APPLICATION 5. COASTAL MANAGEMENT ELEMENT AMENDMENTS

Amend the Coastal Management Element as follows. Additions are denoted by <u>underline</u>; deletions by <u>strikethrough</u>.

CHAPTER 5: COASTAL MANAGEMENT ELEMENT

(Reference §9J-5.012(3), F.A.C.)

§5-1: COASTAL MANAGEMENT GOALS, OBJECTIVES, AND IMPLEMENTATION POLICIES. This section stipulates goals, objectives, and implementing policies for the Coastal Management Element pursuant to ¶Florida Statutes163.3177 (6) (g) and ¶163.3178, F.S., and §9J-5.012(3), F.A.C.

Reason for Amendment: To reflect changes in Florida Statutes.

GOAL 5-1: COASTAL MANAGEMENT. Restrict development activities that would damage or destroy coastal resources. and pProtect human life and limit public expenditures in areas subject to destruction by natural disasters, but encourage policies which attract pedestrians, increase waterfront access, and reinforce the ambiance of the waterfront.

Reason for Amendment: Improve readability and address community comments.

OBJECTIVE 5-1.1: PROTECT COASTAL RESOURCES, WETLANDS, ESTUARINE SALT POND ENVIRONMENTAL QUALITY, LIVING MARINE RESOURCES, AND WILDLIFE HABITATS. Upon plan adoption the The City shall adopt amended continue to enforce land development regulations including performance standards designed to protect, conserve, and enhance coastal resources wetlands, water resources, living marine resources, wildlife habitats, and other natural resources, including estuarine environmental quality, by:

- Preventing potentially adverse impacts of development and redevelopment on wetlands, estuaries, water resources, living marine resources, and other natural resources;
- 2. Maintaining or improving coastal environmental quality by improving stormwater management by commencing the stormwater management plan identified in Policy 4-2.1d.1. The plan shall provide a basis for adopting regulatory measures for enhancing water quality and shall identify capital improvements needed to improve the stormwater management system.

By 1994 these regulatory measures recommended in the stormwater management plan shall be incorporated in the land development regulations and the recommended capital improvements shall be incorporated in the Comprehensive Plan capital improvement schedule.

- 3. Preventing potential adverse impacts of development along the coastal shoreline, including impacts on water quality, living marine organisms, seagrasses, salt ponds, and transitional and mangrove wetlands; and
- 4. Regulating the impacts of development on wildlife habitats. These objectives shall be accomplished as herein below cited as well as through coordination with the South Florida Water Management District and through the SWIM program State.

Monitoring Measure: Inclusion of performance standards and protection mechanisms in the Land Development Regulations.

Reason for Amendment: Update.

Policy 5-1.1.1: Development Restrictions in Wetlands. The City shall adopt and continue to enforce a wetlands protection ordinance which shall restrict development within wetlands and shall require consideration of dedication of conservation easements by applicants for upland development who also own title to adjacent wetlands.

Upon plan adoption tThe City shall amend its land development code to include maintain performance criteria which prohibits development of wetlands pursuant to State and federal regulations. Wetlands shall be defined based on hydrology as well as hydric soil and wetland vegetation. Wetlands shall include transitional wetlands and shall include those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do, or would support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The following vegetative species are wetland species commonly found in the City of Key West, although the applicable State and federal list of jurisdictional wetland vegetation shall apply:

Common Name of Wetland Species Scientific Name

Black Mangrove Avicenna germinas
White Mangrove Laguncularia racemosa
Red Mangrove Rhizophora mangle
Buttonwood Conocarpus erectus
Saltwort Ratio maritima

Saltwort Batis maritima Glasswort Salicornia spp.

Sea Purslane Sesuvium protul acastrum

Sea Blite
Suada linearis
Sea Oxeye Daisy
Salt Grass
Dropseed
Key Grass
Suada linearis
Borrichia spp.
Distichlis spicata
Sporobilus virginicus
Monanthochloe

Key GrassMonanthochloeFringe-RushesFimbristylis spp.CordgrassSpartina spartinae

Sawgrass Cladium jamaicewsis
Spike Rush Eleocharis celluosa
Cattail Typha spp.

Wetland jurisdictional determinations shall be consistent with those of the FDER, SFWMD, and the U.S. Army Corps of Engineers County, State and federal agencies.

Reason for Amendment: Update.

Policy 5-1.1.2: Protect Coastal and Estuarine Environmental Quality and the Shoreline. Upon plan adoption the The City shall adopt amended continue to enforce land development regulations which include performance criteria mandating that the potential impacts of shoreline development be analyzed as part of the process and prior to approval of a development permit. The applicant shall bear the burden of demonstrating that adverse impacts on natural resources of the coastal zone will be prevented and that all applicable State and/or federal regulatory measures shall be or have been satisfied.

The development review process shall involve all local, regional, State, and federal entities with jurisdictional authority. Impacts to be considered shall include the following but not be restricted to:

- consider fish and wildlife habitat:
- prevent degradation of water quality and estuaries;
- manage surface water run-off;
- o protect living marine resources, including the near shore reef system;
- o reduce exposure to natural hazards;
- o ensure adequate public access; and
- ensure adequate sites and standards for regulating water-dependent and waterrelated uses.

The City shall not approve a development order until the City has considered the potential impacts identified by the applicant and other public entities having jurisdiction over the impacted resources.

Upon plan adoption the City shall coordinate with the South Florida Water Management District and use resources available through the Surface Water Improvement Management (SWIM) and Save Our Rivers (SOR) programs sponsored by the SFWMD. The City shall also coordinate with the FDNR to expedite the CARL (Conservation and Acquisition of Recreation Lands) Salt Ponds acquisition project.

Reason for Amendment: Update.

Policy 5-1.1.3: Protect, Stabilize, and Enhance the Coastal and Wetland Shorelines. Upon plan adoption the <u>The</u> City shall adopt amended continue to enforce land development regulations which stipulate that no native vegetation shall be removed from

the coastal or wetland shoreline without a duly authorized permit. Similarly, the City shall continue to enforce criteria shall be included in the land development regulations which require that applicants for development along the shoreline shall be required to revegetate, stabilize, and enhance damaged vegetative shorelines by planting native vegetation, including mangrove and/or other native plant species which:

- 1. Contribute to fish and wildlife habitat, marine productivity and water quality;
- 2. Offer protection from erosion and flooding; and
- 3. Contribute to the natural soil building process.

No vegetation shall be removed unless the applicant/developer agrees to a mitigation plan ensuring that revegetation shall occur at a ratio 3 to 10 times the affected habitat. Appropriate federal and/or state agencies having jurisdiction shall approve the mitigation plan and establish the appropriate ratio threshold.

Hardening of the shoreline with rip-rap, bulkheads or other similar devices-shall—not be allowed unless erosion constitutes a critical peril to upland property and the use of vegetation has failed to stabilize the shoreline. Such shoreline hardening structures shall generally not be vertical seawalls or bulkheads and shall comply with performance standards herein cited in Policy 5-1.2.1(c). The specific location and design of such structures shall be approved by the City as well as by other public entities having jurisdiction in the matter. Land development regulations shall incorporate performance criteria governing the location and design of such structures be discouraged unless the use of vegetation has failed to stabilize the shoreline over a five year period; non-rip-rap and natural shorelines are encouraged when feasible.

Reason for Amendment: Update.

Policy 5-1.1.4: Protect Living Marine Resources, Coastal Marsh, and Seagrass Beds. Upon plan adoption the The City shall adopt amended continue to enforce land development regulations which include performance criteria which shall regulate against adverse impacts of development on seagrass beds and coastal nontidal wetland habitats. The City shall seek to enhance seagrass beds and coastal nontidal wetland habitats, mangroves and coral reefs as protection against storm surge and mitigation of greenhouse gasses. Since these areas are sensitive to increased turbidity and other forms of pollution, water run-off and introduction of nutrients shall be regulated through effective water quality management criteria. The land development regulations shall require that plans for development impacting marine resources be coordinated with state agencies having jurisdiction prior to the City granting plan approval and/or prior to release of any permit for construction.

As explained in the description of natural coastal resources in the Coastal Management Element Data Inventory and Analysis, motorized watercraft, including personal watercraft (commonly referred to as jet skis) have caused damage to living marine resources. The land development regulations shall continue to apply the City's extraterritorial zoning powers within tidal waters extending 600 feet seaward from the corporate limits of the

City. The land development regulations shall establish performance criteria to be used in directing the location of temporary or permanent structures within tidal waters as well as in regulating the intensity and character of activities that may endanger this sensitive marine ecosystem which constitutes a portion of Florida Keys National Marine Sanctuary.

Reason for Amendment: Update.

Policy 5-1.1.5: Manage Impact of Coastal Development on Tidal Flushing and Circulation Patterns. Tidal flushing and circulation patterns generally shall not be altered by development activities. No development shall produce changes in the tidal flushing and circulation patterns unless the City and other public agencies having jurisdiction have granted requisite permits. No such permit shall be granted by the City unless all other agencies having jurisdiction have granted clearance and the applicant has submitted hydrographic information sufficient to clearly demonstrate that no adverse environmental impacts shall be occasioned by the proposed changes in tidal flushing and circulation patterns. Finally, no alteration in tidal flow shall be permitted which causes stagnation or siltation.

Policy 5-1.1.6: Promote Propagation of Fish and Wildlife. The City shall incorporate continue to enforce criteria in the land development regulations which require consideration of the impact of development on salt ponds, submerged lands, water quality, reef systems and other habitats for fish and wildlife. The criteria shall be implemented continue to be enforced to ensure maintenance of essentially natural conditions in order to further the propagation of fish and wildlife as well as public recreation opportunities. The criteria shall also encourage innovative protections and adaptations for the nesting of coastal species.

Reason for Amendment: Update.

Policy 5-1.1.7: Prevention of Invasive Exotics. The City shall create LDR's to help protect coastal wildlife and wildlife habitats from invasive exotic plants and animals. This will be done by prioritizing preventative policies, as well as building capacity for early detection rapid response actions for those species deemed highly invasive, and implementing a comprehensive integrated pest management system for the removal of invasive species already established. The City shall research certification programs which encourage responsible business practices by plant professionals.

Reason for Amendment: Address the issue of exotic plants and animals.

Policy 5-1.1.8: Promotion of Responsible Stewardship. City shall research and implement certification programs which encourage responsible practices by businesses operating in or near natural areas.

Reason for Amendment: Promote green development practices and increased protection of natural areas and resources.

OBJECTIVE 5-1.2: CRITERIA FOR PRIORITIZING SHORELINE USES AND PROVIDING PUBLIC ACCESS TO SHORELINE. Upon plan adoption the The City shall adopt—amended continue to enforce—land development regulations which include performance criteria ensuring implementation and enforcement of the Comprehensive Plan criteria for prioritizing shoreline uses. Criteria for prioritizing shoreline uses shall be as cited in Policy 5-1.2.1(1). Water dependent and water related land uses are inventoried and analyzed in the Comprehensive Plan Data Inventory and Analysis, pages 5-1 through 5-6.

Monitoring Measure: Percentage of shoreline that is accessible to the public.

Reason for Amendment: Update.

Policy 5-1.2.1(1): Criteria For Prioritizing Shoreline Uses and Public Shoreline Access. In reviewing applications for shoreline development first priority shall be directed to the following shoreline uses:

- 1. Non-structural shoreline protection uses such as native shoreline revegetation programs;
- 2. Approved water-dependent shoreline uses such as: pile supported access ways and duly permitted dock facilities and commercial marinas. All such facilities shall satisfy all provisions of the City's land development regulations and obtain requisite permits from all environmental permitting agencies prior to obtaining City approval. Newly proposed marinas shall not be approved unless the applicant demonstrates that the marina site is consistent with the City's conservation and coastal management policies. Priority shall be directed to water dependent uses which are available for public use.

These facilities shall demonstrate during site plan review compliance with performance standards stipulated herein in Policy 5-1.2.1(2) in order to prevent adverse impacts to natural features.

Second priority shall be directed toward water-related uses such as:

- 1. Parking facilities for shoreline access located outside wetlands;
- 2. Residential structures which comply with the building code for structures within the coastal building zone;
- 3. Recreational facilities which comply with applicable codes.

Policy 5-1.2.4(2): Limit Impacts of Development and Redevelopment Upon Water Quality and Quantity, Wildlife Habitat and Living Marine Resources and Implement Policies for Shoreline Land Uses. Upon plan adoption the The City of Key West shall continue to limit the specific and cumulative impacts of development and redevelopment upon water quality and quantity, wildlife habitat, and living marine resources by enforcing performance standards cited herein. In addition, the City shall continue to enforce

provisions implementing shoreline land use priorities, including criteria for regulating water-dependent and water-related shoreline land uses. The performance criteria and regulations shall <u>continue to</u> include level of service standards for surface water management, potable water, and sanitary sewerage stipulated in <u>Policy 4-1.1.1the Public Facilities Element</u>. In addition, the criteria shall include specific criteria for regulating development impacts on natural resources herein identified. The criteria shall be incorporated in <u>continue to be enforced through</u> the land development regulations and shall <u>continue to be enforced through</u> a site plan review process which shall embrace all development and redevelopment activity. Criteria included in the development regulations shall <u>continue to enforce the reduced densities identified in the future land use map for lands located in the coastal high hazard zone and shall include impact assessment criteria that shall address the following:</u>

1. **Protecting Living Coastal Marine Life.** The City shall <u>continue to</u> enforce land development regulations which protect species, including but not limited to sea turtles, <u>manatees</u>, <u>white crown pigeon</u>, and other species with special status from the adverse impacts caused by development.

Upon plan adoption the All applicants proposing development activities along the coastal or near shore/estuarine shoreline or within submerged areas shall be required to demonstrate compliance with all State and federal regulations and shall submit a site plan pursuant to site plan review regulations. Such site plan shall provide an environmental impact analysis with sufficient information describing marine life potential impacts generated by proposed land uses and other natural resources within the area as well as related construction activity. The plan shall stipulate assurances and include design criteria so that the proposed project will not adversely impact marine life or water quality. For instance, water quality control techniques such as the use of weirs for purposes of managing turbidity may be required by the City. In addition, the City shall require surveys of existing conditions, specifications of planned site improvements, and techniques to be used during construction as well as in operating and maintaining the land use in order to prevent damage to living marine organisms.

- a. The City shall through land development regulations require protection of known sea turtle nesting areas such as along the sandy beach at Fort Zachary Taylor or <u>Smathers Beach</u> by prohibiting the disturbance of nests. Site and building plans for construction of single or multi-family dwellings, parking lots, dune walk-overs or any other lighted structures within the direct line of sight of such beaches shall incorporate the following:
 - i. Low-profile and low-density lighting will be used in parking lots and such lighting shall be positioned so that the source of light is not visible from the beach.
 - ii. All lights on balconies will be shielded from the beach.

- iii. Floodlights on buildings or adjacent to the beach shall be positioned so that the source of light is not visible from the beach or, if required for safety, positioned in such a manner as to minimize impacts on turtles.
- iv. Where lights are used, low-profile and low-intensity shielded lights will be used on dune walkovers.
- b. Any planned beach renourishment project shall protect sea turtle nesting areas by ceasing development activity during the nesting season (May 1st through October 31st), or by collecting eggs from the nests, incubating them, and relocating the hatchlings, as prescribed by State law.
- c. Coral reefs shall not be destroyed by development activities. The City shall assist Reef Relief in distributing educational material concerning the coral reef, including information on boating practices which are harmful to the coral reef. Wastewater system improvements identified in Policy 4-2.1a.1-2 shall also be carried out to reduce potential adverse impacts on the coral reef. <u>In amending its Land Development Regulations</u>, the City shall consider the establishment of additional <u>protective policies for coral</u>.
- 2. Water-Related Uses in Coastal Building Zone. All water-related uses shall be built on uplands landward of the high velocity hurricane storm surge zone (V-zone) and the coastal construction control zone established by the Florida Department of Natural Resources and enacted as the Florida Keys Coastal Management Act of 1974, excepting structures approved by the State DNR. Within the coastal building zone all construction activities shall be predicated on plans compliant with applicable State and local building codes. Dredging and filling of wetlands or open water in order to accommodate water-related uses shall not be permitted unless federal, State, and regional agencies having jurisdiction approve such development. In amending its Land Development Regulations, the City shall consider establishing regulations for new or maintenance dredging. Upon plan adoption the City shall adopt a wetland protection ordinance, a stormwater management ordinance, and a comprehensive site plan review criteria to facilitate review of environmental impacts of development and redevelopment. Wetland protection regulations shall be consistent with applicable State and federal regulatory program definitions.
- 3. Shoreline Structures/Water-Dependent Uses. Along the coastal or near shore/estuarine shoreline seaward of the high velocity storm surge zone, no development other than water dependent structures, native shoreline vegetation, elevated access ways, and other uses approved by the State or federal agencies having jurisdiction shall be permitted. Hardening of the shoreline shall not be permitted unless the upland property is critically imperiled and the use of vegetation has failed to stabilize the shoreline. The design specifications of any shoreline hardening structure shall:

- a. Comply with best management principles and practices consistent with existing State and federal standards and be accomplished by use of the least environmentally damaging methods and designs possible;
- b. Avoid a vertical slope which generates erosive tendencies, especially to adjacent unprotected shoreline properties. Use natural rock boulders, pervious interlocking tile systems with filter fabric on the landward side, or similar stabilization methods all of which must be approved by public agencies having jurisdiction;
- c. Not be located waterward of the mean high water line except when it is shown to be in the overriding public interest;
- d. Be approved by other public agencies having jurisdiction; and
- e. Incorporate a program of shoreline vegetation or revegetation in order to build, enhance, and stabilize a restored shoreline.
- 4. Land Use Restrictions in Submerged Lands and Wetlands. No nonwater dependent uses shall be permitted on submerged lands or wetlands. Development on uplands adjacent to wetlands shall preserve a buffer measured from the nearest upland/wetland boundary. The buffer area shall be consistent with South Florida Water Management District permitting guidelines. Within the buffer area all exotic vegetation shall be removed and native plants shall be planted. The purpose of the buffer area is to preserve water quality and to prevent pollutants from surface water runoff within coastal waters. Similarly, no structures which constrict water circulation shall be permitted.
- 5. **Marine and Dock Facilities.** Upon plan adoption dDocks or marina improvements shall not be approved by the City until the applicant demonstrates compliance with all applicable federal and State laws and administrative rules as well as applicable policies of regional agencies. The City shall require site plans with an environmental impact component for all docks and marinas which adequately address marina sitting criteria cited herein. These plans must demonstrate to the City's satisfaction that the facilities shall not adversely impact living marine resources, including, but not limited to, sea grasses, near shore waters, manatees and other living marine organisms. The City, in amending its Land Development Regulations, shall establish a four foot minimum depth and a minimum depth of 36 inches above the top of sea grasses for dock construction. The plans shall comply with the following criteria:
 - a. The Plan shall indicate location of site relative to all potentially impacted natural marine resources, including specific location and characteristics. New marinas shall not be allowed in or immediately adjacent to the following sensitive areas:
 - i. Aquatic Preserves;
 - ii. Class II Waters approved by the Department of Natural Resources (DNR) for shellfish harvesting;
 - iii. Outstanding Florida Waters outside the City's 600 ft. jurisdictional boundary;
 - iv. Marinae Sanctuaries:
 - v. Estuarine Sanctuaries; and
 - vi. Areas of essential manatee habitat, as determined by DNR.

- b. Marinas must have sufficient upland area for all non-water-dependent uses. Dredging and filling of wetlands or open water in order to accommodate uses which are not water-dependent shall not be allowed. Exceptions may be granted in cases shown to be overwhelmingly in the public interest, such as the presence of sensitive upland systems.
- c. Cumulative effects of several marinas and/or boat ramps in one area shall be considered in the review of proposed marina projects.
- d. All new and expanded marinas shall provide a demonstration of compliance with State Water Quality Standards by maintaining a water quality monitoring program approved by the <u>State of Florida Department of Environmental Regulation (DER)</u>.
- e. Grass beds and other submerged habitat deemed valuable by the State DER and DNR will be subject to protection regardless of their size.
- f. In reviewing applications for new or expanded docking facilities, ways to improve, mitigate, or restore adverse environmental impacts caused by previous activities shall be explored. This may include shallowing dredged areas, restoring wetland or submerged vegetation, or marking navigational channels. Such mitigation or restoration may be a condition of approval of new, renewed, or expanded facilities.
- g. Immediate access (ingress and egress) points shall be delineated by channel markers, indicating speed limits, manatee area warnings, and any other applicable regulations.
- h. All new or expanded marinas must provide treatment of stormwater run-off from upland areas to the extent necessary to ensure that state water quality standards are met at the point of discharge to waters of the state. In addition, all requirements of the water management district and DER State shall be met.
- i. Boat maintenance activities in new or expanded marina facilities shall be located as far as possible from open water bodies in order to reduce contamination of water bodies by toxic substances common to boat maintenance. Run-off from boat maintenance must be collected and treated prior to discharge.
- j. Open wet slips will be preferred to covered wet slips in marina design to reduce shading of water bodies which result in lowered biological productivity.
- k. Marina design shall incorporate natural wetland vegetative buffers whenever possible near docking area and in access areas for erosion and sedimentation control, run-off purification and habitat purposes.
- I. The West Indian manatee shall be afforded protection from boating activities which may have an adverse impact upon the species. The following criteria apply in the implementation of this policy:

- i. Marina operators shall undertake the following manatee protection measures in areas where manatees are known to occur:
 - (a) Implement and maintain a manatee public awareness program which will include posting signs to advise boat users that manatees are an endangered specie which frequents the waters of the region's estuaries and lagoon;
 - (b) Declare the waters in and around marinas as "idle speed" zones; and
 - (c) Post phone number(s) to report an injured manatee.
- ii. Local manatee protection plans shall be included as part of the Coastal Management and Conservation elements of the comprehensive plan. The plan should:
 - (a) Assess the occurrence of manatee activity within the jurisdiction;
 - (b) Document the number of manatee accidents and deaths;
 - (c) Identify manatee habitats;
 - (d) Determine the potential for adverse impacts to the manatee population from various activities and identify the level of protection necessary to ensure least possible interference; and
 - (e) Recommend local mitigative actions to be undertaken in support of the regional policy.
 - (f) Discourage the feeding and watering of manatees.
- m. A comprehensive study of the need for additional public and private marinas should be conducted by the City.
- n. The City should develop a program as soon as possible by 2015 for commercial/residential and commercial/industrial marinas and boatyards to be inspected annually by the City. The results of these inspections should be coordinated with other agencies, and published on the City's website, if feasible. Items to be inspected and reviewed shall include the following:
 - i. Pump-out facilities/marine sanitation devices;
 - ii. Compliance with power/sailboat mix;
 - iii. Spill prevention, control, containment, and clean-up plans;
 - iv. Waste collection and disposal methods;
 - v. Required fire fighting equipment; and
 - vi. Inspection of Marine Sanitation Devices (MSD) in marinas with live-aboards to ensure compliance with Federal standards.
 - <u>vii. Compliance with or progress toward achieving FDEP Clean Marina or Clean</u> Boatyard certification.

- o. The City shall undertake necessary actions to ensure that existing marinas within the City's jurisdiction which do not have service pump-out facilities are retrofitted with pump out facilities for wastewater effluent. The pump out facilities shall be located in a manner that provides access to all boats that may be accommodated at the marina, including those with deepest keel depth.
- <u>p.</u> The City shall promote boater education programs that address the value of coastal and estuarine vegetation by assisting Reef Relief, the Nature Conservancy, and other public or semi-public entities in distributing educational materials.
- q. All new and expanded marinas and boatyards must be FDEP Clean Marina or Clean Boatyard certified.
- 6. Ocean, Gulf, and Estuarine Water Quality. In order to protect the water quality of the Atlantic Ocean and the Gulf of Mexico, no new point source pollution shall be permitted to discharge into these waters or into ditches or canals flowing into these waters. In addition, in order to reduce non-point source pollutants the City shall require the following:
 - a. Surface water management systems shall be consistent with the City's adopted drainage level of service (Reference Policy 4-1.1.1) and applicable federal, state, and regional standards.
 - b. A vegetated pond with sloping wetland buffers shall be established and maintained as part of the surface water management requirements <u>for development adjacent to wetlands</u>. Prior to construction of the surface water management system for any phase of a project, the developer shall prepare a design and management plan for the wetland/littoral zone that will be developed as part of these systems. The plan should:
 - i. Include typical cross sections of the surface water management system showing the average groundwater elevation and the -3 foot contour (i.e., below average elevation);
 - ii. Specify how vegetation is to be established within this zone, including the extent, method, type and timing of any planting to be provided;
 - iii. Include the removal of all exotic vegetation; and
 - iv. Provide a description of any management procedures to be followed in order to ensure the continued viability and health of the stormwater management system. The wetlands as established should consist entirely of native aquatic vegetation and should be maintained permanently as part of the water management system. As a minimum, 10 square feet of vegetated littoral zone per linear foot of wetland shoreline should be established as part of the water management plan.

After a vegetated pond is complete, it should be subject to annual inspection to

- ensure that it is meeting the surface water management goals for which it was designed.
- c. The City shall coordinate with the South Florida Water Management District in developing and adopting an ordinance regulating installation of underground storage tanks for petroleum products.
- d. The City shall coordinate with the South Florida Water Management District in reviewing issues and appropriate enforcement activities surrounding water withdrawals from the freshwater lens. The intent should be to prevent the use of these water resources for domestic purposes.
- d. By 1992 the City shall investigate alternatives for improving the White Street pier. The pier has caused erosion and accumulation of seaweed and other particulate matter. The investigation shall set forth an improvement strategy, identify capital costs, and establish a source(s) for funding the project. The project shall include some renourishment at Rest/Higgs Beach and revegetating the shoreline with native dune plants consistent with the management plan approved by FDNR. The pier would be redesigned to allow the circulation of water to occur, including natural functions associated with improved flushing.
- f. The City shall incorporate evaluation of rainwater collection into stormwater management planning.
- g. The City shall research certification programs which encourage responsible business practices by landscaping professionals.
- h. All marinas within the City shall become FDEP Clean Marina certified by 2015. All boatyards shall become FDEP Clean Boatyard Certified by 2020.
- 7. **Shoreline Access.** Upon plan adoption shoreline aAccess to the Atlantic Ocean and Gulf of Mexico shall be required in order to maintain access ways at approximately one-half mile intervals along to the shoreline of the natural and renourished beach in order to enforce the 1985 Coastal Zone Protection Act for beach and shoreline access. State assistance shall be enlisted to achieve land required to appropriately store vehicles, provide rest room facilities, and access ways designed in a manner compatible with the shoreline ecosystem.
 - The City shall enforce applicable public access requirements of the Coastal Protection Act of 1985 and shall analyze alternative means for increasing parking facilities for waterfront activities along the shoreline as part of the City's traffic circulation management activities.
- 8. Signage Along the Atlantic Ocean and Gulf of Mexico. At the time land development regulations are amended in order to comply with the adopted comprehensive plan, the The City shall consider restricting commercial signage along

the seaward side of shoreline properties; including marinas, activities providing services to the boating public, and those signs deemed essential for water dependent facilities. The City shall coordinate with jurisdictional agencies to develop uniform signage and criteria to further this policy.

Reason for Amendment: Update and address community and agency comments and input.

OBJECTIVE 5-1.3: LAND USE CONTROLS AND CONSTRUCTION STANDARDS FOR PROTECTING THE NATURAL SHORELINE AND THE VERY LIMITED BEACH/DUNE SYSTEM. The City shall not allow any construction of man-made structures on the City's beach, excepting beach access structures compliant with State construction standards of the State Division of Beaches and Shores. In addition, water dependent structures such as life guard stands or beach renourishment approved by the Division may be constructed if such structures meet the construction standards of federal and state agencies having jurisdiction. Any such construction activity must include measures to restore the beach and vegetation pursuant to a plan approved by the federal and/or state agencies having appropriate jurisdiction. No vegetation shall be removed unless the revegetation shall occur at a ratio 3 to 10 times the affected vegetated areas. The federal and/or state agencies having jurisdiction shall approve the revegetation ratio plan including the threshold for revegetation. The City shall adopt amended continue to enforce land development regulations which include performance standards designed to protect the limited beach and establish construction standards mandating that no development shall be located seaward of the Coastal Construction Control Line (CCCL) shoreline, excepting structures approved by the State DNR. The City has dune system. The City's natural beach is in public ownership and shall be available for public access.

Monitoring Measure: Acres of beaches in public ownership, and inclusion of performance standards in the Land Development Regulations.

Reason for Amendment: Update.

Setback The City shall continue to coordinate the development review process by forwarding all applications for construction seaward of the Coastal Construction Control Line (CCCL) to the State Department of Natural Resources for jurisdictional action. Following such action, any construction permitted by the State shall comply with best management principles and practices for respective activities and shall receive permitts from all other public agencies having jurisdiction. In addition, such activities shall comply with applicable provisions of Policy 5-1.2.1, 5-1.3.2 and 5-1.3.4 herein cited require minimum coastal setbacks of 10 to 20 feet from the mean high tide line of man-made water bodies and/or lawfully altered shorelines of natural water bodies, dependent on the particular shoreline characteristic.

Reason for Amendment: Update to reflect current standards identified in the Land Development Regulations.

Policy 5-1.3.2: Natural Shoreline and Beach/Dune Stabilization. To protect natural rock outcrops which form most of the City's shoreline as well as the limited beach, shoreline development and access shall continue to be restricted in order to preserve the shoreline and the limited beach. Rigid shore protection structures are not permitted, except when used as part of a comprehensive plan for beach restoration and when non-structural alternatives are not acceptable. When beach renourishment projects are needed, the dune system should be restored, as necessary, utilizing natural, indigenous vegetation. The City supports renourishment of the 3,000' long Smathers Beach and revegetation of dune community at Rest Beach The shoreline setback from natural shorelines shall be 30 to 50 feet dependent upon the particular shoreline characteristic identified in the Land Development Regulations.

Reason for Amendment: Update.

Policy 5-1.3.3: Restrictions on Operation of Vehicles on Beaches. The City shall continue to enforce restrictions which prohibit any motorized vehicle upon or over the City's incorporated portion of the beach adjacent to the Atlantic Ocean, excepting mechanical beach cleaning equipment, public safety and emergency vehicles, and vehicles permitted by the DNR.

Beach cleaners shall be required to obtain a Coastal Construction Control Line (CCCL) permit for operations beyond the control line. The method of operations and equipment shall be approved by the Florida Department of Natural Resources, the Florida Department of Environmental Regulation Protection, and/or the U.S. Army Corps of Engineers as may be applicable as part of the special conditions of the CCCL permit.

Reason for Amendment: Update.

Policy 5-1.3.4: Maintain and Re-establish the Beach and Dune System. The City's land development regulations which shall be amended upon plan adoption shall require beach and dune system restoration where development is proposed on the adjacent upland and breaches in the adjacent dune system are apparent.

Reason for Amendment: Update.

OBJECTIVE 5-1.4: LIMITING PUBLIC SUBSIDY OF DEVELOPMENT IN THE COASTAL HIGH-HAZARD AREA. Upon adoption of the Comprehensive Plan, the The City shall limit public expenditures that subsidize development permitted in coastal high-hazard areas to restoration or enhancement of natural resources. In addition, public funds for improved public facilities such as existing state and local roadways, central wastewater system improvements included in the capital improvements element, and water dependent structures such as beach access ways, piers, and beach renourishment activities may be permitted where approved by state and/or federal agencies having jurisdiction. These facilities are necessary to implement goals, objectives, and policies, of the traffic circulation transportation, public facilities, coastal management, conservation,

and recreation and open space elements of the Comprehensive Plan. Cross reference Policy 5-1.7.3. Any public subsidy of development in the coastal high hazard area shall only be approved where found to be needed to protect the public health and safety.

Monitoring Measure: Public expenditures in Coastal High Hazard Areas.

Reason for Amendment: Update.

Policy 5-1.4.1: Public Investments in Coastal High-Hazard Area. Publicly funded facilities shall not be built in the coastal high-hazard area, unless the facility is for the protection of the public health and safety.

OBJECTIVE 5-1.5: AVOID POPULATION CONCENTRATIONS IN COASTAL HIGH-HAZARD AREAS. Upon plan adoption the The City shall continue policies to direct population concentrations away from coastal high hazard areas by regulating the density of residential development and redevelopment within the coastal high hazard area. For instance, the City's future land use map mandates maximum density thresholds for properties within the coastal high hazard area which are substantially lower than densities assigned to similar properties located outside the coastal high hazard area. The density threshold varies with the severity of environmental constraints of each site and the proximity of the site to the shoreline. The intent of the density allocation is to direct population concentrations away from coastal high hazard areas, yet balance this objective with the State Comprehensive Plan private property rights goal and related policies [Reference Ch.187.201(16)(a and b),FS].

Upon plan adoption the City shall amend the City's land development regulations by incorporating performance standards which direct population concentrations away from the coastal high hazard area.

Monitoring Measure: Number of amendments approved to increase residential density in Coastal High Hazard Areas.

Reason for Amendment: Update.

Policy 5-1.5.1: Restrict Development in Coastal High-Hazard Areas. The City shall incorporate appropriate policies in the land development regulations in order to direct population concentrations away from known or predicted coastal high-hazard areas—as defined in Objective 5-1.5. The following provisions shall restrict development within the coastal high-hazard area:

- 1. New construction of sewage treatment plants, industrial holding ponds and other potential point pollution sources within the coastal high-hazard area is prohibited.
- 2. Require non-residential construction within the hurricane flood zone to meet storm and flood proofing standards exceeding those required for a 100-year storm.

Reason for Amendment: Update.

Policy 5-1.5.2: Definition of the City of Key West Coastal High-Hazard Area. The City of Key West Coast High-Hazard Area is defined as the area below the elevation of the Category 1 storm surge line as established by a Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. The Coastal High Hazard Area is identified on the Future Land Use Map series.

Reason for Amendment: Statutory requirement.

Policy 5-1.5.3: Adaptation Action Areas. For hazard mitigation purposes, the City may create Adaptation Action Areas which identify one or more areas that experience coastal flooding due to extreme high tides and storm surge, and that are vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning.

Reason for Amendment: To address the Climate Change Action Plan.

OBJECTIVE 5-1.6: HURRICANE EVACUATION. Upon adoption of the Monroe County Plan, the The City shall continue to coordinate with the State, South Florida Regional Planning Council, County, and other local governments in order to regulate population growth and stage evacuations in a manner that maintains hurricane evacuation clearance times in accordance with the executed Memorandum of Understanding and other implementation mechanisms. The City shall inventory potential refuges and establish the feasibility for increasing their capacity to withstand the Category III and above storm. As part of the City's five-year traffic circulation improvement program, the City shall undertake the specific improvements cited in Policy 5-1.6.1 below in order to maintain existing hurricane evacuation clearance times until a more detailed countywide study of hurricane evacuation and peacetime emergency plan is undertaken in concert with Monroe County.

Monitoring Measure: Hurricane evacuation clearance time.

Reason for Amendment: Update in accordance with Hurricane Evacuation Modeling Workshops and Memorandum of Understanding.

Policy 5-1.6.1: Hurricane Evacuation Logistical Support. Upon plan adoption the City shall contact the Red Cross to verify the status of the eight (8) refuges identified in the data inventory and analysis and discuss available measures to address the absence of shelters within the City that meet State specifications. In order to prevent unnecessary evacuees crowding roads and shelters, the City shall coordinate with Monroe County in disseminating information concerning the need of residents to evacuate at various hurricane threat levels based on a coordinated and phased evacuation plan. The City shall continue to coordinate with the County and the Monroe County Emergency Management Director in assisting implementation of the County's campaign to educate

the general citizenry regarding emergency preparedness <u>and phased evacuation</u> plans, including specific citizen directives.

Reason for Amendment: Update.

Policy 5-1.6.2: Hurricane Evacuation. The following evacuation procedures have been adopted by the City of Key West in Resolution No.06-224:

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

Reason for Amendment: Response to ORC Technical Assistance Comment 7.

Policy 5-1.6.2: Future Coordination with the County in Emergency Preparedness. In order to provide for safe and efficient evacuation of the residents of the City of Key West in the event of a hurricane, the City shall continue to coordinate with Monroe County in annual updates of the County Peacetime Emergency Plan. The City shall coordinate with the County in updating hurricane evacuation shelter assignments as well as other policy formulation surrounding land use and emergency preparedness. This update shall enable the County and incorporated municipalities to plan for future population densities which will neither adversely impact the efficiency of the evacuation plan nor increase evacuation times. The City shall also coordinate with the County in updating hurricane evacuation shelter assignments as well as other policy formulation surrounding land use and emergency preparedness.

Within one year after plan adoption, the City will develop an operational policy for managing public facilities, including transportation, in the event of a major hurricane. The

operational policy will identify a strategy for ensuring a safe and efficient post-disaster management plan. In addition, the City will participate in Monroe County's detailed study of the impact of continuing development in the keys on evacuation clearance times. It is imperative not only that such coordination take place, but that the study be performed after the City and County have completed their capital improvements element during the plan update process. The result will be a clear assessment of clearance times in light of specific transportation-related improvements.

Reason for Amendment: Update – no longer applicable.

Policy 5-1.6.3: Transportation Policies for Inclusion in Peacetime Emergency Plan.

The City shall direct the following transportation policies as part of the Peacetime Emergency Plan.

- Designate North Roosevelt Boulevard as the primary evacuation route out of Key West. Orient three lanes northbound and one lane southbound from Eisenhower Drive (beginning of four lane section) to Stock Island. The southbound land is necessary for emergency vehicle access.
- 2. Designate Flagler Avenue as the secondary evacuation route. Three lanes will carry traffic northbound and one lane for southbound emergency vehicle traffic.
- 3. Implement the following specific traffic circulation improvements within its five year planning horizon that will facilitate traffic flow out of the downtown employment and tourist areas. Improvements include:
 - Adding lanes to White Street, First Street, and Palm Avenue;
 - Designating South Street and United Streets, and Caroline and Eaton Streets as one-way pairs;
 - Making geometric improvements at critical intersections to reduce congestion and delay along the North Roosevelt Boulevard corridor; and
 - Upgrade North Roosevelt Boulevard to standards prescribed by the Florida Department of Transportation.

These improvements are designed to spread out traffic by giving motorists additional corridors as options to North Roosevelt Boulevard. A bridge linking Flagler Avenue with Stock Island has been identified as a long term improvement (2000). These improvements together with the reorientation of traffic on North Roosevelt and Flagler Avenue shall maintain existing clearance times until a more detailed countywide study of hurricane evacuation and peacetime emergency management of public facilities can be undertaken in concert with Monroe County.

Reason for Amendment: Update – no longer applicable.

Policy 5-1.6.4: Rate of Growth and Hurricane Evacuation. The City shall use the results of the Monroe County hurricane evacuation model prepared by Post, Buckley,

Schuh and Jernigan, (1991) as the basis for predicting evacuating population and vehicles from the City of Key West during a hurricane condition. The summary results of the model are cited below:

TABLE V - 1
EVACUATING POPULATION AND VEHICLES

Evacuating Population				Evacuating Vehicles			
Key West Evacuati ng Populati on	Destination		Key West Evacuati ng Vehicles	Destination			
	Out of County	Refuge/ Shelter	Friends/ Relative s		Out of County	Refuge/ Shelter	Friends/ Relative s
27,035	25,015	1,010	1,010	11,974	10,946	514	514

Source: Post Buckley Schuh & Jernigan, Inc., October 1991

The hurricane model was used to project the maximum residential units which may be accommodated by the roadway network during a hurricane evacuation. As summarized in Figure 2, "Estimated Carrying Capacity Based on Hurricane Clearance Times," the number of units which may be developed has been calculated using the year 2002 30 hours evacuation clearance standard as a constraint and assuming availability of two lanes outbound from Key Largo. In the short range these two outbound lanes are made available by the use of an improved and raised Card Sound Road plus the existing US 1. Over the long range time frame, outbound lanes will be provided by a widened US 1 along the 18 mile stretch.

TABLE V - 2
PROJECTED HURRICANE CLEARANCE TIMES AND ROAD IMPROVEMENTS
Building Permit Allocation System

	Units Permitted					
Year	Unincorp Area (du)	Incorp Areas (du) ^(d)	Total (du)	Change in Clearanc e Time (hours)	Effect of Road Improvem ent (hours)	Resulting Clearanc e Time (hours)
1990	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>		35.00
1991						
1992	2,087	N/A	2,087 ^(a)	1.90		36.90
1993	255	114	369	0.34	-10.25 (b)	26.99
1994	255	114	369	0.34		27.33

1995	255	114	369	0.34		27.67
1996	255	114	369	0.34		28.01
1997	255	114	369	0.34		28.35
1998	255	114	369	0.34		28.69
1999	255	114	369	0.34		29.03
2000	255	114	369	0.34		29.37
2001	255	114	369	0.34		29.71
2002	255	114	369	0.34		30.05
2003	0	0	0	0.00		30.05
200 4	0	0	0	0.00		30.05
2005	0	0	0	0.00		30.05
2006	0	0	0	0.00		30.05
2007	0	0	0	0.00		30.05
2008	0	0	0	0.00		30.05
2009	0	0	0	0.00		30.05
2010	0	0	0	0.00	-2.50 ^(c)	27.55

- (a) Estimated units permitted in unincorporated area from April 1, 1990 to the original plan adoption date (October 16, 1992). The corresponding data for Key West was not available.
- (b) Elevation and improvements to Card Sound Road.
- (c) Four-laning US-1 from MM 80 to MM 90 (Plantation, Windley, Islamorada.
- (d) The municipal allocation is based on percent population using the 1990 Census and represents approximately 20% of total gross allocable growth or 31% of net allocable growth. The calculations which are subject to interlocal agreements are presented in the following table.

TABLE V - 3
METHODOLOGY FOR DETERMINING FLORIDA KEYS MUNICIPALITIES PERMIT
ALLOCATION

City	1990	% of Total	Total Units
	Population	Population	
	-	-	%
			Population x
			Total Units
Key West	24,832	95.5	1,093
Key Colony	977	3.8	44
Beach			
Layton	183	0.7	8

Total	25,992	100.0	1,145

These measures of carrying capacity do not reflect additional development potentials at plan adoption. Rather, they reflect the increase in population and development from April 1, 1990, the date of the 1990 Census, data for which formed the starting point for estimating the population to be evacuated. Thus, in order to determine the amount of development which the plan may allocate from the point of adoption, it is necessary to estimate the number of permits issued from April 1, 1990.

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

Reason for Amendment: Update – no longer applicable. This level of detail is appropriate in the support documents but not Comprehensive Plan policy.

OBJECTIVE 5-1.7: HAZARD MITIGATION AND COASTAL HIGH-HAZARD AREAS. Upon plan adoption, the City shall adopt amended land development regulations which shall include performance standards regulating development activities in a manner which minimizes the danger to life and property occasioned by hurricane events.

Reason for Amendment: Update – no longer applicable. Duplicative of Objective 5-1.6 and policies thereunder.

Policy 5-1.7.1: Coastal High-Hazard Area Defined. As defined in Rule 9J-5.003(13), FAC, the coastal high-hazard area shall encompass areas which have historically experienced destruction or severe damage, or are scientifically predicted to experience destruction or severe damage, from storm surge, waves, erosion, or other manifestations of rapidly moving or storm driven water. These areas shall include all areas in the City of Key West where public facilities have been damaged or undermined by coastal storms, Federal Emergency Management Agency designated V zones, areas seaward of the coastal construction control line established by the Florida Department of Natural Resources pursuant to Chapter 161, Florida Statutes, and inlets which are not structurally controlled. The high hazard area shall include the Category I hurricane evacuation zone as delineated on Map V - 1.

The coastal high hazard area for the City of Key West is designated on Map V-1. This area includes all coastal high hazard areas as identified in the definition above which exist in the City of Key West. This City Planner has coordinated the delineation of coastal high hazard areas with the State Department of Natural Resources (DNR). Based on information obtained from DNR, the City's Map V-1 includes all known coastal high hazard areas pursuant to the above stated definition.

Reason for Amendment: Update – no longer applicable. Duplicative of Objective 5-1.6 and policies thereunder.

Policy 5-1.7.2: Management Techniques for Hazard Mitigation and Coordinating Update of the Hazard Mitigation Plan. Upon plan adoption the City shall participate in the County's technical coordinating committee in preparing the hazard mitigation component of the Local Peacetime Emergency Plan. Updates of the Plan shall identify specific actions that may be implemented to reduce exposure to natural hazards. The current Plan contains no inter-agency hazard mitigation component. The Comprehensive Plan shall incorporate interagency hazard mitigation reports as such reports are generated in the future.

In addition, upon plan adoption the City shall enforce more restrictive land use controls within the coastal high hazard area, including but not limited to enforcing:

- 1. Reduced maximum density for development as identified in the future land use map as described in Objective 5-1.5 and Policy 5-1.7.3.
- 2. Performance criteria within land development regulations which shall mandate that all development and redevelopment within the coastal high hazard area comply with the following regulatory techniques for hazard mitigation:
 - a. State and local regulations establish coastal construction control lines, as well as applicable state and local construction codes regulating construction activity in coastal areas.
 - b. Surface water management improvements which mitigate against loss of flood plain and comply with adopted surface water management level of service standards for drainage cited in Policy 4-1.1.1.
 - c. No development or redevelopment within the coastal high hazard area shall occur on septic tanks.
 - d. Publicly funded infrastructure shall not be built within the coastal high hazard area unless the facility is for the protection of public health and safety.
 - e. Land use controls shall ensure that wetlands are preserved and protected from the adverse impacts of development.

A multi-agency site plan review process shall be initiated to ensure that all proposed development or redevelopment having potential adverse impacts on water quality, wetlands, shoreline stabilization, natural habitats, fish or wildlife, hurricane evacuation, or other adverse impacts on coastal resources, shall be coordinated with County, State, federal, or regional agencies having jurisdiction. A primary function of this review process shall be to effectively reconcile hazard mitigation issues prior to issuance of any development orders.

Reason for Amendment: Update – no longer applicable. Duplicative of Objective 5-1.6 and policies thereunder.

Policy 5-1.7.3: Implementing General Hazard Mitigation. Upon plan adoption the City shall adopt amended land development regulations which significantly restrict the intensity of development within the high hazard area as denoted on the future land use map. Furthermore, the state and local coastal construction control lines shall be enforced. Performance criteria shall stipulate the need to reduce exposure of human life and property to natural hazards.

The City's future land use map assigns development rights to privately owned undeveloped upland properties within the hurricane high hazard area in order to preserve private property rights and to provide for a reasonable use of the land. The density threshold varies with the severity of environmental constraints of each site and the proximity to the shoreline. In all cases the assigned densities are significantly lower than the densities assigned to similar properties located outside of the coastal high hazard area. The intent of the land use density allocation is to direct population concentration away from coastal high hazard areas, yet balance this objective with the State Comprehensive Plan private property rights, goals and objectives [Reference Ch.187.201(16)(a and b),FS].

Reason for Amendment: Update – no longer applicable. Duplicative of Objective 5-1.6 and policies thereunder.

OBJECTIVE 5-1.87: POST-DISASTER REDEVELOPMENT. Upon plan adoption the The City shall continue to participate on the Monroe County coordinating committee for updating the maintain post-disaster redevelopment plans. These efforts plans shall be directed toward reducing or eliminating exposure of human life and public and private property to natural hazards. In addition, the City shall develop continue to enforce local plan components including development of policies for managing recovery operations through a Recovery Task Force as elaborated in Policy 5-1.8.2.

Monitoring Measure: Adopted post disaster redevelopment plans or policies.

Reason for Amendment: Update and include Monitoring Measure.

Policy 5-1.87.1: Recovery Operations. Upon plan adoption the City shall coordinate with Monroe County in modifying the Local Peacetime Emergency Plan in order to establish compliance with Objective 5-1.8. The update of the Plan shall include strategies for post-disaster recovery operations. As part of the post disaster recovery planning process the City Commission shall appoint and maintain a Recovery Task Force comprised of the City Manager, the Assistant City Manager, the Planning Director and others as determined by the City Commission and as amended as needed. The Recovery Task Force shall be responsible for assessing the conditions following a hurricane or other similar disaster and shall propose strategic actions necessary to establish order and reestablish communication and basic service delivery systems necessary for health, safety and welfare. Within ninety (90) days after appointment of the Recovery Task Force, and at regularly scheduled intervals thereafter, the Task Force

shall meet to determine <u>and update</u> a management framework for resolving issues confronted in times of a natural disaster.

Reason for Amendment: Update.

Policy 5-1.87.2: Post-Hurricane Assessments. The Recovery Task Force shall continue to coordinate its management plan with the Monroe County Civil Defense Officer the County for compliance with the Local Peacetime Emergency Plan and shall present the management plan to the City Commission for review and approval. The management plan should provide a basis for executing the following activities during times of natural disaster:

- 1. Ensuring a means to restore economic activity;
- 2. Establishing a temporary moratorium on building activity as may be required for public safety;
- 3. Reviewing and deciding upon emergency building permits;
- 4. Coordinating with State and Federal officials to prepare disaster assistance applications;
- 5. Analyzing and recommending to the City Commission hazard mitigation options, including reconstruction or relocation of damaged public facilities;
- Developing a redevelopment plan including limitations on redevelopment in areas of repeated damage; and
- 7. Recommending amendments to the Local Peacetime Emergency Plan and other appropriate policies and procedures.

Reason for Amendment: Update.

Policy 5-1.87.3: Repair and Clean-up. In planning post-disaster redevelopment activities, factors to be considered in order to protect the public health and safety shall include:

- 1. Repairs to potable water, wastewater and power facilities;
- 2. Removal of debris;
- 3. Stabilization or removal of structures in a perilous condition; and
- 4. Minimal repairs to make structures habitable.

These considerations shall receive first priority in determining the appropriateness of emergency building permits. Long term redevelopment activities shall be postponed until the Recovery Task Force has coordinated immediate repair and clean-up operations.

Policy 5-1.87.4: Hazard Mitigation and Comprehensive Plan Amendments. The Recovery Task Force shall propose any needed Comprehensive Plan amendments which reflect the recommendations contained in any inter-agency hazard mitigation reports or other reports prepared pursuant to §406, Disaster Relief Act of 1974 (PL 93-288).

Policy 5-1.8.5: Redevelopment of Damaged Structures Activities. Policies 1-3.2.6 and 1-2.3.3 in the future land use element identify policies for managing redevelopment activities within two areas of the City based on analysis contained in the future land use element data inventory and analysis. The planned redevelopment activities shall be directed toward rehabilitating and revitalizing the Key West Bight area and the Bahama Village Area.

The redevelopment plan which was initiated in mid-1991 shall provide a formal basis for:

- Preserving waterfront access as well as waterfront views:
- Improving pedestrian linkages with adjacent and nearby activity centers;
- Protecting and enhancing opportunities for water-dependent and water-related land use activities:
- Accommodating public improvements necessary to achieve redevelopment plan objectives; and
- Implementing urban design schemes which attract pedestrians, increase waterfront exposure, reinforce the ambiance of the waterfront, and regulate against structures which wall-off or otherwise inhibit access to waterfront views, strategic open spaces, or pedestrian linkages.

Based on the above cited objectives, the redevelopment plan shall provide a basis for additional land development and redevelopment restrictions which shall be applied to portions of the HRCC-2 designated area in order to achieve public purposes identified in public policy 1-2.3.4. The redevelopment plan shall also serve as a basis for such regulation.

Within the HRCC-2 Key West Bight area, in order to curtail the likelihood of future property damage and/or human exposure to the potential peril of storm driven tides, wind, and waves, the land development regulations shall include continue to provide performance criteria which restrict building mass and building intensity at strategic locations vulnerable to storm surge. The redevelopment plan shall provide a design scheme for regulating height, floor area ratio, and open space retention within sub-areas of the Key West Bight area and its immediate environs. Generally, lands closest to the mean high water (MHW) line of coastal waters, should be assigned floor area ratios of less than one (1) in order to prevent high concentrations of building mass and population in areas most susceptible to perilous storm surge. Similarly, open space retention shall be mandated within areas having direct waterfront exposure in order to preserve waterfront views and/or to ensure access by the consuming public. Land development regulations shall be updated to continue to implement design schemes which shall be incorporated in the redevelopment plan. For instance, land development regulations shall incorporate land use restrictions which mandate open space systems and pedestrian

oriented activities within areas closest to the waterfront. The maximum FAR within the Key West Bight shall be one (1). Areas closest to the waterfront would carry FARs significantly less than one (1) in order to maximize open space, provide for linkages, and waterfront views that reinforce the ambiance of the Key West Bight's unique waterfront area which once accommodated a regionally significant maritime culture. The redevelopment plan shall provide the basis for site specific land use controls to accommodate redevelopment plan objectives.

The Bahama Village redevelopment area is located along Petronia Street, approximately 200 feet west of Duval Street and extends westward to the rear property lines of lots abutting the west side of Emma Street. The Bahama Village neighborhood commercial core is linked to the Duval Street commercial core. This Village area is a City target for redevelopment and revitalization. As noted in the housing element data inventory and analysis, the area has a concentration of substandard housing. The City initiated redevelopment program is intended to mobilize public and private initiatives in support of a village commercial center with rehabilitated housing resources. Future improvements strategies shall place a high priority on maintaining and/or revitalizing existing housing structures while preventing displacement of residents. Concurrency management policies shall ensure that redevelopment activities provide necessary infrastructure, including traffic improvements required to comply with improvement and level of service mandates.

In addition, to the above specific redevelopment activities the City shall manage unanticipated future redevelopment activities necessitated by hurricane events or other natural disasters. Upon plan adoption the <u>The</u> following Policy shall direct "build-back" petitions following natural disasters.

If in the future structures within the City receive storm-damage in excess of fifty (50%) percent of their appraised value, all such damaged structures shall be required to meet all current laws and ordinances, including those enacted since construction of the subject structure. Upon plan adoption this requirement shall be incorporated as performance criteria within the amended land development regulations. In evaluating petitions for a variance to this standard, the City shall balance the need to protect life and property with the equally compelling need to preserve and sustain the economic base of the community together with its historic character (Cross reference Objective 1-1.3).

Reason for Amendment: No longer applicable.

Policy 5-1.87.65: Establish Building Facilities Review Committee. The Recovery Task Force established in Policy 5-1.7.2 shall serve as the City's designated Public Facilities Review Committee charged with the responsibility for reviewing available alternatives for managing damaged public facilities following a hurricane event. The Committee shall evaluate future options for such facilities, including, but not limited to, abandonment, and repair in place, relocation, and reconstruction with structural modifications. The Committee shall consider these options based on the following considerations:

- Cost to construct:
- Cost to maintain;
- Recurring damages;
- o Impacts on land use;
- Impacts on the environment;
- Public sector;
- Repair to any public facilities that shall be deemed historic structures according to the inventory of the National Register of Historic Places shall be guided by the Secretary of the Interior's Guidelines for Rehabilitation and the Guidelines of the City's Historic Architectural Review Commission; and
- Other relevant factors.

Policy 5-1.87.7: Contingency Fund for Disaster Assistance. The City shall maintain a contingency fund in order to cover the City's required match for disaster assistance grants.

OBJECTIVE 5-1.98: ACCESS TO PUBLIC BEACH, SHORELINE AND SCENIC VISTAS. The City shall maintain land use policies which promote continuance of the nineteen activity centers for shoreline access and water dependent and related activities described on pages 5-1 through 5-6 of the Coastal Management Element data inventory and analysis. The City of Key West is a waterfront oriented community with a highly accessible shoreline as documented in the Coastal Management data inventory and analysis. Beaches as well as scenic vistas of the shoreline and tidal waters shall remain unobstructed and, to the extent lawful, no barriers shall be erected which prevent pedestrian access along the shoreline. The City shall enforce the standards below directed in Policy 5-1.9.1 and 5-1.9.2. Currently the City has over twenty-three (23) acres of public beach. Considering the City's projected permanent and seasonal population (41,617 and the standard for beach access cited in Policy 5-1.9.1), the City has sufficient beach access to satisfy beach access needs through the year 2010 (41.6 : 2 = 20.8 acres).

Monitoring Measure: Percentage of shoreline that is accessible to the public.

Reason for Amendment: Update – not applicable to Key West. Public access to beaches and shorelines is addressed in Objective 5-1.2 and policies thereunder.

Policy 5-1.9.1: Standard for Public Beach Access. The City shall continue to implement the State DNR standard for public beach access of one-half (½) acre per one thousand (1,000) population.

Reason for Amendment: Update – not applicable to Key West.

Policy 5-1.9.2: Public Access to Renourished Beaches. The standard for public access to renourished beaches shall be a minimum of one (1) access point per one-half (½) mile of natural and/or renourished beach. The City shall support the Monroe County

Beach Restoration Management Plan (1990) characterized in the Comprehensive Data Inventory and Analysis, page 5-23 through 5-28.

Reason for Amendment: Update – no longer applicable.

Policy 5-1.98.31: Publicly Funded Ocean Front Development to Provide Beach Access. Publicly funded projects that improve, change or in some way support shore front development shall provide for public access to the shoreline, as well as the necessary support facilities and services, such as boardwalks, beach/dune walkovers, parking lots, restroom and refuge collection.

Policy 5-1.98.42: Consideration of Scenic View in Site Plans. Land development regulations shall include continue to enforce stipulations requiring site plans for ocean front sites to include design measures which provide, enhance and preserve scenic views of the water for the general public from public rights of way. Structures along the shoreline shall be regulated through land development regulations which prevent walling off of water front views. The site plan and building criteria shall give priority to minimizing impact on natural coastal resources. Similarly, applicants desiring to develop, establish or expand temporary or permanent structures, uses, and related activities within tidal waters extending 600 feet from the City's corporate limits shall be required to file a site plan which ensures that such activities do not encroach upon a scenic waterfront view or a scenic view of tidal waters. Development standards shall also include a coastal impact analysis consistent with provisions of Policy 5-1.1.4.

Reason for Amendment: Update.

OBJECTIVE 5-1.409: PROTECT HISTORIC RESOURCES. The City shall ensure protection of historic resources and shall ensure that there shall be no loss of historic resources on City owned property. Upon plan adoption the The City's amended land development regulations shall continue to ensure that historic resources on public and private property shall be protected, preserved, or re-used in a manner sensitive to the historic properties of the site and/or structure. If "Federal Certified Local Government" funding is available by 1992 the City shall prepare a Historic Preservation Element to the Comprehensive Plan. In addition to the below cited Policies, Policies 301.5.1 through 3-1.5.10 cited in the housing element provide a further basis for ensuring preservation of historical resources within the City. The City shall continue to staff the City's Historic Architectural Review Commission (HARC) which is the entity charged with enforcing the adopted guidelines for managing historic preservation.

Monitoring Measure: Number of historically preserved structures and sites.

Reason for Amendment: Update.

Policy 5-1.409.1: Promote Identification of the City's Historic, Archaeological, and Cultural Resources. Ensure that all municipal actions encourage and promote the preservation of the City of Key West historic resources. To this end the City shall

coordinate with the State Division of Historic Resources, the Historic Florida Keys Preservation Board, and the City's Historic Architectural Review Commission (HARC) in continuing to identify, document and preserve the City's historical, archaeological, and cultural resources. HARC shall continue to apply the City's adopted guidelines for historic preservation in review of all structure proposed for development, renovation, rehabilitation, or re-use.

Reason for Amendment: Update.

Policy 5-1.109.2: Performance Standards for Protecting Sites of Historic or Archaeological Significance. Land development regulations shall continue to include precautions necessary to prevent the following adverse impacts to historic or archaeological sites of significance:

- 1. Destruction or alteration of all or part of such site;
- 2. Isolation from, or alteration of the surrounding environment;
- 3. Introduction of visual, audible, or atmospheric elements that are out of character with a property or alter its setting;
- 4. Transfer or sale of the site of significance without adequate conditions or restrictions regarding preservation, maintenance, use, or re-use;
- 5. Vegetation removal shall not be permitted on a historic or archaeological site unless the vegetation to be removed is a part of a duly authorized scientific excavation, or is a part of an approved development plan; and
- 6. Other forms of neglect resulting in resource deterioration.

Reason for Amendment: Update.

Policy 5-1.109.3: Survey of Publicly Owned Properties. The Planning Department will conduct maintain a survey of all publicly-owned and managed properties, including lands, buildings and features, in order to compile an inventory of historic resources under City supervision. The survey program will follow and be compatible with the Florida Master Site File. The inventory is regarded as a management tool and is to be completed within two years of approval of this document.

Reason for Amendment: Update.

Policy 5-1.109.4: Standards for Rehabilitation. The Historic Architecture Review Commission (HARC) "Design Guidelines in the Key West's Historic District" and the Secretary of the Interior's Standards for Rehabilitation whichever is the more restrictive, shall be followed for: 1) the evaluation of rehabilitation or restoration of City-owned

historic structures and sites; or 2) the rehabilitation of all historic resources using public funds.

Policy 5-1.409.5: Disposing of Historic Resources. In disposing of historic resources, the City of Key West will make every effort to attach a preservation deed restriction to the property, requiring that the Secretary of the Interior's Standards for Rehabilitation be followed for any alteration to the resource.

Policy 5-1.409.6: Evaluating Impacts of Development on Historic Resources. The staff of the Planning Department and the Historical Architectural Review Commission will evaluate the impact of proposed development on historic resources.

Policy 5-1.409.7: Relocation of Historic Buildings. When historic buildings are to be relocated by government action, study the impact and appropriateness of the move according to the Secretary of the Interior's Standards.

Policy 5-1.109.8: Promoting Legislation Supportive of Historic Resources Preservation. Work cooperatively with other Florida communities to initiate and support state legislation that promotes the preservation of historic resources. Such legislation might include ad valorem and other tax relief, and state fire and building code and property assessment policies more sympathetic to historic resources.

Reason for Amendment: Update.

OBJECTIVE 5-1.110: PUBLIC FACILITY LEVEL OF SERVICE STANDARDS IN COASTAL AREA. The level of service standards for infrastructure are cited in policy 9-1.6.1 of the capital improvements element. The area served by the infrastructure systems is as follows:

Infrastructure Component	Area Served	Future Phasing of Improvements
1. Traffic Circulation	Citywide	Reference Policy 9-2.1 for programmed phasing of improvements.
2. Sanitary Sewer	Citywide, excepting areas served by septic tanks as delineated on Map IV-1 in the sanitary sewer sub-element data inventory and analysis. NOTE: The only area within the Salt Pond/Airport Planning Area which is served by central wastewater service is the Oceanwalk (Las Salinas)	Reference Policy 9-2.1 for programmed phasing of improvements. NOTE: The east end of the airport shall have central wastewater service by 1992, and the remainder of the area shall have central

	project.	service by 1994.
3. Potable Water	Citywide coverage	None scheduled.
4. Solid Waste	Citywide coverage	Reference Policy 9-2.1
	_	for planned
		improvements.
5. Drainage	Citywide coverage	Reference Policy 9-2.1
_	_	for planned
		improvements. The
		City is scheduled to
		commence
		implementing
		recommendations of
		the programmed storm
		water master plan (Ref.
		4-2.1d, Policy 4-2.1.d)
6. Recreation and Open	Citywide coverage	No planned
Space		improvements.

Monitoring Measure: Achievement of Level of Service standards.

Reason for Amendment: Update.

Policy 5-1.140.1: Beach Renourishment Standards. Any proposed beach renourishment project in the future shall meet standards of best management practices and shall receive permits from all federal and state agencies having jurisdiction, including the FDNR.

Policy 5-1.110.2: Regulating Impacts on a Renourished Beach. If a public sponsored beach renourishment program is implemented within the City in the future, all adjacent development thereafter proposed shall submit site plans demonstrating that the proposed development will not adversely impact the renourished beach or reduce the level of service provided by the renourished beach.

Policy 5-1.140.3: Ensure Available Infrastructure and Coordinate Timing and Staging of Public Facilities With Private Development. Upon plan adoption the The City shall adopt amended continue to enforce land development regulations which shall ensure that future development is directed only to those areas where public facilities which meet the City's adopted level of service standards are available concurrent with the impacts of the development or redevelopment. Development and redevelopment shall occur only at the densities proposed by the future land use plan, consistent with coastal resource protection and safe evacuation. The City shall ensure that funds for future needed infrastructure improvements are phased to coincide with demands generated by development or redevelopment. In order to ensure appropriate timing and staging no development order shall be granted until a plan is submitted by the developer/applicant to the City which demonstrates that all required infrastructure shall be in place and available for use by the development concurrent with the impacts of development.

The infrastructure shall be designed in a manner consistent with the existing and projected future demands generated by development projected in the future land use element. The infrastructure shall also be consistent with applicable local, regional and State coastal resource protection policies.

Reason for Amendment: Update.

OBJECTIVE 5-1.121: INTERGOVERNMENTAL COORDINATION WITHIN THE COASTAL AREA. —Establish an Continue to maintain an intergovernmental coordination mechanism in order to manage coastal resources within the jurisdiction of more than one local government or public agency and assist in implementing appropriate portions of existing multi-jurisdictional resource planning and management plans addressing the coastal area, including management of surface water runoffs, impacts of development on coastal waters and living marine resources.

Monitoring Measure: Interlocal agreements with agencies with jurisdiction over coastal and marine issues.

Reason for Amendment: Update.

Policy 5-1.121.1: Implementing Policies for Intergovernmental Coordination Within the Coastal Area. The City shall continue to coordinate with Monroe County and appropriate regional, State, and federal agencies in managing coastal resources. Management activities shall include, but not be limited to, the following:

- The City shall coordinate the following coastal resource management issues with Monroe County:
 - a. Participate in County forums and technical review concerning emergency preparedness and hurricane evacuation issues and update of the Peacetime Emergency Plan, including hurricane evacuation plans.
 - b. Participate in technical review and in formulation of policies concerning the U.S. 1 (North Roosevelt - Truman Corridor), including stormwater management policies within these corridors. This activity shall also be coordinated with the State DOT.
 - c. Public access issues shall be coordinated with Monroe County, including issues surrounding maintenance and improvements.
 - d. Issues surrounding conservation of the shoreline of the Atlantic Ocean and Gulf of Mexico shall be coordinated with Monroe County, the U.S. Army Corps of Engineers, DNR, and the DER as appropriate.
- 2. The City shall continue its multi-agency development review process in order to coordinate intergovernmental and resource management issues surrounding proposed development and redevelopment. The City shall also enforce land development regulations to ensure that all issues surrounding development

impacts on wetlands or other resources under federal and/or state jurisdiction are managed based on timely coordination, exchange of information, and appropriate follow-up by the City and all agencies having jurisdiction over the issue. The City shall request jurisdictional determinations from all appropriate agencies prior to the issuance of development orders or building permits for all sites within the City.

Major issues to be coordinated with the U.S. Coast Guard, U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, State Department of Natural Resources (DNR), the Department of Environmental Regulation Protection (DER) (DEP), and the South Florida Water Management District (SFWMD), the South Florida Regional Planning Council, and other federal, state, and regional agencies as may be appropriate in managing the following activities:

- a. The City shall coordinate all development and resource conservation measures impacting the waters of the Atlantic Ocean and the Gulf of Mexico with the above cited agencies as well as other applicable public agencies. These activities shall include, but not be limited to, review of proposed development potentially impacting natural resources, including development petitions for docks, shoreline stabilization, dredging, or other alteration of natural resources under Federal or State jurisdiction.
- b. All applications for development activity impacting waters of the State as well as tidally influenced Salt Ponds, or other lands under the jurisdiction of the State shall be coordinated with agencies having appropriate jurisdiction.
- c. The City shall coordinate with technical staff within DNR, DER <u>DEP</u> and SFWMD in order to ensure implementation of sound principles and practices of coastal resource management during the development review process as well as in the formulation of policies impacting coastal resource management.
- d. The City shall coordinate with the SFWMD, the DEP, as well as other appropriate State agencies in matters surrounding stormwater management, drainage, water quality and quantity, and consumptive use permitting.
- 3. The City shall coordinate on a continuing basis with the South Florida Regional Planning Council (SFRPC) in preparing the Comprehensive Plan and amendments thereto in order to ensure consistency with the South Florida Regional Planning Council Comprehensive Plan. In addition, the City shall coordinate other planning issues of regional significance with the SFRPC.

The City shall forward copies of development proposals within the coastal area to public agencies having jurisdiction in the management of potentially impacted natural resources.

Reason for Amendment: Update – interlocal agreements in place.

OBJECTIVE 5-1.132: CONTINUING EVALUATION OF COASTAL MANAGEMENT ELEMENT EFFECTIVENESS. The City shall use the following policies as criteria in evaluating the effectiveness of the Coastal Management Element.

Monitoring Measure: Achievement of implementing policies.

Policy 5-1.132.1: Review the Impact of Changing Conditions on Coastal Management Policy. The City shall monitor and evaluate significant changes in the characteristics of natural coastal resources. Policy implications of such changes shall be examined and corrective measures shall be pursued. Coastal management policies shall be refined as needed in order to remain responsive to evolving problems and issues.

Policy 5-1.132.2: Schedule, Budget and Implement Programmed Activities. The timely scheduling, programming, budgeting and implementation of programmed coastal management activities identified in this Element shall be evidence of the City's effectiveness in carrying out a systematic program for implementing coastal management goals, objectives, and policies.

Policy 5-1.132.3: Coordinate with Public and Private Sectors. While continually implementing and evaluating the Coastal Management Element, the City shall maintain a process of intergovernmental coordination as well as coordination with private sector groups interested in coastal management policy and programs. The effectiveness of this approach shall be evaluated by the success of coordination mechanisms in resolving coastal management problems and issues.

Policy 5-1.132.4: Achieve Effective Resolution of Coastal Management Goals, Objectives and Policies. The effectiveness of the Coastal Management Element shall be measured by the City's success in achieving coastal management goals, objectives and policies. The Coastal Management Element incorporates a systematic planning process for identifying coastal management problems and issues and implementing corrective actions.

OBJECTIVE 5-1.13: PLANNING FOR RESILIENCY AND ADAPTATION IN COASTAL AREAS

The City shall research and promote conservation actions which enhance the resiliency and adaptation of coastal resources wetlands, water resources, living marine resources, and other natural resources. This may include identification of Adaptation Action Areas, as defined in Policy 5-1.5.3.

Monitoring Measure: Pilot conservation projects enacted in accordance with this Objective.

Reason for Amendment: Climate Action Plan.