

## CHAPTER 5: COASTAL MANAGEMENT ELEMENT

**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 Statutes.

**GOAL 5-1: COASTAL MANAGEMENT.** Restrict development activities that would damage or destroy coastal resources. Protect 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.

**OBJECTIVE 5-1.1: PROTECT COASTAL RESOURCES, WETLANDS, ESTUARINE SALT POND ENVIRONMENTAL QUALITY, LIVING MARINE RESOURCES, AND WILDLIFE HABITATS.** The City shall 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:

1. 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
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 the State.

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

**Policy 5-1.1.1: Development Restrictions in Wetlands.** The City shall 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.

The City shall 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:

<b>Common Name of Wetland Species</b>	<b><i>Scientific Name</i></b>
Black Mangrove	<i>Avicenna germinas</i>
White Mangrove	<i>Laguncularia racemosa</i>
Red Mangrove	<i>Rhizophora mangle</i>
Buttonwood	<i>Conocarpus erectus</i>
Saltwort	<i>Batis maritima</i>
Glasswort	<i>Salicornia spp.</i>
Sea Purslane	<i>Sesuvium protul acastrum</i>
Sea Blite	<i>Suada linearis</i>
Sea Oxeye Daisy	<i>Borrchia spp.</i>
Salt Grass	<i>Distichlis spicata</i>
Dropseed	<i>Sporobilus virginicus</i>
Key Grass	<i>Monanthochloe</i>
Fringe-Rushes	<i>Fimbristylis spp.</i>
Cordgrass	<i>Spartina spartinae</i>
Sawgrass	<i>Cladium jamaicewsis</i>
Spike Rush	<i>Eleocharis celluosa</i>
Cattail	<i>Typha spp.</i>

Wetland jurisdictional determinations shall be consistent with those of County, State and Federal agencies.

**Policy 5-1.1.2: Protect Coastal and Estuarine Environmental Quality and the Shoreline.** The City shall 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:

- a) Consider fish and wildlife habitat;
- b) Prevent degradation of water quality and estuaries;
- c) Manage surface water run-off;
- d) Protect living marine resources, including the near shore reef system;
- e) Reduce exposure to natural hazards;
- f) Ensure adequate public access; and
- g) Ensure adequate sites and standards for regulating water-dependent and water-related 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.

**Policy 5-1.1.3: Protect, Stabilize, and Enhance the Coastal and Wetland Shorelines.** The City shall 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 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.

Hardening of the shoreline with rip-rap, bulkheads or other similar devices-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.

**Policy 5-1.1.4: Protect Living Marine Resources, Coastal Marsh, and Seagrass Beds.** The City shall 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 final plan approval and/or prior to release of any final permit for construction.

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.

**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 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 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.

**Policy 5-1.1.7: Prevention of Invasive Exotics.** The City shall create Land Development Regulations 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.

**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.

**OBJECTIVE 5-1.2: CRITERIA FOR PRIORITIZING SHORELINE USES AND PROVIDING PUBLIC ACCESS TO SHORELINE.** The City shall 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.

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

**Policy 5-1.2.1: 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 building permits. 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 5-1.2.2: Limit Impacts of Development and Redevelopment Upon Water Quality and Quantity, Wildlife Habitat and Living Marine Resources and Implement Policies for Shoreline Land Uses.** The City 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 continue to include level of service standards for surface water management, potable water, and sanitary sewerage stipulated in the Public Facilities Element. In addition, the criteria shall include specific criteria for regulating development impacts on natural resources herein identified. The criteria shall continue to be enforced through the Land Development Regulations and shall continue to be enforced through a site plan review process which shall embrace all development and redevelopment activity. Criteria included in the Land Development Regulations shall 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:

1. **Protecting Living Coastal Marine Life.** The City shall continue to enforce Land Development

Regulations which protect species, including but not limited to sea turtles, manatees, white crown pigeon, and other species with special status from the adverse impacts caused by development.

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 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 Smathers Beach 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 shall also be carried out to reduce potential adverse impacts on the coral reef. In amending its Land Development Regulations, the City shall consider the establishment of additional protective policies for coral.
- 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 Department of Natural Resources. 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. 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.** Final docks 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 siting 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. Marine Sanctuaries;
  - iv. Estuarine Sanctuaries; and
  - v. 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 State of Florida.
  - e. Grass beds and other submerged habitat deemed valuable by the State 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 South Florida Water Management District and the 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.
  - l. 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 species 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 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 firefighting equipment; and
  - vi. Inspection of Marine Sanitation Devices (MSD) in marinas with live-aboards to ensure compliance with Federal standards.
  - vii. Compliance with or progress toward achieving Florida Department of Environmental Protection Clean Marina or Clean 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.
- p. 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 Florida Department of Environmental Protection 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 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 for development adjacent to wetlands. 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 three (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.
  - 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.** Access to the Atlantic Ocean and Gulf of Mexico shall be required in order to maintain access ways 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 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.** 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.

**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. In addition, water dependent structures such as life guard stands or beach renourishment 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 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 shoreline, excepting structures approved by the State. 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.**

**Policy 5-1.3.1: Shoreline Setback.** The City shall 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.

**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 shoreline setback from natural shorelines shall be 30 to 50 feet dependent upon the particular shoreline characteristic identified in the Land Development Regulations.

**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 Protection, and/or the U.S. Army Corps of Engineers as may be applicable as part of the special conditions of the CCCL permit.

**Policy 5-1.3.4: Maintain and Re-establish the Beach and Dune System.** The City's Land Development Regulations shall require beach and dune system restoration where development is proposed on the adjacent upland and breaches in the adjacent dune system are apparent.

**OBJECTIVE 5-1.4: LIMITING PUBLIC SUBSIDY OF DEVELOPMENT IN THE COASTAL HIGH-HAZARD AREA.** 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 transportation, public facilities, coastal management, conservation, and recreation and open space elements of the Comprehensive Plan. 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.**

**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.

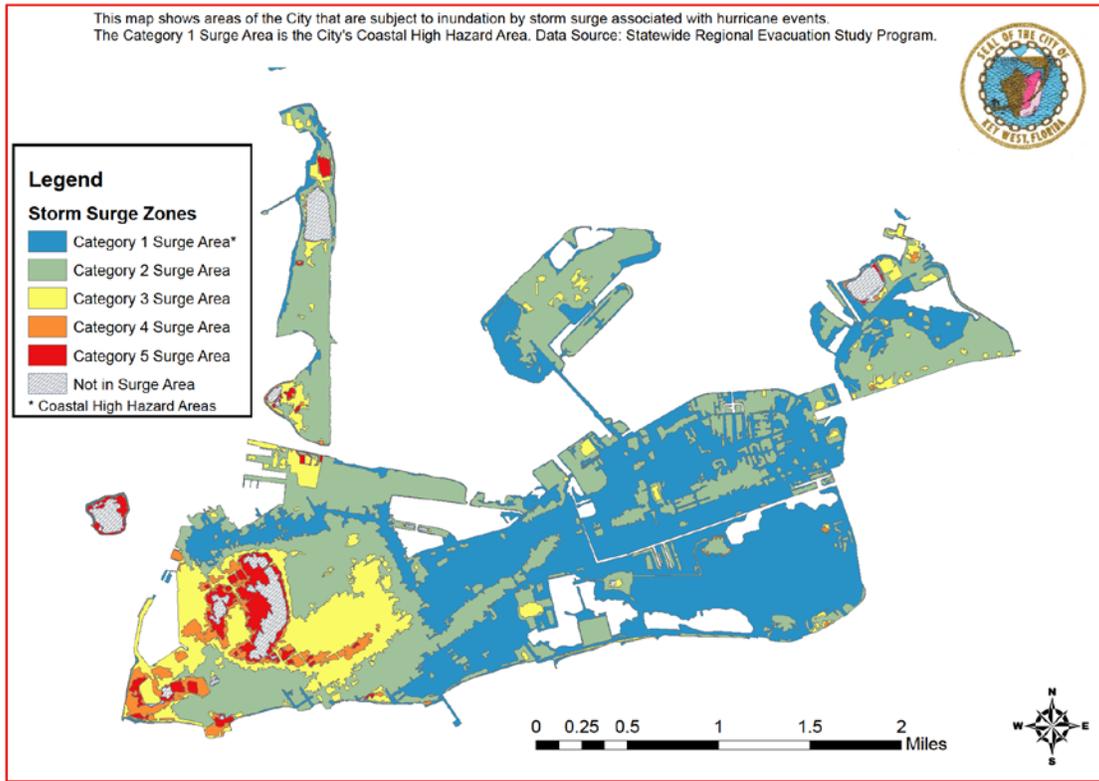
**OBJECTIVE 5-1.5: AVOID POPULATION CONCENTRATIONS IN COASTAL HIGH-HAZARD AREAS.** The City shall continue policies to direct population concentrations away from coastal high hazard areas by regulating the density of residential development and redevelopment within the coastal high hazard area.

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

**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.

**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. (Also see following page)

**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.



**MAP FLU - 2, CITY OF KEY WEST - Storm Surge Zones**

*This same map in more detailed format is available at City Planning Department offices.*

**OBJECTIVE 5-1.6: HURRICANE EVACUATION.** 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.

**Monitoring Measure: Hurricane evacuation clearance time.**

**Policy 5-1.6.1: Hurricane Evacuation Logistical Support.** 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 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 and phased evacuation plans, including specific citizen directives.

**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. Approximately 36 hours in advance of tropical storm winds, a mandatory evacuation of mobile home residents, special needs residents, and hospital and nursing home patients from the Keys shall be initiated.
3. Approximately 30 hours in advance of tropical storm winds, a mandatory phased evacuation of permanent residents by evacuation zone (described below) shall be initiated. Existing evacuation zones are as follows:
  - a. Zone 1 – Key West, Stock Island and Key Haven to Boca Chica Bridge (MM 1 – 6);
  - b. Zone 2 – Boca Chica Bridge to West end of 7-Mile Bridge (MM 6 – 40);
  - c. Zone 3 – West end of 7-Mile Bridge to West end of Long 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 – State Road 905A to, and including Ocean Reef (MM 106.5 – 126.5).

**OBJECTIVE 5-1.7: POST-DISASTER REDEVELOPMENT.** The City shall continue to maintain post-disaster redevelopment plans. These 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 continue to enforce local plan components including managing recovery operations through a Recovery Task Force as elaborated in Policy 5-1.7.5.

**Monitoring Measure: Adopted post disaster redevelopment plans or policies.**

**Policy 5-1.7.1: 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 and update a management framework for resolving issues confronted in times of a natural disaster.

**Policy 5-1.7.2: Post-Hurricane Assessments.** The Recovery Task Force shall continue to coordinate its management plan with 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;
6. 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.

**Policy 5-1.7.3: 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 5-1.7.4: 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 Section 406, Disaster Relief Act of 1974 (PL 93-288).

**Policy 5-1.7.5: Redevelopment of Damaged Structures.** If 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. 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.

**Policy 5-1.7.6: 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:

1. Cost to construct;
2. Cost to maintain;
3. Recurring damages;
4. Impacts on land use;
5. Impacts on the environment;
6. Public sector;
7. 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
8. Other relevant factors.

**Policy 5-1.7.7: 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 5-1.8: ACCESS TO PUBLIC BEACH, SHORELINE AND SCENIC VISTAS.** 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.

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

**Policy 5-1.8.1: 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 refuse collection.

**Policy 5-1.8.2: Consideration of Scenic View in Site Plans.** Land Development Regulations shall 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.

**OBJECTIVE 5-1.9: 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. The City's 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. 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.**

**Policy 5-1.9.1: 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.

**Policy 5-1.9.2: 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.

**Policy 5-1.9.3: Survey of Publicly Owned Properties.** The Planning Department will 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.

**Policy 5-1.9.4: 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 5-1.9.5: 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 5-1.9.6: 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 5-1.9.7: 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 5-1.9.8: 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.

**OBJECTIVE 5-1.10: PUBLIC FACILITY LEVEL OF SERVICE STANDARDS IN COASTAL AREA.** The level of service standards for infrastructure are cited in the capital improvements element. The area served by the infrastructure systems is as follows:

**Table 5-1.10**

<b>Infrastructure Component</b>	<b>Area Served</b>
Traffic Circulation	Citywide
Sanitary Sewer	Citywide
Potable Water	Citywide coverage
Solid Waste	Citywide coverage
Drainage	Citywide coverage
Recreation and Open Space	Citywide coverage

**Monitoring Measure: Achievement of Level of Service standards.**

**Policy 5-1.10.1: 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 Florida Department Natural Resources.

**Policy 5-1.10.2: 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 5-1.10.3: Timing and Staging of Public Facilities.** Ensure Available Infrastructure and Coordinate Timing and Staging of Public Facilities With Private Development. The City shall 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.

**OBJECTIVE 5-1.11: INTERGOVERNMENTAL COORDINATION WITHIN THE COASTAL AREA.** 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 runoff, impacts of development on coastal waters and living marine resources.

**Monitoring Measure: Interlocal agreements with agencies with jurisdiction over coastal and**

marine issues.

**Policy 5-1.11.1: 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.

**OBJECTIVE 5-1.12: 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 5-1.12.1: 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 5-1.12.2: 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 5-1.12.3: 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 5-1.12.4: 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.**