AGENDA

PLANNING COMMISSION
MARATHON GOV'T CENTER
MONROE COUNTY
2798 OVERSEAS HIGHWAY
MARATHON, FL 33050

October 18, 2011
10:00 A.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSION:
Denise Werling, Chairman
Randy Wall, Vice Chairman
Jeb Hale
Elizabeth Lustberg
William Wiatt

STAFF:
Townsley Schwab, Senior Director of Planning and Environmental Resources
Susan Grimsley, Ass't County Attorney
John Wolfe, Planning Commission Counsel
Mayte Santamaria, Ass't Director of Planning and Environment Resources
Joe Haberman, Planning & Development Review Manager
Mitch Harvey, Comp Plan Manager
Kathy Grasser, Planner
Steven Biel, Sr. Planner
Barbara Bauman, Planner
Gail Creech, Planning Commission Coordinator

COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

SWEARING OF COUNTY STAFF

CHANGES TO THE AGENDA

APPROVAL OF MINUTES

MEETING

New Items:

1. Non-Residential Floor Area Allocation: The Planning Director is requesting recommendations from the Planning Commission, to the Board of County Commissioners, for the revised amount of commercial floor area to be available for the annual NROGO allocation for Year 20, beginning July 13, 2011 and ending July 12, 2012.

2011-087 SR PC 10.18.11.PDF

2. CONSIDERATION OF A RESOLUTION TRANSMITTING TO THE STATE LAND PLANNING AGENCY AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS TO AMEND POLICIES 101.4.22, 101.4.24, 101.4.25 AND 205.2.7 OF THE MONROE COUNTY 2010 COMPREHENSIVE PLAN AND TO CREATE POLICY 101.4.23 TO ADDRESS THE CLEARING OF UPLAND NATIVE VEGETATION, AS REQUIRED TO ADDRESS THE TASKS IDENTIFIED IN THE 30-DAY REPORTS FROM THE ADMINISTRATION COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR THE FILING WITH SECRETARY OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.
2011-058 SR PC 10.18.11.pdf
2011-058 PC Resolution 10.18.11.pdf
2011-058 BOCC Transmittal Resolution.pdf
2011-058 BOCC Ordinance.pdf

3. CONSIDERATION OF A RESOLUTION TRANSMITTING TO THE STATE LAND PLANNING AGENCY AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS TO CREATE POLICY 101.4.20 TO DISCOURAGE PRIVATE APPLICATIONS FOR FUTURE LAND USE CHANGES WHICH INCREASE ALLOWABLE DENSITY AND INTENSITY, AS REQUIRED BY ADMINISTRATION COMMISSION RULE 28-20.140, FLORIDA ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR THE FILING WITH SECRETARY OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.
2011-059 SR PC 10.18.11 with Exhibit 1 Revised.PDF
2011-059 PC Resolution 10.18.11 Revised.PDF
2011-059 BOCC Transmittal Resolution.pdf
2011-059 Draft BOCC Ordinance Revised.PDF

4. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE REGULATIONS PERTAINING TO SIGNAGE IN MONROE COUNTY CODE CHAPTER 142, SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.
2011-113 SR PC 10.18.11 with attachments.pdf

5. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS TO AMEND THE CAPITAL IMPROVEMENT ELEMENT TO UPDATE TABLE 4.1, THE 5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS WITHIN THE YEAR 2010 MONROE COUNTY COMPREHENSIVE PLAN, PURSUANT TO §163.3177(3)(A) AND §163.3177(3)(B), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR THE FILING WITH THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE.
2011-105 SR PC 10.18.11 for Website.PDF
2011-105 PC Resolution.PDF

6. Guardian Angel Management, 11 Snapper Avenue, Key Largo, Mile Marker 103.4: A request for approval of a variance of 6.45 feet from the required ten (10) foot side yard setback along the western property line in order to convert a carport into enclosed living area. The subject parcel is legally described as Block 12, Lot 8, Largo Sound Park (PB3-111), Key Largo, Monroe County, Florida, having real estate number 00472710.000000.
2011-112 SR PC 10.18.11.PDF
2011-112 FILE.PDF
2011-112 COMBINED Recvd 9.08.11.pdf

Pursuant to Section 286.0105 Florida Statutes and Monroe County Resolution 131-1992, if a person decides to appeal any decision of the Planning Commission, he or she shall provide a transcript of the hearing before the Planning Commission, prepared by a certified court reporter at the appellant's expense. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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”.

BOARD DISCUSSION

GROWTH MANAGEMENT COMMENTS

RESOLUTIONS FOR SIGNATURE

ADJOURNMENT

Item #1 NROGO
Staff Report

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT
We strive to be caring, professional and fair

To: Planning Commission

Through: Townsley Schwab, Sr. Director of Planning & Environmental Resources

From: Tiffany Stankiewicz, Development Administrator

Date: October 13, 2011

Subject: Revised Non-Residential Floor Area Evaluation Report Year 20 (July 13, 2011-July 12, 2012)

Meeting Date: October 18, 2011

BACKGROUND

On September 14, 2011 the Planning Commission approved Resolution 29-11 regarding the annual square footage availability for NROGO Year 20 for small allocations (2,500 square feet or less). Staff received new information regarding a potential project in a designated community center overlay area which allows for large allocations (more than 2,500 square feet). Therefore, based on the potential project seeking development in a community center the Planning & Environmental Resources Department is making a new recommendation regarding the NROGO distribution for large and small allocations for the NROGO Year.

Monroe County Comprehensive Plan provides Goals, Objectives and Policies to manage future growth and establish systems for regulating and distributing growth within the County. Objective 101.3 establishes the non-residential permit allocation system (NROGO) and directs the County to regulate non-residential development to maintain a balance of land uses to serve the needs of the future population of Monroe County. Policy 101.3.1 further requires a balance between residential and non-residential development by maintaining a ratio of approximately 239 square feet of new non-residential development for each new residential unit permitted through the Residential Permit Allocation System.

The Monroe County Code implements the Comprehensive Plan and provides specific provisions for regulating non-residential development.

Section 138-47(b) provides the purpose and intent of the Non-Residential Rate of Growth Ordinance (NROGO):

1. To facilitate implementation of goals, objectives and policies set forth in the comprehensive plan relating to maintaining a balance between residential and non-residential growth.
2. To maintain a ratio of approximately 239 square feet of nonresidential floor area for each new residential permit issued through the residential rate of growth ordinance (ROGO).
3. To promote the upgrading and expansion of existing small-size businesses and to retain the predominantly small scale character of nonresidential development in the Florida Keys.
4. To regulate the rate and location of nonresidential development in order to eliminate potential land use conflicts.
5. To allocate the non-residential floor area annually hereunder, based on the goals, objectives and policies of the comprehensive plan and the Livable CommuniKeys master plans.

As mentioned above, non-residential growth is tied to residential growth by maintaining a ratio of approximately 239 square feet of new non-residential development for each new residential unit. Monroe County Code Section 138-24(a) and Rule 28-20.140, F.A.C., states the available annual allocation is 197 residential allocations. Big Pine Key/No Name Key subarea is allotted 10 allocations from this total and the remaining area outside of Big Pine Key/No Name Key subarea is allotted 187 allocations.

Monroe County Code Section 138-47(a) provides the definition for NROGO. The "annual nonresidential ROGO allocation," is the maximum floor area for which building permits may be issued during an annual allocation period. The "annual allocation period" is the 12-month period beginning on July 14, 2001, and subsequent one-year periods that is used to determine the amount of nonresidential floor area to be allocated *based on the number of ROGO allocations to be issued in the upcoming ROGO year.*

As described above, maximum annual allocation is determined by multiplying the number of available residential allocations for the residential allocation period year by 239 square feet and then round the product to the nearest 100 square feet (for example: 197 X 239. The Board of County Commissioners, upon the recommendations of the Planning Director and the Planning Commission, determines the maximum amount of floor area and its distribution between two allocation dates.

Section 138-51 of the Monroe County Code, establishes the procedure for allocating the non-residential floor area distribution based upon the second and fourth ROGO quarter closure dates. The ROGO closure dates for the second quarter is January 12th and for the fourth quarter is July 12. Therefore, the NROGO closure dates for the first period is January 12th and for the second period is July 12th.

Additionally, Section 138-51 (b) limits a maximum of 2,500 square feet for any one site, except for sites located within a designated community center overlay area. For sites located in a

community center overlay area, the maximum allocation shall only be limited by the maximum floor area per structure in Section 138-51(c). And, Section 138-51(d) states, "A minimum of 75 percent of the available floor area to be allocated in any annual allocation period shall be for applications requesting floor area of 2,500 square feet or less. The remaining 25 percent may be allocated to applications requesting floor area of more than 2,500 square feet."

CONSIDERATIONS

When determining the amount of non-residential floor area that can be allocated annually, several items are reviewed and considered.

1. The number of potential applicants for an upcoming year is unknown. Most applicants who have applied for NROGO have been for projects of 2,500 square feet or less and few are located in a designated Community Center.
2. In the past ten years there has been limited competition for the available non-residential floor area. The average square footage made available annually in the ten year periods is 21,415 square feet and the average square footage allocated in a NROGO year is 12,337 square feet. The exception is Year 12 where the demand for square footage exceeded the amount of available square footage.
3. Areas for allocations greater than 2,500 square feet will be identified in a Livable CommuniKeys Master Plan.
4. The non-residential allocations are based on prior years of residential ROGO. Each ROGO allocation is multiplied by 239 square feet to determine the NROGO allocation bank. The Lower & Upper Keys sub-areas have a separate bank from the Big Pine/No Name Key sub-area.

Additional background specific to the Tier System:

On March 15, 2006, the Board of County Commissioners adopted Ordinance 011-2006 to implement the Tier System for NROGO. Subsequently, the ordinance was challenged by Florida Keys Citizens Coalition, Inc. and Protect Key West and the Florida Keys, Inc., d/b/a Last Stand. A final order was issued by the Department of Community Affairs on September 26, 2007, which was not appealed by the parties.

The addition of the Tier System to NROGO, created separate districts for allocation distribution, the basis of scoring applications, and the administrative relief process. The new districts are as follows: A) Lower Keys (Middle Keys now included in the Lower Keys) & Upper Keys and B) Big Pine/No Name Key are the subareas for NROGO.

Additional background specific to the Big Pine/No Name Key Sub-area:

1) In 1998, the Florida Department of Transportation, Monroe County, the Florida Department of Community Affairs, the U.S. Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission signed a Memorandum of Agreement to develop a Habitat Conservation Plan (HCP) for the Key Deer and other protected species in the project area.

2) The Livable Communikeys Program (LCP), Master Plan for Future Development of Big Pine Key and No Name Key was adopted on August 18, 2004 under Ordinance 029-2004.

The LCP envisioned 47,800 square feet of non-residential floor area over the next twenty years to be used for infill and expansion of existing businesses. The LCP limits non-residential development to Tier III disturbed and scarified uplands. Based on the non-residential area square footage envisioned to be released over the twenty year horizon, approximately 2,390 square feet of floor area can be made available per year.

LCP Action Item 5.1.2 limits floor area allocations to 2,500 square feet per organization per year.

CALCULATIONS FOR YEAR 20 AND FLOOR AREA TO BE MADE AVAILABLE

A. Lower/Upper Keys:

187 ROGO Allocations are available for Year 20
Square Footage for Year 20 ROGO (187 ROGO x 239 Square Feet) **44,693**
Pursuant to MCC Section 138-51, there is 44,700 square feet to be distributed into small (2,500 square feet or less) and large (more 2,500 square feet) allocations.

Unincorporated Monroe County excluding Big Pine/No Name Key Subarea			
	44,700 square feet available for Year (75% for small allocations and 25% for large allocations)		
Allocation Application Limit	**Perod 1**	**Period 2**	**Total for Year**
small (2,500 square feet or less)	16,762.50	16,762.50	**33,525**
large (more than 2,500 square feet)	5,587.50	5,587.50	**11,175**
Total	**22,350**	**22,350**	**44,700**

B. Big Pine/No Name Keys:

NROGO Square Footage available beginning 2003	47,800
Less allocated 2003-July 2011	11,374
Total Non-Residential Square Footage remaining Available (approx.):	**36,426**

Therefore, pursuant to LCP recommending 2,500 square feet is to be made available.

RECOMMENDATION

The Planning & Environmental Resources Director recommends rescinding Planning Commission Resolution 29-11. The Planning & Environmental Resources Director recommends 47,200 square feet for Year 20.

47,200 square feet is the maximum amount of available non-residential floor area for the annual NROGO allocation for Year 20, to be distributed as follows:

Lower & Upper Keys Subarea:

1. The maximum amount of available non-residential floor area for the annual NROGO allocation for Year 20 of the Lower & Upper Keys subarea shall be 44,700 square feet.

2. Year Twenty (20) will begin July 13, 2011 and will end on July 12, 2012, with the first allocation period ending on January 12, 2012 and the second allocation period ending on July 12, 2012.

3. The first allocation period shall be 16,762.50 for small (2,500 square feet or less) allocations and 5,587.50 for large (more 2,500 square feet) allocations. The balance from the first allocation period shall be held in reserve for the second allocation period in their respective categories.

Big Pine/No Name Key Subarea:

1. The maximum amount of available non-residential floor area for the annual NROGO allocation for Year 20 of the Big Pine/No Name Keys subarea shall be 2,500 square feet.

2. Year Twenty (20) will begin July 13, 2011 and will end on July 12, 2012, with the first allocation period ending on January 12, 2012 and the second allocation period ending on July 12, 2012.

3. The first allocation shall be for 2,500 square feet and the balance from the first allocation period shall be held in reserve for the second allocation period ending July 12, 2012.

4. One hundred percent of the available floor area for each allocation period shall be for applicants requesting 2,500 square feet or less.

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Monroe County Planning Commission

Through: Christine Hurley, AICP, Director of Growth Management
Townsley Schawb, Senior Director of Planning & Environmental Resources

From: Mayté Santamaria, Assistant Director of Planning & Environmental Resources

Date: October 5, 2011

Subject: **Request for an Amendment to the Monroe County 2010 Comprehensive Plan to address the clearing of upland habitat.**

Meeting: October 18, 2011

I. REQUEST

This is a request by Monroe County to amend Policies 101.4.22, 101.4.24, 101.4.25 and 205.2.7 of the Monroe County 2010 Comprehensive Plan and to create Policy 101.4.23. These amendments are proposed to address the clearing of upland native vegetation and implement the recommendations of the Administration Commission and the State Land Planning Agency (Department of Community Affairs).

II. BACKGROUND INFORMATION

Section 380.0552(4), Florida Statutes (F.S.), directs the State Land Planning Agency (Department of Community Affairs) to submit a report to the Administration Commission, describing in detail the progress of the Florida Keys Area toward accomplishing the tasks of the work program and to provide a recommendation as to whether substantial progress toward accomplishing the tasks of the work program has been achieved. Pursuant to Section 380.0552(4)(c), F.S., if the Administration Commission finds that the requirements for recommending removal of designation have not been met, the Administration Commission shall provide a written report to the local governments within 30 days, after making such a finding, detailing the tasks that must be completed by the local government.

The 2008, 2009 and 2010 Administration Commission 30-Day Report to Monroe County included a task to implement Rule 28-20.110, F.A.C., Work Program Tasks Year Six, Task C and Year Eight, Task F. These Work Program tasks implement the Carrying Capacity Study by requiring the adoption of all necessary plan amendments to guide development away from environmentally sensitive lands and to ensure that any and all new development does not exceed the capacity of the County's environment and marine system to accommodate additional impacts.

The task from the 30-Day Report required Monroe County, in conjunction with the Department of Community Affairs (DCA), Islamorada and Marathon, to evaluate the adopted clearing limits for high quality and moderate quality tropical hardwood hammocks and to make recommendations to bring parity between the local governments and to strengthen the protection of hardwood hammocks.

In 2010, the County, in conjunction with DCA, Islamorada and Marathon evaluated the various policies and standards used by the three local governments for the clearing of high and moderate quality tropical hardwood hammocks. The evaluation is provided in Exhibit 1 (Page 11 of the Department of Community Affairs' Florida Keys Area of Critical State Concern 2010 Removal of Designation Report).

This evaluation noted that in high quality hammock areas, Monroe County allows twice as much clearing as Islamorada and Marathon. Regarding moderate quality hammock, the municipalities allow a greater amount of clearing for lots over 15,000 square feet but lesser amounts of clearing for lots smaller than 5,000 square feet.

The following recommendations were developed to bring parity between the local governments and strengthen the protection of tropical hardwood hammocks.

- In Monroe County, the clearing of lots in Tier I shall be limited to 7,500 square feet per principal dwelling unit and associated accessory structures per buildable acres. For lots greater than 10,000 square feet, clearing for one driveway of reasonable configuration up to 18 feet in width is permitted for each parcel and shall be exempt from the clearing limitations to provide reasonable access to the property. Clearing for a driveway that is exempt from clearing limits shall be recommended by a County biologist and approved by the Planning Director. In no case shall clearing exceed 20 percent of the entire site.
- In Monroe County, the clearing of lots in Tier II (Big Pine and No Name Key) shall be limited to 3,000 square feet or 40 percent, whichever is greater; however, clearing shall not exceed 7,500 square feet, regardless of the amount of upland native vegetation.
- In Monroe County, add clearing limits for Tier IIIa (Special Protection Area). Clearing of Tier IIIa (Special Protection Area) shall be limited to 3,000 square feet or 40 percent, whichever is greater; however, clearing shall not exceed 7,500 square feet, regardless of the amount of upland native vegetation.
- For Marathon, Islamorada, and Monroe County, a minimum clearing area of 3,000 square feet shall be allowed to provide reasonable use of property.
- Revise Monroe County Policy 101.5.4(3) to allow ROGO points for aggregated Tier IIIa Special Protection Area lots provided that no more than 7,500 square feet of upland native vegetation clearing is proposed.
- Revise Monroe County Comprehensive Plan lot aggregation policies, land development regulations, and Rule 28-20.120(4)(e), F.A.C., to limit clearing of aggregated lots that receive points in the building permit allocation system from 5,000 square feet to a maximum of 7,500 square feet.

The proposed amendments are to implement the recommendations from the Department of Community Affairs and the direction from the Administration Commission.

For additional participation and feedback, the proposed amendment was discussed and reviewed by the Tier Designation Review Committee (TDRC) on August 25, 2011. TDRC members provided comments and revisions, which have been incorporated into the proposed amendment.

III. PROPOSED AMENDMENTS

Policy 101.4.22

All development shall be subject to clearing limits defined by habitat and the location of the property in the Land Use ~~District (zoning) Overlay~~ Tier Overlay District Maps and the wetland requirements in Policy 102.1.1. The clearing limits of upland native vegetation areas (hardwood hammock, pinelands, and beach berm) for properties in the Ocean Reef planned development shall be limited to 40 percent of the existing upland native vegetation.

Except as defined in Policy 101.12.4, clearing of upland native vegetative areas (hardwood hammock, pinelands, beach berm, cactus hammock and palm hammock) in the Tiers I, II, ~~and~~ III and Tier III-A shall be limited ~~for~~ to the portion of the property containing upland native vegetation in the following percentages or maximum square footage:

Tier	Permitted Clearing *
I	20% or 3,000 square feet, whichever is greater; but no greater than 7,500 square feet of upland native vegetative area. The clearing of parcels in Tier I shall be limited to 7,500 square feet per parcel. For parcels greater than 30,000 square feet, with the exception of parcels on Big Pine Key and No Name Key, clearing for one driveway of reasonable configuration up to 18 feet in width is permitted to provide reasonable access to the property for each parcel and shall be exempt from the maximum clearing limit of 7,500 square feet. Clearing for a driveway shall be recommended by a County biologist and approved by the Planning Director. The proposed driveway design shall minimize fragmentation, avoid specimen trees, and take the shortest reasonable route. In no case shall clearing, including the driveway, exceed 20 percent of the entire site.
II	40% or 3,000 square feet, whichever is greater; but no greater than 7,500 square feet of upland native vegetative area (Big Pine Key and No Name Key).
III	40% or 3,000 square feet ~~s.f.~~, whichever is greater; however, the maximum amount of clearing shall be no more than 7,500 square feet~~, regardless of the amount~~ of upland native vegetative area. The clearing of parcels in Tier III shall be limited to 7,500 square feet per parcel. For parcels greater than 30,000 square feet, with the

	exception of parcels on Big Pine Key and No Name Key, clearing for one driveway of reasonable configuration up to 18 feet in width is permitted to provide reasonable access to the property for each parcel and shall be exempt from the maximum clearing limit of 7,500 square feet. Clearing for a driveway shall be recommended by a County biologist and approved by the Planning Director. The proposed driveway design shall minimize fragmentation, avoid specimen trees, and take the shortest reasonable route. In no case shall clearing, including the driveway, exceed 40 percent of the entire site.
III-A Special Protection Area	40% or 3,000 square feet, whichever is greater; however, clearing shall not exceed 7,500 square feet of upland native vegetation. The clearing of parcels in Tier III-A shall be limited to 7,500 square feet per parcel. For parcels greater than 30,000 square feet, with the exception of parcels on Big Pine Key and No Name Key, clearing for one driveway of reasonable configuration up to 18 feet in width is permitted to provide reasonable access to the property for each parcel and shall be exempt from the maximum clearing limit of 7,500 square feet. Clearing for a driveway shall be recommended by a County biologist and approved by the Planning Director. The proposed driveway design shall minimize fragmentation, avoid specimen trees, and take the shortest reasonable route. In no case shall clearing, including the driveway, exceed 40 percent of the entire site.
	* Palm or cactus hammock is limited to only 10%.

Policy 101.4.23

Notwithstanding the clearing limits established in the Livable CommuniKeys Master Plans adopted by reference into the 2010 Comprehensive Plan by Policy 101.20.2, the permitted clearing established by Policy 101.4.22 shall control.

Policy 101.4.~~23~~ 24

Notwithstanding the density limitations set forth in Policy 101.4.21, land upon which a legally-established residential dwelling unit exists shall be entitled to a density of one dwelling unit per each such unit. Such legally-established dwelling unit shall not be considered as non-conforming as to the density provisions of policy 101.4.21 and the Monroe County Code.

Policy 101.4.~~24~~ 25
In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including landfills to 35 feet. Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.

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 ~~5,000~~ square feet or as specified in Policy 101.4.22. 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.

IV. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

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

Policy 102.2.2: Monroe County shall adopt revised environmental standards and environmental design criteria as indicated in policies adopted pursuant to Conservation and Coastal Management Objective 205.2. These revised standards and criteria will protect native upland vegetation and promote restoration of habitat values of native upland communities, including hardwood hammocks and pinelands.

Goal 205: The health and integrity of Monroe County's native upland vegetation shall be protected and, where possible, enhanced.

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 which further protect and provide for restoration of the habitat values of upland native vegetated communities, including hardwood hammocks and pinelands.

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.

Goal 207: Monroe County shall protect and conserve existing wildlife and wildlife habitats.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute.

For the purposes of reviewing 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 no specific provision shall be construed or applied in isolation from the other provisions.

(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)(l) 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.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:

163.3161(5), F.S. - It is the intent of this act to encourage and ensure cooperation between and among municipalities and counties and to encourage and ensure coordination of planning and development activities of units of local government with the planning activities of regional agencies and state government in accord with applicable provisions of law.

163.3177(4)(a), F.S. - Coordination of the local comprehensive plan with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region; with the appropriate water management district's regional water supply plans approved pursuant to s. 373.709; and with adopted rules pertaining to designated areas of critical state concern shall be a major objective of the local comprehensive planning process.

163.3177(6)(a)3.f., F.S. - Ensure the protection of natural and historic resources.

163.3177(6)(d), F.S. - A conservation element for the conservation, use, and protection of natural resources in the area, including air, water, water recharge areas, wetlands, waterwells, estuarine marshes, soils, beaches, shores, flood plains, rivers, bays, lakes, harbors, forests, fisheries and wildlife, marine habitat, minerals, and other natural and environmental resources, including factors that affect energy conservation.

163.3177(6)(d)2., F.S. - The element must contain principles, guidelines, and standards for conservation that provide long-term goals and which:

d. Conserves, appropriately uses, and protects minerals, soils, and native vegetative communities, including forests, from destruction by development activities.
e. Conserves, appropriately uses, and protects fisheries, wildlife, wildlife habitat, and marine habitat and restricts activities known to adversely affect the survival of endangered and threatened wildlife.
f. Protects existing natural reservations identified in the recreation and open space element.
g. Maintains cooperation with adjacent local governments to conserve, appropriately use, or protect unique vegetative communities located within more than one local jurisdiction.

163.3177(6)(g), F.S. - For those units of local government identified in s. 380.24, a coastal management element, appropriately related to the particular requirements of

paragraphs (d) and (e) and meeting the requirements of s. 163.3178(2) and (3). The coastal management element shall set forth the principles, guidelines, standards, and strategies policies that shall guide the local government's decisions and program implementation with respect to the following objectives:

2. Preserve the continued existence of viable populations of all species of wildlife and marine life.
3. Protect the orderly and balanced utilization and preservation, consistent with sound conservation principles, of all living and nonliving coastal zone resources.
4. Avoid irreversible and irretrievable loss of coastal zone resources.

V. STAFF RECOMMENDATION

Staff recommends approval of the proposed amendments to Policies 101.4.22, 101.4.24, 101.4.25, 205.2.7 and the creation of Policy 101.4.23.

The proposed amendment to the Comprehensive Plan will further protect upland habitat, provide consistency between jurisdictions and implement the direction and recommendations of the Administration Commission.

VI. PROCESS

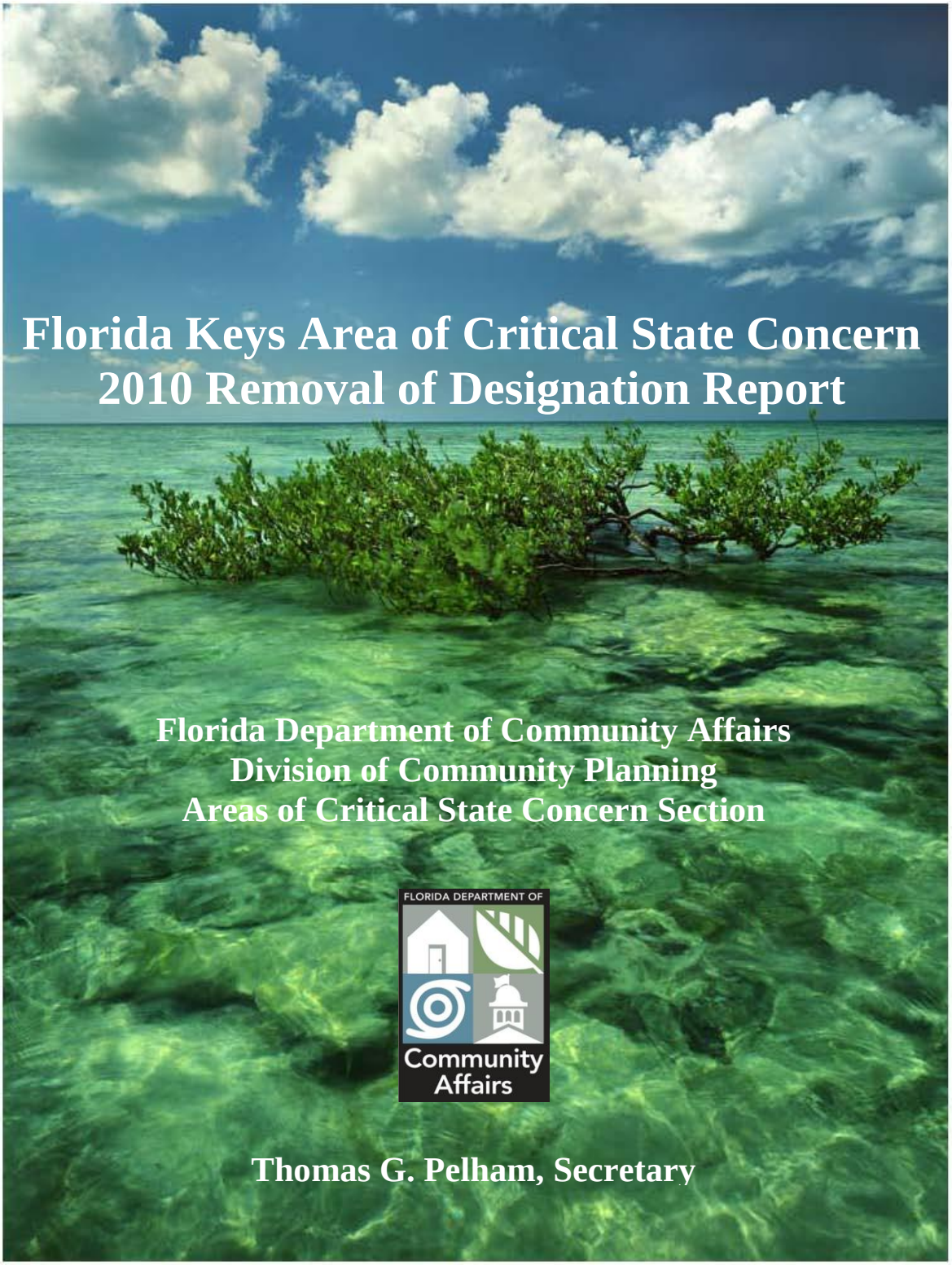
Comprehensive Plan Amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, or the owner or other person having a contractual interest in property to be affected by a proposed amendment. The Director of Planning shall review and process applications as they are received and pass them onto the Development Review Committee and the Planning Commission.

The Planning Commission shall hold at least one public hearing. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning & Environmental Resources and the Development Review Committee and the testimony given at the public hearing. The Planning Commission shall submit its recommendations and findings to the Board of County Commissioners (BOCC). The BOCC holds a public hearing to consider the transmittal of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the testimony given at the public hearing. The BOCC may or may not recommend transmittal to the Florida Department of Community Affairs (DCA). The amendment is transmitted to DCA, which then reviews the proposal and issues an Objections, Recommendations and Comments (ORC) Report. Upon receipt of the ORC report, the County has 180 days to adopt the amendments, adopt the amendments with changes or not adopt the amendment

VII. EXHIBITS

1. Department of Community Affairs' Florida Keys Area of Critical State Concern 2010 Removal of Designation Report.
2. Table 1: Evaluation of Proposed Clearing Limits

Exhibit 1



Florida Keys Area of Critical State Concern 2010 Removal of Designation Report

Florida Department of Community Affairs
Division of Community Planning
Areas of Critical State Concern Section

Thomas G. Pelham, Secretary

© Jeff Ripple

BACKGROUND

Section 380.0552(4), Florida Statutes (F.S.), directs the state land planning agency to submit a report to the Administration Commission, describing in detail the progress of the Florida Keys Area toward accomplishing the tasks of the work program and to provide a recommendation as to whether substantial progress toward accomplishing the tasks of the work program has been achieved. Section 380.0552(4), F.S. provides that:

> (b) Beginning November 30, 2010, the state land planning agency shall annually submit a written report to the Administration Commission describing the progress of the Florida Keys Area toward completing the work program tasks specified in commission rules. The land planning agency shall recommend removing the Florida Keys Area from being designated as an area of critical state concern to the commission if it determines that:
>
> 1. All of the work program tasks have been completed, including construction of, operation of, and connection to central wastewater management facilities pursuant to Section 403.086(10), F.S. and upgrade of onsite sewage treatment and disposal systems pursuant to Section 381.0065(4)(l), F.S.;
> 2. All local comprehensive plans and land development regulations and the administration of such plans and regulations are adequate to protect the Florida Keys Area, fulfill the legislative intent specified in subsection (2), and are consistent with and further the principles guiding development; and
> 3. A local government has adopted a resolution at a public hearing recommending the removal of the designation.

FINDINGS

The Work Program referenced above is based in Rule 28-20.110, Florida Administrative Code (F.A.C.). The Administration Commission issued Monroe County, the City of Marathon and the Village of Islamorada a 30-Day Report on November 17, 2009, outlining the strategies necessary for completion of work program tasks and potential removal of the designation as an Area of Critical State Concern.

The 30-Day Report is in the form of a table, organized by major themes, listing both the tasks under the work program that must be accomplished for substantial progress to be achieved and the specific, proposed strategies that were developed with the Florida Keys communities to achieve the work program tasks. The Department utilized the 30-Day Report as a template for its 2010 Removal of Designation Report.

The Department's 30-Day Report contains the status of Rule 28-20.110, F.A.C., work program tasks in the third column (column C) as either "substantial progress achieved" or "substantial progress not achieved." Additionally, the Department provides

the status of the proposed work program strategies in the third column (column C) as either "complete" or "incomplete." The strategies in the 30-Day Report originate from the original tasks of the work program, found in rule 28-20.110, Florida Administrative Code (FAC) and located on the following page. The strategies in the 30-Day Report provide specificity that, if completed, will lead to the achievement of the original work Program Tasks. The 30-Day Report includes comments and information submitted by Monroe County, the City of Marathon, the Village of Islamorada, Key Largo Wastewater Treatment District, Florida Department of Health, and the Florida Department of Environmental Protection. The Executive Summary should be used in combination with the 30-Day Report to expedite review.

In the Department's 2009 report to the Administration Commission, the Department recommended that the Administration Commission make a determination that substantial progress had not been made on the following table of work program tasks found in Rule 28-20.110, Florida Administrative Code (FAC):

MONROE COUNTY 10-YEAR WORK PROGRAM WORK PROGRAM TASKS REMAINING INCOMPLETE OR IN PROGRESS
YEAR FOUR (July 13, 2000 through July 12, 2001).
A. Continue implementation of Wastewater Master Plan, execute interagency agreements to define construction schedule by phases, and continue developing facility plans for selected Hot Spots in each ROGO area. Secure funding to implement the Wastewater Master Plan. Document that reduction in nutrients has been achieved within each of the sub-areas.
YEAR SIX (July 13, 2002 through July 12, 2003).
A. Continue construction of wastewater facilities in Hot Spots begun in previous year. Contract to design and construct additional wastewater treatment facilities in Hot Spots in accordance with the schedule of the Wastewater Master Plan. Continue implementation of Wastewater Master Plan with emphasis on Hot Spots.
C. Implement the carrying capacity study by, among other things, the adoption of all necessary plan amendments to establish a rate of growth and a set of development standards that ensure that any and all new development does not exceed the capacity of the county's environment and marine system to accommodate additional impacts. Plan amendments will include a review of the County's Future Land Use Map series and changes to the map series and the "as of right" and "maximum" densities authorized for the plan's future land use categories based upon the natural character of the land and natural resources that would be impacted by the currently authorized land uses, densities and intensities.
YEAR SEVEN (July 13, 2003 through July 12, 2004).
A. Finalize construction and begin operating wastewater facilities in Hot Spots. Continue implementation of Wastewater Master Plan with continued emphasis on Hot Spots.
YEAR EIGHT (July 13, 2004 through July 12, 2005).
F. Adopt amendments to the comprehensive plan and land development regulations to enact overlay designations, and eliminate or revise the Habitat Evaluation Index, and modify the ROGO/NROGO system to guide development away from environmentally sensitive lands.
M. Complete projects identified in the Stormwater Management Master Plan.
Q. Complete a comprehensive analysis of hurricane evacuation issues in the Florida Keys and develop strategies to reduce actual hurricane clearance times and thereby reduce potential loss of life from hurricanes.
YEAR NINE (July 13, 2005 through July 12, 2006).
A. In coordination with the Florida Keys Aqueduct Authority and the Key Largo Sewer District, initiate the process to obtain $80 million in bond financing secured by connection fees.
B. Secure site for lower Keys and Key Largo wastewater facilities
YEAR TEN (July 13, 2006 through July 12, 2007).
A. Award contract for design, construction and operation for the lower Keys and Key Largo wastewater facilities.
B. Begin construction of the lower Keys and Key Largo wastewater plants.
C. Initiate connections to lower Keys and Key Largo wastewater systems.
D. Complete construction and hookups for Baypoint, Conch Key and Key Largo Trailer Islamorada/Key Largo Park.
E. Obtain $80 million in bond financing secured by connection fees.

In November 2009, the Administration Commission directed the Department of Community Affairs to place draft Administration Commission rules in abeyance while the Florida Keys communities proposed legislation to amend Chapter 99-395, Laws of Florida. The legislation was needed to extend the deadline from 2010 to 2015 for the upgrade of wastewater treatment facilities to advanced treatment standards in the Florida Keys. Senate Bill 550 was enacted and provided an additional 5 years for the local governments to seek financing and construct wastewater treatment facilities. The schedule for construction of the wastewater facilities is found within the draft Administration Commission rules for Marathon, Islamorada, and Monroe County. The schedule for completion of wastewater treatment facilities has been moved forward one year to accommodate the time taken to have the legislation enacted.

This narrative summarizes the attached 2010 30-Day Report tables for Monroe County, Islamorada and Marathon and is organized by the major themes (i.e., Carrying Capacity & Habitat Protection, Hurricane Evacuation and Water Quality) that are the basis for the region's designation as an Area of Critical State Concern. The narrative additionally contains recommendations regarding hurricane evacuation modeling and clearing of tropical hardwood hammock.

Completion of the remaining strategies in the 30-Day Report is critical to the completion of the years 4-10 Work Program Tasks. Many of the incomplete strategies may be considered to be in progress; however, the construction of wastewater facilities will require several years to complete.

Of the strategies assigned, Marathon and Monroe County completed approximately 50 percent. The strategies completed by Marathon focused on constructing wastewater and stormwater facilities that will result in improvements in near shore water quality. The strategies not completed were administrative in nature and are going through public hearings at the time of this report's preparation. Monroe County made substantial progress addressing habitat protection with the implementation of the Tier Review Committee and subsequent recommendations for parcels previously challenged in an administrative proceeding. The strategies not completed for Monroe County primarily relate to wastewater facilities in the Lower Keys. While Monroe County did not meet some of the scheduled wastewater strategies for the Cudjoe Facility, they contributed funding to the Key Largo Wastewater District, completed the Big Coppitt wastewater facility, and contributed funding for the Duck Key wastewater facility.

Out of the strategies assigned, Islamorada completed 20 percent. The strategies completed by Islamorada are related to growth management issues. Islamorada made no advances in wastewater, abandoned any progress made to date in wastewater and has no definite plan for the future as to how it will address wastewater upgrades that must be met by 2015. On October 25, 2010, the Department provided a letter to the Village of Islamorada indicating the Department is considering a recommendation to the Administration Commission to reduce the building permit allocation by 20 percent due to lack of substantial progress and the forfeiture of $22 million of federal, state and local funding.

When Islamorada incorporated and adopted a comprehensive plan in 2001, the Village requested that the Department allow the Village to move forward without an adopted rule with a stipulation that if substantial progress was not achieved on schedule, a rule could be adopted. Existing Rules 28-19.100 and 28-19.200, F.A.C., relate to the purpose of the Islamorada transitional comprehensive plan and do not address permit reductions or contain a wastewater construction schedule. Rule adoption is needed for the Village to establish a wastewater treatment construction schedule and funding program that is consistent with the intent of the Administration Commission's 2009 30-Day Report.

The Monroe County Rule 28-20.110, F.A.C., provides that the Department of Community Affairs shall annually report to the Administration Commission documenting the degree to which the work program objectives for the work program year have been achieved. The Commission shall consider the findings and recommendations provided in those reports and shall determine whether substantial progress has been achieved. If the Commission determines that substantial progress has not been made, the unit cap for residential development shall be reduced by at least 20 percent for the following ROGO year.

Rulemaking for the Village of Islamorada is necessary because major wastewater projects identified in the 2009 30-Day Report have not been completed. The Village does not have committed funding sources to construct identified wastewater treatment facilities. If the Village of Islamorada makes progress during the 2011 annual report, the building permit allocation may be restored through a comprehensive plan amendment.

RECOMMENDATIONS

Section 380.0552(4)(b), F.S., directs the Department to provide a recommendation regarding whether substantial progress has been made towards accomplishing the tasks of the work program. The Department makes the following recommendations:

(1) Accept the 2010 Annual Report for Monroe County, City of Marathon and Islamorada;

(2) Accept the Department's recommendation that substantial progress toward accomplishing the strategies of the work program have been achieved for Marathon and Monroe County;

(3) Accept the Department's recommended completion dates for strategies in the 2010 30-Day Report;

(4) Determine that the Village of Islamorada has made substantial progress in addressing habitat protection through revisions to the comprehensive plan and land development regulations, but has not made substantial progress toward accomplishing the tasks of the work program with respect to wastewater planning, financing and construction. As a result the Department recommends the Administration Commission accept the

Department's recommendation that substantial progress toward accomplishing the strategies of the work program has not been achieved for the Village of Islamorada and consider the following:

(5) Determine that the Village of Islamorada has made substantial progress in addressing habitat protection through revisions to the comprehensive plan and land development regulations, but has not made substantial progress toward accomplishing the tasks of the work program with respect to wastewater planning, financing and construction. As a result the Department recommends the Administration Commission accept the Department's recommendation that substantial progress toward accomplishing the strategies of the work program has not been achieved for the Village of Islamorada and consider the following two options:

    (a) Resume rulemaking and reduce the Village of Islamorada building permit allocations by twenty percent; or
    (b) Direct the Village of Islamorada to provide a report by June 1, 2011, that includes a wastewater financing plan. The requirement to adopt a wastewater facility treatment construction schedule is found in the legislation recently enacted in Section 403.086(10)(b), F.S. In the event the Village does not satisfy the June 1, 2011, reporting requirement, the Department recommends the Administration Commission promulgate rulemaking that would result in an amendment to the comprehensive plan reducing building permit allocation by twenty percent as provided in Section 380.0552(9)(b), F.S.

(6) Authorize staff of the commission working with the Department to resume rulemaking to adopt the schedule for wastewater, stormwater and carrying capacity tasks for Monroe, Marathon, and Islamorada.

Habitat Protection

30-Day Report Strategy: The Administration Commission directed Monroe County and the Department of Community Affairs to establish a Tier Designation Review Committee with representatives from the Department of Environmental Protection, US Fish and Wildlife, Florida Fish and Wildlife Conservation Council, Monroe County, the Department of Community Affairs and other relevant interests. Using best available data, the committee was directed to adjust the Tier I and Tier IIIA boundaries to more accurately reflect the criteria for that Tier as amended by Final Order DCA07-GM-166A and implement the Florida Keys Carrying Capacity Study.

Status: This strategy is partially complete.

Monroe County's permit allocation and Tier System were developed to direct growth to areas served by paved roads, electricity, potable water and sewer and to guide development away from sensitive environmental areas. Monroe County adopted the Tier System criteria and Tier Overlay District Maps into the Land Development Regulations in March 2006. The Department's final orders approving these amendments were challenged in July 2006.[1] The Final Order issued for the challenged Tier Overlay District Maps requires Monroe County to complete additional refinements to address map inaccuracies and revise certain challenged Tier System criteria.

The Department has established a Tier Designation Review Committee with representation from the Florida Fish and Wildlife Conservation Commission, the Department of Environmental Protection, the United States Fish and Wildlife Services, Monroe County, the environmental community and other relevant interests.

While this strategy is partially complete, significant funding, time, and effort have been expended in creating maps and conducting approximately 80 hours of committee meetings to evaluate the tier designations. The recommendations are currently being considered by the Monroe County Planning Commission.

During the past year, the Tier Designation Review Committee has reviewed 3,200 parcels to consider the appropriateness of the tier designation. The County hired a consultant who assisted the County biologists and committee members in conducting site visits. The committee conducted public hearings and heard testimony from the property owners prior to making a final recommendation regarding the parcel's designation. A court reporter was employed to ensure proper record keeping. Aerial photography notebooks were mailed to each committee member prior to the 5 committee meetings. Two of the committee members and DCA staff traveled to the Keys to participate in the meetings. The Monroe County Board of County Commissioners will take action on the proposed adjustments to the Tier I and Tier IIIA boundaries during the first quarter of 2011.

[1] State of Florida, Department of Community Affairs Final Order DCA07-GM-166A (DOAH Case No. 06-2449GM)

30-Day Report Strategy: The Administration Commission directed the local governments to develop a process to coordinate the acquisition of land for which building permits have been denied for four years for property located within an area targeted for land acquisition. Depending upon the natural resources of the parcel and available funds, the Division of State Lands will consider the parcel for purchase. The County Land Authority shall submit a report annually on the land acquisition funding and efforts in the Florida Keys.

Status: The coordination process has been adopted into the comprehensive plans by Monroe County and the Village of Islamorada. Marathon anticipates transmitting a plan amendment adopting the procedure within the next 30 days.

The coordination procedure was developed to ensure that the Division of State Land or the local government has an opportunity to offer to purchase environmentally sensitive land that has been targeted for acquisition prior to the local government offering a building permit through the administrative relief procedure. During this period, Monroe County purchased two parcels scheduled for administrative relief. The Village of Islamorada and the City of Marathon had no applications for Administrative Relief.

Land acquisition and management is also a critical component to the protection of the natural resources and quality of life in the Florida Keys. The Monroe County Land Authority is empowered to acquire and dispose of property for a range of public purposes, including recreation, affordable housing, environmental protection, and the protection of private property rights. The Land Authority serves all the Keys, not just unincorporated Monroe County.

Monroe County adopted a Land Acquisition and Management Master Plan in August 2006 to address strategies, funding, and non-funding sources for acquisition and management of conservation lands, retirement of development rights, and acquisition of affordable housing sites. This report projected a need for approximately $443 million to purchase lands targeted for acquisition.

The Land Authority receives funding from two sources of recurring revenue. One source contributes approximately $400,000 per year from a surcharge on admissions and overnight occupancy at state parks within the Florida Keys Area of Critical State Concern. Additionally, the Land Authority receives a half-cent of tourist impact tax revenue charged on lodging in the Keys, which generates approximately $1 million per year within both the Florida Keys Area of Critical Concern and the Key West Area of Critical Concern. However, revenue generated within the City of Key West and provided to the Land Authority must be spent within the area where the funding was collected. During the 2009-2010 work program reporting year, the Land Authority acquired 19.9 acres (35 parcels) for $674,423. The Department of Environmental Protection has also acquired an additional 5 parcels, totaling 33.84 acres, for $7,605,013.94. No land was purchased by Islamorada or Marathon during this year. Marathon and the County submitted applications for land acquisition financing this year, however neither application has been funded to date. Marathon submitted an application to the Coastal

Zone Management Program and may receive funding from Department of Environmental Protection toward the acquisition of Boot Key Island. Islamorada did not apply for funding.

Clearing Tropical Hardwood Hammock

30-Day Report Strategy: The Department and the Florida Keys communities were directed by the Administration Commission to collaboratively evaluate the adopted clearing limits for high and moderate quality hammocks and to make recommendations to bring parity between the local governments and to strengthen the protection of hardwood hammocks. If necessary, amend the comprehensive plan to implement the recommendations.

Status: This strategy is partially complete. The recommendations need to be amended into the comprehensive plan and land development regulations.

This strategy requires the collaboration between Monroe County, Marathon, and Islamorada, to evaluate the adopted clearing limits for high and moderate quality tropical hardwood hammocks. The allowable amount of clearing of hardwood hammock is determined by the quality of the hammock. Both Marathon and Islamorada classify hammock as low, moderate, or high quality. Monroe County classifies Tier I as high quality; Tier II as moderate quality and Tier III and Tier IIIa (Special Protection Area) as low quality.

Monroe County implements its clearing limits through the Tier System. The Tier system assigns the Tier designation for parcels based on the extent of hammock. Parcels designated Tier I contain large intact hammocks and allow clearing of 20 percent of the native vegetation on the site. Islamorada and Marathon allow parcels that are vegetated with high quality hammock to clear 10 percent. Islamorada considers any parcel consisting of 5 acres of hammock to be high quality, whereas Marathon requires 12.5 acres to be considered high quality. The County originally mapped any 4 acre contiguous hammock or land targeted for acquisition by the state as Tier I – high quality hammock.

In Monroe County, parcels designated Tier IIIa Special Protection Area that contain significant hammock fragments may clear 40 percent of the native vegetation on the site or 3,000 square feet, whichever is greater; however, the total clearing of native vegetation cannot exceed 7,500 square feet. Parcels that are 18,075 square feet are at the breakeven point, where 40 percent clearing equals the 7,500 square foot clearing maximum. All parcels greater than 18,075 square feet are limited to 7,500 square feet of clearing. Islamorada and Marathon allow 30 percent clearing in moderate quality hardwood hammock with no cap on clearing.

The local governments also have additional land development regulations that address clearing where lots have been united in order to gain points in the competitive building permit allocation system.

Islamorada and Marathon use site evaluation processes to determine the quality of the hammock and the clearing allowed on a parcel. The following chart compares the clearing limits for the three local governments based on lot size and quality of hammock.

Existing Scenarios: Permitted Clearing by Lot Size in Square Feet				
High Quality Hammock Clearing Allowed				
Lot Size	**Monroe (Tier I)**		**Marathon**	**Islamorada**
	20% Clearing		10% Clearing	10% Clearing
108,900	21,780		10,890	10,890
87,120	17,424		8,712	8,712
65,340	13,068		6,534	6,534
43,560	8,712		4,356	4,356
25,000	5,000		2,500	2,500
20,000	4,000		2,000	2,000*
15,000	3,000		1,500	1,500*
10,000	2,000		1,000	1,000*
5,000	1,000		500	500*
3,000	600		300	300*
Moderate Quality Hammock Clearing Allowed				
Lot Size	**Monroe (Tier II)** 40% Clearing (Big Pine & No Name)	**Monroe (Tier III-A)** 3,000 or 40% but no more than 7,500	**Marathon** 30% Clearing	**Islamorada** 30% Clearing
108,900	43,560	7,500	32,670	32,670
87,120	34,848	7,500	26,136	26,136
65,340	26,136	7,500	19,602	19,602
43,560	17,424	7,500	13,068	13,068
25,000	10,000	7,500	7,500	7,500
20,000	8,000	7,500	6,000	6,000*
15,000	6,000	6,000	4,500	4,500*
10,000	4,000	4,000	3,000	3,000*
5,000	2,400	3,000	1,500	1,500*
3,000	1,200	3,000	900	900*
Low Quality Hammock Clearing Allowed				
Lot Size	**Monroe (Tier III)**		**Marathon**	**Islamorada**
	3,000or 40% but no greater than 7,500		50% Clearing	50% Clearing
108,900	7,500		54,450	54,450
87,120	7,500		43,560	43,560
65,340	7,500		32,670	32,670
43,560	7,500		21,780	21,780
25,000	7,500		12,500	12,500
20,000	7,500		10,000	10,000
15,000	6,000		7,500	7,500
10,000	4,000		5,000	5,000
5,000	3,000		3,000	3,000
3,000	3,000		1,500	1,500
*Residential Medium (RM) future land use categories that score as High or Moderate quality and are one-half acre or less in size may allow 50 percent clearing.				

Scenarios Resulting from Recommendations by Lot Size in Square Feet				
High Quality Hammock Clearing Allowed				
Lot Size	**Monroe (Tier I)**		**Marathon**	**Islamorada**
	3,000 or 20% but no greater than 7,500		3,000 or 10% but no greater than 7,500	3,000 or 10% but no greater than 7,500
108,900	7,500^		7,500^	7,500^
87,120	7,500^		7,500^	7,500^
65,340	7,500^		6,534^	6,534^
43,560	7,500^		4,356^	4,356^
25,000	5,000^		3,000^	3,000^
20,000	4,000^		3,000^	3,000^
15,000	3,000^		3,000^	3,000^*
10,000	3,000		3,000	3,000*
5,000	3,000		3,000	3,000*
3,000	3,000		3,000	3,000*
Moderate Quality Hammock Clearing Allowed				
Lot Size	**Monroe (Tier II)** 3,000 or 40% but no greater than 7,500 (Big Pine and No Name)	**Monroe (Tier III-A)** 3,000 or 40% but no greater than 7,500	**Marathon** 3,000 or 30% but no greater than 7,500	**Islamorada** 3,000 or 30% but no greater than 7,500
108,900	7,500	7,500	7,500	7,500
87,120	7,500	7,500	7,500	7,500
65,340	7,500	7,500	7,500	7,500
43,560	7,500	7,500	7,500	7,500
25,000	7,500	7,500	7,500	7,500
20,000	7,500	7,500	6,000	6,000
15,000	6,000	6,000	4,500	4,500*
10,000	4,000	4,000	3,000	3,000*
5,000	3,000	3,000	3,000	3,000*
3,000	3,000	3,000	3,000	3,000*
^ In High Quality Hammock, one driveway of reasonable configuration shall not count toward the clearing area in order to provide reasonable access to the property. *Residential Medium (RM) future land use categories that score as High or Moderate quality and are one-half acre or less in size may allow 50 percent clearing.				
Low Quality Hammock Clearing Allowed				
Low Quality Hammock distinction removed.				

Conclusions

In high quality hammock areas, Monroe County allows twice as much clearing as Islamorada and Marathon. The 10 percent allowed by the two municipalities is low for lots less than 15,000 square feet in size and may result in a clearing allowance that is not large enough to provide a buildable area. In the County, the amount of clearing allowed is high for lots 1 acre in size and larger.

Regarding moderate quality hammock, the municipalities allow a greater amount of clearing for lots over 15,000 square feet but lesser amounts of clearing for lots smaller than 5,000 square feet.

Consensus Recommendations: As a result of this analysis by the planning staff from the Department of Community Affairs, Monroe County, the city of Marathon and the Village of Islamorada, the following recommendations were made:

1. In Monroe County, the clearing of lots in Tier I shall be limited to 7,500 square feet per principal dwelling unit and associated accessory structures per buildable acres. For lots greater than 10,000 square feet, clearing for one driveway of reasonable configuration up to 18 feet in width is permitted for each parcel and shall be exempt from the clearing limitations to provide reasonable access to the property. Clearing for a driveway that is exempt from clearing limits shall be recommended by a County biologist and approved by the Planning Director. In no case shall clearing exceed 20 percent of the entire site.
2. In Monroe County, the clearing of lots in Tier II (Big Pine and No Name Key) shall be limited to 3,000 square feet or 40 percent, whichever is greater; however, clearing shall not exceed 7,500 square feet, regardless of the amount of upland native vegetation.
3. In Monroe County, add clearing limits for Tier IIIa (Special Protection Area). Clearing of Tier IIIa (Special Protection Area) shall be limited to 3,000 square feet or 40 percent, whichever is greater; however, clearing shall not exceed 7,500 square feet, regardless of the amount of upland native vegetation.
4. In Marathon, limit clearing of high quality hammock to a 7,500 square foot footprint for the principle structure. Additionally, allow one driveway no wider than 18 feet per parcel in high quality hammock that is exempt from clearing requirements; however, in no case shall clearing exceed 10 percent of the entire site.
5. In Islamorada and Marathon, limit the clearing of moderate quality hammock to 7,500 square feet or 30 percent, whichever is less.
6. For Marathon, Islamorada, and Monroe County, a minimum clearing area of 3,000 square feet shall be allowed to provide reasonable use of property.
7. Revise Monroe County Policy 101.5.4(3) to allow ROGO points for aggregated Tier IIIa Special Protection Area lots provided that no more than 7,500 square feet of upland native vegetation clearing is proposed.
8. Revise Monroe County Comprehensive Plan lot aggregation policies, land development regulations, and Rule 28-20.120(4)(e), F.A.C., to limit clearing of aggregated lots that

receive points in the building permit allocation system from 5,000 square feet to a maximum of 7,500 square feet.

9. Revise Marathon Land Development Regulations to require that any parcel located within a contiguous hammock 5 acres in size shall be considered high quality hammock.
10. Eliminate the distinction between low and moderate quality hammock.

Water Quality

30-Day Report Strategy: The Administration Commission directed the local governments to continue implementation of the Wastewater Master Plan, to define construction schedule by phases, to develop facility plans and secure funding to implement the plan. Local governments were also directed to complete projects identified in the Stormwater Management Master Plan.

Status: This task is incomplete.

The construction of modern, centralized wastewater infrastructure is essential to the marine environment, public health, and quality of life and economy of the Florida Keys. Both the Florida Legislature and the Florida Cabinet, acting as the Administration Commission, through the Area of Critical State Concern Work Program, have established specific requirements for completion of central wastewater facilities. Beginning in 1987, the Administration Commission promoted a comprehensive wastewater system strategy for the Keys. The strategy involves construction of local government wastewater facilities, higher levels of treatment, better methods of disposal, and elimination (through connection to the central systems) of small, older wastewater plants and most septic tanks and cesspits. Based on significant evidence that poor water quality in the Keys was related to inadequate wastewater management, the Legislature enacted Section 6 of Chapter 99-395, Laws of Florida, as amended, to require all sewage facilities in Monroe County, including septic tanks, package plants and cesspits, to comply with the treatment standards by 2010.

2015 Wastewater Treatment Standards

Wastewater facilities having design capacities of less than 100,000 gallons per day and onsite sewage treatment and disposal systems.

a. Biochemical Oxygen Demand (CBOD5) of 10 mg/l.
b. Suspended Solids of 10 mg/l.
c. Total Nitrogen, expressed as N, of 10 mg/l.
d. Total Phosphorus, expressed as P, of 1 mg/l.

Wastewater facilities having design capacities greater than or equal to 100,000 gallons per day.

a. Biochemical Oxygen Demand (CBOD5) of 5 mg/l.
b. Suspended Solids of 5 mg/l.
c. Total Nitrogen, expressed as N, of 3 mg/l.
d. Total Phosphorus, expressed as P, of 1 mg/l.

In November 2009, the Administration Commission also directed the Department of Community Affairs to place draft Administration Commission rules in abeyance while the Florida Keys communities proposed legislation to amend Chapter 99-395, Laws of Florida. The legislation was needed to extend the deadline from 2010 to 2015 for the upgrade of wastewater treatment facilities to advanced treatment standards. Senate Bill 550 was enacted and provided an additional 5 years for the local governments to seek financing and construct wastewater treatment facilities.

Marathon and the Key Largo Wastewater District are making good progress in building the facilities necessary to serve their citizens and protect local water quality. They have developed construction programs and financing plans and continue to take advantage of available state and federal resources to assist their efforts. Monroe County and Islamorada have stated hesitancy to continue moving forward unless the state and federal governments pay a much larger share of the cost of the facilities. Monroe County and Islamorada's serious funding shortages are slowing their progress. Additionally, Islamorada has experienced delays because of the Plantation Key facility lawsuit.

Marathon - Wastewater and Stormwater

Marathon has made great strides in providing central wastewater to the 7 wastewater sub-areas. Three of the 7 sub-areas are complete with connections increasing daily. Two systems are more than 85% complete. The Knight's Key facility was delayed by a lawsuit; however, the plant and collection system design is complete and construction is underway and anticipated completion date is December 2010. The Tom Harbor facility is under construction with completion anticipated in 2011. Marathon has the financing in hand to complete the construction of its planned wastewater facilities. Marathon's financing strategy includes more than $57 million in assessments. As of this writing, Marathon has completed 9% of the connections and has spent more than $11 million during the evaluation period on wastewater projects. Within this section is a table that indicates the progress of planned connections for each facility in the Keys.

As the wastewater collection lines are installed, Marathon is also constructing stormwater treatment facilities. Marathon has applied for and received $300,000 in stormwater funding. In addition, two direct stormwater discharges were eliminated this year.

Monroe County - Wastewater and Stormwater

The Key Largo Wastewater District spent $46 million this year on wastewater projects and received $12 million in grants this year. The total cost of the facility is estimated at $121 million with assessments of $5,000 per user. The District is currently inspecting final residential connections at a rate of approximately 100 per week.

The County has upgraded the Hawk's Cay facility and construction is underway to serve residents on Duck Key. The County has $9.6 million in committed funds for fiscal year 2011 and another $3 million in committed funds in fiscal year 2012. Construction of the Big Coppitt facility is complete and more than 70% of connections have been made.

The design for the Cudjoe Regional facility is complete, but is not expected to be bid out until February 2011. Funding for the Cudjoe facility has not been identified and assessments have not been levied. The projected cost for the facility is approximately $180 million with connection fees estimated at $23,000 per household. It is unlikely that the County will be able to complete this system by the 2015 deadline. If committed funding is not identified quickly, the County should designate the area as a non-service area and take steps to notify residents of their responsibility to upgrade the existing septic systems and package plants and develop an enforcement program in conjunction with the Department of Health and the Department of Environmental Protection. The County has agreed to schedule an agenda item during the first quarter of 2011 to discuss assessments for the Cudjoe Regional facility.

Construction of stormwater facilities was completed at mile marker 11-12 through an agreement with the Florida Department of Transportation. Monroe County has also applied for stormwater funding and received $250,000.

Islamorada - Wastewater and Stormwater

There has been inadequate progress in the construction of central wastewater facilities to bring about improvement of near shore water quality as required by Section 380.0552, F.S. Islamorada has refunded approximately $4 million in property assessments that had been collected for the construction of central wastewater facilities and has returned over $5 million in funding from the Environmental Protection Agency that would have upgraded septic tanks. Islamorada also returned over $6 million in funding from the Army Corps of Engineers. As a result, Islamorada was unable to execute loan agreements offered by the Department of Environmental Protection for another $6 million for the construction of wastewater facilities. Consequently, more than $22 million has been forfeited. Islamorada does not have a viable plan or funding to meet the December 2015 deadline for meeting the advanced wastewater treatment standards required by Section 403.086(10) and Section 381.0065(4)(1), F.S.

Islamorada and the Plantation Key contractor are in litigation. The litigation and equipment failures have contributed to the lack of progress in constructing wastewater. A contingent from Islamorada recently travelled to a suburb outside of Mobile, Alabama to view a Septic Tank Effluent Pump (STEP) system as a wastewater management option. The costs and feasibility of these systems have not yet been determined. Islamorada is also negotiating with the Key Largo Wastewater District to treat wastewater originating in the Village of Islamorada.

Islamorada did not apply for stormwater funding and has not identified any stormwater projects in the 30-Day Report or the capital improvements program.

Wastewater Connection Progress

Monroe	Potential EDUs	Connected EDUs	Assessment	Total Assessment to be Collected	Percent Connected
Baypoint	429	379	2,700	1,158,300	88%
Conch Key	150	112	2,700	405,000	75%
Duck Key	1,302	909	4,500	5,859,000	70%
Big Coppitt	1,711	1,237	4,500	7,699,500	72%
Stock Island	1,100	1,000	2,700	2,970,000	91%
Basin a	1,066	175	4,970	5,298,020	16%
Basin b	1,784	165	5,050	9,009,200	9%
Basin c	1,034	393	5,050	5,221,700	38%
Basin d	1,004	379	4,970	4,989,880	38%
Basin e	1,353	1,035	4,770	6,453,810	76%
Basin f	2,470	93	5,200	12,844,000	4%
Basin g	2,051	0	5,200	10,665,200	0%
Basin h	768	0	5,200	3,993,600	0%
Total Monroe	16,222	5,877		$ 76,567,210	36%
Islamorada	9,268	750			8%
Marathon	10,087	880	5,730	$57,798,510	9%

Recommendations

- The Department recommends that Marathon continue with its excellent progress on completing wastewater and stormwater projects.

- The Department encourages Monroe County to identify funding for the Cudjoe wastewater system or develop an alternate plan to consider the area a non-wastewater service area and determine how upgrades and enforcement will be implemented.

- The Department encourages the Village of Islamorada Council to make a decision regarding how wastewater treatment facilities will be upgraded; and to submit a wastewater construction schedule that can be adopted into a rule or designate Islamorada a non-service area and develop a notification and enforcement procedure that will ensure that package plants and onsite sewage treatment and disposal systems will meet the 2015 treatment standards.

Hurricane Evacuation

Introduction

One of the guiding principles of growth management is the protection of public health, safety and welfare. The most common threat to public safety in the Florida Keys is the potential loss of life and property from storm surge, flooding, and high winds associated with hurricanes. The Florida Keys are located within an area of high hurricane activity. The area's elongated configuration of coastal barrier islands, single evacuation route, and extensive shoreline in a high hazard zone make the area extremely vulnerable. US Highway 1 is a long causeway (146 miles) connecting multiple islands, with the majority of the roadway segments limited to two lanes. Widening the two lane segments of US Highway 1 is impractical due to potential marine, wetlands and sea grass impacts, engineering constraints, cost, etc. Past efforts in 2000 to widen the highway resulted in litigation. Since 2000, some improvements have included the elevation and addition of a northbound lane along the 18 Mile Stretch of US Highway 1 and the replacement of Jew Fish Bridge.

The ability to safely evacuate the Florida Keys in the event of a hurricane is a limiting factor that affects growth in the Florida Keys. The Florida Division of Emergency Management requires that barrier islands be evacuated during category 3-5 hurricanes and also discourages the construction of hurricane shelters. Any population remaining during a mandatory evacuation would be vulnerable after a hurricane event due to potential damage to bridges, water supply and electricity. Power and potable water originate in Florida City on the mainland. There are no designated hurricane shelters within Monroe County for major hurricane events because the Florida Keys are coastal barrier islands.

Further, hurricane evacuation within the Florida Keys is regulated by Section 380.0552, F.S., which provides the following regarding hurricane evacuation:

> (9) MODIFICATION TO PLANS AND REGULATIONS.—
>
> (a) Any land development regulation or element of a local comprehensive plan in the Florida Keys Area may be enacted, amended, or rescinded by a local government, but the enactment, amendment, or rescission becomes effective only upon approval by the state land planning agency. The state land planning agency shall review the proposed change to determine if it is in compliance with the principles for guiding development specified in Chapter 27F-8, Florida Administrative Code, as amended effective August 23, 1984, and must approve or reject the requested changes within 60 days after receipt. Amendments to local comprehensive plans in the Florida Keys Area must also be reviewed for compliance with the following:
>
> 1. Construction schedules and detailed capital financing plans for wastewater management improvements in the annually adopted capital improvements element, and standards for the construction of wastewater treatment and disposal facilities or collection systems that meet or exceed the criteria in Section 403.086(10), F.S. for wastewater treatment and disposal facilities or Section 381.0065(4)(l), F.S., for onsite sewage treatment and disposal systems.

2. Goals, objectives, and policies to protect public safety and welfare in the event of a natural disaster by maintaining a hurricane evacuation clearance time for permanent residents of no more than 24 hours. The hurricane evacuation clearance time shall be determined by a hurricane evacuation study conducted in accordance with a professionally accepted methodology and approved by the state land planning agency.

30-Day Report Strategy: The Administration Commission directed the Department of Community Affairs and Monroe County to update the data for the Florida Keys Hurricane Evacuation Model utilizing professionally acceptable sources of information such as the Census, American Communities Survey, Bureau of Business and Economic Research, and other studies.

Status: This strategy is complete

Since adopting its first comprehensive plan, Monroe County has recognized the finite ability to evacuate its population safely with only one route out of the Keys and has limited the number of new dwelling units that can be constructed annually to ensure the safe evacuation of the public. The comprehensive plans for the Florida Keys communities contain policies requiring the maintenance of a 24 hour hurricane evacuation clearance time for major storms. Other policies include a phased evacuation procedure that is implemented 48 hours prior to the forecasted landfall of tropical storm winds.

The Department has utilized the Florida Keys Hurricane Evacuation Model (also known as the "Miller Model") to determine hurricane evacuation clearance time for the Florida Keys since 1999. The Florida Keys Hurricane Evacuation Model evolved from a US Army Corps of Engineers Traffic Flow model that was modified by the Post, Buckley, Shuh & Jernigan consulting firm in 1990.

In 2001, the model indicated that evacuation clearance time was 25 hours and 32 minutes. This clearance time was based upon the simultaneous evacuation of tourists and permanent residents. In 2005, a Hurricane Evacuation Committee convened by the Department of Community Affairs recommended the formal adoption of an existing practice that advised tourists to evacuate 48 hours prior to the forecasted landfall of tropical storm winds. Each local government, with the exception of the city of Key West, adopted the phased evacuation procedure into its comprehensive plan. Using phased evacuation, the evacuation clearance time was reduced to 22 hours and 6 minutes.

To address direction provided by the Administration Commission to update the Florida Keys Hurricane Evacuation Model, the Department assembled a technical focus group that included several transportation engineers and behavior experts who have developed evacuation models in Florida. Human behavioral expert, Dr. Jay Baker from Florida State University also participated on the focus group. The Florida Department of Transportation provided funding to update human behavioral studies in Monroe County. The Florida Department of Transportation also engaged Dr. Brian Wolshon, an expert on transportation and emergency evacuation from

Louisiana State University, to provide input regarding the Florida Keys Model. The technical focus group has conducted numerous meetings over the past two years to evaluate hurricane modeling approaches.

The technical focus group reviewed the Florida Keys Hurricane Evacuation Model assumptions and variables and noted that, while there are more modern dynamic models available, the Florida Keys Hurricane Evacuation Model is an "acceptable" mechanism to measure clearance time.

The technical focus group recommended that the highway capacity levels be re-evaluated. Highway capacity levels represent the number of cars that can be processed through a particular link per hour. Capacity levels assumed in the Florida Keys Hurricane Evacuation Model were established by a 1999 committee of state and local representatives. The committee used the Florida Highway Capacity guide to establish the capacity of each link and reduced the highway capacity by up to 30 percent to account for background traffic and side friction created by automobiles entering the highway. The technical focus group recommended that the Florida Department of Transportation conduct additional traffic studies and update the link capacities to provide more confidence on the capacity numbers utilized in the model.

As a result of the focus group discussion, the Florida Department of Transportation consulted with professional transportation engineers to evaluate the sustainable capacity of US Highway 1 and made adjustments to the capacity for the various links. These adjustments resulted in an overall decrease in capacity. Additionally, the technical focus group recommended that the Florida Department of Transportation provide a table indicating any changes to the evacuation clearance time that have resulted from the improvements to US Highway 1 that have been completed to date and to project any changes that would result to the evacuation clearance time from any funded improvements listed in the Florida Department of Transportation 5 Year Construction Plan.

The technical focus group discussed the need to clarify the definition of clearance time. Utilizing phased evacuation, clearance begins when the permanent population has received the evacuation order for a Category 3-5 hurricane event and ends when the last car arrives at U.S. Highway 1 at the Florida Turnpike in Homestead/Florida City. This definition is based in part on an Administrative Law Judge's Final Order (DOAH Case No. 04-2756RP). This location is preferred as it is situated outside the Category 3 vulnerability zone concurrent with behavioral studies, and allows for the dispersal of Florida Keys evacuees into multiple directions. Additionally, human behavioral studies indicate that less than 3 percent of the population will go to emergency shelters, so an out-of-county terminus is warranted**. The Department recommends adding this definition of clearance time to the draft rules.**

30-Day Report Strategy: Monroe County shall enter into a memorandum of understanding with the Department of Community Affairs (DCA), 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 DCA to accurately depict evacuation clearance times for the population of the Florida Keys.

Status: This strategy is incomplete.

The Department has not engaged the local governments to develop the memorandum of understanding. Instead the Department has invested significant time in exploring hurricane evacuation clearance time models and obtained guidance from a number of experts. During this exploratory phase, the Department worked with the Division of Emergency Management and the South Florida Regional Evacuation Study's uniform modeling methodology. During this evaluation it has become clear that the outcomes of the model runs are influenced more by the assumptions of the model than the type of model used. It will be necessary through model run scenarios how the assumptions of the model impact clearance time in order to develop the memorandum of understanding.

Monroe County Hurricane Evacuation Study

To advance the reliability of the Florida Keys Hurricane Evacuation Model, Monroe County hired Dr. Reid Ewing to update the Florida Keys Hurricane Evacuation Model with current dwelling unit data and to reflect the phasing evacuation procedures. The Florida Keys Hurricane Evacuation Model has been updated using the best available data from recent transportation and behavioral studies, the 2000 Census, American Communities Surveys, and building permit data through 2008. The Ewing report can be found in the Technical Appendix. Table 32 of the report provides results for several scenarios. The hurricane evacuation scenarios below assume:

- Tourists and mobile home occupants responded to the early evacuation notice;
- One hundred percent of the mobile home occupants participate in the evacuation;
- The response curve is 12 hours;
- The storm event calls for an evacuation of Monroe County only; and
- The evacuation event is modeled to US Highway 1 at the Florida Turnpike in Homestead/Florida City.

Table 32 Highway Configuration	Low Occupancies (27-67%)		High Occupancies (32-84%)	
	Scenario 1: Low Participation (70-75%)	**Scenario 2: High Participation (90-95%)**	**Scenario 3: Low Participation (70-75%)**	**Scenario 4: High Participation (90-95%)**
A. 2001 Lanes/Miller Flow Rates	16 hours 16 minutes	18 hours 50 minutes	18 hours 32 minutes	22 hours 6 minutes
B. 2001 Lanes/FDOT Flow Rates	18 hours 58 minutes	22 hours 28 minutes	22 hours 8 minutes	27 hours 2 minutes
C. 2015 Lanes/FDOT Flow Rates	16 hours 16 minutes	16 hours 16 minutes	16 hours 16 minutes	18 hours 40 minutes
D. 2015 Lanes/FDOT Flow Rates **(without shoulder from mile marker 90 to mile marker 106)**	16 hours 16 minutes	17 hours 16 minutes	17 hours 4 minutes	20 hours 16 minutes

Line A of the table provides the evacuation clearance time scenarios based upon the traffic flow rates used in the original Florida Keys Model combined with phased evacuation. Line A of the table is based on the capacity of US Highway 1 in the year 2000. The Florida Department of Transportation is the agency with the authority to determine the sustainable traffic flows of US Highway 1; therefore this scenario has only been included as a historical reference.

Line B of the table provides four scenarios when combined with the values from the Occupancy Rate of permanent dwelling units. Scenario 1 utilizes the updated sustainable flow rates for US Highway 1. Scenario 1 assumes a low participation rate of 70-75% of the permanent population will evacuate and assumes a low occupancy rate of permanent dwelling units of 27 to 67 percent. Scenario 1 provides an evacuation clearance time of 18 hours and 58 minutes. If the participation rate is increased to 90-95% from Scenario 2, the evacuation clearance time rises to 22 hours and 28 minutes.

Line B, Scenario 3 also provides an evacuation clearance time based upon low participation rate of 70-75% of the permanent population with a higher occupancy rate of 32-84 percent of the permanent dwelling units. **This result provides an evacuation time of 22 hours and 8 minutes.**

Line C of the table provides a projection of the evacuation time in 2015. The model assumes that all the work projects included within the Florida Department of Transportation 5-year plan have been constructed and that a continuous enhanced shoulder 10 feet wide has been added between mile markers 90-106 that would count toward evacuation capacity. This scenario provides a clearance time of less than 24 hours using low and high participation and low and high occupancy rates.

Line D of the table provides a projection of the evacuation time in 2015. The model assumes that all the work projects that have been included within the Florida Department of Transportation 5 Year Plan have been constructed and that an enhanced shoulder four feet wide

has been added between mile markers 90-106 that would count toward evacuation capacity. This scenario provides a clearance time of less than 24 hours using low and high participation and low and high occupancy rates. This scenario does not include the potential 2015 population and additional dwelling units.

Scenario 3 with the high participation rate, low occupancy rate and clearance time of 22 hour and 8 minutes is the evacuation clearance time that DCA supports as the most probable and the most credible. This scenario is based upon limited data provided by the American Communities Survey and the limited survey may not provide data that is reliable enough for county-wide application. The occupancy rate of permanent dwelling units needs to be monitored and confirmed when the 2010 Census data is released.

Lines C and D and the resulting scenarios do not include an evaluation of the time necessary to set up cones on the bridges or requirements for dedicated police officers at each bridge to direct traffic. In addition, the Monroe County Board of County Commissioners adopted a resolution indicating support for only four feet of the proposed ten feet shoulder enhancements proposed by the Florida Department of Transportation between mile markers 90-106. The Department agrees that the enhancements will improve safety conditions and allow for emergency vehicles and areas for vehicles to be pushed off the highway. The Department does not have sufficient information to support the 2015 projection scenario that uses shoulder enhancement as the basis for capacity.

Division of Emergency Management Statewide Studies

Section 163.3178, F.S., requires the Division of Emergency Management to manage the update of the statewide hurricane evacuation studies, ensure that the studies are done in a consistent manner, and ensure that the methodology used for modeling storm surge is that used by the National Hurricane Center. The Division of Emergency Management has contracted with Florida's Regional Planning Councils to carry out statewide regional evacuation studies in collaboration with county emergency management agencies to facilitate consistent methodology integrated mapping and analysis of evacuations across Florida. The model includes updated elevation data, surge modeling, behavioral analysis and an evacuation transportation analysis.

Section 163.3178, F.S., also requires comprehensive plans to address hazard mitigation and protection of human life against the effects of natural disaster, including the capability to safely evacuate the density of coastal population proposed in the future land use plan element in the event of an impending natural disaster. Further, local governments must maintain their adopted level of service for out-of-county hurricane evacuation for a category 5 storm event.

The Division of Emergency Management has developed a statewide modeling approach that included hazards, behavioral, shelter and regional evacuation transportation networks analysis. Behavioral surveys were conducted in each region. Planning assumptions regarding evacuation participation rates, perception of risk, destination assignments, and vehicle usage, were identified. The surge zones for each region were delineated. The analysis considers a wide variety and complexity of regional evacuations and multiple scenarios. The modeling tested

various evacuation routes, timing strategies, shelter/refuge strategies, and traffic control measures in order to minimize clearance times.

Regional (multi-county) and multi-regional impacts, as well as impacts from or evacuees crossing from one county to another to other counties in the state were evaluated. Impacts on county and regional shelter supply, and the county and regional evacuation routes clearance times were determined based on scenarios, which affect part of the region, the entire region, and multiple regions. The modeling analyzes how evacuation can be handled for multiple regions evacuating at the same time

For example, the South Florida Regional Evacuation Study, sponsored by the Division of Emergency Management, is based on values that are proximal to the Florida Keys Model which yields a similar evacuation clearance time, relying upon similar assumptions. The South Florida Regional Evacuation Study model and the Florida Keys Model utilize the 2000 Census data updated by subsequent building permit data provided by the local governments. Both models utilize occupancy rates, participation rates, response curves, and the revised flow rate capacities for US Highway 1 provided by the Florida Department of Transportation. Both models assume that tourists and mobile home occupants left when the phased evacuation order was issued.

The primary differences between the models pertain to participation and occupancy rates. The South Florida Regional Evacuation Study model uses a participation rate of 100 percent in its base scenario instead of the 90-95 percent participation rate used in the Florida Keys Hurricane Evacuation Model. The South Florida Regional Evacuation Study model relies upon the 2000 Census data for the occupancy rate because the Census data is more reliable with a broader base. The Florida Keys Model discounts the occupancy rate by 20 percent in recognition of the American Communities Survey which shows a decline in the occupancy rate for permanent units

Consistent with Section 163.3178, F.S., the base scenario of the South Florida Regional Evacuation Study will be used to evaluate requests for plan amendments that increase density and intensity within the Coastal High Hazard Area. Operational scenarios depict evacuation from Monroe County based upon hurricanes approaching from different directions. Operational scenario 8 of the operational scenarios indicates that the evacuation time for permanent residents with no other area being evacuated is currently **22 hours and 30 minutes.**

While the South Florida Regional Evacuation Study results have not been published at the time of report preparation, preliminary results indicate that **a regional evacuation** from Monroe County and Miami-Dade County for an order requiring **simultaneous** evacuation w**ould result in a clearance time that exceeds 24 hours.**

Conclusions

The hurricane evacuation clearance time has been estimated utilizing different models, highway configurations and behavioral data. The resulting clearance times are between 16 hours and 16 minutes to 27 hours and 2 minutes. Both the Florida Keys Models and the South Florida Regional Evacuation Study provide model runs that reflect a clearance time of 22 hours and up

to 30 minutes. Over the past two years the Department has updated the Florida Keys Hurricane Evacuation Model assisted by numerous technical experts. It is clear that hurricane evacuation models provide different outcomes based upon the assumptions made.

When reliable data are available, additional modeling should be done to evaluate how hurricane evacuation clearance time will be affected by the increase and distribution of development along US Highway 1 and the increase in occupancy of permanent units that are occupied on a seasonal basis. The results of the 2010 Census will begin their release in April 2011, with other data such as demographic profiles, summary files of aggregated data, and reports becoming available through September 2013. The 2010 Census data should be used to refine the occupancy rate for future model scenarios.

The Department proposes to conduct workshops over the next six months with the local governments, the Division of Emergency Management, and the South Florida Regional Planning Council to discuss the Memorandum of Understanding, evaluate the model parameters and the modifiable assumptions of the model. The Memorandum of Understanding should address the model that will be utilized as well as the assumptions that will be employed by the local governments and the Department to run the model. Workshop discussions will also include an evaluation of the continued usefulness of the Florida Keys Hurricane Evacuation Model. The model was created more than ten years ago and more sophisticated, dynamic models are currently available, such as the South Florida Regional Evacuation Study. This model developed by the Division of Emergency Management which utilizes uniform criteria and modeling parameters that have been developed for use throughout Florida. The Memorandum of Understanding should address the model that will be utilized in the Florida Keys as well as the assumptions that will be employed by the local governments and the Department to run the model. The results of the evacuation clearance time are necessary to evaluate the number of new dwelling units that can be constructed in the Keys and still maintain the 24-hour hurricane evacuation clearance time.

Additional dialogue is needed among the Department, the Florida Keys local governments, the Division of Emergency Management and the Florida Department of Transportation to evaluate the use of South Florida Regional Hurricane Evacuation Study and to reach consensus on the assumptions that will be used in the model. Decisions are needed regarding the utilization of the South Florida Regional Hurricane Evacuation Study for hurricane evacuation in the future. Additional modeling should be conducted at the local government level to evaluate how evacuation clearance time is affected by the distribution of units along US Highway 1. A sensitivity test of the values and assumptions of the South Florida Regional Evacuation Study should be conducted.

Build Out Capacity of the Florida Keys

30-Day Report Strategy: 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 rulemaking to the Administration Commission.

Status: This strategy is incomplete.

Building permits in the Florida Keys have been limited to an annual building permit cap since 1996 in order to maintain a 24-hour evacuation clearance time. Monroe County, Marathon, and Islamorada allocate the permits based on a competitive point system which guides development toward areas with infrastructure and away from velocity zones and environmentally sensitive areas such as habitat for threatened or endangered species. When a building permit application is received, it is scored by the local government and enters the building permit allocation pool. The pool is evaluated at quarterly intervals and the top ranked applicants receive an allocation. Those applications that are not awarded remain in the building permit pool and accumulate perseverance points for a maximum of four years. Applicants that are not successful in obtaining a building permit within four years may continue to wait for an allocation. If the property is in an area targeted for land acquisition, the local government may offer to purchase the property. If the parcel is not located within an areas targeted for acquisition, the local government may grant a permit under the existing Administrative Relief provisions of the land development regulations. Table 1 below provides allocation by local government.

Table 1 - Annual Allocation by Local Government

Local Government	Annual Allocation
Monroe County	197
Marathon	30
Islamorada	28
Key West*	92
Layton	3
Key Colony Beach	10

*Key West currently has no annual allocation because it is prohibited from amending their plan until the EAR based amendments and other statutory requirements are met.

Land owners whose applications do not compete well in the building permit allocation system due to the environmental sensitivity of the parcel sometimes file lawsuits claiming the property has been taken by inverse condemnation. Regulations that have been adopted to protect

highly functioning wetlands and to limit clearing of tropical hardwood hammock that provides habitat for endangered species are often cited as the basis for filing Bert Harris Private Property Rights, or takings, cases against the local government and the Department of Community Affairs. These cases are expensive and time consuming to litigate. Currently, the Department is a co-defendant in nine cases, some with multiple petitioners. The Department has utilized the Office of the Attorney General to assist in litigating takings cases. Reducing the permit allocation in the Keys may increase the exposure to takings cases and must be carefully balanced against development limitations. As the Memorandum of Understanding is discussed, there will be concurrent workshops with local governments regarding allocations and distributions that will form the basis for a build-out scenario.

Exhibit 2

Table 1: Evaluation of Proposed Clearing Limits

	Parcel Size	Tier I			difference	Tier II and Tier III-A (SPA)			difference	
		20%	20% or 3,000 sf whichever is greater	max		40%	40% or 3,000 sf whichever is greater	max		
		Existing clearing limit	Proposed clearing limit	Proposed max of 7,500sf		Existing clearing limit	Proposed clearing limit	Proposed max of 7,500sf		
50x100	**5,000**	1,000	3,000	3,000	+2,000	2,000	3,000	3,000	+1,000	
60x100	**6,000**	1,200	3,000	3,000	+1,800	2,400	3,000	3,000	+600	
100x100	**10,000**	2,000	3,000	3,000	+1,000	4,000	4,000	4,000	0	
100x150	**15,000**	3,000	3,000	3,000	0	6,000	6,000	6,000	0	
100x187.5	**18,750**	3,750	3,750	3,750	0	7,500	7,500	7,500	0	
100x200	**20,000**	4,000	4,000	4,000	0	8,000	8,000	7,500	-500	
150x150	**22,500**	4,500	4,500	4,500	0	9,000	9,000	7,500	-1,500	
100x250	**25,000**	5,000	5,000	5,000	0	10,000	10,000	7,500	-2,500	
100x300	**30,000**	6,000	6,000	6,000	0	12,000	12,000	7,500	-4,500	
0.86 of an acre	**37,461**	7,492	7,492	7,500	+8	14,984	14,984	7,500	-7,484	
1 acre	**43,560**	8,712	8,712	7,500	-1,212	17,424	17,424	7,500	-9,924	parcels greater than 30,000sf, additional clearing allowed for a driveway up to 18ft in width
1.5 acres	**65,340**	13,068	13,068	7,500	-5,568	26,136	26,136	7,500	-18,636	
2 acres	**87,120**	17,424	17,424	7,500	-9,924	34,848	34,848	7,500	-27,348	
2.5 acres	**108,900**	21,780	21,780	7,500	-14,280	43,560	43,560	7,500	-36,060	
3 acres	**130,680**	26,136	26,136	7,500	-18,636	52,272	52,272	7,500	-44,772	
4 acres	**174,240**	34,848	34,848	7,500	-27,348	69,696	69,696	7,500	-62,196	
5 acres	**217,800**	43,560	43,560	7,500	-36,060	87,120	87,120	7,500	-79,620	

MONROE COUNTY PLANNING COMMISSION

RESOLUTION NO. _____

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS TO AMEND POLICIES 101.4.22, 101.4.24, 101.4.25 AND 205.2.7 OF THE MONROE COUNTY 2010 COMPREHENSIVE PLAN AND TO CREATE POLICY 101.4.23 TO ADDRESS THE CLEARING OF UPLAND NATIVE VEGETATION, AS REQUIRED TO ADDRESS THE TASKS IDENTIFIED IN THE 30-DAY REPORTS FROM THE ADMINISTRATION COMMISSION.

WHEREAS, the Monroe County Development Review Committee considered the proposed amendment at a regularly scheduled meeting held on the 7th day of June, 2011; and

WHEREAS, at a regularly scheduled meeting held on the 18th day of October, 2011, the Monroe County Planning Commission held a public hearing for the purpose of considering the transmittal to the State Land Planning Agency, for review and comment, a proposed amendment to the Monroe County Year 2010 Comprehensive Plan; and

WHEREAS, the Monroe County Planning Commission makes the following findings of fact and conclusions of law:

1. The proposed amendment implements the recommendations included in the 2008, 2009 and 2010 reports from the Administration Commission and the State Land Planning Agency (formerly the Department of Community Affairs) to Monroe County.

2. Monroe County, in conjunction with the State Land Planning Agency, evaluated the adopted clearing limits for tropical hardwood hammock and to make recommendations to strengthen the protection of hardwood hammocks.

3. The proposed amendment is internally consistent with the Monroe County Comprehensive Plan.

4. The proposed amendment is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern, Section 380.0552(7), Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA:

[Amendments are presented in ~~strikethrough~~ to indicate deletions and underline to indicate additions to text. A ll other words, characters, and language of this subsection remain un-amended.]

Section 1. The following amendment to the Monroe County 2010 Comprehensive Plan is recommended for transmittal to the State Land Planning Agency and adoption by the Board of County Commissioners as follows:

Policy 101.4.22

All development shall be subject to clearing limits defined by habitat and the location of the property in the Land Use ~~District (zoning) Overlay~~ Tier Overlay District Maps and the wetland requirements in Policy 102.1.1. The clearing limits of upland native vegetation areas (hardwood hammock, pinelands, and beach berm) for properties in the Ocean Reef planned development shall be limited to 40 percent of the existing upland native vegetation.

Except as defined in Policy 101.12.4, clearing of upland native vegetative areas (hardwood hammock, pinelands, beach berm, cactus hammock and palm hammock) in the Tiers I, II, ~~and~~ III and Tier III-A shall be limited ~~for~~ to the portion of the property containing upland native vegetation in the following percentages or maximum square footage:

Tier	Permitted Clearing *
I	20% or 3,000 square feet, whichever is greater; but no greater than 7,500 square feet of upland native vegetative area. The clearing of parcels in Tier I shall be limited to 7,500 square feet per parcel. For parcels greater than 30,000 s quare feet, with the exception of parcels on Big Pine Key and No Name Key, clearing for one driveway of reasonable configuration up to 18 feet in width is permitted to provide reasonable access to the property for each parcel and shall be exempt from the maximum clearing limit o f 7,500 square feet. Clearing for a driveway shall be recommended by a County biologist and approved by the Planning Director. The proposed driveway design shall minimize fragmentation, avoid specimen trees, and take the shortest reasonable route. In no case shall clearing, including the driveway, exceed 20 percent of the entire site.

II	40% or 3,000 square feet, whichever is greater; but no greater than 7,500 square feet of upland native vegetative area (Big Pine Key and No Name Key).
III	40% or 3,000 square feet ~~s.f.~~, whichever is greater; however, the maximum amount of clearing shall be no more than 7,500 square feet~~, regardless of the amount~~ of upland native vegetative area. The clearing of parcels in Tier III shall be limited to 7,500 square feet per parcel. For parcels greater than 30,000 square feet, with the exception of parcels on Big Pine Key and No Name Key, clearing for one driveway of reasonable configuration up to 18 feet in width is permitted to provide reasonable access to the property for each parcel and shall be exempt from the maximum clearing limit of 7,500 square feet. Clearing for a driveway shall be recommended by a County biologist and approved by the Planning Director. The proposed driveway design shall minimize fragmentation, avoid specimen trees, and take the shortest reasonable route. In no case shall clearing, including the driveway, exceed 40 percent of the entire site.
III-A Special Protection Area	40% or 3,000 square feet, whichever is greater; however, clearing shall not exceed 7,500 square feet of upland native vegetation. The clearing of parcels in Tier III-A shall be limited to 7,500 square feet per parcel. For parcels greater than 30,000 square feet, with the exception of parcels on Big Pine Key and No Name Key, clearing for one driveway of reasonable configuration up to 18 feet in width is permitted to provide reasonable access to the property for each parcel and shall be exempt from the maximum clearing limit of 7,500 square feet. Clearing for a driveway shall be recommended by a County biologist and approved by the Planning Director. The proposed driveway design shall minimize fragmentation, avoid specimen trees, and take the shortest reasonable route. In no case shall clearing, including the driveway, exceed 40 percent of the entire site.
	* Palm or cactus hammock is limited to only 10%.

Policy 101.4.23

Notwithstanding the clearing limits established in the Livable CommuniKeys Master Plans adopted by reference into the 2010 Comprehensive Plan by Policy 101.20.2, the permitted clearing established by Policy 101.4.22 shall control.

Policy 101.4.~~23~~ 24

Notwithstanding the density limitations set forth in Policy 101.4.21, land upon which a legally-established residential dwelling unit exists shall be entitled to a density of one dwelling unit per each such unit. Such legally-established dwelling unit shall not be considered as non-conforming as to the density provisions of policy 101.4.21 and the Monroe County Code.

Policy 101.4.~~24~~ 25

In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including landfills to 35 feet. Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.

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 ~~5,000~~ square feet or as specified in Policy 101.4.22. 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.

The Remainder Of Page Intentionally Left Blank

PASSED FOR ADOPTION by the Monroe County Planning Commission at a regular meeting held on the 18th day of October, 2011.

Denise Werling, Chair _____
Randolph D. Wall, Vice Chair _____
Jeb Hale, Commissioner _____
Elizabeth Lustburg, Commissioner _____
William Wiatt, Commissioner _____

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

By_____

Denise Werling, Chair

Signed this _____ day of _____, _____

Monroe County Planning Commission Attorney

Approved As To Form

_____

Date: _____

MONROE COUNTY, FLORIDA
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. ____ - 2012

A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS TRANSMITTING TO THE STATE LAND PLANNING AGENCY AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING POLICIES 101.4.22, 101.4.24, 101.4.25 AND 205.2.7 OF THE MONROE COUNTY 2010 COMPREHENSIVE PLAN AND CREATING POLICY 101.4.23 OF THE MONROE COUNTY 2010 COMPREHENSIVE PLAN TO ADDRESS THE CLEARING OF UPLAND NATIVE VEGETATION.

WHEREAS, the Monroe County Board of County Commissioners conducted a public hearing for the purpose of considering the transmittal to the State Land Planning Agency a proposed amendment to the Monroe County 2010 Comprehensive Plan as described above; and

WHEREAS, the Monroe County Planning Commission and the Monroe County Board of County Commissioners support the requested text amendment; and

NOW THERFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1: The Board of County Commissioners do hereby adopt the recommendation of the Planning Commission to transmit the draft ordinance for adoption of the proposed text amendment.

Section 2: The Board of County Commissioners do hereby transmit the proposed amendment as part of a set of comprehensive plan amendments for 2012 to the State Land Planning Agency for review and comment in accordance with the State Coordinated Review process pursuant to Section 163.3184(4), Florida Statutes.

Section 3. The Monroe County staff is given authority to prepare and submit the required transmittal letter and supporting documents for the proposed amendment in accordance with the requirements of Rule 9J-11.006, Florida Administrative Code.

Section 4. The Clerk of the Board is hereby directed to forward a certified copy of this resolution to the Director of Planning.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a special meeting held on the ___ day of February, A.D., 2012.

Mayor Heather Carruthers _____
Mayor p*ro tem* David Rice _____
Commissioner Sylvia Murphy _____
Commissioner George Neugent _____
Commissioner Kim Wigington _____

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____
Mayor Heather Carruthers

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

_____
DEPUTY CLERK

ORDINANCE NO. -2012

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING POLICIES 101.4.22, 101.4.24, 101.4.25 AND 205.2.7 OF THE MONROE COUNTY 2010 COMPREHENSIVE PLAN AND CREATING POLICY 101.4.23 TO ADDRESS THE CLEARING OF UPLAND NATIVE VEGETATION, AS REQUIRED TO ADDRESS THE TASKS IDENTIFIED IN THE 30-DAY REPORTS FROM THE ADMINISTRATION COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR THE FILING WITH SECRETARY OF STATE AND FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE INCLUSION IN THE MONROE COUNTY 2010 COMPREHENSIVE PLAN.

WHEREAS, the Administration Commission directed Monroe County within its 30-Day Report, pursuant to Section 380.0552(4)(c), F.S., to collaboratively evaluate the adopted clearing limits for high quality and moderate quality tropical hammocks and to make recommendations to bring parity between the local governments and to strengthen the protection of hardwood hammocks;

WHEREAS, County staff, in conjunction with the State Land Planning Agency, Islamorada and Marathon evaluated the various policies and standards used by the three local governments for the clearing of high and moderate quality tropical hardwood hammock and provided recommended revisions; and

WHEREAS, the Monroe County Development Review Committee considered the proposed amendment at a regularly scheduled meeting held on the 7th day of June, 2011; and

WHEREAS, at a regularly scheduled meeting held on the 18th day of October, 2011, the Monroe County Planning Commission held a public hearing for the purpose of considering the transmittal to the State Land Planning Agency of a proposed amendment to the Monroe County Year 2010 Comprehensive Plan and recommended approval of the amendment;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. The Monroe County 2010 Comprehensive Plan is amended as follows: (Deletions are ~~stricken through~~ and additions are underlined.)

Policy 101.4.22
All development shall be subject to clearing limits defined by habitat and the location of the property in the Land Use ~~District (zoning) Overlay~~ Tier Overlay District Maps and the wetland requirements in Policy 102.1.1. The clearing limits of upland native vegetation areas (hardwood hammock, pinelands, and beach berm) for properties in the Ocean Reef planned development shall be limited to 40 percent of the existing upland native vegetation.

Except as defined in Policy 101.12.4, clearing of upland native vegetative areas (hardwood hammock, pinelands, beach berm, cactus hammock and palm hammock) in the Tiers I, II, ~~and~~ III and Tier III-A shall be limited ~~for~~ to the portion of the property containing upland native vegetation in the following percentages or maximum square footage:

Tier	Permitted Clearing *
I	20% or 3,000 square feet, whichever is greater; but no greater than 7,500 square feet of upland native vegetative area. The clearing of parcels in Tier I shall be limited to 7,500 square feet per parcel. For parcels greater than 30,000 square feet, with the exception of parcels on Big Pine Key and No Name Key, clearing for one driveway of reasonable configuration up to 18 feet in width is permitted to provide reasonable access to the property for each parcel and shall be exempt from the maximum clearing limit of 7,500 square feet. Clearing for a driveway shall be recommended by a County biologist and approved by the Planning Director. The proposed driveway design shall minimize fragmentation, avoid specimen trees, and take the shortest reasonable route. In no case shall clearing, including the driveway, exceed 20 percent of the entire site.
II	40% or 3,000 square feet, whichever is greater; but no greater than 7,500 square feet of upland native vegetative area (Big Pine Key and No Name Key).
III	40% or 3,000 square feet ~~s.f.~~, whichever is greater; however, the maximum amount of clearing shall be no more than 7,500 square feet~~, regardless of the amount~~ of upland native vegetative area. The clearing of parcels in Tier III shall be limited to 7,500 square feet per parcel. For parcels greater than 30,000 square feet, with the

	exception of parcels on Big Pine Key and No Name Key, clearing for one driveway of reasonable configuration up to 18 feet in width is permitted to provide reasonable access to the property for each parcel and shall be exempt from the maximum clearing limit of 7,500 square feet. Clearing for a driveway shall be recommended by a County biologist and approved by the Planning Director. The proposed driveway design shall minimize fragmentation, avoid specimen trees, and take the shortest reasonable route. In no case shall clearing, including the driveway, exceed 40 percent of the entire site.
III-A Special Protection Area	40% or 3,000 square feet, whichever is greater; however, clearing shall not exceed 7,500 square feet of upland native vegetation. The clearing of parcels in Tier III-A shall be limited to 7,500 square feet per parcel. For parcels greater than 30,000 square feet, with the exception of parcels on Big Pine Key and No Name Key, clearing for one driveway of reasonable configuration up to 18 feet in width is permitted to provide reasonable access to the property for each parcel and shall be exempt from the maximum clearing limit of 7,500 square feet. Clearing for a driveway shall be recommended by a County biologist and approved by the Planning Director. The proposed driveway design shall minimize fragmentation, avoid specimen trees, and take the shortest reasonable route. In no case shall clearing, including the driveway, exceed 40 percent of the entire site.
	* Palm or cactus hammock is limited to only 10%.

Policy 101.4.23
Notwithstanding the clearing limits established in the Livable CommuniKeys Master Plans adopted by reference into the 2010 Comprehensive Plan by Policy 101.20.2, the permitted clearing established by Policy 101.4.22 shall control.

Policy 101.4.~~23~~ 24
Notwithstanding the density limitations set forth in Policy 101.4.21, land upon which a legally-established residential dwelling unit exists shall be entitled to a density of one dwelling unit per each such unit. Such legally-established dwelling unit shall not be considered as non-conforming as to the density provisions of policy 101.4.21 and the Monroe County Code.

Policy 101.4.~~24~~ 25
In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including landfills to 35 feet. Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.

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 ~~5,000~~ square feet or as specified in Policy 101.4.22. 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.

Section 2. **Severability.** If any section, subsection, sentence, clause, item, change, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such validity.

Section 3. **Repeal of Inconsistent Provisions.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. **Transmittal.** This ordinance shall be transmitted by the Director of Planning to the State Land Planning Agency pursuant to Chapter 163 and 380, Florida Statutes.

Section 5. **Filing and Effective Date.** This ordinance shall be filed in the Office of the Secretary of the State of Florida but shall not become effective until a notice is issued by the State Land Planning Agency or Administration Commission finding the amendment in compliance with Chapter 163, Florida Statutes and after any applicable appeal periods have expired.

Section 6. **Inclusion in the Comprehensive Plan.** The numbering of the foregoing amendment may be renumbered to conform to the numbering in the Monroe County Year 2010 Comprehensive Plan and shall be incorporated in the Monroe County Year 2010 Comprehensive Plan.

The Remainder Of Page Intentionally Left Blank

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting held on the _____ day of _____ A.D., 2012.

Mayor Heather Carruthers	_____
Mayor *pro tem* David Rice	_____
Commissioner Sylvia Murphy	_____
Commissioner George Neugent	_____
Commissioner Kim Wigington	_____

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____
Mayor Heather Carruthers

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

_____
DEPUTY CLERK

Item #3 Discouragement Text Amendment
Revised Staff Report

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Monroe County Planning Commission

Through: Christine Hurley, AICP, Director of Growth Management
Townsley Schwab, Senior Director of Planning & Environmental Resources

From: Mayté Santamaria, Assistant Director of Planning & Environmental Resources

Date: October 5, 2011

Subject: **Request for an amendment to the Monroe County 2010 Comprehensive Plan to create Policy 101.4.20 to discourage private applications for future land use changes which increase allowable density and intensity.**

Meeting: October 18, 2011

I REQUEST

This is a request by Monroe County to create Policy 101.4.20 discouraging private applications for future land use changes which increase allowable density/intensity.

II BACKGROUND INFORMATION

Section 380.0552(4), Florida Statutes (F.S.), directs the State Land Planning Agency to submit a report to the Administration Commission, describing in detail the progress of the Florida Keys Area toward accomplishing the tasks of the work program and to provide a recommendation as to whether substantial progress toward accomplishing the tasks of the work program has been achieved. Pursuant to Section 380.0552(4)(c), F.S., if the Administration Commission finds that the requirements for recommending removal of designation have not been met, the commission shall provide a written report to the local governments within 30 days, after making such a finding, detailing the tasks that must be completed by the local government.

The 2008, 2009 and 2010 Administration Commission 30-Day Report to Monroe County included a task for Monroe County to implement the Florida Keys Carrying Capacity Study by discouraging private applications for future land use changes which increase allowable density and intensity on lands in the Florida Keys. This task is intended to implement Rule 28-20.110, F.A.C., Work Program Tasks Year Six, Task C and Year Eight, Task F to implement the carrying capacity study by the adoption of all necessary plan amendments to guide development away from environmentally sensitive lands and to ensure that any and all new development does not exceed the capacity of the County's environment and marine system to accommodate additional impacts.

The recently ratified Administration Commission Rule 28-20.140, F.A.C., (HB 7253) also includes a Work Program task requiring the adoption of a comprehensive plan policy to discourage private applications for future land use changes which increase allowable density and intensity on lands in the Florida Keys.

Beginning November 30, 2011, Monroe County and the Department of Community Affairs must report to the Administration Commission on the progress of achieving the work program objectives for that work program year. If the Administration Commission determines that progress has not been made, the unit cap for residential development (ROGO allocations) may be reduced by 20% for the following ROGO year.

The proposed amendment is to implement the Work Program Task from Rule 28-20.140, F.A.C., and the direction from the Administration Commission.

Summary of Previous Actions:

- The Florida Administration Commission proposed Rule 28-20.130 and 28-20.140, F.A.C. for Monroe County to implement Section 380.0552(4), Florida Statutes.
- The proposed rule included the following work program task:
    - *As part of the implementation of the Florida Keys Carrying Capacity Study, Monroe County shall transmit a Comprehensive Plan Policy discouraging future land use changes, throughout unincorporated Monroe County which increase allowable density/intensity. This Policy shall include the requirement to complete a needs analysis through 2020 based upon the amount of vacant lands, the adopted density of the future land use designations and their existing yields, the projected population, the projected rate of growth allocations and the availability of public facilities and services.*
- DRC: May 5, 2009, County proposed Policy 101.4.20 to discourage private future land use amendment application, including the requirement to complete a needs analysis based upon the amount of vacant lands.
- PC: June 10, 2009 County proposed Policy 101.4.20 to discourage private future land use amendment application, including the requirement to complete a needs analysis based upon the amount of vacant lands, projected growth and other criteria.
- PC: June 24, 2009
    - Proposed Policy 101.4.20 was amended to proposed Objective 105.4 and Policy 105.4.1 to discourage private future land use amendment application and included a requirement for a needs analysis. The proposed amendment excluded Ocean Reef from the proposed amendment.
    - The PC recommended approval to the BOCC to consider transmittal of the ordinance to the DCA (Resolution 22-09).
- BOCC-transmittal hearing: July 13, 2009
    - Proposed Objective 105.4 and Policy 105.4.1 to discourage private future land use amendment application and included a requirement for a needs analysis. The needs analysis include compatibility with the 1977 AICUZ. The proposed amendment excluded Ocean Reef from the proposed amendment.
    - The BOCC approved transmittal to the DCA for review of the draft ordinance (Resolution 183-2009).

- The DCA issued an Objections, Recommendations and Comments (ORC) Report that included two objections.
    1. No supporting documentation was included to support the exclusion of Ocean Reef.
    2. The policy should include the best available AICUZ data.
- BOCC – adoption hearing: October 22, 2009
    - To address the objections of the ORC, the proposed amendment was revised to *not* exclude Ocean Reef from the policy. The revised amendment also included that Monroe County will "evaluate the compatibility with Naval Air Station Key West and utilize the best available data existing at the time a future land use map amendment is proposed and reviewed."
    - BOCC voted unanimously **not** to adopt proposed ordinance.
- The Florida Administration Commission adopted Rule 28-20.140, F.A.C. for Monroe County and the Florida Legislature ratified the Rule 28-20.140, Florida Administrative Code, relating to the comprehensive plan for Monroe County.
- The Rule includes the following Work Program task:

  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.
    - The requirement for a needs analysis was removed from the Rule.

III. PROPOSED AMENDMENT

Policy 101.4.20

In order to implement the Florida Keys Carrying Capacity Study, Monroe County shall promote the reduction in overall County density and intensity and the preservation of Monroe County's native habitat by discouraging private applications for future land use map amendments which increase allowable density and/or intensity.

Private applications requesting future land use map designation amendments which propose increases in allocated density and intensity shall be required to comply with either option (1) or (2) below:

(1) For every acre of land where there is a request to increase density and/or intensity, a private applicant shall purchase and donate 2 acres of land which contain non-scarified native upland habitat and/or undisturbed wetland habitat to the Monroe County Land Authority for conservation. The following requirements apply:

- The donated land shall be designated as Tier I, Tier II or Tier III-A Special Protection Area and be located on Big Pine Key/No Name Key or be within the same sub-area of unincorporated Monroe County.
- The land shall be inspected by the Monroe County Biologist to assure it is acceptable for acquisition and donation.
- The land shall be dedicated to the Monroe County Land Authority for conservation through a mechanism contemplated by Comprehensive Plan Policy 102.4.6.
- A restrictive covenant shall be recorded to extinguish the development rights on the dedicated land.
- The Future Land Use Map Designation for the donated land may be designated by the County as Conservation (C).

(2) For each requested additional unit of density, a private applicant shall purchase and donate a lot designated as Improved Subdivision (IS) district on the Land Use (Zoning) District map which contain non-scarified native upland habitat and/or undisturbed wetland habitat to the Monroe County Land Authority. The following requirements apply:

- Private applicants shall provide IS lots pursuant to a 1:1 (1 unit: 1 lot) ratio to mitigate the request for increased allowable density, pursuant to option (a) or (b):

(a) The donated IS lot(s) shall be designated as Tier I, Tier II or Tier III-A Special Protection Area and be located on Big Pine Key/No Name Key or be within the same sub-area of unincorporated Monroe County.

- The IS lot(s) shall be inspected by the Monroe County Biologist to assure it is acceptable for acquisition and donation.
- The IS lot(s) shall be dedicated to the Monroe County Land Authority for conservation through a mechanism contemplated by Comprehensive Plan Policy 102.4.6.
- A restrictive covenant shall be recorded to extinguish the development rights on the dedicated land.
- The Future Land Use Map Designation for the donated land may be designated by the County as Conservation (C).

(b) The donated IS lot(s) shall be designated as Tier III, suitable for affordable housing and must be within the same sub-area of unincorporated Monroe County.

- The IS lot(s) shall be dedicated to the Monroe County Land Authority for affordable housing projects through a mechanism contemplated by Comprehensive Plan Policy 102.4.6.

For options (1) and (2) described above, the parcel which is the subject of the request to increase its density and intensity must be designated as Tier III and have existing public facilities and services and available central wastewater facilities.

Example of Option 1	12 acres requesting a FLUM amendment to increase density and/or intensity	Requires the donation of 24 acres of non-scarified native upland habitat and/or undisturbed wetland habitat, designated as Tier I, Tier II or Tier III-A. *(12 acres x 2 = 24 acres)*
Example of Option 2	20 acres with an allocated density allowing the development of 20 units, requesting to increase density to allow 40 units	(a) Requires the donation of 20 IS lots of non-scarified native upland habitat and/or undisturbed wetland habitat, designated as Tier I, Tier II or Tier III-A; or (b) Requires the donation of 20 IS lots designated as Tier III and suitable for affordable housing. *(Increase of 20 units = 20 IS lots)*

IV. ANALYSIS

The proposed amendment satisfies the Administration Commission Rule 28-20.140, F.A.C., Work Program task (5)(a)9., which requires the adoption of a comprehensive plan amendment

to discourage private applications for future land use changes which increase allowable density and intensity.

While the proposed amendment complies with the Rule requirement, it also provides a mechanism for private applicants to increase density and intensity by donating IS lots or acreage to the County that contain non-scarified native upland habitat or wetland habitat. This will allow to County to balance growth and strengthen the protection and encourage the preservation and conservation of environmentally sensitive lands by encouraging development in Tier III while directing development away from environmentally sensitive areas on Tiers I, II and III-A lands.

According to June 2011 Property Appraiser data, there are 1,417 parcels that are vacant, privately owned and designated as Improved Subdivision (IS) district on the Land Use (Zoning) District map. Under the proposed amendment, these lots could be utilized as mitigation for requests to increase density and intensity.

Private-Vacant Parcels					
	IS	**IS-D**	**IS-M**		**Total**
Tier I	894	2	19		915
Tier II	319		42		361
Tier III-A	204		5		209
Total	1417	2	66		1485

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

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

Policy 101.5.8: Monroe County may develop a program, called Transfer of ROGO Exemption (TRE), that would allow for the transfer off-site of dwelling units, hotel rooms, campground/recreational vehicle spaces and/or mobile homes to another site in the same ROGO sub-area, provided that they are lawfully existing and can be accounted for in the county's hurricane evacuation model. In addition, the receiver site shall be located within a Tier III area outside a designated Special Protection Area and for a receiver site on Big Pine Key and No Name Key, the sending site shall also be located on one of those two islands.

Goal 102: Monroe County shall direct future growth to lands which are intrinsically most suitable for development and shall encourage conservation and protection of environmentally sensitive lands.

Policy 102.1.1: The County shall protect submerged lands and wetlands. The open space requirement shall be one hundred (100) percent of the following types of wetlands:

1. submerged lands 2. mangroves 3. salt ponds
4. fresh water wetlands 5. fresh water ponds
6. undisturbed salt marsh and buttonwood wetlands

Allocated density (dwelling units per acre) shall be assigned to freshwater wetlands and undisturbed salt marsh and buttonwood wetlands 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.

Policy 101.13.2: By January 4, 1998, Monroe County shall evaluate the existing TDR program and adopt Land Development Regulations which address identified deficiencies in the program. The following issues shall be considered in evaluating the program:

1. revision to the current tax policy whereby owners of sites which have transferred development rights continue to pay taxes on such rights until development orders have been issued for the transferred rights at the receiver sites;
2. establishment of criteria for designation of sender and receiver sites based upon factors such as the environmental characteristics of the land;
3. establishment of mechanisms to enhance the value and marketability of TDRs such as assigning density bonuses to receiver sites;
4. clarification of the status of sites which have transferred development rights, including the possible requirements that sender sites be dedicated as public or private open space through conservation easement or other mechanism. At a minimum, the LDRs shall be revised to require that a restrictive covenant be recorded on the sender site deed at the time of the Allocation Award for the Permit Allocation System; and
5. establishment of a management and accounting system to tract TDRs

Policy 101.13.3: The Maximum Net Density is the maximum density allowable with the use of TDRs, and shall not exceed the maximum densities established in this plan. The assignment of TDRs to Big Pine Key, No Name Key, and North Key Largo from other areas of the County shall be prohibited.

Policy 101.13.4: In conjunction with the evaluation of the existing TDR program pursuant to Policy 101.13.2, parcels within the following habitats and land use districts shall be designated as sender sites for Transferable Development Rights (TDRs):

Any parcel within these zoning categories:

Offshore Island (OS)	Sparsely Settled (SS)
Main land Native (MN)	Parks and Refuge (PR)
Native (NA)	Conservation (C)

Habitat of the following types which lie within any zoning category:

- Freshwater wetlands
- Saltmarsh/Buttonwood wetlands
- High quality high hammock
- High quality low hammock
- Moderate quality high hammock
- Moderate quality low hammock
- High quality pinelands
- Low quality pinelands
- Beach/berm
- Palm Hammock
- Cactus Hammock
- Disturbed Wetlands

Policy 105.2.5: Monroe County shall, in coordination with federal and state agencies, implement a land acquisition program to acquire all remaining privately-owned vacant lands within areas designated as a Natural Area (Tier I).

Policy 105.2.6: Monroe County shall implement a land acquisition program to acquire most privately owned vacant private lands within areas designated as a Transition and Sprawl Reduction Area (Tier II) on Big Pine Key and No Name Key and patches of tropical hardwood hammock or pinelands of one acre or greater in area identified as a Special Protection Area within a designated Infill Area (Tier III).

Policy 105.2.7: Monroe County shall implement an acquisition program to acquire privately owned vacant lands disturbed or scarified properties for affordable housing within areas designated as an Infill Area (Tier III).

Policy 105.2.8: The preferred method for acquisition of environmentally sensitive privately owned vacant non-platted lands shall be fee simple purchase, donation, or dedication or the retirement of development rights through transfer of development rights or similar mechanisms.

Policy 105.2.9: The preferred method for acquisition of vacant platted lots shall be fee simple purchase, donation, or dedication or the retirement of development rights thorough transfer of development rights or similar mechanisms; however, wherever appropriate, platted lots may be purchased in partnership with adjoining property owner(s) subject to a conservation easement that may allow limited accessory residential uses.

Policy 105.2.10: In terms of effort, Monroe County shall primarily focus its Land Acquisition Program on the acquisition or retirement of development rights of vacant privately-owned, buildable, platted lots within Tier I and Tier II and the acquisition of scarified and disturbed lands for affordable housing within Tier III. This policy recognizes the critical need for the County to aggressively address the imbalance between development expectations of private property owners and the finite carrying capacity of the natural and man-made systems in the Florida Keys.

Policy 102.2.2: Monroe County shall adopt revised environmental standards and

environmental design criteria as indicated in policies adopted pursuant to Conservation and Coastal Management Objective 205.2. These revised standards and criteria will protect native upland vegetation and promote restoration of habitat values of native upland communities, including hardwood hammocks and pinelands.

Goal 205: The health and integrity of Monroe County's native upland vegetation shall be protected and, where possible, enhanced.

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 which further protect and provide for restoration of the habitat values of upland native vegetated communities, including hardwood hammocks and pinelands.

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.

Goal 207: Monroe County shall protect and conserve existing wildlife and wildlife habitats.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute.

For the purposes of reviewing 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 no specific provision shall be construed or applied in isolation from the other provisions.

(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)(l) 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 post disaster 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.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:

Section 163.3177(4)(a), F.S. – Coordination of the local comprehensive plan with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region; with the appropriate water management district's regional water supply plans approved pursuant to s. 373.709; with adopted rules pertaining to designated areas of critical state concern; and with the state comprehensive plan shall be a major objective of the local comprehensive planning process.

Section 163.3177(6)(a)3.f., F.S. - Ensure the protection of natural and historic resources.

Section 163.3177(6)(d), F.S. - A conservation element for the conservation, use, and protection of natural resources in the area, including air, water, water recharge areas, wetlands, waterwells, estuarine marshes, soils, beaches, shores, flood plains, rivers, bays,

lakes, harbors, forests, fisheries and wildlife, marine habitat, minerals, and other natural and environmental resources, including factors that affect energy conservation.

Section 163.3177(6)(d)2., F.S. - The element must contain principles, guidelines, and standards for conservation that provide long-term goals and which:

d. Conserves, appropriately uses, and protects minerals, soils, and native vegetative communities, including forests, from destruction by development activities.
e. Conserves, appropriately uses, and protects fisheries, wildlife, wildlife habitat, and marine habitat and restricts activities known to adversely affect the survival of endangered and threatened wildlife.
f. Protects existing natural reservations identified in the recreation and open space element.
g. Maintains cooperation with adjacent local governments to conserve, appropriately use, or protect unique vegetative communities located within more than one local jurisdiction.

Section 163.3177(6)(g), F.S. - For those units of local government identified in s. 380.24, a coastal management element, appropriately related to the particular requirements of paragraphs (d) and (e) and meeting the requirements of s. 163.3178(2) and (3). The coastal management element shall set forth the principles, guidelines, standards, and strategies policies that shall guide the local government's decisions and program implementation with respect to the following objectives:

2. Preserve the continued existence of viable populations of all species of wildlife and marine life.
3. Protect the orderly and balanced utilization and preservation, consistent with sound conservation principles, of all living and nonliving coastal zone resources.
4. Avoid irreversible and irretrievable loss of coastal zone resources.

VI. STAFF RECOMMENDATION

Staff recommends approval of the proposed amendment to create Policy 101.4.20 discouraging private applications for future land use changes which increase allowable density/intensity with other criteria.

III PROCESS

Comprehensive Plan amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, or the owner or other person having a contractual interest in property to be affected by a proposed amendment. The Director of Planning shall review and process applications as they are received and pass them onto the Development Review Committee and the Planning Commission.

The Planning Commission shall hold at least one public hearing. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning & Environmental Resources and the Development Review Committee and the testimony given at the public hearing. The Planning Commission shall submit its recommendations and findings to the Board of County Commissioners (BOCC). The BOCC holds a public hearing to consider the transmittal of the proposed comprehensive plan amendment, and considers the

staff report, staff recommendation, and the testimony given at the public hearing. The BOCC may or may not recommend transmittal to the Florida Department of Community Affairs (DCA). The amendment is transmitted to DCA, which then reviews the proposal and issues an Objections, Recommendations and Comments (ORC) Report. Upon receipt of the ORC report, the County has 180 days to adopt the amendments, adopt the amendments with changes or not adopt the amendment.

VII. EXHIBITS

1. Rule 28-20.140, Florida Administrative Code

FILED
2011 APR 11 PM 2:25
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

ADMINISTRATION COMMISSION

Rule No.: RULE TITLE

28-20.140: Comprehensive Plan

THE FULL TEXT OF THE PROPOSED RULE IS:

28-20.140 Comprehensive Plan.

(1) The Monroe County Comprehensive Plan Policy Document, as the same exists on January 1, 2011, is hereby amended to read as follows:

(2) Policy 101.2.13 Monroe County Work Program Conditions and Objectives.

(a) Monroe County shall establish and maintain a Permit Allocation System for new residential development. The Permit Allocation System shall supersede Policy 101.2.1.

(b) The number of permits issued annually for residential development under the Rate of Growth Ordinance shall not exceed a total annual unit cap of 197, plus any available unused ROGO allocations from a previous ROGO year. Each year's ROGO allocation of 197 units shall be split with a minimum of 71 units allocated for affordable housing in perpetuity and market rate allocations not to exceed 126 residential units per year. Unused ROGO allocations may be retained and made available only for affordable housing and Administrative Relief from ROGO year to ROGO year. Unused allocations for market rate shall be available for Administrative Relief. Any unused affordable allocations will roll over to affordable housing. A ROGO year means the twelve-month period beginning on July 13.

(c) This allocation represents the total number of allocations for development that may be issued during a ROGO year. No exemptions or increases in the number of allocations may be allowed, other than that which may be expressly provided for in the comprehensive plan or for which there is an existing agreement as of September 27 2005, for affordable housing between the Department and the local government in the critical areas.

(d) Through the Permit Allocation Systems, Monroe County shall direct new growth and redevelopment to areas served or that would be served by a central sewer system by December 2015 that has committed or planned funding. Committed or planned funding is funding that is financially feasible and reflected in a Capital Improvements Element approved by the Department of Community Affairs. Prior to the ranking and approval of awards for an allocation authorizing development of new principal structures, Monroe County, shall coordinate with the central wastewater facility provider and shall increase an applicant's score by four points for parcels served by a

collection line within a central wastewater facility service area where a central wastewater treatment facility has been constructed that meets the treatment standards of Section 403.086(10), F.S., and where treatment capacity is available. The points shall only be awarded if a construction permit has been issued for the collection system and the parcel lies within the service area of the wastewater treatment facility.

(3) Reporting and Oversight.

(a) Beginning November 30, 2011, Monroe County and the Department of Community Affairs shall annually report to the Administration Commission documenting the degree to which the work program objectives for the work program year have been achieved. The Commission shall consider the findings and recommendations provided in those reports and shall determine whether progress has been achieved. If the Commission determines that progress has not been made, the unit cap for residential development shall be reduced by 20 percent for the following ROGO year.

(b) If the Commission determines that progress has been made for the work program year, then the Commission may restore the unit cap for residential development for the following year up to a maximum of 197 allocations per ROGO year.

(c) Notwithstanding any other date set forth in this plan, the dates set forth in the work program shall control where conflicts exist.

(d) Wastewater treatment and disposal in Monroe County is governed by the requirements of Section 381.0065(4) and 403.086(10), F.S. Nothing in this rule shall be construed to limit the authority of the Department of Environmental Protection or the Department of Health to enforce Sections 381.0065(4) and 403.086(10), F.S.

(4) Policy 216.1.19. Hurricane Modeling.

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.

(5) 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 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; and

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.

Rulemaking Authority 380.0552(9), 380.05(22) FS. Law Implemented 380.0552 FS. History–New_____.

Item #3 Discouragement Text Amendment
Revised PC Resolution

MONROE COUNTY PLANNING COMMISSION

RESOLUTION NO. _____

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS TO CREATE POLICY 101.4.20 TO DISCOURAGE PRIVATE APPLICATIONS FOR FUTURE LAND USE CHANGES WHICH INCREASE ALLOWABLE DENSITY AND INTENSITY, AS REQUIRED BY ADMINISTRATION COMMISSION RULE 28-20.140, FLORIDA ADMINISTRATIVE CODE.

WHEREAS, the Monroe County Development Review Committee considered the proposed amendment at a regularly scheduled meeting held on the 7th day of June, 2011; and

WHEREAS, at a regularly scheduled meeting held on the 18th day of October, 2011, the Monroe County Planning Commission held a public hearing for the purpose of considering the transmittal to the State Land Planning Agency, for review and comment, a proposed amendment to the Monroe County Year 2010 Comprehensive Plan; and

WHEREAS, the Monroe County Planning Commission makes the following findings of fact and conclusions of law:

1. The proposed amendment implements the recommendations included in the 2008, 2009 and 2010 reports from the Administration Commission and the State Land Planning Agency (formerly the Department of Community Affairs) to Monroe County.

2. Administration Commission Rule 28-20.140, F.A.C., (2011 HB 7253) includes a Work Program task for Monroe County to adopt a comprehensive plan amendment to discourage private applications for future land use changes which increase allowable density and intensity on lands in the Florida Keys

3. The proposed amendment is internally consistent with the Monroe County Comprehensive Plan.

4. The proposed amendment is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern, Section 380.0552(7), Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA:

[Amendments are presented in ~~strikethrough~~ to indicate deletions and underline to indicate additions to text. All other words, characters, and language of this subsection remain un-amended.]

Section 1. The following amendment to the Monroe County 2010 Comprehensive Plan is recommended for transmittal to the State Land Planning Agency and adoption by the Board of County Commissioners as follows:

Policy 101.4.20

In order to implement the Florida Keys Carrying Capacity Study, Monroe County shall promote the reduction in overall County density and intensity and the preservation of Monroe County's native habitat by discouraging private applications for future land use map amendments which increase allowable density and/or intensity.

Private applications requesting future land use map designation amendments which propose increases in allocated density and intensity shall be required to comply with either option (1) or (2) below:

(1) For every acre of land where there is a request to increase density and/or intensity, a private applicant shall purchase and donate 2 acres of land which contain non-scarified native upland habitat and/or undisturbed wetland habitat to the Monroe County Land Authority for conservation. The following requirements apply:

- The donated land shall be designated as Tier I, Tier II or Tier III-A Special Protection Area and be located on Big Pine Key/No Name Key or be within the same sub-area of unincorporated Monroe County.
- The land shall be inspected by the Monroe County Biologist to assure it is acceptable for acquisition and donation.
- The land shall be dedicated to the Monroe County Land Authority for conservation through a mechanism contemplated by Comprehensive Plan Policy 102.4.6.
- A restrictive covenant shall be recorded to extinguish the development rights on the dedicated land.
- The Future Land Use Map Designation for the donated land may be designated by the County as Conservation (C).

(2) For each requested additional unit of density, a private applicant shall purchase and donate a lot designated as Improved Subdivision (IS) district on the Land Use (Zoning) District map which contain non-scarified native upland habitat and/or undisturbed wetland habitat to the Monroe County Land Authority. The following requirements apply:

- Private applicants shall provide IS lots pursuant to a 1:1 (1 unit: 1 lot) ratio to mitigate the request for increased allowable density, pursuant to option (a) or (b):

(a) The donated IS lot(s) shall be designated as Tier I, Tier II or Tier III-A Special Protection Area and be located on Big Pine Key/No Name Key or be within the same sub-area of unincorporated Monroe County.

- The IS lot(s) shall be inspected by the Monroe County Biologist to assure it is acceptable for acquisition and donation.
- The IS lot(s) shall be dedicated to the Monroe County Land Authority for conservation through a mechanism contemplated by Comprehensive Plan Policy 102.4.6.
- A restrictive covenant shall be recorded to extinguish the development rights on the dedicated land.
- The Future Land Use Map Designation for the donated land may be designated by the County as Conservation (C).

(b) The donated IS lot(s) shall be designated as Tier III, suitable for affordable housing and must be within the same sub-area of unincorporated Monroe County.

- The IS lot(s) shall be dedicated to the Monroe County Land Authority for affordable housing projects through a mechanism contemplated by Comprehensive Plan Policy 102.4.6.

For options (1) and (2) described above, the parcel which is the subject of the request to increase its density and intensity must be designated as Tier III and have existing public facilities and services and available central wastewater facilities.

Example of Option 1	12 acres requesting a FLUM amendment to increase density and/or intensity	Requires the donation of 24 acres of non-scarified native upland habitat and/or undisturbed wetland habitat, designated as Tier I, Tier II or Tier III-A. *(12 acres x 2 = 24 acres)*
Example of Option 2	20 acres with an allocated density allowing the development of 20 units, requesting to increase density to allow 40 units	(a) Requires the donation of 20 IS lots of non-scarified native upland habitat and/or undisturbed wetland habitat, designated as Tier I, Tier II or Tier III-A; or (b) Requires the donation of 20 IS lots designated as Tier III and suitable for affordable housing. *(Increase of 20 units = 20 IS lots)*

The Remainder Of Page Intentionally Left Blank

PASSED AND RECOMMENDED FOR ADOPTION by the Monroe County Planning Commission at a regular meeting held on the 18th day of October, 2011.

Denise Werling, Chair _____
Randolph D. Wall, Vice Chair _____
Jeb Hale, Commissioner _____
Elizabeth Lustburg, Commissioner _____
William Wiatt, Commissioner _____

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

By_____

Denise Werling, Chair

Signed this _____ day of _____, _____

Monroe County Planning Commission Attorney

Approved As To Form

_____

Date: _____

Item #3 Discouragement Text Amendment
BOCC Transmittal Resolution

MONROE COUNTY, FLORIDA
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. ____ - 2012

A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS TRANSMITTING TO THE STATE LAND PLANNING AGENCY AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS CREATING POLICY 101.4.20 OF THE MONROE COUNTY 2010 COMPREHENSIVE PLAN TO DISCOURAGE PRIVATE APPLICATIONS FOR FUTURE LAND USE CHANGES WHICH INCREASE ALLOWABLE DENSITY AND INTENSITY, AS REQUIRED BY ADMINISTRATION COMMISSION RULE 28-20.140, FLORIDA ADMINISTRATIVE CODE.

WHEREAS, the Monroe County Board of County Commissioners conducted a public hearing for the purpose of considering the transmittal to the State Land Planning Agency a proposed amendment to the Monroe County 2010 Comprehensive Plan as described above; and

WHEREAS, the Monroe County Planning Commission and the Monroe County Board of County Commissioners support the requested text amendment; and

NOW THERFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1: The Board of County Commissioners do hereby adopt the recommendation of the Planning Commission to transmit the draft ordinance for adoption of the proposed text amendment.

Section 2: The Board of County Commissioners do hereby transmit the proposed amendment as part of a set of comprehensive plan amendments for 2012 to the State Land Planning Agency for review and comment in accordance with the State Coordinated Review process pursuant to Section 163.3184(4), Florida Statutes.

Section 3. The Monroe County staff is given authority to prepare and submit the required transmittal letter and supporting documents for the proposed amendment in

accordance with the requirements of Rule 9J-11.006, Florida Administrative Code.

Section 4. The Clerk of the Board is hereby directed to forward a certified copy of this resolution to the Director of Planning.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a special meeting held on the ___ day of February, A.D., 2012.

Mayor Heather Carruthers _____
Mayor p*ro tem* David Rice _____
Commissioner Sylvia Murphy _____
Commissioner George Neugent _____
Commissioner Kim Wigington _____

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____
Mayor Heather Carruthers

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

_____
DEPUTY CLERK

Item #3 Discouragement Text Amendment
Revised Draft BOCC Ordinance

ORDINANCE NO. -2012

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS CREATING POLICY 101.4.20 TO DISCOURAGE PRIVATE APPLICATIONS FOR FUTURE LAND USE CHANGES WHICH INCREASE ALLOWABLE DENSITY AND INTENSITY, AS REQUIRED BY ADMINISTRATION COMMISSION RULE 28-20.140, FLORIDA ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR THE FILING WITH SECRETARY OF STATE AND FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE INCLUSION IN THE MONROE COUNTY 2010 COMPREHENSIVE PLAN.

WHEREAS, the Administration Commission directed Monroe County within its 30-Day Report, pursuant to Section 380.0552(4)(c), F.S., to implement the Florida Keys Carrying Capacity Study by discouraging private applications for future land use changes which increase allowable density and intensity on lands in the Florida Keys. ;

WHEREAS, Administration Commission Rule 28-20.140, F.A.C., (HB 7253) includes a Work Program task requiring Monroe County to adopt a Comprehensive Plan Policy to discourage private applications for future land use changes which increase allowable density and intensity on lands in the Florida Keys; and

WHEREAS, the Monroe County Development Review Committee considered the proposed amendment at a regularly scheduled meeting held on the 7th day of June, 2011; and

WHEREAS, at a regularly scheduled meeting held on the 18th day of October, 2011, the Monroe County Planning Commission held a public hearing for the purpose of considering the transmittal to the State Land Planning Agency a proposed amendment to the Monroe County Year 2010 Comprehensive Plan and recommended approval of the amendment; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. The Monroe County 2010 Comprehensive Plan is amended as follows: (Deletions are ~~stricken through~~ and additions are underlined.)

Policy 101.4.20

In order to implement the Florida Keys Carrying Capacity Study, Monroe County shall promote the reduction in overall County density and intensity and the preservation of Monroe County's native habitat by discouraging private applications for future land use map amendments which increase allowable density and/or intensity.

Private applications requesting future land use map designation amendments which propose increases in allocated density and intensity shall be required to comply with either option (1) or (2) below:

(1) For every acre of land where there is a request to increase density and/or intensity, a private applicant shall purchase and donate 2 acres of land which contain non-scarified native upland habitat and/or undisturbed wetland habitat to the Monroe County Land Authority for conservation. The following requirements apply:

- The donated land shall be designated as Tier I, Tier II or Tier III-A Special Protection Area and be located on Big Pine Key/No Name Key or be within the same sub-area of unincorporated Monroe County.
- The land shall be inspected by the Monroe County Biologist to assure it is acceptable for acquisition and donation.
- The land shall be dedicated to the Monroe County Land Authority for conservation through a mechanism contemplated by Comprehensive Plan Policy 102.4.6.
- A restrictive covenant shall be recorded to extinguish the development rights on the dedicated land.
- The Future Land Use Map Designation for the donated land may be designated by the County as Conservation (C).

(2) For each requested additional unit of density, a private applicant shall purchase and donate a lot designated as Improved Subdivision (IS) district on the Land Use (Zoning) District map which contain non-scarified native upland habitat and/or undisturbed wetland habitat to the Monroe County Land Authority. The following requirements apply:

- Private applicants shall provide IS lots pursuant to a 1:1 (1 unit: 1 lot) ratio to mitigate the request for increased allowable density, pursuant to option (a) or (b):

(a) The donated IS lot(s) shall be designated as Tier I, Tier II or Tier III-A Special Protection Area and be located on Big Pine Key/No Name Key or be within the same sub-area of unincorporated Monroe County.

- The IS lot(s) shall be inspected by the Monroe County Biologist to assure it is acceptable for acquisition and donation.
- The IS lot(s) shall be dedicated to the Monroe County Land Authority for conservation through a mechanism contemplated by Comprehensive Plan Policy 102.4.6.
- A restrictive covenant shall be recorded to extinguish the development rights on the dedicated land.
- The Future Land Use Map Designation for the donated land may be designated by the County as Conservation (C).

(b) The donated IS lot(s) shall be designated as Tier III, suitable for affordable housing and must be within the same sub-area of unincorporated Monroe County.

- The IS lot(s) shall be dedicated to the Monroe County Land Authority for affordable housing projects through a mechanism contemplated by Comprehensive Plan Policy 102.4.6.

For options (1) and (2) described above, the parcel which is the subject of the request to increase its density and intensity must be designated as Tier III and have existing public facilities and services and available central wastewater facilities.

Example of Option 1	12 acres requesting a FLUM amendment to increase density and/or intensity	Requires the donation of 24 acres of non-scarified native upland habitat and/or undisturbed wetland habitat, designated as Tier I, Tier II or Tier III-A. *(12 acres x 2 = 24 acres)*
Example of Option 2	20 acres with an allocated density allowing the development of 20 units, requesting to increase density to allow 40 units	(a) Requires the donation of 20 IS lots of non-scarified native upland habitat and/or undisturbed wetland habitat, designated as Tier I, Tier II or Tier III-A; or (b) Requires the donation of 20 IS lots designated as Tier III and suitable for affordable housing. *(Increase of 20 units = 20 IS lots)*

Section 2. **Severability.** If any section, subsection, sentence, clause, item, change, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such validity.

Section 3. **Repeal of Inconsistent Provisions.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. **Transmittal.** This ordinance shall be transmitted by the Director of Planning to the State Land Planning Agency pursuant to Chapter 163 and 380, Florida Statutes.

Section 5. **Filing and Effective Date.** This ordinance shall be filed in the Office of the Secretary of the State of Florida but shall not become effective until a notice is issued by the State Land Planning Agency or Administration Commission finding the amendment in compliance with Chapter 163, Florida Statutes and after any applicable appeal periods have expired.

Section 6. **Inclusion in the Comprehensive Plan.** The numbering of the foregoing amendment may be renumbered to conform to the numbering in the Monroe

County Year 2010 Comprehensive Plan and shall be incorporated in the Monroe County Year 2010 Comprehensive Plan.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting held on the _____ day of _____ A.D., 2012.

Mayor Heather Carruthers _____
Mayor *pro tem* David Rice _____
Commissioner Sylvia Murphy _____
Commissioner George Neugent _____
Commissioner Kim Wigington _____

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____
Mayor Heather Carruthers

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

_____
DEPUTY CLERK

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT
We strive to be caring, professional and fair

To: Monroe County Development Review Committee
Townsley Schwab, Senior Director of Planning & Environmental Resources

From: Jane Tallman, PE, Scenic Highway Coordinator

Date: September 2, 2011

Subject: *Proposed Ordinance to the Board of County Commissioners to amend Section 142-2 of the Monroe County Code, Definitions, 142-3, General Provisions, and Section 142-4, Signs Requiring a Permit and Specific Standards*

Meeting: September 27, 2011

I REQUEST

The Planning & Environmental Resources Department is proposing amendments to the text of §142-2, §142-3, and §142-4 of the Monroe County Code, concerning the County's business signage regulations.

II RELEVANT PRIOR COUNTY ACTIONS AND BACKGROUND INFORMATION:

In December 2008, Code Enforcement conducted County-wide enforcement of all prohibited signs, signs requiring a permit, unsafe signs, off-premises signs, and signs in the State rights-of-way. At the January 28, 2009, Board of County Commissioners (BOCC) meeting several business owners spoke about the economic climate and the need to keep these prohibited signs or "go out of business." The BOCC directed the Department of Planning and Environmental Resources to review Chapter 142 Signs of the Monroe County Code. The BOCC agreed that a "temporary stay" of Code Enforcement proceedings against the prohibited signs would be granted for six months or until a new sign ordinance was written. If the signs were still in violation after the new ordinance was completed, they would be subject to enforcement review.

During May 2009 the Department of Planning and Environmental Resources conducted three (3) public workshops to receive public input regarding sign regulation revisions. The workshops began on May 11, 2009 at the Big Pine Academy School with the discussions focused on signage along U.S. 1. Specific concerns included the wide right-of-way through Big Pine and the resulting distance from the roadway to the adjoining property line of the businesses, the need for A-frame (sandwich board) signs, and questions relating to vehicle signs. Concerns were also expressed that the current sign ordinance is good and that it should not be changed to the extent that the community character would be negatively impacted. The second workshop was held at the Harvey Government Center in Key West on May 12, 2009, which focused primarily on off-premises signage in the Stock Island area. The final

workshop was held on May 13, 2009, at the Murray Nelson Government Center in Key Largo where concerns were expressed regarding illuminated signs and the need for signage exposure for businesses along U.S. 1. At each workshop, questionnaires were provided for attendees to complete. In general, the types of signs that were mentioned most by the respondents were A-frames, off-premises signs, and vehicle signs.

In August 2009, the BOCC approved several amendments to Chapter 142 of the Monroe County Code pertaining to sign regulations (Ordinance No. 031-2009). One of those amendments was to allow for A-frame signs provided a building permit was obtained (Section 142-4(3)(d)). As part of this amendment, the "sunset" date of June 7, 2010, was included for the expiration of permitted A-frame signs.

In May 2010, the BOCC approved Ordinance No. 018-2010 amending Section 142 Signs of the Monroe County Land Development Code, specifically amending the "sunset" date for A-frame signs, Section 142-4(3)(d), to December 30, 2011, to allow staff additional time to develop a viable alternative to A-frame signs.

In February 2010, the BOCC approved an FDOT grant to evaluate signage along the U.S. 1 right-of-way and to develop a Wayfinding Plan.

III REVIEW

Changes to Monroe County Code Ch. 142, Signs, are needed to make Sections 142-2, Definitions, and 142-4(4), Signs requiring a permit and specific standards, consistent with Florida Statute 335.093 and Rule 14-10.004(4)(c) Florida Administrative Code, which prohibit new permits for off-premises sign along scenic highways (see Attachment A). Changes to the code are also required to address Sec. 142-3(b)(8) and Sec. 142-4(3)(d), A-frame Signs, which sunsets on December 30, 2011, and add the new Sec. 142-4(3)(b), Multi-tenant Signs.

Staff identified and reviewed options for business signage, on both private property (addressed by County Code) and on FDOT right-of-way on U.S. 1 .

Private Property:

The allowance of A-frame signs addressed business identification on private property only (A-frame signs are not allowed in the U.S. 1 right-of-way).

Option A: Allow A-frame (sandwich board) signage.

This would require removing the “sunsetting” language from the A-frame subsection of the Sign Code. Businesses would continue to be allowed to apply for permits to put A-frame signs on their property. County staff counted A-frame signs adjacent to businesses on U.S. 1 in June 2011. A total of 150 A-frame signs were counted. County records indicate 3 permits for A-frame signs, leaving a total of 147 unpermitted signs in unincorporated Monroe County. Permitting A-frame signs and removing unpermitted signs would have to be addressed, as would ensuring signs are not in the U.S. 1 right-of-way or in clear sight triangles.

Option B: Allow A-frame signage subsection to sunset.

This would require notifying businesses with A-frame signs that they must be removed and can no longer be used. Businesses will be able to apply for permits for additional **permanent** signs, ground or wall-mounted. This is allowed by the Monroe County Sign Code as long as the total square footage of the sign faces does not exceed the maximum allowable area. That allowance is determined by the amount of frontage on U.S. 1 or a frontage road adjacent to U.S. 1.

Option C: Allow A-frame signage to sunset and allow for multi-tenant signs.
Throughout the U.S.1 corridor, the right-of-way width requires business owners to offset their signs at varying distances from the travel lanes. In some cases, this may impede legibility distance. The addition of multi-tenant sign language to the ordinance may help businesses by making allowances for visibility and safe-stopping distances. Another benefit of multi-tenant signage could be the consolidation of signs and reduction of sign clutter.

U.S. 1 Right-of-Way:

<u>FDOT Programs Currently Available to Monroe County</u>

Wayfinding Program (Ch. 14-51.05, F.A.C.)
A Wayfinding Program offers general signage (restaurant, marina, etc.) in the U.S. 1 right-of-way for businesses and facilities located off of U.S. 1 (see Attachment B). The current wayfinding grant is a one-time allocation for the design, fabrication, permitting, and installation of wayfinding signs. Future wayfinding signage would require a County funding allocation for the design, fabrication, permitting, installation and maintenance of the signs.

FDOT Sign Permit (Ch. 14-51, F.A.C.)
The Director of Engineering Services utilizes this program, in conjunction with FDOT approval, to request various signs on the FDOT right-of-way on an as needed basis.

Tourist-Oriented Directional Signage (TODS) (Ch. 14-51.06, F.A.C.)
For qualified businesses, the FDOT TODS program allows business names on grouped signs in the FDOT right-of-way (see Attachment C). However, TODS cannot be used in conjunction with a Wayfinding Program, so Monroe County does not qualify. TODS would require a funding source and permits from FDOT for signs in the right-of-way. The County would also be responsible for maintenance of the signs.

<u>FDOT Programs Currently Available to Business Owners</u>

Logo Sign Program (Ch. 479.261, F.S.)
Businesses providing gas, food, lodging, camping, and attractions may qualify for the FDOT Logo Sign Program (see Attachment D). The program is between the FDOT and business owners. The program is designed for off-ramp signage on interstate highways.

FDOT Surplus or Leased Property (FDOT Right-of-Way Manual, Sec. 10-5)
A business may be able to purchase FDOT surplus property in the U.S. 1 right-of-way in front of the business (see Attachment E). A business may also be able to lease the U.S. 1 right-of-way in

front of their business. Such transactions would be between the FDOT and business owner. Then, when the property is owned or leased by the business owner, he may apply for a County sign permit. The business owner would be responsible for design, fabrication, permitting, installation and maintenance of the sign(s).

FDOT Outdoor Advertising Permit (Ch. 14-10, F.A.C)

A business owner may apply for an FDOT Outdoor Advertising permit (see Attachment F). Any sign that is advertising a product or business and is visible from a state road is regulated as "Outdoor Advertising" regardless of size. The FDOT does not regulate signage on private property except for off-premises signs. F.A.C. Subsection 14-10.004(4)(c) states that "When a controlled road, or any portion of a controlled road, is designated as a scenic highway or scenic byway pursuant to Section 335.093, F.S., new permits will not be issued for off-premises signs visible from the portion of the highway designated as a scenic highway or byway."

Further, a multi-tenant sign that is identifying businesses that are not on the same parcel as the sign are considered off-premises and, therefore, not permittable if visible from the portion of the highway designated as a scenic highway or byway. This was verified in a conference call on August 17, 2011, between the County Planning Director and staff and the FDOT Outdoor Advertising Manager, Joe Bixby, FDOT Scenic Highway Program Manager, Mariano Berrios, and FDOT Attorney Kimberly Menchion. They said that state statutes and case law are clear that off-premises signage must have FDOT permits and, unless the business owners merged properties, multi-tenant signs would be considered off-premises.

If a permit is issued, the business owner must also apply for a County permit and adhere to the County Sign Code. The County does not permit anything in the FDOT Right-of-Way. The business owner would be responsible for design, fabrication, permitting, installation and maintenance of the signs.

Other Programs Currently Available to Business Owners

Monroe County has an agreement with Key West Transit Authority to allow them to install and maintain bus shelters along the U.S. 1 right-of-way. Businesses can purchase advertising space on the shelters. Additional information may be obtained by contacting the Key West Transit Authority.

Concurrently, the County is evaluating signage along U.S. 1 as part of a wayfinding project to develop consistent signage which compliments the Florida Keys Scenic Highway and reduces extraneous sign clutter along U.S. 1. The purpose of the wayfinding project is to direct vehicles and pedestrians to business districts, recreational facilities, cultural sites, civic locations, and natural features through a cohesive signing plan. The wayfinding project is funded as a one-time grant allocation by FDOT and provides a plan for a consolidated wayfinding system, sign design, fabrication, permitting, and installation. There is currently no long term maintenance allocation for the wayfinding project.

IV RECOMMENDATION

Staff recommends that the Board of County Commissioners amend the Monroe County Code as follows:

Staff recommends allowing the A-Frame Signs subsection of the Sign Code, Sec. 142-4(3)(d), to sunset, adding the new Sec. 142-4(3)(b), Multi-tenant Signs, and revising Sec. 142-2, Sec. 142-3(b)(8), and Sec. 142-4(4) of the Sign Code adding language to make it consistent with state statutes related to scenic highways and off-premises signs. Please see the aforementioned sections of Code below, shown with proposed changes (deletions are ~~stricken through~~ and additions are underlined):

Chapter 142 – SIGNS

Sec. 142-1. - Purpose and intent.
Sec. 142-2. - Definitions.
Sec. 142-3. - General provisions.
Sec. 142-4. - Signs requiring a permit and specific standards.
Sec. 142-5. - Regulations pertaining to the measurement, construction, and maintenance of all signs.
Sec. 142-6. - Criteria for variances.
Sec. 142-7. - Nonconforming signs.
Sec. 142-8. - Special identification signs.

Sec. 142-1. - Purpose and intent.

The purposes and intent of this chapter are to:

(1)

Facilitate the implementation of goals, objectives and policies set forth in the comprehensive plan relating to sign control, community character and scenic resources and protection of areas from incompatible uses;

(2)

Promote and maintain convenience, safety, property values and aesthetics by establishing a set of standards for the erection, placement, use and maintenance of signs that will grant equal protection and fairness to all property owners in the county;

(3)

Provide a simple set of regulations that will minimize intricacies and facilitate efficiency of permitting functions and thus assist the regulated public;

(4)

Encourage signs that help to visually organize the activities of the county, and lend order and meaning to business identification and make it easier for the public to locate and identify their destinations;

(5)

Regulate the size, number and location of signs so that their purpose can be served without unduly interfering with motorists and causing unsafe conditions;

(6)

Promote the general welfare, including enhancement of property values and scenic resources, so as to create a more attractive business climate and make the county a more desirable place in which to visit, trade, work and live;

(7)

Be fair in that everyone receives equal and adequate exposure to the public and no one is allowed to visually dominate his neighbor;

(8)

Authorize the use of signs in commercial and industrial areas that are:

a.

Compatible with their surroundings;

b.

Appropriate to the type of activity to which they pertain;

c.

An expression of the identity of the individual proprietors and the community as a whole; and

d.

Large enough to sufficiently convey a message about the owners or occupants of a particular premises, the commodities, products or devices available on such premises, or the business activities conducted on such premises, yet small enough to prevent excessive, overpowering advertising which would have a detrimental effect on the character and appearance of commercial and industrial areas, or which could unduly distract the motoring public, causing unsafe motoring conditions;

(9)

To limit signs in noncommercial areas to protect the character and appearance of noncommercial areas.

(Code 1979, § 9.5-401; Ord. No. 54-1987, § 2; Ord. No. 1-1994, § 1; Ord. No. 36-1997, § 2)

Sec. 142-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Area of a sign. Refer to section 142-5(1).

Banners means any suspended sign made of any flexible material such as, but not limited to, cloth or paper whether or not imprinted with words or characters.

Billboard means any sign that is required to be registered with the Florida Department of Transportation pursuant to F.S. ch. 479 and exceeds the size limitations set forth in section 142-4.

Business frontage. See "frontage, business."

Changeable copy sign means a sign specifically designed for the use of replaceable copy that does not involve replacement of the sign face itself or alteration of the sign structure.

Clear sight triangle means as required in section 114-201, an imaginary triangular-shaped area at any driveway connection to a public street and at all street intersections in which nothing is allowed to be erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight of motorists entering or leaving the intersection.

Copy means the text or graphic representations of a sign that depict, for example, the name of an establishment, products; services or other messages, whether in permanent or removable form.

Erect means to build, construct, attach, hang, place, suspend, affix or paint a sign.

Facade means the face of a building or structure is most nearly parallel with the right-of-way line under consideration, including related architectural elements such as awnings, parapets and mansard roofs but excluding signs attached to a building that are not otherwise incorporated into such architectural elements.

Face of sign means the planes of a sign on which copy could be placed, including trim and background.

Flag means a piece of light weight, flexible material such as cloth or plastic with one side attached to a pole and the other end flying freely.

Frontage, business, means the horizontal linear distance measured along the facade of an individual business.

Frontage, property, means the distance measured along a public or private right-of-way or easement including canals, shorelines and runways that affords vehicular access to the property between the points of intersection of the side lot lines with such right-of-way or easement. Where a street or highway is divided as occurs on Key Largo, a parcel of land in the median of the street or highway shall be considered to have a

frontage on each side. All parcels that abut U.S. 1 or County Road 905 shall be considered to have a frontage on such roads regardless of whether a curb cut exists.

Ground-mounted sign means any sign that is mounted on or supported by an upright or brace in or upon the ground, such upright or brace being directly attached in or upon the ground and independent of any other structure. Signs affixed to fences shall be considered ground-mounted signs.

Illuminated sign means any sign that is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

Interior property information sign means signs located entirely on the property to which the sign pertains, are not readily visible from public rights-of-way, and which are intended to provide information to people on the property. Examples include, but are not limited to, "pool closed," "no walking on grass," "pay ramp fee at the office" and "no fishing."

Licensed sign contractor means any person holding a valid certificate of competency in sign erection issued by the county.

Off-premises sign means any sign located on premises other than those on which the business or organization uses products, goods or services that the sign advertises are available. When in the right-of-way of or visible from U.S. 1, off-premises signs are required to be registered with the Florida Department of Transportation pursuant to F.S. Ch. 479.

Pennant means a series of small flag-like pieces of cloth or similar type of material attached and strung between two or more points.

Plane means any surface such as a rectangle, square, triangle, circle or sphere that is capable of carrying items of information; any area enclosed by an imaginary line describing a rectangle, square, triangle or circle which includes freestanding letters, numbers or symbols.

Portable sign means any sign or sign structure that is not permanently attached to the ground or to any other permanent structure or which is specifically designed to be transported. This definition shall include, but not be limited to, trailer signs, A-frame signs, sandwich signs and vehicles whose primary purpose is advertising.

Posted property sign means a sign such as, but not limited to, the following, which indicates "no trespassing," "beware of dog," "no dumping," or other similar warnings. State statutes may establish requirements for these signs.

Premises means any parcel of land owned, leased or controlled by the person actively engaged in business and so connected with the business as to form a contiguous component or integral part of it; or owned, leased or controlled by a person for living accommodations.

Promotional signs means promotional signs are temporary signs posted by nonprofit organizations or organizations holding a valid county public assembly permit to advertise a special event such as a bazaar, dance, art show, craft show, or similar type of event.

Sign means any object, device, display or structure, or part thereof, situated outdoors or indoors that is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product service event or location and by any means, including words, letters, figures, designs, symbols, fixtures, colors or projected images. Signs do not include:

(1) The flag or emblem of any nation or organization of nations, state, city, or fraternal, religious or civic organizations;

(2) Merchandise that is not otherwise incorporated into a sign structure;

(3) Models or products incorporated in a window display;

(4) Works of art that do not contain advertising messages and in no way identify a product, use or service; or

(5)

Scoreboards located on athletic fields.

Sign structure means any structure that supports, has supported or is capable of supporting a sign, including decorative cover.

Wall-mounted sign means any sign mounted on or painted on and parallel to the facade or wall of a building.

Window sign means any sign mounted to or painted on, or visible through a window for display to the public.

(Code 1979, § 9.5-402; Ord. No. 54-1987, § 3; Ord. No. 1-1994, § 1; Ord. No. 95-402, § 3)

Sec. 142-3. - General provisions.

(a) Applicability of chapter.

(1) Type of activities affected.

This chapter shall apply to any person who erects, constructs, enlarges, moves, changes the copy of, modifies, or converts any signs, or causes the same to be done. If a type of sign is not specifically allowed under this chapter, it shall be considered to be prohibited. The procedure for variances is set forth in section 142-6. The procedure for amendments to the text of this chapter is set forth in chapter 102, article V.

(2) Type of activities not affected.

The following activities shall not be subject to the regulation under this chapter. However, such activities shall nevertheless comply with the county building code and other applicable regulations of the county, state and federal governments.

a.

Any sign erected by or at the direction of the federal, state, or county government. Such signs shall not reduce the authorized size or number of signs otherwise allowed by this chapter. All signs allowed pursuant to this section shall be the minimum necessary to comply with the applicable law;

b.

Changing of the advertising copy or message of a lawfully existing changeable copy sign, whether manual or automatic;

c.

Changing the copy of a lawfully existing billboard (refer to definition of billboard in section 142-2);

d.

Works of art that do not contain advertising messages, and which in no way identify a product, use, or service;

e.

Maintenance of lawfully existing signs and sign structures that does not involve change of copy, modification, enlargement, reconstruction, relocation or additions to any sign or sign structure. Replacement of the damaged or deteriorated plastic face of a sign shall be considered maintenance, provided that the copy is not changed. The necessity to obtain a building permit for such work shall be governed by chapter 6;

f.

The erection of community interest signs in the right-of-way of U.S. 1 as are otherwise allowable pursuant to state or federal law. Examples of community interest signs shall include, but not be limited to, "Welcome to the Florida Keys," "Thank You for Visiting the Florida Keys," and signs that identify recognized communities or municipalities; and

g.

Interior property information signs as defined in section 142-2.

(b) Prohibited signs.

The following types of signs, lights, advertising devices or activities are prohibited:

(1)

Off-premises signs; excluding signs identifying lawfully-established off-premises businesses, as permitted in section 142-4;

(2)

Those erected in a clear sight triangle; or at any location where, by reason of the position, shape or color, they may interfere with or obstruct the view of any authorized traffic sign, signal or device;

(3)

Abandoned signs that no longer correctly direct or exhort any person; or advertise a bona fide business, lessor, owner, product or activity conducted or available on the premises indicated on such sign;

(4)

Animated signs, of which all or part of the sign physically revolves or moves in any fashion whatsoever, or which contains or uses for illustration any light, lights or lighting device which changes color, flashes or alternates, shows motion or movement, or changes the appearance of such sign. The operations of electronic message centers and automatic changing signs shall be governed by section 142-5(4)d;

(5)

Signs that emit smoke, vapor, particles, odor or sounds;

(6)

Motion picture source used in such a manner as to permit or allow the images or audio to be visible or audible from any public street or sidewalk;

(7)

No person shall park any vehicle, trailer, floating device, barge, raft, or boat, whether licensed or unlicensed, on any public property, including public rights-of-way, and beaches, or on private property so as to be clearly visible from any public right-of-way, which has attached thereto or located thereon any sign, or promotional element, for the primary purpose of advertising products or services, conveying messages or directing people to a business or activity. This restriction is not intended to prohibit incidental signage on a functional, licensed vehicle which is displayed in a manner to primarily identify the vehicle with the business it serves. Such vehicles shall only park in a lawful parking space. Vehicle signs may not be an attachment that extends or protrudes from the vehicle. However, commercial vehicles that provide delivery services, including taxies, shall be allowed a temporary attached roof sign that identifies the business. Such sign shall only be allowed on the vehicle while doing business and shall be no larger than 24 inches long, 12 inches tall and ten inches wide, including the base.

(8)

Portable signs, except for ~~A-frame signs as permitted in section 142-4 and~~ political campaign signs as permitted in section 142-3(d);

(9)

Any sign that is affixed to any wall or structure and extends more than 24 inches perpendicularly from the plane of the building wall;

(10)

Any sign attached to a building and projecting above the facade of a building, or any sign mounted on top of a flat roof or on top of any horizontal awning;

(11)

Signs that cause radio or television or other communication, electrical, magnetic interference;

(12)

Signs erected, constructed or maintained that obstruct any firefighting equipment, window, door or opening used as a means of ingress or egress or for firefighting purposes;

(13)

Signs, except posted property signs, that are erected or maintained upon trees or painted or drawn upon rocks or other natural features or tacked, nailed or attached in any way to utility poles;

(14)

Signs on public property or road rights-of-way including, but not limited to, signs placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property or over or across any public or private street except as may otherwise expressly be authorized by this chapter;

(15)

Unshielded illuminated devices that produce glare or are a hazard or a nuisance to motorists or occupants of adjacent properties, or signs containing mirrors; and

(16)

Pennants.

(c) Dangerous signs.

No person shall allow any sign that is in a dangerous or defective condition to be maintained on any premises owned or controlled by such person. Any such sign shall be removed or repaired by the owner of the sign or the owner of the premises, or as otherwise provided for in this chapter.

(d) Signs not requiring a permit.

The following shall not require a permit but still are subject to section 142-5:

(1) Banners.

Banners, provided they do not exceed 32 square feet per face and there is only one per business frontage, and they are displayed temporarily for a period of not more than 60 consecutive days, nor more than 60 total days in any one year. Banners exceeding 32 square feet in area shall be required to obtain a permit pursuant to section 142-4;

(2) Business affiliation and law enforcement signs.

Signs displayed upon the premises denoting professional and trade associations with which the occupant is affiliated, and including, but not limited to, forms of payment accepted by the occupant, and other signs pertaining to public safety and law enforcement, provided the total of such signs does not exceed four square feet;

(3) Business information signs.

Signs providing information to customers such as business hours, telephone number, "open" or "closed," "shirts and shoes required," "no soliciting," and "no loitering," provided that such signs are posted on or near the entrance doors and the total of such signs does not exceed six square feet;

(4) Commemorative plaques.

Signs of recognized historical nature, provided no plaque exceeds 16 square feet per face;

(5) Construction signs.

Signs erected at a building site that identify the name of the project, owner, architect, engineer, general contractor, financial institution, or other persons and firms performing services, labor or supply of materials to the premises; provided the signs are not installed until a building permit is issued and are removed within 30 days of the issuance of the certificate of occupancy and are further limited as follows:

a.

Signs for individual tradesmen or professionals shall be limited to four square feet in area per face per tradesman or professional; and

b.

Signs for more than one tradesman or professional shall be limited to a total of 32 square feet in area per face and eight feet in height;

(6) Directional signs.

Signs located entirely on the property to which the sign pertains and which are intended to provide direction to pedestrians or vehicular traffic and/or to control parking on private property. Examples: "entrance," "exit," "one-way," "pedestrian walk," "handicapped parking," etc., provided such signs do not exceed six square feet per sign face;

(7) Flags.

Each business frontage shall be allowed to display two flags containing any graphic, symbol, logo or other advertising message, provided that no such flag shall exceed 50 square feet in size. There shall be no number or size limit on the display of the flag of any nation, organization of nations, state, city, or fraternal, religious, or civic organizations;

(8) Garage sale signs.

Signs for garage sales, provided they are erected not more than 24 hours prior to the sale and are removed within 72 hours of the time they were erected and they do not exceed four square feet per face;

(9) Holiday decorations.

Decorations that are clearly incidental to and commonly associated with any national, local or religious holiday; provided that such signs shall be displayed for a period of not more than 60 consecutive days nor more than 60 days in any one year. Such signs may be of any type, number, area, height, illumination or animation, provided that they do not interfere with public safety;

(10) Memorial signs or tablets.

Signs including, but not limited to, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other noncombustible materials, provided the total of such signs does not exceed eight square feet;

(11) Nameplates.

Signs bearing only property numbers, street addresses, mailbox numbers, estate names, the occupation of the occupant or names of occupants of the premises, provided the signs do not exceed two square feet per sign face;

(12) Posted property signs.

Signs such as, but not limited to, the following, which indicate "no trespassing," "beware of dog," "no dumping," or similar warnings, provided they individually do not exceed 1.5 square feet in area per sign and not exceeding four in number per lot, or of such number, spacing, and size as is required per state statutes. Such signs shall not be illuminated nor shall they project over any public right-of-way;

(13) Warning signs.

Signs informing the public of the existence of danger, but containing no advertising material, provided the sign does not exceed the minimum necessary to inform the public and are removed upon subsidence of danger;

(14) Window signs.

Window signs that collectively cover 35 percent or less of the window glass surface area. Note: The abovementioned business information and business affiliation signs shall be excluded from the computation of the window sign area;

(15) New business signs.

Once an application for a permanent sign is submitted to the county, a new business, or a business in a new location may erect a temporary sign without a permit for a period not exceeding 120 days from the date of application for a permanent sign, provided that:

a.

There is only one ground-mounted or wall-mounted sign;

b.

The total sign area does not exceed 32 square feet;

c.

The sign, if ground-mounted, does not exceed eight feet in height; and

d.

The temporary sign shall be removed upon the installation of the permanent sign;

(16) Political signs.

Political signs are signs on behalf of candidates for public office or measures on election ballots and shall be allowed as follows:

a.

Political signs may be erected no earlier than 70 days prior to such section and shall be removed within 14 days following such election. Failure to meet these conditions shall constitute the basis for sign removal by the county or its designee;

b.

In areas zoned residential or of low intensity CD, CFV, IS, MN, NA, OS, PR, SS, SR, SR-L, UR, URM, AND URM-L political signs shall not exceed 16 square feet per face or eight feet in height and shall not be illuminated; and

c.

In areas zoned commercial (AD, CFA, CFS, DR, I, MF, MI, MU, RV, SC, and UC) political signs shall not exceed 32 square feet per face in area or eight feet in height;

(17) Promotional signs.

Promotional signs per section 142-4(2); and

(18) Real estate signs.

Real estate signs per section 142-4(3).

(Code 1979, § 9.5-403; Ord. No. 54-1987, § 4; Ord. No. 19-1989, § 1(PD135), (PD135A); Ord. No. 1-1994, § 1; Ord. No. 36-1997, § 4; Ord. No. 031-2009, § 1)

Sec. 142-4. - Signs requiring a permit and specific standards.

Upon application for, and issuance of a building permit, except as indicated, the following signs shall

be allowed. In order for a sign application to be approved, the applicant must grant access to the property for inspection purposes, for the life of the sign.

(1) Special signs.

a.

Promotional signs. Promotional signs are temporary signs posted either by nonprofit organizations or by any organization conducting a temporary event pursuant to a public assembly permit to advertise a special event such as a bazaar, dance, art show, craft show, or similar type of event.

1.

Promotional signs not exceeding 32 square feet. Promotional signs not exceeding 32 square feet per face shall not require a permit, provided that such signs are:

(i)

Not illuminated;

(ii)

Not located in a clear sight triangle;

(iii)

Limited to two promotional signs on the premises of the event;

(iv)

Posted no earlier than 15 days before the event and are removed within five days after the event; and

(v)

Limited to two off-premises promotional signs erected no more than 24 hours prior to the event and removed no later than 24 hours after the conclusion of the event, provided that permission of the property owner is granted.

2.

Promotional signs exceeding 32 square feet. Promotional signs exceeding 32 square feet in area per face shall be allowed in any zoning district by issuance of a single building permit, provided that the promotional signs:

(i)

Are erected no earlier than 30 days prior to a proposed event and are removed within five days after such event;

(ii)

Do not exceed 128 square feet; and

(iii)

Are located on the premises of the event.

b.

Real estate signs. Signs used solely for the purpose of offering for sale, lease, or rent the property upon which the sign is placed and which include, but are not limited to, "open house," "open for inspection" and "model home." Such signs are allowed only while a property is for sale, lease or rent and as follows:

1.

Real estate signs not exceeding six square feet. One real estate sign not exceeding six square feet per face including riders, per property shall not require a permit, provided the sign is:

(i)

Not illuminated; and

(ii)

Ground-mounted signs shall not exceed eight feet in height.

2.

Real estate signs exceeding six square feet. Real estate signs exceeding six square feet per face shall require a permit and shall be subject to the following restrictions:

(i)

Multiple-family structures, nonresidential buildings and vacant land shall be

allowed one nonilluminated wall- or ground-mounted sign not exceeding 32 square feet in area shall be allowed on each street frontage. Ground-mounted signs shall not exceed eight feet in height.

(ii)

Any property of ten acres or more in size, regardless of the limitations set forth in subsection (1)b.2.(i) of this section, shall be allowed nonilluminated ground-mounted or wall-mounted signs as follows: One sign not exceeding 32 square feet may be erected for every 400 linear feet of frontage on any one street. Ground-mounted signs shall not exceed eight feet in height.

c.

Hospitals or other emergency facilities. In addition to any other signage allowed under this chapter, hospitals or other emergency medical facilities, excluding individual medical offices, shall be allowed one additional illuminated ground- or wall-mounted sign not to exceed 32 square feet per face to identify each emergency entrance.

d.

Bench signs. Bench signs shall be allowed, upon approval of the county engineer and the building official, at any designated bus stops subject to the following limitations:

1.

Benches in residential areas shall not have signs, except a bench donor sign containing the donor's logo or symbol, not exceeding two inches by 16 inches in size;

2.

Benches in commercial areas shall be allowed to have signs on the back rest not to exceed a total of six square feet; and

3.

Bench signs shall be limited to one per designated bus stop.

(2) Signs in residential areas and areas of low intensity.

Signs in residential areas and areas of low intensity (CD, CFV, IS, MN, NA, OS, PR, SS, SR, SR-L, UR, URM, URM-L) shall be restricted as follows:

a.

Commercial and other nonresidential uses. Commercial and other nonresidential uses within the land use districts, CD, CFV, IS, MN, NA, OS, PR, SS, SR, SR-L, UR, URM, URM-L, which are adjacent to U.S. 1 shall be regulated pursuant to subsection (3) of this section. Unless otherwise provided for in this chapter, all other commercial and nonresidential uses in these land use districts shall be allowed one ground-mounted sign and wall-mounted signage which shall be limited as follows:

1.

The ground-mounted sign shall be limited to 32 square feet in area per face and eight feet in height; and

2.

Wall-mounted signage shall be limited to a total of 32 square feet.

b.

Residential subdivision or condominium sign.

1.

One permanent, wall- or ground-mounted sign, for identification purposes only, giving only the name of the subdivision, or residential development, may be granted a permit at each main entrance into such subdivision or development from each abutting street.

2.

The following limitations shall apply:

(i)

The subdivision or development shall have a homeowner's association or similar entity that will be responsible for permits and maintenance of the signs;

(ii)

The face of each sign shall not exceed 32 square feet;

(iii)

The maximum permitted height shall be eight feet; and

(iv)

The sign may incorporate, or be incorporated into, accessory entrance structural features such as a project wall or landscaping.

c. Institutional uses and private parks.

Institutional uses, private parks and similar uses shall be allowed one ground-mounted sign and wall-mounted signage that shall be limited as follows:

1.

The ground-mounted sign shall be limited to 32 square feet in area per face (a maximum of 64 square feet for all faces) and eight feet in height;

2.

Wall-mounted signage shall be limited to a total of 32 square feet; and

3.

An additional 16 square feet in area per face may be added to the ground-mounted sign for the exclusive use of a changeable copy sign.

d. Electronic message centers and automatic changing signs.

Electronic message centers and automatic changing signs shall be prohibited in residential areas and areas of low intensity.

(3) Signs in commercial areas.

Sign allowances in commercial areas (AD, CFA, CFS, DR, I, MF, MI, MU, RV, SC, UC) shall be calculated based on the amount of property frontage and business frontage as follows:

a. Ground-mounted signs.

Every nonresidential developed parcel of land shall be allowed the following ground-mounted signage.

1.

One illuminated, ground-mounted sign of a height not more than 24 feet shall be allowed for each frontage as indicated in the following table:

Permitted Size of Nonresidential Signs per Property Frontage

Street Frontage (Linear feet)	*Maximum Area Per Face*	*Total Face Area*
Frontage on U.S. 1 or a frontage road adjacent to U.S. 1:		
1' to 150'	75 sq. ft.	150 sq. ft.
150' to 300'	100 sq. ft.	200 sq. ft.
Over 300'	200 sq. ft.	400 sq. ft.
Frontage on county roads, shorelines or runways:		
1' to 150'	40 sq. ft.	80 sq. ft.
150' to 300'	60 sq. ft.	120 sq. ft.
Over 300'	80 sq. ft.	160 sq. ft.

2.

Parcels that are on a corner of two public streets shall be allowed either:

(i)

One ground-mounted sign for each property frontage; or

(ii)

One ground-mounted sign with exposure to both streets with up 1.5 times the maximum amount of area allowed on any one property frontage.

3.

Where a street or highway is divided as occurs on Key Largo, which results in a parcel of land in the median of the street or highway then the property shall be considered to have a frontage on each side.

4.

Service stations, convenience stores, marinas, or other facilities dispensing fuel to the public shall be allowed to add to each authorized ground-mounted sign, an additional 40 square feet or 20 square feet per face of signage for the exclusive

use of a changeable copy sign for posting fuel prices.

5.

A school, church, day-care center or other similar use shall be allowed to add an additional 64 square feet or 32 square feet per face of signage to the ground-mounted or wall-mounted sign for the exclusive use of a changeable copy sign.

6.

Individual charter boats shall be allowed a ground-mounted sign at the charter boat's dock slip, provided the sign does not exceed a total of 32 square feet and there is no more than one fish replica. Signs allowed under this provision shall be exempt from shoreline setback requirements.

7.

Drive-through or carry-out services shall be allowed a ground- mounted sign that carries only the name of the establishment and the current list and price of goods or services available in the establishment and is not intended to be viewed from any right-of-way and provided that the sign is limited to a maximum of 40 square feet.

b. Ground-mounted multi-tenant signs.

Every developed nonresidential subdivision or multiple-occupancy complex shall be allowed the following multi-tenant ground-mounted signage.

1.

One illuminated, multi-tenant ground-mounted sign of a height not more than 24 feet shall be allowed for each nonresidential subdivision or multiple-occupancy complex frontage according to Section 142-4(3)a(1).

2.

On corner lots, the developer may either place one identification sign on both streets providing access as stipulated in subsection (3)b(1) of this section, or he may place one sign in the corner with a total sign area based upon the total frontage of both streets provided the maximum sign area shall not exceed 1.5 times the maximum amount of area allowed one any property frontage.

3.

Where a nonresidential subdivision has more than one entrance from the same street, one additional identification sign not exceeding 16 square feet in area, not illuminated, and displaying the name of the development only may be permitted at each additional entrance.

4.

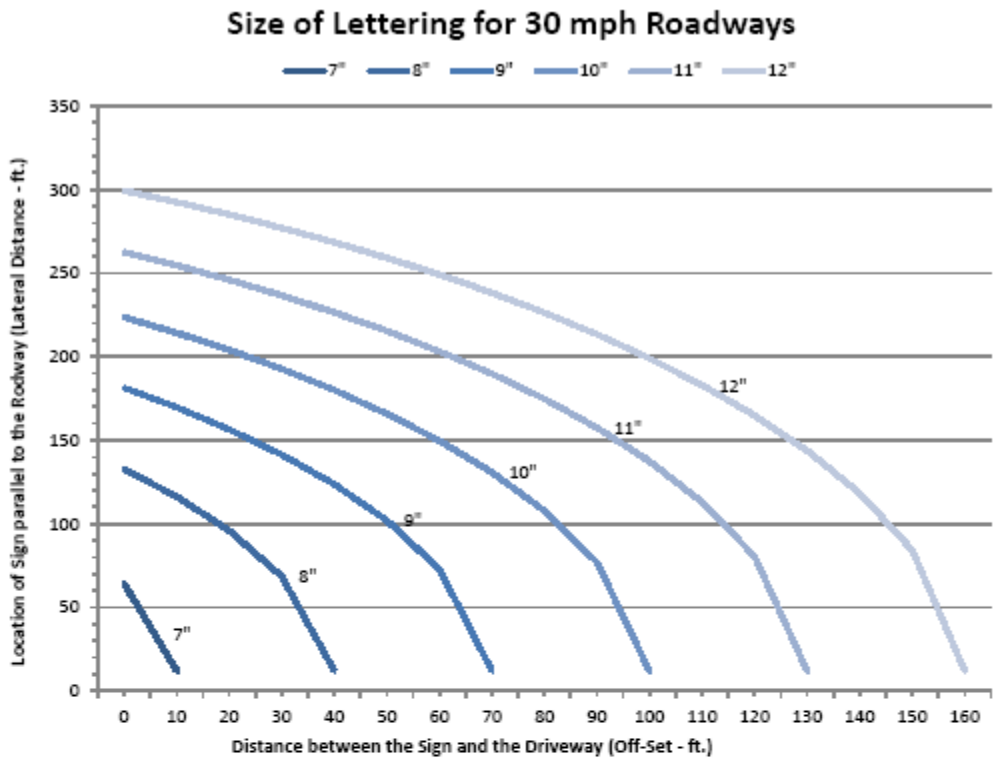
Only one multi-tenant sign shall be constructed within 40 feet of a ground-mounted sign on a neighboring site.

5.

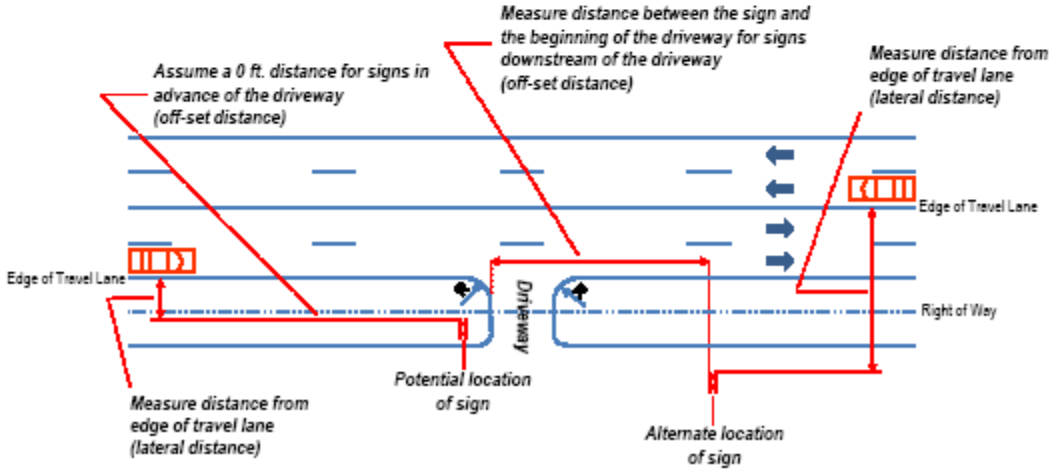
Other limitations of ground-mounted signs shall apply.

6.

Sign legibility is a direct function of letter size. Legibility distance shall be sufficient to give road users enough time to read sign and achieve safe-stopping distance. If the number of tenant identification signs on a multi-tenant sign results in inadequate letter size (therefore, inadequate legibility distance), the criteria for variances in Section 142-6 may be considered. Adequate letter size shall be calculated using the following graphs according to speed limit, location of the sign parallel to the roadway (lateral distance), and distance between the sign and the driveway.

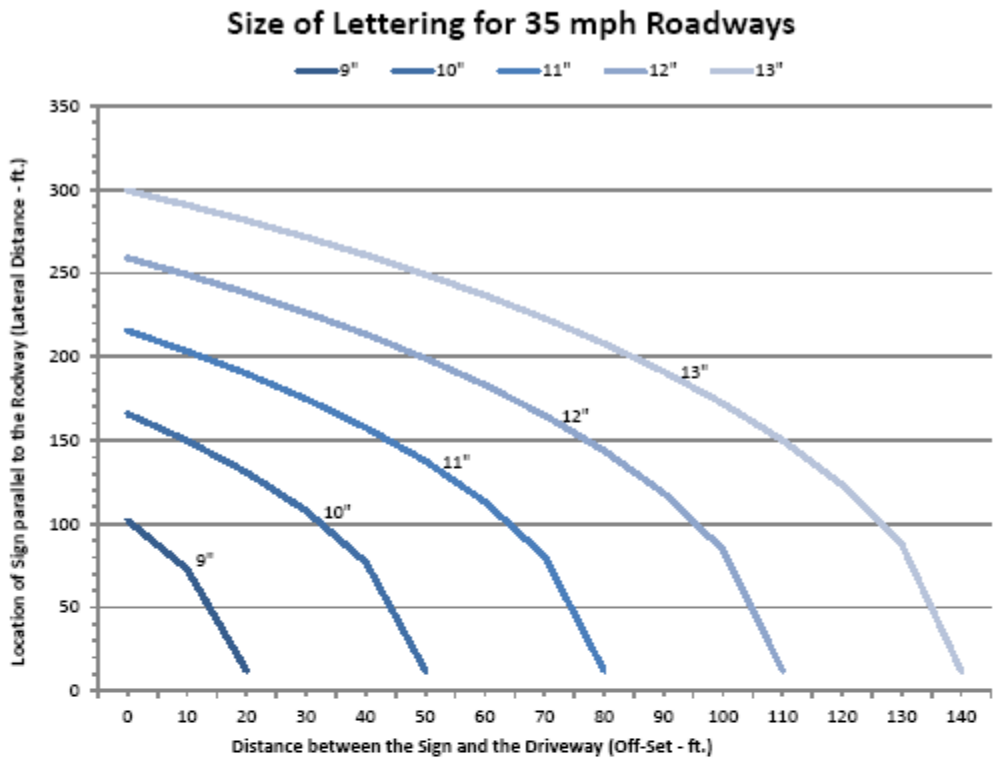


Determine the location of sign parallel to the roadway (Lateral Distance) and the distance between the sign and the driveway (Off-Set). Plot the point corresponding to the lateral and off-set distances. Select the letter size corresponding to the line including or immediately above the plotted point. When a sign is intended to serve both approaches, plot a point for each approach and select the larger letter size.

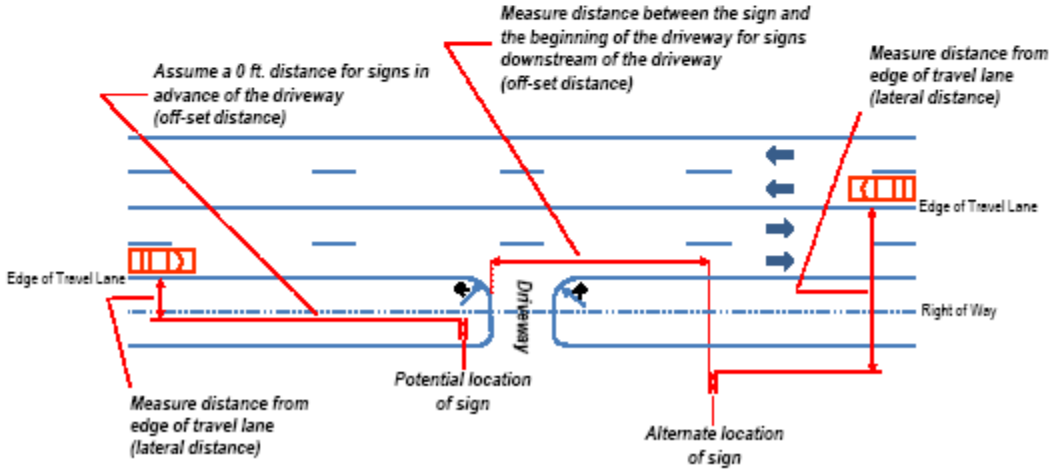


 Reviewed by _____

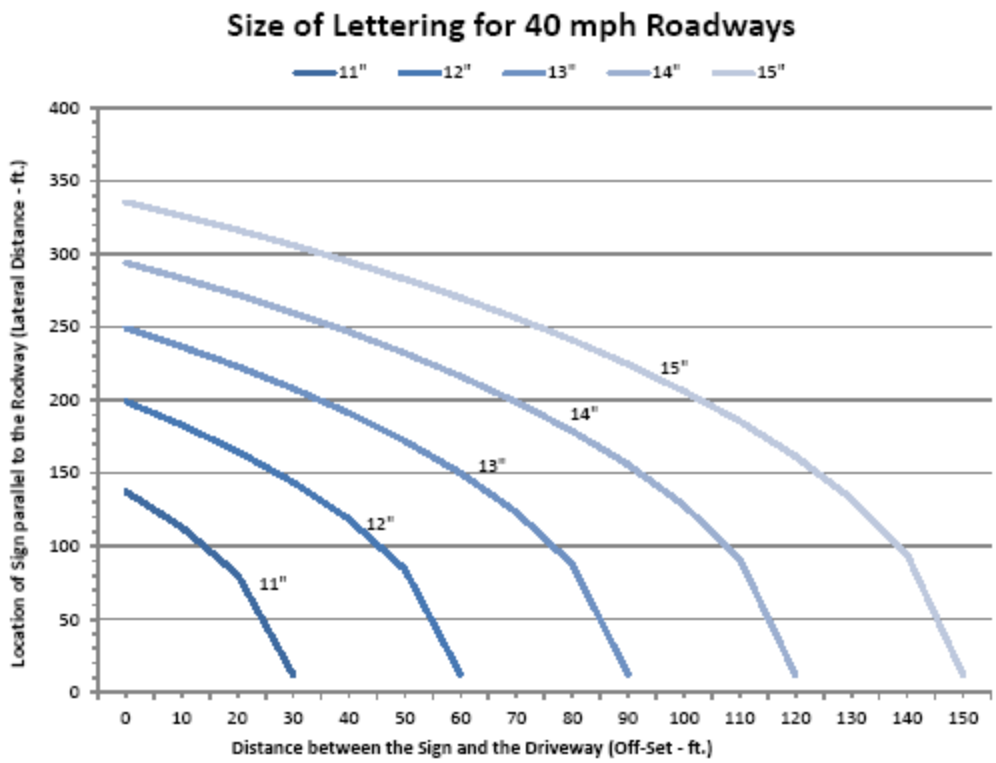
1



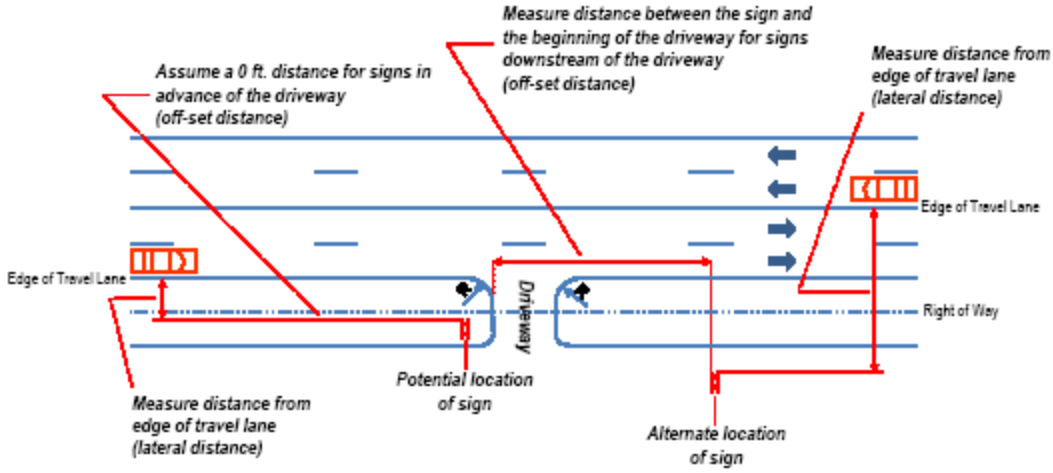
Determine the location of sign parallel to the roadway (Lateral Distance) and the distance between the sign and the driveway (Off-Set). Plot the point corresponding to the lateral and off-set distances. Select the letter size corresponding to the line including or immediately above the plotted point. When a sign is intended to serve both approaches, plot a point for each approach and select the larger letter size.



 Reviewed by _____

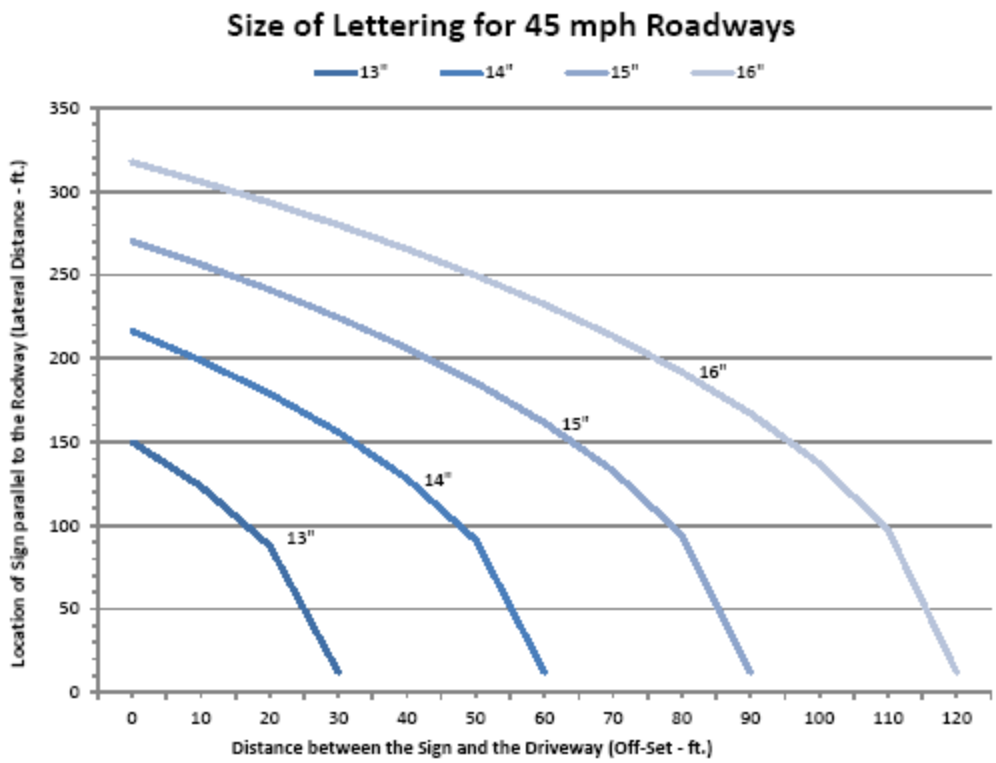


Determine the location of sign parallel to the roadway (Lateral Distance) and the distance between the sign and the driveway (Off-Set). Plot the point corresponding to the lateral and off-set distances. Select the letter size corresponding to the line including or immediately above the plotted point. When a sign is intended to serve both approaches, plot a point for each approach and select the larger letter size.

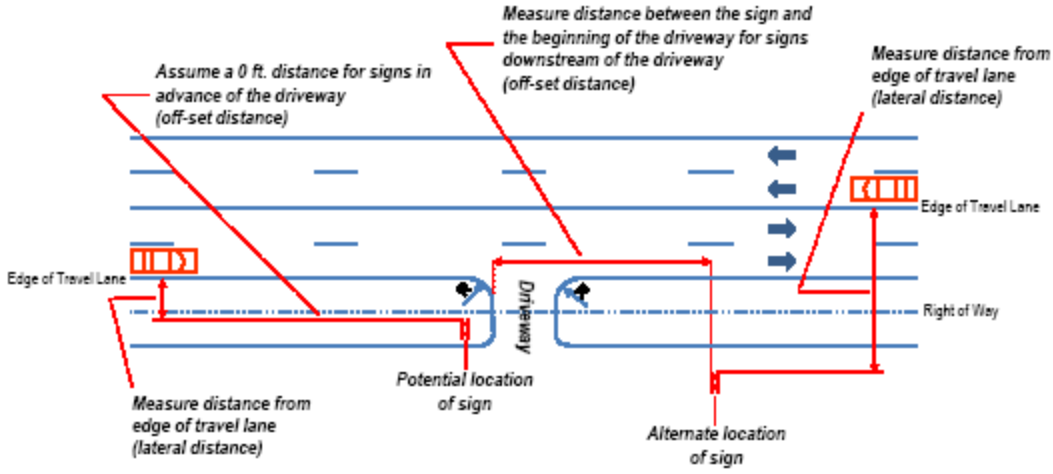


1

 Reviewed by _____

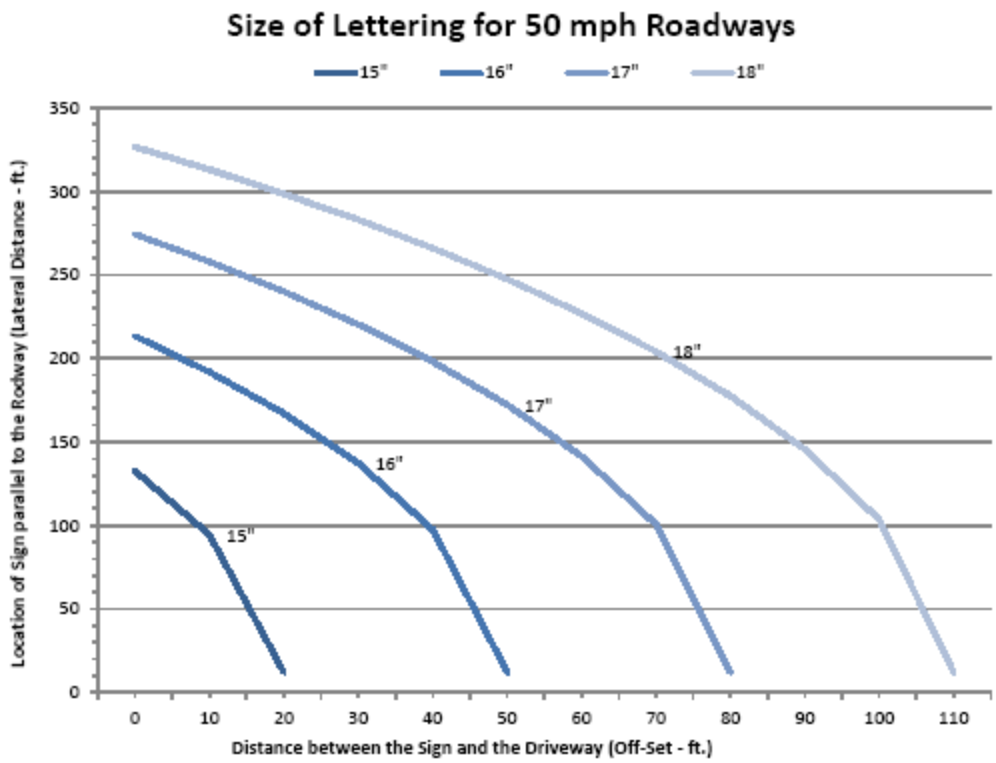


Determine the location of sign parallel to the roadway (Lateral Distance) and the distance between the sign and the driveway (Off-Set). Plot the point corresponding to the lateral and off-set distances. Select the letter size corresponding to the line including or immediately above the plotted point. When a sign is intended to serve both approaches, plot a point for each approach and select the larger letter size.

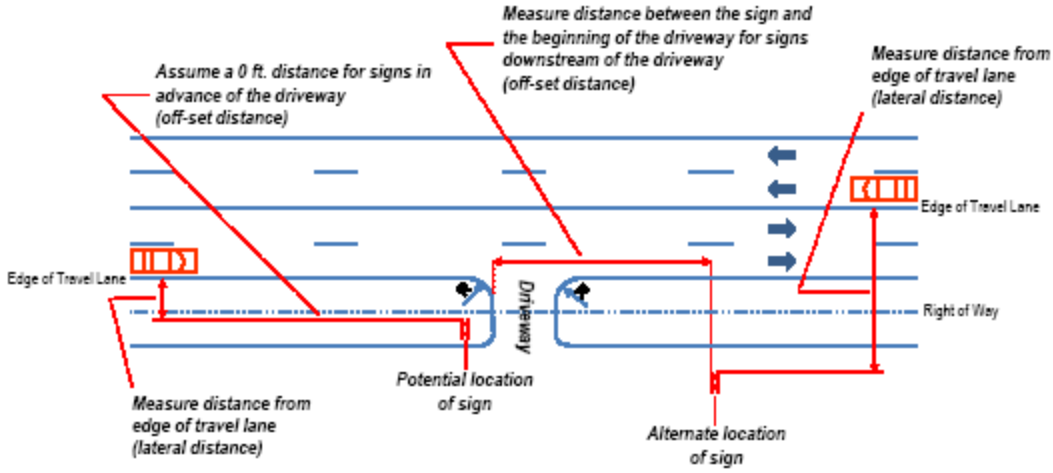


1

 Reviewed by _____

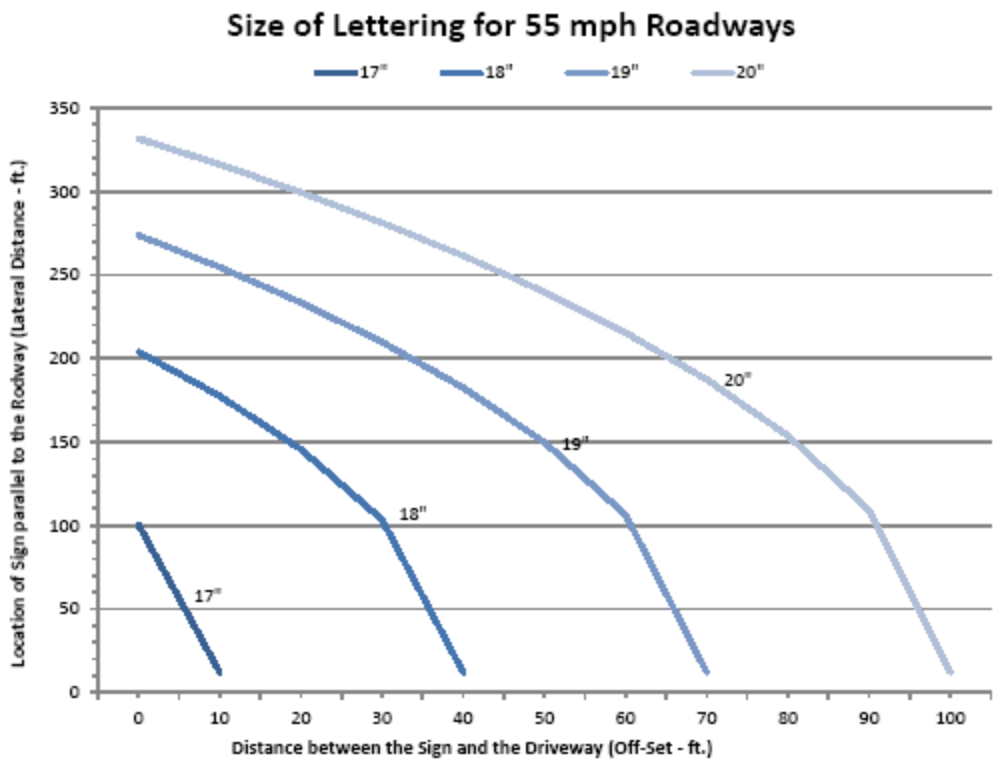


Determine the location of sign parallel to the roadway (Lateral Distance) and the distance between the sign and the driveway (Off-Set). Plot the point corresponding to the lateral and off-set distances. Select the letter size corresponding to the line including or immediately above the plotted point. When a sign is intended to serve both approaches, plot a point for each approach and select the larger letter size.

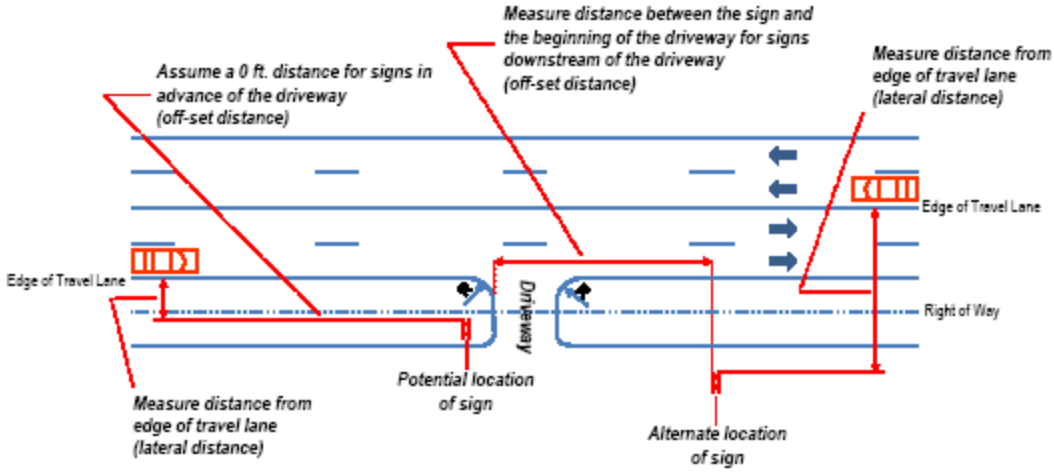


1

 Reviewed by _____



Determine the location of sign parallel to the roadway (Lateral Distance) and the distance between the sign and the driveway (Off-Set). Plot the point corresponding to the lateral and off-set distances. Select the letter size corresponding to the line including or immediately above the plotted point. When a sign is intended to serve both approaches, plot a point for each approach and select the larger letter size.



1

 Reviewed by _____

c. Wall-mounted signs.

1.

Signs painted or attached to the surface of awnings, parapets, mansards and similar roof and building elements shall be considered wall-mounted signs for purposes of determining compliance with the requirements of this chapter.

2.

Wall-mounted signs shall not extend above the facade of a building or project outward more than 24 inches from the facade or wall to which it is attached.

3.

Each individual business frontage shall be allowed wall-mounted signage equal in area to two square feet times the length of the individual business frontage.

4.

A nonresidential building located on a corner of two public streets shall be allowed wall-mounted signage on the wall not considered to be the front (i.e., a side street) equal in area to one square foot times the length of such wall.

5.

The side of a commercial building not on a corner of two public streets shall be allowed wall-mounted signage on the side walls equal in area to one-half square foot times the length of the side of the building.

6.

If the rear of a nonresidential building faces a public street or public parking lot, a wall-mounted sign up to a maximum of eight square feet shall be allowed per individual business.

7.

On a multistory nonresidential building, wall-mounted signage shall be permitted for each additional floor as outlined in subsection (3)b.3. of this section.

8.

Theaters, museums, auditoriums and fairgrounds and similar uses providing regular shows shall be permitted an additional 50 square feet of a changeable copy wall-mounted sign. Along the wall adjacent to the ticket windows, a theater may display, without requiring a sign permit, one poster up to 12 square feet for each movie being shown.

9.

Drive-through or carry-out services shall be allowed one wall-mounted sign that carries only the name of the establishment and the current list and price of goods or services available in the establishment and is not intended to be viewed from any right-of-way and provided that the sign is limited to a maximum of 40 square feet.

d.

Canopy signs. One sign per business entrance shall be allowed to be erected underneath, and extending downward from, a canopy along the front of a building, provided:

1.

The sign does not exceed eight square feet per face;

2.

The sign is permanently attached and does not swing;

3.

The sign is perpendicular to the facade of the building; and

4.

The sign is located above a walkway.

~~**d.**~~

~~A-frame signs (i.e. Sandwich board signs). Through December 30, 2011, every nonresidential developed parcel of land boarding on US 1 shall be allowed A-frame signs, as indicated in the following table:~~

~~Street Frontage (Linear feet)~~	~~Maximum Number of Signs*~~
~~1' to 75'~~	~~1~~
~~76' to 150'~~	~~2~~
~~151' to 225'~~	~~3~~
~~226' to 300'~~	~~4~~
~~Over 300'~~	~~5~~

~~* No business shall be allowed more than one sign.~~

~~A-frame signs may only be permitted provided the following standards are met:~~

~~**1.**~~

~~The sign is no greater than three feet in width and no greater than four feet in height, exclusive of legs that can be no more than six inches in height;~~

~~**2.**~~

~~The sign is of A-frame type construction, with only two sign faces that are joined at the top;~~

~~**3.**~~

~~Each sign face is no more than 12 square feet in area;~~

~~**4.**~~

~~The sign is portable and not permanently affixed to the ground;~~

~~**5.**~~

~~The sign is located on a private parcel of land and identifies a business on that same private parcel of land;~~

~~**6.**~~

~~The sign shall not be located on a public right-of-way, or walkway;~~

~~**7.**~~

~~The sign shall only identify a lawfully-established business name(s) and/or other information directly related to that business;~~

~~**8.**~~

~~The sign shall not be located in a clear sight triangle;~~

~~**9.**~~

~~The sign shall not be illuminated or electric and shall not have any electric devices attached thereto;~~

~~**10.**~~

~~The sign shall only be displayed during the business hours of the business it identifies and shall be stored indoors during non-business hours;~~

~~**11.**~~

~~The sign shall be stored indoors during tropical storm/hurricane watches and warnings and other severe weather advisories; and~~

~~**12.**~~

~~The building permit number shall be permanently affixed to the sign or sign structure in such a manner as to be plainly visible from grade.~~

(4) Off-premises signs.

A permit must be obtained from the Florida Department of Transportation Outdoor Advertising office for off-premises signs that are within six hundred and sixty feet (660') of the nearest edge of the U.S. 1 right-of-way and/or are visible from U.S. 1. New permits will not be issued for off-premises signs visible from a designated scenic highway (Rule 14-10(4)(c) Florida Administrative Code).

With an approved FDOT permit for the off-premises sign, any nonresidential, lawfully-established business located on U.S. 1 shall be allowed to dedicate any portion of its allowance for one ground-mounted sign to another nonresidential, lawfully-established business not located on U.S. 1 that is accessed from a primary side street off U.S. 1 or a secondary side street located off a primary side street off U.S. 1. The side street intersecting U.S. 1 shall be located within one-half mile of the property on U.S. 1 providing the off-premises signage. Such off-premises signage shall be limited to one sign face per direction on U.S. 1. Off-premises advertising is also subject to subsections (3)a. and (3)b. of this section and to regulations

pursuant to F.S. Ch. 479. It is the responsibility of the applicant to obtain all federal, state, and local permits for off-premises signs.

(Code 1979, § 9.5-404; Ord. No. 54-1987, § 5; Ord. No. 19-1989, § 1(PD134); Ord. No. 1-1994, § 1; Ord. No. 36-1997, § 5; Ord. No. 3-1998, § 1; Ord. No. 031-2009, §§ 2, 3; Ord. No. 018-2010, § 1)

Sec. 142-5. - Regulations pertaining to the measurement, construction, and maintenance of all signs.

The requirements of this section shall apply to all signs whether or not a permit is required unless otherwise noted below:

(1) Measurement of sign area.

a.

The sign area shall be measured from the outside edges of the sign or sign frame, whichever is greater, excluding the area of the supporting structures, provided that the supporting structures are not used for advertising purposes and are of an area equal to or less than the permitted sign area. In the case of wall-mounted signs without border or frame, the surface area shall include such reasonable and proportionate space as would be required if a border or frame were used.

b.

When a single sign structure is used to support two or more signs, or unconnected elements of a single sign, the surface area shall comprise the square footage within the perimeter of a regular geometric form enclosing the outer edges of all the separate signs or sign elements. However, undecorated space of up to 12 inches between separate sign panels may be excluded from the sign area measurement where necessary to provide structural support members or to provide visual separation between sign panels.

c.

Where signs are installed back-to-back, both faces shall be counted as sign area.

(2) Measurement of sign height.

The height of a sign shall be considered to be the vertical distance measured from the top of the structure to the finished ground elevation of the site at the base of the sign. In no event shall excess fill be used to raise a sign.

(3) Location of signs.

a.

Clear sight triangle. No sign shall be erected that would impair visibility at a street intersection or driveway entrance pursuant to section 114-201.

b.

Clearance from high-voltage power lines. Signs shall be located in such a way that they maintain a clearance of ten feet to all overhead electrical conductors and a three-foot clearance on all secondary voltage service drops.

c.

Setbacks from property lines. The minimum setback for signs shall be five feet, setbacks shall be measured from the property line to the farthest extension of the sign, including any overhangs, guy wires and supports.

d.

Scenic corridor bufferyard. Where a scenic corridor bufferyard is required pursuant to section 114-125, ground-mounted signs shall only be erected in the immediate vicinity of a driveway.

e.

Fences. The authorized ground-mounted sign not requiring a permit may be placed on a fence regardless of setbacks provided the sign does not extend above the fence or project more than four inches outward from the fence.

(4) Construction and operation of signs.

All signs shall comply with the following requirements unless no permit is required.

a.

Compliance with Florida Building Code. All signs shall comply with the appropriate detailed provisions of the Florida Building Code, relating to design, structural members and connections. Signs shall also comply with the additional standards hereinafter set

forth.

b.

Licensed contractor. Signs shall only be erected by entities authorized by chapter 6.

c.

Structure design. All signs that contain more than 40 square feet in area or are erected over 20 feet in height shall be designed by an engineer registered in the state. Structural drawings shall be prepared by the engineer and submitted prior to a permit being issued. Wind load calculations shall be contained in the engineering drawings. The building official may set wind load requirements greater than the Florida Building Code if deemed necessary to protect the health, safety and welfare of the public or property owners surrounding the sign. The building official may request wind load calculations for signs of less than 40 square feet in area prior to issuing a permit.

d.

Electric signs and illuminated signs.

1.

All electric signs shall require a permit and shall be Underwriter's Laboratory approved or certified by a sign electrician specialty contractor or master sign contractor, or an electrical contractor, that the sign meets the standards established by the National Electrical Code, current edition. All electric signs shall be erected and installed by an entity authorized to do so by chapter 6, and shall be in conformance with the National Electrical Code, current edition. The provision of electrical power to a power source or connection of a sign to existing electrical service shall be by an entity authorized by chapter 6.

2.

Artificial light used to illuminate any sign from outside the boundaries of such sign shall be screened in a manner that prevents the light source from being visible from any right-of-way or adjacent property.

3.

Electronic message centers or automatic changing signs (ACS) shall comply with the following:

(i)

Lamps/bulbs in excess of nine watts are prohibited in the ACS matrix;

(ii)

ACS lamps/bulbs shall be covered by lenses, filters, or sunscreens;

(iii)

ASC signs shall be equipped with an operational right dimming device; and

(iv)

Other than the scrolling of written messages or non-animated graphics, all operating modes that result in animation as defined in section 142-3(b) are prohibited.

e. Supports and braces. Supports and braces shall be adequate for wind loading. Wire or cable supports shall have a safety factor of four times the required strength. All metal, wire cable supports and braces and all bolts used to attach signs to a bracket or brackets and signs to the supporting building or structure shall be of galvanized steel or of an equivalent corrosive-resistant material. All such sign supports shall be an integral part of the sign.

f. Sign anchoring. No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections.

g. Double-faced signs. Double-faced signs with opposing faces having an interior angle greater than 45 degrees shall not be permitted.

(5) Sign identification and marking.

Unless specifically exempted from permit requirements of this chapter, no sign shall hereafter be erected, displayed, rebuilt, repaired, the copy changed, painted or otherwise maintained until and unless the county sign permit number is painted or otherwise affixed to the sign or sign structure in such a manner as to be plainly visible from grade.

(6) Maintenance.

All signs for which a permit is required by this chapter, including their braces, supports, guys

and anchors, shall be maintained so as to present a neat, clean appearance. Painted areas and sign surfaces shall be kept in good condition, and illumination, if provided, shall be maintained in safe and good working order.

(7) Responsibility.

The sign owner, the owner of the property on which the sign is placed and the sign contractor shall each be held responsible for adherence to the sign code.

(Code 1979, § 9.5-405; Ord. No. 54-1987, § 6; Ord. No. 1-1994, § 1; Ord. No. 36-1997, § 6; Ord. No. 031-2009, § 4)

Sec. 142-6. - Criteria for variances.

A variance from the provision or requirements of this chapter shall be granted only where:

(1)

The literal interpretation and strict application of the provision and requirements of this chapter would cause undue and unnecessary hardship to the sign owner because of unique or unusual conditions pertaining to the specific building or parcel or property in question;

(2)

The granting of the requested variance would not be materially detrimental to the property owners in the vicinity;

(3)

The unusual conditions applying to the specific property do not apply generally to other properties in the county;

(4)

The granting of the variance will not be contrary to the general objective of this chapter of moderating the size, number and obtrusive placement of signs and the reduction of clutter; and

(5)

The variance is not requested on the basis of economic hardship of the sign user.

(Code 1979, § 9.5-406; Ord. No. 1-1994, § 1; Ord. No. 36-1997, § 7)

Sec. 142-7. - Nonconforming signs.

Lawfully established signs in place on the effective date of the ordinance from which this chapter is derived that are not in compliance with this chapter may continue only as follows:

(1)

For ground-mounted signs, changes of copy, including type style and color changes, may be performed, provided that a permit is obtained and provided that the name of the businesses or establishments depicted by the sign are not changed. Changes of copy involving the name of the businesses or establishments depicted by the sign shall only be performed if the sign is brought into compliance with the requirements of this chapter.

(2)

No permit shall be issued for repair or reconstruction of any sign structure where such work would be more than 50 percent of the replacement cost of the sign. Neither shall the cumulative costs of repair or reconstruction exceed 50 percent of the replacement cost of any nonconforming sign. The planning department shall maintain an independently verified schedule of the replacement cost of signs.

(3)

With the exception of roof signs, off-premises signs and projecting signs, signs that are in violation of section 142-3(b) shall be removed or brought into compliance by date 30 days after the adoption of the amendment of the ordinance from which this section is derived.

(4)

Determinations of nonconforming signs shall be made such that ground-mounted signs are treated separately from wall-mounted and all other signage. For example, where both the ground-mounted and wall-mounted signs of a particular parcel are nonconforming, the change of copy of a wall-mounted sign shall not require that the ground-mounted signage be brought into compliance. However, where a sign other than a ground-mounted sign is required to be brought into compliance, all of the signs of an establishment other than the ground-mounted signs shall be brought into full compliance with this chapter.

(5)

Signs that cannot comply with the requirements of this chapter may be allowed to continue if

designated as a historical or cultural landmark pursuant to chapter 134, article III. The specific conditions under which a designated sign is allowed to continue shall be set forth in the resolution of the board of county commissioners.

(Code 1979, § 9.5-407; Ord. No. 1-1994, § 1; Ord. No. 36-1997, § 8)

Sec. 142-8. - Special identification signs.

(a) Community business directory signs.

The county may work with FDOT District 6 and local communities to develop a sign program that promotes businesses within specific communities in the Florida Keys through the use of centrally located multiple user business identification signs on U.S. 1.

(b) Community identification signs.

The county may work with FDOT District 6 to develop a sign program that identifies specific communities in the Florida Keys. The county shall coordinate with local communities to incorporate a theme which promotes the unique character of the local community.

(c) Off-premises special feature identification signs.

The county may work with FDOT District 6 to develop a sign program that identifies special features, tourist sites and business districts. The county shall coordinate with local communities to select appropriate landmarks to be identified.

(Ord. No. 031-2009, § 5)

Reviewed by _____

Attachment A

Florida Statutes and Administrative Code Related to Outdoor Advertising on Scenic Highways

FLORIDA STATUTES AND ADMISTRATIVE CODE RELATED TO OUTDOOR ADVERTISING ON SCENIC HIGHWAYS

FLORIDA SCENIC HIGHWAYS PROGRAM MANUAL, REVISED JUNE 2009
1.10 LIMITATIONS AND EXCEPTIONS
The Program does contain some limitations and exceptions pursuant to federal or state laws and Department rules. These are:
Outdoor Advertising on Scenic Highways: In ***23 USC 131***, new outdoor advertising is precluded on designated scenic highways/byways. Once a corridor has been designated as a Florida Scenic Highway, the Outdoor Advertising Office is precluded from issuing new permits for outdoor advertising signs which are within six hundred and sixty feet (660') of the nearest edge of the right-of-way and visible from the Interstate and National Highway Systems, the Federal Aid Primary System (as of June 1, 1991) and the State Highway System along the corridor. Existing signs do not become nonconforming as a result of the scenic highway designation. However, other conditions (e.g., land use) may cause a change to the sign's conformity status. Outdoor advertising sign acquisition will require payment of just compensation (no amortization) on the Interstate, National Highway System or the Federal Aid Primary System (as of 1991). This is a federal requirement under ***Title 23, U.S. Code, Section (g)*** and followed under the complimentary ***Florida Statute 335.093 and 14-10.004 Florida Administrative Code*** and is considered adopted by the Florida Scenic Highways Program for non-State highways.

CHAPTER 14-10 F.A.C.
OUTDOOR ADVERTISING SIGN REGULATION AND HIGHWAY BEAUTIFICATION PROGRAM
14-10.004 Permit.
(4) Changes to Roadway Designations.
(c) When a controlled road, or any portion of a controlled road, is designated as a scenic highway or scenic byway pursuant to Section 335.093, F.S., new permits will not be issued for signs visible from the portion of the highway designated as a scenic highway or byway.

SECTION 335 F.S.
STATE HIGHWAY SYSTEM
335.093 Scenic highway designation.
(1) The Department of Transportation may, after consultation with other state agencies and local governments, designate public roads as scenic highways. Public roads designated as scenic highways are intended to preserve, maintain, and protect a part of Florida's cultural, historical, and scenic routes for vehicular, bicycle, and pedestrian travel.
(2) The department may by rule adopt appropriate criteria for the designation of scenic highways and may specify appropriate planning and design standards including corridor management plans on such scenic highways.
(3) The designation of scenic highways by the department and the criteria adopted by the department for the designation of scenic highways are not intended to affect or limit existing or customary uses in commercial or industrial areas that are adjacent to designated scenic highways nor is designation intended to limit the ability of local government entities to control or limit land uses in commercial or industrial areas within their jurisdictions. This subsection shall take effect on July 1, 1996.

CHAPTER 479 F.S.
OUTDOOR ADVERTISING

479.11 Specified signs prohibited.--No sign shall be erected, used, operated, or maintained:

(1) Within 660 feet of the nearest edge of the right-of-way of any portion of the interstate highway system or the federal-aid primary highway system, except as provided in ss. 479.111 and 479.16.

(2) Beyond 660 feet of the nearest edge of the right-of-way of any portion of the interstate highway system or the federal-aid primary highway system outside an urban area, which sign is erected for the purpose of its message being read from the main-traveled way of such system, except as provided in ss. 479.111(1) and 479.16.

(3) Within 15 feet of the outside boundary of the right-of-way of any highway on the State Highway System outside of an incorporated area or on the interstate or federal-aid primary highway system outside an incorporated area.

(4) Within 100 feet of any church, school, cemetery, public park, public reservation, public playground, or state or national forest, when such facility is located outside of an incorporated area, except as provided in s. 479.16.

(5) Which displays intermittent lights not embodied in the sign, or any rotating or flashing light within 100 feet of the outside boundary of the right-of-way of any highway on the State Highway System, interstate highway system, or federal-aid primary highway system or which is illuminated in such a manner so as to cause glare or to impair the vision of motorists or otherwise distract motorists so as to interfere with the motorists' ability to safely operate their vehicles. If the sign is on the premises of an establishment as provided in s. 479.16(1), the local government authority with jurisdiction over the location of the sign shall enforce the provisions of this section as provided in chapter 162 and this section.

(6) Which uses the word "stop" or "danger," or presents or implies the need or requirement of stopping or the existence of danger, or which is a copy or imitation of official signs, and which is adjacent to the right-of-way of any highway on the State Highway System, interstate highway system, or federal-aid primary highway system.

(7) Which is placed on the inside of a curve or in any manner that may prevent persons using the highway from obtaining an unobstructed view of approaching vehicles and which is adjacent to the right-of-way of any highway on the State Highway System, interstate highway system, or federal-aid primary highway system.

(8) Which is located upon the right-of-way of any highway on the State Highway System, interstate highway system, or federal-aid primary highway system.

(9) Which is nailed, fastened, or affixed to any tree or is erected or maintained in an unsafe, insecure, or unsightly condition and which is adjacent to the right-of-way of any highway on the State Highway System outside of an incorporated area or on any portion of the interstate highway system or the federal-aid primary highway system.

(10) Which is on a new highway outside an urban area and otherwise would have been subject to the permit requirements of this chapter.

479.111 Specified signs allowed within controlled portions of the interstate and federal-aid primary highway system.--Only the following signs shall be allowed within controlled portions of the interstate highway system and the federal-aid primary highway system as set forth in s. 479.11(1) and (2):

(1) Directional or other official signs and notices which conform to 23 C.F.R. ss. 750.151-750.155.

(2) Signs in commercial-zoned and industrial-zoned areas or commercial-unzoned and industrial-unzoned areas and within 660 feet of the nearest edge of the right-of-way, subject to the

requirements set forth in the agreement between the state and the United States Department of Transportation.
(3) Signs for which permits are not required under s. 479.16.

479.16 Signs for which permits are not required.--The following signs are exempt from the requirement that a permit for a sign be obtained under the provisions of this chapter but are required to comply with the provisions of s. 479.11(4)-(8):
(1) Signs erected on the premises of an establishment, which signs consist primarily of the name of the establishment or which identify the principal or accessory merchandise, services, activities, or entertainment sold, produced, manufactured, or furnished on the premises of the establishment and which comply with the lighting restrictions under department rule adopted pursuant to s. 479.11(5), or signs owned by a municipality or a county located on the premises of such municipality or such county which display information regarding government services, activities, events, or entertainment. For purposes of this section, the following types of messages shall not be considered information regarding government services, activities, events, or entertainment:
(a) Messages which specifically reference any commercial enterprise.
(b) Messages which reference a commercial sponsor of any event.
(c) Personal messages.
(d) Political campaign messages.

If a sign located on the premises of an establishment consists principally of brand name or trade name advertising and the merchandise or service is only incidental to the principal activity, or if the owner of the establishment receives rental income from the sign, then the sign is not exempt under this subsection.
(2) Signs erected, used, or maintained on a farm by the owner or lessee of such farm and relating solely to farm produce, merchandise, service, or entertainment sold, produced, manufactured, or furnished on such farm.
(3) Signs posted or displayed on real property by the owner or by the authority of the owner, stating that the real property is for sale or rent. However, if the sign contains any message not pertaining to the sale or rental of that real property, then it is not exempt under this section.
(4) Official notices or advertisements posted or displayed on private property by or under the direction of any public or court officer in the performance of her or his official or directed duties, or by trustees under deeds of trust or deeds of assignment or other similar instruments.
(5) Danger or precautionary signs relating to the premises on which they are located; forest fire warning signs erected under the authority of the Division of Forestry of the Department of Agriculture and Consumer Services; and signs, notices, or symbols erected by the United States Government under the direction of the United States Forestry Service.
(6) Notices of any railroad, bridge, ferry, or other transportation or transmission company necessary for the direction or safety of the public.
(7) Signs, notices, or symbols for the information of aviators as to location, directions, and landings and conditions affecting safety in aviation erected or authorized by the department.
(8) Signs or notices erected or maintained upon property stating only the name of the owner, lessee, or occupant of the premises and not exceeding 8 square feet in area.
(9) Historical markers erected by duly constituted and authorized public authorities.
(10) Official traffic control signs and markers erected, caused to be erected, or approved by the department.
(11) Signs erected upon property warning the public against hunting and fishing or trespassing thereon.
(12) Signs not in excess of 8 square feet that are owned by and relate to the facilities and activities of churches, civic organizations, fraternal organizations, charitable organizations, or units or agencies of government.

(13) Except that signs placed on benches, transit shelters, and waste receptacles as provided for in s. 337.408 are exempt from all provisions of this chapter.
(14) Signs relating exclusively to political campaigns.
(15) Signs not in excess of 16 square feet placed at a road junction with the State Highway System denoting only the distance or direction of a residence or farm operation, or, in a rural area where a hardship is created because a small business is not visible from the road junction with the State Highway System, one sign not in excess of 16 square feet, denoting only the name of the business and the distance and direction to the business. The small-business-sign provision of this subsection does not apply to charter counties and may not be implemented if the Federal Government notifies the department that implementation will adversely affect the allocation of federal funds to the department.

Attachment B

Wayfinding Signs

FLORIDA'S HIGHWAY GUIDE SIGN PROGRAM
Rule Chapter 14-51, F.A.C.

14-51.051 Standards.

(1) This rule chapter provides statewide criteria for Wayfinding Signs to be installed on the State Highway System. Any deviation from the standards referenced herein shall require the local government to submit a Request to Experiment to the FHWA as referenced in Section 1A.10 of the MUTCD.

(2) All regulatory, warning, and general service signs shall conform to the MUTCD.

(3) The local government shall develop and approve through local resolution the criteria for the destinations shown on Wayfinding Sign System Plan. The local government may use the criteria established in Rule 14-51.030, F.A.C.

(4) Communities eligible for Wayfinding Signs shall be on the Official Florida Transportation Map. Wayfinding Signs for either an incorporated or unincorporated area not appearing on the Official Florida Transportation Map are eligible upon written request of the local government. Such requests shall follow the process outlined in Subsection 14-51.041(2), F.A.C.

(5) Wayfinding Signs installed on the State Highway System prior to March 31, 2006, shall be allowed to remain or be replaced until January 1, 2013. As of that date, all existing Wayfinding Signs that are on the State Highway System, and which are not in compliance with this rule chapter, must be removed or be brought into compliance.

(6) Wayfinding Signs are not allowed within the right of way of limited access facilities, including ramps and frontage roads.

(7) Wayfinding Signs shall be designed, installed, and maintained in accordance with the standards referenced in Subsections 14-51.014 (7) and (8), F.A.C.

(8) The planning, design, installation, and maintenance of all Wayfinding Signs and their assemblies is the responsibility of the local government, including on the State Highway System.

(9) The local government shall submit their Wayfinding Sign System Plan to the appropriate District Traffic Operations Office to initiate the Department's permit process.

Specific Authority 316.0745 FS. Law Implemented 316.0745 FS. History - New 5-8-06.

14-51.052 Design.

(1) Red, yellow, orange, fluorescent yellow-green or fluorescent pink shall not be used

as background colors for Wayfinding Signs, in order to minimize confusion with regulatory, warning, construction, or incident management signs.

(2) Background colors, other than those stated in Subsection 14-51.052(1), F.A.C., shall be allowed on Wayfinding Signs.

(3) A minimum contrast value of legend color to background color of 70 percent is required for Wayfinding Signs (ADA minimum contrast value).

(4) Enhancement markers may be used, at the option of the applicant, as a means of aesthetically identifying the Wayfinding Signs. The size and shape of an enhancement marker shall be smaller than the Wayfinding Signs in order to avoid confusion with traffic control devices.

(5) A pictograph may be incorporated into the overall design of a Wayfinding Sign.

(6) There shall be a maximum of three destinations shown on each Wayfinding Sign.

(7) All lettering used on Wayfinding Signs on the State Highway System shall be highway gothic fonts or other FHWA approved fonts.

(8) The lettering size on Wayfinding Signs shall be in accordance with Section 2D.06 of the MUTCD.

(9) Arrows shown on Wayfinding Signs shall be designed in accordance with Section 2D.08 of the MUTCD. The positioning of arrows relative to the destinations shown shall be in accordance with Section 2D.34 of the MUTCD.

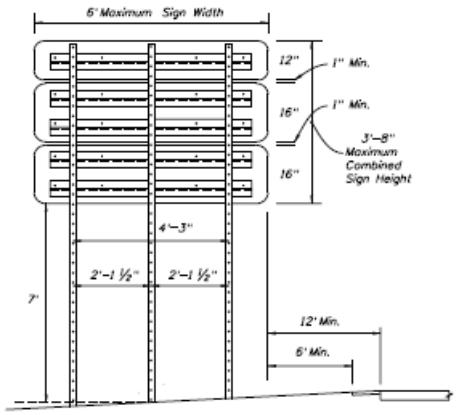
(**10)** Wayfinding Signs and their supporting structures shall be designed, constructed, and installed to meet the Department's clear zone and safety criteria, including breakaway features. The design shall be signed and sealed by a Professional Engineer registered in the State of Florida.

(**11)** Sign panels shall be retroreflective and in accordance with Section 994 (Retroreflective and Nonreflective Sign Sheeting) of the *Standard Specifications for Road and Bridge Construction 2004*, referenced in Subsection 14-51.014(8), F.A.C.

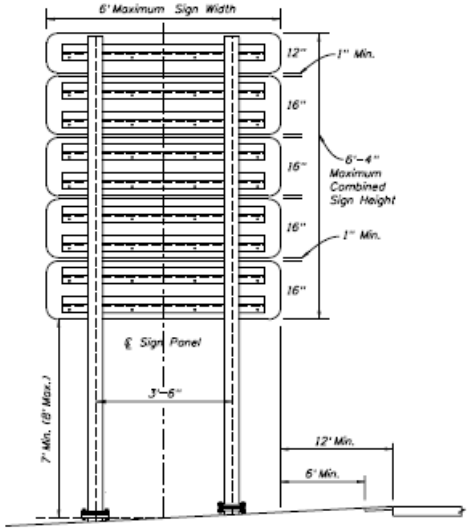
Specific Authority 316.0745 FS. Law Implemented 316.0745, FS. History - New 5-8-06.

Attachment C

FDOT
Tourist-Oriented Directional Sign Program
(TODS)

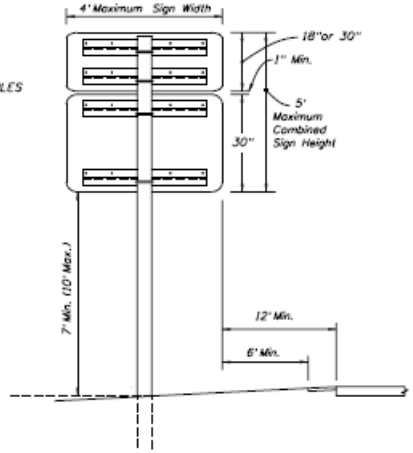


STEEL U-CHANNEL TRIPLE POST
DIRECT BURIAL



TWO POST STEEL I BEAM
WITH SLIP BASE

SINGLE POST SIGN EXAMPLES



SINGLE POST
ALUMINUM
ROUND TUBE

MULTIPOST SIGN EXAMPLES

General Notes:

1. Signs Must Comply With Rule 14-51, Florida Administrative Code.
2. Text for Signs Shall Be 6" Type C Lettering.
3. For Aluminum Round Tube Assembly and Foundation Detail, see Index 11860.
4. For Steel I Beam Assembly and Foundation Detail, see Index 11200.
5. For Steel U-Channel Assembly and Foundation Detail, See Index 600 Sheet 6 of 12. Galvanize Steel U-Channel in accordance with ASTM 123.

DESIGN FOR TOURIST ORIENTED DIRECTIONAL SIGNS
(Options for Aluminum Round Tube, Steel I Beam and Steel U-Channel.)

No. of Signs (Total Area)	Single Post Configuration		Two Post Configuration		Three Post Configuration	
	3-1/2" X 0.125" Aluminum Tube Direct Burial	4" X 0.125" Aluminum Tube Slip Base	S3X5.7 Steel I Beam Slip Base	W6X12 Steel I Beam Slip Base	3 lb/ft Steel U-Channel Direct Burial	4 lb/ft Steel U-Channel Lap Splice
10	OK	OK	NA	NA	NA	NA
16-20	NA	OK	NA	NA	NA	NA
14-16	NA	NA	OK	OK	OK	OK
22-24	NA	NA	OK	OK	NA	OK *
30-32	NA	NA	NA	OK	NA	NA
38	NA	NA	NA	OK	NA	NA

* Limited to 22 s.f. Total Sign Area.

REVISIONS

DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION
08/29/09	L.W.	New Index Added to The Design Standards.			

2008 Interim Design Standard

TOURIST ORIENTED
DIRECTIONAL SIGNS

Interim Date 07/01/09

Sheet No. 1 of 1

Index No. 17354

TOURIST-ORIENTED DIRECTIONAL SIGNS (TODS)

14-51.061 TODS Program Implementation.

(1) Part VI of this rule chapter provides to local governments criteria for Tourist-Oriented Directional signs (TODS) and guidance for the installation of TODS on the State Highway System (SHS) in accordance with the MUTCD.

(2) Prior to the installation of a TODS on the SHS, the Department must approve by permit the design, location, and placement for TODS based on the criteria established in this rule chapter.

(3) Prior to requesting a permit for TODS on the SHS, a local government shall have established by ordinance criteria for TODS program eligibility including participant qualifications and location regulations.

Specific Authority 479.262 FS. Law Implemented 479.262 FS. History - New 6-24-08.

14-51.062 General Criteria for TODS on the SHS.

(1) Participation in a TODS program on the SHS is limited to tourist-oriented businesses, services, and activities, including those involving seasonal agricultural products, that:

(a) Are physically located in rural counties meeting the criteria and population as referenced in Section 288.0656, F.S., and

(b) Have obtained a TODS permit from their local government.

(2) To qualify as a TODS destination on the SHS, the tourist-oriented businesses, services, or activities shall meet the following minimum conditions:

(a) The major portion (51%) of income or visitors during the normal business season shall be from users not residing in the area (distance greater than 20 miles) of the destination. A business shall not qualify if admission or access is based on a membership fee or other means of exclusive admission, or where minors are excluded.

(b) All state and local building and occupational permits, licensing, and registrations shall be current and in good standing.

Specific Authority 479.262 FS. Law Implemented 479.262 FS. History - New 6-24-08.

14-51.063 TODS Location and Placement.

(1) TODS may be installed on the SHS only after permit issuance by the Department.

(a) TODS on the SHS shall not be permitted by the Department if they interfere with the effectiveness of other traffic control devices.

(b) TODS shall only be permitted on the SHS at the nearest intersection providing the most practical route to the eligible facility. An additional sign may be approved at the closest SHS intersection with a roadway on the Strategic Intermodal System (SIS) when the nearest SHS intersection is not on a SIS facility.

(c) Each destination is limited to one sign panel in each direction of travel on the SHS.

(d) The maximum distance from the business to where a TODS may be placed on the SHS shall be 25 miles.

(e) If a facility with state road frontage is more than 10 miles from the nearest SHS intersection suitable for TODS installation, the jurisdiction with TODS authority may apply for a permit to sign for this facility with a "ONE MILE" advanced TODS sign on the SHS. This is the only instance an advanced sign may be permitted on the SHS.

(2) TODS on the SHS shall be limited to placement on rural conventional roads, as stated in the MUTCD. TODS shall not be placed within the right of way of limited access facilities. TODS shall not be located in the right of way of an expressway or freeway interchange regardless of jurisdiction or local road classification.

(3) The location of other official traffic control devices shall take precedence over the location of TODS. TODS shall have standard spacing with other traffic control devices shown in Table 2, subsection 14-51.014(7), F.A.C.

(4) The Department will remove without notice, and with no obligation to relocate the sign or compensate for its removal, any TODS on the SHS for highway safety or operational purposes or activities including construction, reconstruction, maintenance, or safety.

Specific Authority 479.262 FS. Law Implemented 479.262 FS. History - New 6-24-08.

14-51.064 Trailblazers.

(1) In accordance with Rule 14-51.012, F.A.C., trailblazers shall be required if a motorist must navigate one or more turns to get from a local road intersection to the destination. All trailblazers required for guidance to a destination shall be in place on the local road system prior to installation of the TODS on the SHS.

(2) TODS and trailblazers, on either the state or local road system, may not be permitted within the boundaries of a Wayfinding Sign System Plan. Removal of TODS within the boundaries of a proposed Wayfinding Sign System Plan is a mandatory condition of Wayfinding Sign permit approval.

Specific Authority 479.262 FS. Law Implemented 479.262 FS. History - New 6-24-08.

14-51.065 Design.

(1) The planning, design, installation, and maintenance of TODS and their supporting structures are the responsibility of the local government and must conform to the criteria in subsection 14-51.014(8), F.A.C., and the applicable sections of the MUTCD.

(2) If different supporting structures are proposed for use on the SHS, they shall be designed, constructed, and installed to meet the Department's clear zone and safety criteria including breakaway features. The design shall be signed and sealed by a Professional Engineer registered in the State of Florida.

(3) TODS assemblies shall have a maximum of five panels on two posts. TODS assemblies that are designed for a single post shall have a maximum of two panels. The sign panels shall be rectangular in shape and have white lettering on a blue background. The optional top panel may have the text "TOURIST ACTIVITIES" and a pictograph that identifies the TODS program jurisdiction. The other four panels are reserved for qualifying destinations. The panel legend is limited to one destination identification, a pictograph or in its place a cultural, recreational, or general service symbol, the directional arrow, and destination distance. There is a maximum of two lines of legend per destination panel.

(4) General service, recreational, and cultural interest symbols may not be added as individual auxiliary sign panels to the TODS assembly, but may be contained in the individual panel with the business identification text, in the place of a pictograph. No other type of sign or legend may be added to a TODS assembly.

(5) After proper notice to the local government, the Department will remove any non-conforming panel.

Attachment D

FDOT Logo Sign Program

Florida Statutes, Ch. 479.261
Logo sign program

Ch. 479.261 Logo sign program.

(1)The department shall establish a logo sign program for the rights-of-way of the interstate highway system to provide information to motorists about available gas, food, lodging, camping, attractions, and other services, as approved by the Federal Highway Administration, at interchanges through the use of business logos and may include additional interchanges under the program.

(a)As used in this chapter, the term “attraction” means an establishment, site, facility, or landmark that is open a minimum of 5 days a week for 52 weeks a year; that has as its principal focus family-oriented entertainment, cultural, educational, recreational, scientific, or historical activities; and that is publicly recognized as a bona fide tourist attraction.

(b)The department shall incorporate the use of RV-friendly markers on specific information logo signs for establishments that cater to the needs of persons driving recreational vehicles. Establishments that qualify for participation in the specific information logo program and that also qualify as “RV-friendly” may request the RV-friendly marker on their specific information logo sign. An RV-friendly marker must consist of a design approved by the Federal Highway Administration. The department shall adopt rules in accordance with chapter 120 to administer this paragraph, including rules setting forth the minimum requirements that establishments must meet in order to qualify as RV-friendly. These requirements shall include large parking spaces, entrances, and exits that can easily accommodate recreational vehicles and facilities having appropriate overhead clearances, if applicable.

(2)The logo sign program may be implemented at qualified interchanges on the interstate highway system. All interchanges with logo signs erected on the effective date of this section are qualified and additional interchanges may be qualified pursuant to this section.

(3)Logo signs may be installed upon the issuance of an annual permit by the department or its agent and payment of a permit fee to the department or its agent.

(4)The department may contract pursuant to s. 287.057 for the provision of services related to the logo sign program, including recruitment and qualification of businesses, review of applications, permit issuance, and fabrication, installation, and maintenance of logo signs. The department may reject all proposals and seek another request for proposals or otherwise perform the work. The contract also may allow the contractor to retain a portion of the annual fees as compensation for its services.

(5)At a minimum, permit fees for businesses that participate in the program must be established in an amount sufficient to offset the total cost to the department for the program, including contract costs. The department shall provide the services in the most efficient and cost-effective manner through department staff or by contracting for some or all of the services. The department shall adopt rules that set reasonable rates based upon factors such as population, traffic volume, market demand, and costs for annual permit fees. However, annual permit fees for sign locations inside an urban area, as defined in s. 334.03(32), may not exceed $3,500, and annual permit fees for sign locations outside an urban area, as defined in s. 334.03(32), may not exceed $2,000. After

recovering program costs, the proceeds from the annual permit fees shall be deposited into the State Transportation Trust Fund and used for transportation purposes.

(6)This section does not create a proprietary or compensable interest in any logo sign site or location for any permittee, and the department may terminate permits or change locations of logo sign sites as the department determines necessary for construction or improvement of transportation facilities or for improved traffic control or safety.

(7)The department may adopt rules to establish requirements for qualification and location of logo sign sites, qualification and distance of businesses, permit application and processing, and other criteria necessary to implement this program and to provide for variances when necessary to serve the interest of the traveling public or when required to ensure equitable treatment of program participants. However, the department or its agent may erect logo signs only where spacing requirements allow at least one logo sign structure on the main road, one logo sign structure on the ramp, and all necessary traffic control signs for each direction of travel.

See also CHAPTER 14-85, LOGO SIGN PROGRAM, Florida Administrative Code.

Attachment E

FDOT GUIDELINES FOR THE PURCHASE OR LEASE OF FDOT-OWNED PROPERTY

FDOT GUIDELINES FOR THE PURCHASE OR LEASE OF FDOT-OWNED PROPERTY

If you are interested in leasing or purchasing property owned by FDOT, the following process is required in order to have your request evaluated by the Department. The time for this process varies, but the average request takes three to six months from the date of receipt of the information below:

1. The following information is required to expedite the handling of your request:
   a. Name and address of interested party hereinafter called the applicant.
   b. Dimensions and location of the property requested for purchase or lease, containing sufficient information to precisely locate the property on the FDOT Right of Way map, along with a simple sketch or drawing to help identify the property.
   c. Proposed use of the property. *Note: If a lease is requested, no signs will be permitted on leased area.*

2. **Property Available for Sale or Lease:** FDOT must first determine if the property can be made available for sale or lease. This process takes three to four weeks. If FDOT decides to sell or lease, the process below must be followed.
   a. **First Right of Refusal to Local Government for Purchase**: Prior to a public sale,
   as a statutory requirement, all property to be sold must be offered to the local government having jurisdiction where the property is located. If the local government does not require the property, it will be offered for public sale or lease.
   b. **Public Sale or Lease:** All surplus property must be offered for public sale or lease with certain exceptions where FDOT may sell or lease to the abutting owner. The applicant will be notified of FDOT's decision. However, our first direction is a Public Sale or Public Lease. The applicant will be notified at all stages of the process and will be given an opportunity to submit a bid at the appropriate time.

3. **Survey:** Upon notification by FDOT, the applicant must prepare a legal description and sketch of legal description, in accordance with FDOT guidelines, at the applicant's expense. A draft should first be sent to FDOT for approval. The cost of the survey will not be reimbursed by FDOT if the parties cannot reach an agreement.

4. **Appraisal:** Upon written notification by FDOT, the property must be appraised at the applicant's expense. The appraisal must meet certain state standards and FDOT must review and accept the appraisal. FDOT reserves the right to reject the appraisal. If FDOT does not accept the appraisal and/or the parties cannot reach an agreement, the applicant will not be reimbursed for the cost of the appraisal. FDOT may have its own appraisal prepared for the property.

5. If FDOT decides to sell or lease to the abutting owner, it may do so by negotiations. If the Department and the abutting owner are unable to reach an agreement through negotiations, FDOT may then offer the property for public sale or lease.

6. **Related Costs, Sale Closing and Lease Preparation**:

a. FDOT reserves the right **not** to sell or lease the property at any time during the surplus review process, if it needs it for transportation purposes. However, if the applicant was asked by FDOT and has already submitted a survey and/or appraisal FDOT will reimburse the applicant for it's reasonable costs for these items.

b. In the case of public bidding, the reasonable costs of a FDOT accepted appraisal and survey incurred by the applicant, who is not the successful bidder, in any public sale/lease should be submitted to FDOT for reimbursement by the successful bidder.

d. For sales of property, a Quitclaim Deed will be the document of conveyance. FDOT
is required to retain certain mineral rights in the deed, unless the applicant petitions for a waiver of the reservation by providing written justification acceptable to FDOT. The buyer is to pay all closing costs, fees, documentary taxes and other related expenses, including appraisal, and survey costs.

e. FDOT, Standard Lease Agreement or Airspace Agreement (for property on Federal Highways) will be is used for all FDOT properties with a five-year term and a 30-day termination by either party at any time. A five-year renewal option may be available by request with 120 days advance written notice.

7. **Please direct all inquiries to**: **W.E. Reuben, Right of Way Administrator, Property Management,** Florida Department of Transportation, Right of Way Administration, Property Management, Room 6105B, 1000 N.W. 111th Avenue, Miami, Florida 33172, Telephone: **(305) 470-5236**; Fax: (305) 499-2340; E-mail: vince.reuben@dot.state.fl.us

Attachment F

FDOT Outdoor Advertising Sign Regulation and Highway Beautification Program

CHAPTER 14-10
OUTDOOR ADVERTISING SIGN REGULATION AND HIGHWAY BEAUTIFICATION PROGRAM

14-10.0011 General Provisions.

(1) Definitions. All terms in this rule chapter shall have the same meanings as those in Section 479.01, F.S. Additionally, the following terms are defined:

(a) "Applicant" means the person or entity seeking permission for an outdoor advertising sign under this rule chapter.

(b) "Completed Sign," for purposes of Section 479.07(5)(a), F.S., means an erected sign structure with attached facing, and a posted message.

(c) "Crown" means the highest point of elevation on the road pavement of the main traveled way immediately adjacent to the sign.

(d) "Embellishment" means a temporary extension of a sign face which contains a portion of the message or informative contents, and which is added, modified, or removed when the message is changed.

(e) "Height Above Ground Level (HAGL)" means the distance between the ground and the bottom of the sign face, excluding any border and trim, as measured from the point on the sign facing closest to the main-traveled way.

(f) "Location or site" means the specific place or position of a proposed or existing sign. Location is generally identified by specifying a milepost on the Roadway Characteristics Inventory (RCI) system together with a distance from the edge of the pavement or the right of way line by specifying the State Plane Coordinates or by specifying the latitude and longitude.

(g) "Permitted Sign" means a sign, whether erected or not, for which an Outdoor Advertising Permit, Form 575-070-30, Rev. 07/01, incorporated herein by reference, has been issued, which permit has not been revoked, canceled, expired, or declared void.

(h) "Public or Court Officer" means as described in Section 112.3173, F.S.

(i) "Rest Area" means a publicly owned, controlled, and designated place for emergency stops, relaxation, and recreation, including sanitary and other facilities within or adjacent to the highway right of way.

(j) "Sign Structure Height" means the total vertical distance from the crown of the main-traveled way to the top of the highest sign face, including any border or trim, excluding embellishments.

(2) Names and Addresses.

(a) For consideration of a license or sign permit under this rule chapter, completed forms must be sent to:

Outdoor Advertising License and Permit Office
Florida Department of Transportation
605 Suwannee Street, MS 22
Tallahassee, Florida 32399-0450

Forms referenced in this rule may be obtained at the above address or at the website: dot.state.fl.us/rightofway.

(b) Licenses and sign permits may only be issued in the current legal name or registered fictitious name of the applicant, whether an individual, business, or corporation. Any notice issued by the Department to a fictitious name filed with the

Department shall have the same effect as if issued in the legal name of the permittee or licensee.

(c) All correspondence from the Department to the licensee or permittee including billing, notices of violation, or other information issued by the Department will be sent to the address provided on the application, unless the licensee or permittee has updated the information in accordance with paragraph (d) below.

(d) A licensee or permittee shall notify the Department, in writing, within 30 calendar days of any change in address. This notification shall include:

1. The date the change of name or address becomes effective;
2. The account name as listed on the Department billing;
3. The name of the individual authorized to sign the notice; and
4. The authorized signature.

(e) Notices or any other correspondence issued by the Department to the address on file prior to receipt of such written notification of an address change are valid and shall be considered received by the licensee or permittee.

(f) License Applications, Permit Applications, Replacement Requests, Transfer Requests, and Cancellation Certifications must contain a statement by the signatory that he/she is the authorized representative and has the authority to sign for the applicant.

Rulemaking Authority 334.044(2), 479.02(7) FS. Law Implemented 334.044(28), 479.02 FS. History–New 6-28-98, Amended 8-19-01, 10-3-10.

14-10.0022 Outdoor Advertising Sign Inventory.

Pursuant to Section 479.02(8), F.S., the Department shall update its outdoor advertising database inventory information for all permitted signs no less than every two years. This inventory shall provide, as a minimum, the following current information derived from field review and historical information contained in the Department's files:

(1) Location of the sign;
(2) Original sign permit issue date;
(3) Date the sign was erected;
(4) Height, width and square footage of each sign facing;
(5) Number and type of support structures used;
(6) Height above ground level of the sign facing;
(7) Sign structure height;
(8) Whether the sign is lighted;
(9) Whether the sign is in conformance with local land use requirements;
(10) Whether the sign is in an urban area;
(11) Whether the sign is in an incorporated area;
(12) Status of the sign, whether conforming, nonconforming, or illegal;
(13) Permittee's name and address;
(14) Sign permit number(s), current and previous, assigned to the sign facing;
(15) Status of the sign permit, whether active or canceled, revoked, expired, or void; and
(16) Date the sign was removed, when applicable.

Changes made to the Department's previous inventory records to reflect physical characteristics of a sign or sign facing existing at the time of an inventory update shall not create a waiver or constitute forgiveness of any violation of the provisions of Chapter

479, F.S.

Rulemaking Authority 334.044(2), 479.02(7), (8) FS. Law Implemented 339.05, 479.01, 479.02, 479.03, 479.07(9) FS. History–New 6-28-98, Amended 10-3-10.

14-10.003 Licenses.

(1) Outdoor Advertising License Required. A person or entity is considered to be in the business of outdoor advertising and is required to have an outdoor advertising license if that person or entity receives compensation from constructing, erecting, operating, using, maintaining, leasing, or selling outdoor advertising structures, outdoor advertising signs, or outdoor advertisements. Persons or entities solely advertising their own businesses and contractors who construct signs under contract to outdoor advertising licensees or permittees, are exempt from the licensing requirement.

(2) Application Form. An application for a license to engage in the business of outdoor advertising shall be made on an Outdoor Advertising License Application, Form 575-070-02, Rev. 10/06, incorporated herein by reference.

Rulemaking Authority 334.044(2), 479.02(7) FS. Law Implemented 120.60, 215.34(2), 334.044(28), 339.05, 479.02, 479.04, 479.05, 479.07 FS. History–(Formerly part of Rule 14-15.05, Right of Way Bureau Operating Procedures), New 3-28-76, Amended 4-21-77, 12-10-77, 1-1-86, Formerly 14-10.03, Amended 6-28-98, 8-19-01, 1-25-04, 12-31-06, 10-3-10.

14-10.004 Permit.

(1) Applications. An application for a new sign permit is made by completing and submitting an Application for Outdoor Advertising Permit, Form 575-070-04, Rev. 02/09, incorporated herein by reference, to the address listed in subsection 14-10.0011(2)(a), F.A.C.

(a) A separate application is required for each sign permit requested (i.e. a back to back sign will require two applications). Separate payment for each application is recommended to avoid denial of multiple applications should one application be denied.

(b) Prior to issuing a sign permit, the Department will inspect the proposed sign site for compliance with Chapter 479, F.S., and this rule chapter. To ensure that the site being inspected is the same site specified in the application, the applicant shall mark the proposed site in such a manner that the markings are visible from the main-traveled way. The markings shall be displayed upon submission of the application, and shall be maintained by the applicant until the Department has approved or denied the application.

(c) The Department will act on sign permit applications in order of the date and time of receipt of complete applications.

1. An application will be considered complete when all items on the application form have been filled in, all required attachments have been received, and the correct permit fees have been submitted. All information provided on the application must be certified as being true and correct. Information required on the application from the local zoning official providing allowable land use and local government approval, must be current as of the date the complete application is received by the Department and the applicant must demonstrate that the conditions are still in effect.

2. Applications containing incorrect information will be denied.

3. Incomplete sign permit applications will be returned to the applicant along with

any sign permit fees submitted with the application.

4. Completion of, or corrections to, the original submitted document must be initialed by the applicant on the original application.

5. Pursuant to Section 479.07(3)(b), F.S., the written statement from the landowner must have been issued to the applicant, or on behalf of the applicant. If a lease document is submitted as the statement from the landowner, the applicant must be the named lessee, or the document must be accompanied by a properly executed transfer of the leasehold rights to the applicant. The written statement must:

a. Identify the property on which the sign is to be located;

b. Indicate that the person authorizing placement of the sign on the property is the owner or the person in lawful control of the property. If the person authorizing placement of the sign is not the owner of the property, the legal status which gives him or her lawful control of the property must be indicated;

c. Grant the permission to or on behalf of the applicant; and

d. Authorize placement of the sign on the subject property.

(2) Application status. Complete applications will be either approved or denied within 30 calendar days of receipt by the Department unless an earlier application for that site or a competing site is under review, the applicant is seeking a vegetation management permit, or removal of a conflicting sign is pending.

(a) A denied application will remain in a pending status until the time to request an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., has elapsed. If a hearing is requested, the application shall remain in a pending status until a final order has been issued and the time to request an appeal of the order has elapsed. If an appeal is taken, the application will remain in a pending status until the mandate is issued by the appellate court. Subsequent applications for conflicting sites shall be held without action until the pending status of the earlier application is resolved.

(b) If an application is approved, all subsequently received applications for conflicting sites shall be denied.

(c) When a permit application is received for a new sign site where vegetation management is required pursuant to Section 479.106, F.S., the permit will not be issued until the applicant has been issued a vegetation management permit by the Department in accordance with Rule 14-40.030, F.A.C., and has removed two nonconforming signs. A permit shall not be issued to an applicant for a location at which unpermitted cutting, removal, or trimming of vegetation has occurred until such time as payment of the administrative penalty and mitigation as required by Rule 14-40.030, F.A.C., and Section 479.106(7), F.S., respectively, have been accomplished and the applicant has surrendered two nonconforming signs for surrender in accordance with Section 479.106(5), F.S. If a permit is granted where the applicant has stated that no cutting, removal, or trimming of vegetation is required to create a view zone for the sign, the permittee may only maintain the view existing at the time the sign permit is issued.

(d) Applications for sign permits at locations which conflict with spacing requirements relating to the location of an expired or canceled sign permit will not be processed until the sign for which the expired or canceled permit was issued is removed, except for a sign permit being canceled as a condition for issuance of a new sign permit.

(3) Changeable messages – A permit shall be granted for an automatic changeable facing provided:

(a) The static display time for each message is at least six seconds;

(b) The time to completely change from one message to the next is a maximum of two seconds;

(c) The change of message occurs simultaneously for the entire sign face; and

(d) The application meets all other permitting requirements.

(e) All signs with changeable messages shall contain a default design that will ensure no flashing, intermittent message, or any other apparent movement is displayed should a malfunction occur.

(4) Changes to Roadway Designations.

(a) A sign existing at a location which was not previously subject to the permitting requirements of this rule chapter, but has subsequently become subject to the requirements due to changes in the jurisdictional designation of highways, shall be granted a state permit in accordance with the process outlined below:

1. The Department shall conduct an inventory of outdoor advertising signs on the highway section subject to jurisdictional change and, within 60 calendar days of the effective date of the proposed change, advise all affected sign owners and local governments that the change is being considered, the regulatory effect of the change, and when the change may become effective.

2. Upon approval of the jurisdictional change, the Department will provide a second notice to sign owners and local governments advising that the change in jurisdiction has become effective and that sign owners have 30 calendar days from receipt of the second notice to submit an application for a sign permit.

3. When the Department is unable to provide the advance notice referenced in paragraph (a), the Department will advise the affected sign owners that they have 90 calendar days from receipt of the notice, that the change in jurisdiction has become effective and to submit an application for a sign permit.

4. The Department shall issue an Outdoor Advertising Permit, Form 575-070-30, Rev. 07/01, to the sign owner upon receipt of a complete Application for Outdoor Advertising Permit, Form 575-070-04, Rev. 02/09, together with all items required pursuant to Section 479.07(3)(b), F.S. For existing signs, the written statement required by Section 479.07(3)(b), F.S., shall be any written document from the appropriate local governmental official indicating compliance with local requirements as of the date of the permit application. A previously issued building permit shall be accepted as the statement from an appropriate local governmental official, except where the local government has provided notice to the sign owner that the sign is illegal or has undertaken action to cause the sign to be removed. When a building permit is submitted as the statement of the local government, the applicant shall certify in writing that the local government has not provided notice that the sign is illegal, and that the local government has taken no action to cause the sign to be removed.

(b) When a change in the designation of a highway removes that highway from the Department's regulatory jurisdiction, a notice will be provided to all permittees on the affected roadway informing them their sign is no longer subject to the Department's jurisdiction and their permit will not be renewed.

(c) When a controlled road, or any portion of a controlled road, is designated as a scenic highway or scenic byway pursuant to Section 335.093, F.S., new permits will not be issued for signs visible from the portion of the highway designated as a scenic

highway or byway.

(5) Posting of Tags. The permanent metal permit tag issued by the Department must be posted at the sign site within 30 calendar days of issuing the sign permit and must remain in place at all times, whether or not a sign has been erected, or a previously erected sign has been removed. If a permit tag is lost, stolen, or destroyed, the permittee must apply to the Department for a replacement tag on Outdoor Advertising Permit Tag Replacement Request, Form 575-070-01, Rev. 06/09, incorporated herein by reference, and shall include a replacement fee of $12.00 per tag. Alternatively, the permittee may provide its own replacement tags pursuant to Section 479.07(5)(b), F.S., provided all of the fabrication specifications listed below are met.

(a) 6 inch x 12 inch constructed of durable material;

(b) Coated with 5-year white reflective sheeting;

(c) Embossed black text as follows:

1. The left vertical edge of the tag shall read FLA SIGN PERMIT in 5/8 inch characters;

2. The top horizontal alpha characters shall be embossed toward the FLA text and will be in 2 and 15/16 inch characters;

3. The vertical legend of three numbers located under the alpha characters shall be 2 and 15/16 inch characters.

(d) The letters and numbers of the replacement tag must be identical to the tag being replaced.

(e) When a permittee elects to provide its own tag, the permittee shall notify the Department that they will replace the tag within 30 days of notification that the tag is not properly displayed. The new tag shall be posted at the permitted location within 60 days of the department's notification.

(6) Transfer of Permits. Requests to transfer a permit pursuant to Section 479.07(6), F.S., shall be submitted on an Outdoor Advertising Permit Transfer Request, Form 575-070-25, Rev. 10/06, incorporated herein by reference.

(a) The recipient of the transferred permit shall certify that written permission from the landowner, or other person in lawful control of the sign site, to maintain the sign on the site pursuant to Section 479.07(2), F.S., has been secured.

(b) If a transfer of permit is made when the permit has been determined to be in violation of Chapter 479, F.S., or this rule chapter, or if a revocation proceeding is pending, the permit is subject to conditions existing at the time of transfer. The Department's approval of a permit transfer shall not constitute a waiver of rights on the part of the Department, nor shall a permit transfer in any way prohibit the issuance of notices of violation, or preclude the Department from revoking the transferee's permit pursuant to Section 479.08, F.S., or this rule chapter.

(c) If a transfer of sign permit is made during the initial 270 days from the date of permit issuance, the permit transferee receives the sign permit subject to all conditions which were applicable to the original applicant.

(7) Cancellation of Permits. Permit cancellation notification must be submitted on Outdoor Advertising Permit Cancellation Certification, Form 575-070-12, Rev. 10/06, incorporated herein by reference. All canceled tags must be returned to the Department with the certification, or otherwise be accounted for in writing.

(8) Conditional Permit Cancellation. When an applicant requests cancellation of one

permit in order to obtain a new permit, the existing permit shall be canceled simultaneously with the issuance of the new permit. Outdoor Advertising Permit Cancellation Certification, Form 575-070-12, Rev. 10/06, incorporated herein by reference, and Application for Outdoor Advertising Permit, Form 575-070-04, Rev. 02/09, shall be submitted simultaneously to the Department. If a new permit does not meet current permitting requirements and cannot be issued, the existing permit will not be canceled.

(9) Permits Canceled, or Not Renewed, in Error – Petition for Reinstatement. Pursuant to Section 479.07(8)(b), F.S., a petition for reinstatement of permits canceled, or not renewed, in error shall be submitted to the State Outdoor Advertising License and Permit Office. The petition must be in writing, list the affected permit(s), and shall certify that:

(a) The permit was canceled, or not renewed, in error by the permittee;

(b) The permit tag for the canceled or expired permit was returned to the Department or otherwise accounted for;

(c) The sign has not been disassembled; and

(d) The local government has not declared the sign illegal or taken any other action to have it removed.

If the Reinstatement Petition is denied by the Department, a new permit may be issued for a sign only if the sign meets all current permitting requirements. The reinstatement fee is $200.00 for a sign facing of 200 square feet or less, and $300.00 for a sign facing greater than 200 square feet.

(10) Reestablishment. Where the expansion or relocation of a transportation facility causes a sign to be located in the right of way, or within fifteen feet of the right of way, and the permittee desires to reestablish the sign at a conforming location, the Department shall allow the reestablishment of the sign in conformance with the following:

(a) The permittee must submit a completed application for the reestablished sign site pursuant to Section 479.07(3), F.S.

(b) The reestablished sign site shall meet all current requirements for permitting.

(11) Relocation. Where a Department project causes a nonconforming sign to be located in the right of way, the Department shall allow the relocation of the sign provided all requirements of Sections 479.15(3), (4), (5), (6), F.S., are met. The relocated sign must be of the same materials, size and configuration as the original.

Rulemaking Authority 334.044(2), 479.02(7) FS. Law Implemented 215.34, 334.044(28), 339.05, 479.01(14), 479.02, 479.04, 479.07, 479.106(5), 479.24 FS. History–(Formerly part of Rule 14-10.04, Permits; 14-15.05, Right of Way Bureau Operating Procedures), New 3-28-76, Amended 4-21-77, 12-10-77, 6-26-78, 12-31-78, 1-1-86, Formerly 14-10.04, Amended 7-7-92, 6-28-98, 8-10-99, 8-19-01, 1-25-04, 3-15-05, 12-31-06, 4-2-09, 10-3-10.

14-10.0041 Annual Renewal Billing – Licenses and Permits.

(1) All licenses and sign permits expire annually and shall be renewed pursuant to Section 479.07(8), F.S.

(2) Annual renewal of a license shall include the annual license fee, and the fees for all sign permits being renewed by the licensee. Acceptance by the Department of renewal fees for a sign permit against which a violation notice has been issued, or which may be

issued, shall not constitute waiver by the Department of any right to pursue remedies for the violation.

(a) Any of the following shall result in the return of submitted fees to the applicant, and shall constitute nonpayment:

1. Payment of renewal fees for any amount less than the amount shown as due on the Department's billing statement (or its adjusted billing statement prepared in response to a timely notice from the permittee of corrections, additions, or deletions). When an overpayment of renewal fees is submitted, the Department shall accept the fees due amount as shown on the billing statement (or the adjusted billing statement), and provide for the issuance of a refund to the payor in the amount of the overpayment. Acceptance of payment in an amount greater than the amount due shall not constitute acceptance of renewal fees for sign permits which have been declared invalid.

2. Failure to return or provide an accounting for the nonrenewed sign permit tags on the Cancellation Certification.

3. Failure to submit affidavits and transfer fees for any sign permits being transferred.

(b) Payment for sign permits being transferred at the time of permit renewal shall be submitted with the sign permit renewal payment, but must be in a separate payment instrument.

Rulemaking Authority 334.044(2), 479.02(7) FS. Law Implemented 479.02, 479.07 FS. History–New 6-28-98, Amended 8-19-01, 10-3-10.

14-10.0042 Denial or Revocation of Licenses or Permits.

(1) If the Department intends to deny an application for a license or sign permit, deny reinstatement of a sign permit cancelled or not renewed in error, or intends to revoke a license or sign permit, the Department shall provide, by certified mail, return receipt requested, or by personal delivery with receipt, notice of the facts which warrant the action. The written notice shall contain:

(a) The particular facts or basis for the Department's action;

(b) The statute or rule relied upon;

(c) A statement that the applicant, licensee, or permittee has the right to an administrative hearing pursuant to Section 120.57, F.S.

(d) A statement that the Department's action shall become conclusive and the final agency action and that the sign permit or license shall be denied or revoked if no request for a hearing is filed within 30 calendar days of receipt of the notice of the Department's intended action.

(2) If a licensee fails to renew its license, or its license is revoked, any sign permits owned by the licensee shall become subject to revocation, pursuant to Section 479.08, F.S.

Rulemaking Authority 334.044(2), 479.02 FS. Law Implemented 120.60, 479.05, 479.08 FS. History–New 6-28-98, Amended 10-3-10.

14-10.0043 Outdoor Advertising License and Permit Fees.

(1) The annual fee for an Outdoor Advertising License is $300.00. Licenses expire on January 15 of each year.

(2) The annual permit fee for each sign facing is $51.00 for 200 square feet or less, and $71.00 for more than 200 square feet. A permittee shall notify the Department in

writing prior to making any changes in the dimensions of a conforming sign which would increase the area of the sign facing to over 200 square feet, and shall submit an additional $20.00.

(3) Permit fees for the year in which application is made may be prorated by paying one-fourth of the annual fee for each whole or partial quarter remaining in that year. Applications received after September 30 must include fees for the last quarter plus fees for the following year. The fee schedule is based on the date the application is received by the Department as follows:

(a) January 16 through April 15: $51.00 for each sign facing of 200 square feet or less; $71.00 for each facing greater than 200 square feet;

(b) April 16 through July 15: $38.25 for each sign facing of 200 square feet or less; $53.25 for each facing greater than 200 square feet;

(c) July 16 through September 30: $25.50 for each sign facing of 200 square feet or less; $35.50 for each facing greater than 200 square feet;

(d) October 1 through January 15: $63.75 for each sign facing of 200 square feet or less; $88.75 for each facing greater than 200 square feet.

(4) All payment instruments must be made out to the Department of Transportation. Payment of fees may be made by cash, postal money order, bank draft, cashier's check, or a personal or business check. In the event a payment document is not honored for any reason by the bank on which it is drawn, a service fee of $15.00 or five percent of the amount payable, whichever is greater will be assessed. If an individual or company issues two checks to the Department which are not honored, no further personal or business checks will be accepted regardless of whether restitution has been made on previous checks.

Rulemaking Authority 334.044(2), 479.02(7), 479.07(3)(c) FS. Law Implemented 215.34, 479.04, 479.07 FS. History–New 1-25-04, Amended 4-2-09.

14-10.0052 Zoning Enacted Primarily to Permit Outdoor Advertising Signs.

(1) "Comprehensively Enacted Zoning" means ordinances or other laws adopted by the county or municipal government pertaining to and designating the currently allowable uses of property within its jurisdiction, pursuant to and consistent with a comprehensive plan enacted in accordance with Chapter 163, F.S.

(2) Even if comprehensively enacted, the following criteria, including public records related thereto, shall be considered in determining whether such zoning is enacted primarily to permit signs:

(a) The land use or zoning designation provides for limited commercial or industrial activity only as an incident to other primary land uses.

(b) The commercial and industrial activities, separately or together, are permitted only by variance or special exceptions.

(c) The physical dimensions or other attributes of the affected parcel would not reasonably accommodate traditional commercial or industrial uses and the area surrounding the affected parcel is not predominantly commercial or industrial.

Rulemaking Authority 334.044(2), 479.02(7) FS. Law Implemented 479.07(10) FS. History–New 3-16-04, Amended 5-5-05.

14-10.006 Permitting Criteria.

Each application for a sign permit shall meet the requirements of Sections 479.07(9) and 479.11, F.S. In addition, each application must comply with the requirements of the agreement between the State of Florida and the United States Department of Transportation pursuant to Section 479.02(1), F.S. The requirements are:

(1) Size.

(a) The area of a sign facing shall be measured by the smallest square, rectangle, triangle, circle, or combination thereof, which will encompass the entire sign facing including all embellishments.

(b) The maximum allowable height of a sign facing is 30 feet.

(c) The maximum allowable length of a sign facing is 60 feet.

(d) The maximum area limitations shall apply to each sign facing.

(e) Embellishments shall not extend more than five feet beyond the permanent sign face, and are included in any measurement of the height, width, or area of the sign facing.

(f) Signs containing both on-premise and off-premise advertising shall not exceed 950 square feet, including all sign faces.

(2) Number of Sign Faces. There shall be no more than two faces showing at one time for each sign facing.

(3) Location. Signs shall not be located in such a manner as to obscure or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device.

(4) Spacing. The minimum required distance between the location for which a permit is sought and the nearest permitted sign shall be measured along the edge of pavement of the main-traveled way from the location marked by the applicant in accordance with Rule 14-10.004, F.A.C., to the location of the permitted sign. In the case of a permitted sign that has not been constructed, the milepost location reflected on the application shall be used as the location of the permitted sign. Measurement along the edge of pavement shall be based on the point perpendicular to a tangent to the edge of the main-traveled way nearest the location of the sign.

(a) For V-type, or back-to-back signs, to be counted as one sign for spacing purposes, the sign facings on such signs shall be connected by the same sign structure or cross-bracing, or the sign structures shall not be located not more than 15 feet apart, at their nearest point.

(b) Official signs, signs exempt under Section 479.16, F.S., and structures that are not permitted signs shall not be considered for purposes of determining compliance with spacing requirements.

(c) When an intersection is encountered in determining measurements for spacing compliance, the width of such intersection is included in the measured distance. This distance is measured in a direct line from the points of intersection of the edges of the main-traveled ways.

(d) No sign permit shall be issued for a sign located on any portion of the interstate highway system, which is outside the boundaries of an incorporated municipality, and which is within 500 feet of an interchange, intersection at grade, or rest area. The 500 feet shall be measured along the interstate in the direction leading away from the interchange, intersection at grade, or rest area, beginning at the pavement widening of the exit from the main-traveled way, or the end of pavement widening of the entrance to the main-traveled way on an interstate highway. For the purposes of this subsection, all portions of

the entrance and exit ramps shall be considered part of an interchange.

(e) When a sign or proposed sign is, or would be located within the controlled area and visible from any portion of the main-traveled way of more than one highway subject to the jurisdiction of the Department, pursuant to Section 479.07(1), F.S., the sign shall meet the permitting requirements of, and be permitted to, the roadway with the stricter controls. If the sign is visible to more than one roadway with the same level of control, the location must meet the permitting requirements of each roadway.

(5) Sign Structure Height. The height of a sign structure shall be measured from a point on the sign structure which is at the same elevation as the crown of the main-traveled way to the top of the highest sign face, excluding embellishments.

(6) Lighting. Signs may be illuminated except those which are illuminated in any way by any flashing, intermittent, or moving light. Flashing, intermittent, or moving light or lights embodied in a sign may be used to provide public service information. No sign shall be illuminated so that it interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal.

(7) For purposes of compliance with Section 479.11(4), F.S., the 100 feet shall be measured from the property line. When a school or church is the applicant for a permit, or has given written permission for the placement of a sign, the 100 foot required distance shall be measured from the outer edges of the primary building or primary building complex when the individual units of the complex are connected by covered walkways.

(8) For applications to be considered under the pilot program defined in Section 479.07(9)(c), F.S., the applicant must submit the following information in addition to the requirements of above Rule 14-10.004, F.A.C.:

(a) A copy of the local government adopted policy, ordinance, or other official document authorizing the placement of a new outdoor advertising sign on an interstate highway, in exchange for the removal of an existing sign from areas specifically designated by the local government; and

(b) A copy of the agreement between the local government and the affected sign owner allowing such removal and replacement.

(9) Copies of the agreement between the State of Florida and the United States Department of Transportation, referenced in Section 479.02(1), F.S., may be obtained from the address listed in subsection 14-10.003(2), F.A.C.

Rulemaking Authority 334.044(2), 479.02(7) FS. Law Implemented 339.05, 479.02, 479.07(9), 479.08, 479.11 FS. History–New 3-28-77, Amended 12-10-77, 1-1-86, Formerly 14-10.06, Amended 12-26-95, 6-28-98, 8-19-01, 12-31-06, 10-3-10.

14-10.007 Maintenance of Nonconforming Signs.

(1) A nonconforming sign must remain substantially the same as it was as of the date it became nonconforming.

(2) Reasonable repair and maintenance of nonconforming signs, including change of advertising message, is permitted and is not a change which would terminate the nonconforming status. Reasonable repair and maintenance means the work necessary to keep the sign structure in a state of good repair, including the replacement in kind of materials in the sign structure. Where the replacement of materials is involved, such replacement may not exceed 50% of the structural materials in the sign within any 24 month period. “Structural materials” are all those materials incorporated into the sign as

load-bearing parts, including vertical supports, horizontal stringers, braces, bracing wires, brackets, and catwalks. Structural materials do not include the sign face, any skirt, any electrical service, or electric lighting, except in cases where such items have been incorporated into the sign as load-bearing parts. The following are examples of modifications which do not constitute reasonable repair or maintenance, and which constitute substantial changes to a nonconforming sign that will result in the loss of nonconforming status:

(a) Modification that changes the structure of, or the type of structure of, the sign, such as conversion of a back-to-back sign to a V-type, or conversion of a wooden sign structure to a metal structure;

1. The Department will authorize structural alterations to a nonconforming sign in instances where the Occupational Safety and Health Administration (OSHA) requirements or other safety related requirements necessitate alterations, provided that the reconstruction shall not be authorized primarily for the purpose of replacement of deteriorated materials. The Department will accept a notice or other writing from OSHA or other regulatory body to the permittee requiring the intended alteration as documentation of safety requirements. If the structural alterations are intended to be made to comply with OSHA regulations, the permittee must submit to the Department a statement in writing citing the OSHA regulation with which it is intending to comply and explaining how the intended alteration is required by the cited OSHA regulation. If the structural alterations are required to be made to comply with building codes applicable to existing structures, the permittee must submit to the Department a statement in writing citing the specific requirement of the building code which the alterations are intended to meet. Structural alterations are allowed only if no alternatives are available which address safety requirements. Documentation of the requirements must be submitted to, and approved by, the Department prior to making any structural alterations. The location, structural configuration, number of faces, size of the sign faces, sign structure height, and the materials used in the sign structure and sign faces must be the same type as those used in the sign prior to approval of the alterations. Structural configuration means the physical arrangement of a sign whether arranged as a single-faced, V-type, back-to-back, side-to-side, or stacked sign. During the period of temporary removal for those approved structural alterations, the permittee must permanently display the permit tag at the sign location.

2. The addition of a catwalk or other fall protection device for safety reasons, where the device does not increase the structural integrity of the sign or prolong the life of the sign, is allowed without obtaining prior approval from the Department;

(b) Modification that changes the area of the sign facing or the HAGL of the sign, however:

1. Reduction in the area of the sign facing or the HAGL of the sign, which reduction is required by an ordinance adopted by a local governmental entity with jurisdiction over the sign, is not a change which would terminate the nonconforming status of the sign, provided like materials are used and no enhancements are made to the visibility of the sign.

2. Embellishments may be added to nonconforming signs subject to the limitations regarding size of sign facing, and provided they do not exceed 10% of the area of the sign facing prior to the addition of the embellishment;

(c) Modification that enhances the visibility of the sign's message, or the period of time that the sign's message is visible;

(d) Modification that adds automatic changeable faces; or

(e) Modification that adds artificial lighting, or changes the existing lighting such that the illumination to the sign facing is substantially increased.

(3) Prohibited modifications need not be physically part of the sign if they have the effect of enhancing the sign's message, the visibility of the message, or the period of time that the message is visible. However, in such cases, the modifications will not be considered a modification to the sign if:

(a) The modification is the result of removal, cutting, or trimming of vegetation in front of the sign pursuant to a permit for such removal, cutting, or trimming from the Department; or

(b) The modification only incidentally affects the visibility of the sign's message, and the bona fide purpose of the modification is unrelated to the sign.

(4) A nonconforming sign may not be disassembled and re-erected at the same location except as provided in paragraph (6)(a), below.

(5) A nonconforming sign may not be relocated, except to a conforming location.

(6) A nonconforming sign may continue to exist so long as it is not destroyed, abandoned, or discontinued. "Destroyed," "abandoned," and "discontinued" have the following meanings:

(a) "Destroyed" means more than 60% of the upright supports of a sign structure are physically damaged such that normal repair practices of the industry would call for, in the case of wooden sign structures, replacement of the broken supports and, in the case of a metal sign structure, replacement of at least 25% of the length above ground of each broken, bent, or twisted support. A sign will not be considered "destroyed" within the meaning of this section where the destruction is caused by vandalism or other criminal or tortious act.

(b) A nonconforming sign is "abandoned" or "discontinued" when a sign structure no longer exists at the permitted location or the sign owner fails to operate and maintain the sign for a period of 12 months or longer. Signs displaying bona fide public interest messages are not "abandoned" or "discontinued" within the meaning of this section. The following conditions shall be considered failure to operate and maintain the sign:

1. Signs displaying only an "available for lease" or similar message,
2. Signs displaying advertising for a product or service which is no longer available,
3. Signs which are blank or do not identify a particular product, service, or facility.

Rulemaking Authority 334.044(2), 479.02(7) FS. Law Implemented 339.05, 479.02, 479.07(9) FS. History–New 3-28-77, Amended 12-18-77, 1-1-86, Formerly 14-10.07, Amended 6-28-98, 8-10-99, 8-19-01, 11-27-07.

Item #5 CIE – Text Amendment
Staff Report

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT
We strive to be caring, professional and fair

To: Planning Commission

Through: Mayte' Santamaria, Assistant Planning Director,
Planning and Environmental Resources

From: Kathy Grasser, Comprehensive Planner

Date: October 7, 2010

Subject: Request for an Amendment to the Year 2010 Monroe County Comprehensive Plan to amend Table 4.1 Five-Year Schedule of Capital Improvements

---

Meeting: October 18, 2011

PURPOSE:

The principal purpose of the capital improvement element is designed to consider the need for and the location of public facilities in order to encourage the efficient use of such facilities as set forth in §163.3177(3)(a), F.S. which states:

1. A component that outlines principles for construction, extension, or increase in capacity of public facilities, as well as a component that outlines principles for correcting existing public facility deficiencies, which are necessary to implement the comprehensive plan. The components shall cover at least a 5-year period.
2. Estimated public facility costs, including a delineation of when facilities will be needed, the general location of the facilities, and projected revenue sources to fund the facilities.
3. Standards to ensure the availability of public facilities and the adequacy of those facilities to meet established acceptable levels of service.
4. A schedule of capital improvements which includes any publicly funded projects of federal, state, or local government, and which may include privately funded projects for which the local government has no fiscal responsibility. Projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the 5-year period must be identified as either funded or unfunded and given a level of priority for funding.

PROPOSED AMENDMENT:

Staff is requesting the Monroe County Board of County Commissioners adopt an amendment to the Year 2010 Monroe County Comprehensive Plan amending Table 4.1 Five-Year Schedule of Capital Improvements (Exhibit A).

The definition of "Capital Improvement" pursuant to §163.3177(7), Florida Statutes, means "physical assets constructed or purchased to provide, improve, or replace a public facility and which are typically large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multiyear financing. For the purposes of this part, physical assets that have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements."

Sections 163.3177(2) and (3), Florida Statutes, require that projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the five-year period be identified as either funded of unfunded and given a level of priority for funding and that the capital improvements element must be reviewed by the local government on an annual basis.

DATA AND ANALYSIS:

Table 4.1, Five-Year Schedule of Capital Improvements (Fiscal Years 2011-2012, 2012-2013, 2013-2014, and 2014-2015, and 2015-2016), lists the public facilities which Monroe County will provide in order to reduce existing deficiencies, provide for necessary replacements, and meet the future demand identified by the Comprehensive Plan. Specific data and analysis for all public facilities are located in the 2011 Public Facilities Capacity Assessment Report, attached as Exhibit B.

The public facilities types are:

1. Transportation facilities
2. Potable Water
3. Wastewater
4. Drainage and Storm Water
5. Solid Waste
6. Parks and Recreation

There are four (4) primary public facilities that must be monitored for adequate capacity according to the Monroe County Comprehensive Plan and the Land Development Code (LDC). These facilities are transportation/roads, solid waste, potable water and schools. The available capacity for each of these facilities may be either sufficient to accommodate projected growth over the next year, marginally adequate, or inadequate.

Comprehensive Plan, Policy 101.1 establishes that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standard concurrent with the impacts of such development.

I. GROWTH MANAGEMENT

GROWTH ANALYSIS

This section of the report examines the projected growth of Monroe County's permanent, seasonal and functional population, occupied and vacant housing data.

The following population and housing characteristics tables provide summary information for Monroe County and the incorporated municipalities. Information from the 2000 Census has been included for comparison purposes. The U.S. Census Bureau released 2010 demographic information related to population on March 17, 2011. The U.S. Census Bureau released housing characteristics based on data collected from January 1, 2010 to December 31, 2010 to the public on September 22, 2011.

POPULATION ESTIMATES

The permanent population for the Florida Keys (unincorporated and incorporated) declined by 8% (-6,499 people) from the year 2000 to 2010.

	Census 2000	**Census 2010**	**Change**	**% Change**
	PERMANENT POPULATION			
City of Key West	25,478	24,649	-829	-3.25%
City of Marathon	10,255	8,297	-1,958	-19.09%
City of Key Colony Beach	788	797	+9	1.14%
City of Layton	186	184	-2	-1.08%
Village of Islamorada	6,846	6,119	-727	-10.62%
Unincorporated Monroe County	36,036	33,044	-2,992	-8.30%
Total Population (Uninc. County & Cities)	79,589	73,090	-6,499	-8.17%

Functional population is the sum of seasonal and permanent population estimates. Permanent residents are people who spend all or most of the year living in Monroe County, and as such, exert a relatively constant demand on all public facilities. Seasonal population figures are the number of seasonal residents and visitors in the Keys on any given evening. They are composed of the tourist population and residents spending less than six months in the Keys. The seasonal population has a higher cyclical demand on public facilities like roads and solid waste.

The 2010 estimated population for unincorporated Monroe County is 70,808 (2010) and by 2030 it is projected to increase by 3,149 additional persons. This is an increase of 157.5 persons per year through the twenty year planning horizon.

Functional Population Estimates and Projections, 2010-2030

Year	FUNCTIONAL POPULATION			
	Lower Keys	Middle Keys	Upper Keys	Unincorporated Monroe County Total
2010	39,645	2,183	28,980	70,808
2015	40,181	2,212	29,370	71,763
2020	40,592	2,234	29,668	72,494
2025	41,003	2,256	29,966	73,225
2030	41,414	2,278	30,265	73,957

Source: Fishkind & Associates, Inc., 2010, Unincorporated Monroe County Population Projections

The population projections for the 2010-2030 planning period indicate a loss of permanent population. The data suggests the permanent population losses and associate increase in vacant housing units (shown below) is being shifted into an increase in seasonal population. Fishkind & Associates estimates that while permanent population decreases at an average rate of less than one percent every five years, seasonal population increases at an average rate of 2.57 percent every five years; resulting in a shift in population from permanent to seasonal. Overall, functional population or total population for the unincorporated County will increase at an average rate of less than one percent, every five years, in the twenty year planning period.

HOUSING

Total housing units increased by 1,147 units or 2%. The number of occupied units decreased by 2,457 units or 7%. Vacant units increased by 3,604 units or 22%.

	Census 2000	Census 2010	Change	% Change
	HOUSING UNITS			
City of Marathon	6,791	6,187	-604	-8.89%
City of Key Colony Beach	1,293	1,431	+138	10.67%
City of Layton	165	184	+19	11.15%
Village of Islamorada	5,461	5,692	+231	4.23%
Unincorporated Monroe County	24,601	25,163	+562	2.28%
Total housing units (Uninc. County & Cities)	51,617	52,764	+1,147	2.22%
Occupied housing units (Uninc. County & Cities)	35,086	32,629	-2,457	-7.00%
Vacant housing units (Uninc. County & Cities)	16,531	20,135	+3,604	21.80%
% Vacant housing units (Uninc. County & Cities)	32.02%	38.16%		

According to the U.S. Census, housing units are broken down into occupied and vacant units. The Census defines housing units as "a house, apartment, group of rooms, or single room occupied or intended for occupancy as separate living quarters." Occupied housing units are occupied if there is "at least one person who lives in the unit as a usual resident at the time of the interview, or if the occupants are only temporarily absent, for example, on vacation. However, if the unit is occupied entirely by people with a usual residence elsewhere, the unit is classified as vacant, such as seasonal units. The table below shows the housing units by status and tenure from the 2010 American Communities Survey (with a margin of error of +/-3%).

Housing Units by Status and Tenure by Units in Structure 2010 Monroe County-Unincorporated and Incorporated Areas		
HOUSING OCCUPANCY	**Estimates**	**Percent**
Total housing units	52,766	
Occupied housing units	29,822	56.2%
Vacant housing units	22,944	43.5%
UNITS IN STRUCTURE	**Estimates**	**Percent**
Total housing units	52,766	
1-unit, detached	30,129	57.1%
1-unit, attached	4,116	7.8%
2 units	2,586	4.9%
3 or 4 units	1,952	3.7%
5 to 9 units	1,900	3.6%
10 or more apartments	4,327	8.2%
Mobile Home or Other Type of Housing	7,809	14.8%
HOUSING TENURE	**Estimates**	**Percent**
Occupied housing units	29,822	
Owner-occupied	17,523	58.75%
Renter-occupied	12,299	41.25%
Average household size of owner-occupied unit	2.7	
Average household size of renter-occupied unit	2.5	

TRANSPORTATION FACILITIES:

The Level of Service (LOS) for roads is regulated by Section 3.3 Traffic Circulation of the Comprehensive Plan.

Goal 301: To provide a safe, convenient, efficient, and environmentally-compatible motorized and non-motorized transportation system for the movement of people and goods in Monroe County.

Policy 301.1.1: For all County roads, Monroe County hereby adopts a minimum peak hour level of service (LOS) standard of D, based on the Florida Department of Transportation (FDOT) methodology for determination of LOS, as measured by peak hour traffic volume. The County shall maintain the level of service on County roads within five percent (5%) of LOS D.

Policy 301.1.2: For U.S. 1, Monroe County hereby adopts a level of service (LOS) standard of C based on the methodology development by the US-1 LOS Task Force and adopted by the Board of County Commissioners in August 1991, for analyzing the LOS on US-1 in Monroe County. This methodology replaces a peak hour volume standard for US-1. The level of service on US-1 shall be maintained within five percent (5%) of LOS C.

Section 114-2(a) of the LDC pertains to the minimum standards for public facilities.

1. Roads:
   a. U.S. 1 shall have sufficient available capacity to operate at a Level of service (LOS) C on an overall basis as measured by the U.S. 1 level of service Task Force Methodology. In addition, the segment(s) of U.S. 1, as identified in the U.S. 1 level of service Task Force Methodology, which would be directly impacted by a proposed development's access to U.S. 1, shall have sufficient available capacity to operate at LOS C as measured by the U.S. 1 level of service Task Force Methodology.

   b. County Road 905 within three (3) miles of a parcel proposed for development shall have sufficient available capacity to operate at LOS D as measured on an annual average daily traffic (AADT) basis at all intersection and/or roadway segments. All secondary roads where traffic is entering or leaving a development or have direct access shall have sufficient available capacity to operate at LOS D as measured on an annual average daily traffic (AADT) basis.

   c. In areas which are served by inadequate transportation facilities on U.S. 1, development may be approved provided that the development in combination with all other development will not decrease travel speeds by more than five percent (5%) below LOS C.

LEVEL OF SERVICE ANALYSIS

U.S. 1 is the only principal arterial serving the Keys. Monroe County has Florida Department of Transportation (FDOT) conduct a yearly study to monitor the level of service on U.S. 1. The 2011 Arterial Travel and Time Delay Study indicates the overall level of service (LOS) of U.S. 1 at "C," however, two segments are identified below LOS "C." Based on the 2011 Arterial Travel and Time Delay Study, Lower Matecumbe (Segment 17), and Tea Table (Segment 18) continue to function below the LOS "C" threshold. These two segments have a reserve capacity within the 5% allocation. The reserve capacity is the difference between the median speed and the LOS "C" standard gives the reserve speed, which in turn can be converted into an estimated reserve capacity of additional traffic volume and corresponding additional development. The median overall speed of 47.1 mph compared to the LOS "C" standard of 45 mph leaves an overall reserve speed of 2.1 mph.

County regulations and FDOT policy allow segments that fail to meet the LOS C standards to receive an allocation not to exceed five percent below the LOS C standard. This provision will allow a limited amount of additional land development to continue until traffic speeds are measured again next year or until remedial actions are implemented. These segments are candidates for being designated either "backlogged" or "constrained" by Florida Department of Transportation (FDOT).

According to the FDOT District Six, 5-Year Work Program (Year 2011/2012 through Year 2015/2016), there is ongoing construction along U.S.1.

- Lower Matecumbe, Segment 17 is located at approximate mile marker 73 through 77.5. This segment has a LOS D. There are no work projects cited in this year's FDOT Transportation Plan. The maximum reserve volume is -671 trips and falls within the 5% (1,196 trips) allocation criteria.
- Tea Table Relief Bridge, Segment 18 is located at approximate mile marker 77.5 through 79.5. This segment has a LOS D. There is preliminary engineering for resurfacing between Old SR 4A/MM77.5 to Jerome Avenue (mile marker 81.5) with construction starting in 2014. The maximum reserve volume is -328 trips and falls within the 5% (571) allocation criteria.

The Capital Improvements Element 5-Year Schedule identifies several maintenance and resurfacing projects along U.S. 1.

POTABLE WATER:

The Monroe County Comprehensive Plan establishes the LOS standards and the LDC regulates the source of potable water for development or use.

Objective 701.1: Monroe County shall ensure that at the time a development permit is issued, adequate potable water supply, treatment, and distribution facilities are available to support the development at the adopted level of service standard concurrent with the impacts of such development.

Policy 701.1.1: Monroe County hereby adopts the following level of service standard concurrent to achieve Objective 701.1 and shall use these standards as the basis for determining facility capacity and the demand generated by a development.

Level of Service Standard:

1. Quantity:

Residential LOS	66.50 gal./capita/day
Non-Residential LOS	0.35 gal./sq. ft./day
Overall LOS	132.00 gal./capita/day
	(Ord. 021-2009)
Equivalent Residential Unit	149.00 gallons per day

(2.24 average persons per household x 66.5 gallons/capita/day)

2. Minimum Pressure:
20 PSI at customer service

3. Minimum Potable Water Quality:
Shall be as defined by the U.S. Environmental Protection Agency. (Part 143-National Secondary Drinking Standards, 40 CFR 143, 44FR 42198)

The LDC Section 114-2(3) does not include a LOS standard but requires sufficient potable water from an approved and permitted source shall be available to satisfy the projected water needs of a proposed development, or use. Approved and permitted sources shall include cisterns, wells, FKAA distribution systems, individual water condensation systems, and any other system which complies with the Florida standards for potable water.

LEVEL OF SERVICE ANALYSIS

The Florida Keys Aqueduct Authority (FKAA) is the sole provider of potable water in the Florida Keys. The groundwater from the wellfield is treated at the FKAA's Water Treatment Facility in Florida City, which currently has a maximum water treatment design capacity of 29.8 million gallons per day (MGD). The primary water treatment process is a conventional lime softening/filtration water treatment plant and is capable of treating up to 23.8 MGD from the Biscayne Aquifer. The secondary water treatment process is the newly constructed Reverse Osmosis water treatment plant and is capable of producing 6 MGD from the brackish Floridan

Aquifer. The two saltwater Reserve Osmosis (RO) plants, located on Stock Island and Marathon, are available to produce potable water under emergency conditions. The RO desalination plants have design capacities of 2.0 and 1.0 MGD of water, respectively.

The annual average daily demand is 16.21 MGD and the maximum monthly water demand in Monroe County is 533.26 MG which occurred in April of 2010. Preliminary figures and projections for 2011 indicate a slight increase to an annual average daily demand to 16.54 MGD and an increase in maximum monthly demand to 563.33 MG as compared to 2010 figures.

With the construction of the new water supply wells and RO water treatment, the new reclaimed systems, and the ability to operate the 3.0 MGD RO desalination plants during emergency situations, there is an adequate supply of water to meet current and future demands, based on current conditions and projections. FKAA will continue to monitor and track conditions and events that could negatively impact the existing water supply. Any such impacts will be evaluated to determine future changes necessary to continue servicing Monroe County with adequate supply.

FKAA replacement and improvement projects are included in the 5-Year CIE Schedule.

SOLID WASTE:

The Comprehensive Plan and the LDC require that "sufficient capacity shall be available at a solid waste disposal site to accommodate all existing and approved development for a period of at least three years from the projected date of completion of a proposed development or use" (LDC, Section 114-2(a)(2)).

Objective 801.1: Monroe County shall ensure that solid waste collection service and disposal capacity is available to serve development at the adopted level of service standard concurrent, concurrent with the impacts of such development.

Policy 801.1.1: Monroe County hereby adopts the following level of service standard concurrent to achieve Objective 801.1, and shall use these standards as the basis for determining facility capacity and the demand generated by a development.

Level of Service Standard:

Disposal Quantity:

5.44 pounds per capita per day or 12.2 pounds per day per ERU (Equivalent Residential Unit)

Haul Out Capacity:

95,000 tons per year or 42,668 ERUs.

Duration of Capacity:

Sufficient capacity shall be available at a solid waste disposal site to accommodate all existing and approved development for a period of three (3) years from the projected date of completion of the proposed development or use.

LEVEL OF SERVICE ANALYSIS

During 2009, the pounds/capita/day exceeded the LOS standards established by the Comprehensive Plan. Limitations on future growth should reduce the amount of construction and demolition debris generation. Recycling efforts in Monroe County have increased and should reduce the amount of solid waste generation. In 2010, the County provided solid waste service to accommodate 70,808 residents. FDEP certification of solid waste data for December 31, 2009 is reported to be 71,311 residents in the County. For the purpose of this document, this data will be used as the most recent certified data.

Solid Waste Generation Trends					
	GENERATION	POPULATION			
Year	(Tons/Yr)	Permanent	Seasonal	Functional	(LBS/CAP/DAY)
2009	116,884	36,268	35,043	71,311	8.98
Source: Monroe County Recommended Functional Population Series, Fishkind & Associates 2010					

Monroe County has a contract with Waste Management (WMI). The contract authorizes the use of in-state facilities through September 30, 2016; thereby, providing the County with approximately five (5) years of guaranteed capacity. Currently, there is adequate capacity for solid waste generation.

SCHOOL FACILITIES

The Comprehensive Plan does not establish a LOS standard for schools, but does include Policy 1301.5.6 which requires the county to coordinate with the School Board on the siting and expansion of required facilities. Enrollment figures for the 2010-2011 through 2014-2015 school years indicate that there is adequate capacity in the Monroe County school system. The overall 2010-2011 utilization is 66.88% of the school system capacity. There are no projects identified in the CIE 5-Year Schedule.

PARKS AND RECREATION:

Level of Service standards for parks and recreational facilities are listed in Policy 1201.1.1 of the Monroe County Year 2010 Comprehensive Plan.

> Policy 1201.1.1: Monroe County hereby adopts the following level of service standard to achieve Objective 1201.1, and shall use these standards as the basis for determining recreation land and facility capacity:
>
> Level of Service Standard for Neighborhood and Community Parks:
>
> 1. 0.82 acres per 1,000 functional population of passive, resource-based neighborhood and community parks; and

2. 0.82 acres per 1,000 functional population of activity-based neighborhood and community parks within each of the Upper Keys, Middle Keys, and Lower Keys subareas.

LEVEL OF SERVICE ANALYSIS

Resource-based recreation areas are established around existing natural or cultural resources of significance, such as beach areas or historic sites. Activity-based recreation areas can be established anywhere there is sufficient space for ball fields, tennis or basketball courts, or other athletic events.

Comprehensive Plan Policy 1201.1.1, Parks and Recreation	Monroe County Functional Population 2010	Existing Acreage	Demand in Acreage	Surplus or (Deficit) in Acreage
0.82 acres per 1,000 functional population of passive, resourced-based neighborhood and community parks	138,803	2,502	113.8	136.2
0.82 acres per 1,000 functional population of passive, activity-based neighborhood and community parks	138,803	4,343	113.8	320.2
Monroe County Technical Document, Chapter 13, Recreation and Open Space, May 11, 2011, Section 13.5.1.1.2.				

As of May 2011, the LOS for parks and open space exceeds the LOS standard stated in the Comprehensive Plan. There are several maintenance projects for existing park facilities listed in the CIE 5-Year Schedule.

WASTEWATER FACILITIES

The Monroe County Comprehensive Plan establishes the LOS treatment standards for sanitary sewer.

Objective 901.1: Monroe County shall ensure that, at the time a development permit is issued, adequate sanitary wastewater treatment and disposal facilities, including wastewater treatment facilities and onsite sewage treatment and disposal, are available to support the development at the adopted level of service standards, concurrent with the impacts of such development.

Policy 901.1.1: Monroe County shall ensure that, at the time a development permit is issued, adequate sanitary wastewater treatment and disposal facilities are

available to support the development at the adopted level of service standards, concurrent with the impacts of such development.

(A) The permanent level of service standards for wastewater treatment in Monroe County are as provided in House Bill 1993 adopted by the 1999 Legislature.

The Monroe County Sanitary Wastewater Master Plan, mandated by the Comprehensive Plan, establishes a LOS capacity of 145 gpd/EDU. Currently, the following wastewater facilities are listed as scheduled projects on the 5-Year Schedule of Capital Improvements table: Big Coppitt, Cudjoe Regional, Duck Key, Key Largo, and Long Key.

RECOMMENDATION

Based on the facts contained in the report, there is sufficient capacity for the County's public facilities to serve anticipated growth.

Staff recommends **APPROVAL** to the Planning Commission.

TABLE 4.1

5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

MONROE COUNTY, FLORIDA

FISCAL YEARS: 10/1/2011-9/30/2016

	APPROPRIATED TO DATE	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	5-YEAR TOTAL 2011-2016	CIP TOTAL
SANITARY SEWER								
LONG KEY WASTEWATER TREATMENT PLANT								
EXPENDITURES								
PE1101 Long Key Wastewater		$ 700,000					$ 700,000	$ 700,000
Total Expenditures		**$ 700,000**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 700,000**	**$ 700,000**
REVENUES								
Fund 304 1 Cent Infra Sales Tax		$ 586,915						$ 586,915
Fund 304 Fund Balance Forward		$ 138,585						$ 138,585
Fund 304 Interest Earnings		$ 4,048						$ 4,048
Fund 304 Less 5%		$ (29,548)						$ (29,548)
Total Revenues		**$ 700,000**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 700,000**
SCOPE OF PROJECT								
Construction of a collection system.								
CUDJOE WASTEWATER TREATMENT PLAN								
EXPENDITURES								
PE0902 Cudjoe Regional Wastewater	$ 2,339,938	$ 1,360,062					$ 1,360,062	$ 3,700,000
Total Expenditures		**$ 1,360,062**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 1,360,062**	**$ 3,700,000**
REVENUES							$ -	
Fund 308 Physical Environment		$ 1,360,062					$ 1,360,062	$ 1,360,062
On May 29, 2009, $3,700,000 was transferred from the Public Works Compound Project #CG0803.								
Total Revenues		**$ 1,360,062**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 1,360,062**	**$ 1,360,062**
							$ -	
SCOPE OF PROJECT								
A portion of the total Cudjoe/Summerland Wastewater Project will be funded in Fund 308 2007 Revenue Bond								
KEY LARGO WASTEWATER TREATMENT PLANT								
EXPENDITURES								
PE0805 Key Largo Wastewater Treatment Plant	$ 19,610,936	$ 153,877					$ 153,877	$ 19,764,813
Total Expenditures		**$ 153,877**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 153,877**	**$ 19,764,813**
REVENUES								
Fund 308 Physical Environment	$ 19,610,936	$ 153,877						$ -
Total Revenues		**$ 153,877**	**$ -**	**$ -**	**$ -**	**$ -**		**$ 153,877**
SCOPE OF PROJECT								
New wastewater system. Payments to the Key Largo Wastewater Treatment Plant.								
FUNDING STRATEGY								
Fund 308 Project PE0805; FY)*, 09 & 10=$9,692,973 plus FY 11 Estimate $2,863,762 plus FY12 Proposed Budget $153,877 = $12,710,611; Fund 304 Project #PE0501 $7,054,202 (FY 2005-2008); Total payments to Key Largo WWTD $20,000,000-$235,187 (Bond charges)=$19,764,813								

TABLE 4.1

5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

MONROE COUNTY, FLORIDA

FISCAL YEARS: 10/1/2011-9/30/2016

	APPROPRIATED TO DATE	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	5-YEAR TOTAL 2011-2016	CIP TOTAL
BIG COPPITT WASTEWATER TREATMENT PLAN								
EXPENDITURES								
310-54503 Big Coppitt Assessment Refund		$ 5,000					$ 5,000	$ 5,000
PE0803 Big Coppitt WW-Tsfr from 304	$ 1,850,000						$ -	$ 1,850,000
PE0807 Big Coppitt WW DEP Grant	$ 10,962,000						$ -	$ 10,962,000
PE0806 Big Coppitt WW FRUFC Loan	$ 20,850,000						$ -	$ 20,850,000
PE0808 Big Coppitt WW Spx Assmt	$ 1,018,824	$ 2,824,052					$ 2,824,052	$ 3,842,876
PE0901Rockland/Geiger DEP Grant	$ 100,000						$ -	$ 100,000
Total Expenditures		**$ 2,829,052**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 2,829,052**	**$ 37,609,876**
REVENUES								
Fund 310-Big Coppitt DEP Grant	$ 11,062,000						$ -	$ 11,062,000
Fund 310-Big Coppitt FRUFC Loan	$ 20,850,000						$ -	$ 20,850,000
Fund 310-Big Coppitt Spx Assmts	$ 1,018,824	$ 2,829,052					$ 2,829,052	$ 3,847,876
Fund 310-Big Coppitt WW Funds	$ 1,850,000						$ -	$ 1,850,000
Total Revenue		**$ 2,829,052**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 2,829,052**	**$ 2,829,052**

SCOPE OF PROJECT

The Big Coppitt Wastewater District consists of the following five service ares: Rockland Gulf, Rockland Ocean, Big Coppitt, Shark Key, and Geiger Key. A collection system for each service area will tie into a transmission main along US 1 that conveys the wastewater to the WWTP at MM 8.5. Approximately 80,000 feet of collection system piping, 13,000 feet of transmission main, and 25 pump stations will be installed for the project.

FUNDING STRATEGY

Florida Department of Environmental Protection grant was approved by the BOCC on March 21, 2007. This grant is to provide construction funds for the Big Coppitt Regional Wastewater System project in the amount not to exceed $10,962,000.

The purpose of the Florida Rural Utility Financing Commission (FRUFC) Loan Agreement is to construct the collection systems to serve Geiger Key and Rockland Key portions of the Big Coppitt Regional Wastewater Treatment System and the South Lower Keys Regional Wastewater Treatment Plant.

PE0808 BIG COPPIT WW SPECIAL ASSESSMENT-For system development costs

PE0901 ROCKLAND / GEIGER DEP GRANT-DEP Grant LP8983 will be used to fund construction of the wastewater collection system on Geiger and Rockland Key.

On January 28, 2009, the BOCC approved to execute the Grant. The grant amount was $100,000 plus $33,000 grant match for a total project of $133,000.

TABLE 4.1

5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

MONROE COUNTY, FLORIDA

FISCAL YEARS: 10/1/2011-9/30/2016

	APPROPRIATED TO DATE	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	5-YEAR TOTAL 2011-2016	CIP TOTAL
DUCK KEY WASTEWATER TREATMENT PLANT								
EXPENDITURES								
311-54504 Duck Key Special Assessment Refund		5,000	5,000	5,000	5,000	5,000	$ 25,000	$ 25,000
PE0809 Duck Key WW Special Assessments		100,000	294,358	294,358	294,358	294,358	$ 1,277,432	$ 1,277,432
PE0804 Duck Key WW-Transfer from 304	9,600,000	4,500,000	-	-	-	-	$ 4,500,000	$ 14,100,000
311-590991 -Cash Balance		309,881	85,531	85,531	85,531	85,531	$ 652,005	$ 652,005
311-590990 Reserves-Contingency		100,000	42,765	42,765	42,765	42,765	$ 271,060	$ 271,060
Total Expenditures		**$ 5,014,881**	**$ 427,654**	**$ 427,654**	**$ 427,654**	**$ 427,654**	**$ 6,725,497**	**$ 16,325,497**
REVENUES								
Fund 311 Duck Key Special Assessments		$ 514,881	$ 427,654	$ 427,654	$ 427,654	$ 427,654	$ 2,225,497	$ 2,225,497
Fund 311 Duck Key Wastewater Fund	$ 9,600,000	$ 4,500,000	$ -	$ -	$ -	$ -	$ 4,500,000	$ 14,100,000
Total Revenues		**$ 5,014,881**	**$ 427,654**	**$ 427,654**	**$ 427,654**	**$ 427,654**	**$ 6,725,497**	**$ 16,325,497**

SCOPE OF PROJECT

Construction of a gravity wastewater colleciton and transmission system to serve all of the islands of Duck Key. Addition of capacity to the Hawk's Cay Wastewater treatement Plant to service Duck Key, Conch Key and Hawk's Cay flows and upgrade of treatment to meet advanced wastewter treatment standards.

FUNDING STRATEGY

Fund 311 was created on 11/11/2007 by BOCC resolution. $14,100,000 will be transferred over from Fund 304 to Fund 311 over the next several years. $5,100,000 -Duck Key Plant; $9,000,000 Duck Key Collection System.

Duck Key Special Assessment Refund-Funds available for refund

Fund 311-Duck Key Wastewater-A portion of fund balance reserved for a cash blance representing up to 3 months of operating funds.

POTABLE WATER							
EXPENDITURES							
AMI Meter Replacement	$ 2,000,000	$ 1,500,000					$ 3,500,000
Distribution Replacement	$ 2,000,000	$ 3,000,000	$ 3,000,000	$ 3,000,000	$ 2,000,000		$ 13,000,000
Distribution Replacement (Accelerated Projects)	$ 1,447,000						$ 1,447,000
Reclaimed Water System-Duck Key	$ 1,500,000						$ 1,500,000
Replace Transmission Piping at Bridge Abutments	$ 500,000	$ 500,000	$ 500,000	$ 500,000	$ 500,000		$ 2,500,000
Cathodic Protection - Tanks and 18 Mile Stretch	$ 400,000						$ 400,000
Electrical Improvements - Florida City Water Treatment Plant	$ 605,000						$ 605,000
Biscayne Aquifer Bypass Meter	$ 80,000						$ 80,000
Sidestream Reduction and Wastewater Metering - Florida City	$ 200,000						$ 200,000
Hawk's Cay Lift Station Upgrades	$ 15,000						$ 15,000
Wastewater Connections for FKAA Facilities in Key Largo	$ 45,000						$ 45,000
Replacement Piping at Boca Chica	$ 233,000			$ 150,000	$ 250,000		$ 633,000
Demo and Replace Steel Water Storage Tank 941	$ 300,000						$ 300,000
Key Haven Collection System Improvements		$ 350,000	$ 350,000				$ 700,000
North Key Largo 12" Water Main Replacement		$ 500,000					$ 500,000
Florida City 5 mg Storage Tank		$ 2,600,000	$ 2,600,000				$ 5,200,000
Land Purchase N and W of Florida City WTP		$ 1,000,000	$ 1,000,000				$ 2,000,000
Total Expenditures	**$ 9,325,000**	**$ 9,450,000**	**$ 7,450,000**	**$ 3,650,000**	**$ 2,750,000**		**$ 32,625,000**
REVENUE							
Fund: Florida Keys Aqueduct Authority (FKAA) (Source: FKAA Budget & Financial Plan 2012)							
Total Revenues	**$ 9,325,000**	**$ 9,450,000**	**$ 7,450,000**	**$ 3,650,000**	**$ 2,750,000**		**$ 32,625,000**

TABLE 4.1

5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

MONROE COUNTY, FLORIDA

FISCAL YEARS: 10/1/2011-9/30/2016

		APPROPRIATED TO DATE	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	5-YEAR TOTAL 2011-2016	CIP TOTAL
SOLID WASTE									
EXPENDITURES									
	Fund 133 Impact Fees Fund-Solid Waste		$ 36,565					36,565	36,565
	Total Expenditures		**36,565**	-	-	-	-	36,565	**36,565**
REVENUE									
	Fund 133 Fund Balance		$ 33,003	$ 33,003	$ 33,003	$ 33,003	$ 33,003	$ 165,015	165,015
	Fund 133 Interest Earnings		$ 250	$ 250	$ 250	$ 250	$ 250	$ 1,250	1,250
	Fund 133 Less 5%		$ (188)	$ (188)	$ (188)	$ (188)	$ (188)	$ (940)	(940)
	Fund 133 Solid Waste Impact Fund		$ 3,500	$ 3,500	$ 3,500	$ 3,500	$ 3,500	$ 17,500	17,500
	Total Revenues		**$ 36,565**	**$ 36,565**	**$ 36,565**	**$ 36,565**	**$ 36,565**	**$ 182,825**	**$ 182,825**
PARKS AND RECREATION									
EXPENDITURES									
	Fund 131-29515 Bay Point Park		$ 50,000					50,000	50,000
	Fund 131-29519 Bernstein Park	32,000						-	32,000
	Fund 131-29516 Big Coppitt Park		$ 20,000					20,000	20,000
	Fund 131-29501 District 1 Parks and Recreation Projects		$ 25,685	$ 33,855	$ 33,855	$ 33,855	$ 33,855	161,105	161,105
	Fund 131-29502 District 2 Parks and Recreation Projects		$ 186,907	$ 188,408	$ 188,408	$ 188,408	$ 188,408	940,539	940,539
	Fund 131-29503 District 3 Parks and Recreation Projects		$ 75,625	$ 70,015	$ 70,015	$ 70,015	$ 70,015	355,685	355,685
	Fund 131-29517 Palm Villa Park		$ 25,000					25,000	25,000
	Total Expenditures		**383,217**	**292,278**	**292,278**	**292,278**	**292,278**	**1,552,329**	**1,584,329**
REVENUE									
	Fund 131 Dist. 1 Impact Fees-Parks and Recreation	$ 9,180	$ 9,180	$ 8,500	$ 8,500	$ 8,500	$ 8,500	$ 43,180	52,360
	Fund 131 Dist. 2 Impact Fees-Parks and Recreation		$ 680	$ 680	$ 680	$ 680	$ 680	$ 3,400	3,400
	Fund 131 Dist. 2 Impact Fees-Parks and Recreation		$ 18,700	$ 18,700	$ 18,700	$ 18,700	$ 18,700	$ 93,500	93,500
	Fund 131 Fund Balance-Parks and Recreation	$ 22,324	$ 353,331	$ 263,417	$ 263,417	$ 263,417	$ 263,417	$ 1,406,999	1,429,323
	Interest Earnings-Parks and Recreation	$ 496	$ 2,900	$ 2,500	$ 2,500	$ 2,500	$ 2,500	$ 12,900	13,396
	Fund 131 Less 5% Parks and Recreation		$ (1,575)	$ (1,519)	$ (1,519)	$ (1,519)	$ (1,519)	$ (7,651)	(7,651)
	Total Revenues		**$ 383,217**	**$ 292,278**	**$ 292,278**	**$ 292,278**	**$ 292,278**	**$ 1,552,329**	**$ 1,584,328**

TABLE 4.1

5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

MONROE COUNTY, FLORIDA

FISCAL YEARS: 10/1/2011-9/30/2016

		APPROPRIATED TO DATE	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	5-YEAR TOTAL 2011-2016	CIP TOTAL
ROADS									
	SR 5/Overseas Hwy Marathon Key: From MM 47 To MM 55.5	Routine Maintenance	$ 30,918	$ 30,918	$ 30,918	$ 30,918	$ 30,918	$154,590	
	117 Street At Vaca Channel # 1 Bridge# 904515	Replace or Widen BR Culvert							
	Highways /Preliminary Engineering			$ 59,947				$59,947	
	Highways /Construction				$ 470,484			$470,484	
	Highways /Construction Support				$ 31,754	$ 72,935		$104,689	
	Public Transportation: Intermodal /Construction		$ 1,040,001.00					$1,040,001	
	Public Transportation: Multimodal /Construction Support		$ 6,895.00					$6,895	
	Monroe County Wide Resurfacing Ddr Rural Target	Resurfacing					$5,700,000	$5,700,000	
	Monroe County-fta Section 5316 - Jarc	Purchase Veh./Equip.							
	Public Transportation: Transit /Capital								
	Public Transportation: Transit /Operations		$ 51,852	$51,852	$51,852	$51,852	$51,852	$259,260	
	Monroe Countywide Agreement-traffic Signals Maintenance & Operations	Traffic Signals	$ 27,741	$51,450	$53,250	$55,050	$57,000	$244,491	
	Monroe Countywide Ddr Resurf. Contingency Category # 088797	Misc. Construction	$ 711,436					$711,436	
	Highways /Preliminary Engineering		$96,520.00					$96,520	
	Highways /Construction	Misc. Construction	$21,758.00					$21,758	
	Drainage - Highways /Construction	Drainage Improvements	$103,300.00					$103,300	
	Drainage - Highways /Construction Support	Drainage Improvements	$36,567.00					$36,567	
	Monroe Countywide Lighting	Routine Maintenance	$30,473.00	$29,414	$29,414			$89,301	
	Highways /Construction	Traffic Ops Improvement		$413,200		$ 440,800		$854,000	
	Highways /Construction Support	Traffic Ops Improvement		$54,129		$68,236		$68,236	
	No Name Key Bridge Bridge#904320	Bridge-Repair/Rehab.							
	Highways /Preliminary Engineering		$455,000					$455,000	
	Highways /Construction				$2,848,508	$791,492		$3,640,000	
	Highways /Construction Support				$409,500	$136,500		$546,000	
	Old Sr 940/Leg A Bridge# 904310 Rehab	Bridge-Repair/Rehab.							
	Highways /Preliminary Engineering		$104,000					$104,000	
	Highways /Construction			$662,400				$662,400	
	Highways /Construction Support			$99,360				$99,360	

TABLE 4.1

5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

MONROE COUNTY, FLORIDA

FISCAL YEARS: 10/1/2011-9/30/2016

	APPROPRIATED TO DATE	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	5-YEAR TOTAL 2011-2016	CIP TOTAL
Reserve For Monroe Co.-Growth Mgt Small Co. Outreach For Future Projs	Resurfacing					$854,211	$854,211	
Reserve For Monroe County-small Co. Outreach Program For Future Projs	Resurfacing				$126,433	$242,106	$368,539	
SR 5 - Islamorada From MM 72 To North Of MM 91	Routine Maintenance	$53,892	$53,892	$53,892	$53,892	$53,892	$269,460	
SR 5 From Ships Way To Sands Rd And Fm Sands Rd To W Of Key Deer Crsng	Widen/Resurface Exist. Lanes							
Highways /Construction		$19,299					$19,299	
Highways /Construction Support		$66					$66	
SR 5/Indian Key Channel Bridge #900095 Substructure Repairs	Bridge-Repair/Rehab.							
Highways /Construction		$6					$6	
Highways /Construction Support		$3,014					$3,014	
SR 5/N. Roosevelt From Eisenhower Drive To SR 5/US-1	Flexible Pavement Construction							
Highways /Preliminary Engineering		$187,341					$187,341	
Highways /Right of Way		$38,507					$38,507	
Highways /Railroad & Utilities		$2,376,065					$2,376,065	
Highways /Construction		$667,600					$667,600	
Highways /Contract Incentives				$1,200,000			$1,200,000	
Highways /Environmental		$154,000					$154,000	
Highways /Construction Support		$3,748,179					$3,748,179	
SR 5/Overseas Hwy From Caribbean Dr/MM 24.5 To W. Shore Drive/MM 25.0 Highways /Preliminary Engineering	Drainage Improvements	$85,000					$85,000	
SR 5/Overseas Hwy. At Toms Harbor Cut In Little Duck Key Highways /Construction Support	Bridge-Repair/Rehab.	$343,331					$343,331	
SR 5/Overseas Hwy. Bahia Honda Bridge Bridge#900016 & 900045	Bridge-Repair/Rehab.							
Highways /Preliminary Engineering		$71,012					$71,012	
Highways /Construction		$4,338,600					$4,338,600	
Highways /Construction Support		$767,498					$767,498	
SR 5/Overseas Hwy. Fm E Of Jade Dr./MM 10.888 To E Of Shark Key/MM 11.31	Resurfacing							
Highways /Construction		$74,844					$74,844	
Highways /Construction Support		$77,033						
SR 5/Overseas Hwy. Fm N Of 37 St./MM 49.1 To N Of Cocoplum Dr./MM 54.6	Resurfacing							
Highways /Construction		$154,059					$154,059	
Highways /Construction Support		$21,073					$21,073	
SR 5/Overseas Hwy. From 2580' S. Of MM 97 To 2000'S.Of MM 100(S/B Only)	Resurfacing							
Highways /Construction		$4,376					$4,376	
Highways /Construction Support		$2,485					$2,485	

TABLE 4.1

5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

MONROE COUNTY, FLORIDA

FISCAL YEARS: 10/1/2011-9/30/2016

	APPROPRIATED TO DATE	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	5-YEAR TOTAL 2011-2016	CIP TOTAL
SR 5/Overseas Hwy. From 270'S Of Harbor View To 760' N Of MM 93 (S/B)	Resurfacing							
Highways /Construction		$17,626					$17,626	
Highways /Construction Support		$1,833					$1,833	
SR 5/Overseas Hwy. From Bay Drive To Ocean Drive	Intersection Improvement							
Highways /Construction		$10,267					$10,267	
Highways /Construction Support		$2,000					$2,000	
SR 5/Overseas Hwy. From Blu Isl Blvd,MM 59.9 To N Of Beach Ent,MM 73.4	Resurfacing							
Highways /Preliminary Engineering		$858,137					$858,137	
Highways /Construction			$7,556,395				$7,556,395	
Highways /Construction Support			$1,180,115				$1,180,115	
SR 5/Overseas Hwy. From E Of W Indies/MM 27.4 To W Of Palmetto Av/MM 30	Resurfacing							
Highways /Preliminary Engineering		$5,950					$5,950	
Highways /Construction			$1,695,688				$1,695,688	
Highways /Construction Support			$320,230				$320,230	
SR 5/Overseas Hwy. From Jerome Ave MM 81.42 To Whale Hbr Chn, MM 84.045	Resurfacing							
Highways /Preliminary Engineering		$248,817					$248,817	
Highways /Construction			$2,778,770				$2,778,770	
Highways /Construction Support			$477,246				$477,246	
SR 5/Overseas Hwy. From Knights Key, MM 47.0 To Coast Guard Ent,MM 48.0	Resurfacing							
Highways /Preliminary Engineering		$307,976					$307,976	
Highways /Construction				$1,198,762			$1,198,762	
Highways /Construction Support				$280,088			$280,088	
SR 5/Overseas Hwy. From Little Duck Key To Missouri Key	Bridge-Repair/Rehab.							
Highways /Preliminary Engineering		$132,000					$132,000	
Highways /Construction				$976,626			$976,626	
Highways /Construction Support				$110,847			$110,847	
SR 5/Overseas Hwy. From MM 14.574 To MM 15.219(Saddle Bunch Key)	Maintenance / Resurfacing (FLEX)							
Highways /Preliminary Engineering		$36,483					$36,483	
Highways /Construction		$370,670					$370,670	
Highways /Construction Support		$95,825					$95,825	
SR 5/Overseas Hwy. From MM 48 To MM 49.957/S Of 37 St	Resurfacing							
Highways /Preliminary Engineering			$195,000				$195,000	
Highways /Construction					$1,446,959		$1,446,959	
Highways /Construction Support					$258,970		$258,970	
SR 5/Overseas Hwy. From MM 59 To Grassy Key	Drainage Improvements							
Highways /Construction		$26,662					$26,662	
Highways /Construction Support		$8,265					$8,265	

TABLE 4.1

5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

MONROE COUNTY, FLORIDA

FISCAL YEARS: 10/1/2011-9/30/2016

	APPROPRIATED TO DATE	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	5-YEAR TOTAL 2011-2016	CIP TOTAL
SR 5/Overseas Hwy. From MM 90.07 To MM 90.98	Resurfacing						$0	
Highways /Preliminary Engineering		$17,638					$17,638	
Highways /Construction		$622,599					$622,599	
Highways /Construction Support		$145,970					$145,970	
SR 5/Overseas Hwy. From MM 93 To MM 97	Resurfacing							
Highways /Preliminary Engineering		$28,934					$28,934	
Highways /Construction			$6,446,953				$6,446,953	
Highways /Construction Support			$928,316				$928,316	
SR 5/Overseas Hwy. From MM 97 To MM 99.5/Ocean Bay Dr.	Resurfacing							
Highways /Preliminary Engineering			$280,000				$280,000	
Highways /Construction					$2,421,185		$2,421,185	
Highways /Construction Support					$380,190		$380,190	
SR 5/Overseas Hwy. From MM 103.2/Hialeah Lane To MM 106.3/Lk Surprise Bl	Resurfacing							
Highways /Preliminary Engineering		$30,081					$30,081	
Highways /Construction			$4,958,400				$4,958,400	
Highways /Construction Support			$1,057,409				$1,057,409	
SR 5/Overseas Hwy. From MM 11.7/Shark Key Ent To MM 14.6/West Circle Dr.	Resurfacing							
Highways /Preliminary Engineering		$5,000					$5,000	
Highways /Construction			$2,169,300				$2,169,300	
Highways /Construction Support			$84,190	$336,105			$420,295	
SR 5/Overseas Hwy. From MM 15.9/E.Circle Dr. To MM 19.4/E Of Crane Blvd	Resurfacing							
Highways /Construction		$1,500					$1,500	
Highways /Construction Support		$81,104					$81,104	
SR 5/Overseas Hwy. From MM 99.6/Atlantic Blvd To MM 103.2/Hialeah Lane	Resurfacing							
Highways /Preliminary Engineering		$6,304					$6,304	
Highways /Right of Way		$34,225					$34,225	
Highways /Construction			$5,160,172				$5,160,172	
Highways /Construction Support			$776,300				$776,300	
SR 5/Overseas Hwy. From N Dolphin Ave.MM 54.5 To S Of Kyle Ave. MM 57.40	Resurfacing							
Highways /Preliminary Engineering		$462,682					$462,682	
Highways /Construction				$2,811,545			$2,811,545	
Highways /Construction Support				$481,590			$481,590	
SR 5/Overseas Hwy. From N Jo-jean Way/MM 92 To S Of Camelot Dr/MM 93	Resurfacing							
Highways /Preliminary Engineering		$22,157					$22,157	
Highways /Construction			$1,401,319				$1,401,319	
Highways /Construction Support			$175,610				$175,610	
SR 5/Overseas Hwy. From N Of Old Sr4a/MM 77.5 To Jerome Ave/MM 81.42	Resurfacing							
Highways /Preliminary Engineering		$850,000					$850,000	
Highways /Construction				$4,094,612			$4,094,612	
Highways /Construction Support				$665,691			$665,691	

TABLE 4.1

5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

MONROE COUNTY, FLORIDA

FISCAL YEARS: 10/1/2011-9/30/2016

	APPROPRIATED TO DATE	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	5-YEAR TOTAL 2011-2016	CIP TOTAL
SR 5/Overseas Hwy. From Ohio To Bahia Honda Substructure Repair	Bridge-Repair/Rehab.							
Highways /Construction			$499,600				$499,600	
Highways /Construction Support			$44,419	$89,628			$134,047	
SR 5/Overseas Hwy. From S Of Long Beach Blvd To N Of Long Beach Blvd	Resurfacing							
Highways /Preliminary Engineering		$95,000					$95,000	
Highways /Construction				$370,937			$370,937	
Highways /Construction Support				$48,015			$48,015	
SR 5/Overseas Hwy. From South Of MacDonald To South Of Coppitt Road	Resurfacing							
Highways /Preliminary Engineering		$810,000					$810,000	
Highways /Construction				$6,419,371			$6,419,371	
Highways /Construction Support				$1,024,493			$1,024,493	
SR 5/Overseas Hwy. From Tavnir Crk Brdg/MM 91 To N Of Jo-jean Way/MM 92	Resurfacing							
Highways /Preliminary Engineering		$19,572					$19,572	
Highways /Construction			$1,213,573				$1,213,573	
Highways /Construction Support			$323,395				$323,395	
SR 5/Overseas Hwy. From Whale Harbor,MM 84.04 To Smuglers Cv Ent,MM 85.6	Resurfacing							
Highways /Preliminary Engineering		$173,907					$173,907	
Highways /Construction			$875,241				$875,241	
Highways /Construction Support			$199,369				$199,369	
SR 5/Overseas Hwy. Harris Channel-sugarloaf Key	Bridge-Repair/Rehab.							
Highways /Preliminary Engineering		$671					$671	
Highways /Construction Support		$261,992					$261,992	
SR 5/Overseas Hwy. Ohio Missouri Channel Substructure Rehab	Bridge-Repair/Rehab.							
Highways /Preliminary Engineering		$142,118					$142,118	
Highways /Construction				$1,031,325			$1,031,325	
Highways /Construction Support				$253,946			$253,946	
SR 5/Ovrseas Hrt.Trl At Spanish Harbor Historic Bridge (MM 33)	Bike Path / Trail							
Highways /Preliminary Engineering		$205,000					$205,000	
Highways /Construction		$1,220,000					$1,220,000	
Highways /Construction Support		$80,000					$80,000	
SR 5/Ovrseas Hrt.Trl All American Road MM 0 To MM 106	Bike Path / Trail							
Highways /Construction		$970,000					$970,000	
Highways /Construction Support		$55,000					$55,000	

TABLE 4.1

5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

MONROE COUNTY, FLORIDA

FISCAL YEARS: 10/1/2011-9/30/2016

	APPROPRIATED TO DATE	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	5-YEAR TOTAL 2011-2016	CIP TOTAL
SR 5/Ovrseas Hrt.Trl & Scenic Hwy - Vistas At Various Locations	Bike Path / Trail							
Highways /Construction			$1,150,000				$1,150,000	
Highways /Construction Support			$75,000				$75,000	
SR 5/Ovrseas Hrt.Trl (Windley Key) From MM 83.5 To MM 84.8	Bike Path / Trail							
Highways /Preliminary Engineering		$5,000					$5,000	
Highways /Construction		$75,000					$75,000	
Highways /Construction Support		$8,000					$8,000	
SR 5/Ovrseas Hrt.Trl At MM 47 (Knights Key) Pedestrian Underpass/Ada	Bike Path / Trail							
Highways /Construction			$1,100,000				$1,100,000	
Highways /Construction Support			$50,000				$50,000	
SR 5/Ovrseas Hrt.Trl At South Pine Channel Historic Bridge (MM 29)	Bike Path / Trail							
Highways /Construction		$860,000					$860,000	
Highways /Construction Support		$60,000	$5,000				$65,000	
SR 5/Ovrseas Hrt.Trl From MM 15 To MM 16.5 (Lower Sugarloaf)	Bike Path / Trail							
Highways /Construction				$900,000			$900,000	
SR 5/Ovrseas Hrt.Trl From MM 54.5 To MM 60 (Grassy Key)	Bike Path / Trail							
Highways /Construction			$1,550,000				$1,550,000	
Highways /Construction Support			$85,000				$85,000	
SR 5/Ovrseas Hrt.Trl From MM 96 To MM 106 (Key Largo)	Bike Path / Trail							
Highways /Construction				$1,400,000			$1,400,000	
SR 5/Ovrseas Hrt.Trl Kemp Channel Bridge (MM 23.6) Lap	Bike Path / Trail							
Highways /Construction		$1,215,000					$1,215,000	
Highways /Construction Support		$140,000					$140,000	
SR 5/US-1 At Big Pine Key (Per Habitat Conservation Plan)	PD&E/EMO Study	$5,000	$5,000	$5,000	$5,000	$5,000	$25,000	
SR 5/US-1 Overseas Hwy Over Boca Chica Canal Brdgs 900003 & 900074	Bridge-Repair/Rehab.							
Highways /Preliminary Engineering		$143,000					$143,000	
Highways /Construction				$901,375			$901,375	
Highways /Construction Support				$101,274			$101,274	
SR 5/US-1/Long Key V-piers Repl. & Deviation Block Repairs (Br#900094)	Bridge-Repair/Rehab.							
Highways /Preliminary Engineering		$341,771					$341,771	
Highways /Construction		$8,264,000					$8,264,000	
Highways /Environmental		$150,000	$100,000				$250,000	
Highways /Construction Support		$72,723	$1,446,200				$1,518,923	

TABLE 4.1

5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

MONROE COUNTY, FLORIDA

FISCAL YEARS: 10/1/2011-9/30/2016

		APPROPRIATED TO DATE	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	5-YEAR TOTAL 2011-2016	CIP TOTAL
	Sr A1a/S. Roosevelt Blvd, Bridge #900054 Over Thompson Creek	Bridge-Repair/Rehab.							
	Highways /Construction		$79					$79	
	Highways /Construction Support		$1,114					$1,114	
	Total Expenditures								
REVENUES									
	Florida Department of Transportation		$ 35,631,360	$ 47,815,643	$ 28,680,802	$ 6,340,412	$ 6,994,979	$ 125,463,196	
	Total Revenues		**$ 35,631,360**	**$ 47,815,643**	**$ 28,680,802**	**$ 6,340,412**	**$ 6,994,979**	**$ 125,463,196**	

Exhibit A1

5-Year Schedule of Capital Improvements

Community Name: Monroe County

Fiscal Year: 10/10-9/15

Infrastructure Category:	Project Cost (Total Budget)	Start FY	Finish FY	Prior Year Expense	Funding Source	2,011 Committed Funds	2,012 Committed Funds	2,013 Committed Funds	2,014 Committed Funds	2,014 Planned Funds	2,015 Committed Funds	2,015 Planned Funds
WASTEWATER												
REVENUE												
Fund 310 - Big Coppitt		FY 08	FY 11		310	2,463,324	-	-	-	-	-	-
Fund 304 - Big Coppitt		FY 07	FY 08		304	4,906,913	-	-	-	-	-	-
Big Coppitt Total	$ 36,770,400			29,400,163								
Fund 311 - Duck Key		FY 08	FY 12		311	8,144,315	3,050,000	-	-	-	-	-
Fund 304 - Duck Key		FY 07	FY 08		304	1,500,000						
Duck Key Total	$ 16,428,500			3,734,185								
Fund 308 - Cudjoe Regional	$ 3,700,000			3,146,589		553,411	-	-	-	-	-	-
Fund 308 - Key Largo		FY 08	FY 11	10,080,985	308	2,864,813	-	-	-	-	-	-
Fund 304 - Key Largo		FY 05	FY 08	7,054,202	304							
Key Largo Total	$ 20,000,000											
TOTAL Revenues	76,898,900					20,432,776	3,050,000	-	-	-	-	-
EXPENDITURES												
Duck Key		FY 07	FY12		311	8,144,315	3,050,000	-	-	-	-	-
Big Coppitt		FY 07	FY11		310	2,463,324	-	-	-	-	-	-
Key Largo		FY 08	FY11		308	2,864,813	-	-	-	-	-	-
Cudjoe Regional		FY 09	FY11			553,411	-	-	-	-	-	-
TOTAL Expenditures						14,025,863	3,050,000	-	-	-	-	-
ANNUAL BALANCE						6,406,913	-	-	-	-	-	-
5 YEAR PLANNING PERIOD BALANCE						6,406,913	-					
POTABLE WATER												
REVENUE												
FKAA						49,802,000	50,759,000	51,692,000	52,725,840	-	53,780,357	-
FKAA Revenues TOTAL						49,802,000	50,759,000	51,692,000	52,725,840	-	53,780,357	-
EXPENDITURES												
J. Robert Dean Floridan Wells						2,415,000	-	-	-	-	-	-
J. Robert Dean RO Facility						-	-	1,836,400	-	-	-	-
J. Robert Dean New Storage Tank						-	4,855,000	-	-	-	-	-
Key largo Booster Pump Station						-	-	-	-	-	251,850	-
Plantation Key Booster Pump Station						-	4,209,000	4,209,000	-	-	-	-
Marathon Transmission Main Replacements						-	-	300,000	-	-	-	-
Marathon Booster Pump Station						-	-	-	-	-	-	-
Ramrod Booster PS						-	-	-	-	-	104,000	-
Upsize Mains						2,500,000	2,500,000	2,500,000	250,000	-	2,500,000	-
Ocean Reef Storage Tank						-	-	860,000	860,000	-	-	-
Lake Surprise Pub Station and Storage Tank						-	-	-	-	-	1,126,500	-
Rockharbor Pump Station Replacement						-	538,000	538,000	-	-	-	-
Rock Harbor Storage Tank						-	405,000	405,000	-	-	-	-
Tavernier Pump Station Replacement & Storage Tank						1,318,500	-	-	-	-	-	-
Tavernier Water Lines						722,000	722,000	-	-	-	-	-
Vaca Cut Storage Tank						810,000		-	-	-	-	-
33rd Street Storage Tank Replacement						-	1,138,000	-	-	-	-	-
Stock Island Pump Station Replacement						-	2,070,000	-	-	-	-	-
FKAA Expenditures TOTAL						7,765,500	16,437,000	10,648,400	1,110,000	-	3,982,350	-
ANNUAL BALANCE						42,036,500	34,322,000	41,043,600	51,615,840	-	49,798,007	-
5 YEAR PLANNING PERIOD BALANCE						218,815,947						

Exhibit A1

5-Year Schedule of Capital Improvements

Community Name: Monroe County

Fiscal Year: 10/10-9/15

Infrastructure Category:	Project Cost (Total Budget)	Start FY	Finish FY	Prior Year Expense	Funding Source	2,011	2,012	2,013	2,014		2,015	
						Committed Funds	Committed Funds	Committed Funds	Committed Funds	Planned Funds	Committed Funds	Planned Funds
DRAINAGE												
REVENUE												
TOTAL Revenues												
EXPENDITURES												
TOTAL Expenditures												
ANNUAL BALANCE												
5 YEAR PLANNING PERIOD BALANCE												
SOLID WASTE												
REVENUE												
TOTAL Revenues												
EXPENDITURES												
TOTAL Expenditures												
ANNUAL BALANCE												
5 YEAR PLANNING PERIOD BALANCE												
PARKS AND REC												
REVENUE												
County												
Fund District 1 Parks and Rec.					131	117,165	47,165	47,165		47,165		47,165
Fund District 2 Parks and Rec.					131	216,581	179,581	179,581		179,581		179,581
Fund District 3 Parks and Rec.					131	46,195	46,195	46,195		46,195		46,195
County Revenues						379,941	272,941	272,941		272,941		272,941
FDOT Revenues												
TOTAL Revenues						379,941	272,941	272,941		272,941		272,941
EXPENDITURES												
County												
District 1 Parks and Rec. Projects	235,825				131	47,165	47,165	47,165		47,165		47,165
District 2 Parks and Rec. Projects	897,905				131	179,581	179,581	179,581		179,581		179,581
District 3 Parks and Rec. Projects	230,975				131	46,195	46,195	46,195		46,195		46,195
Palm Village Park	25,000				131	25,000						
Watson Field	12,000				131	12,000						
Bay Point Park	50,000				131	50,000						
Big Coppitt Park	20,000				131	20,000						
County Expenditures	**1,471,705**					379,941	272,941	272,941		272,941		272,941
TRANSPORTATION												
REVENUE												
County												
Road and Bridge Fund County Capital Proj.					102	1,427,404	1,933,488	1,933,488		1,933,488		1,933,488
Bike / Shared Used path					130	1,800,000						
Key Colony Beach Roadway Project					130	32,102	32,102	32,102		32,102		32,102
Truman Pedestrian Bridge						430,000						
County Revenues						3,689,506	1,965,590	1,965,590		1,965,590		1,965,590
FDOT Revenues												
TOTAL Revenues						3,689,506	1,965,590	1,965,590		1,965,590		1,965,590

Exhibit A1

~~Community Name:~~ ~~5-Year Schedule of Capital Improvements~~ ~~Monroe County~~

~~Fiscal Year:~~ ~~10/10-9/15~~

~~Infrastructure Category:~~	~~Project Cost (Total Budget)~~	~~Start FY~~	~~Finish FY~~	~~Prior Year Expense~~	~~Funding Source~~	~~2,011~~	~~2,012~~	~~2,013~~	~~2,014~~		~~2,015~~	
						~~Committed Funds~~	~~Committed Funds~~	~~Committed Funds~~	~~Committed Funds~~	~~Planned Funds~~	~~Committed Funds~~	~~Planned Funds~~
~~EXPENDITURES~~												
~~*County*~~												
~~Road and Bridge Fund County Capital Proj.~~	~~9,630,058~~			~~468,702~~	~~102~~	~~1,427,404~~	~~1,933,488~~	~~1,933,488~~		~~1,933,488~~		~~1,933,488~~
~~Bike / Shared Used path~~	~~1,800,000~~	~~FY 11~~	~~FY 15~~		~~130~~	~~1,800,000~~						
~~Key Colony Beach Roadway Project~~	~~160,510~~	~~FY 11~~	~~FY 15~~		~~130~~	~~32,102~~	~~32,102~~	~~32,102~~		~~32,102~~		~~32,102~~
~~Truman Pedestrian Bridge~~	~~430,000~~	~~FY 11~~	~~FY 15~~		~~130~~	~~430,000~~						
~~**County Expenditures**~~	~~11,551,866~~					~~3,689,506~~	~~1,965,590~~	~~1,965,590~~		~~1,965,590~~		~~1,965,590~~
~~*FDOT*~~												
~~JEWFISH Design Built FROM ABACO RD: KEY LARGO TO N OF JEWFISH CK BRIDGE: design build~~						~~$4,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/BIG COPPITT KEY FROM ROCKLAND CHNL BRIDGE TO OLD BOCA CHICA CHANNEL Turn Lanes Construction~~						~~$69,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/BIG COPPITT KEY FROM ROCKLAND CHNL BRIDGE TO OLD BOCA CHICA CHANNEL~~						~~$20,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR A1A/S. ROOSEVELT FROM BERTHA STREET TO SR 5/US-1 Flexible Pavement Construction: ROW~~						~~$4,986,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR A1A/S. ROOSEVELT FROM BERTHA STREET TO SR 5/US-1 Flexible Pavement Construction: Construction~~						~~$18,103,000.00~~	~~$2,774,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~Bike Path Trail SR 5/N. ROOSEVELT FROM EISENHOWER DRIVE TO SR 5/US-1: Construction~~						~~$1,073,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/US-1/LONG KEY V-PIERS REPL. & DEVIATION BLOCK REPAIRS: Prelim Eng.~~						~~$20,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVRSEAS HRT.TRL FROM MM 15-BAY POINT TO MM 16.5-SUGARLOAF KEY: Construction~~						~~$883,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVR BIG SPANISH CHANNEL (BAHIA HONDA) Bridge repair and rehab: Construction~~						~~$60,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY ON PLANTATN KEY(MM85.7-86.7) FLEXIBLE PAVEMENT RECONSTRUCT.~~						~~$2,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/INDIAN KEY CHANNEL BRIDGE #900095 SUBSTRUCTURE REPAIRS: Preliminary Engineering and Construction~~						~~$27,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5 FROM SHIPS WAY TO SANDS RD AND FM SANDS RD TO W OF KEY DEER CRSNGWIDEN/RESURFACE EXIST LANES/ Construction~~						~~$11,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM MM86.80/S OF E RIDGE RD TO MM90/POINCIANA BVD resurfacing: construction~~						~~$182,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVRSEAS HRT.TRL AT MM 106 (NEW TRAILHEAD) BTWN US-1 & CARD SOUND RD (bike paht and trail) construction~~						~~$2,620,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVRSEAS HRT.TRL KEMP CHANNEL BRIDGE (MM 23.6) LAP: Construction~~						~~$0.00~~	~~$1,350,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM MM103/HIALEAH LANE TO MM107/LAKE SURPRISE RD: resurfacing~~						~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM MM 93 TO MM 97: resurfacing~~						~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM 270'S OF HARBOR VIEW TO 760' N OF MM 93 (S/B) Resurfacing - Prelim Eng.~~						~~$9,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM 270'S OF HARBOR VIEW TO 760' N OF MM 93 (S/B) Resurfacing - Construction~~						~~$23,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM SR A1A TO 320' NORTH OF CROSS ST: resurfacing construction~~						~~$11,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM 2580' S. OF MM97 TO 2000'S.OF MM100(S/B ONLY) Resurfacing - Prelim Eng.~~						~~$16,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM 2580' S. OF MM97 TO 2000'S.OF MM100(S/B ONLY) Resurfacing - Construction~~						~~$26,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FM N OF 37 ST./MM49.1 TO N OF COCOPLUM DR./MM 54.6: Resurfacing - Prelim Eng.~~						~~$33,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FM N OF 37 ST./MM49.1 TO N OF COCOPLUM DR./MM 54.6: Resurfacing - Construction~~						~~$17,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~

Exhibit A1

~~Community Name:~~ ~~5-Year Schedule of Capital Improvements~~ ~~Monroe County~~

~~Fiscal Year:~~ ~~10/10-9/15~~

~~Infrastructure Category:~~	~~Project Cost (Total Budget)~~	~~Start FY~~	~~Finish FY~~	~~Prior Year Expense~~	~~Funding Source~~	~~2,011~~	~~2,012~~	~~2,013~~	~~2,014~~		~~2,015~~	
						~~Committed Funds~~	~~Committed Funds~~	~~Committed Funds~~	~~Committed Funds~~	~~Planned Funds~~	~~Committed Funds~~	~~Planned Funds~~
~~SR 5/OVERSEAS HWY. FROM MM99.7/S OF LAGUNA AVE TO MM103.1/HIALEAH LN: Resurfacing - Prelim Eng~~						~~$12,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM MM99.7/S OF LAGUNA AVE TO MM103.1/HIALEAH LN: Resurfacing - ROW~~						~~$35,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM MM99.7/S OF LAGUNA AVE TO MM103.1/HIALEAH LN: Resurfacing - Construction~~						~~$0.00~~	~~$0.00~~	~~$7,777,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVRSEAS HRT.TRL (WINDLEY KEY) FROM MM 83.5 TO MM 84.8" Bike Path Construction~~						~~$0.00~~	~~$825,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVRSEAS HRT.TRL AT SPANISH HARBOR HISTORIC BRIDGE (MM 33): Bike Path Construction~~						~~$0.00~~	~~$1,300,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVRSEAS HRT.TRL AT SOUTH PINE CHANNEL HISTORIC BRIDGE (MM 29): Bike Path Construction~~						~~$0.00~~	~~$920,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/US 1 BOCA CHICA NAVAL BASE RAMPS Resurfacing~~						~~$38,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FM 950' E OF JADE DRIVE TO 680' E OF SHARK KEY: Resurfacing Prelim Eng~~						~~$2,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FM 950' E OF JADE DRIVE TO 680' E OF SHARK KEY: Resurfacing Construction~~						~~$776,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FM 4890'E OF E.CIRCLE DR. TO 510'E OF CRANE BLVD: Resurfacing~~						~~$3,346,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM BAY DRIVE TO OCEAN DRIVE: Intersection Improvement: prelim eng. & construction~~						~~$18,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. AT TARPON BASIN DRIVE INTERSECTION IMPROVEMENT~~						~~$1,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVRSEAS HRT.TRL FROM MM 15 TO MM 16.5 (LOWER SUGARLOAF) Bike path construction~~						~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$900,000.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVRSEAS HRT.TRL FROM MM 96 TO MM 106 (KEY LARGO) Bike path construction~~						~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$1,400,000.00~~	~~$0.00~~	~~$0.00~~
~~SR A1A/S. ROOSEVELT BLVD, BRIDGE #900054 OVER THOMPSON CREEK: Bridge repair, prelim eng, construction~~						~~$5,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/TOMS HBR CHNL TOMS HARBOR CHANNEL IN LITTLE DUCK KEY: Prelim Eng~~						~~$9,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/TOMS HBR CHNL TOMS HARBOR CHANNEL IN LITTLE DUCK KEY: Construction~~						~~$11,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. AT TOMS HARBOR CUT IN LITTLE DUCK KEY: Bridge repair and rehab~~						~~$1,167,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/SPANISH HARBOR BIG PINE KEY AT BAHIA HONDA: bridge repair and rehab~~						~~$293,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM 50' S OF FONTAINE DR TO S OF TAVERNIER CRK BDG: resurfacing - prelim eng.~~						~~$25,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM 50' S OF FONTAINE DR TO S OF TAVERNIER CRK BDG: resurfacing - construction~~						~~$0.00~~	~~$1,263,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM BLU ISLE BLVD,MM59.9 TO N OF BEACH ENT.,MM73.4 Resurfacing - Prelim Eng.~~						~~$63,500.00~~	~~$560,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM BLU ISLE BLVD,MM59.9 TO N OF BEACH ENT.,MM73.4 Resurfacing - Const.~~						~~$0.00~~	~~$0.00~~	~~$9,320,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM WHALE HARBOR,MM84.04 TO SMUGLERS CV ENT,MM85.6: Resurfacing - Prelim Eng.~~						~~$250,000.00~~	~~$125,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM WHALE HARBOR,MM84.04 TO SMUGLERS CV ENT,MM85.6: Resurfacing - Const.~~						~~$0.00~~	~~$0.00~~	~~$1,141,000.00~~	~~$171,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM JEROME AVE MM 81.42 TO WHALE HBR CHN,MM84.045: Resurfacing - Prelim Eng.~~						~~$270,000.00~~	~~$200,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM JEROME AVE MM 81.42 TO WHALE HBR CHN,MM84.045: Resurfacing - Construction~~						~~$0.00~~	~~$0.00~~	~~$3,351,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM N DOLPHIN AVE,MM54.5 TO S OF KYLE AVE, MM57.50 : Resurfacing Prelim Eng~~						~~$0.00~~	~~$55,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM N DOLPHIN AVE,MM54.5 TO S OF KYLE AVE, MM57.50 : Resurfacing Construction~~						~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$3,360,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM KNIGHTS KEY, MM47.0 TO COAST GUARD ENT,MM48.0: Resurfacing Prelim Eng~~						~~$0.00~~	~~$290,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM KNIGHTS KEY, MM47.0 TO COAST GUARD ENT,MM48.0: Resurfacing Construction~~						~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$1,867,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM N OF OLD SR4A/MM77.5 TO JEROME AVE/MM81.42: Resurfacing - Prelim Eng~~						~~$0.00~~	~~$626,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM N OF OLD SR4A/MM77.5 TO JEROME AVE/MM81.42: Resurfacing - Const.~~						~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$4,892,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~
~~SR 5/OVERSEAS HWY. FROM S OF W CRCLE/MM14.69 TO N OF E CRCLE DR/MM15.2: Resurfacing - Prelim Eng.~~						~~$47,000.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~	~~$0.00~~

Exhibit A1

5-Year Schedule of Capital Improvements

Community Name: Monroe County

Fiscal Year: 10/10-9/15

Infrastructure Category:	Project Cost (Total Budget)	Start FY	Finish FY	Prior Year Expense	Funding Source	2,011	2,012	2,013	2,014		2,015	
						Committed Funds	Committed Funds	Committed Funds	Committed Funds	Planned Funds	Committed Funds	Planned Funds
SR 5/OVERSEAS HWY. FROM S OF W CRCLE/MM14.69 TO N OF E CRCLE DR/MM15.2: Resurfacing - Const.						$0.00	$1,165,000.00	$0.00	$0.00	$0.00	$0.00	$0.00
SR 5/OVERSEAS HWY. FROM TAVNIR CRK BRDG/MM91 TO JO-JEAN WAY/MM 92: Resurfacing - Prelim Eng						$198,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
SR 5/OVERSEAS HWY. FROM TAVNIR CRK BRDG/MM91 TO JO-JEAN WAY/MM 92: Resurfacing - Const						$0.00	$0.00	$1,378,000.00	$0.00	$0.00	$0.00	$0.00
SR 5/OVERSEAS HWY FROM N. PINE CHL(MM 29.5) TO SPANISH HRBR CHL(MM33) ROW ACQ						$1,795,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
SR 5/US 1 BAHIA HONDA BRIDGE rehab							$4,512,000.00	$0.00	$0.00	$0.00	$0.00	$0.00
SR 5/US 1 HARRIS CHANNEL - SUGARLOAF KEY rehab						$863,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
SR 5/OVRSEAS HRT.TRL AT MM 47 (KNIGHTS KEY) PEDESTRIAN UNDERPASS/ADA Bike Path						$0.00	$0.00	$1,150,000.00	$0.00	$0.00	$0.00	$0.00
SR 5/OVRSEAS HRT.TRL FROM MM 54.5 TO MM 60 (GRASSY KEY) Bike Path						$0.00	$0.00	$1,635,000.00	$0.00	$0.00	$0.00	$0.00
SR 5/OVRSEAS HRT.TRL & SCENIC HWY - VISTAS AT VARIOUS LOCATIONS Bike Path						$0.00	$0.00	$1,225,000.00	$0.00	$0.00	$0.00	$0.00
SR 5/OVRSEAS HRT.TRL ALL AMERICAN ROAD MM 0 TO MM 106 Bike Path						$1,020,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
SR 5/OVERSEAS HWY. FROM MM11.7/SHARK KEY ENT TO MM14.6/WEST CIRCLE DR. Resurfacing - Prelim Eng						$410,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
SR 5/OVERSEAS HWY. FROM MM11.7/SHARK KEY ENT TO MM14.6/WEST CIRCLE DR. Resurfacing - Prelim Eng							$0.00	$2,696,000.00	$0.00	$0.00	$0.00	$0.00
CR 931/BOOT KEY BRIDGE repair and rehab - prelim eng						$5,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
CR 931/BOOT KEY BRIDGE DEMOLITION						$318,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
GLENN ARCHER DRIVE FROM SR 5/N ROOSEVELT BLVD TO FLAGLER AVE bike path construction						$0.00	$1,979,000.00	$0.00	$0.00	$0.00	$0.00	$0.00
SAFE RTS. TO SCHOOL GERALD ADAMS ELEMENTARY KEY WEST - Ped improvement						$557,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
SAFE RTS. TO SCHOOL POINCIANA ELEMENTARY KEY WEST - ped. Improv. Prelim eng.						$66,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
SAFE RTS. TO SCHOOL POINCIANA ELEMENTARY KEY WEST - ped. Improv. Construction.						$0.00	$372,000.00	$0.00	$0.00	$0.00	$0.00	$0.00
GEIGER KEY BR#904110 ON BOCA CHICA ROAD: Bridge repair						$128,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
FDOT Expenditures						$39,923,500.00	$18,316,000.00	$29,673,000.00	$10,290,000.00	$2,300,000.00	$0.00	$0.00
TOTAL Expenditures						$39,923,500.00	$18,316,000.00	$29,673,000.00	$10,290,000.00	$2,300,000.00	$0.00	$0.00
ANNUAL BALANCE						-$36,233,994.00	-$16,350,410.00	-$27,707,410.00	-$10,290,000.00	-$334,410.00	$0.00	$1,965,590.00
5 YEAR PLANNING PERIOD BALANCE						-$88,950,634.00						

GROWTH MANAGEMENT												
REVENUE												
General Fund - Ad Valorum Taxese						260,000	260,000	260,000				
TOTAL Revenues						260,000	260,000	260,000				
EXPENDITURES												
Comp Plan 2010		FY 10	FY 12			260,000	260,000	260,000				
TOTAL Expenditures						260,000	260,000	260,000				
ANNUAL BALANCE						-	-	-				
5 YEAR PLANNING PERIOD BALANCE						-						

LAND ACQUISITION												
REVENUE												
Property Acquisition in Key West ACSC						1,668,878						
Property Acquisition in FL Keys ACSC						1,677,690						
Unreserved						6,835,400						
Administration						131,500						
Interest Income						40,000						
Less 5%						(536,048)						
TOTAL Revenues						9,817,420						

Exhibit A1

~~Community Name:~~ ~~5-Year Schedule of Capital Improvements~~ ~~Monroe County~~

~~Fiscal Year:~~ ~~10/10-9/15~~

~~Infrastructure Category:~~	~~Project Cost (Total Budget)~~	~~Start FY~~	~~Finish FY~~	~~Prior Year Expense~~	~~Funding Source~~	~~2,011~~	~~2,012~~	~~2,013~~	~~2,014~~		~~2,015~~	
						~~Committed Funds~~	~~Committed Funds~~	~~Committed Funds~~	~~Committed Funds~~	~~Planned Funds~~	~~Committed Funds~~	~~Planned Funds~~
~~EXPENDITURES~~												
~~Property Acquisition in Key West ACSC~~						~~4,064,528~~						
~~Property Acquisition in FL Keys ACSC~~						~~1,668,878~~						
~~ROGO Reserve~~						~~3,084,014~~						
~~Contingency~~						~~1,000,000~~						
~~TOTAL Expenditures~~						~~9,817,420~~						
~~ANNUAL BALANCE~~												
~~5-YEAR PLANNING PERIOD BALANCE~~												
~~SCHOOLS~~												
~~REVENUE~~												
~~Property Taxes~~						~~21,981,852,537~~	~~22,903,454,289~~	~~23,599,596,349~~	~~23,599,596,349~~			
~~1/2 cents sales surtax~~						~~11,000,000~~	~~11,000,000~~	~~11,000,000~~	~~11,000,000~~			
~~TOTAL Revenues~~						~~21,992,852,537~~	~~22,914,454,289~~	~~23,610,596,349~~	~~23,610,596,349~~			
~~EXPENDITURES~~												
~~Plantation Key School Renovation~~	~~733,320~~		~~FY 11~~			~~733,320~~						
~~Horace O'Bryant Middle Renovation~~	~~4,212,680~~					~~1,012,680~~				~~3,200,000~~		
~~TOTAL Expenditures~~						~~1,746,000~~				~~3,200,000~~		
~~ANNUAL BALANCE~~						~~21,991,106,537~~	~~22,914,454,289~~	~~23,610,596,349~~	~~23,610,596,349~~	~~(3,200,000)~~		
~~5 YEAR PLANNING PERIOD BALANCE~~						~~92,123,553,524~~						

2011
MONROE COUNTY
PUBLIC FACILITIES CAPACITY ASSESSMENT REPORT

GROWTH MANAGEMENT
TRANSPORTATION
POTABLE WATER
EDUCATION
SOLID WASTE
PARKS AND RECREATION

Monroe County
Planning and Environmental Resources Department

TABLE OF CONTENTS

Executive Summary 3

I. Growth Management 11

II. Transportation 24

III. Potable Water 37

IV. Education 44

V. Solid Waste 47

VI. Parks and Recreation 51

EXECUTIVE SUMMARY

The Monroe County Land Development (LDC) Section 114-2 mandates an annual assessment of the roads, solid waste, potable water, and school facilities serving the unincorporated portion of Monroe County. In the event that these public facilities have fallen or are projected to fall below the level of service (LOS) required by the LDC, development activities must conform to special procedures to ensure that public facilities are not further burdened. The LDC clearly states that building permits shall not be issued unless the proposed use is or will be served by adequate public or private facilities.

As required by LDC Section 114-2 the Monroe County Board of County Commissioners (BOCC) shall consider and approve the annual report, with or without modifications. Any modifications that result in an increase of development capacity must be accompanied by findings of fact, including the reasons for the increase and the funding source to pay for the additional capacity required to serve the additional development. Once approved, this document becomes the official report on public facilities upon which development approvals will be based for the next year. This report distinguishes between areas of adequate, inadequate and marginally adequate facility capacity. Inadequate facility capacity is defined as those areas with capacity below the adopted LOS standard. Marginally adequate capacity is defined as those areas at the adopted LOS standard or that are projected to reach inadequate capacity within the next twelve months.

2011 ASSESSMENT OF PUBLIC FACILITIES

Potable water, roads, solid waste, and schools have adequate capacity to serve the growth anticipated in 2011 at the adopted level of service standard. The status of each facility is summarized below.

Potable Water

In March 2009, South Florida Water Management District approved the FKAA's modification of WUP 13-00005-5-W for a 20-year allocation from the Biscayne and Florida Aquifers. This water use permit (WUP) provides an annual allocation of 8,751 million gallons or 23.98 MGD. The planned construction of the new water supply wells and Reverse Osmosis (RO) water treatment facility will provide an additional capacity of 6.0 MGD.

With the construction of the new water supply wells and reverse osmosis (RO) water treatment facility, the new reclaimed systems, and the ability to operate the 3.0 MGD RO desalination plants during emergency situations, there is an adequate supply of water to meet current and future demands, based on current conditions and projections.

Schools

Enrollment figures for the 2010-2011 through 2014-2015 school years indicate that there is adequate capacity in the Monroe County school system. The overall 2010-2011 utilization is 66.88% of the school system capacity.

Solid Waste

Monroe County has a contract with Waste Management Inc. (WMI). The contract authorizes the use of in-state facilities through September 30, 2016, thereby providing the County with approximately five (5) years of guaranteed capacity. There is adequate capacity for solid waste generation for the next twelve (12) months.

Roads:

Based on the findings of the 2011 U.S. 1 Arterial Travel Time and Delay Study for Monroe County, as prepared by URS Corporation Southern Consultants, U.S. 1 has an overall level of service (LOS) C.

Compared to last year's (2010) study results, on U. S. 1, there are level of service changes to seven (7) segments – four (4) resulted in positive level of service changes while three (3) resulted in negative level of service changes.

- The Big Coppitt segment (3) increased from LOS 'D' to LOS 'C'
- The Saddlebunch segment (4) increased from LOS 'C' to LOS 'B'
- The Sugarloaf segment (5) increased from LOS 'C' to LOS 'B'
- The Grassy Key (Segment 14) increased from LOS 'D' to LOS 'C'
- The Cudjoe segment (6) decreased from LOS 'A' to LOS 'B'
- The Summerland segment (11) decreased from LOS 'A' to LOS 'B'
- The Windley Key (Segment 20) decreased from LOS 'A' to LOS 'C'

SUMMARY

Public facilities continue to be adequate. Potable water, solid waste, roads, and schools have sufficient capacity to serve the growth anticipated in 2011 at the adopted level of service.

INTRODUCTION

The 2011 Annual Assessment of Public Facilities Capacity is mandated by the Monroe County Land Development Code (LDC) Section 114-2, titled Adequate Facilities and Development Review Procedures. The State of Florida requires all local jurisdictions to adopt regulations ensuring "concurrency" or providing public facilities in order to achieve and maintain the adopted level of service standard. In other words, local governments must establish regulations to ensure that public facilities and services that are needed to support development are available simultaneously with development impacts.

Section 114-2 contains two main sets of requirements: the minimum service standards for the four primary public facilities (roads, solid waste, potable water, schools), and an annual assessment process to determine the available capacity of these public facilities.

Section 114-2(3) requires the Director of Planning to prepare an annual report to the BOCC on the capacity of available public facilities. This report must determine the potential amount of residential and nonresidential growth expected in the upcoming year and make an assessment of how well the water supply facilities, solid waste, roads, and schools will accommodate that growth. The report considers potential growth and public facility capacity for only the next twelve months. In addition, the report must identify areas of unincorporated Monroe County with only marginal and/or inadequate capacity for public facilities.

Section 114-2(b)(4) requires the Monroe County Board of County Commissioners (BOCC) to consider this report and approve its findings either with or without modifications. The BOCC cannot act to increase development capacity beyond that demonstrated in this report without making specific findings of fact as to the reasons for the increase and identifying the source of funds to be used to pay for the additional capacity. Once approved by the BOCC, this document becomes the official assessment of public facilities upon which development approvals will be based for the next year.

In the event public facilities have fallen or are projected to fall below the level of service (LOS) standards required by the Comprehensive Plan or the LDC, development activities must conform to special procedures to ensure that public facilities are not further burdened. The Comprehensive Plan and the LDC clearly states that building permits shall not be issued unless the proposed use is or will be served by adequate public or private facilities.

Comprehensive Plan Objective 101.1 states:

> "Monroe County shall ensure that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standards concurrent with the impacts of such development."

The LDC, Section 114-2, "Adequate Facilities and Development Review Procedures" states:

> "Local governments must establish regulations to ensure that public facilities and services that are needed to support development are available simultaneously with development impacts."

PUBLIC FACILITIES STANDARDS

There are four (4) primary public facilities that must be monitored for adequate capacity according to the Monroe County Comprehensive Plan and the Land Development Code (LDC). These facilities are roads, solid waste, potable water and schools. The available capacity for each of these facilities may be either sufficient to accommodate projected growth over the next year, marginally adequate, or inadequate. In situations where public facilities serving an area are projected to be only marginally adequate or inadequate over the next year, the LDC sets out a review procedure to be followed when issuing development permits in that area.

Section 114-2(b)(5)b of the LDC states: "The county shall not approve applications for development in areas of the county which are served by inadequate facilities identified in the annual adequate facilities (Public Facility Capacity Assessment) report, except the county may approve development that will have no reduction in the capacity of the facility or where the developer agrees to increase the level of service of the facility to the adopted level of service standard." The LDC goes on to state that "in areas of marginal facility capacity as identified in the current annual adequate facilities report, the county shall either deny the application or condition the approval so that the level of service standard is not violated."

The determination of an additional development's impact on existing public facilities in areas with marginal or inadequate capacity is determined by a "facilities impact report" which must be submitted with a development application.

Comprehensive Plan, Policy 101.1 establishes that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standards concurrent with the impacts of such development.

Roads:

The LOS for roads is regulated by Section 3.3 Traffic Circulation of the Comprehensive Plan.

Policy 301.1.1 establishes the LOS for County roads. The policy states:

> "For all County roads, Monroe County hereby adopts a minimum peak hour level of service (LOS) standard of D, based on the Florida Department of Transportation (FDOT) methodology for determination of LOS, as measured by peak hour traffic volume. The County shall maintain the level of service on County roads within five percent (5%) of LOS D.

Policy 301.1.2 establishes the LOS for U.S. 1. The policy states:

> "For U.S. 1, Monroe County hereby adopts a level of service (LOS) standard of C based on the methodology development by the US-1 LOS Task Force and adopted by the Board of County Commissioners in August 1991, for analyzing the LOS on US-1 in Monroe County. This methodology replaces a peak hour volume standard for US-1. The level of service on US-1 shall be maintained within five percent (5%) of LOS C.

Section 114-2(a) of the LDC pertains to the minimum standards for public facilities.

1. Roads:
   a. U.S. 1 shall have sufficient available capacity to operate at a Level of Service (LOS) C on an overall basis as measured by the U.S. 1 Level of Service Task Force Methodology. In addition, the segment(s) of U.S. 1, as identified in the U.S. 1 Level of Service Task Force Methodology, which would be directly impacted by a proposed development's access to U.S. 1, shall have sufficient available capacity to operate at LOS C as measured by the U.S. 1 Level of Service Task Force Methodology.

   b. County Road 905 within three (3) miles of a parcel proposed for development shall have sufficient available capacity to operate at LOS D as measured on an annual average daily traffic (AADT) basis at all intersection and/or roadway segments. All secondary roads where traffic is entering or leaving a development or have direct access shall have sufficient available capacity to operate at LOS D as measured on an annual average daily traffic (AADT) basis.

   c. In areas which are served by inadequate transportation facilities on U.S. 1, development may be approved provided that the development in combination with all other development will not decrease travel speeds by more than five percent (5%) below LOS C.

Potable Water:

The Monroe County Comprehensive Plan regulates the LOS standards and the LDC regulates the source of potable water for development or use.

Objective 701.1
Monroe County shall ensure that at the time a development permit is issued, adequate potable water supply, treatment, and distribution facilities are available to support the development at the adopted level of service standards concurrent with the impacts of such development.

Policy 701.1.1
Monroe County hereby adopts the following level of service standards to achieve Objective 701.1 and shall use these standards as the basis for determining facility capacity and the demand generated by a development.

Level of Service Standards

1. Quantity:

Residential LOS	66.50 gal./capita/day
Non-Residential LOS	0.35 gal./sq. ft./day
Overall LOS	132.00 gal./capita/day (Ord. 021-2009)

Equivalent Residential Unit (2.24 average persons per household x 66.5 gallons/capita/day)	149.00 gallons per day

2. Minimum Pressure:
20 PSI at customer service

3. Minimum Potable Water Quality:
Shall be as defined by the U.S. Environmental Protection Agency. (Part 143-National Secondary Drinking Standards, 40 CFR 143, 44FR 42198)

The LDC Section 114-2(3) does not include a LOS standard but requires sufficient potable water from an approved and permitted source shall be available to satisfy the projected water needs of a proposed development, or use. Approved and permitted sources shall include cisterns, wells, FKAA distribution systems, individual water condensation systems, and any other system which complies with the Florida standards for potable water.

Solid Waste:

The Comprehensive Plan and the LDC require that "sufficient capacity shall be available at a solid waste disposal site to accommodate all existing and approved development for a period of at least three years from the projected date of completion of a proposed development or use" (LDC, Section 114-2(a)(2)).

Objective 801.1
Monroe County shall ensure that solid waste collection service and disposal capacity is available to serve development at the adopted level of service standards, concurrent with the impacts of such development.

Policy 801.1.1
Monroe County hereby adopts the following level of service standards to achieve Objective 801.1, and shall use these standards as the basis for determining facility capacity and the demand generated by a development.

Level of Service Standards:

Disposal Quantity:
5.44 pounds per capita per day or 12.2 pounds per day per ERU (Equivalent Residential Unit)

Haul Out Capacity:
95,000 tons per year or 42,668 ERUs.

Duration of Capacity:
Sufficient capacity shall be available at a solid waste disposal site to accommodate all existing and approved development for a period of three (3) years from the projected date of completion of the proposed development or use.

Schools:

The Comprehensive Plan does not establish a LOS standard for schools but does include Policy 1301.5.6 which requires the County to coordinate with the District School Board of Monroe County on the siting and expansion of required facilities. LDC Section 114-2 requires that school classroom capacity be available to accommodate all school-age children to be generated by the proposed development or use.

Parks and Recreation:

An annual assessment of parks and recreational facilities is not mandated by Monroe County Code, Section 114-2, but data for parks and recreational facilities is provided in this document.

Level of Service standards for parks and recreational facilities are not mentioned in the LDC, but are listed in Policy 1201.1.1 of the Monroe County Year 2010 Comprehensive Plan.

Policy 1201.1.1
Monroe County hereby adopts the following level of service standards to achieve Objective 1201.1, and shall use these standards as the basis for determining recreation land and facility capacity:

Level of Service Standards for Neighborhood and Community Parks:

1. 0.82 acres per 1,000 functional population of passive, resource-based neighborhood and community parks; and

2. 0.82 acres per 1,000 functional population of activity-based neighborhood and community parks within each of the Upper Keys, Middle Keys, and Lower Keys subareas.

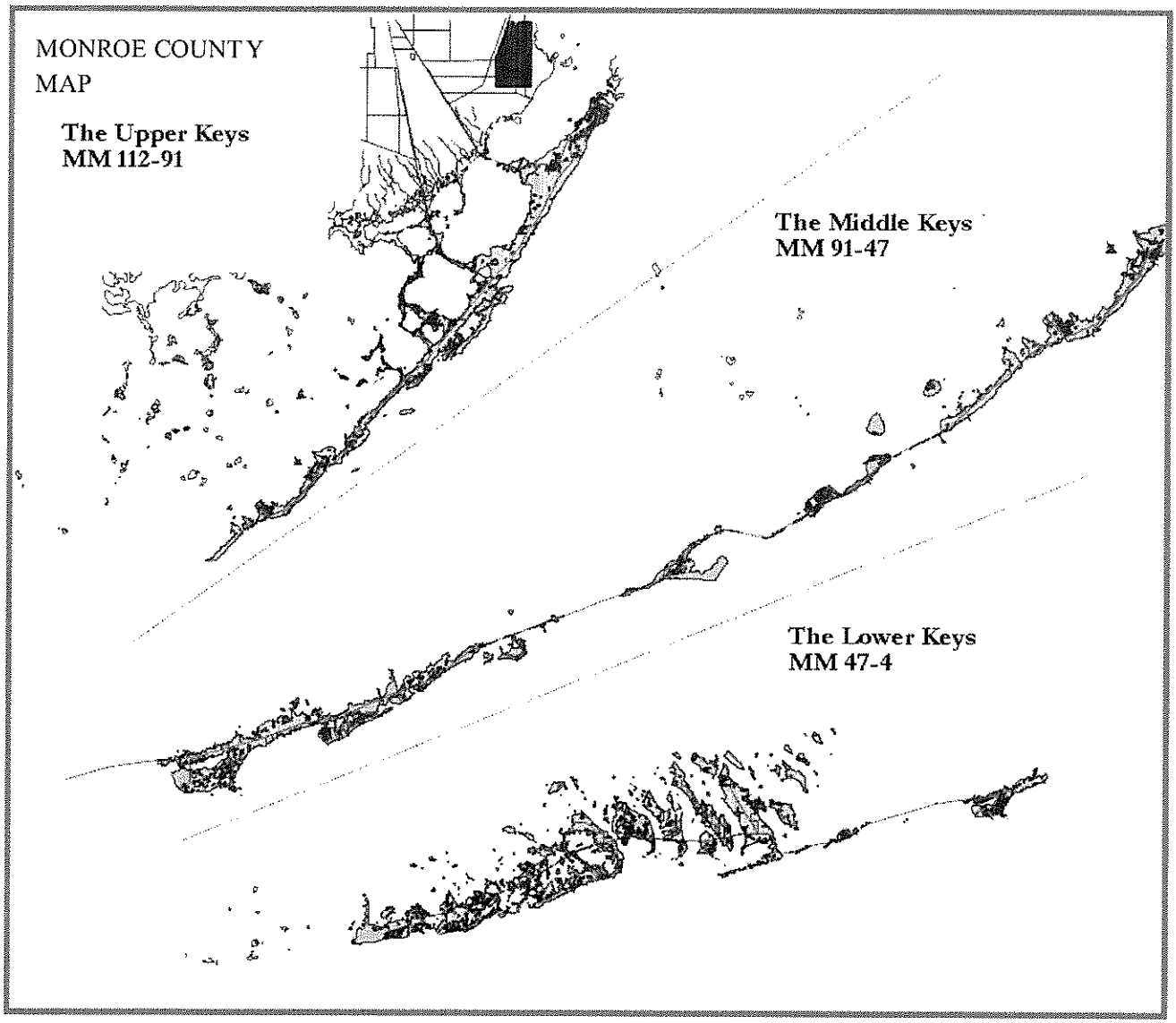
PERMITTING AND PUBLIC FACILITIES SERVICE AREAS

LDC Section 114-2(b)(2) Adequate Facilities and Development Review Procedures divides unincorporated Monroe County into three (3) service areas for the purpose of assessing potential growth and how public facilities can accommodate that growth. The boundaries mentioned in the Monroe County Land Development Code have been revised to account for incorporations of the Village of Islamorada and the City of Marathon.

Section 114-2(b)(2) defines the county's unincorporated public facilities service areas:

- Upper Keys Service Area: north of the Whale Harbor Bridge;
- Middle Keys Service Area: between the Seven Mile Bridge and Whale Harbor Bridge; and
- Lower Keys Service Area: south (west) of the Seven Mile Bridge.

The map shows the three (3) service areas of the Keys as they are currently recognized.



I. GROWTH MANAGEMENT

GROWTH ANALYSIS

This section of the report examines the projected growth of Monroe County's permanent, seasonal and functional population, occupied and vacant housing data, Rate of Growth Ordinance (ROGO) and Nonresidential Rate of Growth Ordinance (NROGO) allocations and Building Department permit data.

CENSUS DATA

The U.S. Census Bureau released 2010 demographic information related to population, housing on March 17, 2011. The following tables provide summary information for Monroe County and the incorporated municipalities. Information from the 2000 Census has been included for comparison purposes.

The permanent population for the Florida Keys (unincorporated and incorporated) declined by 8% (-6,499 people) from the year 2000 to 2010. Total housing units increased by 1,147 units or 2%. The number of occupied units decreased by 2,457 units or 7%. Vacant units increased by 3,604 units or 22%.

	Census 2000	Census 2010	Change	% Change
	POPULATION			
City of Key West	25,478	24,649	-829	-3.25%
City of Marathon	10,255	8,297	-1,958	-19.09%
City of Key Colony Beach	788	797	+9	1.14%
City of Layton	186	184	-2	-1.08%
Village of Islamorada	6,846	6,119	-727	-10.62%
Unincorporated Monroe County	36,036	33,044	-2,992	-8.30%
Total Population (Uninc. County & Cities)	79,589	73,090	-6,499	-8.17%
	HOUSING UNITS			
City of Key West	13,306	14,107	+801	6.01%
City of Marathon	6,791	6,187	-604	-8.89%
City of Key Colony Beach	1,293	1,431	+138	10.67%
City of Layton	165	184	+19	11.15%
Village of Islamorada	5,461	5,692	+231	4.23%
Unincorporated Monroe County	24,601	25,163	+562	2.28%
Total Housing Units (Uninc. County & Cities)	51,617	52,764	+1,147	2.22%
Total housing units (Uninc. County & Cities)	51,617	52,764	+1,147	2.22%
Occupied housing units (Uninc. County & Cities)	35,086	32,629	-2,457	-7.00%
Vacant housing units (Uninc. County & Cities)	16,531	20,135	+3,604	21.80%
% Vacant housing units (Uninc. County & Cities)	32.02%	38.16%		

POPULATION ESTIMATES

Functional population is the sum of seasonal and permanent population estimates. Permanent residents are people who spend all or most of the year living in Monroe County, and as such, exert a relatively constant demand on all public facilities. Seasonal population figures are the number of seasonal residents and visitors in the Keys on any given evening. They are composed of the tourist population and residents spending less than six months in the Keys. The seasonal population has a higher cyclical demand on public facilities like roads and solid waste.

The 2010 estimated population for unincorporated Monroe County is 70,808 (2010) and by 2030 it is projected to increase by 3,149 additional persons. This is an increase of 157.5 persons per year through the twenty year planning horizon.

Functional Population Estimates and Projections, 2010-2030

Year	Functional Population			
	Lower Keys	Middle Keys	Upper Keys	Unincorporated Monroe County Total
2010	39,645	2,183	28,980	70,808
2015	40,181	2,212	29,370	71,763
2020	40,592	2,234	29,668	72,494
2025	41,003	2,256	29,966	73,225
2030	41,414	2,278	30,265	73,957
Source: Fishkind & Associates, Inc., 2010, Unincorporated Monroe County Population Projections				
BEBR, February 2010, Number of Households and Average Household Size in Florida: April 1, 2009				

The population projections for the 2010-2030 planning period indicate a loss of permanent population. The data suggests the permanent population losses and associate increase in vacant housing units is being shifted into an increase in seasonal population. Fishkind & Associates estimates that while permanent population decreases at an average rate of less than one percent every five years, seasonal population increases at an average rate of 2.57 percent every five years; resulting in a shift in population from permanent to seasonal. Overall, functional population or total population for the unincorporated County will increase at an average rate of less than one percent, every five years, in the twenty year planning period.

HOUSING

According to the U.S. Census, housing units are broken down into occupied and vacant units. The Census defines housing units as "a house, apartment, group of rooms, or single room occupied or intended for occupancy as separate living quarters." Occupied housing units are occupied if there is "at least one person who lives in the unit as a usual resident at the time of the interview, or if the occupants are only temporarily absent, for example, on vacation. However, if the unit is occupied entirely by people with a usual residence elsewhere, the unit is classified as vacant, such as seasonal units. The table below shows the housing units by status and tenure from the 2007-2009 American Communities Survey.

Housing Units by Status and Tenure by Units in Structure
2007-2009
Monroe County-Unincorporated and Incorporated Areas

HOUSING OCCUPANCY	**Estimates**	**Percent**
Total housing units	54,115	
Occupied housing units	28,909	53.40%
Vacant housing units	25,206	46.60%
UNITS IN STRUCTURE	**Estimates**	**Percent**
Total housing units	54,115	
1-unit, detached	28,671	53.00%
1-unit, attached	5,333	9.90%
2 units	1,751	3.20%
3 or 4 units	2,350	4.30%
5 to 9 units	3,152	5.80%
10 to 19 units	1,603	3.00%
20 or more units	3,420	6.30%
Mobile home	7,705	14.20%
Boat, RV, van, etc.	130	0.20%
HOUSING TENURE	**Estimates**	**Percent**
Occupied housing units	28,909	
Owner-occupied	19,368	67.00%
Renter-occupied	9,541	33.00%
Average household size of owner-occupied unit	2.42	
Average household size of renter-occupied unit	2.63	

RESIDENTIAL AND NONRESIDENTIAL RATE OF GROWTH ORDINANCES

ROGO

Due to the limitation on the amount of growth the County could absorb, based on the Carrying Capacity and Hurricane Evacuation Studies, on June 23, 1992, the Monroe County Board of County Commissioners adopted Ordinance 016-1992, creating the Residential Dwelling Unit Allocation System, known as the Rate of Growth Ordinance or ROGO. ROGO was developed as a response to the inability of the road network to accommodate a large-scale hurricane evacuation in a timely fashion. It is used as a tool to equitably distribute the remaining number of permits available both geographically and over time. ROGO allows development subject to the ability to safely evacuate the Florida Keys (the Keys) within 24 hours.

The annual allocation period, or ROGO year, is the 12-month period beginning on July 13, 1992, (the effective date of the original dwelling unit allocation ordinance), and subsequent one-year periods. The number of dwelling units which can be permitted in Monroe County has been controlled since July of 1992 (adoption of Ordinance 016-92).

Rule 28-20.140, F.A.C., and Comprehensive Plan Policy 101.2.3 regulate the number of permits issued annually for residential development under ROGO. Monroe County can award 197 allocations per year. These allocations are divided up geographically and issued quarterly. Each year's ROGO allocation of 197 new units is split with a minimum of 71 units allocated for affordable housing in perpetuity and market rate allocations not to exceed 126 new residential units per year.

Rule 28-20.140(b), F.A.C., and Comprehensive Plan Policy 101.2.3 state:

> "The number of permits issued annually for residential development under the Rate of Growth Ordinance shall not exceed a total annual unit cap of 197, plus any available unused ROGO allocations from a previous ROGO year. Each year's ROGO allocation of 197 units shall be split with a minimum of 71 units allocated for affordable housing in perpetuity and market rate allocations not to exceed 126 residential units per year. Unused ROGO allocations may be retained and made available only for affordable housing and Administrative Relief from ROGO year to ROGO year. Unused allocations for market rate shall be available for Administrative Relief. Any unused affordable allocations will roll over to affordable housing. A ROGO year means the twelve-month period beginning on July 13."

LDC, Section 138-24(2) establishes that ROGO allocations are to be awarded quarterly.

> "Each subarea shall have its number of market rate housing residential ROGO allocations available per ROGO quarter determined by the following formula:
>
> a. Market rate residential ROGO allocations available in each subarea per quarter is equal to the market rate residential ROGO allocations available in each subarea divided by four.
> b. Affordable housing residential ROGO for all four ROGO quarters, including the two available for Big Pine Key, shall be made available at the beginning of the first quarter for a ROGO year."

HISTORY

Tier System

On September 22, 2005, the BOCC adopted Ordinance 025-2005 which revised ROGO and NROGO to utilize the Tier overlay as the basis for the competitive point system. On March 15, 2006, the BOCC adopted Ordinance 009-2006 to implement the Tier System, a Rate of Growth Ordinance.

The Tier System changed the service areas (subareas boundaries) mentioned in the Introduction. It is the basis for the scoring of NROGO and ROGO applications and administrative relief. The new ROGO and NROGO subareas are the Lower Keys (Middle Keys are not included in the Lower Keys), Upper Keys, and Big Pine / No Name Keys. Tier Ordinance 009-2006 provides vesting provisions and allows for allocation of an annual cap of 197 residential dwelling units.

The Tier System made changes such as subarea boundary districts for allocation distribution, basis of scoring applications, and administrative relief.

- During ROGO Year 14 (2004), Ord. 009-2006 was enacted changing the allocation number to 197 (126 market rate 71 affordable) pursuant to Rule 28-20.110, F.A.C. The same rule also returned 165 allocations to the County to be used for affordable housing.

- By ROGO Year 15 (2005), the new Big Pine/No Name Key subarea was created. Of the 197 allocations, 8 market rate and 2 affordable allocations are assigned to this subarea.

Big Pine Key and No Name Keys

Efforts to address the development impacts on the habitat of the Key Deer, Lower Keys Marsh Rabbit and the Eastern Indigo Snake on Big Pine Key/No Name Key started in the mid-1980s. In 1998, Monroe County, the Florida Department of Transportation (FDOT) and the Department of Community Affairs (DCA) signed a Memorandum of Agreement in which they committed to develop a Habitat Conservation Plan (HCP) for these two Keys.

The Livable CommuniKeys Program (LCP), Master Plan for Future Development of Big Pine Key and No Name Key was adopted on August 18, 2004 pursuant to Ordinance 029-2004. The LCP envisioned the issuance of 200 residential dwelling units over 20 year horizon at a rate of roughly 10 per year. A minimum of twenty percent (20%) of the 10 units per year are to be set aside for affordable housing development (e.g. 2 units per year set aside for affordable housing.)

On June 9, 2006, a Federal Incidental Take Permit (#TE083411-0, ITP) from the U.S. Federal Fish and Wildlife Commission was issued to three (3) permitees: Monroe County, Florida Department of Transportation, and the Florida Department of Community Affairs. The ITP ensures that development bears its fair share of required mitigation and that the take of the covered species is minimized and mitigated.

NROGO

Monroe County adopted the Non-Residential Rate of Growth (NROGO) in 2001 in order to ensure a reasonable balance between the amount of future non-residential development and the needs of a slower growing residential population.

Nonresidential permits include everything that is not residential, such as industrial, commercial, nonprofit and public buildings, and replacement or remodeling of existing nonresidential structures and is regulated by the Nonresidential Rate of Growth Ordinance (NROGO).

Monroe County Comprehensive Plan Policy 101.3.1 limits the County's availability of nonresidential square footage that may be permitted. This policy assures that the balance of residential to nonresidential development is maintained. On average, the BOCC approves an annual availability of 35,000ft^2 of NROGO floor area allocations.

Policy 101.3.1 states:

> "Monroe County shall maintain a balance between residential and non-residential growth by limiting the square footage of non-residential development to maintain a ratio of approximately 239 square feet of new non-residential development for each new residential unit permitted through the Residential Permit Allocation System."

Big Pine and No Name Keys

NROGO for the Big Pine/No Name Key subarea is treated differently given the Habitat Conservation Plan (HCP) for the Key Deer and other protected species. The maximum amount of nonresidential floor area to be allocated is limited to a maximum of 2,500 square feet for any one site.

Section 138-51 of the LDC establishes the semi-annual award distribution of NROGO allocations and the annual award allocations on Big Pine Key and No Name Keys.

LDC, Section 138-51:

Annual allocation

> The Board of County Commissioners may make available for allocation all or part of the maximum annual allocation. This annual allocation may be distributed between the two allocation dates.

First allocations for Big Pine Key and No Name Key

> For the first allocation period (starting ROGO year 15, quarter 1), the maximum amount of floor area available for allocation shall be based on the number of permits issued under the 200 allocations authorized by the Big Pine Key and No Name Key Community Master Plan and the number of ROGO allocations to be made available in the ROGO year 15, beginning July 14, 2006.

Separate allocations for Big Pine Key and No Name Key

> Allocations for Big Pine Key and No Name Key shall be administered and awarded separately from those for the remainder of the unincorporated county.

RATE OF GROWTH ORDINANCE (ROGO) ANALYSIS

There is a time lapse which occurs between the ROGO allocation date and the permit issuance date. An allocation award expires when its corresponding building permit is not picked up after sixty (60) days of notification by certified mail of the award, or after issuance of the building permit, or upon expiration of the permit. The data presented in the table below do not include allocations issued in Key West, Key Colony Beach, Layton, Islamorada or Marathon.

ROGO ALLOCATIONS

ROGO Year 14 (July 13, 2005 – July 14, 2006)

One-hundred and twenty-six (126) market rate and seven (7) affordable housing allocations were approved. On July 19, 2006, the BOCC approved the reservation of forty (40) affordable housing allocations (Ordinance 273-2006). There were 173 allocations awarded in Year 14.

YEAR 14	ALLOCATIONS AWARDED
MARKET RATE	126
ADMINISTRATIVE RELIEF	
AFFORDABLE HOUSING	7
AFFORDABLE RESERVATIONS	40
TOTAL	173

ROGO Year 15 (July 15, 2006 – July 13, 2007)

Eighty-nine (89) market rate ROGO allocations were awarded. There were thirty-seven (37) administrative reliefs allocations awarded and twelve (12) affordable housing allocations were awarded. There were five (5) allocations reserved by County Resolution 273-2006. There were 143 allocations awarded in Year 15.

YEAR 15	ALLOCATIONS AWARDED
MARKET RATE	89
ADMINSTRATIVE RELIEF	37
AFFORDABLE HOUSING	12
AFFORDABLE RESERVATIONS	5
TOTAL	143

ROGO Year 16 (July 14, 2007 – July 14, 2008)

Ninety-five (95) market rate ROGO allocations, thirty-one (31) administrative relief allocations and nine (9) affordable housing allocations were awarded. On July 19, 2006, the BOCC approved Resolution 273-2006 reserving one-hundred and thirty-three (133) affordable housing allocations. Two-hundred and sixty-eight (268) allocations were awarded in Year 16.

YEAR 16	ALLOCATIONS AWARDED
MARKET RATE	95
ADMINISTRATIVE RELIEF	31
AFFORDABLE HOUSING	9
AFFORDABLE RESERVATIONS	133
TOTAL	268

ROGO Year 17 (July 15, 2008 – July 14, 2009)

Two-hundred and eight-five (285) market rate allocations, fifty-five (55) administrative relief allocations and one (1) affordable housing allocation were awarded. Three hundred and forty-one (341) allocations were awarded in Year 17.

YEAR 17	ALLOCATIONS AWARDED
MARKET RATE	285
ADMINISTRATIVE RELIEF	55
AFFORDABLE HOUSING	1
AFFORDABLE RESERVATIONS	0
TOTAL	341

* Monroe County received 80 additional allocations through agreements.

ROGO Year 18 (July 14, 2009 – July 12, 2010)

Ninety-three (93) market rate and ten (10) administrative relief allocations were awarded. There were twenty-five (25) market rate allocations held in abeyance. One hundred and twenty-eight (128) allocations were awarded in Year 18.

YEAR 18	ALLOCATIONS AWARDED
MARKET RATE	93
MARKET RATE-HELD IN ABEYANCE	25
ADMINISTRATIVE RELIEF	10
AFFORDABLE HOUSING	0
AFFORDABLE RESERVATIONS	0
TOTAL	128

ROGO Year 19 (July 13, 2010 –April 12, 2011) [Quarters 1-3]

Seventy-one (71) market rate and three (3) administrative relief allocations were awarded. Nineteen (19) market rate allocations were held in abeyance. Ninety-three (93) allocations were awarded in Year 19, Quarters 1, 2, and 3.

YEAR 19 QTRS 1, 2, AND 3	ALLOCATIONS AWARDED
MARKET RATE	71
MARKET RATE-HELD IN ABEYANCE	19
ADMINISTRATIVE RELIEF	3
AFFORDABLE HOUSING	0
AFFORDABLE RESERVATIONS	0
TOTAL	93

NONRESIDENTIAL RATE OF GROWTH ORDINANCE (NROGO) ANALYSIS

The "maximum annual allocations" and the distribution between the first and second allocation dates are determined by the Board of County Commissioners (BOCC) and as recommended by Growth Management and the Planning Commission. This provides flexibility and assures that goals are being met.

A summary of square footage of non-residential floor area previously made available and allocated in the unincorporated Keys from Year 14 (2006) to Year 19 (2011) is shown below.

NROGO Allocations for Unincorporated Monroe County (Excluding Big Pine/No Name Keys) Year 14 (2006) to Year 19 (2011)		
Year	Amount Available	Total Allocations Awarded
Year 14 (2006)	16,000 sq/ft	12,494 sq/ft
Year 15 (2007)	18,000 sq/ft	12,500 sq/ft
Year 16 (2008)	35,000 sq/ft	17,938 sq/ft
Year 17 (2009)	30,000 sq/ft	13,056 sq/ft
Year 18 (2010)	22,500 sq/ft	6,350 sq/ft
Year 19 (Period 1, 2011)	22,500 sq/ft	6,116 sq/ft
Monroe County Technical Document July 2011		

NROGO for the Big Pine/No Name Key subarea is treated differently given the Habitat Conservation Plan (HCP) for the Key Deer and other protected species. The maximum amount of nonresidential floor area to be allocated is limited to a maximum of 2,500 square feet for any one site. A summary of allocations in these environmentally sensitive keys is shown below.

NROGO Allocations for Big Pine/No Name Keys Year 14 (2006) – Year 19 (2011)		
Year	Number of Applicants	Total Allocations Awarded
Year 15 (2007)	2	5,000 sq/ft
Year 16 (2008)	2	3,809 sq/ft
Year 17 (2009)	0	0 sq/ft
Year 18 (2010)	0	0 sq/ft
Year 19 (Period 1, 2011)	0	0 sq/ft
Monroe County Technical Document July 2011		

BUILDING PERMIT DATA

There were 2,067 dwelling units that received a building permit from April 1, 2000 to December 31, 2010. Of these units, approximately 80 percent were single family homes and 16 percent were mobile homes and recreational vehicles. An average of 190 new and replacement dwelling units were permitted from 2001 to 2010. Of the 2,067 dwelling unit permits issued, 1,172 were the result of obtaining a ROGO allocation. Of the 2,067 dwelling units permits issued, a total of 1,229 dwelling units received a certificate of occupancy.

Residential Building Permit Activity, April 1, 2000 – December 31, 2010

Year	Single Family	Duplex	Multi Family	Mobile Home / RV	Hotel / Motel	Total Permits Issued	Permits Issued Under ROGO	Received CO
April 1, 2000-December 31, 2000	92	0	35	32	7	166	92	165
January 1, 2001-December 31, 2001	151	0	13	55	1	220	118	157
January 1, 2001-December 31, 2002	193	0	25	81	0	299	181	162
January 1, 2001-December 31, 2003	235	0	0	44	0	279	161	152
January 1, 2001-December 31, 2004	126	0	0	47	0	173	105	175
January 1, 2001-December 31, 2005	295	0	0	29	0	324	160	111
January 1, 2001-December 31, 2006	377	0	2	14	0	393	198	92
January 1, 2001-December 31, 2007	106	0	0	13	0	119	103	118
January 1, 2001-December 31, 2008	46	0	3	11	0	60	45	61
January 1, 2001-December 31, 2009	24	0	0	3	0	27	4	29
January 1, 2001-December 31, 2010	5	0	0	2	0	7	5	7
TOTAL	**1,650**	**0**	**78**	**331**	**8**	**2,067**	**1,172**	**1,229**

Monroe County Technical Document July 2011

RV-Residential Vehicle CO-Certificate of Occupancy

A total of 706 dwelling units were demolished from 2000 Census to 2010. The highest demolition rate occurred in years 2005 and 2006 with 353 units demolished. This accounts for about 50 percent of units demolished from 2001 to 2010. An average of 70 dwelling units were demolished per year between 2001 and 2010. At this time it is not possible to determine, whether a demolition was for a single family, a mobile home, etc.

Housing Demolition and Replacement	
Year	Residential Demolitions
April 1, 2000 - December 31, 2000	2
January 1, 2001-December 31, 2001	17
January 1, 2001-December 31, 2002	24
January 1, 2001-December 31, 2003	32
January 1, 2001-December 31, 2004	80
January 1, 2001-December 31, 2005	169
January 1, 2001-December 31, 2006	184
January 1, 2001-December 31, 2007	79
January 1, 2001-December 31, 2008	52
January 1, 2001-December 31, 2009	40
January 1, 2001-December 31, 2010	22
TOTAL	**706**
Monroe County Technical Document July 2011	

A total of 642 mobile homes were replaced with a single family dwelling unit; 229 single family homes were replaced with a single family unit; and 294 mobile homes were replaced with a mobile home. A total of 1,165 replacement units received a certificate of occupancy from April 1, 2000 to end of 2010.

Replacement Units Receiving Certificate of Occupancy						
April 1, 2000 – December 31, 2010						
Year	MH to SFR	MH to MH	SFR to SFR	RV Replacement	Park Model Replacement	Total Units Receiving a CO
April 1, 2000 - December 31, 2000	21	55	21	0	0	97
January 1, 2001- December 31, 2001	11	41	14	0	0	66
January 1, 2001- December 31, 2002	14	47	18	0	0	79
January 1, 2001- December 31, 2003	27	34	26	0	0	87
January 1, 2001- December 31, 2004	85	27	19	0	0	131
January 1, 2001- December 31, 2005	90	28	19	0	0	137
January 1, 2001- December 31, 2006	136	22	18	0	0	176
January 1, 2001- December 31, 2007	143	12	30	0	0	185
January 1, 2001- December 31, 2008	54	18	23	0	0	95
January 1, 2001- December 31, 2009	30	7	24	0	0	61
January 1, 2001- December 31, 2010	31	3	17	0	0	51
Total	**642**	**294**	**229**	**0**	**0**	**1,165**
Monroe County Technical Document July 2011						
MH-Mobile Home; SFR-Single Family Residential; CO-Certificate of Occupancy; RV-Recreational Vehicle						

It is important to highlight that in the last ten years (2001-2010) a total of 936 mobile home units were replaced. Of the 936 mobile home units replaced, 642 were replaced for single family units. The replacement of mobile home units to single family units represents a 68.5 percent loss of mobile homes to single family units, in the last ten years.

II. TRANSPORTATION FACILITIES

Roads are one (1) of the four (4) critical public facilities identified for annual assessment in the Monroe County Land Development (LDC). The Comprehensive Plan and LDC regulations require U.S. 1 to remain at a LOS C or higher and that all county roads to remain at a LOS D or higher. The Monroe County Division of Public Works is charged with maintaining and improving secondary roads within the boundaries of unincorporated Monroe County. The Florida Department of Transportation (FDOT) is responsible for maintaining U.S. 1.

Monroe County has conducted travel time and delay studies of U.S. 1 annually since 1992. The primary objective of the U.S. 1 Arterial Travel Time and Delay Study is to monitor the level of service on U.S. 1 for concurrency management purposes pursuant to Chapter 163, Florida Statutes, Monroe County Comprehensive Plan Policy 301.1.1., and LDC Section 114-2(a). The study utilizes an empirical relationship between the volume-based capacities and the speed-based level of service methodology developed by the U.S. 1 Level of Service Task Force.

The U.S. 1 Level of Service Task Force is a multi-agency group with members from Monroe County, the Florida Department of Transportation and the Florida Department of Community Affairs. The 1997 adopted methodology considers both the overall level of service from Key West to the mainland and the level of service on 24 segments. The methodology was developed from basic criteria and principles contained in Chapter 7 (Rural Multilane Highways), Chapter 8 (Rural Two-Lane Highways) and Chapter 11 (Urban and Suburban Arterials) of the 1985 Highway Capacity Manual.

U.S. 1 Segments and Mile Markers					
Segment Number	**Mile Marker**	**Segment Name**	**Segment Number**	**Mile Marker**	**Segment Name**
1	4-5	Stock Island	**12**	40-47	7-Mile Bridge
2	5-9	Boca Chica	**13**	47-54	Marathon
3	9-10.5	Big Coppitt	**14**	54-60.5	Grassy
4	10.5-16.5	Saddlebunch	**15**	60.5-63	Duck
5	16.5-20.5	Sugarloaf	**16**	63-73	Long
6	20.5-23	Cudjoe	**17**	73-77.5	L. Matecumbe
7	23-25	Summerland	**18**	77.5-79.5	Tea Table
8	25-27.5	Ramrod	**19**	79.5-85.4	U. Matecumbe
9	27.5-29.5	Torch	**20**	84-86	Windley
10	29.5-33	Big Pine	**21**	86-91.5	Plantation
11	33-40	Bahia Honda	**22**	91.5-99.5	Tavernier

This section of the report investigates the current capacity of the transportation network in Monroe County. The analysis includes changes in traffic volumes, the level of service (LOS) of U.S. 1, and the reserve capacity of the highway. All data and analysis was obtained from the 2011 U. S. 1 Arterial Travel Time and Delay Study prepared by URS Corporation Southern.

EXISTING ROADWAY FACILITIES

There are over 100 miles of islands in Monroe County connected by 42 bridges on one single highway. This single highway, the Overseas Highway (U.S. 1), functions as a collector, an arterial, and the "Main Street" for the Keys. U.S. 1 is a lifeline for the Keys from both public safety and economic perspectives. Each day it carries food, supplies and tourists from the mainland. In the event of a hurricane, it is the only viable evacuation route to the mainland for most of Monroe County. U.S. 1 in Monroe County is predominantly a two-lane road. Of its 112 total miles, approximately 80 miles (74%) are two-lane segments that are undivided. The four-lane sections are located on Key Largo (MM 95 to 108), Tavernier (MM 90 to 95), Marathon (MM 48 to 54), Bahia Honda (MM 35 to 37), and from Key West to Boca Chica (MM 2 to 9).

In addition to U.S. 1, there are 450 miles of county (secondary) roads with 38 bridges. Combined, U.S. 1 and county (secondary) roads have approximately 340 intersections in the Keys.

LEVEL OF SERVICE ON U.S. 1 SEGMENTS

There are twenty four (24) segments of U.S. 1 from Mile Marker 4 to Mile Marker 112. The segments were defined by the U.S. 1 Level of Service Task Force to reflect roadway cross sections, speed limits, and geographical boundaries.

The Comprehensive Plan and Land Development Code require each segment of the highway maintain a LOS of C or better. The LOS criteria for segment speeds on U.S. 1 in Monroe County depend on the flow characteristics and the posted speed limits within the given segment. Segment speeds reflect the conditions experienced during local trips. Given that U.S. 1 serves as the "main street" of the Keys, the movement of local traffic is also an important consideration on this multipurpose highway. However, the determination of the median speed on a segment is a more involved process than determining the overall level of service since different segments have different conditions. Segment conditions depend on the flow characteristics and the posted speed limits within the given segment.

Flow characteristics relate to the ability of a vehicle to travel through a particular segment without being slowed or stopped by traffic signals or other devices. Segments with a series of permanent traffic signals or other similar traffic control devices in close proximity to each other are considered to be "Interrupted Flow Segments" and are expected to have longer travel times due to the delays caused by these signals or control devices. Roadway segments without a series of signals or control devices are considered to be "Uninterrupted Flow Segments".

Fully-Signalized Intersections			
Mile Marker	Key	Street	Segment
4.4	Stock Island	College Road	1
4.6	Stock Island	Cross Street	1
4.8	Stock Island	MacDonald Avenue	1
19.5	Upper Sugarloaf	Crane Boulevard	5
30.3	Big Pine Key	Key Deer Boulevard	10
48.5	Marathon	33rd Street/School Crossing	13
50	Marathon	Sombrero Beach Boulevard	13
52.4	Marathon	107th Street	13
52.5	Marathon	109th Street	13
53	Marathon	Pedestrian Crossing	13
53.5	Fat Deer Key	Key Colony Causeway	13
54	Fat Deer Key	Coco Plum Drive	13/14
90	Plantation Key	Woods Avenue/School Crossing	21
90.5	Plantation Key	Sunshine Road	21
91.5	Tavernier	Ocean Boulevard	21/22
99.5	Key Largo	Atlantic Boulevard	22/23
101	Key Largo	Tradewinds	23
105	Key Largo	Pedestrian Crossing	23

Uninterrupted segments may have one or more traffic signals, but they are not in close proximity to one another as in the interrupted segment case. The methodology used to determine median speed and level of service on a particular segment is based upon that segment's status as an interrupted or uninterrupted flow segment. For all "uninterrupted" segments containing isolated traffic signals, the travel times were reduced by 25 seconds per signal to account for lost time due to signals. The Marathon and the Stock Island segments are considered "interrupted" flow facilities. Therefore, no adjustments were made to travel times on these segments.

Uninterrupted Flow	Uninterrupted Flow
LOS A≥ 35 mph	LOS A 1.5 mph above speed limit
LOS B≥ 28 mph	LOS B 1.5 mph below speed limit
LOS C≥ 22 mph	LOS C 45 mph below speed limit
LOS D≥ 17 mph	LOS D 7.5 mph below speed limit
LOS E≥ 13 mph	LOS E 13.5 mph below speed limit
LOS F< 13 mph	LOS F more than 13.5 mph below speed limit

2011 LEVEL OF SERVICE AND RESERVE CAPACITY

SEGMENT	LENGTH (miles)	POSTED SPEED Limits (mph)	POSTED SPEED Average (mph)	ADJUSTED FOR SIGNAL (mph)	ADJUSTED LOS C CRITERIA (mph)	MEDIAN TRAVEL SPEED (mph)	LEVEL OF SERVICE	RESERVE SPEED (mph)	2011 MAXIMUM RESERVE VOLUME (trips)	2011 5% ALLOCATION BELOW LOS C (trips)	2010 MAXIMUM RESERVE VOLUME (trips)	2010 5% ALLOCATION BELOW LOS C (trips)
1. Stock Island (4.0-5.0)	1.1	30/35/45	38.3	N/A	22.0	33.7	B	11.7	2,131	N/A	2,186	N/A
2. Boca Chica (5.0-9.0)	3.9	55/45	54.1	N/A	49.6	58.4	A	8.8	5,683	N/A	4,973	N/A
3. Big Coppitt (9.0-10.5)	1.5	45/55	48.3	N/A	43.8	45.9	C	2.1	522	N/A	0	549
4. Saddlebunch (10.5-16.5)	5.8	45/55	54.1	N/A	49.6	52.8	B	3.2	3,074	N/A	2,593	N/A
5. Sugarloaf (16.5-20.5)	3.9	45/55	52.1	4.2	43.4	46.7	B	3.3	2,131	N/A	265	N/A
6. Cudjoe (20.5-23.0)	2.5	45/55	45.5	N/A	41.0	46.8	B	5.8	2,401	N/A	2,526	N/A
7. Summerland (23.0--25.0)	2.2	45	45.0	N/A	40.5	46.0	B	5.8	2,004	N/A	1,967	N/A
8. Ramrod (25.0-27.5)	2.3	45	45.0	N/A	40.5	46.4	B	5.9	2,247	N/A	1,866	N/A
9. Torch (27.5-29.5)	2.1	45	45.0	N/A	40.5	48.0	A	7.5	2,608	N/A	2,087	N/A
10. Big Pine (29.5-33.0)	3.4	45	45.0	3.3	37.2	38.7	C	1.5	845	N/A	1,520	N/A
11. Bahia Honda (33.0-40.0)	7.0	45/50/55	52.1	N/A	47.6	53.4	B	5.8	6,723	N/A	7,187	N/A
12. 7-Mile Bridge (40.0-47.0)	6.8	55	55.0	N/A	50.5	55.1	B	4.6	5,180	N/A	3,716	N/A
13. Marathon (47.0-54.0)	7.3	35/45	42.2	N/A	22.0	36.4	A	14.4	17,408	N/A	17,771	N/A
14. Grassy (54.0-60.5)	6.4	45/55	54.4	1.5	48.4	51.3	C	2.9	3,074	N/A	0	0
15. Duck (60.5-63.0)	2.7	55	55.0	N/A	50.5	53.7	B	3.2	1,431	N/A	1,565	N/A
16. Long (63.0-73.0)	9.9	55/45	53.5	N/A	49.0	52.2	B	3.2	5,246	N/A	6,722	N/A
17. L. Matecumbe (73.0-77.5)	4.5	55	55.0	N/A	50.5	49.6	D	(0.9)	(571)	1,196	0	940
18. Tea Table (77.5-79.5)	2.2	55/45	54.6	N/A	50.1	49.2	D	(0.9)	(328)	571	0	727
19. U. Matecumbe (79.5-84.0)	4.1	45	45.0	N/A	40.5	41.9	C	1.4	951	N/A	611	N/A
20. Windley (84.0-86.0)	1.9	45	45.0	N/A	40.5	42.7	C	2.2	692	N/A	4,468	N/A
21. Plantation (86.0-91.5)	5.8	45	45.0	3.6	36.9	41.6	B	4.6	4,418	N/A	2,881	N/A
22. Tavernier (91.5-99.5)	8.0	45/50	47.1	2.2	40.4	48.8	A	8.4	11,128	N/A	9,639	N/A
23. Key Largo (99.5-106.0)	6.8	35/45	44.4	3.3	36.6	44.8	A	8.2	9,234	N/A	9,121	N/A
24. Cross (106.0-112.5)	6.2	35/45/55	48.2	N/A	43.7	52.4	A	8.7	8,932	N/A	7,187	N/A
Overall	**108.3**				**45.0**	**47.1**	**C**	**2.1**				

OVERALL LEVEL OF SERVICE ON U.S. 1

The overall level of service or capacity of the entire length of U.S. 1 is measured in the average speed of a vehicle traveling from one end to the other of U.S. 1. Both Monroe County and the Florida Department of Transportation have adopted a LOS C standard for the overall length of U.S. 1. In other words, a vehicle traveling from Mile Marker 4 to Mile Marker 112 (or vice versa) must maintain an average speed of at least 45 mph to achieve the LOS C standard.

The median overall speed during the 2011 study was 47.1 mph, which is 0.2 mph higher than the 2010 median speed of 46.9 mph. The mean operating speed was 46.9 mph with a 95%.

Compared to last year's (2010) study results, there is level of service changes to seven (7) segments – four (4) resulted in positive level of service changes while three (3) resulted in negative level of service changes.

- The Big Coppitt segment (3) increased from LOS 'D' to LOS 'C'
- The Saddlebunch segment (4) increased from LOS 'C' to LOS 'B'
- The Sugarloaf segment (5) increased from LOS 'C' to LOS 'B'
- The Grassy Key (Segment 14) increased from LOS 'D' to LOS 'C'
- The Cudjoe segment (6) decreased from LOS 'A' to LOS 'B'
- The Summerland segment (11) decreased from LOS 'A' to LOS 'B'
- The Windley Key (Segment 20) decreased from LOS 'A' to LOS 'C'

Compared to 2010, the median segment speeds increased in thirteen (13) of the 24 segments ranging between 0.1 mph to 3.4 mph. Eleven (11) segments experienced a decrease in median speeds, ranging from 0.1 mph to 3.2 mph, compared to last year's data. The biggest difference in speed change was observed for segment 20, Windley Key. The level of service changed from an 'A' to a 'C'.

FACTORS AFFECTING LEVEL OF SERVICE

Speed Limit

The posted speed limits affect both the segment and the overall LOS. For instance, a lower speed limit could benefit a segment's LOS by reducing the difference between the travel speed and the posted speed limit. The reduction in the speed limit, however, negatively impacts the overall LOS because motorists tend to travel at reduced speeds to comply with the speed limits, whereas the overall LOS C threshold is set at 45 mph regardless of the speed limit changes. For these reasons, the posted speed limit is an important component in this study.

A large part of the traffic in Monroe County consists of tourist travelers, who generally tend to have a leisurely driving style. The traffic also tends to include a large number of recreational vehicles. Combined with some slow moving heavy vehicles, the travel speeds tend to go below the speed limits when there are no opportunities for faster moving vehicles to pass.

In Big Pine Key, due to the Key Deer habitat and other endangered species, the speed limit is strictly enforced with additional signs and frequent police presence. The travel speeds in this segment were observed to be near the posted speed limit, unless impeded by delays created by the signal.

Delay Events

A delay event occurs whenever the speed of the test vehicle fell below 5 mph. The delay event continues until the test vehicle's speed rose to 15 mph. During the study, the observers encountered a total of 141 separate delay events (a 17.5% decrease compared to the 2010 study). Eleven (11) of these delay events totaling 1 hour 17 minutes and 27 seconds were excluded from the overall travel times and the segment travel times. The excluded delays were caused by nonrecurring events such as accidents and roadside construction. In addition to these eleven (11) nonrecurring delay events, 2 drawbridge delay events were also excluded during this year's travel times (15 minutes and 5 seconds). However, the drawbridge delay events are accounted in calculating the overall travel speeds.

Signal Delays

The largest single recurring delay source along U.S. 1 in Monroe County is traffic signals. During the 2011 study, 118 (84%) out of 141 delay events were caused by signals which is 12% higher than the 2010 study. The signal delays accounted for 46 minutes and 14 seconds (31% of total delays).

The mean delay per event for signals in segments 10, 13, 14 and 22 are higher than the LOS C threshold value of 25 seconds, which is the signal impact discounted in the methodology. The signal on Big Pine Key segment (Segment 10) caused 14 (11%) signal delay events accounting for 4 minutes and 42 seconds, which is similar to last year's total of 4 minutes and 57 seconds.

The signals on Marathon segment (Segment 13) were the most significant, causing 47 signal delay events (6 more than last year) accounting for 20 minutes and 4 seconds (43% of the total signal delays), which is almost 2.5 minutes more than the 2010 signal delays in this segment. The mean delay per event at the Marathon signals was higher than the 25 seconds threshold at 26 seconds. The mean delay per trip was also higher than the 25 seconds threshold at 43 seconds.

Accident Delay

The accident delays, classified as nonrecurring events were the largest delay events during the 2011 study. There were 6 accident delays recorded during the 2011 study accounting for 49 minutes and 18 seconds. The accident delays accounted for 33% of the total delays. The accident delays were excluded from the overall and segment travel time.

Turning Vehicles Delay

There was only 1 left-turn delay amounting to 11 seconds during this year's study; a significant reduction from last year's 17 delays at 6 minutes and 18 seconds.

Draw Bridge Delay

Since the reconstruction of the Jew Fish Creek Bridge, the bridge across the Snake Creek is the only bridge along the entire length of U.S. 1 in Monroe County that causes drawbridge delays. The Snake Creek Draw Bridge (between Segments 20 and 21) created 2 drawbridge related delays during this year's travel time runs, totaling 15 minutes and 05 seconds. The drawbridge delays were excluded from the segment travel time but included in the overall travel time.

Congestion Delay

There were nine (9) congestion related delays events this year totaling 8 minutes and 36 seconds. The congestion delay events contributed an average of 57 seconds of delay per trip, which is similar to last year's average congestion delay per trip of 55 seconds.

Construction Delay

The construction delay was the third largest delay event. During the 2011 study there was on-going construction at the following segments:

1. Tavernier (Segment 22)
2. Key Largo (Segment 24)

The five (5) construction delay events accounted for 28 minutes and 9 seconds in 2011. This is a decrease from 2010 construction delays accounting for 57 minutes and 26 seconds. The construction delay reduction is partly due to the completion of road work along Cross and Grassy Keys. There was construction at around MM 53 in Marathon; most of the delays in this area were recorded as either congestion or signal delay due to combined effect of the delays. The ongoing construction in Big Pine Key did not cause any delays; it may have caused reduction in travel speeds without causing any delay events.

RESERVE CAPACITIES

The difference between the median speed and the LOS C standard gives the reserve speed, which in turn can be converted into an estimated reserve capacity of additional traffic volume and corresponding additional development. The median overall speed of 47.1 mph compared to the LOS C standard of 45 mph leaves an overall reserve speed of 2.1 mph.

County regulations and FDOT policy allow segments that fail to meet the LOS C standards to receive an allocation not to exceed five percent below the LOS C standard. This provision will allow a limited amount of additional land development to continue until traffic speeds are measured again next year or until remedial actions are implemented. These segments are candidates for being designated either "backlogged" or "constrained" by Florida Department of Transportation (FDOT).

In 2010, there were 4 segments identified to be functioning below the LOS C threshold. Based on this year's results, the Lower Matecumbe (Segment 17), and Tea Table (Segment 18) continue to function below the LOS C threshold; the other two segments - Big Coppitt (Segment

3) and Grassy (Segment 14) have improved to LOS C. The Lower Matecumbe (Segment 17) and Tea Table (Segment 18) however, has reserve capacity within the 5% allocation.

According to the Florida Department of Transportation District (FDOT) Six 2011/2012 – 2015/2016, there is ongoing construction of the Overseas Heritage Trail bike path and vistas happening at various locations throughout the Florida Keys.

- Big Coppitt, Segment 3 is located at approximate mile marker 9 through 10.5. Resurfacing and bridge repair/rehabilitation are currently in the preliminary engineering state. Construction should start in year 2014. This segment has a reserve volume of 522 trips.
- Grassy Key, Segment 14 is located at approximate mile marker 54 through 60.5. Construction of the bike path/trail starts in 2013. This segment has a maximum reserve volume of 3,074 trips.
- Lower Matecumbe, Segment 17 is located at approximate mile marker 73 through 77.5. There are no work projects are cited in this year's FDOT Transportation Plan. This segment has a LOS D. The maximum reserve volume is -671 trips and falls within the 5% (1,196 trips) allocation criteria.
- Tea Table Relief Bridge, Segment 18 is located at approximate mile marker 77.5 through 79.5. There is preliminary engineering for resurfacing between Old SR 4A/MM77.5 to Jerome Avenue (mile marker 81.5) which starts in 2012 and construction starting in 2014. This segment has a LOS D. The maximum reserve volume is -328 trips and falls within the 5% (571) allocation criteria.

TRAFFIC VOLUMES

Traffic counts can be very useful in assessing the capacity of the road network and help determine when capacity improvements need to be made. The Average Daily Traffic information is used in a formula called a "weekly factor" to estimate the annual average daily traffic. This is an estimated average amount of traffic at a particular location on any given day of the year.

The data were recorded by date, day of the week, time of the day, and direction. The field data collection took place between February 28, 2011 and March 13, 2011. Fourteen (14) round trips were made to successfully complete the twenty-eight (28) required northbound and southbound runs. These runs represent a sample of two runs of each day of the week. Every one of the twenty-eight travel time run data sheets was quality checked. The seven-day, 24-hour traffic data were collected in Islamorada, Marathon, and Big Pine Key from February 27, 2011 to March 5, 2011, concurrently with the travel time runs.

The two primary measurements for determining traffic volumes are the average daily traffic (ADT) or weekday count, and the annual average daily traffic (AADT) which includes the weekend. ADT counts are collected from both directions over seven (7) twenty-four hour periods which usually include a weekend. The amount of traffic counted over the week is then divided by five or seven to yield the average daily traffic for a particular location.

Mechanical traffic counters and hoses were installed on February 27, 2011 at the following locations:

- Upper Matecumbe, on the south side of the Whale Harbor Bridge (MM 84)
- Marathon, in front of McDonalds (MM 50)
- Big Pine Key, on the south side of the North Pine Channel Bridge (MM 30).

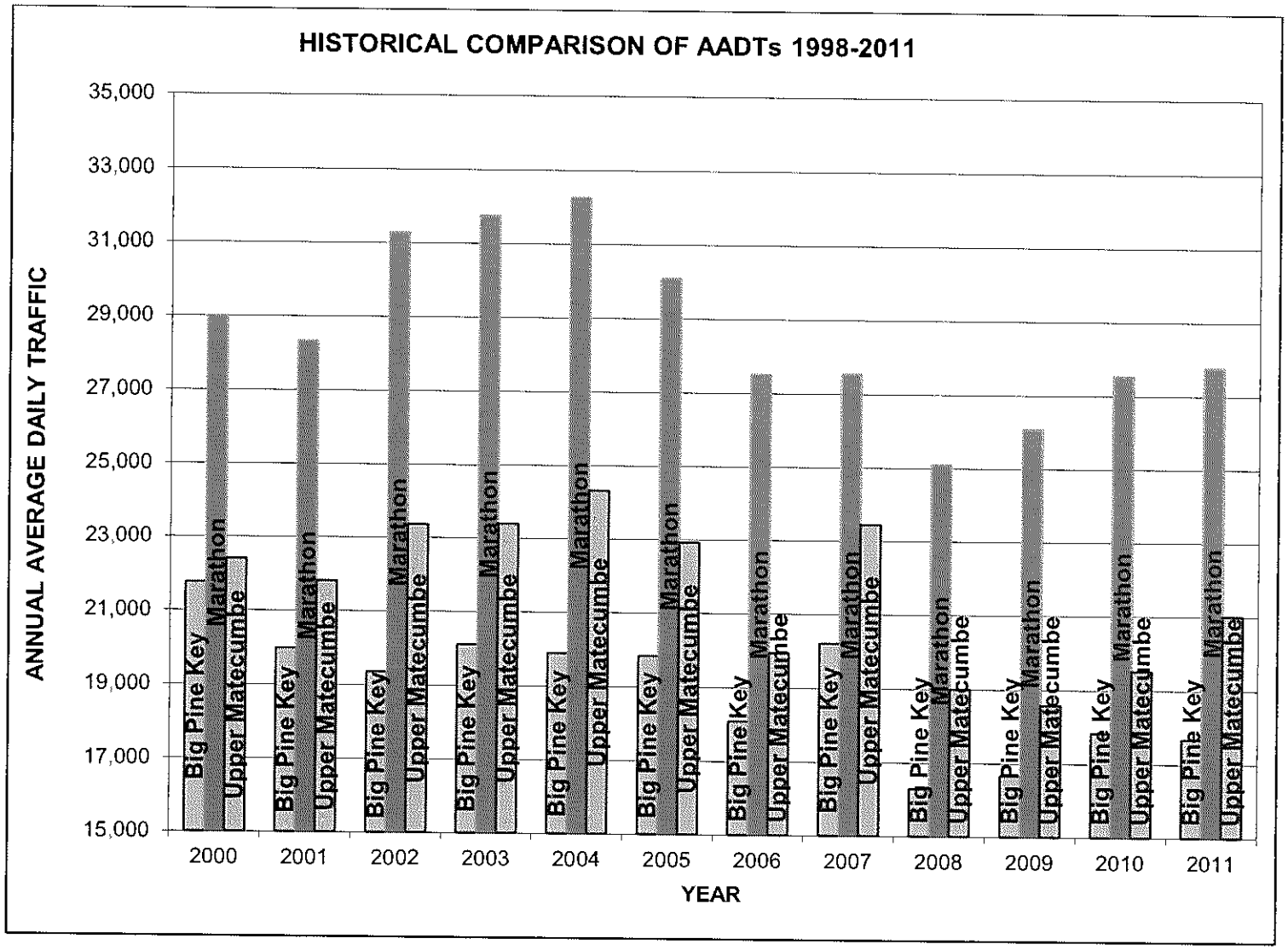
U.S. 1 is predominately a four-lane facility in Marathon and a two-lane facility in Upper Matecumbe and Big Pine Key. Seven-day continuous traffic counts recorded at three locations along U.S. 1 yielded the following average daily traffic and AADT volumes for 2011. These volumes for 5-day and 7-day are averages of the raw volumes counted. The volumes have been adjusted using 2010 seasonal and axle factors to estimate the 2011 AADT's. The AADT have increased (except in Big Pine Key) due to higher seasonal factor recorded by FDOT compared to previous year.

On Big Pine Key additional traffic volume data were collected, at the request of Monroe County, for a variety of purposes. The data indicates localized differences in traffic volumes throughout U.S. 1 in the island of Big Pine Key.

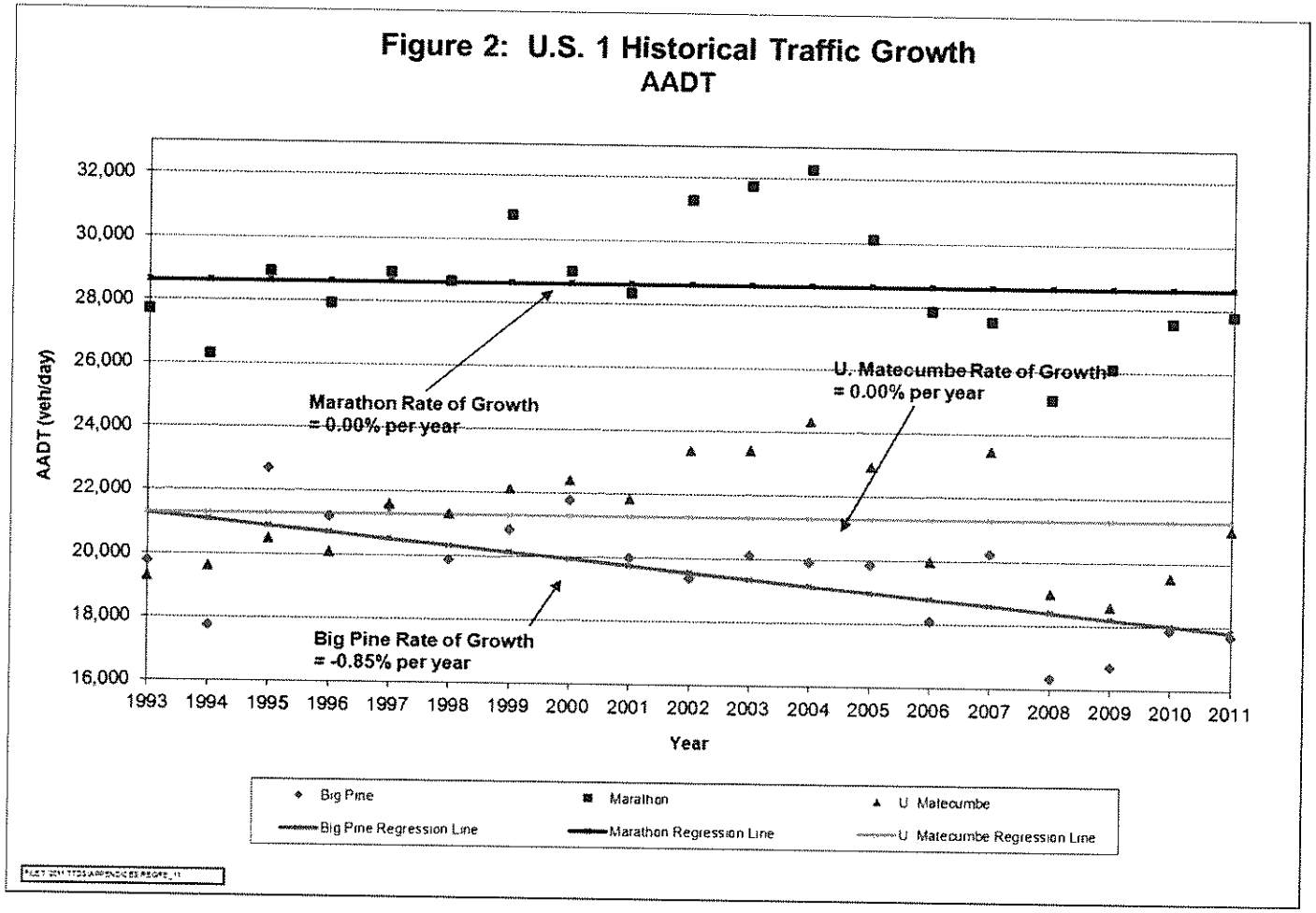
TRAFFIC COUNTS FOR 2010 AND 2011			
	2010	2011	% Change
Big Pine Key (MM 30)			
5 – Day Average	20,651	20,468	-0.89%
7 – Day Average	20,115	20,070	-0.22%
AADT	17,842	17,684	-0.89%
Marathon (MM 50)			
5 – Day Average	31,883	32,156	0.85%
7 – Day Average	30,548	31,097	1.77%
AADT	27,547	27,782	0.85%
Upper Matecumbe (MM 84)			
5 – Day Average	22,588	24,326	7.14%
7 – Day Average	22,634	24,508	7.65%
AADT	19,516	21,017	7.14%

Both the average 5-Day ADT and the 7-Day ADT shows a decrease at the Big Pine Key location and increases at the Marathon and the Upper Matecumbe locations. Overall, the AADT decreased Big Pine Key while increasing in Big Pine and Upper Matecumbe.

A detailed historical comparison of the U.S. 1 traffic counts for the period 1998 to 2011 is presented below.



U.S. 1 historical traffic growth is depicted in a regression analysis graph in the graph below. A linear regression analysis of the AADT at each of the three locations over the last eighteen years indicates that statistically there is virtually no overall traffic growth within the last 18 years at the Marathon and Upper Matecumbe count locations, whereas the traffic volumes at the Big Pine Key count location have decreased.



The median overall speed during the 2011 study was 47.1 mph, which is 0.2 mph higher than the 2010 median speed of 46.9 mph. The mean operating speed was 46.9 mph with a 95% confidence interval of plus or minus 0.5 mph. The mean and median speeds correspond to LOS C conditions. The highest overall speed recorded in the study was 48.7 mph (0.3 mph higher than the 2010 highest overall speed of 48.4 mph), which occurred on Friday, March 11, 2011 between 4:00 p.m. and 6:30 p.m., in the northbound direction. The lowest overall speed recorded was 41.9 mph (0.8 mph lower than the 2010 lowest overall speed of 42.7 mph), which occurred on Monday, March 7, 2011 between 1:45 p.m. and 4:15 p.m. in the southbound direction

SUMMARY

Based on the findings of the 2011 U.S. 1 Arterial Travel Time and Delay Study for Monroe County, as prepared by URS Corporation Southern Consultants, U.S. 1 has an overall level of service (LOS) C.

The following is a summary of the 2011 U.S. 1 Arterial Travel Time and Delay Study results:

a) The calculated AADT volumes have increased (except in Big Pine Key) due to higher seasonal factor recorded by FDOT compared to previous year.

b) The overall travel speed on U.S. 1 for 2011 is 0.2 mph higher compared to the 2010 overall travel speed.

c) Compared to 2010 data, the travel speeds on 11 of the 24 segments have decreased. They are:

- Stock Island (-0.3 mph)	- Duck (-0.3 mph)
- Sugarloaf (-1.3 mph)	- Long Key (-0.9 mph)
- Cudjoe (-0.3 mph)	- Tea Table (-0.4 mph)
- Big Pine (-1.0)	- Windley (-2.9 mph)
- Bahia Honda (-0.4)	- Key Largo (-1.0 mph)
- Marathon (-0.3 mph)	

The Windley Key segment experienced a noticeable drop in speed due to residual effect of the draw bridge operation at the Snake Creek.

Travel speeds on 13 segments have increased.

- Boca Chica (+1.1 mph)	- Grassy (+4.1 mph)
- Big Coppitt (+2.1 mph)	- L Matecumbe (+0.4 mph)
- Saddlebunch (+0.5 mph)	- U Matecumbe (+0.5 mph)
- Summerland (+0.1 mph)	- Plantation (+0.2 mph)
- Ramrod (+1.0 mph)	- Tavernier (+1.1 mph)
- Torch (+1.5 mph)	- Cross (+1.7 mph)
- 7-Mile Bridge (+1.3 mph)	

d) Compared to last year's (2010) study results, there are LOS changes in seven of the 24 segments.
   - Big Coppitt segment (3) increased from LOS 'D' to LOS 'C'
   - Saddlebunch segment (4) increased from LOS 'C' to LOS 'B'
   - Sugarloaf segment (5) increased from LOS 'C' to LOS 'B'
   - Grassy Key (Segment 14) increased from LOS 'D' to LOS 'C'
   - Cudjoe segment (6) decreased from LOS 'A' to LOS 'B'
   - Summerland segment (11) decreased from LOS 'A' to LOS 'B'
   - Windley Key (Segment 20) decreased from LOS 'A' to LOS 'C'

e) Segments with reserve speeds of less than or equal to 3 mph should be given particular attention when approving development applications. This year, there are seven segments of U.S. 1 in this category, one less than last year.

- Big Coppitt (MM 9.0 – MM 10.5)	- Tea Table (MM 77.5 – MM 79.5)
- Big Pine (MM 29.5 – MM 33.0)	- U. Matecumbe (MM 79.5 – MM 84.0)
- Grassy (MM 54.0 – MM 60.5)	- Windley (84.0 – 86.0)
- L Matecumbe (MM 73.0 – MM 77.5)	

Two contiguous segments in the lower keys, Saddlebunch (MM 10.5 – M 16.5) and Sugarloaf (MM 16.5 – MM 20.5) have been removed from this year's list compared to last year's list. The Windley (MM 84.0 – MM 86.0) is the new segment on this year's list, which makes up a 13 mile (MM 73.0 – MM 86.0) stretch of U.S. 1 in the upper keys that is of critical concern.

III. POTABLE WATER

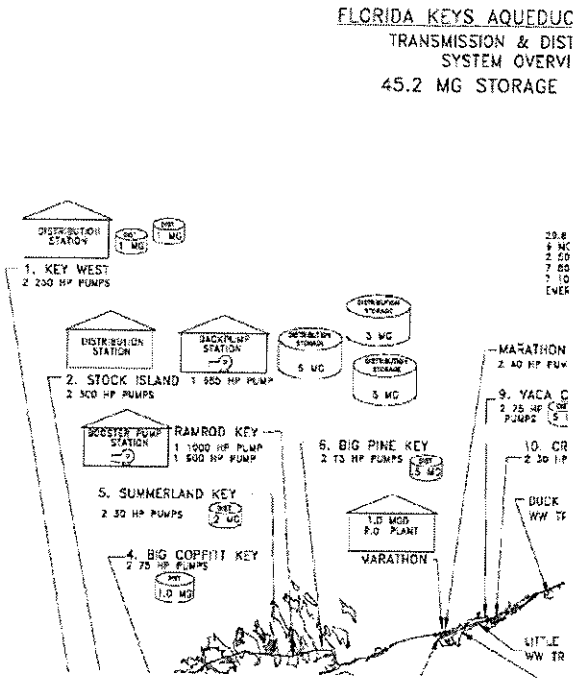
The Florida Keys Aqueduct Authority (FKAA) is the sole provider of potable water in the Florida Keys. FKAA's primary water supply is the Biscayne Aquifer, a shallow groundwater source. The FKAA's wellfield is located in a pineland preserve west of Florida City in south Miami-Dade County. The FKAA's wellfield contains some of the highest quality groundwater in the State, meeting all regulatory standards prior to treatment. Laws protect the wellfield from potential contamination from adjacent land uses. Beyond the County's requirements, FKAA is committed to comply with and surpass all federal and state water quality standards and requirements.

The groundwater from the wellfield is treated at the FKAA's Water Treatment Facility in Florida City, which currently has a maximum water treatment design capacity of 29.8 million gallons per day (MGD). The primary water treatment process is a conventional lime softening/filtration water treatment plant and is capable of treating up to 23.8 MGD from the Biscayne Aquifer. The secondary water treatment process is the newly constructed Reverse Osmosis water treatment plant and is capable of producing 6 MGD from the brackish Floridan Aquifer. The product water from these treatment processes is then disinfected and fluoridated. The FKAA treated water is pumped 130 miles from Florida City to Key West supplying water to the entire Florida Keys. Including overlapping coverage, the FKAA maintains 187 miles of transmission main at a maximum pressure of 250 pounds per square inch. The transmission pipeline varies in diameter from 36 inches to 12 inches. The FKAA distributes the treated water through 690 miles of distribution piping ranging in size from ¾-inch to 12 inches in diameter.

The FKAA maintains storage tank facilities which provide an overall storage capacity of 45.2 million gallons system wide. The sizes of tanks vary from 0.2 to 5.0 million gallons. These tanks are utilized during periods of peak water demand and serve as an emergency water supply. Since the existing transmission line serves the entire Florida Keys (including Key West), and storage capacity is an integral part of the system, the capacity of the entire system must be considered together, rather than in separate service districts.

Also, the two saltwater Reserve Osmosis (RO) plants, located on Stock Island and Marathon, are available to produce potable water under emergency conditions. The RO desalination plants have design capacities of 2.0 and 1.0 MGD of water, respectively.

At present, Key West and Ocean Reef are the only areas of the County served by a flow of potable water sufficient to fight fires. Outside of Key West, firefighters rely on a variety of water sources, including tankers, swimming pools, and salt water either from drafting sites on the open water or from specially constructed fire wells. Although sufficient flow to fight fires is not guaranteed in the County, new hydrants are being installed as water lines are replaced to make water available for fire-fighting purposes and pump station/tank facilities are being upgraded to provide additional fire flow and pressure. A map of the various FKAA facilities in the Keys is shown on the next page.



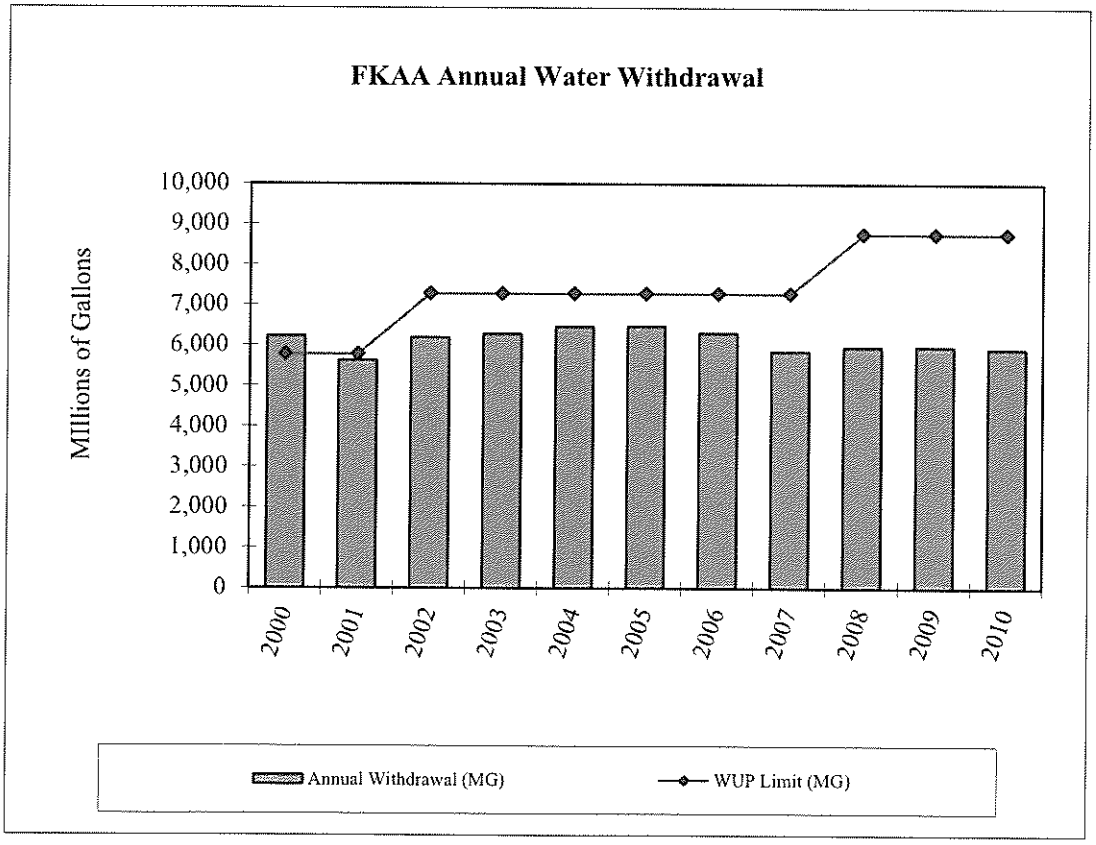
Demand for Potable Water

The table and graph below provide a historical overview of the water demands in the FKAA service area, Water Use Permit (WUP) allocation limits, yearly percent change, and water allocation remaining. In March 2009, South Florida Water Management District (SFWMD) approved the FKAA's modification of WUP 13-00005-5-W for a 20-year allocation from the Biscayne and Floridan Aquifers. The WUP provides an annual allocation of 8,751 Million Gallons (MG) or 23.98 MGD and a maximum monthly allocation of 809 MG with a limited annual withdrawal from the Biscayne Aquifer of 6,492 MG or 17.79 MGD and an average dry season (December 1st-April 30th) of 17.0 MGD.

In order to meet the requirements of this limitation, the FKAA constructed a new Floridan Aquifer Reverse Osmosis (RO) water treatment system. This RO water treatment system is designed to withdraw brackish water from the Floridan Aquifer, an alternative water source, which is approximately 1,000 feet below the ground surface, and treat to drinking water standards. The new RO water treatment plant provides added capability to limit Biscayne aquifer withdrawals and is designed to meet current and future water demands. The RO water treatment system provides an additional 6.0 MGD of potable water.

Along with the new reverse osmosis water treatment plant, compliance with withdrawal limits can also be accomplished by using other alternative water sources (blending of the Floridan Aquifer, reclaimed water and operation of the RO desalination plants), pressure reduction, public outreach, and assistance from municipal agencies in enforcing water conservation ordinances (i.e. irrigation ordinance).

Annual Water Withdrawals 2000 to 2010				
Year	Annual Withdrawal (MG)	% Change	WUP Limit (MG)	WUP +/- Annual Allocation (MG)
2000	6,228	10.60%	5,778	-450
2001	5,627	-9.70%	5,778	151
2002	6,191	10.03%	7,274	1,083
2003	6,288	1.57%	7,274	986
2004	6,461	2.74%	7,274	813
2005	6,471	0.16%	7,274	803
2006	6,310	-2.49%	7,274	964
2007	5,846	-7.35%	7,274	1,428
2008	5,960	1.95%	8,751	2,791
2009	5,966	0.09%	8,751	2,785
2010	5,917	-0.82%	8,751	2,834
Source: Florida Keys Aqueduct Authority, 2011				



Demand for potable water is influenced by many factors, including the number of permanent residents, seasonal populations and day visitors, the demand for commercial water use, landscaping practices, conservation measures, and the weather. In 2010, the FKAA distributed an annual average day of 15.69 MGD – 16.21 MGD from the Biscayne Aquifer plus 0.52 MGD from Floridan RO Production as shown in the table below. Also, this table provides the water treatment capacities of the RO plants. The emergency RO plants do not require a WUP because the water source is seawater.

Projected Water Demand in 2011 (in MG)			
Annual Allocation	FKAA Permit Thresholds	2010 Pumpage	2011 Water Demand Projected
Average Daily Withdrawal	23.98	16.21	16.54
Maximum Monthly Withdrawal	809.01	533.26	563.33
Annual Withdrawal	8,751	5,917	6,036
Biscayne Aquifer Annual Allocation/Limitations			
Average Daily Withdrawal	17.79	15.69	15.68
Average Dry Season Withdrawal*	17	16.23	16.33
Annual Withdrawal	6,492	5,727	5,723
Floridan RO Production			
Average Daily Withdrawal	6	0.52	1.1
Emergency RO WTP Facilities			
Kermit L. Lewin Design Capacity	2.00 (MGD)	0.00 (MGY)	0
Marathon RO Design Capacity	1.00 (MGD)	0.00 (MGY)	0
All figures are in millions of gallons **Dry Season is defined as December thru April* Source: Florida Keys Aqueduct Authority, 2011			

The maximum monthly water demand of 533.26 MG, shown in the figure below, occurred in April of 2010. Preliminary figures and projections for 2011 indicate a slight increase to an annual average daily demand to 16.54 MGD and an increase in maximum monthly demand to 563.33 MG as compared to 2010 figures

The table below provides the amount of water used on a per capita basis. Based on Functional Population and average daily demand, the average and projected water consumption for 2010 and 2011 is approximately 105 and 106 gallons per capita (person), respectively.

Per Capita Water Use			
Year	Functional Population[1]	Daily Withdrawal (gallons)[2]	Average Water Consumption Per Capita (gallons)[2]
2000	153,080	17,016,393	111
2001	153,552	15,415,616	100
2002	154,023	16,962,082	110
2003	154,495	17,228,192	112
2004	154,924	17,652,596	114
2005	156,150	17,730,000	114
2006	155,738	17,287,671	111
2007	155,440	16,017,315	103
2008	154,728	16,285,383	105
2009	155,441	16,345,205	105
2010	155,288	16,210,959	104
2011	156,054	16,540,000	106

Source:
1. Unincorporated Monroe County Population Projections
   - Monroe County Planning Department, 2011
   (Population Projections 3-15-2011 document)
2. Florida Keys Aqueduct Authority, 2011

Improvements to Potable Water Facilities

FKAA has a 20-year Water System Capital Improvement Master Plan for water supply, water treatment, transmission mains and booster pump stations, distribution mains, facilities and structures, information technology, reclaimed water systems, and Navy water systems.

In 1989, FKAA embarked on the Distribution System Upgrade Program to replace approximately 190 miles of galvanized lines throughout the Keys. FKAA continues to replace and upgrade its distribution system throughout the Florida Keys and the schedule for these upgrades is reflected in their long-range capital improvement plan. The FKAA's Water Distribution System Upgrade Plan calls for the upgrade or replacement of approximately 38,240 feet of water main during fiscal year 2011.

The master plan was revised in 2010 to include the critical projects as summarized in Figure 3.6.

The table below provides the schedule and costs projected for the capital improvements to the potable/alternative water systems planned by the FKAA. The total cost of the scheduled improvements is approximately $46 million over the next 5 years. These projects are to be funded by the water rate structure, long-term bank loans, and grants.

Figure 3.6 - FKAA Projected 5 Year Capital Improvement Plan

	2011	2012	2013	2014	2015	TOTAL
Water Supply	$ -	$ -	$ -	$ -	$ -	$ -
Water Treatment	$ 1,500,000		$ 2,600,000	$ 2,600,000		$ 6,700,000
Transmission Mains and Booster Pump Stations	$ 5,500,000	$ 250,000	$ 500,000	$ 50,000	$ 4,100,000	$ 10,400,000
Distribution Mains	$ 3,724,000	$ 4,446,800	$ 3,110,000	$ 2,000,000	$ 2,000,000	$ 15,280,800
Facilities and Structures	$ 700,000			$ 3,000,000	$ 1,000,000	$ 4,700,000
Information Technology	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 1,500,000		$ 7,500,000
Reclaimed Water System	$ 1,500,000	$ 1,500,000				$ 3,000,000
Navy Water System	$ 677,000	$ 677,000	$ 677,000	$ 677,000	$ 677,000	$ 3,385,000
Totals	**$ 15,603,011**	**$ 8,875,812**	**$ 8,889,013**	**$ 9,829,014**	**$ 7,779,015**	**$ 50,965,800**

Source: Florida Keys Aqueduct Authority, 2011

SUMMARY

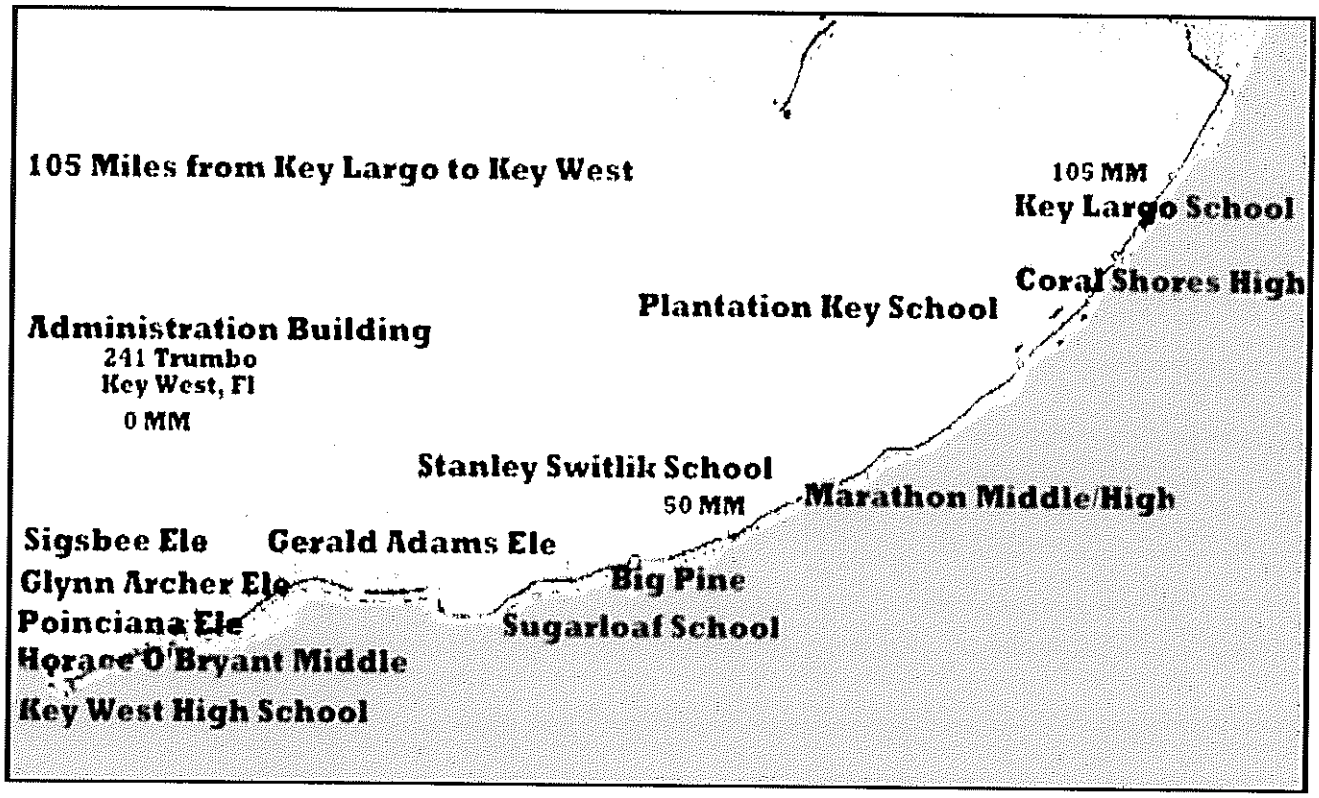
In summary, with the construction of the new water supply wells and RO water treatment, the new reclaimed systems, and the ability to operate the 3.0 MGD RO desalination plants during emergency situations, there is an adequate supply of water to meet current and future demands, based on current conditions and projections. FKAA will continue to monitor and track conditions and events that could negatively impact the existing water supply. Any such impacts will be evaluated to determine future changes necessary to continue servicing Monroe County with adequate supply.

IV. EDUCATION FACILITIES

The Monroe County School Board oversees the operation of 13 public schools located throughout the Keys. School Board data includes both unincorporated and incorporated Monroe County. The system consists of three high schools, one middle school, three middle/elementary schools, and six elementary schools. Each school offers athletic fields, computer labs, bus service and a cafetorium that serves as both a cafeteria and an auditorium. In addition to these standard facilities, all high schools and some middle schools offer gymnasiums.

The Monroe County school system is divided into three (3) sub-districts (see map below). School concurrency ensures coordination between local governments and school boards in planning and permitting residential developments that affect school capacity utilization rates.

Sub-district 1 covers the Upper Keys from Key Largo to Lower Matecumbe Key and includes the islands that make up Islamorada and Fiesta Key and includes one high school and two elementary/middle schools. Sub-district 2 covers the Middle Keys from Long Key to the Seven Mile Bridge and includes one high/middle school and one elementary school. Sub-district 3 covers the Lower Keys, from Bahia Honda to Key West and includes one high school, one middle school, one elementary/middle school, and five elementary schools.



School concurrency ensures coordination between local governments and school boards in planning and permitting residential developments that affect school capacity utilization rates.

The Florida Inventory of School Houses (FISH) capacity rate is 11,242 students and the Capital Outlay of Full-Time Equivalent (COFTE) is 7,518. The actual utilization during 2010 – 2011 was 66.88%. Overall, the projected growth utilization rate is 1.03% for the years 2010-2011 through 2014-2015.

LOCATION	ACTUAL 2010-2011 FISH CAPACITY	ACTUAL 2009-2010 COFTE	ACTUAL 2010-2011 UTILIZATION
CORAL SHORES SENIOR HIGH	981	746	76.00%
KEY WEST SENIOR HIGH	1,431	1,338	94.00%
HORACE O'BRYANT MIDDLE	1,038	707	68.00%
MARATHON SENIOR HIGH	1,370	619	45.00%
MAY SANDS SCHOOLS	30	25	85.00%
GERALD ADAMS	652	441	68.00%
PLANTATION KEY SCHOOL	650	433	67.00%
GLYNN ARCHER ELEMENTARY	598	257	43.00%
POINCIANA ELEMENTARY	641	612	95.00%
SIGSBEE ELEMENTARY	522	228	44.00%
SUGARLOAF ELEMENTARY	1,215	745	61.00%
STANLEY SWITLIK ELEMENTARY	871	469	54.00%
KEY LARGO SCHOOL	1,243	897	72.00%
TOTAL	**11,242**	**7,518**	**68.88%**

Annually, prior to the adoption of the district school budget, each school board must prepare a tentative district facilities work program that includes a major repair and renovation projects necessary to maintain the educational and ancillary facilities of the district. Some of the items listed in the 2010-2011 Monroe County School District Work Plan include HVAC, flooring, roofing, safety to life, sewers projects, and fencing for various schools. Other items include physical education field renovations, concrete repairs, ADA projects and site drainage maintenance.

The 2010-2011 Monroe County School District 1.50 Mill Revenues Source actual value is $7,792,830. The PECO Revenue Source actual budget is $9,965,757, PECO maintenance revenue is $450,919. The revenue from capital outlay and debt service is $52,683. Additional revenue sources include proceeds from ½ cent sales surtax at $10,536,621 and funds carried forward at $59,397,657. The total revenue source for this time period is $69,898,961 and total revenue available is $67,814,034.

The total project costs for maintenance, repair and renovation during 2010-2011 is $21,085,964. Plans approved by the school board that reduce the need for permanent student stations such as acceptable school capacity levels, redistricting, busing, year-round schools, charter schools, magnet schools, public-private partnerships, multi-track scheduling, grade level organization, block scheduling or other alternatives. The charter school was successfully formed at Sigsbee School. Glynn Archer School is being moved into the planned Horace O'Bryan replacement. This will free up the old Glynn Archer campus for other uses. The Monroe County School District is in compliance with the class size reduction requirement. The Board has approved the plan to close Glynn Archer Elementary School in the most recent Plant Survey. The property is being considered for Administrative offices or surplus to the City of Key West.

SUMMARY

Enrollment figures for the 2010-2011 through 2014-2015 school years indicate that there is adequate capacity in the Monroe County school system. The overall 2010-2011 utilization is 66.88% of the school system capacity.

V. SOLID WASTE FACILITIES

Solid waste management is a critical issue in the Florida Keys. While problems of landfill sitings, facilities, financing, and hazardous waste disposal have increased throughout Monroe County, the unique setting of the Keys makes waste management even more difficult. The geographic isolation, the limited land area, the environmental constraints, and the presence of nationally significant natural resources adds to the challenge of responsibly and efficiently managing the Keys' solid waste stream.

Comprehensive Plan Policy 801.1.1 establishes the level of service for solid waste as 5.44 pounds per capita per day or 12.2 pounds per day per equivalent residential unit (ERU) and establishes a haul out capacity of 95,000 tons per year or 42,668 ERUs. The Comprehensive plan requires sufficient capacity shall be available at a solid waste disposal site to accommodate all existing and approved development for a period of three years from the projected date of completion of the proposed development of use.

The Monroe County Land Development Code (LDC), in compliance with State concurrency requirements, require that, "...sufficient capacity shall be available at a solid waste disposal site to accommodate all existing and approved development for a period of at least three years from the projected date of completion of a proposed development or use" (LDC, Section 114-2(a)(2)). This regulation went into effect on February 28, 1988, and serves as a level of service (LOS) standard for solid waste disposal.

The LDC also requires that solid waste management plans be completed before any proposed development of a Major Conditional Use is reviewed by the Growth Management Department. Solid waste generation rates and capacity assessments must be submitted for review and coordination with the Public Works Division, Department of Solid Waste/Recycling (PWD-DSW/R).

In 2010, the County provided solid waste service to accommodate 70,808 residents. FDEP certification of solid waste data for December 31, 2009 is reported to be 71,311 residents in the County. For the purpose of this document, this data will be used as the most recent certified data.

The table below summarizes historical solid waste generation for the service area.

Solid Waste Generation in Tons per Year			
FY	FDEP Total	Recycling	Disposal
1998	N/A	N/A	N/A
1999	N/A	N/A	N/A
2000	158,327	59,798	131,825
2001	125,893	51,435	96,075
2002	134,950	68,738	113,071
2003	134,734	34,619	113,427
2004	112,102	13,757	110,333
2005	212,470	73,085	212,470
2006	200,338	12,206	200,338
2007	134,467	12,497	134,467
2008	130,245	13,743	130,245
2009	116,884	12,099	95,327
Monroe County Technical Document July 2011			
Data collection calendar year is January 1 to December 31. These are scale tonnages. Fluctuations in yearly data may be a result of major storm events, economic conditions, and other generation factors. FDEP calendar years do not coincide with Monroe County's calendar years, thus creating a differential in datum between departments.			

The historical solid waste generation values for Monroe County show a steady increase of total solid waste generation between the years 1998-2001. During the period 2002 - 2006, the County's solid waste generation was significantly higher. These higher values do not correspond to normal solid waste generation trends within the County and in actuality result from a cluster of outliers. The outliers are functions of favorable economic conditions (greater consumption of goods and services) and storm events that cause a significant amount of over generation due to debris. Furthermore, during the period of 2007-2008, an economic recession affected solid waste generation, significantly reducing standard trends for generation growth.

The tourism industry in the Florida Keys is another large factor in solid waste generation that needs to be accounted for in projected demands calculations. In 2009 the Monroe County Tourist Development Council estimated 3.3 million tourist visited the County and future tourism will continue to rise as general population increases, thus having a serious impact on the solid waste generation within the County.

Solid waste is collected by franchise and taken to the three historic landfill sites, which serve as transfer facilities. At the transfer stations, the waste is compacted and loaded on Waste Management, Inc. (WMI) trucks for haul out. Recyclable materials, including white goods, tires,

glass, aluminum, plastic bottles and newspaper are included as part of the solid waste haul out contract. A recent (2009) amendment to the contract includes WMI and the County's commitment to increase annual recycling rate to 40 percent by 2014.

Solid Waste Transfer Facility Sizes and Capacities		
Transfer Facility	Acreage	Capacity
Cudjoe Key Transfer Station	20.2 acres	200 tons/day
Long Key Transfer Station	29.5 acres	400 tons/day
Key Largo Transfer Station	15.0 acres	200 tons/day
Source: Waste Management Inc., 1991		

Any future declines will also reflect the diligent efforts by the citizens of the County to reduce the amount of solid waste they generate, through the conscious consumption of goods, composting, mulching or other sustainability efforts. Additional factors which are less easily quantifiable could also affect solid waste generation. The amount of construction taking place in the County, and thus the amount of construction debris being disposed of, also significantly affects the total amount of solid waste generated. Periods with less construction could have contributed to the decline in total waste generation. Finally, the weather affects the rate of vegetative growth, and therefore affects the amount of yard waste generated. Drier years could result in less total waste generation.

The analysis below represents a general trend of solid waste generation with respect to functional population growth. The LOS creates a conservative rate of solid waste generation in comparison to the increasing trend of solid waste generation between the years 1998-2000, thus predicting a comparative or slightly higher annual solid waste production in relation to population. Limitations on future growth should reduce the amount of construction and demolition debris generation. Recycling efforts in Monroe County have increased and should reduce the amount of solid waste generation.

Solid Waste Generation Trends					
	GENERATION	POPULATION			
Year	(Tons/Yr)	Permanent	Seasonal	Functional	(LBS/CAP/DAY)
2000	158,327	36,036	33,241	69,277	12.52
2001	125,893	36,250	33,263	69,513	9.92
2002	134,950	36,452	33,285	69,737	10.6
2003	134,734	36,543	33,307	69,850	10.57
2004	112,102	36,606	33,329	69,935	8.78
2005	212,470	37,164	33,351	70,515	16.51
2006	200,338	36,466	34,019	70,485	15.57
2007	134,467	35,749	34,568	70,317	10.48
2008	130,245	34,788	35,550	70,338	10.15
2009	116,884	36,268	35,043	71,311	8.98
Source: Monroe County Recommended Functional Population Series, Fishkind & Associates 2010					

SUMMARY

Monroe County has a contract with Waste Management (WMI). The contract authorizes the use of in-state facilities through September 30, 2016, thereby providing the County with approximately five (5) years of guaranteed capacity. There is adequate capacity for solid waste generation for the next twelve (12) months.

VI. PARKS AND RECREATION

An annual assessment of parks and recreational facilities is not mandated by Monroe County Land Development Code; however, data is provided.

The Level of Service standards for parks and recreational facilities is provided in Policy 1201.1.1 of the Monroe County Year 2010 Comprehensive Plan.

Parks and Recreational Facilities Level Of Service Standard

The level of service (LOS) standard for neighborhood and community parks in unincorporated Monroe County is 1.64 acres per 1,000 functional population. To ensure a balance between the provisions of resource- and activity-based recreation areas the LOS standard has been divided equally between these two types of recreation areas. Therefore, the LOS standards are:

0.82 acres of resource-based recreation area per 1,000 functional population; and
0.82 acres of activity-based recreation area per 1,000 functional population

Resource-based recreation areas are established around existing natural or cultural resources of significance, such as beach areas or historic sites. Activity-based recreation areas can be established anywhere there is sufficient space for ball fields, tennis or basketball courts, or other athletic events.

LEVEL OF SERVICE ANALYSIS

Comprehensive Plan Policy 1201.1.1, Parks and Recreation	Monroe County Functional Population 2010	Existing Acreage	Demand in Acreage	Surplus or (Deficit) in Acreage
0.82 acres per 1,000 functional population of passive, resourced-based neighborhood and community parks	138,803	2,502	113.8	136.2
0.82 acres per 1,000 functional population of passive, activity-based neighborhood and community parks	138,803	4,343	113.8	320.2

Draft Monroe County Technical Document, Chapter 13, Recreation and Open Space, May 11, 2011, Section 13.5.1.1.2.

There are approximately 10,900 acres of resource-based recreation lands currently available in the County for public use. Removing beaches which are primarily Federal and State owned from the resource-based lands results in approximately 250 acres remaining.

Level of Service Analysis For Activity-Based Recreation Areas

The Year 2010 Comprehensive Plan allows activity-based recreational land found at educational facilities to be counted towards the park and recreational concurrency. As of May 2011, a total of 98.98 acres of developed resourced-based and 118.25 acres of activity-based recreation areas either owned or leased by Monroe County and the Monroe County School Board.

The activity-based recreational facilities that are inventoried include facilities and activities such as baseball/softball, football/soccer, tennis courts, basketball courts, picnic tables and picnic pavilions, volleyball courts, handball/racquetball courts, equipped play areas, multi-use areas, benches, tracks, piers, bike paths, boat ramps, fishing, swimming, swimming pools, barbeque grills, shuffleboard courts, beaches and restrooms. Additionally, other recreation uses and facilities are indicated such as historic structures, bandshells, dog parks, skateboard facilities, aquatic parks, museums, and concessions.

The subareas for the park and recreational facilities include the Upper Keys, north of Tavernier; Middle Keys, between Pigeon Key and Long Key; and the Lower Keys, south of the Seven Mile Bridge.

The tables below provide resource- and activity-based parks and recreation in acres for the three subarea planning areas.

MIDDLE KEYS RECREATION AND OPEN SPACE PLANNING AREA MM 38.5-73

Name	Location	Mile Marker	Facilities	Classification (Acres)	
				Resource	Activity
Sunset Bay Park	Grassy Key	58	Beach	0.6	NA
Yacht Club (1)	Vaca Key (Marathon)	54	Boat ramp, teen club, 2 tennis courts, basketball court	NA	2
Sombrero Beach (Switlik Park)	Monroe County	50	Beach, picnic pavilions, ball field, 2 volleyball courts, equipped play area, dog park, pier, fishing, BBQ	0.6	8
Old 7-Mile Bridge	Monroe County	41-47	Fishing, Bicycling, Beaches	5	NA
7-Mile Bridge	Pigeon Key	45	Historical structures	5	NA

UPPER KEYS RECREATION AND OPEN SPACE PLANNING AREA MM 73-112					
Name	Location	Mile Marker	Facilities	Classification (Acres)	
				Resource	Activity
Hibiscus Park (Buttonwood Lane)	Key Largo	101.5	Vacant, inaccessible waterfront	0.5	NA
Riviera Village Park (Bay Drive)	Key Largo	105.5	Boat basin, four picnic pavilions, Waterfront, benches	1.8	NA
Garden Cove Park	Key Largo	106	Boat ramp	1.5	NA
Friendship Park	Key Largo	101	Ball field, 3 basketball courts, picnic shelters, Play equipment, restrooms, trail	NA	2.38
Key Largo Community Park-Jacob's Aquatic Center	Key Largo	99.6	2 boat ramps, play equipment, aquatic park, 3 swimming pools, beach	1.5	13.6
Varadero Beach Park	Key Largo	95.5	Beach	2	NA
Harry Harris County Park	Key Largo (Tavernier)	94	Beach, two ball fields, play equipment, swimming boat ramp, BBQs, shuffleboard, beach, picnic tables, restrooms	2	15.1
Old Settlers Park	Key Largo (Tavernier)	92.5	Play Equipment, picnic, shelter, beach, butterfly garden	NA	3
Sunset Point Park	Key Largo (Tavernier)	92	Vacant, waterfront access, boat ramp	1.2	0.9
Burr Beach Park (Sunny Haven)	Key Largo	91	Vacant, waterfront access	0.1	NA
Old State Rte. 4A	Upper Matecumbe Key	82.5	Vacant	0.3	NA
Old State Rte. 4A, Hurricane Monument	Upper Matecumbe Key	81	Historical marker	1.2	NA
Anne's Beach, Lower Matecumbe Beach (5)	Lower Matecumbe Key	73.5	Beach, swimming, bike path, picnic pavilions, boardwalk	6.1	6

LOWER KEYS RECREATION AND OPEN SPACE PLANNING AREA MM 0-38.5					
Name	Location	Mile Marker	Facilities	Classification (Acres)	
				Resource	Activity
Veteran's Memorial Park	Little Duck Key (Ohio Key)	40	Picnic pavilions, beach, BBQs, boat ramp, swimming, beach, restrooms *	0.6	24.9
Missouri Key/South side US 1	Missouri Key	39	Roadside pull-off, beach	3.5	NA
Heron Ave./Tarpon St.	Big Pine Key	30	Vacant	0.7	NA
J. Watson Field (Stiglitz Property) (2)	Big Pine Key	30	Historic House, 2 tennis courts, volleyball, play equipment, baseball, picnic	1.2	2.4
Big Pine Key Park	Big Pine Key	30	Vacant	5.5	4.6
Blue Heron Park	Big Pine Key	30	Play equipment, 3 pavilions, basketball, volleyball,	NA	5.5
Bob Evans/ Chamber of Commerce	Big Pine Key	30	Vacant	0.3	NA
Palm Villa Park	Big Pine Key	30	Benches, waterfront, play equipment, basketball	NA	0.6
State Road 4	Little Torch Key	28	Boat ramps	0.1	NA
Ramrod Key Park	Ramrod Key	27	Beach*, swimming	1.2	1.2
West Summerland Park	West Summerland Key	25	2 Boat ramps	31.8	NA
Bay Point Park	Saddlebunch Key	15	Play equipment, volleyball, picnic tables, trail, basketball, 2 tennis courts, pavilions, soccer nets	NA	1.58
Boca Chica Beach, S R 941 (3)	Boca Chica Key	11	Beach, picnic table *	6	NA
Palm Drive cul-de-sac	Big Coppitt Key	11	Vacant	0.1	NA
Big Coppitt Volunteer Fire Department Park (4)	Big Coppitt Key	10	Play equipment, benches, skateboard	NA	0.75
Wilhelmina Harvey Park	Big Coppitt Key	9.5	Play equipment, path	NA	0.65

Gulfview Park, Delmar Ave.	Big Coppitt Key	10	Boat ramp	0.2	NA
Rockland Hammock	Rockland Key	10	Vacant	2.5	NA
Bernstein Park	Raccoon Key	4.5	Play equipment, volleyball, baseball, track, trail, soccer field, tennis courts, basketball, restrooms	NA	11
East Martello Park	Key West Island	1.5	Picnic, teen center, Historic Fort	14.56	NA
Higgs Beach Park, C.B. Harvey, Rest Beach	Key West Island	1	1.6 mile beach, concession area, 2 band shells, pier, picnic pavilions and grills, 5 tennis courts, playarea, bike path, volleyball, swimming, dog park	5	12.1
West Martello Park	Key West Island	1	Historic Fort	0.8	NA
Whitehead Street Lighthouse	Key west Island	1	Historic Fort, Museum	0.8	NA
Pines Park (S. Roosevelt)	Key West Island	1	Picnic	NA	1.72

(1) The total acreage of the Yacht Club is approximately 6.0 acres. The unique layout of this facility restricts active recreation to approximately 2 acres partially leased to the Marathon Yacht Club by Monroe County.
(2) House and yard (1.2 acres) owned by Monroe County. Additional 2.4 acres leased by Monroe County from the Big Pine Athletic Association.
(3) Lands Leased to Monroe County from U. S. Navy.
(4) Church to west of park has public access 2 basketball, volleyball, and bocce courts.
(5) Beach leased to Village of Islamorada
*Denotes approximate acreage; (for beaches the length of the beach x a minimum of 15 ft.)
Source: Monroe County Technical Document July 2011

Acquisition of Additional Recreation Areas

The Monroe County Year 2010 Comprehensive Plan states in Objective 1201.2 that "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." The elimination of deficiencies in LOS standards for recreation areas can be accomplished in a number of ways. Policy 1201.2.1 of the Comprehensive Plan provides six (6) mechanisms that are acceptable for solving deficits in park level of service standards, as well as for providing adequate land to satisfy the demand for parks and recreation facilities that result from additional residential development. The six (6) mechanisms are:

1. Development of park and recreational facilities on land that is already owned by the county but that is not being used for park and recreation purposes;
2. Acquisition of new park sites;
3. Interlocal agreements with the Monroe County School Board that would allow for the use of existing school-park facilities by county residents;
4. Interlocal agreements with incorporated cities within Monroe County that would allow for the use of existing city-owned park facilities by county residents;
5. Intergovernmental agreements with agencies of state and federal governments that would allow for the use of existing publicly-owned lands or facilities by county residents; and
6. Long-term lease arrangements or joint use agreements with private entities that would allow for the use of private park facilities by county residents.

To date, the county has employed two of these six mechanisms – acquisition of new park sites and interlocal agreements with the School Board.

Item #5 CIE Text Amendment
PC Resolution

MONROE COUNTY PLANNING COMMISSION

RESOLUTION NO. P-_____

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL TO THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS OF THE AMENDMENTS TO TABLE 4.1 FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN

WHEREAS, the Monroe County Planning Commission makes the following Findings:

1. Pursuant to § 163.3164(7), Florida Statutes, "Capital improvement" means physical assets constructed or purchased to provide, improve, or replace a public facility and which are typically large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multiyear financing. For the purposes of this part, physical assets that have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.

2. Pursuant to §163.3177(3)(a), Florida Statues, the comprehensive plan shall contain a capital improvements element designed to consider the need for and the location of public facilities in order to encourage the efficient use of such facilities.

3. Pursuant to §163.3177(3)(a)1., Florida Statutes, the comprehensive plan shall contain a component that outlines principles for construction, extension, or increase in capacity of public facilities, as well as outline principles for correcting existing public facility deficiencies, which are necessary to implement the comprehensive plan. The components shall cover at least a 5-year period.

4. Pursuant to §163.3177(3)(a)2., Florida Statutes, the comprehensive plan shall contain estimated public facility costs, including a delineation of when facilities will be needed, the general location of the facilities, and projected revenue sources to fund the facilities.

5. Pursuant to §163.3177(3)(a)3., Florida Statutes, the comprehensive plan shall contain standards to ensure the availability of public facilities and the adequacy of those facilities to meet established acceptable levels of service.

6. Pursuant to §163.3177(3)(a)4., Florida Statutes, a schedule of capital improvements shall include any publicly funded projects of federal, state, or local government, and may include

privately funded projects for which the local government has no fiscal responsibility. Projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the 5-year period must be identified as either funded or unfunded and given a level of priority for funding.

7. Pursuant to §163.3177(3)(b), Florida Statutes, the capital improvements element must be reviewed by the local government on an annual basis. Modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan.

8. Objective 1401.1 of the Year 2010 Comprehensive Plan mandates Monroe County to 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. Policy 1401.1.1 of the Year 2010 Comprehensive Plan mandates Monroe County to revise 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.

10. Policy 1401.1.2 mandates Monroe County to annually update the Year 2010 Comprehensive Plan Five-Year Schedule of Capital Improvements, and further provides that revisions to the schedule shall be incorporated into the Capital Improvements Program on an annual basis.

11. Monitoring and Evaluation Procedures 5.0 (1) and (2) of the Year 2010 Comprehensive Plan requires that the Five-Year Schedule of Capital Improvements (CIP) be reviewed and updated annually, in order to allocate financial resources to implement the Plan.

12. The amendment furthers Principle (a) of the Principles for Guiding Development in the Florida Keys Area of Critical State Concern: Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

13. The amendment furthers Principle (h) of the Principles for Guiding Development in the Florida Keys Area of Critical State Concern: Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including: water supply facilities; sewage collection treatment and disposal facilities; solid waste collection and disposal facilities; transportation facilities; parks, recreation facilities, and other publicly owned properties.

14. The amendment furthers Principle (j) of the Principles for Guiding Development in the Florida Keys Area of Critical State Concern: 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)(l) and 403.086(10), as applicable,

and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.

15. The amendment furthers Principle (k) of the Principles for Guiding Development in the Florida Keys Area of Critical State Concern: Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.

16. The amendment furthers Principle (n) of the Principles for Guiding Development in the Florida Keys Area of Critical State Concern: Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREAS, at a regularly scheduled meeting on the 18th day of October, 2011, the Monroe County Planning Commission held a public hearing on this matter and recommended that the Board of County Commissioners adopt the amendments to Table 4.1 Five-Year Schedule of Capital Improvements Fiscal Year 2011 through 2016 of the Year 2010 Comprehensive Plan, as shown on the attached Exhibit A and Exhibit A1. Amendments are presented in underline (Exhibit A) to indicate additions to text and strikethrough (Exhibit A1) to indicate deletions. All other words, characters, and language of the comprehensive plan remain unchanged.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of Monroe County, Florida, that the preceding recitals support its decision to recommend **APPROVAL** to the Board of County Commissioners to adopt amendments to Table 4.1 Five-Year Schedule of Capital Improvements Fiscal Year 2011 through 2016 of the Year 2010 Comprehensive Plan.

PASSED AND RECOMMENDED FOR ADOPTION by the Monroe County Planning Commission at a regular meeting held on the 18th day of October, 2011.

Chair Werling ____
Vice-Chair Wall ____
Commissioner Hale ____
Commissioner Lustberg ____
Commissioner Wiatt ____

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY_____

Denise Werling, Chair

Signed this _____ day of _____, 2011

Item #6 Guardian Angel-PC Variance
Staff Report

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Monroe County Planning Commission

Through: Townsley Schwab, Sr. Director of Planning & Environmental Resources

From: Steven Biel, Sr. Planner

Date: October 7, 2011

Subject: *Request for a variance for 11 Snapper Avenue, Key Largo, having real estate number 00472710.000000 (File #2011-112)*

I REQUEST:

The applicant is requesting a variance of 6.45' from the required 10' side yard setback along the western property line. As a result, the side yard setback would be 3.55' along the western property line. The granting of this variance would allow the property owner to convert a lawfully nonconforming, unenclosed carport into enclosed floor area, which will serve as a bedroom addition to the existing single-family residence.

Subject Property (outlined) (2009)

Location:

Address: 11 Snapper Avenue, Key Largo, mile marker 103.4 (Atlantic Ocean side of US 1)
Legal Description: Block 12, Lot 8, Largo Sound Park (PB3-111), Key Largo, Monroe County, Florida
Real Estate Number: 00472710.000000

Applicant:

Owner: Guardian Angel Management
Agent: Gay Marie Smith

II RELEVANT PRIOR COUNTY ACTIONS:

Building Permit #28777, issued in 1973, permitted the existing single-family residence with an attached carport.

III BACKGROUND INFORMATION:

A. Size of Site: 5,125 SF (0.11 acres)
B. Land Use District: Improved Subdivision (IS-M)
C. Future Land Use Map (FLUM) Designation: Residential Medium (RM)
D. Tier Designation: Tier 3
E. Existing Use: Single Family Residential
F. Existing Vegetation / Habitat: Scarified
G. Community Character of Immediate Vicinity: Single-family residential; commercial uses on US 1
H. Flood Zone: Zone X

IV REVIEW OF APPLICATION:

As set forth in MCC §130-186, the required non-shoreline setbacks for the IS District are as follows: Front yard – 25'; Rear yard – 20'; and Side yard – 10' / 15' (where 10' is the required side yard for one side and 15' is the minimum combined total of both side yards).

The subject property is a typical IS lot, measuring approximately 102' by 50', and is located approximately 400 feet east of US 1, on the south side of Snapper Avenue. The property has a 25' front yard setback, 20' rear setback, and side yard setbacks of 5' and 10'. The eastern property line has been established as the 5' side yard setback and the 10' side yard setback has been established along the western property line.

The existing building, attached carport and associated development are lawfully nonconforming to the current setback requirements as it was constructed prior to their adoption in 1986.

The survey submitted with the variance application shows the existing building as 24.6' from the right-of-way along Snapper Avenue, approximately 36.6' from the rear property line, and 3.55' from both side yard property lines. The approved site plan submitted with Building Permit #28777 shows the residence being built 25' from the right-of-way along Snapper Avenue, 41' from the rear property line, and 5' on each side. In effect, the residence was not constructed to the specifications as noted on the building permit; however it received a certificate of occupancy and therefore lawful.

At some point between 1973 and the present, the carport was enclosed. However, staff found no building permit authorizing the enclosure of the carport. Therefore, the improvement is unlawful.

Based on aerial photography, it appears the community character would not be substantially altered if this variance is granted. Of the 42 residences built on Snapper Avenue, 29 were built prior to 1986 under the lesser setback requirements under the RU-1-M zoning designation. The aerial photography shows numerous residences built in the current setbacks.

If the variance is approved, the nonconformity would be expanded in terms of more development within the required setbacks; however the nonconforming development footprint would not be expanded as the carport is already in existence and this area would not be expanded.

Pursuant to MCC §102-187, the Planning Commission may grant a variance if the applicant demonstrates that all of the following standards are met:

A. *The applicant demonstrates a showing of good and sufficient cause:*

In 1973, Building Permit #28777 permitted the construction of the existing single-family residence and attached carport. The building permit allowed the development to be built in its current configuration, which is within both of the current side yard setbacks.

As noted above, of the 42 residences built on Snapper Avenue, 29 were built prior to 1986, approved under the lesser setback requirements under the RU-1-M zoning designation.

In lieu of these findings, the applicant has demonstrated a showing of good and sufficient cause for a variance of 6.45' from the required 10' side yard setback along the western property line in order to convert the nonconforming carport into enclosed floor living area.

B. *Failure to grant the variance would result in exceptional hardship to the applicant:*

Building Permit #28777 permitted the construction of the existing single-family residence and attached carport. The building permit allowed the development to be built in its

current configuration, which is within both of the current side yard setbacks. The applicant is not proposing to expand the footprint of the nonconforming structures, but only to convert the carport to floor living area.

Staff found no supportive documentation that dispels the applicant's claim; therefore, the applicant has demonstrated that failure to grant the variance would result in exceptional hardship to the applicant.

C. *Granting the variance will not result in increased public expenses, create a threat to public health and safety, create a public nuisance, or cause fraud or victimization of the public:*

Assuming a surrounding property owner does not provide a valid objection during the notification phase, granting the variance would not result in increased public expenses, create a threat to public health and safety, and create a public nuisance or cause fraud or victimization of the public.

D. *The property has unique or peculiar circumstances, which apply to this property, but which do not apply to other properties in the same zoning district:*

Although the lot's shape and dimensions are typical of other lots in the IS district, it is a unique circumstance (and request) for a property owner of a lot with an existing, lawful and nonconforming residence and attached carport, both of which are located partially in a side yard setback, to request to enclose an approved unenclosed carport. Therefore, the property has a unique or peculiar circumstance for a parcel in the IS district.

E. *Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of the provisions of this chapter or established development patterns:*

Granting of the variance would not give the applicant special privileges denied to other properties in the immediate vicinity.

F. *Granting the variance is not based on disabilities, handicaps or health of the applicant or members of his family:*

Granting the variance would not be based on disabilities, handicaps or health of the applicant or members of his family.

G. *Granting the variance is not based on the domestic difficulties of the applicant or his family:*

Granting the variance is not based on the domestic difficulties of the applicant or his family.

H. The variance is the minimum necessary to provide relief to the applicant:

The applicant is not increasing the footprint of the carport. Therefore, the variance is the minimum necessary to provide relief to the applicant.

V RECOMMENDATION:

Staff recommends APPROVAL to the Planning Commission for a variance of 6.45' from the required 10' side yard setback along the western property line in order to convert a lawfully nonconforming, unenclosed carport into enclosed floor area, which will serve as a bedroom addition to the existing single-family residence, subject to the following conditions:

1. This variance is based on the site plan prepared by Pablo Garcia, P.E., dated May 2011, that was included with the variance application. Work not specified or alterations to the site plan may not be carried out without additional Planning & Environmental Resources Department approval.

2. This variance does not waive any other required setbacks and it does not waive the required side yard setback for any future structures or additions.

VI PLANS REVIEWED:

1. Survey by Lawrence Frank Land Surveying LLC, dated May 11, 2011
2. Site Plan, Floor Plan and Elevations by Pablo Garcia, P.E., dated May 2011

File #: **2011-112**

Owner's Name: Guardian Angel Management

Applicant: Guardian Angel Management

Agent: Gay Marie Smith

Type of Application: Variance - PC

Key: Key Largo

RE: **00472710-000000**

Additional Information added to File 2011-112

County of Monroe
Growth Management Division

Office of the Director
2798 Overseas Highway
Suite #400
Marathon, FL 33050
Voice: (305) 289-2517
FAX: (305) 289-2854

Board of County Commissioners
Mayor Sylvia J. Murphy, Dist. 5
Mayor Pro Tem Heather Carruthers, Dist. 3
Kim Wigington, Dist. 1
George Neugent, Dist. 2
Mario Di Gennaro, Dist. 4

We strive to be caring, professional and fair

Date: 9.09.11
Time: 9:50

Dear Applicant:

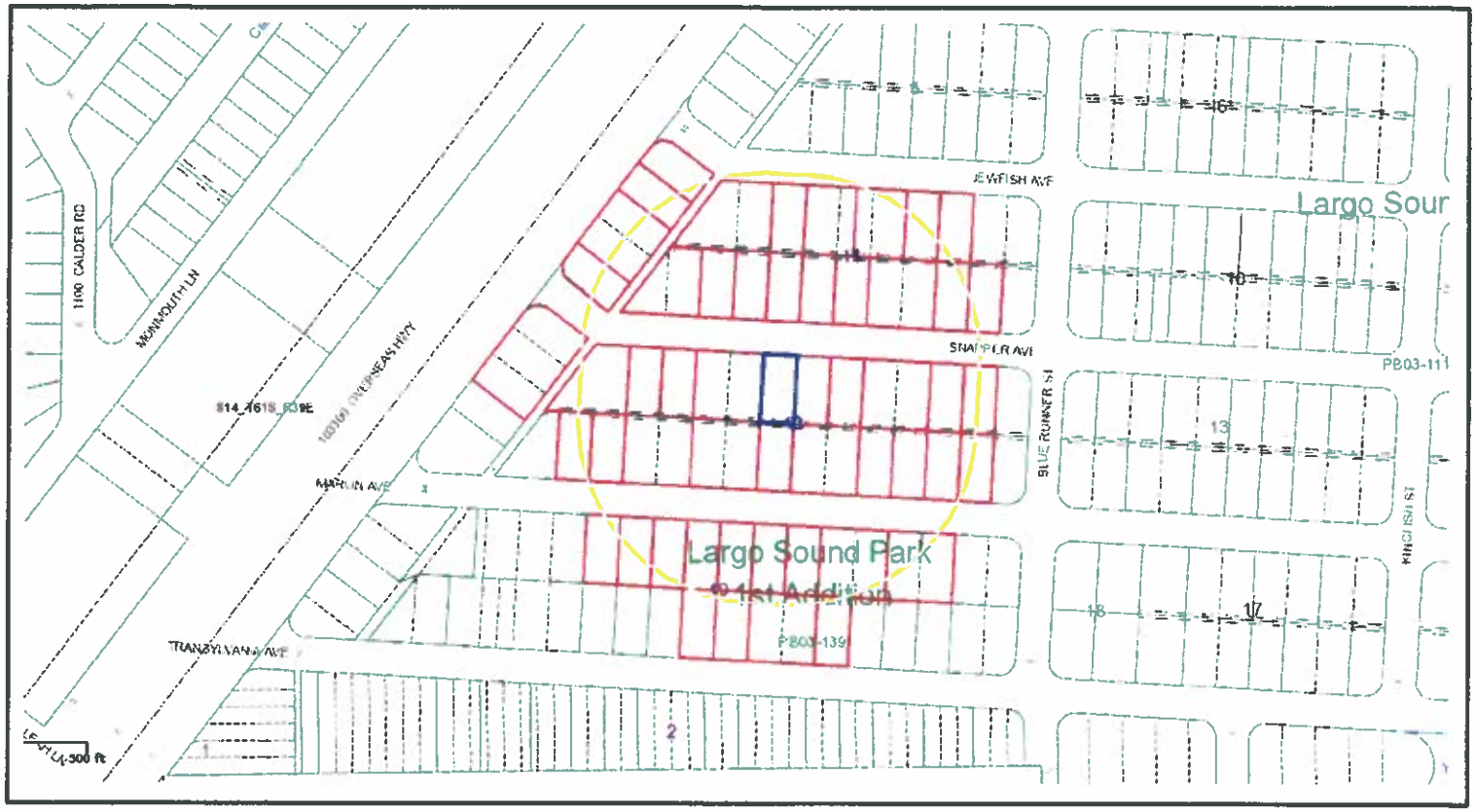
This is to acknowledge submittal of your application for Variance - PC
Type of application

Guardian Angel Management to the Monroe County Planning Department.
Project / Name

Thank you.

Gail Creech

Planning Staff



Monroe County, Florida

MCPA GIS Public Portal

Printed:Sep 09, 2011

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

Labels Verified by GC 9.09.11

Owner Name	Address2	Unit	City	State	Zip	Country
HOROWITZ CRAIG C	14 SE MARLIN AVE		KEY LARGO	FL	33037-4714	
CURTIN KATHRYN	PO BOX 372390		KEY LARGO	FL	33037-2390	
WOFFORD SANDRA V	7 JEWFISH AVE		KEY LARGO	FL	33037	
NAVARRETE MARY ESTELLA	5 JEWFISH AVE		KEY LARGO	FL	33037	
CULLEN JOHN F	16 SE MARLIN AVE		KEY LARGO	FL	33037-4714	
MAIER GEORGE J & PATRICIA A	20 S EXUMA RD		KEY LARGO	FL	33037	
HILTON DAVID	27 SE MARLIN AVE		KEY LARGO	FL	33037	
FEDORCHAK BRIAN A AND PATRICIA F	12811 LAKE VIEW DR		LUSBY	MD	20657-3247	
CLIFTON FAMILY REV TR 2/26/2003	457 STONEWOOD LN		MAITLAND	FL	32751-3236	
FIRST CITIZEN BANK AND TRUST CO	3300 CUMBERLAND BLVD SE STE 325		ATLANTA	GA	30339-8128	
HOAGLAND JOSEPH	26 SE MARLIN AVE		KEY LARGO	FL	33037-4714	
DWARES CURTIS AND JULIANN	26 SNAPPER AVE		KEY LARGO	FL	33037	
DREYER RITA C	20 SE MARLIN AVE		KEY LARGO	FL	33037-4714	
KUNKEL LILLE M AND BRAD	23 SNAPPER AVE		KEY LARGO	FL	33037-4719	
CURLL CHARLES THOMAS AND JANET	24 TRANSYLVANIA AVE		KEY LARGO	FL	33037	
CHURCH OF THE NAZARENE OF KEY L	PO BOX 800		KEY LARGO	FL	33037	
MARLIN HOLDING INC	102920 OVERSEAS HWY		KEY LARGO	FL	33037	
BODLAK DOHDAN E	16504 LOCH NESS CT		HIALEAH	FL	33014-6003	
POWERS GRETCHEN	2916 SIMPSON AVE		JUNEAU	AK	99801	
PARKER SCOTT	6 SE MARLIN AVE		KEY LARGO	FL	33037	
WATERS MICHAEL AND HEIDI C	14 SNAPPER AVE		KEY LARGO	FL	33037	
NATIVE RENTAL PROPERTIES LLC	154 FONTAINE DR		TAVERNIER	FL	33070-2310	
BLOODWORTH HAROLD ROSS JR	3 SNAPPER AVE		KEY LARGO	FL	33037	
MILAR RENE	17 JEWFISH AVE		KEY LARGO	FL	33037	
~~HANDTE EDWIN R & JANICE E~~	~~103365 OVERSEAS HIGHWAY~~		~~KEY LARGO~~	~~FL~~	~~33037~~	DUPLICATE
KEY LARGO PROPERTIES HOLDING CO	1 W 64TH ST	APT 9B	NEW YORK	NY	10023-6733	
SILVESTRI JOSEPH AND JEANETTE	10 SE MARLIN AVENUE		KEY LARGO	FL	33037	
PARKER SCOTT A	6 SE MARLIN AVE		KEY LARGO	FL	33037	
MOREJON YOLANDA	1313 CALDER RD		KEY LARGO	FL	33037	
PERHACH MARY FRANCES	709 CURTISS PKWY	UNIT 33	MIAMI SPRIN	FL	33166	
CASH TY A AND SHERYL L	11 SE MARLIN AVE		KEY LARGO	FL	33037	
MYERS PENNIE L	9623 MERINO RUN		ROSCOE	IL	61073-8328	
TREVILLA ARNALDO AND PRISCILLA A	3008 SW 139 AVE		MIRAMAR	FL	33027	

WINGATE DANA A	351D 32ND AVE W		BRADENTON	FL	3420S-1951	
WHEATON MARDELLA	S04 SOUND DR		KEY LARGO	FL	33037	
JOHNSON MICHAEL AND SAWONG	PO BOX 1339		KEY LARGO	FL	33037	
SALAS GUADALUPE	4000 QUAYSIDE TER	UNIT 2201	MIAMI	FL	33138	
SUBIC JOHN	18 SNAPPER AVE		KEY LARGO	FL	33037	
MARYANSKI DAVID P AND SUMMER E	513 CARIBBEAN BLVD		KEY LARGO	FL	33037-4342	
ADAMCZAK ROSS ALAN	N2740 LIND LN		WAUPACA	WI	54961	
CALLAGHAN FAMILY TRUST 8/11/06	P O BOX 2986		KEY LARGO	FL	33D37	
HUTCHISON KAREN L AND DAVID G	PO BOX 371262		KEY LARGO	FL	33037-1262	
VINSON DANIEL MARTIN JR	30 SE MARLIN AVE		KEY LARGO	FL	33037	
~~HUTCHISON KAREN L AND DAVID G~~	~~PO BOX 371262~~		~~KEY LARGO~~	~~FL~~	~~33037-1262~~	DUPLICATE
FORRER VENTURES CAPITAL LLC	300 OCEAN DR	APT 6	KEY LARGO	FL	33D37	
BLOODWORTH HAROLD ROSS	3 SNAPPER AVE		KEY LARGO	FL	33D37	Add
SPANGLER GLEN ALLEN & GINA DESIN	516 STONINGTON RD		SILVER SPRIN	MD	20902	
JACOBS RONALD CARL III	204 APACHE ST		TAVERNIER	FL	33070-21D3	
CARLSON FAMILY TRUST 4/16/2007	1331 DESERET AVE		BARSTOW	CA	92311	
WALL ERIC W	3 JEWFISH AVE		KEY LARGO	FL	33037	
HANDTE EDWIN R AND ELLEN	1D336S OVERSEAS HWY		KEY LARGO	FL	33037	
MCGILL JOHN	S SNAPPER AVE		KEY LARGO	FL	33D37	
ANDERSON SHARON TRUSTEE	16 SNAPPER AVE		KEY LARGO	FL	33D37	

End of Additional File 2011-112

APPLICATION

MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
SEP - 9 2011
MONROE CO. PLANNING DEPT.

Variance Application to the Monroe County Planning Commission

An application must be deemed complete and in compliance with the Monroe County Code by the Staff prior to the item being scheduled for review

Planning Commission Variance Application Fee: $1,608.00

In addition to the application fee, the following fees also apply:
Advertising Costs: $245.00
Surrounding Property Owner Notification: $3.00 for each property owner required to be noticed

Date of Submittal: 09 / 07 / 2011
Month Day Year

Property Owner:

Name: Guardian Angel Management Employee Profit Sharing Plan 401K

Mailing Address (Street, City, State, Zip Code): 268 St. Thomas Avenue, Key Largo, FL 33037

Daytime Phone:

Email Address:

Agent (if applicable):

Name: Gay Marie Smith

Mailing Address (Street, City, State, Zip Code): PO Box 1638, Tavernier, FL 33070

Daytime Phone: 305-394-8004

Email Address: gaymarie21@yahoo.com

Legal Description of Property:
(If in metes and bounds, attach legal description on separate sheet)

Block	Lot	Subdivision	Key
12	8	Largo Sound Park	Largo

Real Estate (RE) Number: 00472710.000000

Alternate Key Number: 1579874

Street Address (Street, City, State, Zip Code): 11 Snapper Avenue Key Largo, FL 33037

Approximate Mile Marker: 102

APPLICATION

Land Use District Designation(s): Impreved Subdivision

Present Land Use of the Property: Single Family Residence

Total Land Area: 5125 SF

Please provide the standard required by the land development regulations: Side Setback of 5' on one side and 10 on oth
(i.e. front yard setback of 25 feet, 100 off-street parking spaces, etc.)

Please provide that requested: Side Yard Setback reduced from 10' to 3.55'
(i.e. front yard setback of 10 feet, 70 off-street parking spaces, etc.)

All of the following standards must be met in order to receive variance approval. Please describe how each standard shall be met.

1) The applicant shall demonstrate a showing of good and sufficient cause:
This residence was permitted on 1/10/73 Permit 28777 with a enclosed carport on the side. The front was permitted as open The owner wishes to convert the carport to living space. The property is located in an "X" Flood Zone

2) Failure to grant the variance would result in exceptional hardship to the applicant:
The residence would be a smaller residence, therefore reducing its value

3) Granting the variance will not result in increased public expenses, create a threat to public health and safety, create a public nuisance or cause fraud or victimization of the public:
The carport was permitted by Monroe County in 1973 in the same footprint. As it is a non-conforming structure to setbacks the owner will not be increasing the setback non-conformity.

4) Property has unique or peculiar circumstances, which apply to this property, but which do not apply to other properties in the same zoning district:
Permitted in 1973 with reduced setbacks

5) Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of the provisions of this chapter or established development patterns:
No

APPLICATION

6) Granting the variance is not based on disabilities, handicaps or health of the applicant or members of his family:

No

7) Granting the variance is not based on the domestic difficulties of the applicant or his family:

No

8) The variance is the minimum necessary to provide relief to the applicant:

The structure is an existing non-conformity. It will remain as is, but the carport will become living space

All of the following must be submitted in order to have a complete application submittal:
(Please check as you attach each required item to the application)

- ☑ **Complete variance application** (unaltered and unbound);
- ☐ **Correct fee** (check or money order to Monroe County Planning & Environmental Resources);
- ☑ **Proof of ownership (i.e. Warranty Deed);**
- ☑ **Current Property Record Card(s) from the Monroe County Property Appraiser;**
- ☐ **Location map;**
- ☐ **Photograph(s) of site from adjacent roadway(s);**
- ☑ **Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor – 16 sets** (at a minimum, survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage by land use district; and total acreage by habitat);
- ☑ **Signed and Sealed Site Plans, prepared by a Florida registered architect, engineer or landscape architect– 16 sets** (drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale). At a minimum, the site plan should include the following:
  - ☐ Date, north point and graphic scale;
  - ☐ Boundary lines of site, including all property lines and mean high-water lines;
  - ☐ Land use district of site and any adjacent land use districts;
  - ☐ Locations and dimensions of all existing and proposed structures and drives;
  - ☐ Type of ground cover (i.e. concrete, asphalt, grass, rock);
  - ☐ Adjacent roadways;
  - ☐ Setbacks as required by the land development regulations;
  - ☐ Location and dimensions of all parking spaces (including handicap accessible, bicycle and scooter) and loading zones;
- ☑ **Typed name and address mailing labels of all property owners within a 300 foot radius of the property.** This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 300 foot radius, each unit owner must be included;

APPLICATION

If applicable, the following must be submitted in order to have a complete application submittal:

☐ **Notarized Agent Authorization Letter** (note: authorization is needed from all owner(s) of the subject property)

If deemed necessary to complete a full review of the application, the Planning & Environmental Resources Department reserves the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant: _____ **Date:** 9/6/11

Sworn before me this 6 day of Sept 2011

JOSHUA P GALLO
Notary Public - State of Florida
My Comm. Expires Oct 16, 2014
Commission # EE 3004
Bonded Through National Notary Assn

_____
Notary Public
My Commission Expires

Please send the complete application package to the Monroe County Planning & Environmental Resources Department, Marathon Government Center, 2798 Overseas Highway, Suite 400, Marathon, FL 33050.

Date: 9/7/11

I hereby authorize Gay Marie Smith be listed as authorized agent for Guardian Angel Management Employee Profit Sharing Plan 401K for the Variance Application to the Monroe County Planning Commission for property described as Lot 8, Block 12 of Largo Sound Park on 11 Snapper Avenue in Key Largo, Fl under RE #00472710.000000.

This authorization becomes effective on the date this affidavit is notarized and shall remain in effect until terminated by the undersigned. This authorization acts as a durable power of attorney only for the purpose stated.

The undersigned understands the liabilities involved in the granting of this agency and accepts full responsibility (thus holding Monroe County harmless) for any and all of the actions of the agent named, related to the acquisition of permits for the aforementioned applicant.

Note: Authorization is needed from each owner of the subject property. Therefore, one or more authorization forms must be submitted with the application if there are multiple owners.

Maria T Canto

NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 7th day of September 2011 by Maria T. Canto who is personally known ____ produced identification (FL Driver's License Type of Identification) and did/did not take an oath.

KENIE RODRIGUEZ
MY COMMISSION # DD859117
EXPIRES February 08, 2013
(407) 398-0153 FloridaNotaryService.com

Notary Public Signature

100,000.

Doc# 1839887 06/15/2011 3:12PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

06/15/2011 3:12PM
DEED DOC STAMP CL: MANIA $700.00

Doc# 1839887
Bk# 2521 Pg# 2306

Prepared by and return to:
Andrew M. Tobin
Coastal Title & Closing Services, Inc.
88101 Overseas Highway
Islamorada, FL 33036
305-852-1477

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 14th day of June, 2011 between **Estela Diaz, a married woman, joined by her husband, Luis M. Diaz,** whose post office address is **16240 Owasco Circle , Davie, FL 33331-2102,** grantor, and **Guardian Angel Management Employee Profit Sharing Plan 401K** whose post office address is **268 St. Thomas Avenue, Key Largo, FL 33037,** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Monroe County, Florida** to-wit:

> **Lot 8, Block 12, LARGO SOUND PARK, according to the Plat thereof, as recorded in Plat Book 3, at Page 111, of the Public Records of Monroe County, Florida.**
>
> **Parcel Identification Number: 1579874**
>
> **Subject to taxes for 2011 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.**

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2010.**

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

INITIAL INITIAL

DoubleTime®

Signed, sealed and delivered in our presence:

Witness Name: LEONEL QUESADA

Witness Name: Kenie Rodriguez

Estela Diaz (Seal)

Luis M. Diaz (Seal)

State of Florida
County of [redacted] Monroe

The foregoing instrument was acknowledged before me this 12th day of June, 2011, by Estela Diaz and Luis M. Diaz, [X] who have produced drivers' licenses as identification.

[Notary Seal]

KENIE RODRIGUEZ
MY COMMISSION # DD859117
EXPIRES February 08, 2013
(407) 398-0153 FloridaNotaryService.com

Notary Public

Printed Name: Kenie Rodriguez

My Commission Expires: 2-8-2013

MONROE COUNTY
OFFICIAL PUBLIC RECORD

DoubleTimes

100,000.

DocN 1833894 05/02/2011 10:30AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

05/02/2011 10:30AM
DEED DOC STAMP CL: RHONDA $700.00

DocN 1833894
BkN 2515 PgN 888

Prepared by and return to:
Marlen S. Weeks
President
Coastal Title & Closing Services, Inc.
88101 Overseas Highway
Islamorada, FL 33036
305-852-1477

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 28th day of April, 2011 between **First Citizen Bank and Trust Company, Inc., a South Carolina Bank** whose post office address is **REO DEPT., 3300 Cumberland Blvd., Suite 325, Atlanta, GA 30339**, grantor, and **Estela Diaz, a married woman** whose post office address is **11 Snapper Avenue, Key Largo, FL 33037**, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Monroe County, Florida**, to-wit:

> **Lot 8, Block 12, LARGO SOUND PARK, according to the Plat thereof, as recorded in Plat Book 3, at Page 111, of the Public Records of Monroe County, Florida.**
>
> **Parcel Identification Number: 1579874**
>
> **Subject to taxes for 2011 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.**

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

INITIAL

DoubleTimes

Signed, sealed and delivered in our presence:

Witness Name: Michael Fullerton

Witness Name: James Baker

First Citizen Bank and Trust Company, Inc., a South Carolina Bank

By: _____
J. Reeves Skeen, Assistant Vice President

(Corporate Seal)

CORPORATE SEAL

State of GA
County of COBB

The foregoing instrument was acknowledged before me this 28th day of April, 2011 by J. Reeves Skeen, Assistant Vice President of First Citizen Bank and Trust Company, Inc., a South Carolina Bank, on behalf of the corporation. He [ ] is personally known to me or [X] has produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name: JALENY TAIB

My Commission Expires: 7/15/2014

JALENY TAIB
NOTARY PUBLIC
COBB COUNTY, GA

MONROE COUNTY
OFFICIAL PUBLIC RECORD

DoubleTimes

Monroe County Property Record Card (149)

Alternate Key: 1579874 **Roll Year** 2011
Effective Date: 8/26/2011 9:40:25 AM **Run:** 08/26/2011 09:40 AM

FIRST CITIZEN BANK AND TRUST CO

3300 CUMBERLAND BLVD SE STE 325
ATLANTA GA 30339-8128

Parcel 00472710-000000-14-61-39 **Nbhd** 1825
Alt Key 1579874 **Mill Group** 500K
Affordable Housing No **PC** 0100
FEMA Injunction ALL
Inspect Date **Next Review**
Business Name
Physical Addr 11 SNAPPER AVE, KEY LARGO

Associated Names

Name	DBA	Role	% Own
FIRST CITIZEN BANK AND TRUST CO,		Owner	100.00000

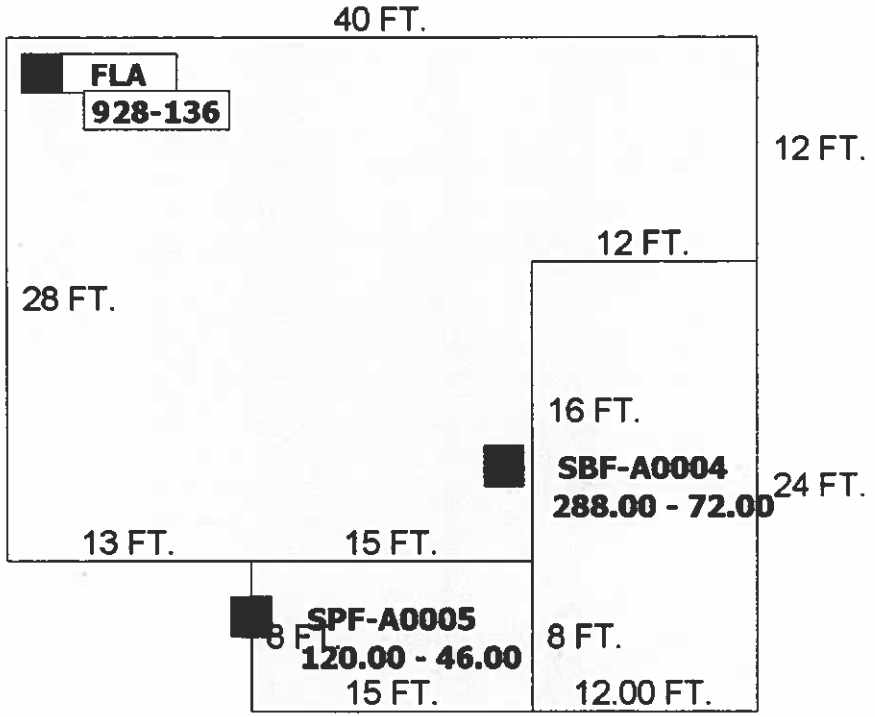
Legal Description

BK 12 LT 8 LARGO SOUND PARK PB3-111 KEY LARGO OR527-992 OR629-337/38D/C OR629-339 L/E OR966-1920/21 OR1016-1233/34 OR1278-660 OR2376-607/08L/E OR2502-1439/40 OR2502-1441/42

Land Data .92

Line ID	Use	Front	Depth	Notes	# Units	Type	SOH %	Rate	Depth	Loc	Shp	Phys	Class	ROGO	Class Value	Just Value
63401	010D	0	0	No	5,125.00	SF	0.00	13.25	1.00	1.00	1.00	1.03		N	0	69,645
														Total Just Value		69,645

Building Sketch 26119



Building Characteristics

Building Nbr	1	**Building Type**	R1	**Perimeter**	136	**Functional Obs**	0.00
Effective Age	35	**Condition**	A	**Depreciation %**	0.38	**Economic Obs**	0.00
Grnd Floor Area	928	**Quality Grade**	500	**Year Built**	1973	**Special Arch**	0

Inclusions: R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type	2	**Roof Cover**	3	**Heat 1**	1	**Heat 2**	0	**Heat Src 1**	4	**Heat Src 2**	0	**Foundation**	0	**Bedrooms**	2

Extra Features:	**2 Fix Bath**	0	**4 Fix Bath**	0	**6 Fix Bath**	0	**Extra Fix**	0	**Vacuum**	0	**Security**	0	**Garbage Disposal**	0
	3 Fix Bath	0	**5 Fix Bath**	0	**7 Fix Bath**	0	**Dishwasher**	0	**Intercom**	0	**Fireplaces**	0	**Compactor**	0

Sections

Type	Number	Exterior Wall Type	# Stories	Year Built	Attic	A/C	Basement %	Finished Bsmt %	Area	Sketch ID	SOH %
SPF	0	:	1	1972		N			120	005	0.00
SBF	0	:	1	1972		N			288	004	0.00
FLA	1	5:C.B.S.	1	1972	N	N	0.00	0.00	928	000	0.00

Miscellaneous Improvements

Nbr	Impr Type	# Units	Type	SOH %	Length	Width	Year Built	Roll Year	Grade	Life	RCN	Depr Value
0	FN2:FENCES	110	SF	0.00			2004	2005	2	30	385	308
0	AC2:WALL AIR COND	1	UT	0.00			2004	2005	1	20	400	280
											Total Depreciated Value	**588**

Just Value

Bldg ID	Building Value		
26119	74,420	**Land**	69,645
		Bldg	74,420
		Misc	588
		Just	144,653

Value

Value Method Market Oriented Cost **Special Use Code**

Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2010F	C	64,063	0	72,802	620	137,485	137,485	0	N	137,485
2009F	C	92,250	0	93,025	655	185,930	185,930	0	N	185,930
2008F	C	127,500	0	93,025	687	221,212	221,212	0	N	221,212
2007F	C	142,800	0	127,545	718	271,063	271,063	0	N	271,063
2006F	C	178,500	0	110,453	753	289,706	289,706	0	N	289,706
2005F	C	81,600	0	110,453	785	192,838	192,838	0	N	192,838
2004F	C	62,475		93,622	0	156,097	156,097	0	N	156,097
2003F	C	57,375		73,269	0	130,644	130,644	0		130,644
2002F	C	30,600		64,941	0	95,541	95,541	0		95,541
2001F	C	25,500		48,706	0	74,206	74,206	0		74,206
2000F	C	12,750		50,735	0	63,485	63,485	0		63,485
1999F	C	12,750		50,735	0	63,485	63,485	0		63,485
1998F	C	12,750		48,706	0	61,456	61,456	0		61,456
1997F	C	12,750		46,676	0	59,426	59,426	0		59,426
1996F	C	12,750		46,676	0	59,426	59,426	0		59,426
1995F	C	12,750		46,676	0	59,426	59,426	0		59,426
1994F	C	12,750		40,588	0	53,338	53,338	0		53,338
1993F	C	12,750		40,588	0	53,338	53,338	0		53,338
1992F	C	12,750		40,588	0	53,338	53,338	0		53,338
1991F	C	12,750		40,588	0	53,338	53,338	0		53,338
1990F	C	11,475		40,588	0	52,063	52,063	0		52,063
1989F	C	11,475		40,588	0	52,063	52,063	0		52,063
1988F	C	11,475		35,796	0	47,271	47,271	0		47,271
1987F	C	8,925		31,591	0	40,516	40,516	0		40,516
1986F	C	8,925		31,738	0	40,663	40,663	25,500		15,163
1985F	C	8,925		24,967	0	33,892	33,892	25,500		8,392
1984F	C	8,925		23,615	0	32,540	32,540	25,500		7,040
1983F	C	7,625		23,691	0	31,316	31,316	25,500		5,816
1982F	C	7,625		24,055	0	31,680	31,680	25,500		6,180

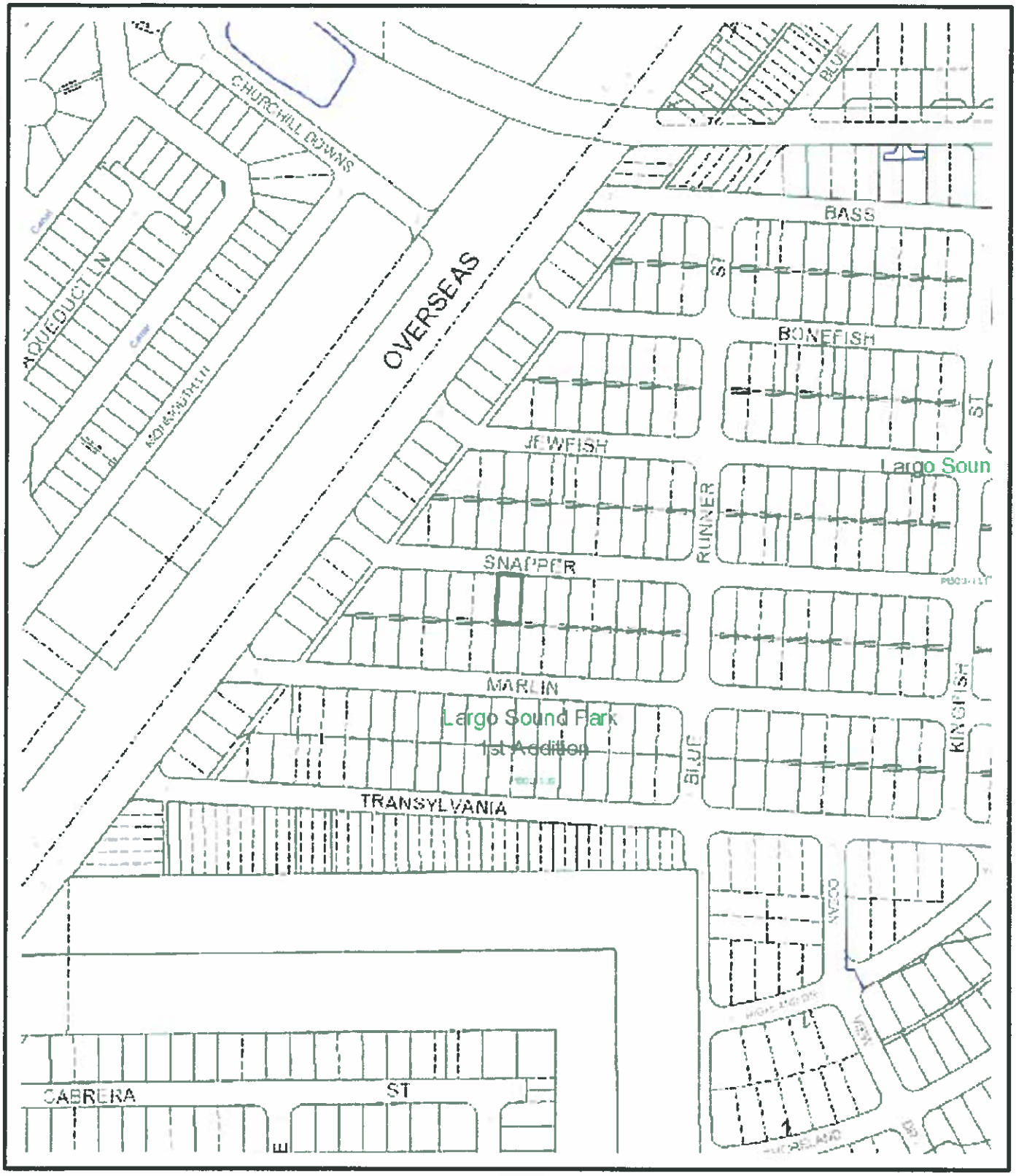
Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/ U	Vacant	Sale Price
1016	1233	6/1/1987	Warranty Deed	0	Q	I	59,000
1278	0660	10/1/1993	Warranty Deed	0	Q	I	63,000
2502	1439	1/12/2011	Warranty Deed	0	11	I	164,000
2502	1441	1/12/2011	Warranty Deed	0	12	I	100

Total Values

(Classified Value + Non-Ag Land Just Value)

Bldg Value	74,420	**Misc Value**	588	**Land Value**	69,645	**Classified Value**	69,645	**New Const Value**	0
Total Just Value	144,653	**Total Expt Value**	0	**Taxable Value**	144,653	**Prev Tax Value**	137,485	**Previous Just**	137,485



Monroe County, Florida

Printed:Sep 05, 2011

MCPA GIS Public Portal

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarante its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

CERTIFIED FLORIDA APPRAISERS CFA

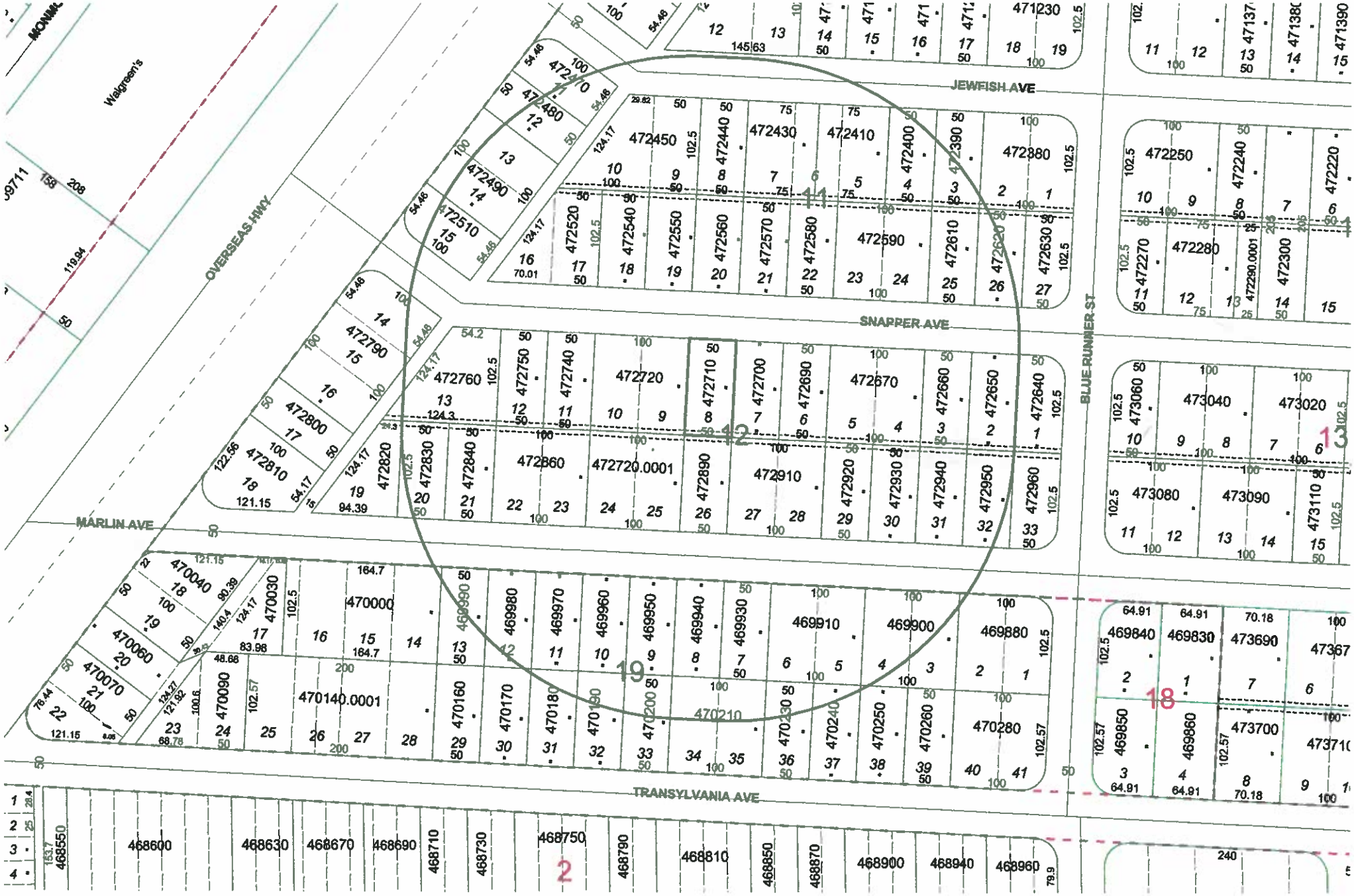
Monroe County, Florida

Printed:Sep 05, 2011

MCPA GIS Public Portal

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarante its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

CERTIFIED FLORIDA APPRAISERS CFA


Walgreen's
OVERSEAS HWY
JEWFISH AVE
SNAPPER AVE
MARLIN AVE
TRANSYLVANIA AVE
BLUE RUNNER ST
11
12
13
14
15
16
17
18
19
2
41
42
472450
472440
472430
472410
472400
472390
472380
472250
472240
472220
472520
472540
472550
472560
472570
472580
472590
472610
472620
472630
472270
472280
472290.0001
472300
472760
472750
472740
472720
472710
472700
472690
472670
472660
472650
472640
473060
473040
473020
472820
472830
472840
472860
472720.0001
472890
472910
472920
472930
472940
472950
472960
473080
473090
473110
470040
470030
470000
469990
469980
469970
469960
469950
469940
469930
469910
469900
469880
469840
469830
473690
470060
470070
470090
470140.0001
470160
470170
470180
470190
470200
470210
470230
470240
470250
470260
470280
469850
469860
473700
468550
468600
468630
468670
468690
468710
468730
468750
468790
468810
468850
468870
468900
468940
468960

GRETCHEN POWERS
2916 SIMPSON AVENUE
JUNEAU, AK 99801

CALLAGHAN FAMILY TRUST
PO BOX 2986
KEY LARGO, FL 33037

THUY HONG
18 TRANSYLVANIA AVENUE
KEY LARGO, FL 33037

KAREN HUTCHINSON
PO BOX 371262
KEY LARGO, FL 33037

JOHN CULLEN
16 SE MARLIN AVENUE
KEY LARGO, FL 33037

GUADALUPE SALAS
4000 QUAYSIDE TERRACE
UNIT 2201
MIAMI, FL 33138

IRA STEIN
19 JEWFISH AVENUE
KEY LARGO, FL 33037

NIVIA PEREZ
PO BOX 832987
MIAMI, FL 33283.

CHURCH OF NAZARENE
PO BOX 800
KEY LARGO, FL 33037

MICHAEL WATERS
14 SNAPPER AVENUE
KEY LARGO, FL 33037

DOHDAN BODLAK
16054 LOCH NESS COURT
HIALEAH, FL 33014

YOLANDA MOREJON
1313 CALDER ROAD
KEY LARGO, FL 33037

BRIAN FEDORCHAK
12811 LAKEVIEW DRIVE
LUSBY, MD 20657

JOYHCE LEDWITH
36 TRANSYLVANIA AVENUE
KEY LARGO, FL 33037

SHARON ANDERSON TRUST
16 SNAPPER AVENUE
KEY LARGO, FL 33037

GEORGE MAIER
20 S EXUMA ROAD
KEY LARGO, FL 33037

DAVID HILTON
27 SE MARLIN AVENUE
KEY LARGO, FL 33037

GLEN SPANGLER
516 STONINGTON ROAD
SILVER SPRING, MD 20902

PENNIE MYERS
9623 MERINO RUN
ROSCOE, ILL 61073-8328

CHARLES CURLL
24 TRANSYLVANIA AVENUE
KEY LARGO, FL 33037

CARLSON FAMILY TRUST
1331 DESERET AVENUE
BARSTOW, CA 92311

MARY PERHACH
709 CURTISS PARKWAY
MIAMI SPRINGS, FL 33166

RONALD CARL JACOBS
204 APACHE STREET
TAVERNIER, FL 33070

ROGER MAYER
31 S MARLIN AVENUE
KEY LARGO, FL 33037

KEY LARGO PROPERTIES
1 W 64 STRET APT 9B
NEW YORK, NY 10023-6733

CRAIG HOROWITZ
14 SE MARLIN AVENUE
KEY LARGO, FL 33037

MARLIN HOLDING LLC
102920 OVERSEAS HWY
KEY LARGO, FL 33037

DANA WINGATE
3510 32ND AVENUE W
BRADENTON ,F L 34205=1951

Harold Ross Bloodworth
3 Snapper Ave
Key Largo, FL 33037

JOSEPH SILVESTRI
10 SE MARLIN AVENUE
KEY LARGO, FL 33037

ERIC W WALL
3 JEWFISH AVENUE
KEY LARGO, FL 33037

RITA C DREYER
20 SE MARLIN AVENUE
KEY LARGO, FL 33037

KATHRYN CURTIN
PO BOX 372390
KEY LARGO, FL 33037

SCOTT A PARKER
6 SE MARLIN AVENUE
KEY LARGO, FL 33037

DAVID MARYANSKI
513 CARIBBEAN BLVD
KEY LARGO, FL 33037

SANDRA WOFFORD
7 JEWFISH AVENUE
KEY LARGO, FL 33037

DANIEL VINSON
30 SE MARLIN AVENUE
KEY LARGO, FL 33037

MARY ESTELLA NAVARRETE
5 JEWFISH AVENUE
KEY LARGO, FL 33037

RICHARD BANKO
25 SNAPPER AVENUE
KEY LARGO, FL 33037

NATIVE RENTAL PROP LLC
154 FONTAINE DRIVE
TAVERNIER, FL 33070

MICHAEL HARTLEY
PO BOX 573
TAVERNIER, FL 33070

FORRER VENTURES CAPITAL
300 OCEAN DRIVE APT 6
KEY LARGO, FL 33037

ROSS ALAN ADAMCZAK
N2740 LIND LN
WAUPACA, WI 54961

FIRST CITIZEN BANK
3300 CUMBERLAND BLVD.
ATLANTA , GA 30339

PEDRO DIAZ
15823 NW 11 STREET
PEMBROKE PINES, FL 33028

TY CASH
11 SE MARLIN AVENUE
KEY LARGO, FL 33037

ARNALDO TREVILLA
3008 SE 139 AVENUE
MIRAMAR, FL 33027

RENE MILAR
17 JEWFISH AVENUE
KEY LARGO, FL 33037

LILLE KUNKEL
23 SNAPPER AVENUE
KEY LARGO, FL 33037

CLIFTON FAMILY REV
457 STONEWOOD LANE
MAITLAND, FL 32751

HAROLD ROSS BLOODWORTH
3 SNAPPER AVENUE
KEY LARGO, FL 33037

JOHN SUBIC
18 SNAPPER AVENUE
KEY LARGO, FL 33037

RODNEY MILLER
2663 TIGER TAIL AVENUE
MIAMI, FL 33133

JOSEPH HOAGLAND
26 SE MARLIN AVENUE
KEY LARGO, FL 33037

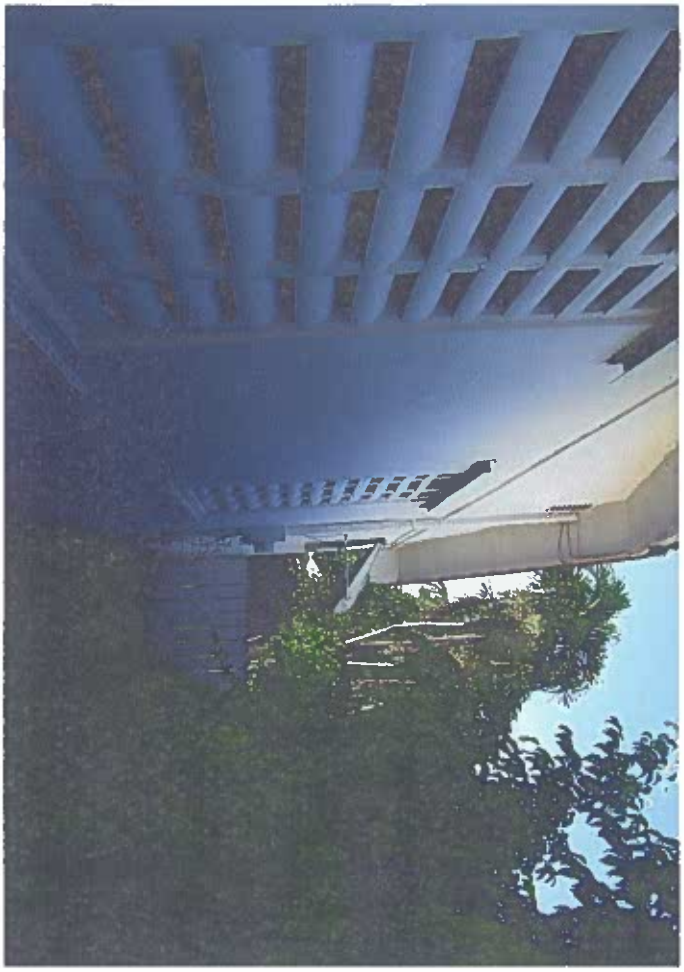
EDWIN R HANDTE
103365 OVERSEAS HIGHWAY
KEY LARGO, FL 33037

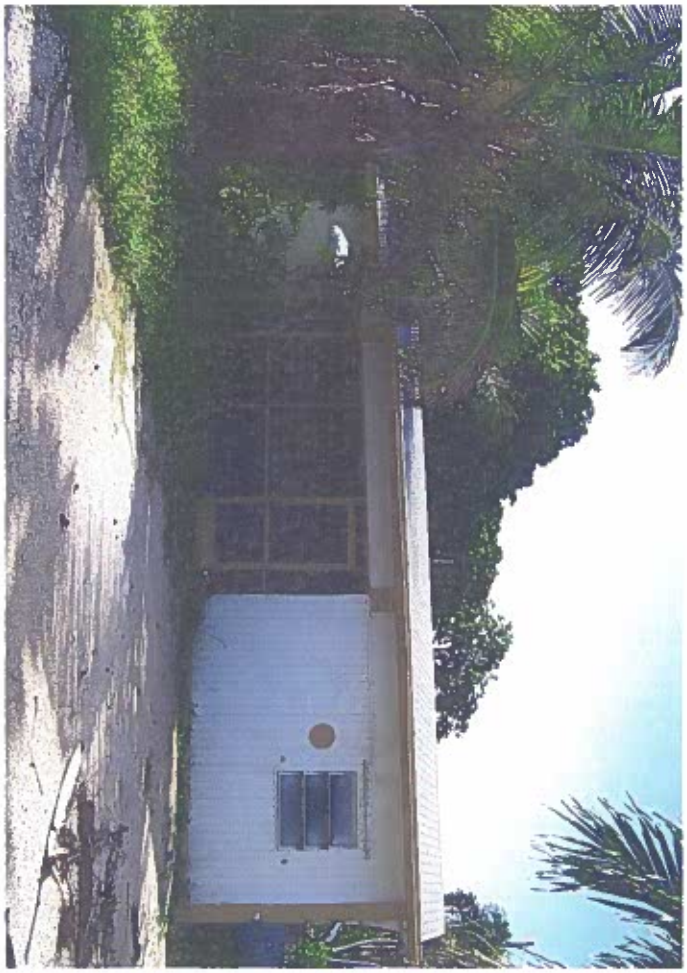
MARDELLA WHEATON
504 SOUND DRIVE
KEY LARGO, FL 33037

JOHN MCGILL
5 SNAPPER AVENUE
KEY LARGO, FL 33037

CURTIS DWARES
26 SNAPPER AVENUE
KEY LARGO, FL 33037

MICHAEL JOHNSON
PO BOX 1339
KEY LARGO, FL 33037





Monroe County Building Department
Upper / Middle / Lower Keys (circle one)

Permit #: 28777

R/E #: 00472710 - 000000

Owner: PINDER H. JOHN

10- 4343

BUILDIN AND ZONING DEPAR(IENT
OF
MONROE COUNTY, FLORIDA

00472710-000000

OFFICE COPY

DATE 1-10-73

THE UNDERSIGNED OWNER OF PROPERTY DESCRIBED BELOW APPLIES FOR PERMIT TO CONSTRUCT, REMODEL, ALTER PLUMBING WIRING

LOT 8 BLOCK 12 SUBDIVISION LARGO SOUND PARK SEC ____ T ____ R ____

STREET OR ROAD ____

OWNER PINDER H. JOHN

ADDRESS 1 BASS AVE LARGO SD PARK, PHONE ____

BUILDER OWNER

ADDRESS SAME PHONE ____

THIS PROPERTY ZONED AS RU-1M TYPE OF CONSTRUCTION FRAME ROOF & CB; (FRAME OR CBS METAL)

SET BACK: FRONT 25 REAR 41 SIDES 5 & 5 NO. OF BEDROOMS 2

SIZE OF LOT 102 X 50 SIZE OF BUILDING 40 X 28

ESTIMATED VALUE OF COMPLETED WORK 13,000.00 BLDG. FEE 50.00

REMARKS: SEPTIC #383 PLUMBING FEE 30.00

ELECTRICAL FEE 32.50

TOTAL 112.50

ALL WORK WILL BE PERFORMED IN ACCORDANCE WITH THE ABOVE STATEMENTS AND MONROE COUNTY CODES AND REGULATIONS.

INSPECTION	DATE
1.	
2.	
3.	
4.	
FINAL	
HEALTH DEPARTMENT	

OWNER OR AGENT

OWNER
BUILDING CONTRACTOR

"
ELECTRICAL CONTRACTOR

"
PLUMBING CONTRACTOR

KERMIT H. LEWIN, Director
BUILDING and ZONING DEPARTMENT

By: ____

NO. 28777

Permit void if construction is not started within thirty days.
PERMIT VOID IF ZONING CLASSIFICATION IS VIOLATED.

ZONING DEPT. COPY

FLORIDA KEYS ELECTRIC COOPERATIVE ASSOCIATION, INC.

ELECTRIC SERVICE AND METER LOCATION

CUSTOMER'S NAME J. H. Pinder

DATE 1-3-73

ADDRESS

ELECTRIC DATA

PERMIT NO. 28777 ACCT. NO.

RANGE
WATER HEATER
REFRIGERATOR
FREEZER
AIR CONDITIONER
CLOTHES WASHER
CLOTHES DRYER
DISH WASHER
MOTOR H.P.
1.
2.
3.

TYPE OF SERVICE

2 Wire 30-60 Amp . . . . . ☐
3 Wire 60 Amp . . . . . ☐
3 Wire 100 Amp . . . . . ☐
3 Wire Over 100 Amp . . . . . ☐

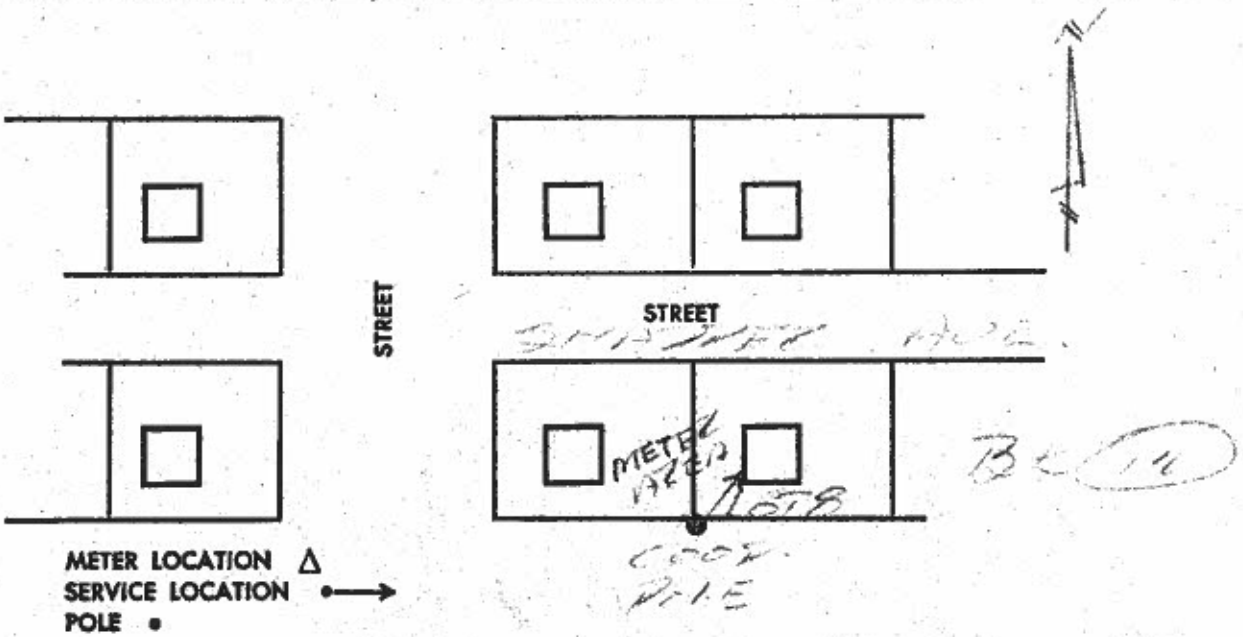
ALL 3 PHASE SERVICES SUBMIT PLANS OR NOTES OR CONTACT LINE DEPT.

CLASS OF SERVICE

Residential . . . ☐ Commercial . . . ☐
New . . . . . ☐ Remodel . . . . ☐

Lot No. 8 Blk. No. 12 Subdivision Largo Sound Park

FIELD CHECKED BY [illegible] DATE 1-3-73



METER LOCATION △
SERVICE LOCATION •⟶
POLE •

DATE 1/5/73 CUSTOMER SIGN [illegible]

NEWS, ROSEBUD, TEX

OWNER -- BUILDER

A F F I D A V I T

DATE 1-10-73

I AM/WE ARE BONA FIDE OWNERS OF THE PROPERTY COVERED BY THIS PERMIT, B- John H. Pinder, AND WILL SUPERVISE AND CONTROL THE WORK STIPULATED PERSONALLY, AND WILL OBSERVE ALL THE REQUIREMENTS OF THE CODES INVOLVED. WE/I WILL ALSO COMPLY WITH ALL FEDERAL AND STATE LAWS INCLUDING WITH-HOLDING TAX, WORKMENS COMPENSATION, LIEN LAWS, AND NECESSARY INSURANCE REGARDING THE SCOPE OF THE WORK.

WITNESS

John H. Pinder
NAME OF OWNER

1 BASS AVE, LARGO SOUND PARK
ADDRESS
KEY LARGO, FLA. 33037

BETTY J. CULLINS NOTARY PUBLIC STATE OF FLORIDA

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 10 DAY OF Jan, 19 73.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES:

NOTARY PUBLIC, STATE of FLORIDA at LARGE
MY COMMISSION EXPIRES AUG. 9, 1974
BONDED THROUGH FRED W. DIESTELHORST

GENERAL INFORMATION NECESSARY

FOR THE ISSUANCE OF PERMITS

PERMIT NO. 28777 -DATE _____ 19____

PHONE 451-1652

OWNER JOHN H. PINDER ADDRESS 1 BASS AVE. LARGO SOUND PARK KEY LARGO, FLA. 33037

CONTRACTOR OWNER ADDRESS SAME

THE FOLLOWING TO BE FILLED OUT BY GENERAL CONTRACTOR ONLY

LOCATION OF PROPERTY Key Largo

LOT 8 BLOCK 12 SUBDIVISION Largo Sound Park

SECTION — TOWNSHIP — RANGE —

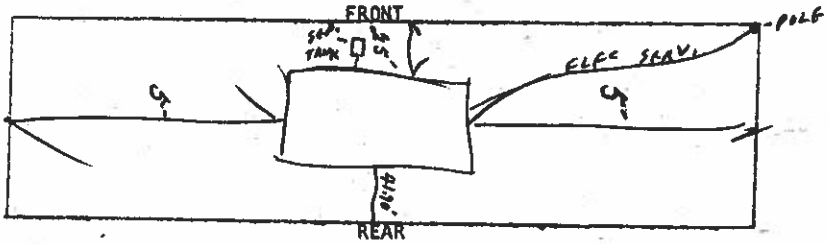
PRESENT ZONING RU1-M

INTENDED USE OF PROPERTY RES.

PRESENT USE OF PROPERTY VACANT

THE FOLLOWING WILL BE INDICATED IN THE SQUARE PROVIDED

1. LOCATE BUILDING ON LOT, INCLUDING SEPTIC TANK IF ANY
2. SHOW DISTANCE TO ALL LOT LINES



ESTIMATED VALUE 12,000.00

SIGNATURE John H. Pinder CONTRACTOR SIGNATURE _____ INSPECTOR

SEPTIC # 383

Bldg. $50.00
Plumb. 30.00
Elect. 32.50
$112.50

28777

APPLICATION FOR BUILDING PERMIT

PERMIT NO. _____ DATE 1-5 '9 73

SQUARE FEET OF LIVING AREA 932 ft $ 40.00

SIDEWALKS _____ $ _____

SLABS _____ $ 10.00

FENCES _____ $ _____

$ 50.00

INSPECTIONS TO BE MADE BY BUILDING INSPECTOR (CONTRACTOR IS REQUIRED TO CALL 24 HOURS BEFORE MAKING A MAJOR CONCRETE POUR)

1 FOUNDATION DATE: _____

2 FOOTINGS DATE: _____

3 SLABS (GROUND FLOOR) DATE: _____

4 COLUMNS DATE: _____

5 WALLS DATE: _____

6. TIE BEAM DATE: _____

7 ROOF DATE: _____

8 FINAL DATE: _____

COMMENTS: _____

X SIGNATURE John H. Pinder CONTRACTOR SIGNATURE O.B. Faber BUILDING INSPECTOR

"APPLICATION FOR PLUMBING PERMIT"

THE FOLLOWING WILL BE FILLED OUT BY THE PLUMBING INSPECTOR FROM INFORMATION PROVIDED IN PLANS.

PERMIT NO._____ DATE_____ 19_____

1.	SEWER	No._____	$_____
2.	BATHTUBS	No._____	$_____
3.	LAVATORIES	No._____	$_____
4.	SHOWERS	No._____	$_____
5.	URINALS	No._____	$_____
6.	BEDITS	No._____	$_____
7.	DISHWASHERS	No._____	$_____
8.	DISPOSALS	No._____	$_____
9.	WATER CLOSETS	No._____	$_____
10.	DRINKING FOUNTAINS	NO._____	$_____
11.	SINKS	No._____	$_____
12.	SLOP SINKS	No._____	$_____
13.	WASHING MACHINES	No._____	$_____
14.	MEDICAL EQUIPMENT	No._____	$_____
15.	GREASE TRAPS	No._____	$_____
16.	FLOOR DRAINS	No._____	$_____
17.	SEPTIC TANKS	No._____	$_____
18.	GAS WATER HEATERS	No._____	$_____
19.	GAS RANGES	No._____	$_____
20.	GAS REFRIGERATORS	No._____	$_____
21.	STEAM TABLES	No._____	$_____

COND'T

"PLUMBING PERMIT" PAGE 2

22. GAS SPACE HEATERS No. _____ $ _____

23. INTERCEPTERS No. _____ $ _____

24. LAWN SPRINKLERS No. _____ $ _____

25. FIRE SPRINKLERS No. _____ $ _____

26. SWIMMING POOLS No. _____ $ _____

27. HOODS No. _____ $ _____

28. AIR CONDITIONERS No. _____ $ _____

29. REPAIRS No. _____ $ _____

30. OTHER Sewer con. No. 14 00 $ _____
WATER SERV.
TOTAL 30 00

INSPECTIONS TO BE MADE BY PLUMBING INSPECTOR

1. GROUND DATE: _____

2. ROOGH DATE: _____

3. TUB & WATER PIPE DATE: _____

4. SEWER DATE: _____

5. SEPTIC TANK DATE: _____

6. FINAL DATE: _____

COMMENTS: _____

X SIGNATURE John H. Pinder SIGNATURE _____
CONTRACTOR PLUMBING INSPECTOR

PERMIT NO. _____ DATE 27 _____ 19 _____

1.	Outlets 1st. 5	No.	$ 150
2.	Outlets-Rough Each Add.	No.	$ 7.00
3.	Ranges	No.	$ 150
4.	Oven Range Tops	No.	$ —
5.	Water Heaters	No.	$ 250
6.	Refrigerators	No.	$ 100
7.	Dryers	No.	$ 150
8.	Clothes Washers	No.	$ 150
9.	Dishwashers	No.	$
10.	Disposals	No.	$
11.	Space Heaters	No.	$
12.	Air Conditioners	No. 3	$ 450
13.	Fans	No. 1	$ 150
14.	Motors	No.	$
15.	Service	No. 150	$ 400
16.	Sub-Feeds	No.	$
17.	Bulbs-Fixtures	No.	$
18.	Festoon Lights	No.	$
19.	Signs	No.	$
20.	Flashes	No.	$
21.	Elevators	No.	$
22.	Generators; Transformers	No.	$
23.	Special Purpose Outlets	No. 2	$ 300
24.	Other TEMP	No.	$ 300
	TOTAL		3250

cont.

INSPECTIONS TO BE MADE BY ELECTRICAL INSPECTOR.

1. TEMPORARY SERVICE DATE_____
2. SLAB DATE_____
3. ROUGH DATE_____
4. FINAL DATE_____
5. COMMENTS _____

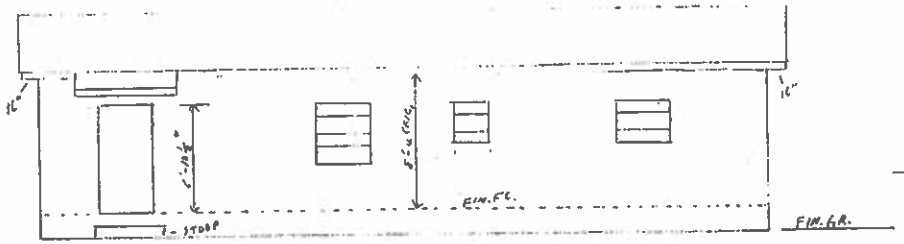
_____

_____

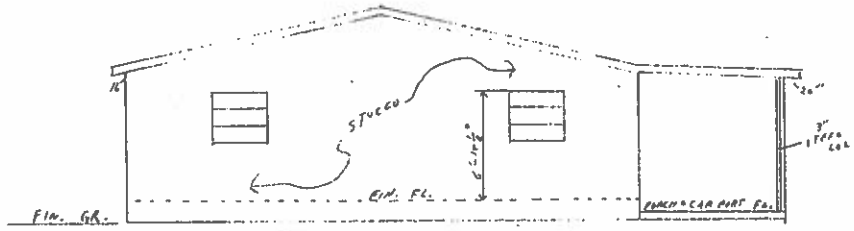
_____

_____

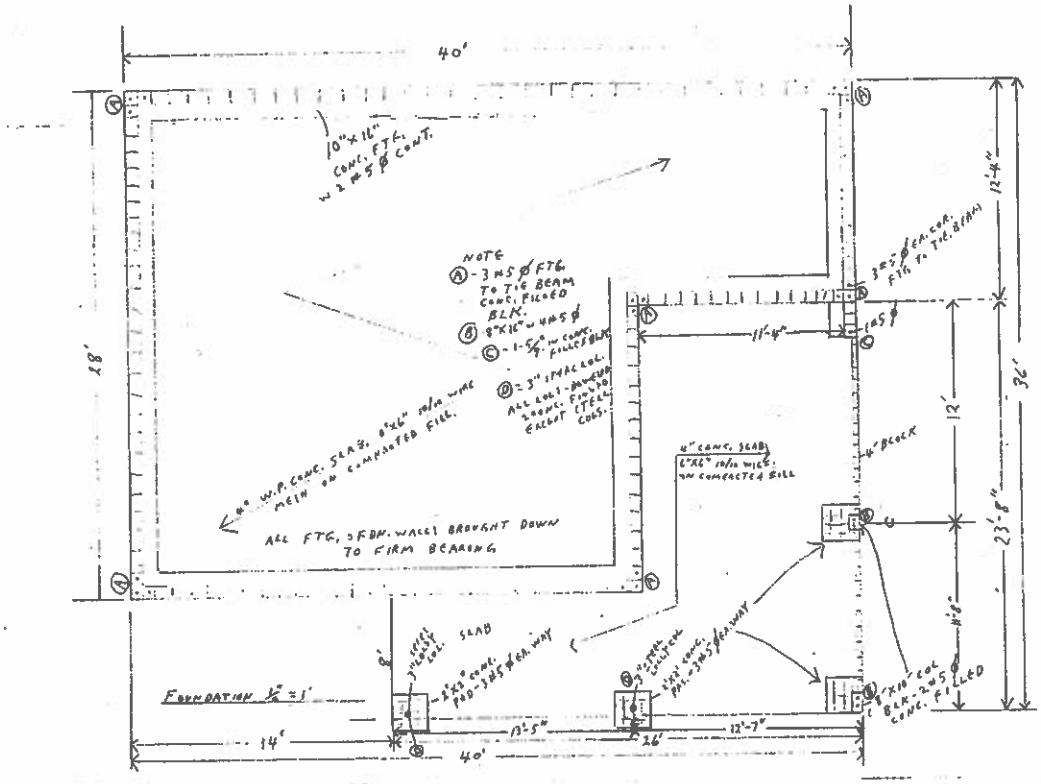
X SIGNATURE John W. Pinder SIGNATURE_____
CONTRACTOR ELECTRICAL INSPECTOR

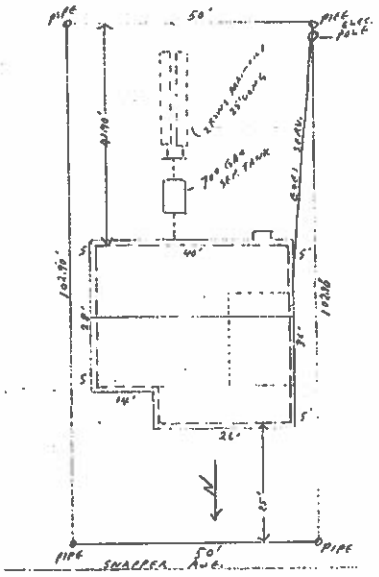


REAR - S. ELEV 1/4" = 1'



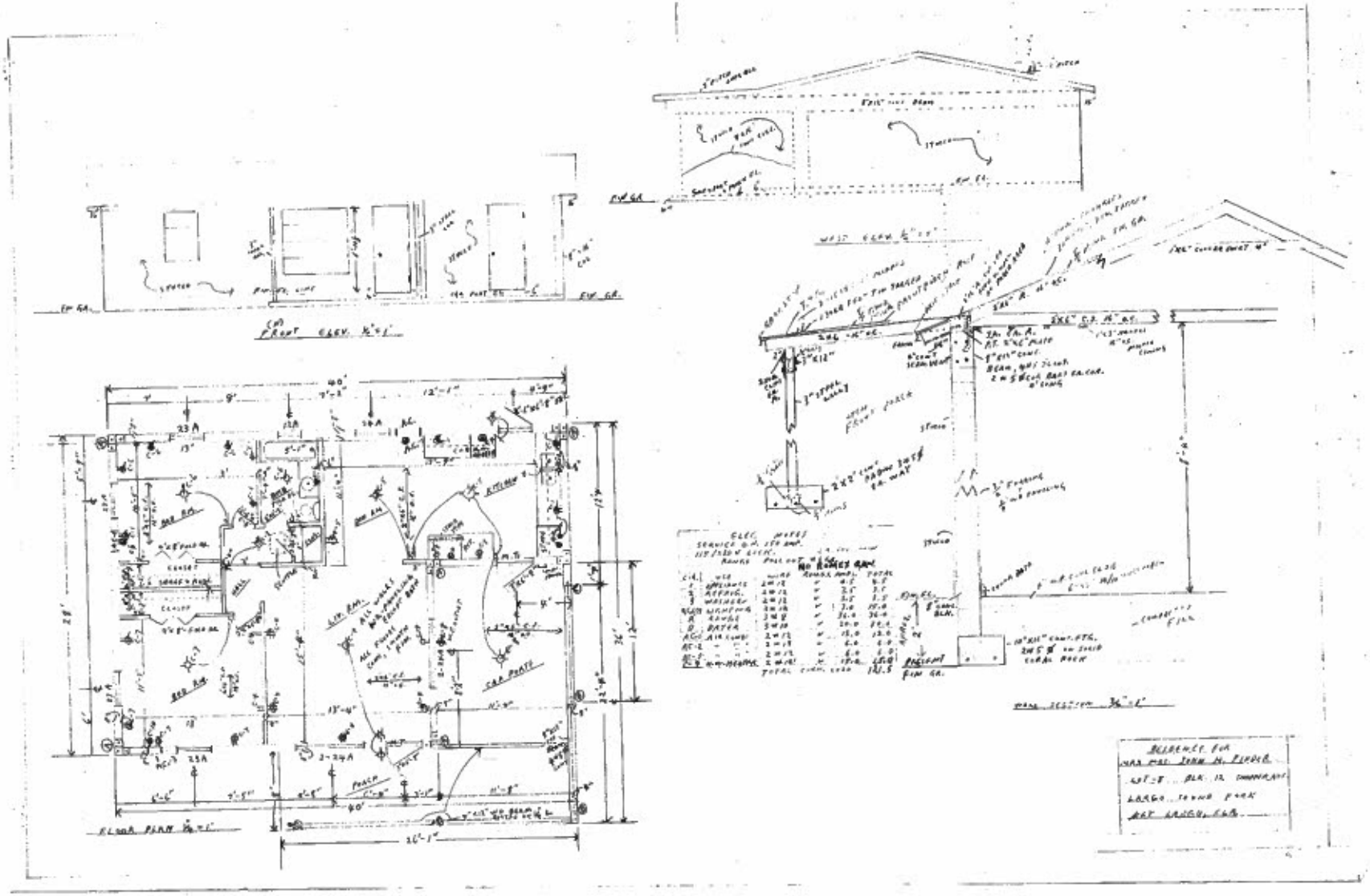
EAST ELEV. 1/4" = 1'





PLOT PLAN 1" = 15'

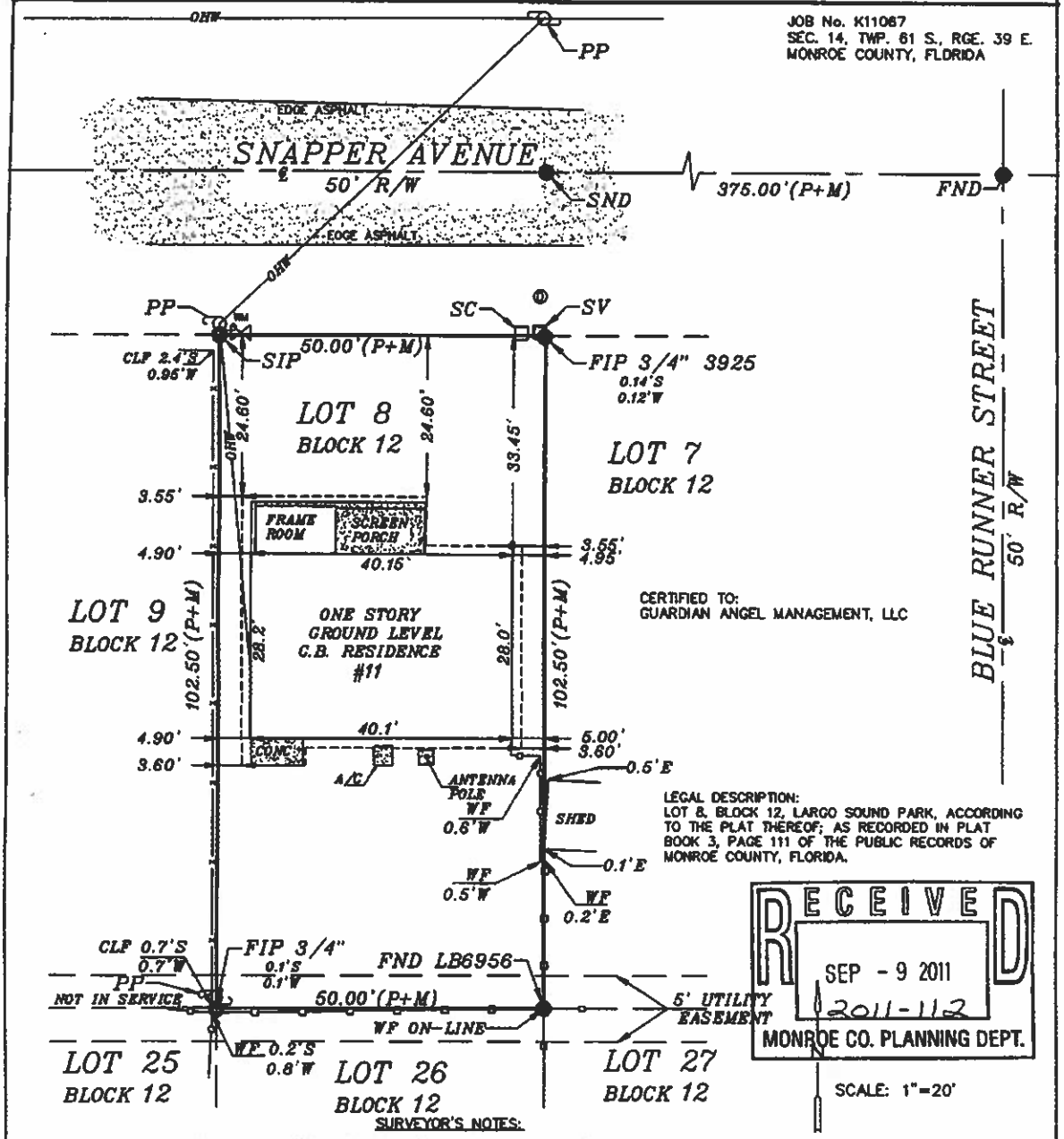
RESIDENCE FOR
MR. & MRS. JOHN H. PINDER
LOT 8 BLK. 12 - SHARPER AVE.
LARGO SUBD. PARK
KEY LARGO, FLA.


FRONT ELEV.
FLOOR PLAN
WEST ELEV.
PORCH
CAR PORT
KITCHEN
BEDROOM
LIVING RM.
ELEC. MATERIALS
NO RANGE HOOD
TOTAL
REFERENCE FOR
LARGE TOWNE PARK

LAWRENCE FRANK LAND SURVEYING LLC

SURVEYORS • LAND PLANNERS
83266 OVERSEAS HIGHWAY, SUITE 300, ISLAMORADA, FLORIDA 33036
Phone (305) 664-0764 FAX (305) 664-0816
CERTIFICATE OF AUTHORIZATION NUMBER LB7698

JOB No. K11067
SEC. 14, TWP. 61 S., RGE. 39 E.
MONROE COUNTY, FLORIDA



CERTIFIED TO:
GUARDIAN ANGEL MANAGEMENT, LLC

LEGAL DESCRIPTION:
LOT 8, BLOCK 12, LARGO SOUND PARK, ACCORDING TO THE PLAT THEREOF; AS RECORDED IN PLAT BOOK 3, PAGE 111 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

RECEIVED
SEP - 9 2011
2011-112
MONROE CO. PLANNING DEPT.

SURVEYOR'S NOTES:

1.) ALL CORNERS FOUND HAVE NO NUMBER DESIGNATING PREVIOUS SURVEYOR OR COMPANY EXCEPT AS SHOWN.
2.) ALL BEARINGS AND DISTANCES ARE MEASURED PER PLAT UNLESS OTHERWISE NOTED.
3.) NO UNDERGROUND ENCROACHMENTS, FOUNDATIONS OR UTILITIES HAVE BEEN LOCATED OR SHOWN UNLESS OTHERWISE NOTED.
4.) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN HEREON.
5.) ELEVATION DATUM: N/A. BENCHMARK: N/A. FB/P:SB36/5-6
BASIS OF BEARINGS: LOT ANGLES = 90°00'00", ASSUMED PER PLAT.
6.) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, COMMUNITY No.125129, PANEL No.0769 K, FIRM INDEX DATE 2/18/05, AND THE HEREON DESCRIBED PROPERTY APPEARS TO BE IN ZONE X.
7.) THE SURVEY DEPICTED HEREON IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.

ABBREVIATION LEGEND:

F.I.R	FOUND IRON ROD, SIZE INDICATED	SEC.	SECTION
S.I.P.	SET IRON PIPE, 3/4" P.L.S. #4619	TWP.	TOWNSHIP
F.I.P.	FOUND IRON PIPE, SIZE INDICATED	RGE.	RANGE
F.N.D.	FOUND NAIL AND DISK	(D)	DEED
S.N.D.	SET NAIL AND DISK, P.L.S. #4619	(P)	PLAT
F.C.M.	FOUND CONCRETE MONUMENT	(M)	MEASURED
P.R.M.	PERMANENT REFERENCE MONUMENT	(C)	CALCULATED
P.C.P.	PERMANENT CONTROL POINT	CONC.	CONCRETE
P.I.	POINT OF INTERSECTION	COV.	COVERED
P.C.	POINT OF CURVE	CLF	CHAIN LINK FENCE
P.O.B.	POINT OF BEGINNING	WF	WOOD FENCE
R/W	RIGHT-OF-WAY	OHW	OVERHEAD WIRE
TYP.	TYPICAL	WM	WATER METER
PP	POWER POLE	SC	SEWER CONNECTION
N.S.E.W.	NORTH, SOUTH, EAST, WEST.	SV	SEWER VENT

CERTIFIED FOR BOUNDARY SURVEY

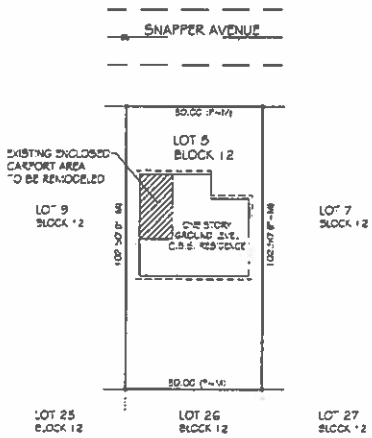
I HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61-17.050, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

LAWRENCE P. FRANK, P.L.S. #4619 DATE: 05/11/11

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

LEGAL DESCRIPTION:

LOT 8, BLOCK 12, LARGO SOUND PARK, ACCORDING TO THE PLAT THEREOF; AS RECORDED IN PLAT BOOK 3 PAGE 111 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.



SITE PLAN

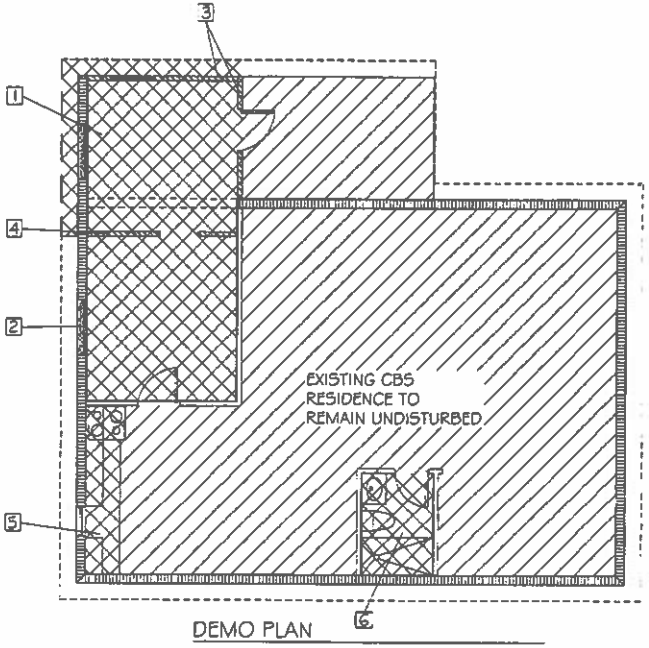
SCALE: 1" = 20'

WALL LEGEND:

1-EXISTING 8" BLOCK WALL TO REMAIN:

2-EXISTING 4" INTERIOR PARTITION TO BE REMOVED

3-EXISTING 4" INTERIOR PARTITION TO REMAIN



DEMO PLAN

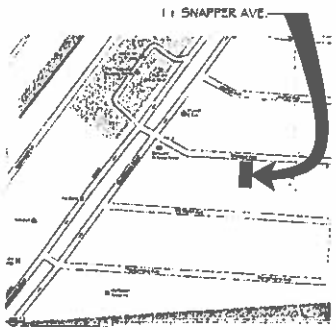
1/4" = 1'

DEMO SCOPE OF WORK:

1. EXISTING CONCRETE LOUVERED WALL VENTS TO BE REMOVED & BLOCKED UP
2. EXISTING CONCRETE LOUVERED WALL VENT TO BE REMOVED & REPLACED WITH WINDOW. SAWCUT MASONRY WALL AS NEEDED TO ACCOMODATE NEW WINDOW
3. EXISTING EXTERIOR FRAME WALLS TO BE REMOVED & REPLACED WITH REINFORCED MASONRY BLOCKWALL (SEE FLOOR PLAN)
4. EXISTING INTERIOR PARTITION TO BE REMOVED
5. EXISTING KITCHEN CABINETS TO BE REMOVED & REPLACED WITH NEW CABINETS, FIXTURES & APPLIANCES (DO NOT EXTEND OR ALTER EXISTING KITCHEN LAYOUT.)
6. EXISTING BATHROOM TO BE REMODELED, INCLUDING ALL TILE SURFACES & PLUMBING FIXTURES (DO NOT ALTER EXISTING BATHROOM LAYOUT)

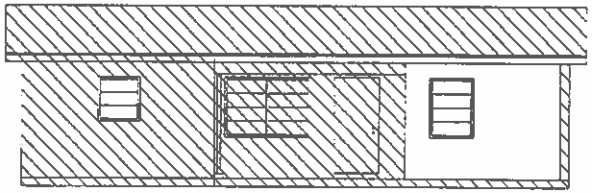
GENERAL DEMO NOTES:

1. GENERAL CONTRACTOR SHALL CHECK AND IDENTIFY EXPOSED MECHANICAL, ELECTRICAL, PLUMBING AND FIRE PROTECTION ELEMENTS FOR REMOVAL AND/OR RELOCATION.
2. GENERAL CONTRACTOR IS TO PROVIDE PERMITS AND NOTICES AUTHORIZING DEMOLITION.
3. GENERAL CONTRACTOR IS TO PROVIDE PERMIT FOR TRANSPORT AND DISPOSAL OF DEBRIS AND COORDINATE WITH OWNER.
4. GENERAL CONTRACTOR SHALL DEMOLISH IN AN ORDERLY MANNER AS REQUIRED TO ACCOMODATE NEW WORK, INCLUDING THAT REQUIRED FOR MAINTAINING EXISTING PARTITIONS. CONTRACTOR MUST PROTECT EXISTING STRUCTURAL ELEMENTS OF THE EXISTING BUILDING
5. THE FOLLOWING DRAWING AND DIMENSIONS ARE APPROXIMATE AND WERE DRAWN TO BE AS ACCURATE AS POSSIBLE FROM THE EXISTING CONDITIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY ANY DIMENSIONS WHICH NEED TO BE REFERENCED. PABLO R GARCIA P.E. SHALL NOT BE RESPONSIBLE FOR MISINTERPRETATIONS OF THE DIMENSIONS OR ANY ALTERATIONS THEREAFTER.



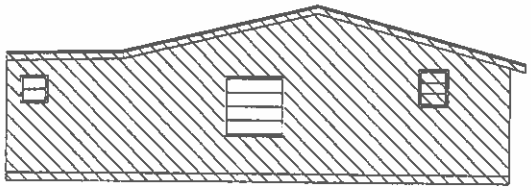
LOCATION

N.T.S.



FRONT ELEVATION

1/4" = 1'



WEST ELEVATION

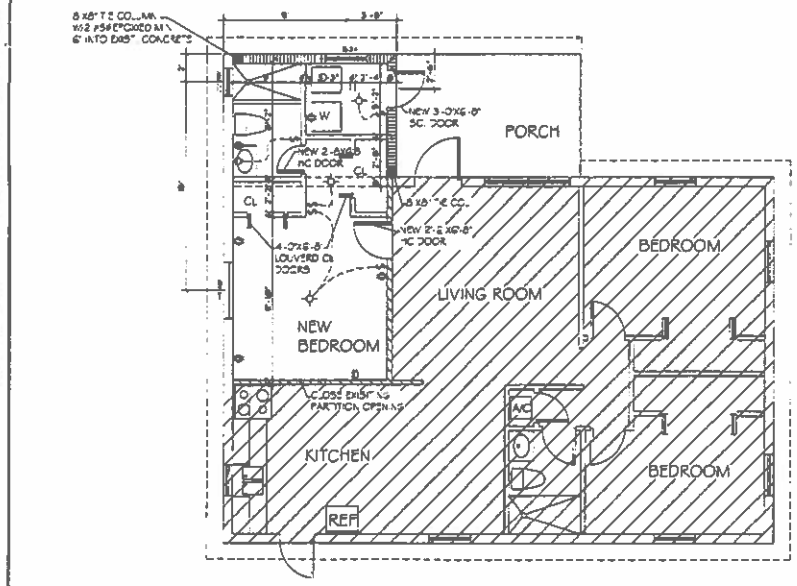
1/4" = 1'

RECEIVED
SEP - 9 2011
2011-112
MONROE CO. PLANNING DEPT.

PABLO R. GARCIA P.E.
CIVIL ENGINEER
7270 NW 144th STREET MIAMI LAKES, FLORIDA 33012
305-823-1949

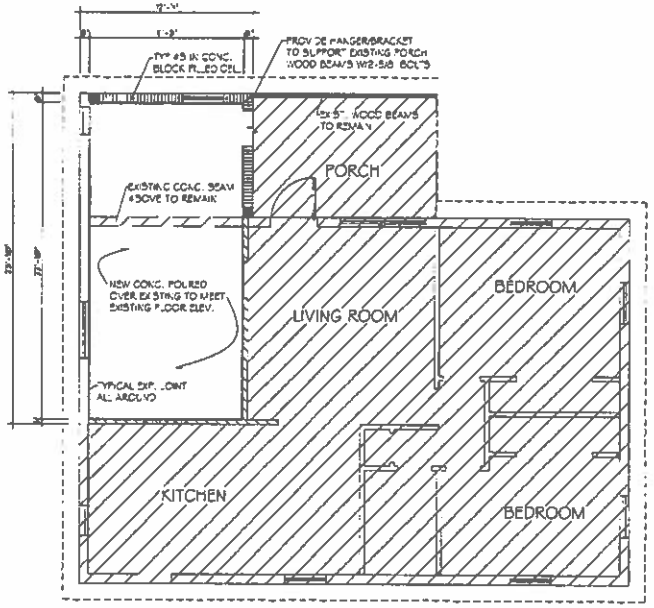
CARPORT REMODELING/ADDITION FOR:
GUARDIAN ANGEL MANAGMENT INC.
11 SNAPPER AVENUE
KEY LARGO, FL 33037

MAY, 2011
SHOWN
PABLO R
SITE PLAN/DWG
1



FLOOR PLAN

1/4" = 1'-0"



FRAMING PLAN

3/8" = 1'-0"

NOTES:

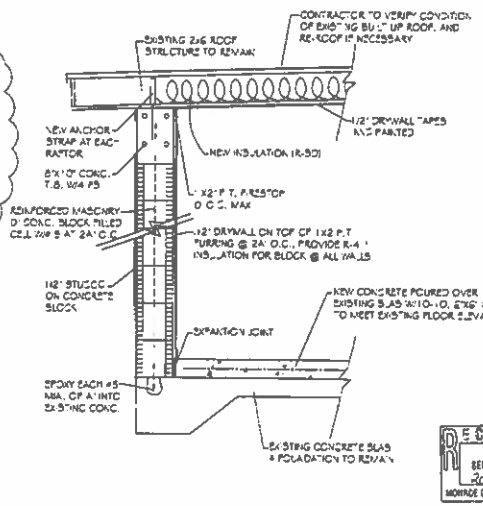
1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON JOB PRIOR TO BEGINNING CONSTRUCTION
2. ALL DETAILS, SECTIONS AND NOTES SHOWN ON THESE DRAWINGS ARE INTENDED TO BE TYPICAL & SHALL APPLY TO SIMILAR SITUATIONS ELSEWHERE UNLESS OTHERWISE SHOWN
3. ALL CONC. WORK SHALL COMPLY WITH LATEST EDITION OF THE AC BLDG CODE (AC 318-95) AND (AC 301-95);
4. ALL CONCRETE SHALL CONFORM TO ASTM C94-94 AND SHALL HAVE 3000 PSI FOR SLABS ON GRADE & 3000 PSI FOR BEAMS, COLUMNS, CELLS AT 28 DAYS.
5. FLOOR SLABS SHALL BE MIN. 4" THICK POURED CONC. SLAB W/ 6MIL WHITE VISQUEEN PLASTIC OR EQUAL VAPOR BARRIER ON WELL TAMPED TERMITE TREATED SAND FILL (MORD-COMPACTED) AS PER FBC 9201 OR AS NOTED ON PLANS
6. WELDED WIRE FABRIC SHALL COMPLY W/ ASTM A 185, UNLESS OTHERWISE SPECIFIED PLACE FABRIC 2" CLEAR FROM TOP OF THE SLAB IN SLAB ON GRADE.
7. ALL REINFORCING STEEL SHALL BE GRADE 60 OR AS NOTED ON PLANS.
8. CONC. COVER FOR REINFORCING STEEL SHALL MEET LATEST AC SPECS. ALL REINFORCING STEELSHALL BE MANUFACTURED FROM "HIGH STRENGTH BILLET" STEEL COVFORMING TO ASTM A 185. LAP ALL BARS MIN 48 BAR DIAMETERS UNLESS OTHERWISE NOTED ON DRAWINGS. LAP ALLWWF A MIN OF 6 UNLESS OTHERWISE NOTED.
9. PROVIDE ONE #5X4'0" BENT BAR FOR EA. HORIZONTAL BAR SCHEDULED AT THE OUTSIDE FACE OF CORNERS OF CONC. WALLS, BEAMS & CONTINUOUS WALL FOOTING. ALL HOOKS SHOWN IN REINFORCING SHALL BE ACI RECOMMENDED HOOKS UNLESS OTHERWISE NOTED.
10. ALL MASONRY UNITS SHALL BE ATM C 90-90 GRADE N OR N/MW N COMPRESSIVE OF 1500 STRENGTH PSI ON NET AREA OF INDIVIDUAL UNITS. ALL CVL SHALL BE LAID IN A FULL BED OF MORTAR IN RUNNING BOND LAYOUT.
11. ALL MORTAR SHALL BE TYPE M ACCORDANCE W/ ASTM SPECS C280-92 W/ A MIN. COMPRESSIVE STRENGTH OF 1800 PSI AT 28 DAYS (250 C MTYPE M)
12. GROUT SHALL BE A HIGH SLUMP MIX IN ACCORDANCE W/ ASTM SPECS C476 HAVING A MIN COMPRESSIVE STRENGTH OF 3000 PSI.
13. USE HORIZONTAL JOINT REINFORCEMENT AT EVERY COURSE W/ AB LADDER TYPE FOR REINFORCEMENT MASONRY & TRUSS TYPE FOR ALL OTHERS.
14. ALL CONC. MASONRY BEARING AND SHEAR WALLS SHALL BE CONSTRUCTED IN ACCORDANCE W/ THE SPECS FOR THE DESIGN & CONSTRUCTION OF LOAD BEARING CONC. MASONRY ISSUED BY NATL CONC. MASONRY ASSOCIATION.
15. ALL WOOD IN CONTACT WITH MASONRY OR CONC. SHALL BE P.T.
16. ALL TIMBER & TIMBER CONSTRUCTION SHALL COMPLY W/ SPECS & CODES SPECIFIED BY THE FOLLOWING AMERICAN INSTITUTES OF TIMBER CONSTRUCTION. TIMBER CONSTRUCTION MANUAL & NATL FOREST PRODUCTS ASSOC NATL DES CN SPECS FOR WOOD CONSTRUCTION & AMERICAN PLYWOOD ASSOC. PLYWOOD DESIGN SPECS AMERICAN WOOD PRESERVES ASSOC. STANDARDS & NATL LUMBER MANUFACTURERS ASSOC. NATL DESIGN SPEC FOR STRESS GRADE LUMBER & ITS FASTENINGS.
17. PARTITION WALLS TO BE WOOD STUD AT 24" O.C.
18. ALL GYP GREY BOXES IN FIRE RATED WALLS TO BE MADE OF 6" BLOCK OR FRAMED ON REAR SIDE AND COVERED WITH 5/8" TYPE X GYP BOARD.
19. FIRE STOPS TO BE PROVIDED IN ALL FURRED SPACES @ 8'-0 O.C.
20. TIE BEAMS ARE TO BE CONTINUOUS AS PER CODE AND MIN. 8"X12" EXTENDING MIN 8" OVER SUPPORT ENDS (1'-2" AT GRADE OPENINGS) OR AS NOTED ON PLANS.
21. THE TIE BEAM SCHEDULE DEPTHS ARE MIN AND MAY BE INCREASED IF NECESSARY TO FIT BLOCK WORK.
22. "RSB" BLOCK CAVITY AT EACH SIDE OF OPENINGS SHALL BE FILLED W/ CONC. UNLESS SHOWN OTHERWISE.
23. ALL WINDOWS (GLASS BLOCK, FIXED GLASS & OPERABLE UNITS) AND DOORS & THEIR ASSEMBLIES SHALL MEET THE REQUIREMENTS SET FORTH IN CODE (E) OR BE PROVEN TO BE ACCEPTABLE BY SEPERATE ENGINEERING.
24. ALL EGRESS WINDOWS NOTED "E" SHALL MEET THE FOLLOWING REQUIREMENTS CLEAR OPENING OF NOT LESS THAN 20" IN WIDTH 24 IN HT. & 5.7 SQFT IN AREA THE BOTTOM OF THE OPENING SHALL BE NOT MORE THAN 44" AFF. EGRESS WINDOWS SHALL CONFORM TO CODE
25. SLIDING GLASS DOORS & FRENCH DOORS SHALL HAVE DESIGN TEMPERED GLASS, ALL WINDOWS AND SLIDING DOORS TO HAVE INSECT SCREENS.
26. FIRE STOPS REQUIRED AROUND TOP, BOTTOM, & SLIDING DOOR POCKETS
27. ALL EXTERIOR TYPE SWING DOORS TO HAVE METAL THRESHOLD.
28. ALL DETAILS, PRODUCT APPROVALS & NOTES (SHOWING SHUTTER CONNECTIONS & ASSEMBLIES SHALL BE PROVIDED BY THE BUILDER/CONTRACTOR. SHUTTERS ARE MANDATORY UNLESS SEPARATE ENGINEERING PROVIDED BY THE SAME PARTY, ACCOMPANIES PLANS WITH PROOF OF OTHER METHODS DEEMED TO COMPLY WITH FBC.
29. BATHROOM "TOILET ROOM" FLOORS & BASE TO BE OF IMPERVIOUS MATERIALS.
30. ALL GLASS IN BATHROOMS TO BE ELEV. BELOW 60" AFF.
31. ALL SHOWER ENCLOSURE GLASS TO BE CAT II SAFETY GLAZING PER CODE.
32. ALL WINDOW FRAMES TO BE SET IN CAULK BEDS.
33. SCREEN SPA NAILER POOL AND EQ EQUIPMENT VIEW.
34. ELEVATIONS ARE TAKEN FROM LOWEST FLANG AREA FLOOR SLAB WHICH SHALL BE 0'-0".
35. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CODE.

COMPLIANCE WITH THE FLORIDA BUILDING CODE:

TO THE BEST OF MY KNOWLEDGE, ABILITY AND PROFESSIONAL JUDGEMENT, THESE PLANS MEET THE REQUIREMENTS OF THE FLORIDA BUILDING CODE (FBC), (LATEST EDITION)

STRUCTURAL DESIGN CRITERIA:

ASCE 7-2002
BASIC WINDSPEED: 150 MPH, AT A HEIGHT OF 30 FEET
EXPOSURE C
IMPORTANCE FACTOR 1



RECEIVED
SEP - 9 2011
2011-112
MONROE CO. PLANNING DEPT.

TYP WALL SECTION

1" = 1'-0"

NOTES	BY/IN

PABLO R. GARCIA P.E.
CIVIL ENGINEER
1709 NW MAIN STREET PLANT LARGO, FLORIDA 33402

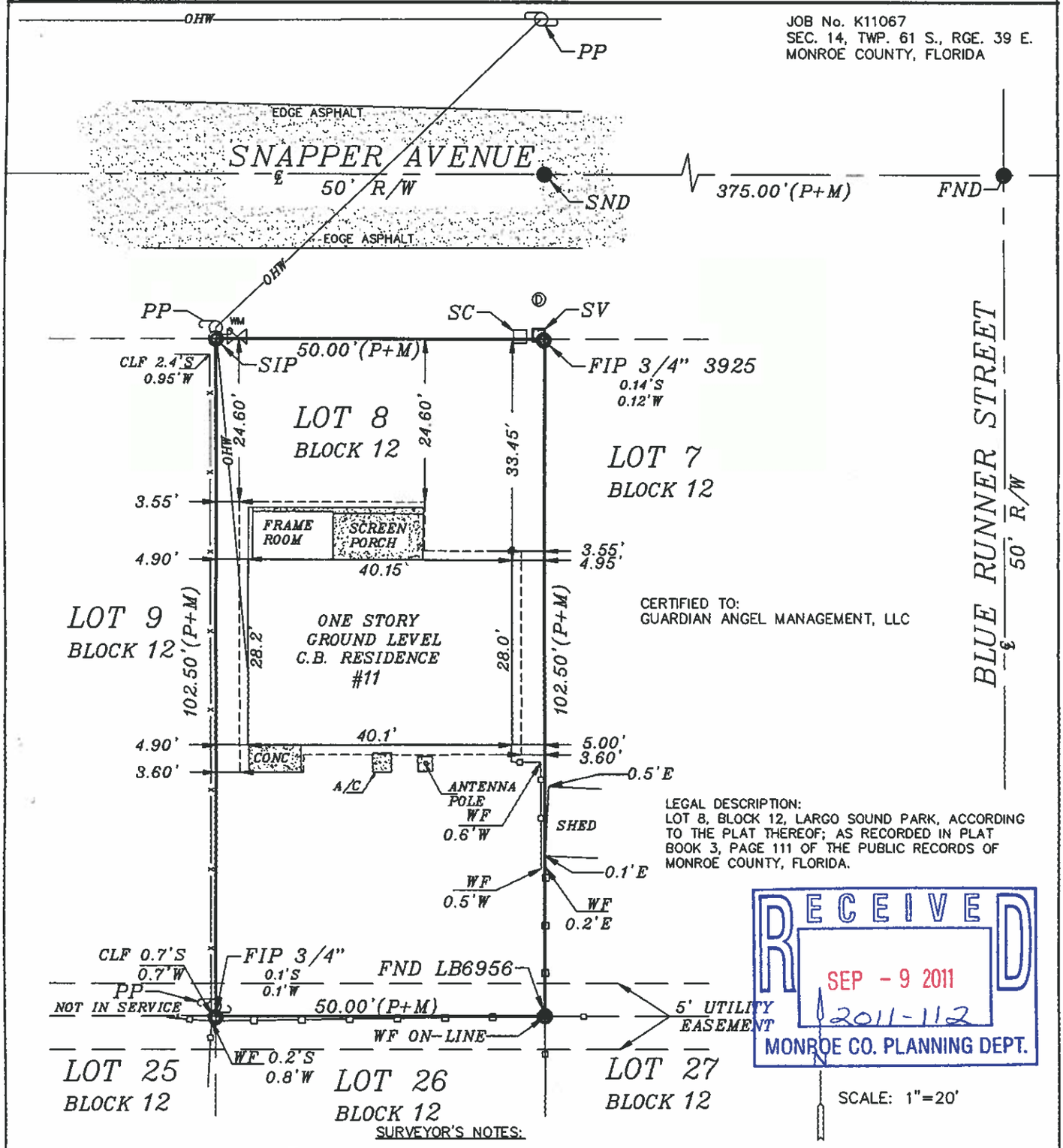
CARPORT REMODEL/ADDITION FOR:
GUARDIAN ANGEL MANAGMENT INC.
11 SNAPPER AVENUE
KEY LARGO, FL 33037

DATE	MAY, 1994
DRAWN	BHOWN
CHECKED	PABLO .R
REVISIONS	
SHEET	2

LAWRENCE FRANK LAND SURVEYING LLC

SURVEYORS • LAND PLANNERS
83266 OVERSEAS HIGHWAY, SUITE 300, ISLAMORADA, FLORIDA 33036
Phone (305) 664-0764 FAX (305) 664-0816
CERTIFICATE OF AUTHORIZATION NUMBER LB7698

JOB No. K11067
SEC. 14, TWP. 61 S., RGE. 39 E.
MONROE COUNTY, FLORIDA



CERTIFIED TO:
GUARDIAN ANGEL MANAGEMENT, LLC

LEGAL DESCRIPTION:
LOT 8, BLOCK 12, LARGO SOUND PARK, ACCORDING TO THE PLAT THEREOF; AS RECORDED IN PLAT BOOK 3, PAGE 111 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

RECEIVED
SEP - 9 2011
2011-112
MONROE CO. PLANNING DEPT.

SCALE: 1"=20'

SURVEYOR'S NOTES:

1.) ALL CORNERS FOUNO HAVE NO NUMBER OESIGNATING PREVIOUS SURVEYOR OR COMPANY EXCEPT AS SHOWN.
2.) ALL BEARINGS AND DISTANCES ARE MEASURED PER PLAT UNLESS OTHERWISE NOTED.
3.) NO UNDERGROUND ENCROACHMENTS, FOUNOATIONS OR UTILITIES HAVE BEEN LOCATED OR SHOWN UNLESS OTHERWISE NOTED.
4.) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN HEREON.
5.) ELEVATION DATUM: N/A, BENCHMARK: N/A. FB/P:SB36/5-6
BASIS OF BEARINGS: LOT ANGLES = 90°00'00", ASSUMED PER PLAT.
6.) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, COMMUNITY No.125129, PANEL No.0769 K, FIRM INDEX DATE 2/18/05, AND THE HEREON DESCRIBED PROPERTY APPEARS TO BE IN ZONE X.
7.) THE SURVEY DEPICTED HEREON IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.

ABBREVIATION LEGEND:

F.I.R	FOUND IRON ROD, SIZE INDICATED	SEC.	SECTION
S.I.P.	SET IRON PIPE, 3/4" P.L.S. #4619	TWP.	TOWNSHIP
F.I.P.	FOUND IRON PIPE, SIZE INDICATED	RGE.	RANGE
F.N.D.	FOUND NAIL AND DISK	(D)	DEED
S.N.D.	SET NAIL AND DISK, P.L.S. #4619	(P)	PLAT
F.C.M.	FOUND CONCRETE MONUMENT	(M)	MEASURED
P.R.M.	PERMANENT REFERENCE MONUMENT	(C)	CALCULATEO
P.C.P.	PERMANENT CONTROL POINT	CONC.	CONCRETE
P.I.	POINT OF INTERSECTION	COV.	COVERED
P.C.	POINT OF CURVE	CLF	CHAIN LINK FENCE
P.O.B.	POINT OF BEGINNING	WF	WOOD FENCE
R/W	RIGHT-OF-WAY	OHW	OVERHEAD WIRE
TYP.	TYPICAL	WM	WATER METER
PP	POWER POLE	SC	SEWER CONNECTION
N.S.E.W.	NORTH, SOUTH, EAST, WEST.	SV	SEWER VENT

CERTIFIED FOR BOUNOARY SURVEY

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANOAROS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

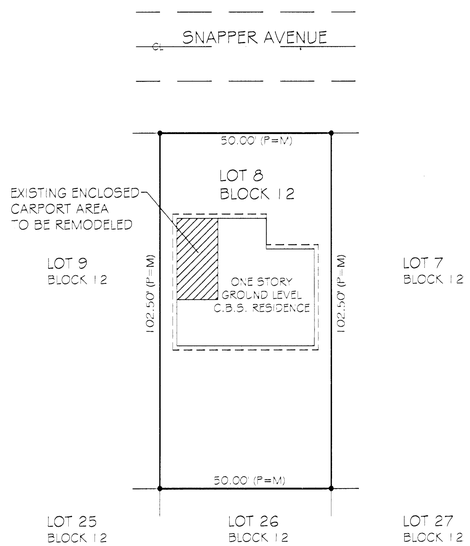
Lawrence P. Frank

LAWRENCE P. FRANK, P.L.S. #4619 DATE: 05/11/11

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

LEGAL DESCRIPTION:

LOT 8, BLOCK 12, LARGO SOUND PARK, ACCORDING TO THE PLAT THEREOF; AS RECORDED IN PLAT BOOK 3 PAGE 111 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.



SITE PLAN

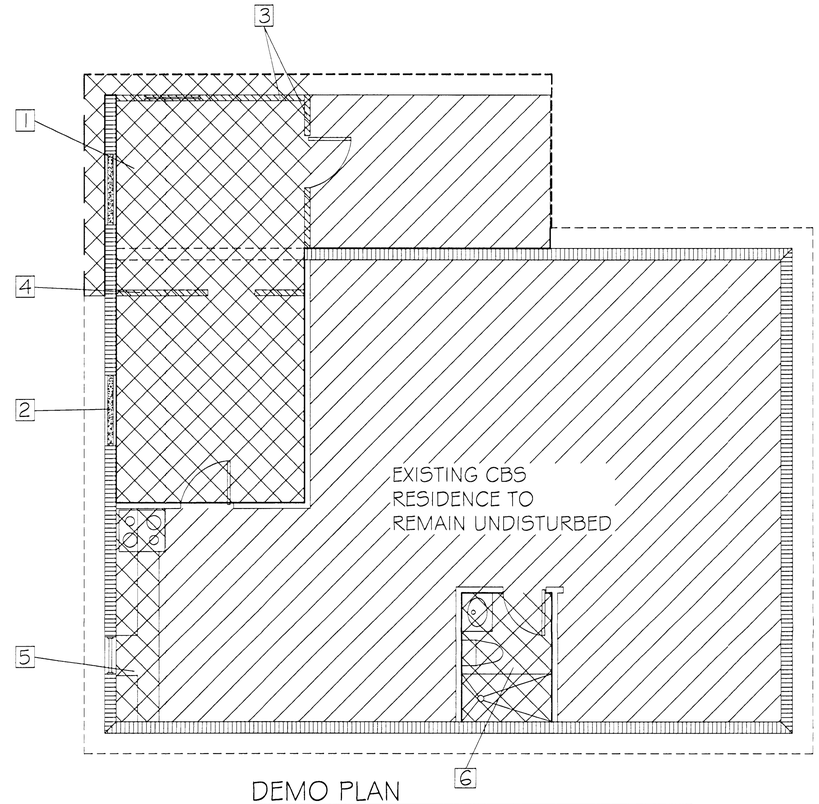
SCALE: 1" = 20'

WALL LEGEND:

1-EXISTING 8" BLOCK WALL TO REMAIN:

2-EXISTING 4" INTERIOR PARTITION TO BE REMOVED

3-EXISTING 4" INTERIOR PARTITION TO REMAIN



DEMO PLAN

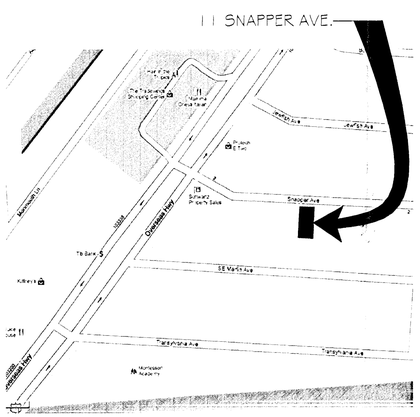
1/4" = 1'

DEMO SCOPE OF WORK:

1. EXISTING CONCRETE LOUVERED WALL VENTS TO BE REMOVED & BLOCKED UP
2. EXISTING CONCRETE LOUVERED WALL VENT TO BE REMOVED & REPLACED WITH WINDOW, SAWCUT MASONRY WALL IF NEEDED TO ACCOMODATE NEW WINDOW
3. EXISTING EXTERIOR FRAME WALLS TO BE REMOVED & REPLACED WITH REINFORCED MASONRY BLOCKWALL (SEE FLOOR PLAN)
4. EXISTING INTERIOR PARTITION TO BE REMOVED
5. EXISTING KITCHEN CABINETS TO BE REMOVED & REPLACED WITH NEW CABINETS, FIXTURES & APPLIANCES (DO NOT EXTEND OR ALTER EXISTING KITCHEN LAYOUT.)
6. EXISTING BATHROOM TO BE REMODELED, INCLUDING ALL TILE SURFACES & PLUMBING FIXTURES (DO NOT ALTER EXISTING BATHROOM LAYOUT)

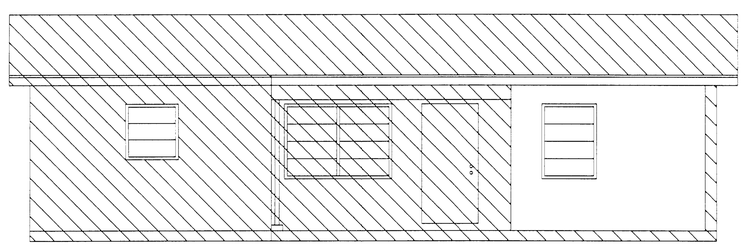
GENERAL DEMO NOTES:

1. GENERAL CONTRATOR SHALL CAP AND IDENTIFY EXPOSED MECHANICAL, ELECTRICAL, PLUMBING AND FIRE PROTECTION ELEMENTS FOR REMOVAL AND/OR RELOCATION.
2. GENERAL CONTRATOR IS TO PROVIDE PERMITS AND NOTICES AUTHORIZING DEMOLITION.
3. GENERAL CONTRACTOR IS TO PROVIDE PERMIT FOR TRANSPORT AND DISPOSAL OF DEBRIS AND COORDINATE WITH OWNER.
4. GENERAL CONTRACTOR SHALL DEMOLISH IN AN ORDERLY MANNER AS REQUIRED TO ACCOMODATE NEW WORK, INCLUDING THAT REQUIRED FOR MAINTAINING EXISTING PARTITIONS, CONTRACTOR MUST PROTECT EXISTING STRUCTURAL ELEMENTS OF THE EXISTING BUILDING.
5. THE FOLLOWING DRAWING AND DIMENSIONS ARE APPROXIMATE AND WERE DRAWN TO BE AS ACCURATE AS POSSIBLE FROM THE EXISTING CONDITIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY ANY DIMENSIONS WHICH NEED TO BE REFERENCED. PABLO R GARCIA P.E. SHALL NOT BE RESPONSIBLE FOR MISINTERPRETATIONS OF THE DIMENSIONS OR ANY ALTERATIONS THEREAFTER.



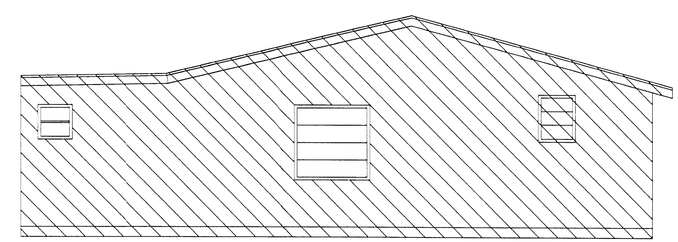
LOCATION

N.T.S.



FRONT ELEVATION

1/4" = 1'



WEST ELEVATION

1/4" = 1'

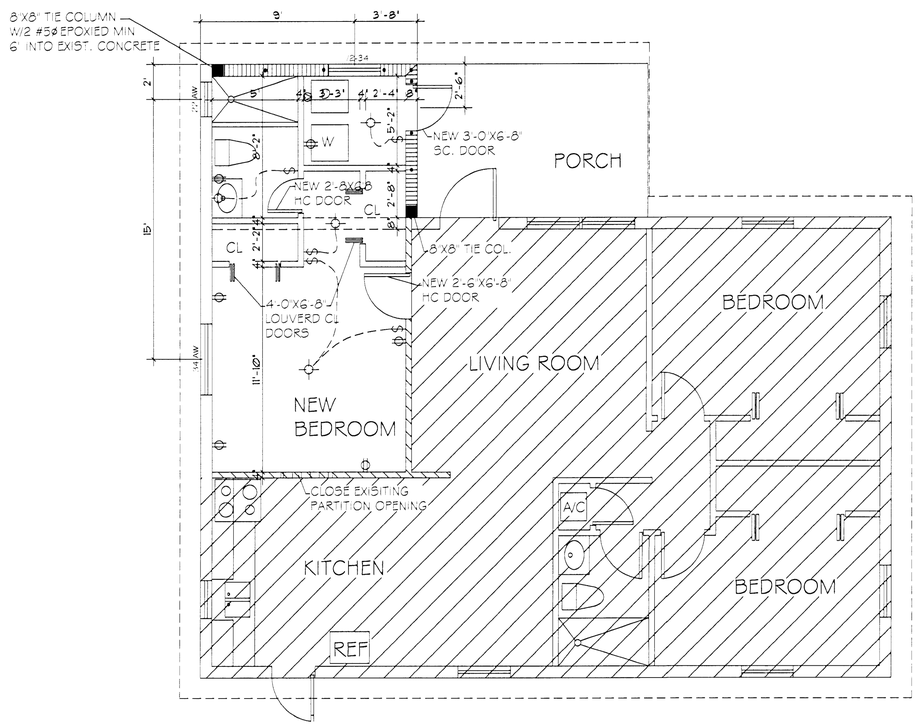
RECEIVED
SEP - 9 2011
2011-112
MONROE CO. PLANNING DEPT.

REVISIONS	DATE

305-823-1393
PABLO R GARCIA P.E.
CIVIL ENGINEER
7129 NW 146th STREET MIAMI LAKES, FLORIDA 33012

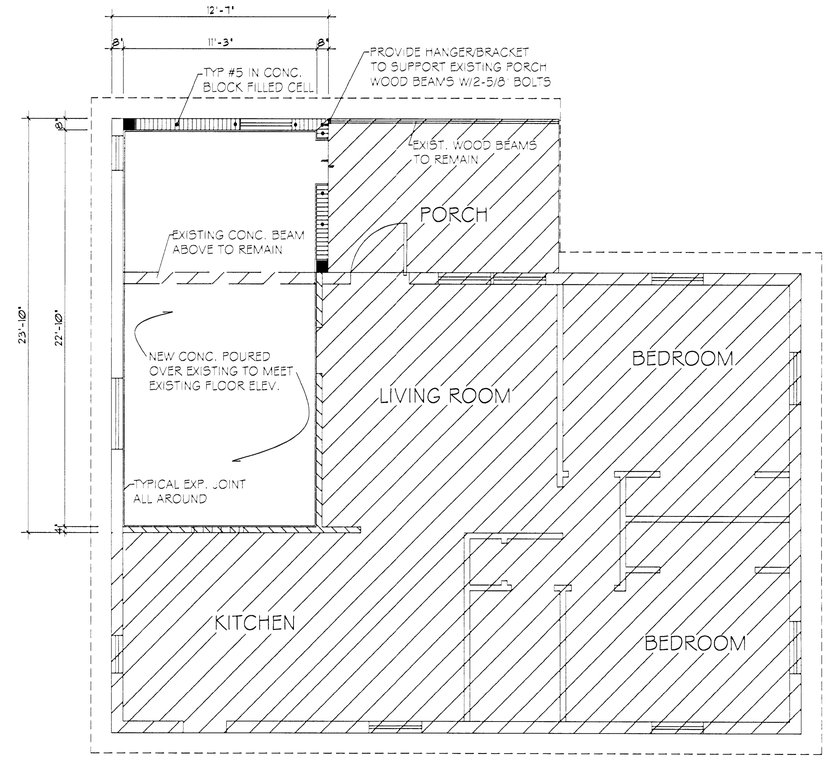
CARPORT REMODELING/ADDITION FOR:
GUARDIAN ANGEL MANAGMENT INC.
11 SNAPPER AVENUE
KEY LARGO, FL 33037

DATE: MAY, 2011
SCALE: SHOWN
DRAWN: PABLO JR
JOB: -
FILE NAME: SITE PLANDWG
SHEET No. 1 OF 2 SHEETS



FLOOR PLAN

1/4" = 1'-0"



FRAMING PLAN

3/8" = 1'-0"

NOTES:

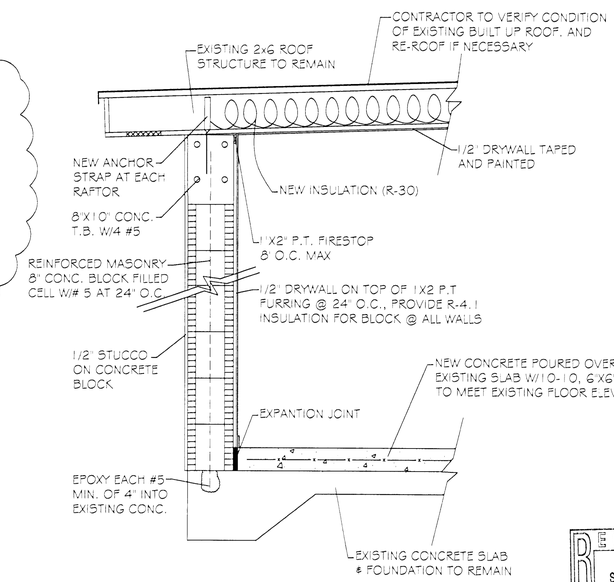
1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON JOB PRIOR TO BEGINNING CONSTRUCTION
2. ALL DETAILS SECTIONS AND NOTES SHOWN ON THESE DRAWINGS ARE INTENDED TO BE TYPICAL & SHALL APPLY TO SIMILAR SITUATIONS ELSEWHERE UNLESS OTHERWISE SHOWN
3. ALL CONC. WORK SHALL COMPLY WITH LATEST EDITION OF THE AC BLDG CODE (ACI 318-99) AND (ACI 301-99).
4. ALL CONCRETE SHALL CONFIRM TO ASTM C94-94 AND SHALL HAVE 3000 PSI FOR SLABS ON GRADE & 3000 PSI FOR BEAMS, COLUMNS, CELLS AT 28 DAYS.
5. FLOOR SLABS SHALL BE MIN. 4" THICK POURED CONC. SLAB W/ 6X6/W/4X/W/4/MWN ON 0004 VISQUEEN PLASTIC OR EQUAL VAPOR BARRIOR ON WELL TAMPED TERMITE TREATED SAND FILL (VIBRO-COMPACTED) AS PER PBC 3201 OR AS NOTED ON PLANS
6. WELDED WIRE FABRIC SHALL COMPLY W/ ASTM A 185. UNLESS OTHERWISE SPECIFIED PLACE FABRIC 2" CLEAR FROM TOP OF THE SLAB IN SLAB ON GRADE.
7. ALL REINFORCING STEEL SHALL BE GRADE 60.0 OR AS NOTED ON PLANS.
8. CONC. COVER FOR REINFORCING STEEL SHALL MEET LATEST ACI SPECS. ALL REINFORCING STEELSHALL BE MANUFACTURED FROM HIGH STRENGTH BILLET STEEL CONFORMING TO ASTM A 185. LAP ALL BARS MIN 48 BAR DIAMETERS UNLESS OTHERWISE NOTED ON DRAWINGS. LAP ALLWWF A MIN OF 6" UNLESS OTHERWISE NOTED.
9. PROVIDE ONE #5X4'0" BENT BAR FOR EA. HORIZONTAL BAR SCHEDULED AT THE OUTSIDE FACE OF CORNERS OF CONC. WALLS BEAMS & CONTINUOUS WALL FOOTING. ALL HOOKS SHOWN IN REINFORCMENT SHALL BE ACI RECOMMENDED HOOKS UNLESS OTHERWISE NOTED.
10. ALL MASONRY UNITS SHALL BE ATM C 90-90 GRADE NI OR NIWMIN COMPRESSIVE OF 1500 STRENGTH PSI ON NET AREA OF INDIVIDUAL UNITS. ALL CMU SHALL BE LAID IN A FULL BED OF MORTAR IN RUNNING BOND U.ON.
11. ALL MORTAR SHALL BE TYPE IN ACCORDANCE W/ ASTM SPECS C280-92 W/ A MIN. COMPRESSIVE TRENGTH OF 1800 PSI AT 28 DAYS (250 0 W/TYPE M)
12. GROUT SHALL BE A HIGH SLUMP MIX IN ACCORDANCE W/ ASTM SPECS C476 HAVING A MIN COMPRESSIVE STRENGTH OF 3000 PSI.
13. USE HORIZONTAL JOINT REINFORCEMENT AT EVERY COURSE W #8 LADDER TYPE FOR REINFORCEMENT MASONRY & TRUSS TYPE FOR ALL OTHERS.
14. ALL CONC. MASONRY BEARING ANS SHEAR WALLS SHALL BE CONSTRUCTED IN ACCORDANCE W/ THE SPECS FOR THE DESIGN & CONSTRUCTION OF LOAD BEARING CONC. MASONRY PUBLISED BY NAT'L CONC. MASONRY ASSOCIATION.
15. ALL WOOD IN CONTACT WITH MASONRY OR CONC. SHALL BE P.T.
16. ALL TIMBER & TIMBER CONSTRUCTION SHALL COMPLY W/ SPECS & CODES SPECIFIED BY THE FOLLOWING AMERICAN INSTITIUTE OF TIMBER CONSTRUCTION. TIMBER CONSTRUCTION MANUAL & NAT'L FOREST PRODUCTS ASSOC. NAT'L DESIGN SPECS FOR WOOD CONSTRUCTION & AMERICAN PLYWOOD ASSOC. PLYWOOD DESIGN SPECS AMERICAN WOOD PRESERVES ASSOC. STANDARDS & NAT'L LUMBER MANUFACTURERS ASSOC. LAT'L DESIGN SPEC FOR STRESS GRADE LUMBER & ITS FASTENINGS.
17. PARTITION WALLS TO BE WOOD STUD AT 24" O.C.
18. ALL GIY GREY BOXES IN FIRE RATED WALLS TO BE MADE OF STEEL OR FRAMED ON REAR SIDE AND COVERED WITH 5X8" TYPE X GYP BOARD.
19. FIRE STOPS TO BE PROVIDED IN ALL FURRED SPACES @ 8'-0 O.C.
20. TIE BEAMS ARE TO BE CONTINUOUS AS PER CODE AND MIN 8"X12" EXTENDING MIN 8" OVER SUPPORT ENDS (12" AT GRADE OPENNINGS) OR AS NOTED ON PLANS.
21. THE TIE BEAM SCHEDULE DEPTHS ARE MIN. AND MAY BE INCREASED (8" MAX.) TO FIT BLOCK WORK.
22. FIRST BLOCK CAVITY AT EACH SIDE OF OPENINGS SHALL BE FILLED W/ CONC. UNLESS SHOWN OTHERWISE.
23. ALL WINDOWS (GLASS BLOCK, FIXED GLASS & OPERABLE UNITS) AND DOORS & THEIR ASSEMBLIES SHALL MEET THE REQUIREMENTS SET FORTH CODE (E) OR BE PROVEN TO BE ACCEPTABLE BY SEPERATE ENGINEERING.
24. ALL EGRESS WINDOWS NOTED "E" SHALL MEET THE FOLLOWING REQUIREMENTS CLEAR OPENING OF NOT LESS THAN 20" IN WIDTH 24" IN HT. & 5.7 SQFT IN AREA THE BOTTOM OF THE OPENING SHALL BE NOT MORE THAN 44" AFF. EGRESS WINDOWS SHALL CONFORM TO CODE.
25. SLIDING GLASS DOORS & FRENCH DOORS SHALL HAVE BEEN TEMPERED GLASS, ALL WINDOWS AND SLIDING DOORS TO HAVE INSECT SCREENS.
26. FIRE STOPS REQUIRED AROUND TOP, BOTTOM, & SLIDING DOOR POCKETS
27. ALL EXTERIOR TYPE SWING DOOORS TO HAVE METAL THRESHOLD.
28. ALL DETAILS, PRODUCT APPROVALS & NOTES HSOWING SHUTTER CONNETIONS & ASSEMBLIES SHALL BE PROVIDED BY THE BUIDER/CLIENT. SHUTTERS AR EMANDATORY UNLESS SEPARATE ENGINEERING PROVIDED BY THE SAME PARTY. ACCOMPANIES PLANS WITH PROOF OF OTHER METHODS DEEMED TO COMPLY WITH FBC.
29. BATHROOM & TOILET ROOM FLOORS & BASE TO BE OF IMPERVIOUSE MATERIALS.
30. ALL GLASS IN BATHROOMS TO BE TEMP BELOW 60 ° AFF.
31. ALL SHOWER ENCLOSURE GLASS TO BE CAT II SAFETY GLAZING PER CODE.
32. ALL WINDOW FRAMES TO BE SET IN CAULK BEDS.
33. SCREEN SPRINKLER POOL AND Z/C EQUIPMENT VIEW.
34. ELEVATIONS ARE TAKEN FROM LOWEST LIVING AREA FLOOR SLAB WHICH SHALL BE 0'-0".
35. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CODE.

COMPLIANCE WITH THE FLORIDA BUILDING CODE:

TO THE BEST OF MY KNOWLEDGE , ABILITY AND PROFESSIONAL JUDGEMENT, THESE PLANS MEET THE REQUIREMENTS OF THE FLORIDA BUILDING CODE (FBC), (LATEST EDITION)

STRUCTURAL DESIGN CRITERIA:

ASCE 7-2002
BASIC VELOCITY- 150 MPH, AT A HIGHT OF 30 FEET
EXPOSURE C
IMPORTANCE FACTOR 1



RECEIVED
SEP - 9 2011
2011-112
MONROE CO. PLANNING DEPT.

TYP WALL SECTION

1" = 1'-0"

REVISIONS	DATE
NOTES	07/11

305-823-1389
PABLO R. GARCIA P.E.
CIVIL ENGINEER
7129 NW. 146th. STREET MIAMI LAKES, FLORIDA 33012

CARPORT REMODEL/ADDITION FOR :
GUARDIAN ANGEL MANAGMENT INC.
11 SNAPPER AVENUE
KEY LARGO, FL 33037

DATE: MAY, 2011
SCALE: SHOWN
DRAWN: PABLO JR
JOB: -
FILE NAME: CANTODLG
SHEET No.: 2
OF 2 SHEETS