. 1 or serve as an alternative to U.S. 1 as a means of delivering goods and services to the community.

**Policy 501.1.6**

Monroe County shall provide space at public airports for a wide variety of aviation activities in order to provide a wide variety of services to the community.

**Policy 501.1.7**

Figure 6.1, "Key West International Airport, Tall Structures & Airspace Boundaries" and Figure 6.2, "Marathon Airport, Tall Structures & Airspace Boundaries" in the Technical Document of this Plan, are hereby incorporated by reference.

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**Objective 501.2**

The expansion of existing or new airport and airstrip facilities shall be coordinated with the future land use, coastal management, and conservation elements. ~~[9J 5.009(3)(b)1]~~

**Policy 501.2.1**

The development and expansion of aviation and related facilities shall be consistent with the future land use, coastal management and conservation elements. ~~[9J 5.009(3)(e)1]~~

**Policy 501.2.2**

The Marathon and Key West airports shall be expanded to be consistent with the needs identified in the updated master plan as approved by the Board of County Commissioners. [\[§ 163.3177\(6\)\(b\)4., F.S.\]](#)

**Policy 501.2.3**

Development activities to construct or expand airport or airstrip facilities shall not take place in environmentally sensitive areas unless a viable alternative is not available. Mitigation and restoration shall occur when there is no other alternative than to disturb environmentally sensitive areas. ~~[9J 5.009(3)(e)2 & 3]~~

**Policy 501.2.4**

~~By January 4, 1997, Monroe County shall adopt the Land Development Regulations to regulate structures over one hundred feet and to require the structures to be lit during the day and night. Whenever possible, such structures shall be located in close proximity to each other and away from populated areas so as to not pose a threat to aircraft providing aerial spraying for mosquito control. [9J 5.009(3)(e)2]~~

**Policy 501.2.5**

~~By 2000, Monroe County shall study the possible purchase of the land between the existing east property line of the Marathon Airport and 107th Street in order to eliminate potential airport hazards.~~

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**Objective 501.3**

Airports and airstrips shall operate in the manner to maximize safety and least adverse impact on the community.

**Policy 501.3.1**

Monroe County shall maintain the existing hammock along Aviation Boulevard as a buffer between the Marathon Airport and the residences to the north. ~~[9J-5.009(3)(e)2 & 3]~~

**Policy 501.3.2**

Monroe County shall maintain and update the Key West International and Marathon Noise Exposure Maps and implement measures to minimize the adverse impacts of noise on the surrounding community. ~~[9J-5.009(3)(e)2 and 5]~~

**Policy 501.3.3**

~~By January 4, 1997, Monroe County shall adopt Land Development Regulations to regulate new structures and the use of land within two hundred and fifty feet of the 65 LDN contour around public airports to reduce land uses susceptible to the adverse effects of airport noise. [9J-5.009(3)(e)2 and 5]~~

**Policy 501.3.4**

Facilities at public airports shall be built to meet or exceed federal, state, and local safety regulations as applicable.

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**Objective 501.4**

Monroe County shall coordinate surface transportation access to existing and new public airport facilities with the traffic circulation system shown on the traffic circulation maps.

~~[9J 5.009(3)(b)2]~~

**Policy 501.4.1**

Expansion of airport or airstrip facilities or proposed facilities shall be coordinated with the necessary expansions to the traffic circulation system by requiring the access points to highways to be built to minimize adverse impacts on traffic operations. ~~[9J 5.009(3)(c)4]~~

**Policy 501.4.2**

Access points to public airports shall be built to the specifications of Florida Department of Transportation and Monroe County Public Works Division, as applicable.

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**Objective 501.5**

Monroe County shall coordinate all aviation or related facilities with the plans of the Federal Aviation Administration, military services, resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes and approved by the Governor and Cabinet, the Florida Department of Transportation 5-Year Plan, and the Continuing Florida Aviation System Planning Process as adopted. ~~[9] 5.009(3)(b)3]~~

**Policy 501.5.1**

Monroe County shall continue to participate in the development of the Florida Department of Transportation 5-Year Plan, and the Continuing Florida Aviation System Planning Process.

**Policy 501.5.2**

Monroe County shall continue to maintain and update a master plan, and the Airport Layout Plan for each public airport pursuant to the rules of the Federal Aviation Administration. [\[§ 163.3177\(6\)\(b\)4., F.S.\]](#)

**Policy 501.5.3**

All development on and expansions of existing public airports shall be done in accordance with the updated Master Plan of the airport- [and shall be subject to all applicable policies of this Plan and the County Land Development Code.\[§ 163.3177\(6\)\(b\)4., F.S.\]](#)

**Policy 501.5.4**

Monroe County shall coordinate expansions and operation of the Key West airport with the U.S. Navy.

**Policy 501.5.5**

Monroe County shall seek joint use of the Boca Chica Naval Air Station or its preservation as a public airport if the U.S. Navy ceases to operate the base.

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**Objective 501.6**

Access routes to airports or related facilities shall be integrated with other modes of surface transportation. ~~{9J-5.009(3)(b)4}~~

**Policy 501.6.1**

Monroe County shall provide space at public airports for surface transportation including but not limited to buses, limousines, taxi cabs, automobile rentals, and parking of private cars. ~~{9J-5.009(3)(e)4}~~

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**Objective 501.7**

The publicly owned airports shall be financially supported without requiring the support of general property taxes.

**Policy 501.7.1**

All users of airport facilities and land including but not limited to passengers, tenants, private businesses, and non-airport related government entities, shall pay fair market prices for the use of the facilities or land.

**Policy 501.7.2**

Monroe County shall work with the Florida Department of Transportation and Federal Aviation Administration to secure airport improvement grants.

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**Objective 501.8**

All services to the public shall be provided at the lowest cost possible by encouraging business competition.

**Policy 501.8.1**

The manager of each public airport shall control surface transportation to assure adequate access to all companies and modes of transportation and thus encourage competition.

**Policy 501.8.2**

Monroe County shall seek to have at least three airlines operating at each public airport.

**Policy 501.8.3**

Monroe County shall consider the cost to consumers of goods and services when considering the issuance of monopolistic concessions at public airports.

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**Objective 501.9**

~~Monroe County shall be prepared to meet emergencies and rapidly changing circumstances in the Caribbean and the Gulf of Mexico.~~

**Policy 501.9.1**

~~By January 4, 1997, Monroe County shall adopt Land Development Regulations containing provisions for permitting development of aviation facilities during emergencies.~~

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**GOAL 502**

All existing and future residents and guests of Monroe County shall be served with ports in a manner that maximizes safety, convenience, economic benefit, environmental compatibility and consistency with other elements of the comprehensive plan. ~~{9J-5.009(3)(a)}~~

**Objective 502.1**

Because of the Florida Key's unique nature as an archipelago, Monroe County shall promote the preservation and enhancement of the existing ports and port related activities.

**Policy 502.1.1**

Monroe County shall ~~permit only port and port related~~ maintain land ~~uses within the Safe Harbor/Peninsular port area of Stock Island. Within twelve months of the effective date of the Comprehensive Plan, Monroe County shall adopt Land Development Regulations and amend development regulations and~~ the Land Use District Maps ~~to that~~ only permit those land uses including but not limited to commercial and industrial port dependent uses, industry, commercial fishing, marinas, and employee housing. ~~{9J-5.009(3)(e)5}~~

**Policy 502.1.2**

Monroe County shall ~~permit~~ maintain land ~~uses supportive, complementary or otherwise port related nearby~~ development regulations and ~~adjacent to the Safe Harbor/Peninsular port area of Stock Island. Within twelve months of the effective date of the Comprehensive Plan, Monroe County shall adopt Land Development Regulations and amend~~ the Land Use District Maps ~~to that~~ only permit those uses, including but not limited to warehousing, industry, affordable housing, marine businesses, and restaurants. ~~{9J-5.009(3)(e)5}~~

**Policy 502.1.3**

Monroe County shall encourage and facilitate the renovation and adaptation of existing port and related facilities to meet new maritime needs by seeking grants from available sources, and assisting private business whenever possible, ~~and adopting Land Development Regulations responsive to the unique requirements of a port within 24 months of the effective date of the Comprehensive Plan.~~

**Policy 502.1.4**

Monroe County shall facilitate port facilities that relieve traffic on U.S. 1 or serve as an alternative to U.S. 1 for delivering goods and services.

**Policy 502.1.5**

Monroe County shall support a proposal to amend the Coastal Barrier Resources System Map adopted by the Coastal Barrier Improvement Act of 1990, to delete the improved port property along the Safe Harbor entrance channel from the system unit, FL 57.

**Policy 502.1.6**

~~Within twelve months of the effective date of the Comprehensive Plan, Monroe County shall consider an ordinance allowing the Monroe County Department of Emergency Management to designate existing marinas on inhabited keys with full access to the road network to serve as emergency ports. Within twenty four months of the effective date of the Comprehensive Plan, Monroe County shall adopt Land Development Regulations or other mechanisms protecting designated sites. By May 1, 2014, Monroe County shall prepare a list of all marinas for potential use during emergencies and shall consider further study for their use as emergency ports.~~

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**Objective 502.2**

The expansion of existing or new port facilities shall be coordinated with the future land use, coastal management, and conservation elements. ~~[9J-5.009(3)(b)1]~~

**Policy 502.2.1**

The development, expansion or renovation of ports and related facilities shall be consistent with the future land use, coastal management and conservation elements. ~~[9J-5.009(3)(e)1]~~

**Policy 502.2.2**

Monroe County shall mitigate the adverse structural and nonstructural impacts from ports or related facilities upon adjacent natural resources and land uses by:

1. Working with the United States Coast Guard to assure the channels into the Safe Harbor/Peninsular area on Stock Island are maintained with lighted buoys so as to protect adjacent shallow areas.
2. Requiring the provision of pollution control devices and plans at all ports and by seeking funds to retrofit existing private and public facilities. Whenever possible Monroe County shall expedite the granting of permits for these or other facilities designed to improve or protect the environment.
3. Requiring the restoration of the environment and elimination of pollution sources during development, expansion, or renovation of ports and related facilities. ~~[9J-5.009(3)(e)1 & 2]~~

**Policy 502.2.3**

Development activities to construct or expand port facilities shall be directed away from environmentally sensitive areas. ~~[9J-5.009(3)(e)2 & 3]~~

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**Objective 502.3**

Monroe County shall coordinate surface transportation access to port facilities with the traffic circulation system shown on the traffic circulation maps. ~~[9J-5.009(3)(b)2]~~

**Policy 502.3.1**

Expansion of port facilities or proposed facilities shall be coordinated with the necessary expansions to the traffic circulation system. ~~[9J-5.009(3)(e)4]~~

**Policy 502.3.2**

By January 4, 1997, Monroe County shall improve stormwater facilities on Fourth, Fifth, and Peninsular Avenues on Stock Island in order to prevent flooding.

Comment [DS2]: Need Kevin to advise of a new date here.

**Policy 502.3.3**

Monroe County shall support efforts to maintain the entrance channel into Safe Harbor at a depth consistent with coastal and Caribbean shipping vessels.

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**Objective 502.4**

Monroe County shall coordinate all port or related facilities with the plans of the U.S. Army Corps of Engineers; ~~the~~ Resource Planning and Management ~~Plan~~ Program which was prepared pursuant to Chapter 380, Florida Statutes and approved by the Governor and Cabinet; and the Florida Department of Transportation 5-Year Plan as adopted. ~~[9]-5.009(3)(b)3]~~

**Policy 502.4.1**

Monroe County shall coordinate with FDOT and participate in the development of the Florida Department of Transportation 5-Year Plan.

**Policy 502.4.2**

Monroe County shall coordinate port related ~~improvements~~ developments with the Key West Port and Transit Authority (PATA) by designating a member of the staff of the Planning Department to act as a liaison with PATA.

**Policy 502.4.3**

Monroe County, ~~through the directors of the Department of Environmental Resources and Marine Resources,~~ shall ~~encourage and~~ participate in developing pollution response plans and facilities.

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**Objective 502.5**

~~Monroe County shall ensure that access routes to ports or related facilities are properly integrated with other modes of surface transportation. [9J-5.009(3)(b)4]~~

**Policy 502.5.1**

~~By January 4, 1997, Monroe County shall adopt land development regulations establishing design guidelines for development along truck routes and within twelve months of the effective date of the Comprehensive Plan Monroe County shall amend the Land Development Regulations defining permitted uses along truck routes. [9J-5.009(3)(c)5]~~

**Policy 502.5.2**

~~Monroe County shall support efforts to maintain the entrance channel into Safe Harbor at a depth consistent with coastal and Caribbean shipping vessels.~~

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**Objective 502.6**

~~Monroe County shall be prepared to meet emergencies and rapidly changing circumstances in the Caribbean and the Gulf of Mexico.~~

**Policy 502.6.1**

~~By January 4, 1997, Monroe County shall adopt Land Development Regulations containing provisions for permitting development of port facilities during emergencies.~~

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underline = proposed new text

strike-through = proposed deletions

**3.14 CAPITAL IMPROVEMENTS****GOAL 1401**

Monroe County shall provide and maintain, in a timely and efficient manner, adequate public facilities for both existing and future populations, consistent with available financial resources and the other elements of the Comprehensive Plan. ~~[9]-5.016~~[\[§163.3177\(3\)\(a\)\]](#), F.S.]

**Objective 1401.1**

Monroe County shall provide the capital improvements necessary to correct existing deficiencies, to accommodate projected future growth, and to replace obsolete and worn-out facilities, in accordance with an adopted Capital Improvements Program. ~~[9]-5.016~~[\[§163.3177\(3\)\(b\)1\]](#), F.S.]

**Policy 1401.1.1**

~~By January 4, 1997,~~ Monroe County shall reviseupdate annually the existing County Capital Improvements Program to incorporate the improvements identified in the Five-Year Schedule of Capital Improvements included in Table 4.1 of Capital Improvements Implementation. [\[§163.3177\(3\)\(a\)5.\(b\), F.S.\]](#)

**Policy 1401.1.2**

Monroe County shall annually update the Comprehensive Plan Five-Year Schedule of Capital Improvements. Proposed revisions to the Schedule, including those addressing the replacement and renewal of capital facilities, shall be evaluated, updated, and ranked in accordance with the following considerations (not listed in order of priority):

1. consistency with the relevant elements of the Comprehensive Plan;
2. the elimination of public hazards;
3. the elimination of existing deficiencies;
4. financial feasibility including the impact on the annual operating and capital budgets;
5. the location in relation to the Future Land Use Map;
6. accommodation of the demands from redevelopment and new development;
7. the consistency of the improvement relative to the plans of state agencies and the South Florida Water Management District; and
8. the availability of other revenue sources including, but not limited to, FDOT Project funding and FDOT Traffic Operations funds from District Dedicated Revenue (DDR) sources.

Revisions to the schedule shall be incorporated into the Capital Improvements Program on an annual basis. ~~{9J-5.016[§163.3177(3)(e)1 and 3}a~~5.(b), F.S.]

**Policy 1401.1.3**

Capital improvement projects required to correct existing facility deficiencies shall receive priority over those projects required to serve future development. ~~{9J-5.016[§163.3177(3)(ea)1}, F.S.]~~

**Policy 1401.1.4**

~~Monroe County shall amend the Comprehensive Plan Five Year Schedule of Capital Improvements by January 4, 2000 to acknowledge funding of improvements to the 18 mile stretch of US 1 by the Florida Department of Transportation if the project has been included in the first three years of the FDOT Five Year Plan for completion by June 1, 2002.~~

**Policy 1401.1.5**

~~Monroe County shall amend the Comprehensive Plan Five Year Schedule of Capital Improvements by January 4, 2000 to acknowledge funding for improvements to mile markers 80 to 90 section of US 1 by the Florida Department of Transportation if the project has been included in the first three years of the FDOT Five Year Plan for completion by June 1, 2010.~~

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**Objective 1401.2**

With the following exceptions, public expenditures within the Coastal High Hazard Area (CHHA) shall be limited to the restoration or enhancement of natural resources and parklands, expenditures required to serve existing development such as the maintenance or repair of existing infrastructure, and expenditures necessary for public health and safety:

1. public expenditures within the CHHA may be permitted where required to meet adopted level of service standards or to maintain or reduce hurricane evacuation clearance times and where no feasible alternatives to siting the required facilities within the CHHA exist.
2. public expenditures within the CHHA may be permitted for improvements and expansions to existing public facilities, which improvements or expansions are designed to minimize risk of damage from flooding. ~~[9J-5.016(3)(b)2]~~

**Policy 1401.2.1**

By January 4, 1997, Monroe County shall adopt ~~Land Development Regulations~~ land development regulations which limit public expenditures in the CHHA by requiring consideration of feasible siting and design alternatives for public facilities and infrastructure. ~~[9J-5.016(3)(c)1 and 9]~~

**Policy 1401.2.2**

No public expenditures shall be made for new or expanded facilities in areas designated as units of the Coastal Barrier Resources System, undisturbed saltmarsh and buttonwood wetlands, or offshore islands not currently accessible by road, with the exception of expenditures for conservation and parklands consistent with natural resource protection, and expenditures necessary for public health and safety. ~~[9J-5.016(3)(c)1 and 9]~~

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**Objective 1401.3**

Monroe County shall ensure that future development pays its proportionate share of the costs of improvements necessary to serve new development at the adopted level of service standards. ~~[9J-5.016[§163.3177(3)(b)4]a]3., F.S.]~~

**Policy 1401.3.1**

~~By January 4, 1997,~~ Monroe County shall ~~adopt~~revise and update the Land Development ~~Regulations which revise and~~Code to update the County's current expenditure procedures and proportional fair-share assessment of impact fees, in accordance with the adopted levels of service referenced in Policy 1401.4.1. The revised Land Development ~~Regulations~~Code shall also include provisions for the collection of impact fees to offset the public costs of public facilities and services. ~~[9J-5.016(3)(e)8]~~

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**Objective 1401.4**

Monroe County shall coordinate land use decisions and fiscal resources with a schedule of capital improvements in order to maintain the adopted level of service (LOS) standards for both previously issued development orders and future development. ~~9J-5.016[§163.3177(3)(ba)3-and-5], F.S.]~~

**Policy 1401.4.1**

Monroe County shall adopt level of service (LOS) standards for the following public facility types: roads, sanitary sewer, solid waste, drainage, potable water, and parks and recreation. The LOS standards are established in the following sections of the Comprehensive Plan:

1. The LOS for roads is established in Traffic Circulation Policy 301.1.1;
2. The LOS for potable water is established in Potable Water Policy 701.1.1;
3. The LOS for solid waste is established in Solid Waste Policy 801.1.1;
4. The LOS for sanitary sewer is established in Sanitary Sewer Policy 901.1.1;
5. The LOS for drainage is established in Drainage Policy 1001.1.1; and
6. The LOS for parks and recreation is established in Recreation and Open Space Policy 1201.1.1. ~~9J-5.016(3)(e)4]~~

**Policy 1401.4.2**

Monroe County shall adopt a Capital Budget at the same time it adopts its Annual Operating Budget. The Capital Budget shall include those projects necessary to maintain the adopted levels of service referenced in Policy 1401.4.1. ~~9J-5.016(3)(e)7]~~

**Policy 1401.4.3**

To the extent allowed by Florida Statutes, Monroe County supports the use of tourist-related charges to offset tourist-related impacts on public facilities. Monroe County supports the use of Tourist Development Council funds to provide public facilities that will serve both tourists and residents.

**Policy 1401.4.4**

Public facilities and services needed to support development shall be available concurrent with the impacts of development, in accordance with the adopted levels of service referenced in Policy 1401.4.1 ~~and Chapter 9J-5.0055, F.A.C.,~~ Development approval may be phased to allow the provision of public facilities and services necessary to maintain the adopted levels of service. ~~9J-5.016(3)(e)6]~~

**Policy 1401.4.5**

Monroe County hereby adopts a Concurrency Management System to ensure that facilities and services needed to support development are available concurrent with the impact of development. The Concurrency Management System shall ensure that the County shall issue no development order or permit which results in a reduction in the level of service (LOS) below the adopted LOS standards referenced in Policy 1401.4.1 for those public facilities that are subject to the system. The guidelines established in Policies 1401.4.6, 1401.4.7, 1401.4.8, 1401.4.9, and 1401.4.10 shall ensure that concurrency is successfully implemented.

**Policy 1401.4.6**

The following guidelines identify the stages in the development review process when the test for concurrency must be met.

1. Preliminary Development Order Stage - A preliminary development order is a development order that precedes the issuance of a building permit, such as a subdivision plat, development plan, certificate of compliance, conditional use permit, or development of regional impact development order. A proposed development must receive a conditional concurrency determination prior to receiving a preliminary development order.
2. Final Development Order Stage - A final development order is a building permit or any other development permit authorizing the construction or expansion of a building, an increase in development intensity, or a change of use requiring a new certificate of occupancy. A proposed development must receive a final concurrency determination prior to receiving a final development order.

**Policy 1401.4.7**

The following guidelines identify the effect of a concurrency determination.

1. A Conditional Concurrency Determination shall indicate that adequate public facilities are available at the time the determination is issued, but shall not guarantee the adequacy or availability of public facilities at subsequent stages of development review.
2. A Final Concurrency Determination shall indicate that adequate public facilities will be available at all subsequent stages of development stages of development review, subject to certain limitations such as elapsed time and the payment of fees.

**Policy 1401.4.8**

The following guidelines identify the minimum criteria necessary to meet the concurrency requirements of each public facility type.

1. The concurrency requirements for roads, potable water, solid waste, sanitary sewer, and drainage facilities and services shall be satisfied if one or more of the following conditions are met:
  - a) the necessary facilities and services are in place at the time a development permit is issued; or
  - b) the development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur, or
  - c) the necessary facilities are under construction at the time a permit is issued; or
  - d) an enforceable development agreement guarantees that the necessary facilities and services will be in place when the impacts of the development occur. An enforceable development agreement may include, but is not limited to, development agreements pursuant to section 163.3220~~3233~~, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S.

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2. The concurrency requirements for recreational facilities shall be satisfied if one or more of the following conditions are met:
  - a) conditions 1(a), 1(b), or 1(c) listed above; or
  - b) a binding executed contract is in place at the time the development permit is issued which provides for the commencement of the actual construction of the required facilities or provision of services within one year of permit issuance; or
  - c) an enforceable development agreement guarantees that the necessary facilities and services will be in place within one year of the issuance of the applicable development permit. An enforceable development agreement may include, but is not limited to, development agreements pursuant to section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S.

**Policy 1401.4.9**

The following guidelines identify the minimum components of the County's concurrency monitoring system.

1. The County shall maintain a database of permitting data that includes the amount of development for which final development orders have been issued, development for which final development orders have expired, development which is under construction, and development which has been constructed.
2. The County shall maintain a database of public facility data that includes the capacity of existing facilities, the additional capacity created by facility improvements, the impacts of existing development, and the impacts anticipated due to committed development.
3. The County shall prepare an annual Concurrency Management Report assessing the capacities of all public facilities subject to the Concurrency Management System. The Concurrency Management Report shall be used to monitor changes in the capacity of public facilities and the levels of service provided by the facilities based upon development activities and capital improvement projects completed during the previous year and projected for the next year.

**Policy 1401.4.10**

Monroe County shall use the following guidelines for interpreting and applying level of service standards to development order applications. For the purposes of this policy, reserve capacity refers to the capacity of existing public facilities plus the capacity of public facilities which do not exist but which meet the applicable requirements of Policy 1401.4.7, less the existing demand for those facilities and the demand expected to be created for those facilities by approved but unbuilt development as determined by the databases in Policy 1401.4.9.

1. Potable Water- The County shall not render a final concurrency determination unless the quantity of water available under the FKAAs Consumptive Use Permit meets or exceeds the estimated water demand of the proposed development together with the estimated water demand of all existing and committed development.
2. Solid Waste- The County shall not render a final concurrency determination unless capacity available at solid waste facilities ~~either owned by or~~ under contract with Monroe County meets or exceeds the estimated daily solid waste generation of the proposed development together with the estimated daily solid waste generation of all existing and committed development for a period of three (3) years from development approval.

3. Sanitary Sewer- The County shall not render a final concurrency determination unless the proposed development will be served by a treatment plant permitted by the Department of Environmental Protection with adequate reserve capacity to accommodate the impact of the proposed development or an on-site sewage disposal system permitted by the Department of Health and Rehabilitative Services.
4. Drainage- The County shall not render a final concurrency determination unless the proposed development will be served by stormwater management facilities approved by the South Florida Water Management District; or has received an individual construction permit or written authorization to proceed pursuant to a general permit from the South Florida Water Management District.
- ~~5. Parks- The County shall not render a final concurrency determination unless the park facilities either in existence or programmed within the next year will meet or exceed the estimated park demand of the proposed development together with the estimated park demand of all existing and committed development. Within each impact area for park facilities, the County shall determine the population capacity of both resource-based and activity-based facilities by multiplying the level of service standard by the number of acres of existing or programmed parks.~~
- 6.5. Roads- The County will not render a final concurrency determination unless the estimated traffic impacts of the proposed development, together with the estimated traffic impacts of all existing and committed development, will not exceed either the segment or overall reserve capacity of U.S. 1, as determined by the U.S. 1 Level of Service Task Force Methodology. The trip assignment for proposed developments with an estimated trip generation rate of more than 10 trips per day shall be based on a traffic impact report prepared by the developer based on a professionally accepted methodology. The trip assignment for proposed developments with a trip generation rate of 10 trips or less (such as a single family home) shall be limited to the segment of U.S. 1 most directly impacted by the development.

**Policy 1401.4.11**

Annual debt service on Monroe County's direct debt shall not exceed the following annual median ratios for medium size counties published by Moody's Investment Services:

1. debt to operating revenue;
2. debt to assessed valuation; and
3. debt per capita.

Moody's Investment Services, a bond rating agency, publishes annual medians depicting local governments' debt service as a percentage of population, operating revenue, and assessed valuation. [9J-5.016(3)(c)2]

**Policy 1401.4.12**

~~By January 4, 1997, Monroe County shall revise the Comprehensive Plan Five-Year Schedule of Capital Improvements and the County Capital Improvements Program to include funding for a sludge, septage, and/or leachate treatment and disposal facility on Crawl Key (See Solid Waste Policies 801.3.5 and 801.3.6 and Sanitary Sewer Policies 901.1.7 and 901.1.8).~~

**Policy 1401.4.13**

~~By January 4, 1997,~~ Monroe County shall revise the Comprehensive Plan Five-Year Schedule of Capital Improvements and the County Capital Improvements Program annually to include funding for any improvements required to provide for solid waste disposal after expiration of the current solid waste haul out contract (See Solid Waste Objective 801.3 and related policies).

**Policy 1401.4.14**

~~By January 4, 1998, Monroe County shall complete a Stormwater Management Master Plan which shall be implemented beginning in Fiscal Year 1999. Prior to implementation of the Master Plan, the County shall adopt a Stormwater Utility or alternative revenue source in order to fund the drainage facility improvements required by the Stormwater Management Master Plan. Note: Monroe County recognizes its obligations under the stipulated settlement agreement but practicality of timeframe implementations may require modification of agreement date premises.~~

**Policy 1401.4.15**

~~Monroe County shall prepare a Sanitary Wastewater Master Plan which shall be completed by January 4, 1998 and implemented beginning in Fiscal Year 1999. The County shall coordinate with the FCAA, the Florida Departments of Environmental Regulation (DER) and Health and Rehabilitative Services (HRS), and the U.S. Environmental Protection Agency (EPA), at a minimum, concerning joint preparation and funding of the Master Plan. Note: Monroe County recognizes its obligations under the stipulated settlement agreement but practicality of timeframe implementations may require modifications of agreement date premises.~~

**Policy 1401.4.16**

~~By January 4, 1998,~~ Monroe County shall revise the Comprehensive Plan Five-Year Schedule of Capital Improvements and the County Capital Improvements Program annually to include funding for the improvements identified in the Sanitary Wastewater/Stormwater Management Master Plan.

**Policy 1401.4.17**

~~By January 4, 1998, Monroe County shall explore the feasibility and benefits of expanding the Card Sound Road and Toll District to include CR-905 on North Key Largo and US-1 between the Dade County line and CR-905.~~

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**Objective 1401.5**

Monroe County shall provide public facilities sufficient to maintain adopted level of service standards that are within the ability of the County to fund, or within the County's authority to require others to provide. Evaluation of funding alternatives for improvements identified in other plan elements will include consideration of improvements required by existing versus future development in order to ensure a fair-share allocation of costs. ~~[9J-5.016[§163.3177(3)(b)5]a), F.S.]~~

**Policy 1401.5.1**

The estimated capital expenditures for all needed public facilities shall not exceed conservative estimates of revenues from sources that are available to the County pursuant to current law, and which have not been rejected by referendum, if referendum is required to enact a source of revenue. ~~[9J-5.016(3)(b)5]~~

**Policy 1401.5.2**

Monroe County shall not provide a public facility, nor shall it accept the provision of a public facility by others, if it is unable to pay for the subsequent annual operating and maintenance costs of the facility. ~~[9J-5.016(3)(b)5]~~

**Policy 1401.5.3**

Monroe County's Capital Improvements Program shall be monitored in conjunction with the Land Development Review process to ensure that the County is not required to construct improvements beyond its financial capacity. ~~[9J-5.016(3)(b)5]~~

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### **3.15 Cultural Resources**

#### **GOAL 1501**

~~Monroe County shall provide accessibility, stewardship, and cooperative facilitation in protecting and fostering cultural activities and resources to enhance the quality of life for County citizens and visitors.~~

#### **Objective 1501.1**

~~Monroe County shall ensure that arts opportunities and knowledge of cultural resources are available to County citizens and visitors.~~

#### **Policy 1501.1.1**

~~Monroe County shall support and encourage the development of local cultural organizations, facilities, and services that are dedicated to unique and significant cultural themes.~~

#### **Policy 1501.1.2**

~~Monroe County shall ensure local cultural organizations, facilities, and services are readily accessible to its citizens and visitors wherever feasible.~~

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#### **Objective 1501.2**

~~Monroe County shall be a steward of cultural resources.~~

#### **Policy 1501.2.1**

~~Monroe County shall maintain a current list of cultural facilities within the county.~~

#### **Policy 1501.2.2**

~~Monroe County shall promote the availability of art and culture for Monroe County citizens and visitors through the use of public buildings and properties, and encourage shared, multipurpose use of those facilities for cultural activities to maximize their efficient use.~~

#### **Policy 1501.2.3**

~~Monroe County shall support the transmission of the regional cultural legacy, cultural education, and the preservation and celebration of cultural diversity and creativity.~~

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#### **Objective 1501.3**

~~Monroe County shall encourage Interlocal Agreements to maximize cultural opportunities for County citizens and visitors when such agreements could result in outstanding cultural opportunities for the County.~~

#### **Policy 1501.3.1**

~~Monroe County shall coordinate with other local government entities and local arts organizations to ensure a role for arts and culture within the County.~~

#### **Policy 1501.3.2**

~~Monroe County shall support private/public partnerships that provide arts and cultural programs for County citizens and visitors in any appropriate way possible.~~