FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

2015

Florida Keys Area of Critical State Concern Annual Report

Division of Community Planning and Development
Areas of Critical State Concern Program

Annual Report
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Rick Scott
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Jesse Panuccio
EXECUTIVE DIRECTOR

November 30, 2015

The Honorable Rick Scott
Governor
The Capitol
Tallahassee, Florida 32399-0001

The Honorable Pam Bondi
Attorney General
The Capitol
Tallahassee, Florida 32399-1050

The Honorable Adam Putnam
Commissioner of Agriculture
The Capitol
Tallahassee, Florida 32399-0810

The Honorable Jeff Atwater
Chief Financial Officer
The Capitol
Tallahassee, Florida 32399-0300

Re: 2015 Florida Keys Area of Critical State Concern Annual Report

Dear Governor and Members of the Administration Commission:

Pursuant to Section 380.0552(4)(b), Florida Statutes (F.S.), the Florida Department of Economic Opportunity (Department) is pleased to transmit its 2015 Florida Keys Area of Critical State Concern Annual Report. Section 380.0552(4)(b), F.S., requires the preparation of a report that describes the progress of the Florida Keys Area of Critical State Concern toward completing the tasks of the Work Program.

The Department's report includes information from Monroe County, the City of Marathon, the Village of Islamorada, Key Largo Wastewater Treatment District, the Florida Department of Health, and the Florida Department of Environmental Protection. Based upon this input, the Department's own review, and coordination with the local governments on the chief findings, the attached report is provided for your consideration.

The Department has evaluated the information provided by the local governments and state agencies against the Administration Commission Report and the Work Program requirements. The Department recommends that Monroe County, the City of Marathon, and the Village of Islamorada have made substantial progress towards accomplishing Work Program tasks scheduled for completion between July 1, 2014 and June 30, 2015.

In accordance with its statutory charge found in Section 380.0552(4)(c), F.S., the Department recommends the following actions:

(1) Accept the 2015 Annual Report for Monroe County, the City of Marathon, and the Village of Islamorada;
(2) Continue the Florida Keys Area of Critical State Concern designation in order to complete the Work Programs requirements;
(3) Accept the Department's recommendation that substantial progress toward accomplishing the tasks of the Work Program have been achieved for Monroe County, the City of Marathon, and the Village of Islamorada.

The Department appreciates the efforts of the local governments and looks forward to continuing our cooperative relationship with the Florida Keys communities and working with all parties to fully achieve the goals of the Work Program.

Sincerely,

Jesse Panuccio

JP/rj

Enclosures: Department of Economic Opportunity 2014 Florida Keys Annual Report

cc: The Honorable Danny Kolhage, Mayor, Monroe County
The Honorable Mark Sinmartin, Vice Mayor, City of Marathon
The Honorable Mike Forster, Mayor, Islamorada, Village of Islands
The Honorable Craig Cates, Mayor, City of Key West
The Honorable Jerry Ellis, Mayor, City of Key Colony Beach
The Honorable Norman Anderson, Mayor, City of Layton

Florida Keys Area of Critical State Concern
Annual Report Summary for the Period July 1, 2014 - June 30, 2015

The Department of Economic Opportunity is required to submit a written report to the Florida Administration Commission annually describing the progress of the Florida Keys Area of Critical State Concern (ACSC) toward completing the work program tasks specified in Administration Commission rules for unincorporated Monroe County, Marathon, and Islamorada. The Florida Keys ACSC designation includes the municipalities of Islamorada, Marathon, Layton, Key Colony Beach, and unincorporated Monroe County. The City of Key West was given its own Area of Critical State Concern designation.

The Area of Critical State Concern Program, authorized by Section 380.05, Florida Statutes (F.S.), allows the Governor and Florida Cabinet, sitting as the Administration Commission, to designate areas that contain resources of statewide significance as an Area of Critical State Concern. Administration Commission oversight includes authority to promulgate administrative rules that guide local government growth and development decisions related to comprehensive plans and land development regulations.

Anne's Beach (Source: B. Powell)

This report summarizes the status of the work programs for Islamorada, Marathon, and Monroe County. The work program matrix contains measurable actions with due dates found under Tab 3. The matrix contains the Administration Commission work program Tasks, dates for completion, and comments as to the extent to which these requirements have been met from the relevant local government. The matrix contains the status of each work program task in the third column as either "complete" or "incomplete" with tasks due this reporting period highlighted in yellow.[1]

Purpose of Designation

The Legislature designated the Florida Keys (Monroe County and its municipalities) and the City of Key West as Areas of Critical State Concern in 1975 due to the area's environmental sensitivity, mounting development pressures, and trends of degraded nearshore water quality. The legislative

[1] Section 380.0552(4), Florida Statutes; Rules 28-18.400, 28.19.310, 28-20.140, Florida Administrative Code

intent was to establish a land use management system for the Florida Keys that would achieve the following:

- Protect the natural environment and improve the near shore water quality;
- Support a diverse economic base that promotes balanced growth in accordance with the capacity of public facilities;
- Promote public land acquisition and ensure that the population of the Florida Keys can be safely evacuated;
- Provide affordable housing proximate to places of employment; and
- Protect property rights and promote coordination among governmental agencies that have permitting jurisdiction.

The Florida Keys are a chain of lushly vegetated tropical islands surrounded by clear shallow ocean waters teeming with sea life. The islands are connected by a single road stretching 112 miles and spanned by 42 bridges. The highest point of elevation along these rocky islands is only 18 feet above sea level and there is no point that is more than 4 miles from water. The Florida Keys are isolated from the rest of the state and receive electricity and potable water from Florida City, located on the Florida mainland.

Mangrove (Source: B. Powell)

Land development in the Keys has displaced nearly 50% of all upland habitats and created a patchwork of land cover resulting in reduced ecological functions such as lower biodiversity, increased vulnerability to invasion by exotic plant and animal species and decreased gene flow within and among endemic species.

The Florida Keys form a unique sub-region that is able to support a combination of marine and tropical upland habitats that have one of the highest numbers of endemic and listed plant and animal species in North America. Globally imperiled habitats including tropical hardwood hammocks, pine rocklands, and coastal rock barrens all occur in the Florida Keys along with mangrove swamps and coastal salt marshes. The Keys are located within the Atlantic flyway, one of four major travel corridors in the world that migratory birds follow on spring and fall migrations that provide critical

nesting, feeding, and resting areas for more than 250 species of birds and the endangered Schauss Butterfly.

Mangrove (Source B. Powell)

The Keys ecosystem evolved in clear waters with low nutrients and its continued survival is dependent upon maintenance of clear, low nutrient waters. All the waters adjacent to the islands have been designated as Outstanding Florida Waters, and include the Florida Keys National Marine Sanctuary the largest national marine sanctuary in the United States. The Florida Keys outer reefs form the third largest barrier reef system in the world.

The environment and the economy are inextricably linked in the Florida Keys. Tourism is the chief economic engine in the Florida Keys with over $1.2 billion dollars spent annually by over 2.9 million visitors. The Keys are an international mecca for sport fishing, diving, boating, cruising, and wildlife viewing. Recreational and commercial fishing are the next most important sectors of the local economy, annually contributing an estimated $557 million to the local economy[2]. More than 33,000 jobs in the Keys are supported by ocean recreation and tourism accounting for 58% of the local economy and $2.3 billion annually in sales. The cost of water quality improvements and land acquisition in the Keys are a small fraction of the long term asset value that the natural resources provide to the economy of the Florida Keys.

Status for 2015 Task Achievement

The primary theme for this report is the status of upgrades to wastewater treatment systems, both private and public. Additional information is included regarding land acquisition and affordable housing. The Florida legislature established a deadline of December 31, 2015 for all septic tanks, cesspits, private package plants, and central sewer systems within the Florida Keys to meet advanced wastewater

Key Deer along nature trail at Blue Hole (Source: B. Powell)

[2] National Marine Sanctuary Program, National Oceanic and Atmospheric Administration, National Ocean Service, and US Department of Commerce. 2007. *Florida Keys National Marine Sanctuary Revised Management Plan.* http://floridakeys.noaa.gov/mgmtplans/2007.html

treatment standards.[3] Since 1999, there have been ongoing local and state efforts to upgrade or connect 23,000 on-site sewage treatment systems (which initially included 2,800 illegal cesspits) and approximately 249 Wastewater Treatment Package Plants to central sewer. Wastewater treatment package plants in the Florida Keys dispose of their treated effluent below the ground using either 90 foot shallow injection wells or 3,000 foot deep injection wells. The effluent from these sources contain nutrients and human pathogens which rapidly migrate to surface water as a result of tidal pumping. The cumulative effects of these discharges have led to water quality degradation.

Cudjoe Wastewater Treatment Plant August 2014 (Source: Monroe County)

[3] Sections 381.0065(3)(h) and (4)(1) and 403.086 (10), F.S.

Islamorada, Village of Islands

The Village has a population of 6,523 and 5,692 dwelling units.

The Village of Islamorada completed 86% of the work plan tasks.

Tasks scheduled for completion this report (Rule 28-19.310, Florida Administrative Code)	**Complete**	**Incomplete**
Task 2: Apply for land acquisition funds		**X**
Task 10: Identify wastewater funding in Capital Improvements Element	**X**	
Task 13: Apply to state or federal government for wastewater grant funding	**X**	
Task 15: Request Everglades restoration bonds for financing	**X**	
Task 16: Implement local funding necessary to support issuance of bonds	**X**	
Task 31: Make available, connections to 50% of potential customers	**X**	
Task 33: Make available, connections to 75% of potential customers	**X**	

Water Quality Improvements Funding:

The estimated cost of wastewater in the Village is $115 million. During this reporting period, the Village received $7 million from the Everglades Restoration Bond proceeds and $3.2 million from the Army Corps of Engineers. The Village spent more than $33.6 million for wastewater construction

and approximately $53 thousand for stormwater improvements. The Village was approved for a state revolving loan for $38.4 million.

Wastewater Connection Progress

The Village has constructed the transmission main from Islamorada to Key Largo. The wastewater collection system is now available to 75% of the Village. All potential recipients of central wastewater in the Village have been notified that they are required to connect. Wastewater connections are measured in Equivalent Dwelling Units. There are approximately 8,114 EDUs in the Village. Of that number, 1,477 EDUs or 18% of the connections have been made.

The Village made over $800,000 available to economically disadvantaged persons to assist in paying for the plumbing costs between the home and the collection line. The Village received 108 applications for the funding, with 16 approved and out for bid. The bulk of this funding came from the Department of Economic Opportunity Community Development Block Grant. Code enforcement notices have been mailed to 74 dwellings not connected at North Plantation Key.

Of the 60 private package plants within the Village of Islamorada, 34 plants have initiated the process to connect. Private package plant connections are being closely monitored and coordinated with the local office of the Department of Environmental Protection to ensure compliance or consent agreements.

Connections to the wastewater system will take time. The demand for plumbing services in the Village and the lower Keys is at an all-time high.

Coral (Source: B. Powell)

City of Marathon

The City of Marathon has a population of 8,708 and 6,187 dwelling units.

The City of Marathon completed 83% of the work plan tasks.

Tasks scheduled for completion this report Rule 28-18.400, Florida Administrative Code)		Complete	Incomplete
Task 7:	Apply for land acqusition funding		**X**
Task 17:	Allocate funding for wastewater in Capital Improvements Element	**X**	
Task 19:	Apply for state or federal wastewater funding	**X**	
Task 22:	Request Everglades bonds issuance	**X**	
Task 23:	Allocate wastewater funding to support bond issuance	**X**	
Task 54:	Allocate funding for stormwater treatment facilities	**X**	
Task 55:	Apply to South Florida Water Management District (SFWMD)for stormwater grants	**N/A**	**N/A**

Wastewater Improvements Funding: The cost to construct central wastewater systems in Marathon is $102.9 million. The City of Marathon spent $10.5 million for wastewater during this reporting period. The City received $17 million in Everglades Restoration Funding and $2.3 million in State Revolving Loan funds.

The City spent $1.9 million for stormwater improvements from funding generated by their stormwater utility. No stormwater grant funding was available from the South Florida Water Management District, therefore this task was rated as "not applicable."

Wastewater Connection Progress:

Approximately 97% of 8,665 potential connections (Equivalent Dwelling Units/EDUs) have been made. There have been 86 properties referred to code enforcement. All private package plants have connected to the regional system with the exception of three. One system is in litigation and the other two are in the process of connecting.

Burrowing Owl, Sombrero Beach (Florida Memory)

Monroe County

Unincorporated Monroe County has a population of 35,180 and 25,241 dwelling units.

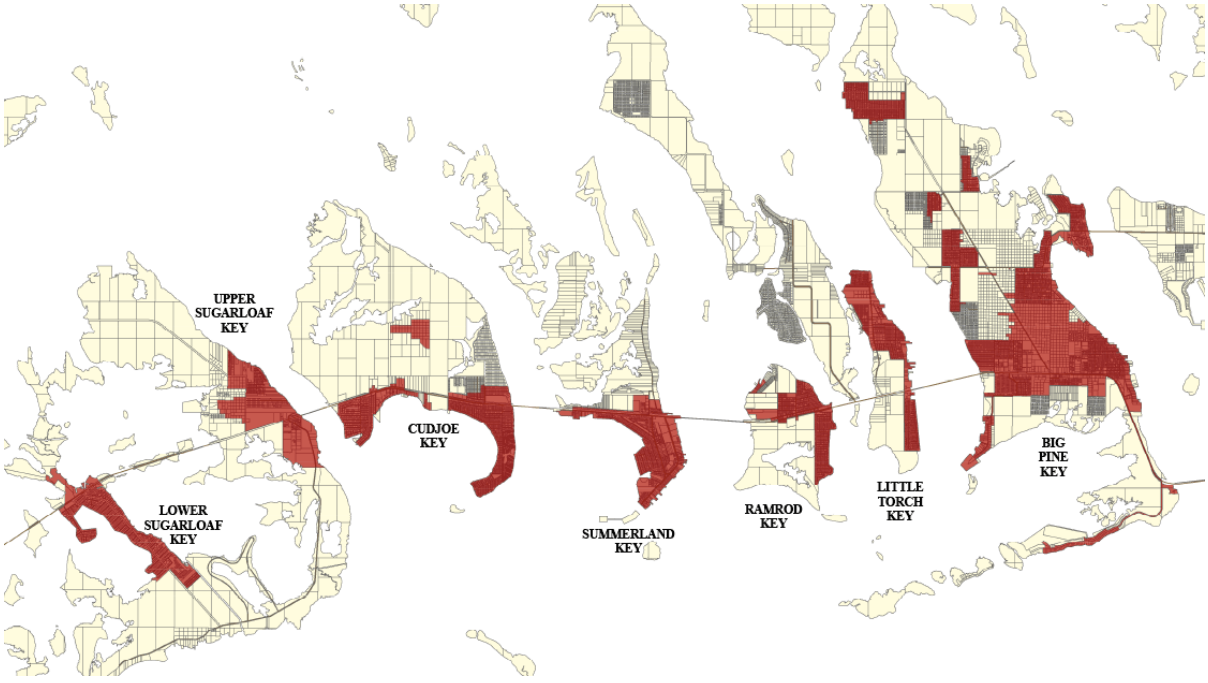
Monroe County completed 75% of the work plan tasks

Tasks scheduled for this period (Rule 28-20.300, Florida Administrative Code)	**Complete**	**Incomplete**
Task 9: Report on efforts to acquire land and fund balances	X	
Task 12: Apply annually for land acquisition funding	X	
Task 21: Allocate wastewater funding	X	
Task 23: Request Everglades bonds issuance	X	
Task 25: Apply for wastewater grant funding	X	
Task 56: Complete construction of outer area collection and transmission main		X
Task 58: Complete 50% of connections to Cudjoe Wastewater Facility		X
Task 61: Allocate stormwater funding in Capital Improvements Element	X	
Task 62: Apply to South Florida Water Management District (SFWMD)for stormwater grants	**N/A**	**N/A**

Water Quality Improvement Funding

The cost to provide central sewer services in unincorporated Monroe County is estimated to be approximately $1 billion. The County spent $113.6 million on wastewater improvements and $1 million in stormwater improvements. Everglades Bonds were not dispursed during this period, but the County is expected to receive $17 million by October 2015. The County's State Revolving Loan was increased by $30 million to $562 million. The County submitted a grant request for storm water project funding from the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies (RESTORE) Act funds and submitted two grant requests to the South Florida Water Management District (SFWMD) proposed Cooperative Funding Program.

The Cudjoe Wastewater Plant was completed this period and 1,100 properties were notified to connect. Plant operation was delayed in response to a local lawsuit. Now that the lawsuit is resolved, it is anticipated that connections will occur quickly to the inner portion of the Cudjoe service area. This is a large service area broken into an "inner collection" system nearest the plant (Cudjoe, Summerland, and Upper Sugarloaf) and the "outer" collection system (Lower Sugarloaf, Torches, Ramrod, and Big Pine Key). Most of the collection lines for the inner islands (87%) of the Cudjoe Regional Facility have been constructed, with approximately 63% of the collection lines for the outer islands complete.



Service Area for Cudjoe Regional Wastewater Collection System & Treatment Plant (Source: Monroe County)

Sewer Connection Enforcement

The County reports the following regarding the number of parcels that have not connected to central sewer:

- Key Largo wastewater facility has referred 494 cases to Code Enforcement and 393 have complied. Two package plants, Café Largo and Waldorf Plaza have not yet connected to the Key Largo Wastewater Treatment Plant. A development on the 18 Mile Stretch has not been connected to the Key Largo facility.
- The Big Coppitt facility has referred 232 cases to Code Enforcement and 155 have complied.
- 88 parcels that have not connected have been referred to code enforcement.
- The County is determining how many parcels at Stock Island will require lift stations before they can be connected to Key West Resort Utility. When the evaluation is complete, the County will refocus efforts on connections**.** It is anticipated that the number of EDUs on Stock Island will increase dramatically due to redevelopment activities.
- All offshore islands have been notified to upgrade.
- Nearly 12,000 applications have been received by the Department of Health requesting permits to abandon septic tanks. 8,492 septic tanks have been abandoned to date.

Countywide Sewer Connection Progress			
		As of September 2015	
Service Area	**EDUs**	**Connected**	**% Connected**
Ocean Reef (NKLUC) 100%	1,884	1,884	100%
Key Largo (KLWTD)	14,615	13,479	92%
Village of Islamorada **	7,898	1,709	22%
Layton (FKAA) 100%	351	351	100%
Long Key (connection to Layton)	110	0	0%
Duck Key/Conch Key (FKAA)	1,467	1,379	94%
Key Colony Beach 100%	1,502	1,502	100%
City of Marathon	9,292	9,169	99%
Big/Middle Torch Key, No Name Key	101	0	0%
Cudjoe (FKAA)	9,093	0	0%
Big Coppitt (FKAA)	1,730	1,444	83%
KW – NAS (connection to Big Coppitt)	170	0	0%
Bay Point (FKAA)	438	421	96%
Stock Island	3,219	3,119	97%
Key West 100%	24,075	24,075	100%
Total	73,135	58,532	80%

Land Acquisition

The Monroe County Land Authority (MCLA) purchased a lot in Marathon at a cost of $19,500 with funding that is generated by a tourist impact tax.[4] The MCLA purchased 80 parcels within unincorporated Monroe County this year at a cost of $1.8 million. Monroe County Land Authority applied for a federal land acquisition grant from the US Army Corps of Engineers through Keys Restoration Fund on May 5, 2015 in the amount of $114,177.50.

Gumbo Limbo Tree (Source: B. Powell)

The County submitted draft legislation through its state delegation for the 2015 legislative session. The Florida Keys Stewardship Act (HB 447) has been submitted for the 2016 legislative session to establish specific appropriations to the Florida Keys for water quality and land acquisition needs. For FY 2016, the Monroe County Board of County Commissioners committed $10M ($6M from Local Option Sales Surtax proceeds and $4M from Land Authority Reserves) for land acquisition and match for the Florida Forever Program.

Since 1966, the State of Florida has actively purchased land in the Keys totaling 10,501 acres at a cost of $243.9 million for natural resource protection. Based upon current development trends, and hurricane evacuation modeling, it is anticipated that in 2023 there will remain more than 7,000 vacant parcels countywide at an estimated acquisition value of $322 million. It is projected that clearance time will require 24 hours in 2023. Aggressive strategies are needed to achieve this clearance time. Monroe County has developed a GIS ranking tool to prioritize land for acquisition. The ranking mechanism was weighted to consider the attributes for conservation lands such as hardwood hammock habitat, listed species focus areas, military influence areas, and lands targeted for acquisition by Florida Forever. The ranking mechanism addressed submerged lands and parcels susceptible to a one foot rise in sea level. The ranking mechanism included risk values for parcels that contain no habitat or disturbed habitat and have complete infrastructure.

This exercise resulted in a report that indicates a need for acquisition of 4,269 conservation parcels at an estimated cost of $82.7 million and potential purchase of over 900 vacant developable privately owned parcels with an acquisition cost $29 million. These numbers do not include the municipalities.

[4] Section 125.0108, Florida Statutes

Based on figures provided by Monroe County, Department of Economic Opportunity staff estimates there are 2,339 parcels at an estimate cost of $127 million in Marathon and Islamorada that may be in need of acquisition or other appropriate strategies to reduce or otherwise account for platted lots. This exercise should be replicated for Islamorada and Marathon. The DEO has provided technical assistance funds to further evaluate and prioritize these lots.

County staff identified the following mechanism as potential methods to increase acquisition funds:

- Increase the tourist impact tax
- Allocate 10% of infrastructure sales tax to land acquisition.
- Increase sales tax.
- Establish a taxing authority.
- Allow DEP to take title to land purchased by the Monroe County Land Authority and to reimburse the Land Authority.
- Purchase "less than fee" development rights from owners of adjacent lots. Conduct workshops with realtors to gain their participation.

Neither Islamorada nor Marathon applied to a state or federal agency for land acquisition funding but are participating in an effort to obtain funding from the Florida Legislature through a bill (HB 447) sponsored by Representative Holly Raschein from Monroe County. In addition to acquisition through purchase, the Keys Communities, DEO, and other stakeholders need to develop additional strategies that can reduce platted lots or otherwise help achieve the required clearance time.

Nature Trail - Long Key State Park (Source: B. Powell)

Affordable Housing

Some studies suggest a need for affordable housing units in the Florida Keys. Excerpts from the studies are in Appendix G. The cost of land and cost of construction ($200-250 per square foot) are among the highest in the nation and state. Key West staff has projected a need for more than 6,000 affordable housing units. The entire building allocation for the Florida Keys over a ten-year horizon is 3,550.

Wet Net Villas (Source: Gorman & Co.)

It is estimated that 56 to 72 percent of renters in the Florida Keys, excluding Key West, pay more than 30% of their income for housing. Households paying more than 30% of their income for housing are classified by the U.S. Department of Housing and Urban Development (HUD) as "cost burdened." In the City of Key West, more than 77% of renters and owners are cost burdened. The high cost of living, building construction, and the cap on building permits all contribute to the high cost of housing. There are an estimated 1,654 housing units that are publicly owned, have Section 8 vouchers, or are deed restricted privately-owned affordable housing units within the Keys. With the exceptions of Layton and Key Colony Beach, local governments set aside allocations that are ear marked for affordable housing. There are currently 758 allocations available county-wide through the planning horizon.

The Florida Housing Finance Corporation established a "set-aside" for Areas of Critical State Concern.

- $41.5 million in funding has gone to Monroe County. Of this, $12.4 million is in federal low income housing tax credits, which has brought roughly $112 million in equity to the developments funded;
- Out of a total of 18 rental developments financed by FHFC in the Keys, 14 have been financed since the set-aside went into place (2001); and

- Out of a total of 1,019 affordable rental units financed by FHFC in the Keys, 760 units have been financed since the set-aside went into place.

Several local governments have created advisory groups to make recommendations to create affordable housing opportunities and to evaluate obstacles to providing affordable housing. An affordable housing white paper by Don Craig of Key West dated September 14, 2014 and the Monroe County Workforce Housing Stakeholder Assessment Report dated April 2015 have been included on a CD. Excerpts from the Assessment Report are included in Appendix G.

View along Spanish Harbor Key (Source: B. Powell)

Status of Local Governments without Work Program Tasks

City of Layton
Rule 28-32, Florida Administrative Code

Layton has a population of 187 and 250 dwelling units. The comprehensive plan needs to be updated to modify the planning horizon, update the water supply plan, and to include a redevelopment component to its coastal element that outlines the principles that must be used to eliminate inappropriate and unsafe development within the City's coastal element of the comprehensive plan.

The City has a fully operational wastewater facility that meets advanced wastewater treatment standards. The cost to provide central wastewater for Layton was $5.7 million for the improvements of which $4.1 million of this cost was provided by other government sources. There are approximately 110 EDUs in unincorporated Monroe County on Long Key that will be added to the Layton wastewater system. Monroe County will pay the $1.5 million cost.

The current building permit allocation of 27 new residential structures over the next eight years is sufficient to cover the 15 vacant lots in the City.

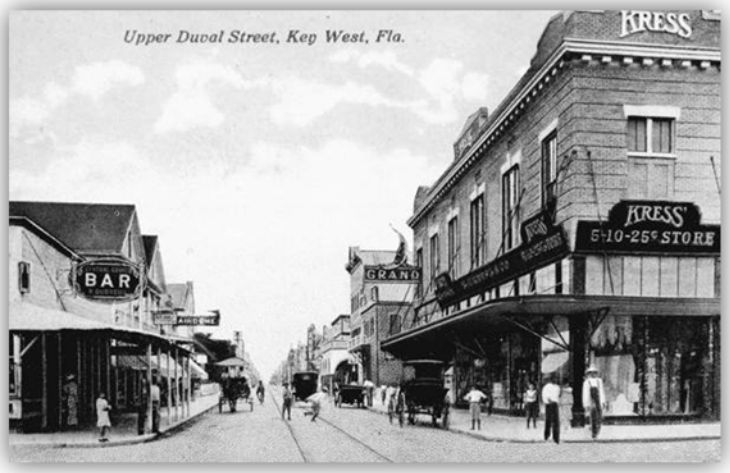
City of Key West
Rule 28-36, Florida Administrative Code

Key West has a population of 25,704 and 14,107 dwelling units. The Comprehensive Plan needs to be amended to update the water supply plan and to include a redevelopment component that outlines the principles that must be used to eliminate inappropriate and unsafe development within the City's coastal element of its comprehensive plan.

Water Quality Improvement

The City of Key West has a fully operational advanced treatment wastewater system. The City has been allocated $3 million from the Everglades Restoration Bond Program for lift station improvements.

Based on the current building permit allocation system that allows construction of 728 new residential structures over the next eight years, there are sufficient allocations to address the remaining vacant lots (91) in Key West.



Upper Duval Street (Source: State Archives of Florida, Florida Memory

City of Key Colony Beach
28-21 and 28-31, Florida Administrative Code

Key Colony Beach is a small community with a population of 834 and 1,458 dwelling units located on approximately 286 acres. There are just over 800 residents of Key Colony Beach, but the population peaks to about 4,000 in mid-winter. It is estimated that at least 500 property owners make their homes available to visitors for rent on a monthly or weekly basis.

Water Quality Improvement Funding

Key Colony Beach invested in a centralized wastewater treatment and disposal system many years ago. The plant is currently operating in a "secondary treatment" mode, which is less stringent than the treatment required by the December 2015 deadline. The plant is capable of operating as an advanced treatment facility to meet the statutory requirements and Key Colony Beach is prepared to make the conversion, including replacing the existing membrane system. The state allocated $1 million in Everglades Restoration bond funding toward the $5.9 million needed in modifications to the system. The City is also applying to the Department of Environmental Protection for low-interest State Revolving Loan funds.

Wastewater Connections Status:

All dwellings are connected to the central sewer system.

Rate of Growth Allocation

Key Colony Beach has not identified a building cap or an annual limit to the number of new dwelling units that can be approved each year within the comprehensive plan.

Aerial view - Key Colony Beach (Source: KCBCA)

As a result, during the September 2015 Administration Commission meeting, the Administration Commission directed the Department to continue working with the City of Key Colony Beach regarding an allocation and report back to the Administration Commission in March 2016 regarding the outcome.

RECOMMENDATIONS FOR WORK PROGRAM

The Department makes the following recommendations pursuant to Section 380.0552(4)(b), F.S.:

(1) Accept the 2015 Annual Report for Monroe County, the City of Marathon, and the Village of Islamorada;
(2) Continue the Florida Keys Area of Critical State Concern designation in order to complete the Work Programs requirements;
(3) Accept the Department's recommendation that substantial progress toward accomplishing the tasks of the Work Program have been achieved for Monroe County, the City of Marathon, and the Village of Islamorada.

Village of Islamorada
2014 - Annual Report

		Status	Islamorada Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-19.310, F.A.C.**	**Achieved/Not Achieved**				
1	**(5)(a) Carrying Capacity Study Implementation.**					
2	1. By July 1, 2011 and each July 1 thereafter, Islamorada shall evaluate its land acquisition needs and state and federal funding opportunities and apply to at least one state or federal land acquisition grant program.	Incomplete (annual requirement)	No land acquisition grants were found for which Islamorada was eligible and ACOE denied modification to agreement to allow land acquisition as a reimbusable expense. The Village continues to seek properties for acquisition through coordination with the County.Three conservation lots acquired in 2014; one additonal conservation lot acquired in 2015. All could have been developed.	Application for or award of funding	July 1, 2015	
3	2. By July 1, 2012, Islamorada shall enter into a memorandum of understanding with the state land planning agency[2], Division of Emergency Management, Marathon, Monroe, Key West, Key Colony Beach, and Layton after a notice, public workshop and comment period of at least 30 days for interested parties. The memorandum of understanding shall stipulate, based on professionally acceptable data and analysis, the input variables and assumptions, including regional considerations, for utilizing the Florida Keys Hurricane Evacuation Model or other models acceptable to the agency to accurately depict evacuation clearance times for the population of the Florida Keys.	Complete			July 1, 2012	
4	3. By July 1, 2012, the Florida Keys Hurricane Evacuation Model shall be run with the agreed upon variables from the memorandum of understanding. Islamorada and the state land planning agency[2] shall update the data for the Florida Keys Hurricane Evacuation Model as professionally acceptable sources of information are released (such as the Census, American Communities Survey, Bureau of Business and Economic Research, and other studies). Islamorada shall also evaluate and address appropriate adjustments to the hurricane evacuation model within each Evaluation and Appraisal Report.	Complete			July 1, 2012	
5	4. By July 1, 2012, Islamorada shall complete an analysis of maximum build-out capacity for the Florida Keys Area of Critical State Concern, consistent with the requirement to maintain a 24-hour evacuation clearance time and the Florida Keys Carrying Capacity Study constraints. This analysis shall be prepared in coordination with the state land planning agency[2], Monroe County and each municipality in the Keys.	Complete			July 1, 2012	
6	5. By July 1, 2012, the state land planning agency[2] (agency) shall apply the derived clearance time to assess and determine the remaining allocations for the Florida Keys Areas of Critical State Concern. The agency will recommend appropriate revisions to the Administration Commission regarding the allocation rates and distribution of allocations to Monroe County, Marathon, Islamorada, Key West, Layton and Key Colony Beach or identify alternative evacuation strategies that support the 24-hour evacuation clearance time. If necessary, state land planning agency shall work with each local government to amend the Comprehensive Plans to reflect revised allocation rates and distributions or propose rule making to the Administration Commission.	Complete			July 1, 2012	
7	6. By July 1, 2013, based on the state land planning agency's[2] recommendations, Islamorada shall amend the current building permit allocation system (BPAS in the Comprehensive Plan and Land Development Regulations) based on infrastructure availability, level of service standards, environmental carrying capacity constraints, and hurricane evacuation clearance time.	Complete			July 1, 2013	Yes
8	By March 31, 2012, the Area of Critical State Concern staff shall amend the agendas for the Hurricane Evacuation Clearance Modeling Workshops to include the potential for future transient allocations and their impact on hurricane evacuation clearance times. (January 18, 2012 Administration Commission Action)	Complete				

		Status	Islamorada Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-19.310, F.A.C.**	**Achieved/Not Achieved**				
9	**(5)(b) Wastewater Implementation.**					
10	1. Beginning July 1, 2011 and each July 1 thereafter, Islamorada shall identify any funding for wastewater implementation. Islamorada shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.	Complete (annual requirement)	CIP adopted with FY 14-15 budget through Resoluton No. 14-09-67 on 9/15/14. CIP adopted with FY 15-16 Budget through adoption of Resolution No. 15-09-96 on 9/21/15. CIP adopted through Annual Budget found at this link: http://www.islamorada.fl.us/newsma	CIP	July 1, 2015	2011-139 LOF, removed the requirement that the capital improvement schedule be an amendment to the comprehensive plan
11	2. By December 1, 2013, Islamorada shall provide a final determination of non-service areas requiring upgrade to meet Sections 381.0065(4)(l) and 403.086(10), F.S., wastewater treatment and disposal standards. This shall be in the form of a resolution including a map of the non-service areas.	Complete[1]	Resolution 13-11-68 identifying single property as non-service area transmitted to DEO on November 18, 2013		December 1, 2013	
12	3. By December 1, 2013, Islamorada shall work with the owners of wastewater facilities and on site systems throughout the Village and the Department of Environmental Protection (DEP) and the Department of Health (DOH) to fulfill the requirements of Sections 381.0065(3)(h) and (4)(l) and 403.086(10), F.S., regarding implementation of wastewater treatment and disposal systems. This will include coordination of actions with DOH and DEP to notify owners regarding systems that will not meet 2015 treatment and disposal standards.	Complete[1]			December 1, 2013	
13	4. By July 1, 2011 and by July 1 of each year thereafter, Islamorada shall evaluate its wastewater needs and state and federal funding opportunities and apply annually to at least one state or federal grant program for wastewater projects and connections.	Complete (annual requirement)	No new wastewater funding opportunities were available during this period for which Islamorada was eligible. Islamorada continued to lobby for state funding and continued to submit necessary documentation to ACOE resulting in reimbursement of $1,319,500 in 2014 and $1.9M in 2015.	Application for or award of funding	July 1, 2015	
14	5. By September 1, 2011, Islamorada shall develop and implement local funding programs necessary to timely fund wastewater construction and future operation, maintenance and replacement of facilities.	Complete			September 1, 2011	
15	6. By July 1, 2011 and each July 1 thereafter through 2013, Islamorada shall annually draft a resolution requesting the issuance of a portion of the $200 million of bonds authorized under Section 215.619, F.S., and an appropriation of sufficient debt service for those bonds, for the construction of wastewater projects within the Florida Keys.	Complete (annual requirement)	Resolution No. 15-01-08 adopted on 1/22/15 approved Amendment No. 1 to the State Financial Assistance DEP Agreement No. LP44050 (Mayfield Grant). Resolution requesting portion of $200M state funding: http://www.islamorada.fl.us/newsmanager/userfiles/file/Resolutions/15-01-08.pdf.	Resolution number 15-01-08	July 1, 2015	
16	7. By July 1, 2011 and each July 1 thereafter through 2013, Islamorada shall develop a mechanism to provide accurate and timely information and establish Islamorada's annual funding allocations necessary to provide unmet funding needs to support the issuance of bonds authorized under Section 215.619, F.S., and to assure the timely completion of work as necessary to fulfill any terms and conditions associated with bonds.	Complete (annual requirement)	COMPLETE - annual requirement was through 2013. 2013 Wastewater Rate Study (financial plan) remains accurate and an effective mechanism to meet this goal. Review of study determined that update not necessary.		July 1, 2015	

		Status	Islamorada Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-19.310, F.A.C.**	**Achieved/Not Achieved**				
17	**(5)(b) Wastewater Implementation.**					
18	8. By December 1, 2013, Islamorada shall provide a report of addresses and the property appraiser's parcel numbers of any property owner that fails or refuses to connect to the central sewer facility within the required timeframe to the Monroe County Health Department, Department of Environmental Protection and the state land planning agency[2]. This report shall describe the status of Islamorada's enforcement action and provide the circumstances of why enforcement may or may not have been initiated.	Complete[1]	Islamorada implemented a sewer connection subsidy program in July 2014 to assist eligible residents to connect. In 2015, after a year-long process, Islamorada made available $825,000 for connections through the CDBG Program. Code Enforcement underway for those not connected and not part of one of the low-income funding programs.		December 1, 2013	
19	**(5)(c) Wastewater Project Implementation.**					
20	1. By June 1, 2011, Islamorada shall provide a wastewater financing plan to the state land planning agency[2] and Administration Commission.	Complete			June 1, 2011	
21	2. By July 1, 2011, Islamorada shall conclude negotiations with Key Largo Wastewater Treatment District for treatment capacity.	Complete			July 1, 2011	
22	3. By July 1, 2011, Islamorada shall advertise for proposal for design build operate finance construction of Village-wide wastewater system.	Complete			July 1, 2011	
23	4. By July 1, 2011 submit a copy of contract agreement with Key Largo Wastewater District documenting acceptance of effluent or alternative plan with construction of wastewater treatment plants in Village that ensures completion and connection of customers by December 2015.	Complete			July 1, 2011	
24	5. By July 1, 2011, Islamorada shall make available to its customers an additional 700 connections (Phase II) to the North Plantation Key Wastewater Treatment Plant (WWTP).	Complete			July 1, 2011	
25	6. By September 1, 2011, Islamorada shall select the design build operate finance contractor for the Village-wide wastewater system.	Complete			September 1, 2011	
26	7. By October 1, 2011, Islamorada shall submit a wastewater construction status report to the state land planning agency[2] and the Administration Commission which includes substantial completion of construction prior to January 1, 2015 and final completion prior to July 1, 2015.	Complete			October 1, 2011	
27	By January 31, 2012, Islamorada shall submit a wastewater construction status report to the state land planning agency[2] and the Administration Commission which includes substantial completion of construction prior to January 1, 2015 and final completion prior to July 1, 2015. (January 18, 2012 Administration Commission Action)	Complete			January 31, 2012	
28	8. By September 1, 2013, Islamorada shall complete final design of the Village-wide wastewater system.	Complete[1]	Final design of Village-wide wastewater system completed in December 2013.		September 1, 2013	
29	9. By December 1, 2013, Islamorada shall commence construction of the Village-wide wastewater system.	Complete[1]			December 1, 2013	
30	10. By June 1, 2014, Islamorada shall make available to its customers 25% of the Equivalent Dwelling Unit (EDU) connections to the Village-wide wastewater system.	Complete	Completed March 1, 2015		June 1, 2014	
31	11. By December 1, 2014, Islamorada shall make available to its customers 50% of the Equivalent Dwelling Unit (EDU) connections to the Village-wide wastewater system.	Complete	Completed July 1, 2015		December 1, 2014	

		Status	Islamorada Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-19.310, F.A.C.**	**Achieved/Not Achieved**				
32	**(5)(c) Wastewater Project Implementation.**					
33	12. By June 1, 2015, Islamorada shall make available to its customers 75% of the Equivalent Dwelling Unit (EDU) connections to the Village-wide wastewater system.	Complete	Completed August 1, 2015		June 1, 2015	
34	13. By December 1, 2015, Islamorada shall make available to its customers 100% of the Equivalent Dwelling Unit (EDU) connections to the Village-wide wastewater system.	Incomplete	Projected to be completed 10/31/15		December 1, 2015	

End Notes:
1) Provisional - No 30-Day Report was issued in 2014 for 2012/2013 Reporting Period
2) References to the "Department of Community Affairs" have been replaced with the term "state land planning agency."

City of Marathon
2014 - Annual Report

		Status	Marathon Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-18.400, F.A.C.**	**Achieved/Not Achieved**				
1	**(5)(a) Carrying Capacity Study Implementation.**					
2	1. By July 1, 2011, Marathon shall adopt a Comprehensive Plan Policy to require that administrative relief in the form of the issuance of a building permit is not allowed for lands within the Florida Forever targeted acquisition areas unless, after 60 days from the receipt of a complete application for administrative relief, it has been determined the parcel will not be purchased by any city, county, state or federal agency. Marathon shall develop a mechanism to routinely notify the Department of Environmental Protection of upcoming administrative relief requests at least 6 months prior to the deadline for administrative relief.	Complete			July 1, 2011	Yes
3	2. By July 1, 2011, Marathon shall adopt Land Development Regulations to require that administrative relief in the form of the issuance of a building permit is not allowed for lands within the Florida Forever targeted acquisition areas unless, after 60 days from the receipt of a complete application for administrative relief, it has been determined the parcel will not be purchased by any city, county, state or federal agency.	Complete			July 1, 2011	
4	3. By July 1, 2011, Marathon shall amend the Comprehensive Plan to limit allocations into high quality tropical hardwood hammock.	Complete			July 1, 2011	Yes
5	4. By July 1, 2011, Marathon shall amend the Land Development Regulations to limit allocations into high quality tropical hardwood hammock.	Complete			July 1, 2011	
6	5. By July 1, 2011, Marathon shall adopt a Comprehensive Plan Policy discouraging private applications for future land use map amendments which increase allowable density/intensity on lands in the Florida Keys.	Complete		Comp Plan # 13-3(A)	July 1, 2011	Yes
7	6. By July 1, 2011, and each July thereafter, Marathon shall evaluate its land acquisition needs and state and federal funding opportunities and apply annually to at least one state or federal land acquisition grant program.	Incomplete (annual requirement)	The City has not actively sought funding either through the State or the federal government, pending the passage of State Constitutional Amendment 1. The City is currently an active participant in the legislative approval of House Bill 447 and the forthcoming Senate Bill to be sponsored by Senator Wilton Simpson. Additionally, the City is in the process of seeking funding through the Monroe County Land Authority, ultimately to be promoted through the State Department of Environmental Protection as well, for over 375 parcels within the City of Marathon. The majority of these parcels are also on the Florida Forever List for state acquisition.	Resolution #	July 1, 2015	
8	7. By July 1, 2012, Marathon shall enter into a memorandum of understanding with the State Land Planning Agency[5], Division of Emergency Management, Monroe County, Islamorada, Key West, Key Colony Beach, and Layton after a notice and comment period of at least 30 days for interested parties. The memorandum of understanding shall stipulate, based on professionally acceptable data and analysis, the input variables and assumptions, including regional considerations, for utilizing the Florida Keys Hurricane Evacuation Model or other models acceptable to the State Land Planning Agency to accurately depict evacuation clearance times for the population of the Florida Keys.	Complete			July 1, 2012	

		Status	Marathon Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-18.400, F.A.C.**	**Achieved/Not Achieved**				
9	**(5)(a) Carrying Capacity Study Implementation.**					
10	9. By ~~December 1, 2012~~, July 1, 2012[1] Marathon shall complete an analysis of maximum build-out capacity for the Florida Keys Area of Critical State Concern, consistent with the requirement to maintain a 24-hour evacuation clearance time and the Florida Keys Carrying Capacity Study constraints. This analysis shall be prepared in coordination with the state land planning agency[5], Monroe County and each municipality in the Keys.	Complete			July 1, 2012	
12	10. By ~~December 1, 2012~~, July 1, 2012[1] the state land planning agency (agency) shall apply the derived clearance time to assess and determine the remaining allocations for the Florida Keys Areas of Critical State Concern. The agency will recommend appropriate revisions to the Administration Commission regarding the allocation rates and distribution of allocations to Monroe County, Marathon, Islamorada, Key West, Layton and Key Colony Beach or identify alternative evacuation strategies that support the 24-hour hurricane evacuation clearance time. If necessary, the state land planning agency[5] shall work with each local government to amend the respective Comprehensive Plans to reflect revised allocation rates and distributions or propose rule making to the Administration Commission.	Complete			July 1, 2012	
13	11. By July 1, 2013, based on the state land planning agency's[5] recommendations, Marathon shall amend the current building permit allocation system (BPAS in the Comprehensive Plan and Land Development Regulations) based on infrastructure availability, level of service standards, environmental carrying capacity, and hurricane evacuation clearance time.	Complete[2]			July 1, 2013	Yes
14	The City of Marathon may propose and adopt an amendment to their comprehensive plan to include a one-time allocation of 100 transient dwelling units. The plan amendment may also include an additional 100 units composed of units from the Administrative Relief pool and borrowing forward from the City's future allocations. (January 18, 2012 Administration Commission Action)	Complete[2]				Yes
15	By March 31, 2012, the Area of Critical State Concern staff shall amend the agendas for the Hurricane Evacuation Clearance Modeling Workshops to include the potential for future transient allocations and their impact on hurricane evacuation clearance times. (January 18, 2012 Administration Commission Action)	Complete				
16	**(5)(b) Wastewater Implementation.**					
17	1. By July 1, 2011 and each July 1 thereafter, Marathon shall annually evaluate and allocate funding for wastewater implementation. Marathon shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.	Complete	The city evaluates and creates a budget annually to ensure the wastewater collection and treatment system is operated and maintained according to all governing laws and ordinances.	CIP	July 1, 2015	HB 7207 removes the requirement that the capital improvement schedule be an amendment to the comprehensive plan.
18	2. December 1, 2013, Marathon shall work with the owners of wastewater facilities and onsite systems throughout the City and the Department of Environmental Protection (DEP) and the Department of Health (DOH) to fulfill the requirements of Sections 381.0065(3)(h) and (4)(l) and 403.086(10), F.S., regarding implementation of wastewater treatment and disposal. This will include coordination of actions with DOH and DEP to notify owners regarding systems that will not meet 2015 treatment and disposal requirements.	Complete[2]			December 1, 2013	
19	3. By July 1, 2011, Marathon shall evaluate its wastewater needs and state and federal funding opportunities and apply annually to at least one state or federal grant program for wastewater projects and connections.	Complete	The City applied for and received a $1 million grant from FDEP last year. Resolution 2014-55 adopted this agreement. The City also continues to request reimbursements from the CDBG grants program and amended agreement 11DB-C5-11-54-02-H16 to extend through year end FY15/16.	Resolution #	July 1, 2015	

		Status	Marathon Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-18.400, F.A.C.**	**Achieved/Not Achieved**				
20	**(5)(b) Wastewater Implementation.**					
21	4. By July 1, 2011, Marathon shall continue to develop and implement local funding programs necessary to timely fund wastewater construction and future operation, maintenance and replacement facilities.	Complete			July 1, 2011	
22	5. By July 1, 2011 and each year through 2013, Marathon shall annually draft a resolution requesting the issuance of a portion of the $200 million of bonds authorized under Section 215.619, F.S., and an appropriation of sufficient debt service for those bonds, for the construction of wastewater projects within the Florida Keys.	Complete[2]	The City each year adopts a "Legislative Priorities Resolution" which includes a request for a portion of the $200 million. Also, In 2015 resolution number was 2015-09 adopted the $17 million portion for the City of Marathon. The city works in partnership with Monroe County, Key Largo, Islamorada, and the rest of incorporated Monroe County on this issue on a continuing basis.	Resolution #	July 1, 2015	
23	6. By July 1, 2011, Marathon shall develop a mechanism to provide accurate and timely information and establish Marathon's annual funding allocations necessary to provide evidence of unmet funding needs to support the issuance of bonds authorized under Section 215.619, F.S., and to assure the timely completion of work as necessary to fulfill any terms and conditions associated with bonds.	Complete[2]			July 1, 2015	
24	7. By December 1, 2012, Marathon shall provide a report of addresses and the property appraiser's parcel numbers of any property owner that fails or refuses to connect to the central sewer facility within the required timeframe to the Monroe County Health Department and the state land planning agency[5]. This report shall describe the status of Marathon's enforcement action and provide the circumstances of why enforcement may or may not have been initiated.	Complete[2]			December 1, 2012	
25	**(5)(c) Wastewater Project Implementation.**					
26	**1. Sub area 1: Knight's Key.**					
27	a. By July 1, 2011, Marathon shall secure plant site;	see end note[3]			July 1, 2011	
28	b. By December 1, 2011, Marathon shall construct Knight's Key Wastewater Plant;	see end note[3]			December 1, 2011	
29	c. By May 1, 2012, Marathon shall initiate connections; and	Complete			May 1, 2012	
30	d. By July 1, 2012, Marathon shall complete connections (100%).	see end note[3]			July 1, 2012	
31	**2. Sub area 2: Boot Key (non-service area).**					
32	By July 1, 2011, Marathon shall ensure completion of upgrade.	Complete			July 1, 2011	
33	**3. Sub area 3: 11 Street – 39 Street (Vaca Key West).**					
34	a. By July 1, 2011, Marathon shall complete construction of plant;	Complete			July 1, 2011	
35	b. By July 1, 2011, Marathon shall complete construction of collection system;	Complete			July 1, 2011	
36	c. By July 1, 2011, Marathon shall initiate connections; and	Complete			July 1, 2011	

		Status	Marathon Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-18.400, F.A.C.**	**Achieved/Not Achieved**				
37	**3. Sub area 3: 11 Street – 39 Street (Vaca Key West).**					
38	d. By July 1, 2012, Marathon shall complete connections (100%).	Incomplete	Overall the city is approximately 96% connected. The city's entire service area is completely sewered and all parcels have been notified to connect. Currently 86 parcels are in code compliance. Only 3 FDEP permitted package plant are yet to connect and two are owned by other local governmental agencies that have yet to comply with the city's connection ordinance. However, both are in the process of obtaining compliance. The third is in litigation and currently unable to receive an easement allowing connection to the city's system.	the number of EDUs connected and to be connected	July 1, 2012	
39	**4. Sub area 4: Gulfside 39 Street (Vaca Key Central).**					
40	By July 1, 2013, Marathon shall complete connections (100%).	Complete[2]		the number of EDUs connected and to be connected	July 1, 2013	
41	**5. Sub area 5: Little Venice (60 Street – Vaca Cut East).**					
42	a. By July 1, 2012, Marathon shall complete construction of collection system;	Complete			July 1, 2012	
43	b. By July 1, 2012, Marathon shall initiate connections for Phase II;	Complete			July 1, 2012	
44	c. By July 1, 2013, Marathon shall complete connections (100%) for Phase II.	Incomplete	The city has completed connections in this area 100% except for parcels in code compliance.	the number of EDUs connected and to be connected	July 1, 2013	
45	**6. Sub area 6-Vaca Cut-Coco Plum (Fat Key Deer West).**					
46	By July 1, 2011, Marathon shall complete connections (100%).	Complete			July 1, 2011	
47	**7. Sub area 7: Tom Harbor Bridge-Grassy Key.**					
48	a. By July 1, 2012, Marathon shall complete construction of plant;	Complete			July 1, 2012	
49	b. By July 1, 2012, Marathon shall bid and award design of collection system;	Complete			July 1, 2012	
50	c. By July 1, 2012, Marathon shall complete construction of collection system;[4]	Complete			July 1, 2012	
51	d. By July 1, 2012, Marathon shall initiate connections; and	Complete			July 1, 2012	
52	e. By July 1, 2013, Marathon shall complete connections (100%).	Incomplete	The city has completed connections in this area 100% except for parcels in code compliance.	the number of EDUs connected and to be connected	July 1, 2013	

		Status	Marathon Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-18.400, F.A.C.**	**Achieved/Not Achieved**				
53	**(5)(d) Stormwater Treatment Facilities.**					
54	1. Beginning July 1, 2011 and each July 1 thereafter Marathon shall annually evaluate and allocate funding for stormwater implementation. Marathon shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.	Complete	The city evaluates and creates a budget annually to ensure the storm water system is operated and maintained according to all governing laws and ordinances.	2014 CIP / Stormwater Enterprise Fund	July 1, 2015	
55	2. Beginning July 1, 2011 and each July 1 thereafter, Marathon shall annually apply for stormwater grants from the South Florida Water Management District.	Not Applicable Not Counted for or against	The city currently has a storm water assessment program and no longer requires grant money for this activity.		July 1, 2015	
56	3. By July 1, 2011, complete Stormwater Treatment Facilities simultaneously with wastewater projects, including the direct outfall retrofits for 27th Street and 24th Street. Sub area 3: 11 Street – 37 Street (Vaca Key West)	Complete			July 1, 2011	
57	**(5)(d) Stormwater Treatment Facilities.**					
58	4. By July 1, 2012, complete Stormwater Treatment Facilities simultaneously with wastewater projects. Sub area 5: Little Venice (60 Street – Vaca Cut East).	Complete			July 1, 2012	
59	5. By July 1, 2012, complete Stormwater Treatment Facilities simultaneously with wastewater projects. Sub area 7: Tom Harbor Bridge-Grassy Key.	Complete			July 1, 2012	
60	6. By July 1, 2012, Marathon shall eliminate direct outfall retrofits for: 27th Street, Sombrero Islands, 24th Street, and 52nd Street.	Complete			July 1, 2012	

End Notes:
1) Technical correction: Dates inconsistent with the intent of the Administration Commission's direction to Monroe County (28-20.140) and Islamorada (28-19.310)
2) Provisional - No 30-Day Report was issued in 2014 for 2012/2013 Reporting Period
3) Due to legal circumstances beyond the City's control, a plant site was not secured at Knight's Key and the plant was not constructed. The City connected this service area through a force main to the Area 3 plant.
4) Corrects scriveners error in Rule 28-18(5)(c) 7. c., F.A.C.
5) References to the "Department of Community Affairs" have been replaced with the term "state land planning agency."

Monroe County
2015 - Annual Report

		ACSC Status	Monroe Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-20.140, F.A.C.**	**Achieved/ Not Achieved**				
1	**(5)(a) Carrying Capacity Study Implementation.**					
2	1. By July 1, 2012, Monroe County shall adopt the conservation planning mapping (the Tier Zoning Overlay Maps and System) into the Comprehensive Plan based upon the recommendations of the Tier Designation Review Committee with the adjusted Tier boundaries.	Incomplete but requested a Rule revision	Monroe County sent a letter to the Administration Commission requesting that Rule 28-20.140, F.A.C. be amended to remove the requirement to adopt the Tier Overlay Zoning Maps into the Comprehensive Plan as an overlay to the Future Land Use Map (FLUM). Monroe County also sent a letter to DEO requesting that Rule 28-20.140, F.A.C. be amended to not require adoption of the Tier Overlay Zoning Maps into the Comprehensive Plan unless the County is recommending removal of the Area of Critical State Concern designation. On July 12, 2013, the final Tier Zoning Overlay maps went into effect after approval by the State Land Planning Agency. The effective date is after the Rule deadline date of July 1, 2012. Now that all of the undesignated or invalidated parcels have a tier designation and the overlay district on the County's Zoning Maps is effective, starting the process over to adopt the maps for approximately 44,000 parcels as a Comprehensive Plan FLUM overlay would expose the County and all parcel owners to potential challenges by affected persons, as defined in Section 163.3184(1)(a), F.S. Completion of this requirement risks significant exposure (including restarting the appeal clock and possible takings claims to the County and State), as well as personnel demands/expenses, legal costs and attorney's fees.	See attached letter to Administration Commission, dated August 22, 2013, requesting deletion of Work Program Tasks (5)(a)1, 3 and 4 See attached letter to State Land Planning Agency, dated February 20, 2014, requesting a rule revision stating: Prior to the County adopting a resolution recommending the removal of the designation of Monroe County as an Area of Critical State Concern, pursuant to Section 380.0552(4)(b)3, F.S., Monroe County shall adopt the Tier Maps into the Comprehensive Plan as an overlay to the Future Land Use Map.	July 1, 2012	Yes
3	2. By July 1, 2012, Monroe County shall adjust the Tier I and Tier IIIA (SPA) boundaries to more accurately reflect the criteria for that Tier as amended by Final Order DCA07-GM166 and implement the Florida Keys Carrying Capacity Study, utilizing the updated habitat data, and based upon the recommendations of the Tier Designation Review Committee Work Group.	Complete			July 1, 2012	
4	3. By July 1, 2012, Monroe County shall create Goal 106 to complete the 10 Year Work Program found in Rule 28-20.110, F.A.C., and to establish objectives to develop a build-out horizon in the Florida Keys and adopt conservation planning mapping into the Comprehensive Plan.	Incomplete but in progress (substantially complete)	The County has created Goal 106 and associated Objective/Policies in its EAR-based Comprehensive Plan Amendments. The BOCC has held six (6) special public meetings on March 21, 2014, April 23, 2014, May 22, 2014, July 23, 2014, October 7, 2014 and December 10, 2014, to review the proposed EAR-based amendments. On January 14, 2015, the BOCC held a special BOCC public hearing and voted to transmit the proposed amendments (2030 Comprehensive Plan) to the State Land Planning Agency. The State Land Planning Agency issued an Objections, Recommendations on April 28, 2015 and Comments (ORC) Report and there were no objections to the proposed Goal 106 associated Objective/Policies. Adoption is anticipated for early spring 2016.	Proposed amendment: GOAL 106 Monroe County shall continue to maintain the Tier System to ensure growth initiatives recognize the natural and man-made systems in the Florida Keys, the carrying capacity to accommodate further development, the need for the significant expansion of the public acquisition of vacant developable lands, and to equitably balance the rights and expectations of private property owners.	July 1, 2012	Yes
5	4. By July 1, 2012, Monroe County shall create Objective 106.2 to adopt conservation planning mapping (Tier Maps) into the Monroe Comprehensive Plan based upon the recommendations of the Tier Designation Review Committee Work Group.	Incomplete but in progress (substantially complete)	The County has created Goal 106 and associated Objective/Policies in its EAR-based Comprehensive Plan Amendments. The BOCC has held six (6) special public meetings on March 21, 2014, April 23, 2014, May 22, 2014, July 23, 2014, October 7, 2014 and December 10, 2014, to review the proposed EAR-based amendments. On January 14, 2015, the BOCC held a special BOCC public hearing and voted to transmit the proposed amendments (2030 Comprehensive Plan) to the State Land Planning Agency. The State Land Planning Agency issued an Objections, Recommendations on April 28, 2015 and Comments (ORC) Report and there were no objections to the proposed Goal 106 associated Objective/Policies. Adoption is anticipated for early spring 2016.	Proposed amendment: Objective 106.1 Monroe County shall adjust the tier boundaries and implement the Florida Keys Carrying Capacity Study, utilizing updated habitat data and recommendations of the Tier Designation Review Committee (TDRC) Work Group. [Note: As amended by Final Order DCA07-GM166, parcels included in the challenge with Tier I and Tier IIIA (SPA) boundaries have been adjusted to reflect the amended Tier Criteria resulting from the DOAH Case 06-2449(GM)].	July 1, 2012	Yes
6	5. By July 1, 2012, Monroe County shall adopt Policy 106.2.1 to require the preparation of updated habitat data and establish a regular schedule for continued update to coincide with evaluation and appraisal report timelines.	Incomplete but in progress (substantially complete)	The County has created Goal 106 and associated Objective/Policies in its EAR-based Comprehensive Plan Amendments. The BOCC has held six (6) special public meetings on March 21, 2014, April 23, 2014, May 22, 2014, July 23, 2014, October 7, 2014 and December 10, 2014, to review the proposed EAR-based amendments. On January 14, 2015, the BOCC held a special BOCC public hearing and voted to transmit the proposed amendments (2030 Comprehensive Plan) to the State Land Planning Agency. The State Land Planning Agency issued an Objections, Recommendations on April 28, 2015 and Comments (ORC) Report and there were no objections to the proposed Goal 106 associated Objective/Policies. Adoption is anticipated for early spring 2016.	Proposed amendment: Policy106.1.1 Monroe County shall update habitat data and the Land Development Code Tier (Zoning) Overlay District Maps to coincide with the State comprehensive plan evaluation and appraisal schedule (May 1, 2021).	July 1, 2012	Yes

		ACSC Status	Monroe Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-20.140, F.A.C.**	**Achieved/ Not Achieved**				
7	**(5)(a) Carrying Capacity Study Implementation.**					
8	6. By July 1, 2012, Monroe County shall adopt Policy 106.2.2 to establish the Tier Designation Work Group Review Committee to consist of representatives selected by the state land planning agency [4] from Monroe County, Florida Fish & Wildlife Conservation Commission, United States Fish & Wildlife Service, Department of Environmental Protection and environmental and other relevant interests. This Committee shall be tasked with the responsibility of Tier designation review utilizing the criteria for Tier placement and best available data to recommend amendments to ensure implementation of and adherence to the Florida Keys Carrying Capacity Study. These proposed amendments shall be recommended during 2009 and subsequently coincide with the Evaluation and Appraisal report timelines beginning with the second Evaluation and Appraisal review which follows the adoption of the revised Tier System and Maps as required above adopted in 2011. Each evaluation and appraisal report submitted following the 2011 evaluation and appraisal report shall also include an analysis and recommendations based upon the process described above.	Incomplete but in progress (substantially complete)	The County has created Goal 106 and associated Objective/Policies in its EAR-based Comprehensive Plan Amendments. The BOCC has held six (6) special public meetings on March 21, 2014, April 23, 2014, May 22, 2014, July 23, 2014, October 7, 2014 and December 10, 2014, to review the proposed EAR-based amendments. On January 14, 2015, the BOCC held a special BOCC public hearing and voted to transmit the proposed amendments (2030 Comprehensive Plan) to the State Land Planning Agency. The State Land Planning Agency issued an Objections, Recommendations on April 28, 2015 and Comments (ORC) Report and there were no objections to the proposed Goal 106 associated Objective/Policies. Adoption is anticipated for early spring 2016.	Proposed amendment: Policy 106.1.2 Monroe County shall establish a Tier Designation Review Committee (TDRC) Work Group to consist of representatives selected by the Florida Department of Economic Opportunity (DEO) from Monroe County, Florida Fish & Wildlife Conservation Commission, United States Fish & Wildlife Service, Department of Environmental Protection and environmental and other relevant interests. The TDRC shall be tasked with the responsibility of tier designation review utilizing the criteria for tier placement and best available data to recommend amendments to ensure implementation of and adherence to the Florida Keys Carrying Capacity Study. These proposed Land Development Code Tier (Zoning) Overlay District Map amendments shall coincide with the State comprehensive plan evaluation and appraisal schedule (May 1, 2021). Each comprehensive plan evaluation and appraisal submitted shall also include an analysis and recommendations based upon the TDRC review process.	July 1, 2012	Yes
9	7. By July 1, 2012 and each July thereafter, Monroe County and the Monroe County Land Authority shall submit a report annually to the Administration Commission on the land acquisition funding and efforts in the Florida Keys to purchase Tier I and Big Pine Key Tier II lands and the purchase of parcels where a Monroe County building permit allocation has been denied for four (4) years or more. The report shall include an identification of all sources of funds and assessment of fund balances within those sources available to the County and the Monroe County Land Authority.	Complete	From August 1, 2014 to July 31, 2015, the Monroe County Land Authority acquired 72 Tier I parcels and 4 Big Pine Key Tier II parcels. From August 1, 2014 to July 31, 2015 there were no applicants for Administrative Relief.	See attached Acquisition Report.	July 1, 2015	No
10	8. By July 1, 2012, Monroe County shall adopt Land Development Regulations to require that administrative relief in the form of the issuance of a building permit is not allowed for lands within the Florida Forever targeted acquisition areas or Tier I lands unless, after 60 days from the receipt of a complete application for administrative relief, it has been determined the parcel will not be purchased by any county, state, federal or any private entity. The County shall develop a mechanism to routinely notify the Department of Environmental Protection of upcoming administrative relief requests at least 6 months prior to the deadline for administrative relief.	Complete			July 1, 2012	
11	9. By July 1, 2012, in order to implement the Florida Keys Carrying Capacity Study, Monroe County shall adopt a Comprehensive Plan Policy to discourage private applications for future land use changes which increase allowable density/intensity.	Complete			July 1, 2012	Yes
12	10. By July 1, 2011, Monroe County shall evaluate its land acquisition needs and state and federal funding opportunities and apply annually to at least one state or federal land acquisition grant program.	Complete	Monroe County Land Authority applied for a federal land acquisition grant from the US Army Corps of Engineers through Keys Restoration Fund on May 5, 2015 in the amount of $114,177.50. The County submitted draft legislation through its state delegation to the 2015 legislative session. The Florida Keys Stewardship Act (HB 447) has been submitted for the 2016 legislative session to establish specific appropriations to the Florida Keys for water quality and land acquisition needs. For FY 2016, the BOCC committed $10M ($6M from Local Option Sales Surtax proceeds and $4M from Land Authority Reserves) for land acquisition and match for Florida Forever.	See attached Monroe County Land Authority Proposal. Draft legislation (HB 447) includes: - 10-year annual allocation of $20M to help address water quality issues including wastewater treatment implementation, stormwater implementation and restoration of poor water quality canals (to be matched by local effort) - 10 year annual allocation of $5M in Florida Forever funding to help address the acquisition of vacant parcels for the purposes of protecting critical habitat, public safety and property rights (to be matched by local effort)	July 1, 2015	
13	11. By July 1, 2012, Monroe County shall enter into a memorandum of understanding with the state land planning agency[4](agency), Division of Emergency Management, Marathon, Islamorada, Key West, Key Colony Beach, and Layton after a notice and comment period of at least 30 days for interested parties. The memorandum of understanding shall stipulate, based on professionally acceptable data and analysis, the input variables and assumptions, including regional considerations, for utilizing the Florida Keys Hurricane Evacuation Model or other models acceptable to the agency to accurately depict evacuation clearance times for the population of the Florida Keys.	Complete			July 1, 2012	
14	12. By July 1, 2012, the Florida Keys Hurricane Evacuation Model shall be run with the agreed upon variables from the memorandum of understanding to complete an analysis of maximum build-out capacity for the Florida Keys Area of Critical State Concern, consistent with the requirement to maintain a 24-hour evacuation clearance time and the Florida Keys Carrying Capacity Study constraints. This analysis shall be prepared in coordination with the state land planning agency [4] and each municipality in the Keys.	Complete			July 1, 2012	

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Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-20.140, F.A.C.**	**Achieved/ Not Achieved**				
15	**(5)(a) Carrying Capacity Study Implementation.**					
16	13. By July 1, 2012, the state land planning agency[4] shall update the data for the Florida Keys Hurricane Evacuation Model as professionally acceptable sources of information are released (such as the Census, American Communities Survey, Bureau of Economic and Business Research, and other studies). The County shall also evaluate and address appropriate adjustments to the hurricane evacuation model within each Evaluation and Appraisal Report.	Complete			July 1, 2012	Yes
17	14. By July 1, 2012, the state land planning agency (agency) shall apply the derived clearance time to assess and determine the remaining allocations for the Florida Keys Areas of Critical State Concern. The agency will recommend appropriate revisions to the Administration Commission regarding the allocation rates and distribution of allocations to Monroe County, Marathon, Islamorada, Key West, Layton and Key Colony Beach or identify alternative evacuation strategies that support the 24 hour evacuation clearance time. If necessary, the state land planning agency[4] shall work with each local government to amend the Comprehensive Plans to reflect revised allocation rates and distributions or propose rule making to the Administration Commission.	Complete			July 1, 2012	
18	15. By July 1, 2013, if necessary, the state land planning agency[4] shall work with each local government to amend the Comprehensive Plan to reflect revised allocation rates and distribution or propose rule making to the Administration Commission.	Complete[3]			July 1, 2013	Yes
19	By March 31, 2012, the Area of Critical State Concern staff shall amend the agendas for the Hurricane Evacuation Clearance Modeling Workshops to include the potential for future transient allocations and their impact on hurricane evacuation clearance times. (January 18, 2012 Administration Commission Action)	Complete				
20	**(5)(b) Wastewater Implementation.**					
21	1. By July 1, 2011, Monroe County shall annually evaluate and allocate funding for wastewater implementation. Monroe County shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.	Complete	<u>Allocated Funding in the FY 2015-2019 CIE</u> Upgrade County owned facilities = $478,000 Cudjoe Regional Project = $104,716,514 Key Largo WW Treatment Plant = $8,421,882	See attached FY15-19 Capital Improvement Element 5-year schedule of improvements	July 1, 2015	2011-139 LOF, removed the requirement that the capital improvement schedule be an amendment to the comprehensive plan
22	2. By December 1, 2013, Monroe County shall work with the owners of wastewater facilities and onsite systems throughout the County and the Department of Health (DOH) and the Department of Environmental Protection (DEP) to fulfill the requirements of Sections 403.086(10) and 381.0065(3)(h) and (4)(l), F.S., regarding implementation of wastewater treatment and disposal. This will include coordination of actions with DOH and DEP to notify owners regarding systems that will not meet the 2015 treatment and disposal standards.	Complete	Property owners have been notified of the 2015 wastewater requirements. The County does not enforce the upgrade completion of onsite sewage treatment and disposal system. As provided by 403.086(10)(l), F.S., 381.0065(4)7, F.S., and Section 4 of Chapter 99-395, L.O.F., a local government has the authority to mandate connection to a central wastewater facility. There are no Rule tasks or specific schedules adopted by the Administration Commission under s. 380.0552, F.S., identifying the County as the entity to enforce onsite system upgrades.		December 1, 2013	
23	3. By July 1, 2011, Monroe County shall annually draft a resolution requesting the issuance of $50 million of the $200 million of bonds authorized under Section 215.619, F.S., and an appropriation of sufficient debt service for those bonds, for the construction of wastewater projects within the Florida Keys.	Complete	Monroe County did not adopt additional Resolutions but rather worked with the municipalities and special district through its legislative delegation and the Governor's office directly and secured an additional $50 million grant under the Mayfield grant program during the 2014 legislative session.		July 1, 2015	
24	4. By July 1, 2011, Monroe County shall develop a mechanism to provide accurate and timely information and establish the County's annual funding allocations necessary to provide evidence of unmet funding needs to support the issuance of bonds authorized under Section 215.619, F.S., and to assure the timely completion of work as necessary to fulfill any terms and conditions associated with bonds.	Complete			July 1, 2011	
25	5. By July 1, 2011, Monroe County shall evaluate its wastewater needs and state and federal funding opportunities and apply annually to at least one state or federal grant program for wastewater projects and connections.	Complete	The County submitted draft legislation through its state delegation to the 2015 legislative session. The Florida Keys Stewardship Act (HB 447) has been submitted for the 2016 legislative session to establish specific appropriations to the Florida Keys for water quality and land acquisition needs. County supports the continuation and expansion of the current Mayfield authorization, whereby the State agreed to partner with the Florida Keys to provide $200 Million ($100M has been appropriated and $100M remains in the authorization) to partially fund wastewater implementation.	Draft legislation (HB 447) includes: - 10-year annual allocation of $20M to help address water quality issues including wastewater treatment implementation, stormwater implementation and restoration of poor water quality canals (to be matched by local effort) - 10 year annual allocation of $5M in Florida Forever funding to help address the acquisition of vacant parcels for the purposes of protecting critical habitat, public safety and property rights (to be matched by local effort)	July 1, 2015	
26	6. By July 1, 2011, Monroe County shall develop and implement local funding programs necessary to timely fund wastewater construction and future operation, maintenance and replacement of facilities.	Complete			July 1, 2011	
27	By February 29, 2012, Monroe County shall submit a financial plan demonstrating local funding programs necessary to timely fund wastewater construction and future operation, maintenance and replacement of facilities. (January 18, 2012 Administration Commission Action)	Complete			February 29, 2012	

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		ACSC Status	Monroe Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-20.140, F.A.C.**	**Achieved/ Not Achieved**				
28	**(5)(b) Wastewater Implementation.**					
29	7. By December 1, 2013, the County shall provide a report of addresses and the property appraiser's parcel numbers of any property owner that fails or refuses to connect to the central sewer facility within the required timeframe to the Monroe County Health Department, Department of Environmental Protection, and the state land planning agency[4]. This report shall describe the status of the County's enforcement action.	Complete	<u>Key Largo</u> Total Referred by KLWTD 494 (393 compliant) Active Cases 109 Cases to open 62 <u>Big Coppitt</u> Total Referred by FKAA 232 (155 compliant) Active Cases 34 Cases to open 43	The County submitted the report to DEO on July 25, 2014. The report lists the properties not yet connected as of June 2014 in the Key Largo, Big Coppitt, and Duck Key wastewater systems and inlcludes the properties on which code compliance cases have been opened in the KLWTD service area.	December 1, 2013	
30	**(5)(c) Wastewater Project Implementation.**					
31	**1. Key Largo Wastewater Treatment Facility. Key Largo Wastewater Treatment District is responsible for wastewater treatment in its service area and the completion of the Key Largo Wastewater Treatment Facility.**					
32	a. By July 1, 2012, Monroe County shall complete construction of the South Transmission Line;	Complete			July 1, 2012	
33	b. By July 1, 2013, Monroe County shall complete design of Collection basin C, E, F, G, H, I, J, and K;	Complete			July 1, 2013	
34	c. By July 1, 2012, Monroe County shall complete construction of Collection basins E-H;	Complete			July 1, 2012	
35	d. By December 1, 2011, Monroe County shall schedule construction of Collection basins I-K;	Complete			December 1, 2011	
36	e. By July 1, 2011, Monroe County shall complete construction of Collection basins I-K;	Complete			July 1, 2011	
37	f. By July 1, 2011, Monroe County shall complete 50% of hook-ups to Key Largo Regional WWTP;	Complete			July 1, 2011	
38	g. By July 1, 2012, Monroe County shall complete 75% of hook-ups to Key Largo Regional WWTP;	Complete			July 1, 2012	
39	h. By July 1, 2013, Monroe County shall complete all remaining connections to Key Largo Regional WWTP.	Incomplete	There are 14,615 EDUs capable of generating wastewater. 13,479 EDUs are connected or 92%.	13,479 connected; 1,136 remaining to be connected	July 1, 2013	
40	**2. Hawk's Cay, Duck Key and Conch Key Wastewater Treatment Facility.**					
41	a. By July 1, 2012, Monroe County shall complete construction of Hawk's Cay WWTP upgrade/expansion, transmission, and collection system;	Complete			July 1, 2012	
42	b. By July 1, 2013, Monroe County shall complete construction of Duck Key collection system;	Complete			July 1, 2013	
43	c. By July 1, 2012, Monroe County shall initiate property connections to Hawk's Cay WWTP;	Complete			July 1, 2012	
44	d. By December 1, 2012, Monroe County shall complete 50% of hook-ups to Hawk's Cay WWTP;	Complete			December 1, 2012	
45	e. By July 1, 2013, Monroe County shall complete 75% of hook-ups to Hawk's Cay WWTP; and	Complete			July 1, 2013	
46	f. By July 1, 2014, Monroe County shall complete all remaining connections to Hawk's Cay WWTP.	Incomplete	Conch Key / Coral Key = 150.2 total 150.2 connected - 100%, Hawk's Cay = 910 total 910 connected - 100%, Duck Key/Conch Key: There are 1,467 EDUs capable of generating wastewater. 1,379 EDUs are connected or 94%.	1,379 connected, 88 remaining to be connected	July 1, 2014	
47	**3. South Lower Keys Wastewater Treatment Facility (Big Coppitt Regional System).**					
48	a. By July 1, 2012, Monroe County shall complete 75% hookups to South Lower Keys WWTP; and	Complete			July 1, 2012	
49	b. By July 1, 2013, Monroe County shall complete all remaining connections to the South Lower Keys WWTP.	Incomplete	September 2015: There are 1,730 EDUs capable of generating wastewater. 1,444 EDUs are connected or 83%.	1,444 connected, 286 remaining to be connected	July 1, 2013	

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		ACSC Status	Monroe Comments	Support Information Requested	Rule Completion Date	Comprehensive Plan Amendment Required
Line #	**WORK PROGRAM REQUIREMENTS PURSUANT TO RULE 28-20.140, F.A.C.**	**Achieved/ Not Achieved**				
30	**(5)(c) Wastewater Project Implementation.**					
50	**4. Cudjoe Regional Wastewater Treatment Facility.**					
51	a. By July 1, 2011, Monroe County shall complete planning and design documents for the Cudjoe Regional Wastewater Treatment Facility, the Central Area (Cudjoe, Summerland, Upper Sugarloaf) collection system and the Central Area Transmission Main;	Complete			July 1, 2011	
52	b. By October 1, 2012, Monroe County shall initiate construction of Wastewater Treatment Facility, Central Area Collection System and Central Area Transmission Main;	Complete			October 1, 2012	
53	c. By July 1, 2014, Monroe County shall complete construction of Wastewater Treatment Facility, Central Area Collection System and Central Area Transmission Main; [1]	Complete	The WWTP was substantially complete and ready for operation as of mid-April 2015. The collection system on Cudjoe Key was certified ready for operation in May 2015. FDEP did not authorize operation due to legal challenges to the operating permits. These challenges were resolved in late October 2015 and the WWTP and Cudjoe Key collection systems were placed in operation on October 16, 2015. Construction continues on the remainder of the collection and transmission system in the inner (central) island area.		July 1, 2014	
54	By January, 2012 Monroe County shall complete design and planning for Outer Area (Lower Sugarloaf, Torches, Ramrod, Big Pine Key) Collection System and Transmission Main. [2]	Complete			January 1, 2012	
55	d. By February 1, 2012, Monroe County shall initiate construction of Wastewater Treatment, Outer Area Collection System and Transmission Main; [1]	Complete			February 1, 2012	
56	e. By February 1, 2015, Monroe County shall complete construction of Outer Area collection and transmission main;	Incomplete	Completion of some portions of the Outer Islands collection system may be delayed beyond December 2015 due to challenges to the permits.		February 1, 2015	
57	f. By July 1, 2014, Monroe County shall initiate property connections – complete 25% of hook-ups to Cudjoe Regional WWTP;	Incomplete	Notices of service availability were mailed to 1,100 Cudjoe Key properties on October 15, 2015, by FKAA after settlement of the permit challenges,		July 1, 2014	
58	g. By July 1, 2015, Monroe County shall complete 50% of hook-ups to Cudjoe Regional WWTP; and	Incomplete	Delayed due to challenges to the permits.		July 1, 2015	
59	h. By December 1, 2015, Monroe County shall complete remaining hook-ups to Cudjoe Regional WWTP.	upcoming deadline			December 1, 2015	
60	**(5)(d) Stormwater Treatment Facilities.**					
61	1. By July 1, 2011, Monroe County shall evaluate and allocate funding for stormwater implementation. Monroe County shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.	Complete	<u>Allocated Funding in the FY 2015-2019 CIE</u> Ninth Avenue, Stock Island = $470,862 Stormwater mitigation is included in three road resurfacing projects - two in Key Largo and one on Stock Island including an estimated $1 million in stormwater improvements	See attached FY15-19 Capital Improvement Element 5-year schedule of improvements. See attached SFWMD FY2016 Cooperative Funding Program Stormwater Project Applications.	July 1, 2015	2011-139 LOF, removed the requirement that the capital improvement schedule be an amendment to the comprehensive plan
62	2. By July 1, 2011, Monroe County shall apply for stormwater grants from the South Florida Water Management District.	n/a	No stormwater grant funding has been available since FY2012 from the South Florida Water Management District. As a result, the County did not apply for any SFWMD grants. The County has submitted a grant request for storm water project funding from the RESTORE Act funds. The County submitted two grant requests to the SFWMD proposed Cooperative Funding Program on November 20, 2014 (Conf. #8016957).		July 1, 2015	
63	3. By July 1, 2011, Monroe County shall complete Card Sound Road stormwater improvements.	Complete			July 1, 2011	

1) Corrects scriveners error in Rule 28-20.140 (5)(c)4.c. & d., F.A.C.
2) Omitted in final adopted rule. When rule is amended, rule will be modified to reflect this task.
3) Provisional - No 30-Day Report was issued in 2014 for 2012/2013 Reporting Period
4) References to the "Department of Community Affairs" have been replaced with the term "state land planning agency."

Appendix A

Rate of Growth Implementation

	Islamorada	Monroe	Marathon	Key West	Layton	Key Colony Beach
Annual ten year allocation identified in Hurricane Memorandum of Understanding;	28	197	30	91	30	60
Number of market rate allocations assigned between June 13, 2014-June 12, 2015;	22	104	50	31	3	3
Number of affordable housing units assigned between June 13, 2014-June 12, 2015;	2	9	28	44.1	0	0
Number of affordable units in pool as of June 13, 2015;	31	302	21	404.54	0	0
Number of administrative relief or beneficial units assigned between June 13, 2014-June 12, 2015;	5	0	0	7	0	0
Number of administrative relief units in pool as of June 13, 2015;	25	105	73	123.55	0	0
Number of transient units issued between June 13, 2014-June 12,2015;	0	N/A	35	0	0	0
Number of transient units in pool on June 12, 2015;	0	N/A	0	70	0	0
Number of affordable units borrowed forward June 13, 2014-June 12, 2015;	0	0	17	8.46	0	0
Number of transient units borrowed forward June 13, 2014-June 12, 2015;	0	N/A	0	0	0	0
Number of market rate units borrowed forward June 13, 2014-June 12, 2015;	0	0	1	0	0	0
Number of units transferred from one local government to another local government between June 13, 2013-June 12, 2014 (identify local government receiving units).	0	0	0	0	0	0

Appendix B

The 2015 Florida Statutes

403.086 Sewage disposal facilities; advanced and secondary waste treatment.—

(1)(a) Neither the Department of Health nor any other state agency, county, special district, or municipality shall approve construction of any facilities for sanitary sewage disposal which do not provide for secondary waste treatment and, in addition thereto, advanced waste treatment as deemed necessary and ordered by the department.

(b) No facilities for sanitary sewage disposal constructed after June 14, 1978, shall dispose of any wastes by deep well injection without providing for secondary waste treatment and, in addition thereto, advanced waste treatment deemed necessary by the department to protect adequately the beneficial use of the receiving waters.

(c) Notwithstanding any other provisions of this chapter or chapter 373, facilities for sanitary sewage disposal may not dispose of any wastes into Old Tampa Bay, Tampa Bay, Hillsborough Bay, Boca Ciega Bay, St. Joseph Sound, Clearwater Bay, Sarasota Bay, Little Sarasota Bay, Roberts Bay, Lemon Bay, or Charlotte Harbor Bay, or into any river, stream, channel, canal, bay, bayou, sound, or other water tributary thereto, without providing advanced waste treatment, as defined in subsection (4), approved by the department. This paragraph shall not apply to facilities which were permitted by February 1, 1987, and which discharge secondary treated effluent, followed by water hyacinth treatment, to tributaries of tributaries of the named waters; or to facilities permitted to discharge to the nontidally influenced portions of the Peace River.

(2) Any facilities for sanitary sewage disposal shall provide for secondary waste treatment and, in addition thereto, advanced waste treatment as deemed necessary and ordered by the Department of Environmental Protection. Failure to conform shall be punishable by a civil penalty of $500 for each 24-hour day or fraction thereof that such failure is allowed to continue thereafter.

(3) This section shall not be construed to prohibit or regulate septic tanks or other means of individual waste disposal which are otherwise subject to state regulation.

(4) For purposes of this section, the term “advanced waste treatment” means that treatment which will provide a reclaimed water product that:

(a) Contains not more, on a permitted annual average basis, than the following concentrations:

1. Biochemical Oxygen Demand (CBOD5). 5mg/l
2. Suspended Solids. 5mg/l
3. Total Nitrogen, expressed as N. 3mg/l
4. Total Phosphorus, expressed as P. 1mg/l

(b) Has received high level disinfection, as defined by rule of the department.

In those waters where the concentrations of phosphorus have been shown not to be a limiting nutrient or a contaminant, the department may waive or alter the compliance levels for phosphorus until there is a demonstration that phosphorus is a limiting nutrient or a contaminant.

(5)(a) Notwithstanding any other provisions of this chapter or chapter 373, when a reclaimed water product has been established to be in compliance with the standards set forth in subsection (4), that water shall be presumed to be allowable, and its discharge shall be permitted in the waters described in paragraph (1)(c) at a reasonably accessible point where such discharge results in minimal negative impact. This presumption may be overcome only by a demonstration that one or more of the following would occur:

1. That the discharge of reclaimed water that meets the standards set forth in subsection (4) will be, by itself, a cause of considerable degradation to an Outstanding Florida Water or to other waters and is not clearly in the public interest.

2. That the reclaimed water discharge will have a substantial negative impact on an approved shellfish harvesting area or a water used as a public domestic water supply.

3. That the increased volume of fresh water contributed by the reclaimed water product will seriously alter the natural fresh-salt water balance of the receiving water after reasonable opportunity for mixing.

(b) If one or more of the conditions described in subparagraphs (a)1.-3. have been demonstrated, remedies may include, but are not limited to, the following:

1. Require more stringent effluent limitations;

2. Order the point or method of discharge changed;

3. Limit the duration or volume of the discharge; or

4. Prohibit the discharge only if no other alternative is in the public interest.

(6) Any facility covered in paragraph (1)(c) shall be permitted to discharge if it meets the standards set forth in subsections (4) and (5). All of the facilities covered in paragraph (1)(c) shall be required to meet the standards set forth in subsections (4) and (5).

(7)(a) The department shall allow backup discharges pursuant to permit only. The backup discharge shall be limited to 30 percent of the permitted reuse capacity on an annual basis. For purposes of this subsection, a “backup discharge” is a surface water discharge that occurs as part of a functioning reuse system which has been permitted under department rules and which provides reclaimed water for irrigation of public access areas, residential properties, or edible food crops, or for industrial cooling or other acceptable reuse purposes. Backup discharges may occur during periods of reduced demand for reclaimed water in the reuse system.

(b) Notwithstanding any other provisions of this chapter or chapter 373, backup discharges of reclaimed water meeting the standards as set forth in subsection (4) shall be presumed to be allowable and shall be permitted in all waters in the state at a reasonably accessible point where such discharge results in minimal negative impact. Wet weather discharges as provided in s. 2(3)(c), chapter 90-262, Laws of Florida, shall include backup discharges as provided in this section. The presumption of the allowability of a backup discharge may be overcome only by a demonstration that one or more of the following conditions is present:

1. The discharge will be to an Outstanding Florida Water, except as provided in chapter 90-262, Laws of Florida;

2. The discharge will be to Class I or Class II waters;

3. The increased volume of fresh water contributed by a backup discharge will seriously alter the natural freshwater to saltwater balance of receiving waters after reasonable opportunity for mixing;

4. The discharge will be to a water body having a pollutant load reduction goal established by a water management district or the department, and the discharge will cause or contribute to a violation of the established goal;

5. The discharge fails to meet the requirements of the antidegradation policy contained in department rules; or

6. The discharge will be to waters that the department determines require more stringent nutrient limits than those set forth in subsection (4).

(c) Any backup discharge shall be subject to the provisions of the antidegradation policy contained in department rules.

(d) If one or more of the conditions described in paragraph (b) have been demonstrated, a backup discharge may still be allowed in conjunction with one or more of the remedies provided in paragraph (5)(b) or other suitable measures.

(e) The department shall allow lower levels of treatment of reclaimed water if the applicant affirmatively demonstrates that water quality standards will be met during periods of backup discharge and if all other requirements of this subsection are met.

(8) The department may require backflow prevention devices on potable water lines within reclaimed water service areas to protect public health and safety. The department shall establish rules that determine when backflow prevention devices on potable water lines are necessary and when such devices are not necessary.

(9) The Legislature finds that the discharge of domestic wastewater through ocean outfalls wastes valuable water supplies that should be reclaimed for beneficial purposes to meet public and natural systems demands. The Legislature also finds that discharge of domestic wastewater through ocean outfalls compromises the coastal environment, quality of life, and local economies that depend on those resources. The Legislature declares that more stringent treatment and management requirements for such domestic wastewater and the subsequent, timely elimination of ocean outfalls as a primary means of domestic wastewater discharge are in the public interest.

(a) The construction of new ocean outfalls for domestic wastewater discharge and the expansion of existing ocean outfalls for this purpose, along with associated pumping and piping systems, are prohibited. Each domestic wastewater ocean outfall shall be limited to the discharge capacity specified in the department permit authorizing the outfall in effect on July 1, 2008, which discharge capacity shall not be increased. Maintenance of existing, department-authorized domestic wastewater ocean outfalls and associated pumping and piping systems is allowed, subject to the requirements of this section. The department is directed to work with the United States Environmental Protection Agency to ensure that the requirements of this subsection are implemented consistently for all domestic wastewater facilities in the state which discharge through ocean outfalls.

(b) The discharge of domestic wastewater through ocean outfalls must meet advanced wastewater treatment and management requirements by December 31, 2018. For purposes of this subsection, the term “advanced wastewater treatment and management requirements” means the advanced waste treatment requirements set forth in subsection (4), a reduction in outfall baseline loadings of total nitrogen and total phosphorus which is equivalent to that which would be achieved by the advanced waste treatment requirements in subsection (4), or a reduction in cumulative outfall loadings of total nitrogen and total phosphorus occurring between December 31, 2008, and December 31, 2025, which is equivalent to that which would be achieved if the advanced waste treatment requirements in subsection (4) were fully implemented beginning December 31, 2018, and continued through December 31, 2025. The department shall establish the average baseline loadings of total nitrogen and total phosphorus for

each outfall using monitoring data available for calendar years 2003 through 2007 and establish required loading reductions based on this baseline. The baseline loadings and required loading reductions of total nitrogen and total phosphorus shall be expressed as an average annual daily loading value. The advanced wastewater treatment and management requirements of this paragraph are deemed met for any domestic wastewater facility discharging through an ocean outfall on July 1, 2008, which has installed by December 31, 2018, a fully operational reuse system comprising 100 percent of the facility's baseline flow on an annual basis for reuse activities authorized by the department.

(c)1. Each utility that had a permit for a domestic wastewater facility that discharged through an ocean outfall on July 1, 2008, must install, or cause to be installed, a functioning reuse system within the utility's service area or, by contract with another utility, within Miami-Dade County, Broward County, or Palm Beach County by December 31, 2025. For purposes of this subsection, a "functioning reuse system" means an environmentally, economically, and technically feasible system that provides a minimum of 60 percent of a facility's baseline flow on an annual basis for irrigation of public access areas, residential properties, or agricultural crops; aquifer recharge; groundwater recharge; industrial cooling; or other acceptable reuse purposes authorized by the department. For purposes of this subsection, the term "baseline flow" means the annual average flow of domestic wastewater discharging through the facility's ocean outfall, as determined by the department, using monitoring data available for calendar years 2003 through 2007.

2. Flows diverted from facilities to other facilities that provide 100 percent reuse of the diverted flows before December 31, 2025, are considered to contribute to meeting the reuse requirement. For utilities operating more than one outfall, the reuse requirement may be apportioned between the facilities served by the outfalls, including flows diverted to other facilities for 100 percent reuse before December 31, 2025. Utilities that shared a common ocean outfall for the discharge of domestic wastewater on July 1, 2008, regardless of which utility operates the ocean outfall, are individually responsible for meeting the reuse requirement and may enter into binding agreements to share or transfer such responsibility among the utilities. If treatment in addition to the advanced wastewater treatment and management requirements described in paragraph (b) is needed to support a functioning reuse system, the treatment must be fully operational by December 31, 2025.

3. If a facility that discharges through an ocean outfall contracts with another utility to install a functioning reuse system, the department must approve any apportionment of the reuse generated from the new or expanded reuse system that is intended to satisfy all or a portion of the reuse requirements pursuant to subparagraph 1. If a contract is between two utilities that have reuse requirements pursuant to subparagraph 1., the reuse apportioned to each utility's requirement may not exceed the total reuse generated by the new or expanded reuse system. A utility shall provide the department a copy of any contract with another utility that reflects an agreement between the utilities which is subject to the requirements of this subparagraph.

(d) The discharge of domestic wastewater through ocean outfalls is prohibited after December 31, 2025, except as a backup discharge that is part of a functioning reuse system or other wastewater management system authorized by the department. Except as otherwise provided in this subsection, a backup discharge may occur only during periods of reduced demand for reclaimed water in the reuse system, such as periods of wet weather, or as the result of peak flows from other wastewater management systems, and must comply with the advanced wastewater treatment and management requirements of paragraph (b). Peak flow backup discharges from other wastewater management systems may not cumulatively exceed 5 percent of a facility's baseline flow, measured as a 5-year rolling average, and are subject to applicable secondary waste treatment and water-quality-based

effluent limitations specified in department rules. If peak flow backup discharges are in compliance with the effluent limitations, the discharges are deemed to meet the advanced wastewater treatment and management requirements of this subsection.

(e) The holder of a department permit authorizing the discharge of domestic wastewater through an ocean outfall as of July 1, 2008, shall submit the following to the secretary of the department:

1. A detailed plan to meet the requirements of this subsection, including the identification of the technical, environmental, and economic feasibility of various reuse options; the identification of each land acquisition and facility necessary to provide for reuse of the domestic wastewater; an analysis of the costs to meet the requirements, including the level of treatment necessary to satisfy state water quality requirements and local water quality considerations and a cost comparison of reuse using flows from ocean outfalls and flows from other domestic wastewater sources; and a financing plan for meeting the requirements, including identifying any actions necessary to implement the financing plan, such as bond issuance or other borrowing, assessments, rate increases, fees, other charges, or other financing mechanisms. The plan must evaluate reuse demand in the context of future regional water supply demands, the availability of traditional water supplies, the need for development of alternative water supplies, the degree to which various reuse options offset potable water supplies, and other factors considered in the Lower East Coast Regional Water Supply Plan of the South Florida Water Management District. The plan must include a detailed schedule for the completion of all necessary actions and be accompanied by supporting data and other documentation. The plan must be submitted by July 1, 2013.

2. By July 1, 2016, an update of the plan required in subparagraph 1. documenting any refinements or changes in the costs, actions, or financing necessary to eliminate the ocean outfall discharge in accordance with this subsection or a written statement that the plan is current and accurate.

(f) By December 31, 2009, and by December 31 every 5 years thereafter, the holder of a department permit authorizing the discharge of domestic wastewater through an ocean outfall shall submit to the secretary of the department a report summarizing the actions accomplished to date and the actions remaining and proposed to meet the requirements of this subsection, including progress toward meeting the specific deadlines set forth in paragraphs (b) through (e). The report shall include the detailed schedule for and status of the evaluation of reuse and disposal options, preparation of preliminary design reports, preparation and submittal of permit applications, construction initiation, construction progress milestones, construction completion, initiation of operation, and continuing operation and maintenance.

(g) By July 1, 2010, and by July 1 every 5 years thereafter, the department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the implementation of this subsection. In the report, the department shall summarize progress to date, including the increased amount of reclaimed water provided and potable water offsets achieved, and identify any obstacles to continued progress, including all instances of substantial noncompliance.

(h) The renewal of each permit that authorizes the discharge of domestic wastewater through an ocean outfall as of July 1, 2008, must be accompanied by an order in accordance with s. 403.088(2)(e) and (f) which establishes an enforceable compliance schedule consistent with the requirements of this subsection.

(i) An entity that diverts wastewater flow from a receiving facility that discharges domestic wastewater through an ocean outfall must meet the reuse requirement of paragraph (c). Reuse by the diverting entity of the diverted flows shall be credited to the diverting entity. The diverted flow shall also be correspondingly deducted from the receiving facility’s baseline flow from which the required

reuse is calculated pursuant to paragraph (c), and the receiving facility's reuse requirement shall be recalculated accordingly.

The department, the South Florida Water Management District, and the affected utilities must consider the information in the detailed plan in paragraph (e) for the purpose of adjusting, as necessary, the reuse requirements of this subsection. The department shall submit a report to the Legislature by February 15, 2015, containing recommendations for any changes necessary to the requirements of this subsection.

(10) The Legislature finds that the discharge of inadequately treated and managed domestic wastewater from dozens of small wastewater facilities and thousands of septic tanks and other onsite systems in the Florida Keys compromises the quality of the coastal environment, including nearshore and offshore waters, and threatens the quality of life and local economies that depend on those resources. The Legislature also finds that the only practical and cost-effective way to fundamentally improve wastewater management in the Florida Keys is for the local governments in Monroe County, including those special districts established for the purpose of collection, transmission, treatment, or disposal of sewage, to timely complete the wastewater or sewage treatment and disposal facilities initiated under the work program of Administration Commission rule 28-20, Florida Administrative Code, and the Monroe County Sanitary Master Wastewater Plan, dated June 2000. The Legislature therefore declares that the construction and operation of comprehensive central wastewater systems in accordance with this subsection is in the public interest. To give effect to those findings, the requirements of this subsection apply to all domestic wastewater facilities in Monroe County, including privately owned facilities, unless otherwise provided under this subsection.

(a) The discharge of domestic wastewater into surface waters is prohibited.

(b) Monroe County, each municipality, and those special districts established for the purpose of collection, transmission, treatment, or disposal of sewage in Monroe County shall complete the wastewater collection, treatment, and disposal facilities within its jurisdiction designated as hot spots in the Monroe County Sanitary Master Wastewater Plan, dated June 2000, specifically listed in Exhibits 6-1 through 6-3 of Chapter 6 of the plan and mapped in Exhibit F-1 of Appendix F of the plan. The required facilities and connections, and any additional facilities or other adjustments required by rules adopted by the Administration Commission under s. 380.0552, must be completed by December 31, 2015, pursuant to specific schedules established by the commission. Domestic wastewater facilities located outside local government and special district service areas must meet the treatment and disposal requirements of this subsection by December 31, 2015.

(c) After December 31, 2015, all new or expanded domestic wastewater discharges must comply with the treatment and disposal requirements of this subsection and department rules.

(d) Wastewater treatment facilities having design capacities:

1. Greater than or equal to 100,000 gallons per day must provide basic disinfection as defined by department rule and the level of treatment which, on a permitted annual average basis, produces an effluent that contains no more than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 5 mg/l.

b. Suspended Solids of 5 mg/l.

c. Total Nitrogen, expressed as N, of 3 mg/l.

d. Total Phosphorus, expressed as P, of 1 mg/l.

2. Less than 100,000 gallons per day must provide basic disinfection as defined by department rule and the level of treatment which, on a permitted annual average basis, produces an effluent that contains no more than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 10 mg/l.

b. Suspended Solids of 10 mg/l.

c. Total Nitrogen, expressed as N, of 10 mg/l.

d. Total Phosphorus, expressed as P, of 1 mg/l.

(e) Class V injection wells, as defined by department or Department of Health rule, must meet the following requirements and otherwise comply with department or Department of Health rules, as applicable:

1. If the design capacity of the facility is less than 1 million gallons per day, the injection well must be at least 90 feet deep and cased to a minimum depth of 60 feet or to such greater cased depth and total well depth as may be required by department rule.

2. Except as provided in subparagraph 3. for backup wells, if the design capacity of the facility is equal to or greater than 1 million gallons per day, each primary injection well must be cased to a minimum depth of 2,000 feet or to such greater depth as may be required by department rule.

3. If an injection well is used as a backup to a primary injection well, the following conditions apply:

a. The backup well may be used only when the primary injection well is out of service because of equipment failure, power failure, or the need for mechanical integrity testing or repair;

b. The backup well may not be used for more than a total of 500 hours during any 5-year period unless specifically authorized in writing by the department;

c. The backup well must be at least 90 feet deep and cased to a minimum depth of 60 feet, or to such greater cased depth and total well depth as may be required by department rule; and

d. Fluid injected into the backup well must meet the requirements of paragraph (d).

(f) The requirements of paragraphs (d) and (e) do not apply to:

1. Class I injection wells as defined by department rule, including any authorized mechanical integrity tests;

2. Authorized mechanical integrity tests associated with Class V wells as defined by department rule; or

3. The following types of reuse systems authorized by department rule:

a. Slow-rate land application systems;

b. Industrial uses of reclaimed water; and

c. Use of reclaimed water for toilet flushing, fire protection, vehicle washing, construction dust control, and decorative water features.

However, disposal systems serving as backups to reuse systems must comply with the other provisions of this subsection.

(g) For wastewater treatment facilities in operation as of July 1, 2010, which are located within areas to be served by Monroe County, municipalities in Monroe County, or those special districts established for the purpose of collection, transmission, treatment, or disposal of sewage but which are owned by other entities, the requirements of paragraphs (d) and (e) do not apply until January 1, 2016. Wastewater operating permits issued pursuant to this chapter and in effect for these facilities as of June 30, 2010, are extended until December 31, 2015, or until the facility is connected to a local government central wastewater system, whichever occurs first. Wastewater treatment facilities in operation after

December 31, 2015, must comply with the treatment and disposal requirements of this subsection and department rules.

(h) If it is demonstrated that a discharge, even if the discharge is otherwise in compliance with this subsection, will cause or contribute to a violation of state water quality standards, the department shall:

1. Require more stringent effluent limitations;
2. Order the point or method of discharge changed;
3. Limit the duration or volume of the discharge; or
4. Prohibit the discharge.

(i) All sewage treatment facilities must monitor effluent for total nitrogen and total phosphorus concentration as required by department rule.

(j) The department shall require the levels of operator certification and staffing necessary to ensure proper operation and maintenance of sewage facilities.

(k) The department may adopt rules necessary to carry out this subsection.

(l) The authority of a local government, including a special district, to mandate connection of a wastewater facility, as defined by department rule, is governed by s. 4, chapter 99-395, Laws of Florida.

History.—ss. 1, 2, 3, ch. 71-259; s. 2, ch. 71-137; s. 1, ch. 72-58; s. 271, ch. 77-147; s. 1, ch. 78-206; s. 75, ch. 79-65; s. 1, ch. 80-371; s. 1, ch. 81-246; s. 262, ch. 81-259; s. 2, ch. 86-173; s. 1, ch. 87-303; s. 71, ch. 93-213; s. 2, ch. 94-153; s. 361, ch. 94-356; s. 158, ch. 99-8; s. 25, ch. 2000-153; s. 12, ch. 2000-211; s. 6, ch. 2008-232; s. 38, ch. 2010-205; s. 73, ch. 2013-15; s. 1, ch. 2013-31.

The 2015 Florida Statutes

381.0065 Onsite sewage treatment and disposal systems; regulation.—

(1) LEGISLATIVE INTENT.—

(a) It is the intent of the Legislature that proper management of onsite sewage treatment and disposal systems is paramount to the health, safety, and welfare of the public.

(b) It is the intent of the Legislature that where a publicly owned or investor-owned sewerage system is not available, the department shall issue permits for the construction, installation, modification, abandonment, or repair of onsite sewage treatment and disposal systems under conditions as described in this section and rules adopted under this section. It is further the intent of the Legislature that the installation and use of onsite sewage treatment and disposal systems not adversely affect the public health or significantly degrade the groundwater or surface water.

(2) DEFINITIONS.—As used in ss. 381.0065-381.0067, the term:

(a) "Available," as applied to a publicly owned or investor-owned sewerage system, means that the publicly owned or investor-owned sewerage system is capable of being connected to the plumbing of an establishment or residence, is not under a Department of Environmental Protection moratorium, and has adequate permitted capacity to accept the sewage to be generated by the establishment or residence; and:

1. For a residential subdivision lot, a single-family residence, or an establishment, any of which has an estimated sewage flow of 1,000 gallons per day or less, a gravity sewer line to maintain gravity flow from the property's drain to the sewer line, or a low pressure or vacuum sewage collection line in those areas approved for low pressure or vacuum sewage collection, exists in a public easement or right-of-way that abuts the property line of the lot, residence, or establishment.

2. For an establishment with an estimated sewage flow exceeding 1,000 gallons per day, a sewer line, force main, or lift station exists in a public easement or right-of-way that abuts the property of the establishment or is within 50 feet of the property line of the establishment as accessed via existing rights-of-way or easements.

3. For proposed residential subdivisions with more than 50 lots, for proposed commercial subdivisions with more than 5 lots, and for areas zoned or used for an industrial or manufacturing purpose or its equivalent, a sewerage system exists within one-fourth mile of the development as measured and accessed via existing easements or rights-of-way.

4. For repairs or modifications within areas zoned or used for an industrial or manufacturing purpose or its equivalent, a sewerage system exists within 500 feet of an establishment's or residence's sewer stub-out as measured and accessed via existing rights-of-way or easements.

(b)1. "Bedroom" means a room that can be used for sleeping and that:

a. For site-built dwellings, has a minimum of 70 square feet of conditioned space;

b. For manufactured homes, is constructed according to the standards of the United States Department of Housing and Urban Development and has a minimum of 50 square feet of floor area;

c. Is located along an exterior wall;

d. Has a closet and a door or an entrance where a door could be reasonably installed; and

e. Has an emergency means of escape and rescue opening to the outside in accordance with the Florida Building Code.

2. A room may not be considered a bedroom if it is used to access another room except a bathroom or closet.

3. "Bedroom" does not include a hallway, bathroom, kitchen, living room, family room, dining room, den, breakfast nook, pantry, laundry room, sunroom, recreation room, media/video room, or exercise room.

(c) "Blackwater" means that part of domestic sewage carried off by toilets, urinals, and kitchen drains.

(d) "Domestic sewage" means human body waste and wastewater, including bath and toilet waste, residential laundry waste, residential kitchen waste, and other similar waste from appurtenances at a residence or establishment.

(e) "Graywater" means that part of domestic sewage that is not blackwater, including waste from the bath, lavatory, laundry, and sink, except kitchen sink waste.

(f) "Florida Keys" means those islands of the state located within the boundaries of Monroe County.

(g) "Injection well" means an open vertical hole at least 90 feet in depth, cased and grouted to at least 60 feet in depth which is used to dispose of effluent from an onsite sewage treatment and disposal system.

(h) "Innovative system" means an onsite sewage treatment and disposal system that, in whole or in part, employs materials, devices, or techniques that are novel or unique and that have not been successfully field-tested under sound scientific and engineering principles under climatic and soil conditions found in this state.

(i) "Lot" means a parcel or tract of land described by reference to recorded plats or by metes and bounds, or the least fractional part of subdivided lands having limited fixed boundaries or an assigned number, letter, or any other legal description by which it can be identified.

(j) "Mean annual flood line" means the elevation determined by calculating the arithmetic mean of the elevations of the highest yearly flood stage or discharge for the period of record, to include at least the most recent 10-year period. If at least 10 years of data is not available, the mean annual flood line shall be as determined based upon the data available and field verification conducted by a certified professional surveyor and mapper with experience in the determination of flood water elevation lines or, at the option of the applicant, by department personnel. Field verification of the mean annual flood line shall be performed using a combination of those indicators listed in subparagraphs 1.-7. that are present on the site, and that reflect flooding that recurs on an annual basis. In those situations where any one or more of these indicators reflect a rare or aberrant event, such indicator or indicators shall not be utilized in determining the mean annual flood line. The indicators that may be considered are:

1. Water stains on the ground surface, trees, and other fixed objects;
2. Hydric adventitious roots;
3. Drift lines;
4. Rafted debris;
5. Aquatic mosses and liverworts;
6. Moss collars; and

7. Lichen lines.

(k) "Onsite sewage treatment and disposal system" means a system that contains a standard subsurface, filled, or mound drainfield system; an aerobic treatment unit; a graywater system tank; a laundry wastewater system tank; a septic tank; a grease interceptor; a pump tank; a solids or effluent pump; a waterless, incinerating, or organic waste-composting toilet; or a sanitary pit privy that is installed or proposed to be installed beyond the building sewer on land of the owner or on other land to which the owner has the legal right to install a system. The term includes any item placed within, or intended to be used as a part of or in conjunction with, the system. This term does not include package sewage treatment facilities and other treatment works regulated under chapter 403.

(l) "Permanent nontidal surface water body" means a perennial stream, a perennial river, an intermittent stream, a perennial lake, a submerged marsh or swamp, a submerged wooded marsh or swamp, a spring, or a seep, as identified on the most recent quadrangle map, 7.5 minute series (topographic), produced by the United States Geological Survey, or products derived from that series. "Permanent nontidal surface water body" shall also mean an artificial surface water body that does not have an impermeable bottom and side and that is designed to hold, or does hold, visible standing water for at least 180 days of the year. However, a nontidal surface water body that is drained, either naturally or artificially, where the intent or the result is that such drainage be temporary, shall be considered a permanent nontidal surface water body. A nontidal surface water body that is drained of all visible surface water, where the lawful intent or the result of such drainage is that such drainage will be permanent, shall not be considered a permanent nontidal surface water body. The boundary of a permanent nontidal surface water body shall be the mean annual flood line.

(m) "Potable water line" means any water line that is connected to a potable water supply source, but the term does not include an irrigation line with any of the following types of backflow devices:

1. For irrigation systems into which chemicals are not injected, any atmospheric or pressure vacuum breaker or double check valve or any detector check assembly.

2. For irrigation systems into which chemicals such as fertilizers, pesticides, or herbicides are injected, any reduced pressure backflow preventer.

(n) "Septage" means a mixture of sludge, fatty materials, human feces, and wastewater removed during the pumping of an onsite sewage treatment and disposal system.

(o) "Subdivision" means, for residential use, any tract or plot of land divided into two or more lots or parcels of which at least one is 1 acre or less in size for sale, lease, or rent. A subdivision for commercial or industrial use is any tract or plot of land divided into two or more lots or parcels of which at least one is 5 acres or less in size and which is for sale, lease, or rent. A subdivision shall be deemed to be proposed until such time as an application is submitted to the local government for subdivision approval or, in those areas where no local government subdivision approval is required, until such time as a plat of the subdivision is recorded.

(p) "Tidally influenced surface water body" means a body of water that is subject to the ebb and flow of the tides and has as its boundary a mean high-water line as defined by s. 177.27(15).

(q) "Toxic or hazardous chemical" means a substance that poses a serious danger to human health or the environment.

(3) DUTIES AND POWERS OF THE DEPARTMENT OF HEALTH.—The department shall:

(a) Adopt rules to administer ss. 381.0065-381.0067, including definitions that are consistent with the definitions in this section, decreases to setback requirements where no health hazard exists, increases for the lot-flow allowance for performance-based systems, requirements for separation from water table elevation during the wettest season, requirements for the design and construction of any

component part of an onsite sewage treatment and disposal system, application and permit requirements for persons who maintain an onsite sewage treatment and disposal system, requirements for maintenance and service agreements for aerobic treatment units and performance-based treatment systems, and recommended standards, including disclosure requirements, for voluntary system inspections to be performed by individuals who are authorized by law to perform such inspections and who shall inform a person having ownership, control, or use of an onsite sewage treatment and disposal system of the inspection standards and of that person's authority to request an inspection based on all or part of the standards.

(b) Perform application reviews and site evaluations, issue permits, and conduct inspections and complaint investigations associated with the construction, installation, maintenance, modification, abandonment, operation, use, or repair of an onsite sewage treatment and disposal system for a residence or establishment with an estimated domestic sewage flow of 10,000 gallons or less per day, or an estimated commercial sewage flow of 5,000 gallons or less per day, which is not currently regulated under chapter 403.

(c) Develop a comprehensive program to ensure that onsite sewage treatment and disposal systems regulated by the department are sized, designed, constructed, installed, repaired, modified, abandoned, used, operated, and maintained in compliance with this section and rules adopted under this section to prevent groundwater contamination and surface water contamination and to preserve the public health. The department is the final administrative interpretive authority regarding rule interpretation. In the event of a conflict regarding rule interpretation, the State Surgeon General, or his or her designee, shall timely assign a staff person to resolve the dispute.

(d) Grant variances in hardship cases under the conditions prescribed in this section and rules adopted under this section.

(e) Permit the use of a limited number of innovative systems for a specific period of time, when there is compelling evidence that the system will function properly and reliably to meet the requirements of this section and rules adopted under this section.

(f) Issue annual operating permits under this section.

(g) Establish and collect fees as established under s. 381.0066 for services provided with respect to onsite sewage treatment and disposal systems.

(h) Conduct enforcement activities, including imposing fines, issuing citations, suspensions, revocations, injunctions, and emergency orders for violations of this section, part I of chapter 386, or part III of chapter 489 or for a violation of any rule adopted under this section, part I of chapter 386, or part III of chapter 489.

(i) Provide or conduct education and training of department personnel, service providers, and the public regarding onsite sewage treatment and disposal systems.

(j) Supervise research on, demonstration of, and training on the performance, environmental impact, and public health impact of onsite sewage treatment and disposal systems within this state. Research fees collected under s. 381.0066(2)(k) must be used to develop and fund hands-on training centers designed to provide practical information about onsite sewage treatment and disposal systems to septic tank contractors, master septic tank contractors, contractors, inspectors, engineers, and the public and must also be used to fund research projects which focus on improvements of onsite sewage treatment and disposal systems, including use of performance-based standards and reduction of environmental impact. Research projects shall be initially approved by the technical review and advisory panel and shall be applicable to and reflect the soil conditions specific to Florida. Such projects shall be awarded through competitive negotiation, using the procedures provided in s. 287.055, to public or

private entities that have experience in onsite sewage treatment and disposal systems in Florida and that are principally located in Florida. Research projects shall not be awarded to firms or entities that employ or are associated with persons who serve on either the technical review and advisory panel or the research review and advisory committee.

(k) Approve the installation of individual graywater disposal systems in which blackwater is treated by a central sewerage system.

(l) Regulate and permit the sanitation, handling, treatment, storage, reuse, and disposal of byproducts from any system regulated under this chapter and not regulated by the Department of Environmental Protection.

(m) Permit and inspect portable or temporary toilet services and holding tanks. The department shall review applications, perform site evaluations, and issue permits for the temporary use of holding tanks, privies, portable toilet services, or any other toilet facility that is intended for use on a permanent or nonpermanent basis, including facilities placed on construction sites when workers are present. The department may specify standards for the construction, maintenance, use, and operation of any such facility for temporary use.

(n) Regulate and permit maintenance entities for performance-based treatment systems and aerobic treatment unit systems. To ensure systems are maintained and operated according to manufacturer's specifications and designs, the department shall establish by rule minimum qualifying criteria for maintenance entities. The criteria shall include: training, access to approved spare parts and components, access to manufacturer's maintenance and operation manuals, and service response time. The maintenance entity shall employ a contractor licensed under s. 489.105(3)(m), or part III of chapter 489, or a state-licensed wastewater plant operator, who is responsible for maintenance and repair of all systems under contract.

(4) PERMITS; INSTALLATION; AND CONDITIONS.—A person may not construct, repair, modify, abandon, or operate an onsite sewage treatment and disposal system without first obtaining a permit approved by the department. The department may issue permits to carry out this section, but shall not make the issuance of such permits contingent upon prior approval by the Department of Environmental Protection, except that the issuance of a permit for work seaward of the coastal construction control line established under s. 161.053 shall be contingent upon receipt of any required coastal construction control line permit from the Department of Environmental Protection. A construction permit is valid for 18 months from the issuance date and may be extended by the department for one 90-day period under rules adopted by the department. A repair permit is valid for 90 days from the date of issuance. An operating permit must be obtained prior to the use of any aerobic treatment unit or if the establishment generates commercial waste. Buildings or establishments that use an aerobic treatment unit or generate commercial waste shall be inspected by the department at least annually to assure compliance with the terms of the operating permit. The operating permit for a commercial wastewater system is valid for 1 year from the date of issuance and must be renewed annually. The operating permit for an aerobic treatment unit is valid for 2 years from the date of issuance and must be renewed every 2 years. If all information pertaining to the siting, location, and installation conditions or repair of an onsite sewage treatment and disposal system remains the same, a construction or repair permit for the onsite sewage treatment and disposal system may be transferred to another person, if the transferee files, within 60 days after the transfer of ownership, an amended application providing all corrected information and proof of ownership of the property. There is no fee associated with the processing of this supplemental information. A person may not contract to construct, modify, alter, repair, service, abandon, or maintain any portion of an onsite sewage treatment and disposal system without being registered under

part III of chapter 489. A property owner who personally performs construction, maintenance, or repairs to a system serving his or her own owner-occupied single-family residence is exempt from registration requirements for performing such construction, maintenance, or repairs on that residence, but is subject to all permitting requirements. A municipality or political subdivision of the state may not issue a building or plumbing permit for any building that requires the use of an onsite sewage treatment and disposal system unless the owner or builder has received a construction permit for such system from the department. A building or structure may not be occupied and a municipality, political subdivision, or any state or federal agency may not authorize occupancy until the department approves the final installation of the onsite sewage treatment and disposal system. A municipality or political subdivision of the state may not approve any change in occupancy or tenancy of a building that uses an onsite sewage treatment and disposal system until the department has reviewed the use of the system with the proposed change, approved the change, and amended the operating permit.

(a) Subdivisions and lots in which each lot has a minimum area of at least one-half acre and either a minimum dimension of 100 feet or a mean of at least 100 feet of the side bordering the street and the distance formed by a line parallel to the side bordering the street drawn between the two most distant points of the remainder of the lot may be developed with a water system regulated under s. 381.0062 and onsite sewage treatment and disposal systems, provided the projected daily sewage flow does not exceed an average of 1,500 gallons per acre per day, and provided satisfactory drinking water can be obtained and all distance and setback, soil condition, water table elevation, and other related requirements of this section and rules adopted under this section can be met.

(b) Subdivisions and lots using a public water system as defined in s. 403.852 may use onsite sewage treatment and disposal systems, provided there are no more than four lots per acre, provided the projected daily sewage flow does not exceed an average of 2,500 gallons per acre per day, and provided that all distance and setback, soil condition, water table elevation, and other related requirements that are generally applicable to the use of onsite sewage treatment and disposal systems are met.

(c) Notwithstanding paragraphs (a) and (b), for subdivisions platted of record on or before October 1, 1991, when a developer or other appropriate entity has previously made or makes provisions, including financial assurances or other commitments, acceptable to the Department of Health, that a central water system will be installed by a regulated public utility based on a density formula, private potable wells may be used with onsite sewage treatment and disposal systems until the agreed-upon densities are reached. In a subdivision regulated by this paragraph, the average daily sewage flow may not exceed 2,500 gallons per acre per day. This section does not affect the validity of existing prior agreements. After October 1, 1991, the exception provided under this paragraph is not available to a developer or other appropriate entity.

(d) Paragraphs (a) and (b) do not apply to any proposed residential subdivision with more than 50 lots or to any proposed commercial subdivision with more than 5 lots where a publicly owned or investor-owned sewerage system is available. It is the intent of this paragraph not to allow development of additional proposed subdivisions in order to evade the requirements of this paragraph.

(e) Onsite sewage treatment and disposal systems must not be placed closer than:

1. Seventy-five feet from a private potable well.

2. Two hundred feet from a public potable well serving a residential or nonresidential establishment having a total sewage flow of greater than 2,000 gallons per day.

3. One hundred feet from a public potable well serving a residential or nonresidential establishment having a total sewage flow of less than or equal to 2,000 gallons per day.

4. Fifty feet from any nonpotable well.

5. Ten feet from any storm sewer pipe, to the maximum extent possible, but in no instance shall the setback be less than 5 feet.

6. Seventy-five feet from the mean high-water line of a tidally influenced surface water body.

7. Seventy-five feet from the mean annual flood line of a permanent nontidal surface water body.

8. Fifteen feet from the design high-water line of retention areas, detention areas, or swales designed to contain standing or flowing water for less than 72 hours after a rainfall or the design high-water level of normally dry drainage ditches or normally dry individual lot stormwater retention areas.

(f) Except as provided under paragraphs (e) and (t), no limitations shall be imposed by rule, relating to the distance between an onsite disposal system and any area that either permanently or temporarily has visible surface water.

(g) All provisions of this section and rules adopted under this section relating to soil condition, water table elevation, distance, and other setback requirements must be equally applied to all lots, with the following exceptions:

1. Any residential lot that was platted and recorded on or after January 1, 1972, or that is part of a residential subdivision that was approved by the appropriate permitting agency on or after January 1, 1972, and that was eligible for an onsite sewage treatment and disposal system construction permit on the date of such platting and recording or approval shall be eligible for an onsite sewage treatment and disposal system construction permit, regardless of when the application for a permit is made. If rules in effect at the time the permit application is filed cannot be met, residential lots platted and recorded or approved on or after January 1, 1972, shall, to the maximum extent possible, comply with the rules in effect at the time the permit application is filed. At a minimum, however, those residential lots platted and recorded or approved on or after January 1, 1972, but before January 1, 1983, shall comply with those rules in effect on January 1, 1983, and those residential lots platted and recorded or approved on or after January 1, 1983, shall comply with those rules in effect at the time of such platting and recording or approval. In determining the maximum extent of compliance with current rules that is possible, the department shall allow structures and appurtenances thereto which were authorized at the time such lots were platted and recorded or approved.

2. Lots platted before 1972 are subject to a 50-foot minimum surface water setback and are not subject to lot size requirements. The projected daily flow for onsite sewage treatment and disposal systems for lots platted before 1972 may not exceed:

a. Two thousand five hundred gallons per acre per day for lots served by public water systems as defined in s. 403.852.

b. One thousand five hundred gallons per acre per day for lots served by water systems regulated under s. 381.0062.

(h)1. The department may grant variances in hardship cases which may be less restrictive than the provisions specified in this section. If a variance is granted and the onsite sewage treatment and disposal system construction permit has been issued, the variance may be transferred with the system construction permit, if the transferee files, within 60 days after the transfer of ownership, an amended construction permit application providing all corrected information and proof of ownership of the property and if the same variance would have been required for the new owner of the property as was originally granted to the original applicant for the variance. There is no fee associated with the processing of this supplemental information. A variance may not be granted under this section until the department is satisfied that:

a. The hardship was not caused intentionally by the action of the applicant;

b. No reasonable alternative, taking into consideration factors such as cost, exists for the treatment of the sewage; and

c. The discharge from the onsite sewage treatment and disposal system will not adversely affect the health of the applicant or the public or significantly degrade the groundwater or surface waters.

Where soil conditions, water table elevation, and setback provisions are determined by the department to be satisfactory, special consideration must be given to those lots platted before 1972.

2. The department shall appoint and staff a variance review and advisory committee, which shall meet monthly to recommend agency action on variance requests. The committee shall make its recommendations on variance requests at the meeting in which the application is scheduled for consideration, except for an extraordinary change in circumstances, the receipt of new information that raises new issues, or when the applicant requests an extension. The committee shall consider the criteria in subparagraph 1. in its recommended agency action on variance requests and shall also strive to allow property owners the full use of their land where possible. The committee consists of the following:

a. The State Surgeon General or his or her designee.

b. A representative from the county health departments.

c. A representative from the home building industry recommended by the Florida Home Builders Association.

d. A representative from the septic tank industry recommended by the Florida Onsite Wastewater Association.

e. A representative from the Department of Environmental Protection.

f. A representative from the real estate industry who is also a developer in this state who develops lots using onsite sewage treatment and disposal systems, recommended by the Florida Association of Realtors.

g. A representative from the engineering profession recommended by the Florida Engineering Society.

Members shall be appointed for a term of 3 years, with such appointments being staggered so that the terms of no more than two members expire in any one year. Members shall serve without remuneration, but if requested, shall be reimbursed for per diem and travel expenses as provided in s. 112.061.

(i) A construction permit may not be issued for an onsite sewage treatment and disposal system in any area zoned or used for industrial or manufacturing purposes, or its equivalent, where a publicly owned or investor-owned sewage treatment system is available, or where a likelihood exists that the system will receive toxic, hazardous, or industrial waste. An existing onsite sewage treatment and disposal system may be repaired if a publicly owned or investor-owned sewerage system is not available within 500 feet of the building sewer stub-out and if system construction and operation standards can be met. This paragraph does not require publicly owned or investor-owned sewerage treatment systems to accept anything other than domestic wastewater.

1. A building located in an area zoned or used for industrial or manufacturing purposes, or its equivalent, when such building is served by an onsite sewage treatment and disposal system, must not be occupied until the owner or tenant has obtained written approval from the department. The department shall not grant approval when the proposed use of the system is to dispose of toxic, hazardous, or industrial wastewater or toxic or hazardous chemicals.

2. Each person who owns or operates a business or facility in an area zoned or used for industrial or manufacturing purposes, or its equivalent, or who owns or operates a business that has the potential to

generate toxic, hazardous, or industrial wastewater or toxic or hazardous chemicals, and uses an onsite sewage treatment and disposal system that is installed on or after July 5, 1989, must obtain an annual system operating permit from the department. A person who owns or operates a business that uses an onsite sewage treatment and disposal system that was installed and approved before July 5, 1989, need not obtain a system operating permit. However, upon change of ownership or tenancy, the new owner or operator must notify the department of the change, and the new owner or operator must obtain an annual system operating permit, regardless of the date that the system was installed or approved.

3. The department shall periodically review and evaluate the continued use of onsite sewage treatment and disposal systems in areas zoned or used for industrial or manufacturing purposes, or its equivalent, and may require the collection and analyses of samples from within and around such systems. If the department finds that toxic or hazardous chemicals or toxic, hazardous, or industrial wastewater have been or are being disposed of through an onsite sewage treatment and disposal system, the department shall initiate enforcement actions against the owner or tenant to ensure adequate cleanup, treatment, and disposal.

(j) An onsite sewage treatment and disposal system designed by a professional engineer registered in the state and certified by such engineer as complying with performance criteria adopted by the department must be approved by the department subject to the following:

1. The performance criteria applicable to engineer-designed systems must be limited to those necessary to ensure that such systems do not adversely affect the public health or significantly degrade the groundwater or surface water. Such performance criteria shall include consideration of the quality of system effluent, the proposed total sewage flow per acre, wastewater treatment capabilities of the natural or replaced soil, water quality classification of the potential surface-water-receiving body, and the structural and maintenance viability of the system for the treatment of domestic wastewater. However, performance criteria shall address only the performance of a system and not a system's design.

2. A person electing to utilize an engineer-designed system shall, upon completion of the system design, submit such design, certified by a registered professional engineer, to the county health department. The county health department may utilize an outside consultant to review the engineer-designed system, with the actual cost of such review to be borne by the applicant. Within 5 working days after receiving an engineer-designed system permit application, the county health department shall request additional information if the application is not complete. Within 15 working days after receiving a complete application for an engineer-designed system, the county health department either shall issue the permit or, if it determines that the system does not comply with the performance criteria, shall notify the applicant of that determination and refer the application to the department for a determination as to whether the system should be approved, disapproved, or approved with modification. The department engineer's determination shall prevail over the action of the county health department. The applicant shall be notified in writing of the department's determination and of the applicant's rights to pursue a variance or seek review under the provisions of chapter 120.

3. The owner of an engineer-designed performance-based system must maintain a current maintenance service agreement with a maintenance entity permitted by the department. The maintenance entity shall inspect each system at least twice each year and shall report quarterly to the department on the number of systems inspected and serviced. The reports may be submitted electronically.

4. The property owner of an owner-occupied, single-family residence may be approved and permitted by the department as a maintenance entity for his or her own performance-based treatment

system upon written certification from the system manufacturer's approved representative that the property owner has received training on the proper installation and service of the system. The maintenance service agreement must conspicuously disclose that the property owner has the right to maintain his or her own system and is exempt from contractor registration requirements for performing construction, maintenance, or repairs on the system but is subject to all permitting requirements.

5. The property owner shall obtain a biennial system operating permit from the department for each system. The department shall inspect the system at least annually, or on such periodic basis as the fee collected permits, and may collect system-effluent samples if appropriate to determine compliance with the performance criteria. The fee for the biennial operating permit shall be collected beginning with the second year of system operation.

6. If an engineer-designed system fails to properly function or fails to meet performance standards, the system shall be re-engineered, if necessary, to bring the system into compliance with the provisions of this section.

(k) An innovative system may be approved in conjunction with an engineer-designed site-specific system which is certified by the engineer to meet the performance-based criteria adopted by the department.

(l) For the Florida Keys, the department shall adopt a special rule for the construction, installation, modification, operation, repair, maintenance, and performance of onsite sewage treatment and disposal systems which considers the unique soil conditions and water table elevations, densities, and setback requirements. On lots where a setback distance of 75 feet from surface waters, saltmarsh, and buttonwood association habitat areas cannot be met, an injection well, approved and permitted by the department, may be used for disposal of effluent from onsite sewage treatment and disposal systems. The following additional requirements apply to onsite sewage treatment and disposal systems in Monroe County:

1. The county, each municipality, and those special districts established for the purpose of the collection, transmission, treatment, or disposal of sewage shall ensure, in accordance with the specific schedules adopted by the Administration Commission under s. 380.0552, the completion of onsite sewage treatment and disposal system upgrades to meet the requirements of this paragraph.

2. Onsite sewage treatment and disposal systems must cease discharge by December 31, 2015, or must comply with department rules and provide the level of treatment which, on a permitted annual average basis, produces an effluent that contains no more than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 10 mg/l.

b. Suspended Solids of 10 mg/l.

c. Total Nitrogen, expressed as N, of 10 mg/l or a reduction in nitrogen of at least 70 percent. A system that has been tested and certified to reduce nitrogen concentrations by at least 70 percent shall be deemed to be in compliance with this standard.

d. Total Phosphorus, expressed as P, of 1 mg/l.

In addition, onsite sewage treatment and disposal systems discharging to an injection well must provide basic disinfection as defined by department rule.

3. In areas not scheduled to be served by a central sewer, onsite sewage treatment and disposal systems must, by December 31, 2015, comply with department rules and provide the level of treatment described in subparagraph 2.

4. In areas scheduled to be served by central sewer by December 31, 2015, if the property owner has paid a connection fee or assessment for connection to the central sewer system, the property owner

may install a holding tank with a high water alarm or an onsite sewage treatment and disposal system that meets the following minimum standards:

a. The existing tanks must be pumped and inspected and certified as being watertight and free of defects in accordance with department rule; and

b. A sand-lined drainfield or injection well in accordance with department rule must be installed.

5. Onsite sewage treatment and disposal systems must be monitored for total nitrogen and total phosphorus concentrations as required by department rule.

6. The department shall enforce proper installation, operation, and maintenance of onsite sewage treatment and disposal systems pursuant to this chapter, including ensuring that the appropriate level of treatment described in subparagraph 2. is met.

7. The authority of a local government, including a special district, to mandate connection of an onsite sewage treatment and disposal system is governed by s. 4, chapter 99-395, Laws of Florida.

8. Notwithstanding any other provision of law, an onsite sewage treatment and disposal system installed after July 1, 2010, in unincorporated Monroe County, excluding special wastewater districts, that complies with the standards in subparagraph 2. is not required to connect to a central sewer system until December 31, 2020.

(m) No product sold in the state for use in onsite sewage treatment and disposal systems may contain any substance in concentrations or amounts that would interfere with or prevent the successful operation of such system, or that would cause discharges from such systems to violate applicable water quality standards. The department shall publish criteria for products known or expected to meet the conditions of this paragraph. In the event a product does not meet such criteria, such product may be sold if the manufacturer satisfactorily demonstrates to the department that the conditions of this paragraph are met.

(n) Evaluations for determining the seasonal high-water table elevations or the suitability of soils for the use of a new onsite sewage treatment and disposal system shall be performed by department personnel, professional engineers registered in the state, or such other persons with expertise, as defined by rule, in making such evaluations. Evaluations for determining mean annual flood lines shall be performed by those persons identified in paragraph (2)(j). The department shall accept evaluations submitted by professional engineers and such other persons as meet the expertise established by this section or by rule unless the department has a reasonable scientific basis for questioning the accuracy or completeness of the evaluation.

(o) The department shall appoint a research review and advisory committee, which shall meet at least semiannually. The committee shall advise the department on directions for new research, review and rank proposals for research contracts, and review draft research reports and make comments. The committee is comprised of:

1. A representative of the State Surgeon General, or his or her designee.

2. A representative from the septic tank industry.

3. A representative from the home building industry.

4. A representative from an environmental interest group.

5. A representative from the State University System, from a department knowledgeable about onsite sewage treatment and disposal systems.

6. A professional engineer registered in this state who has work experience in onsite sewage treatment and disposal systems.

7. A representative from local government who is knowledgeable about domestic wastewater treatment.

8. A representative from the real estate profession.
9. A representative from the restaurant industry.
10. A consumer.

Members shall be appointed for a term of 3 years, with the appointments being staggered so that the terms of no more than four members expire in any one year. Members shall serve without remuneration, but are entitled to reimbursement for per diem and travel expenses as provided in s. 112.061.

(p) An application for an onsite sewage treatment and disposal system permit shall be completed in full, signed by the owner or the owner's authorized representative, or by a contractor licensed under chapter 489, and shall be accompanied by all required exhibits and fees. No specific documentation of property ownership shall be required as a prerequisite to the review of an application or the issuance of a permit. The issuance of a permit does not constitute determination by the department of property ownership.

(q) The department may not require any form of subdivision analysis of property by an owner, developer, or subdivider prior to submission of an application for an onsite sewage treatment and disposal system.

(r) Nothing in this section limits the power of a municipality or county to enforce other laws for the protection of the public health and safety.

(s) In the siting of onsite sewage treatment and disposal systems, including drainfields, shoulders, and slopes, guttering shall not be required on single-family residential dwelling units for systems located greater than 5 feet from the roof drip line of the house. If guttering is used on residential dwelling units, the downspouts shall be directed away from the drainfield.

(t) Notwithstanding the provisions of subparagraph (g)1., onsite sewage treatment and disposal systems located in floodways of the Suwannee and Aucilla Rivers must adhere to the following requirements:

1. The absorption surface of the drainfield shall not be subject to flooding based on 10-year flood elevations. Provided, however, for lots or parcels created by the subdivision of land in accordance with applicable local government regulations prior to January 17, 1990, if an applicant cannot construct a drainfield system with the absorption surface of the drainfield at an elevation equal to or above 10-year flood elevation, the department shall issue a permit for an onsite sewage treatment and disposal system within the 10-year floodplain of rivers, streams, and other bodies of flowing water if all of the following criteria are met:

a. The lot is at least one-half acre in size;

b. The bottom of the drainfield is at least 36 inches above the 2-year flood elevation; and

c. The applicant installs either: a waterless, incinerating, or organic waste composting toilet and a graywater system and drainfield in accordance with department rules; an aerobic treatment unit and drainfield in accordance with department rules; a system approved by the State Health Office that is capable of reducing effluent nitrate by at least 50 percent; or a system approved by the county health department pursuant to department rule other than a system using alternative drainfield materials. The United States Department of Agriculture Soil Conservation Service soil maps, State of Florida Water Management District data, and Federal Emergency Management Agency Flood Insurance maps are resources that shall be used to identify flood-prone areas.

2. The use of fill or mounding to elevate a drainfield system out of the 10-year floodplain of rivers, streams, or other bodies of flowing water shall not be permitted if such a system lies within a regulatory floodway of the Suwannee and Aucilla Rivers. In cases where the 10-year flood elevation does not

coincide with the boundaries of the regulatory floodway, the regulatory floodway will be considered for the purposes of this subsection to extend at a minimum to the 10-year flood elevation.

(u)1. The owner of an aerobic treatment unit system shall maintain a current maintenance service agreement with an aerobic treatment unit maintenance entity permitted by the department. The maintenance entity shall inspect each aerobic treatment unit system at least twice each year and shall report quarterly to the department on the number of aerobic treatment unit systems inspected and serviced. The reports may be submitted electronically.

2. The property owner of an owner-occupied, single-family residence may be approved and permitted by the department as a maintenance entity for his or her own aerobic treatment unit system upon written certification from the system manufacturer's approved representative that the property owner has received training on the proper installation and service of the system. The maintenance entity service agreement must conspicuously disclose that the property owner has the right to maintain his or her own system and is exempt from contractor registration requirements for performing construction, maintenance, or repairs on the system but is subject to all permitting requirements.

3. A septic tank contractor licensed under part III of chapter 489, if approved by the manufacturer, may not be denied access by the manufacturer to aerobic treatment unit system training or spare parts for maintenance entities. After the original warranty period, component parts for an aerobic treatment unit system may be replaced with parts that meet manufacturer's specifications but are manufactured by others. The maintenance entity shall maintain documentation of the substitute part's equivalency for 2 years and shall provide such documentation to the department upon request.

4. The owner of an aerobic treatment unit system shall obtain a system operating permit from the department and allow the department to inspect during reasonable hours each aerobic treatment unit system at least annually, and such inspection may include collection and analysis of system-effluent samples for performance criteria established by rule of the department.

(v) The department may require the submission of detailed system construction plans that are prepared by a professional engineer registered in this state. The department shall establish by rule criteria for determining when such a submission is required.

(w) Any permit issued and approved by the department for the installation, modification, or repair of an onsite sewage treatment and disposal system shall transfer with the title to the property in a real estate transaction. A title may not be encumbered at the time of transfer by new permit requirements by a governmental entity for an onsite sewage treatment and disposal system which differ from the permitting requirements in effect at the time the system was permitted, modified, or repaired. An inspection of a system may not be mandated by a governmental entity at the point of sale in a real estate transaction. This paragraph does not affect a septic tank phase-out deferral program implemented by a consolidated government as defined in s. 9, Art. VIII of the State Constitution (1885).

(x) A governmental entity, including a municipality, county, or statutorily created commission, may not require an engineer-designed performance-based treatment system, excluding a passive engineer-designed performance-based treatment system, before the completion of the Florida Onsite Sewage Nitrogen Reduction Strategies Project. This paragraph does not apply to a governmental entity, including a municipality, county, or statutorily created commission, which adopted a local law, ordinance, or regulation on or before January 31, 2012. Notwithstanding this paragraph, an engineer-designed performance-based treatment system may be used to meet the requirements of the variance review and advisory committee recommendations.

(y)1. An onsite sewage treatment and disposal system is not considered abandoned if the system is disconnected from a structure that was made unusable or destroyed following a disaster and if the

system was properly functioning at the time of disconnection and was not adversely affected by the disaster. The onsite sewage treatment and disposal system may be reconnected to a rebuilt structure if:

a. The reconnection of the system is to the same type of structure which contains the same number of bedrooms or fewer, if the square footage of the structure is less than or equal to 110 percent of the original square footage of the structure that existed before the disaster;

b. The system is not a sanitary nuisance; and

c. The system has not been altered without prior authorization.

2. An onsite sewage treatment and disposal system that serves a property that is foreclosed upon is not considered abandoned.

(z) If an onsite sewage treatment and disposal system permittee receives, relies upon, and undertakes construction of a system based upon a validly issued construction permit under rules applicable at the time of construction but a change to a rule occurs within 5 years after the approval of the system for construction but before the final approval of the system, the rules applicable and in effect at the time of construction approval apply at the time of final approval if fundamental site conditions have not changed between the time of construction approval and final approval.

(aa) An existing-system inspection or evaluation and assessment, or a modification, replacement, or upgrade of an onsite sewage treatment and disposal system is not required for a remodeling addition or modification to a single-family home if a bedroom is not added. However, a remodeling addition or modification to a single-family home may not cover any part of the existing system or encroach upon a required setback or the unobstructed area. To determine if a setback or the unobstructed area is impacted, the local health department shall review and verify a floor plan and site plan of the proposed remodeling addition or modification to the home submitted by a remodeler which shows the location of the system, including the distance of the remodeling addition or modification to the home from the onsite sewage treatment and disposal system. The local health department may visit the site or otherwise determine the best means of verifying the information submitted. A verification of the location of a system is not an inspection or evaluation and assessment of the system. The review and verification must be completed within 7 business days after receipt by the local health department of a floor plan and site plan. If the review and verification is not completed within such time, the remodeling addition or modification to the single-family home, for the purposes of this paragraph, is approved.

(5) ENFORCEMENT; RIGHT OF ENTRY; CITATIONS.—

(a) Department personnel who have reason to believe noncompliance exists, may at any reasonable time, enter the premises permitted under ss. 381.0065-381.0066, or the business premises of any septic tank contractor or master septic tank contractor registered under part III of chapter 489, or any premises that the department has reason to believe is being operated or maintained not in compliance, to determine compliance with the provisions of this section, part I of chapter 386, or part III of chapter 489 or rules or standards adopted under ss. 381.0065-381.0067, part I of chapter 386, or part III of chapter 489. As used in this paragraph, the term “premises” does not include a residence or private building. To gain entry to a residence or private building, the department must obtain permission from the owner or occupant or secure an inspection warrant from a court of competent jurisdiction.

(b)1. The department may issue citations that may contain an order of correction or an order to pay a fine, or both, for violations of ss. 381.0065-381.0067, part I of chapter 386, or part III of chapter 489 or the rules adopted by the department, when a violation of these sections or rules is enforceable by an administrative or civil remedy, or when a violation of these sections or rules is a misdemeanor of the second degree. A citation issued under ss. 381.0065-381.0067, part I of chapter 386, or part III of chapter 489 constitutes a notice of proposed agency action.

2. A citation must be in writing and must describe the particular nature of the violation, including specific reference to the provisions of law or rule allegedly violated.

3. The fines imposed by a citation issued by the department may not exceed $500 for each violation. Each day the violation exists constitutes a separate violation for which a citation may be issued.

4. The department shall inform the recipient, by written notice pursuant to ss. 120.569 and 120.57, of the right to an administrative hearing to contest the citation within 21 days after the date the citation is received. The citation must contain a conspicuous statement that if the recipient fails to pay the fine within the time allowed, or fails to appear to contest the citation after having requested a hearing, the recipient has waived the recipient's right to contest the citation and must pay an amount up to the maximum fine.

5. The department may reduce or waive the fine imposed by the citation. In determining whether to reduce or waive the fine, the department must consider the gravity of the violation, the person's attempts at correcting the violation, and the person's history of previous violations including violations for which enforcement actions were taken under ss. 381.0065-381.0067, part I of chapter 386, part III of chapter 489, or other provisions of law or rule.

6. Any person who willfully refuses to sign and accept a citation issued by the department commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

7. The department, pursuant to ss. 381.0065-381.0067, part I of chapter 386, or part III of chapter 489, shall deposit any fines it collects in the county health department trust fund for use in providing services specified in those sections.

8. This section provides an alternative means of enforcing ss. 381.0065-381.0067, part I of chapter 386, and part III of chapter 489. This section does not prohibit the department from enforcing ss. 381.0065-381.0067, part I of chapter 386, or part III of chapter 489, or its rules, by any other means. However, the department must elect to use only a single method of enforcement for each violation.

[1](6) LAND APPLICATION OF SEPTAGE PROHIBITED.—Effective June 30, 2016, the land application of septage from onsite sewage treatment and disposal systems is prohibited.

History.—ss. 1, 2, 3, 4, 5, 6, ch. 75-145; s. 72, ch. 77-147; s. 1, ch. 77-174; ss. 1, 2, ch. 77-308; s. 1, ch. 78-430; s. 1, ch. 79-45; s. 1, ch. 82-10; s. 37, ch. 83-218; ss. 43, 46, ch. 83-310; s. 1, ch. 84-119; s. 4, ch. 85-314; s. 5, ch. 86-220; s. 14, ch. 89-324; s. 26, ch. 91-297; ss. 1, 10, 11, ch. 93-151; s. 40, ch. 94-218; s. 352, ch. 94-356; s. 1033, ch. 95-148; ss. 1, 3, ch. 96-303; s. 116, ch. 96-410; s. 181, ch. 97-101; s. 21, ch. 97-237; s. 7, ch. 98-151; s. 2, ch. 98-420; s. 192, ch. 99-13; ss. 1, 7, ch. 99-395; s. 10, ch. 2000-242; s. 19, ch. 2001-62; s. 1, ch. 2001-234; s. 7, ch. 2004-350; s. 48, ch. 2005-2; s. 4, ch. 2006-68; s. 1, ch. 2008-215; s. 19, ch. 2008-240; s. 35, ch. 2010-205; s. 1, ch. 2010-283; s. 28, ch. 2011-4; s. 3, ch. 2012-13; s. 32, ch. 2012-184; s. 67, ch. 2013-15; s. 1, ch. 2013-79; s. 7, ch. 2013-193; s. 10, ch. 2013-213; ss. 50, 51, ch. 2015-222.

[1]**Note.**—

A. Section 50, ch. 2015-222, amended subsection (6) "[i]n order to implement Specific Appropriation 1633 of the 2015-2016 General Appropriations Act."

B. Section 51, ch. 2015-222, provides that "[t]he amendment made by this act to s. 381.0065(6), Florida Statutes, expires July 1, 2016, and the text of that subsection shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section." Effective July 1, 2016, subsection (6), as amended by s. 51, ch. 2015-222, will read:

(6) LAND APPLICATION OF SEPTAGE PROHIBITED. —Effective January 1, 2016, the land application of septage from onsite sewage treatment and disposal systems is prohibited.

Note.—Former s. 381.272.

Appendix C

MEMORANDUM

DCEH 13-004

DATE: July 3, 2013

TO: Bob Eadie, Administrator
Florida Department of Health in Monroe County
ATTN: Bill Brookman, Environmental Health Director

THROUGH: C. Meade Grigg, Deputy Secretary for Statewide Services

FROM: Patti Anderson, MSc, P.E., Chief, Bureau of Environmental Health

SUBJECT: Implementation of 2013 Legislation – Florida Keys

House Bill 375 and House Bill 7019 both amend s. 381.0065, Florida Statutes, in regards to the permitting standards for onsite sewage treatment and disposal systems in the Florida Keys. In addition HB 7019 contains language in regard to the extension of building permits and permits from FDEP that does not impact FDOH. The changes in 381.0065, FS, are:

1. Modification of the Total Nitrogen standard to recognize a 70 percent reduction is considered to be in compliance with the 10 mg/L standard recognizing that such systems are certified by the National Sanitation Foundation to a specific percent reduction not a numeric standard.

2. There are no changes to the standards in areas not scheduled to be sewered by December 31, 2015. All systems in those areas must comply with Department rules and provide the appropriate level of treatment by that date. New systems and systems being repaired or modified must meet standards in s. 381.0065(4)(l)2., F.S. Any action requiring your review and approval triggers the requirement to upgrade the existing system to this standard.

3. In areas scheduled to be sewered by December 31, 2015, if the property owner has paid a connection or assessment fee, you may permit a stationary holding tank or a conventional system with a sand lined drainfield or injection well using the current standards in Part II, Chapter 64E-6, FAC. The owner must provide you documentation from the appropriate sewer utility of the scheduled connection date and payment of the connection or assessment fee. The minimum capacity holding tank is 900 gallons. A high water alarm is required. Portable holding tanks cannot be used.

4. Owners whose nitrogen reduction system was installed after July 1, 2010, in unincorporated Monroe County, excluding special districts (Key Largo Waste Water Utility), that complies with standards in s. 381.0065(4)(l)2., F.S., are not required to connect to central sewer until December 31, 2020.

Please note that HB 375 also has changes that impact the statewide management of aerobic treatment units and performance based treatment systems. Those changes are addressed in a separate memorandum. Please provide a copy of this memorandum to contractors working in your county. If you have any questions, please contact Gerald Briggs at (850) 245-4070.

Appendix D

D. Stakeholder Ideas and Perspectives on Workforce Housing

Over 75 persons participated in the interviews and meetings and identified a range of workforce housing issues. Below is a compilation summary of the input received from individuals representing different sectors (public, private and non-profit) and residing in different parts of Monroe County.

1. County Government- Ideas and Perspectives

Build on affordable housing work to date

- We need to understand and build on what's been learned from various task forces and studies and apply to the current workforce housing situation in the Keys. Review what incentives are in ordinances and how have they worked. How do we retool to work better. What about inclusionary zoning? What about density bonuses and density waivers? What they are how they work. How to retool to work better. What doesn't work.
- Come up to speed on what was done previously so we know where things were when walked away.

No silver bullet, no easy fix

- We need a balanced menu of options. Acknowledge the broad range of different of solution and levels of housing.
- There is no easy fix, no one way to handle this problem.

Workforce Housing Shortages

- We are short over 6000 units and under ROGO we will get 700 over the next 10 years. That does not come close to solving the problem.
- The Affordable Housing Committee should focus initially on workforce.
- We are short 6,800 units of work- force housing. This is a crisis and housing is the most expensive item on the County's list.
- Housing affordability in the Keys includes insurance, the cost of food and the cost of daycare as well as housing.

Rental workforce housing focus

- Our most critical need is in lower income and service ranges and we should focus especially on rentals for this segment of the workforce.
- 98% of the residents of county-run public housing is workforce housing for working individuals (with the exception of the elderly and disabled). Rent is capped to 30% of household income and the remaining amount is subsidized.

Windstorm and Flood Insurance Rates

- The current windstorm and flood insurance situation is huge affecting all residents not just lower income.
- If you can't pay cash, you need insurance to secure a bank loan.
- FIRM- Fair insurance rates for Monroe- is engaged in grass roots advocacy work.
- The Federally subsidized program flood insurance program was amended and will set a new basis for Florida insurance rates, setting the stage for immediate dramatic increases flood insurance rates for both residential and commercial properties.

County growth management and affordable housing.

- Should affordable housing be part of the County growth management function

which is built more to slow growth or placed elsewhere with good staff support to allow it to be more active in identifying parcels and developers in getting the job done?

Empower and support the Affordable Housing Committee

- The Committee needs to consider a menu of recommended consensus workforce housing solutions as a package for the County Commission to consider and implement.

Protect and support the Committee's affordable housing staff.

- In the past considering the complex incentives and transactions for developers to build affordable housing has opened staff to attack by those opposing development in general. It has been a very public and vitriolic situation where staff have been personally attacked.

Site Identification.

- We should identify every piece of county property that is vacant, demolished, big enough for affordable housing and zoned properly.

Preserve and maintain affordable units.

- We've lost some affordable housing that was bought at low rates and sold at market rate and restrictions were ignored. We have to pay attention so games are not played with this and we lose these units.

Mixed Use.

- We should encourage this but it has not caught on except in Key West.
- We should explore mixed use and mixed income levels vs. low income property projects makes for better self policing and safer and more livable communities.
- The only exception to this is tax credit properties where everyone is low income with no one is over 60% AMI.

Address Management on Tax Credit Properties after 15 years.

- For the first 15 years, the developer is liable and responsible to maintain the tax credits and the housing. After the 15th year property management tends to deteriorate as less cash is devoted to upkeep.

Consider allowing Land Authority bed tax funds for construction.

- Currently they can only use the funding for land acquisition.
- Consider changing the Tourist Development Council (TDC) law to allow those dollars to be used for affordable housing development.

Height Restrictions.

- Should be open to relaxing this where this could produce more workforce housing.
- Consider handling this on a site specific basis.
- There are areas in town where building higher would not block views. The City of Key West would have the capacity to implement this although it would first have to be approved by referendum.

Explore Micro Housing.

- This is being implemented in cities such as New York. It might be applied in cities in the Keys to cut down on the commute time.
- Note that 1–bedroom units are the shortest in supply for the public housing and tend to be occupied longer, usually by elderly and disabled.

Enforce Housing Codes.

- Enforce housing codes in terms of illegal multiple occupancy.

ROGO

- ROGO allocation system for permits early on effectively eliminated affordable housing construction. Three things need to come together for successful workforce housing: funding, available land and allocations. However these have not coincided. Years ago funding was available but land and allocation were not.

Hospitality Industry and Workforce Housing.

- The industry should step up and participate in efforts to provide more affordable workforce housing. Some are, others should.
- Some wonder why County taxes would be used to subsidize the hotels' workforce housing. Hotels should do more.
- We should collect data on what hoteliers are doing in providing workforce housing for their employees.

Local Dedicated Funding Source.

- We need a local dedicated funding source (sales tax, "sin" tax, etc.) that can support the construction of workforce housing not just land acquisition.

Address Sadowski Trust Fund Donor Inequity.

- Monroe County contributes 60% and gets back 8%. This should be addressed when funding resumes.

AddressNIMBY

- Historically there has been community reactions to the old low income projects. This may continue to be an issue.

Related Affordability Issues

- Insurance and Day Care can figure in challenges for workers in terms of costs on tight family budgets.
- Many work 2-3 service jobs to be able to afford housing and other costs such as food.
- The "situationally" homeless are part of the workforce housing puzzle in Monroe County.

Hurricanes and Workforce Housing.

- In the last hurricanes in the Keys transportation from Miami stopped and restaurant and lodging businesses in the Upper Keys had to shut their doors for lack of employees.

2. Municipal Government- Ideas and Perspectives

Target the Levels of Workforce to Serve

- We need to define more clearly what kind(s) of workforce housing we want for the community. Hourly wage earners may always be renters in the Florida Keys. There is a shortage of decent, reasonably priced, available housing, especially one-bedroom rentals.

Engage Employers

- We need the businesses in Monroe County with the different types of employees (hourly, salaried) to be at the table and part of the solution. Hotels have the highest occupancy rate and the most profits of any place in the country. They have begun to help with workforce housing and they should continue to do

more.

Vacation rentals

- We need to address this challenging issue and its impact on workforce housing in the current marketplace.

Height restrictions

- Ease height restrictions where there aren't view issues to allow for more workforce housing.

Mixed use.

- Seek more mixed uses with the school board and other public properties.

Land Acquisition

- Focus land acquisition on workforce housing properties.

Focus on Redevelopment

- Key West is nearing build out and most construction is redevelopment and remodeling.

Loss of Deed Restrictions

- Address and audit the Loss of Deed Restrictions. ("Of the total 1,089 affordable units, 223 are expected to have their deed restrictions expire, or have expired by the end of 2015." *(See Appendix #6).*

"No net loss" of existing workforce housing

- Amend the Comprehensive Plan's housing element so that future development will result in "no net loss" of existing workforce/affordable rental housing for households earning 80% or less than the area mean income.

High land values limit tax credit funded affordable units

- Difficult to both finance and construct units at any level except at the 60% of median through heavily subsidized tax credit funding. Lack of reasonably priced land has meant few of these projects have been built.
- In the City of Key West, its annual allocation of 91 affordable housing BPAS units.

Re-purpose land owned by local government

- Land owned by the county should be re-purposed for affordable and workforce housing.

Consider additional funding sources

- A tax on every alcoholic beverage sold or a 1% real estate transfer tax could generate funding for workforce housing. Relying upon the Land Authority funds won't be enough.

Development Plan and Funding for Workforce Housing

- We need to figure out how to put the land authority/Housing Authority and bed tax money together and form development plan for affordable housing.

ROGO AH Allocations

- Each year in City of Key West there are 90 affordable housing ROGO allocations with the City able to borrow up to 10 years ahead to create more affordable housing.
- Focus all tier-3 properties on workforce housing if it doesn't raise a property rights issue.

Adopt lease form

- Cities should consider adopting a lease form with the public sector owning the

underlying land.

Support non-profits and their work on affordable and workforce housing

- Provide funding for nonprofit affordable housing entities.

3. State Government- Ideas and Perspectives

FFHC Set Aside for Monroe County

- Work to preserve the Monroe County set aside Florida Finance Housing Corporation competitive applications for affordable housing tax credit

Sadowski Fund

- Sadowski Fund affordable housing funding has not been available for affordable housing since 2006. Work to bring that funding back.

Tourist Development Tax and Workforce Housing

- Tourist Development Tax should support the building of workforce housing. Funds go to the Monroe County Land Authority ($4 million) and Key West ($8 million).
- Consider changing the tourism bed tax statute to allow for supporting the construction of workforce housing.

Combination of Issues

- In the Keys need to consider four factors: hurricane evacuation; environmental protection of land and species; affordable housing; and water supply.
- During the economic downturn there was less interest in building AH.

Rising Rents

- Rising rents represent a big challenge for workforce housing and strategies to address this should be considered.

NIMBY issues and Workforce Housing

- Monroe County needs to address the NIMBY issue that is a barrier to workforce housing.

Protect Navy Noise and Crash Zone but look for workforce housing opportunities

- Work with the Navy to protect noise and crash zones while looking for opportunities to build workforce housing.

Support Deed Restrictions

- Support the use of 99 year leases for $1- Affordable forever.
- Assess current state of enforcement of deed restricted land and work to extend leases to 99 years.

Identify and Aggregate Workforce Housing Parcels

- More could be done to identify parcels of land and aggregate them and analyze opportunities for workforce housing on surplus lands.
- There may be opportunities for duplexes and quadaplexes on scarified small lots for rental units.

Height Restrictions

- Consider relaxing height restrictions especially in the center of the islands with existing tall buildings. This would provide additional workforce housing

FEMA Flood Maps

- Address the impacts of the new FEMA flood maps on Monroe County and workforce housing.

Homeless

- Homeless are an important issue to address in a tourist economy. How many of the homeless are there because of lack of affordable housing in the Keys?

ROGO System

- ROGO system has evolved and the modeling is scientifically and statistically defensible in terms of hurricane evacuation time.
- There are affordable housing ROGOs that have not been used.
- The most recent annual travel study that shows how long takes to get over the 22 segments of the U.S. 1 highway, indicates a segment starting to fail in Islamorada.

Engage the Hotel and Hospitality Industry

- Hoteliers should be more engaged in the workforce housing discussion. Convened a recent meeting for hoteliers in Islamorada to discuss this issue and only 3 came.

Enforcement of Housing Ordinances

- Need to address and enforce the ordinances regarding unlawful modifications of homes and overcrowding of residences.

Mobile Homes and RV Parks and Workforce Housing

- Need to address the question of the role of mobile/RV parks in supplying workforce housing and the impact of conversions of these parks on availability of affordable housing.

4. Education Sector Ideas and Perspectives

Target the kind of housing needed

- Education has the same levels of workforce housing needs as other sectors.
- Have to focus on the target population in terms of addressing gaps in workforce housing, e.g. Teachers, support and administrative staff, service industry workers, etc.

Partnerships for workforce housing

- Interested and exploring partnerships for workforce housing development on school board owned property.

Recruitment and Retention

- Recruiting and retaining teachers and professors in the Keys is a very challenging problem due to the relatively high cost of housing.
- Retention continues to be a problem and accessible and affordable workforce housing is part of it. There is a huge organizational cost to retrain.

Student Enrollment Stable

- The current context in terms of student enrollment is stable but not increasing, having decreased during the economic downturn.

Single vs. Family Teachers

- "We have lot of young employees with over 70 new teachers." Young single teachers may rent space with roommate(s), but teachers with family is another matter as there is very little family friendly workforce housing.
- Many teachers in Upper Keys commute to Miami Dade vs. secure housing in

Monroe County.

- In Key West and the lower keys, the property values are the highest and present a challenge for young teachers and teachers with families.

Involve the Public School System at the Workforce Housing Table

- Since the Public School system one of the larger employers in the County in terms of teachers, support and administrative staff, there should be place at a workforce housing table for this perspective.

Increasing reliability of teacher housing needs data

- The School system is working on improving the reliability of their data and its collection related to employee housing needs.

Public private partnerships

- Encourage and support public private partnerships as part of the workforce housing solution.

5. Development Stakeholder Ideas and Perspectives

Development Constraints

- The critical areas of state concern and environmental issues constrain the available land for workforce housing.
- The cost of labor and insurance is climbing so incentives for workforce housing will be an important stimulus.

Authorize Land Authority to Build Workforce Housing

- Fund the Monroe County Housing Authority or other similar successful organizations to build workforce housing.

Convert public land for workforce housing

- The school board and the city may have large tracts that can be converted for workforce housing.
- Need to use infrastructure $$ making land improvements for property we should own- RFPs for developers.

Tax credit housing and workforce

- Meridian West- 102 units for very low income. It has the lowest turnover of any very low-income housing project in Florida with 3 bedroom apartment renting for around $1100. The very low and low income are the best served in terms of affordable housing of the workforce population. Workforce housing is where the gaps are.

Livability and Affordability

- Tax credit developers- Designed for good purpose but because of bureaucratic overhead, can only do large scale projects that may look out of place and unattractive to the people living in and nearby the units/development.
- Livability ideas are secondary with landscaping and signage not given a high priority. Need to consider "livability" not just tax credits and affordability when building workforce housing.
- Scale is an issue here with smaller projects there is a greater chance of empowering residents to maintain their homes. The larger projects have ongoing maintenance and management costs

Address Spectrum of Workers and Housing Needs

- Have to clarify what workers want and need in terms of housing. What is the real need? Employees from Eastern Europe- Hawks Cay- Vast majority of employees- 6 months at a time. Is sharing an apartment for these workers a bad idea?
- What portion of staff/employers made up of transient migrant workers? What are their needs? How many are working in City of Key West and where can their housing needs be best addressed? What role might dormitories play?

Incentives for smaller unit projects

- Consider providing incentives for more smaller unit projects that will be more livable. The tax credit resource funding for this doesn't practically work below 20-25 units because of costs.
- Provide incentives for small apartment complexes, not big units, e.g. develop 10-20 units with multiple occupancy.
- They can be nicely done dorm style with shared kitchen consistent with character, built to code and also preserve green space.

Hotels re-openings and workforce housing impacts

- May not be new hotels coming on but those that were shut down are reopening. We need to be careful about what that means in terms of housing demand. There may not be growth in the population going forward.

Workforce Housing and Live Aboard Boats

- What are the City of Key West statistics on Mooring Fields. There may be more than 120 boats in mooring fields providing affordable housing. How many boats are there for a short or longer time? How many are providing workforce housing? What is the quality?

Addressing Trailer and RV Parks as Workforce Housing

- What role do existing trailer and RV parks play in affordable workforce housing in Monroe County?
- What has been the enforcement experience with the 30% rule in converting trailer parks in the County?

Waive building permit fees

- Have local governments waive building permit fees for affordable and workforce housing projects.

Political will

- Is there the political will to implement workforce housing solutions?
- There has been at times, for example the last Workforce Housing Task Force in 2007 had some of it recommendation implemented.

Encourage mixed use

- We should be encouraging mixed use in central areas throughout the Keys.

Consider greater use of an inclusionary affordable housing fee

- The County should set a fee for inclusionary housing such as the $40,000 per inclusionary housing credit that Marathon is proposing. This fee would be paid to the Monroe County Housing Authority in an affordable housing trust fund to be distributed to those who actually build affordable housing. This would create a subsidy paid from new market rate or transient (hotel) projects to be distributed to those who actually build the affordable housing.

- To assure the housing is built and completed, the subsidy would not be funded until the certificates of occupancy for the affordable housing are issued.
- This type of commitment would incentivize those who are willing to build affordable housing, and the funds would come from those building the projects that require inclusionary housing without the market rate developer from having to use some of his/her market rate allocations on affordable housing.
- All transient unit development and re-development should require inclusionary affordable housing ordinance, or impact fee assessment.

Increase density and height

- With limited lands on which to build affordable housing, increase the density and height (e.g. 40 feet vs. 35 feet) for affordable housing to make this feasible.
- Increased density in appropriate zoning districts within commercial areas to facilitate workforce housing.
- Increase height in appropriate areas.
- Build up! Build new! Much of the KWHA properties are old, ugly, small and inefficiently sparse. Density needs to increase.

Increase the capacity of highways

- To increase ROGO allocation work together to secure funding to increase the capacity of highways.

Review city and county owned lands for use as workforce housing

- Identify all city and county owned lands for workforce housing that do not present environmental issues and utilize for workforce housing.

Develop a workforce housing 10-year strategic plan.

- Look for early successes in the first 3-5 years in adjusting regulations. Set a goal of cutting the gap in workforce housing by 50%.
- The approach to "renter vs. ownership" should be "both/and."

Address the 2018 FEMA changes

- We need to prepare in required elevations (AE 7 becomes 9) and 60% of houses will be in jeopardy making them harder to resale or rebuild.

Surplus land

- The County and Cities should inventory surplus land and identify land that can be used for workforce housing.
- Lift the cap on the number of credits, keep construction costs per unit low ($25,000)
- Consider additional sales subsidy to help deals that are short.

Identify and Aggregate Parcels of Public Land

- County and the Cities haven't done enough to identify parcels of land and aggregate them. We need to do more surplus land analysis.

Additional density for workforce housing

- We have to be creative. We should consider giving additional density to developers who are constructing a workforce community/development with a couple market rate units.

Add commercial development and redevelopment

- Based on employees and square feet (use industry standards and sales tax codes) for an impact fee assessment.

ROGO Transfers

- Implement a ROGO transfer ordinance whereby a market rate unit may be dislodged if an affordable unit replaces the dislodged market rate.
- Issue no market rate ROGO units for multi-unit development projects, instead, issue "affordables" and require developers to take the affordable units and deed restrict existing market rate properties and then dislodge the market rate for use elsewhere as their market rates.

Buy Down Interest Rates for Workforce Housing Projects

- Use land authority money or impact fees to buy down interest rates for development costs for work force housing projects.

Cut Taxing Rates on Workforce Housing

- Legislation to cut taxing rates on affordable and workforce housing.

Commercial Properties for Workforce Housing

- Give commercial properties that are used for workforce housing rental the same tax and insurance (flood) breaks as primary homestead properties.

6. Lodging, Hospitality and Tourist Development-- Ideas and Perspectives

The Hospitality Economy

- Hospitality represents 80% of the economic activity in the Keys. Its workforce is very transient and generally looking to rent not purchase.

Lodging Industry and Workforce Housing

- Lodging industry may be only industry in the Keys that is trying to address workforce housing for new properties. For example the Westin in Key West has 75 units set aside housing 105 people from managers to cooks.

Marketing and the Keys

- Focusing on creating a year round destination with success in Key West. Spreading the marketing effort out over the year to increase visits and occupancy in the off season and slow season. Colorado recently decided it had marketed sufficiently and moved to disband their statewide marketing effort. The next season resulted in a big drop in tourism. Tourism remains the key part of the Key's economy.

Importance of continuing to market the Keys

- Colorado experience in cutting budget for statewide marketing led to big drop in the tourism economy.

Environmental Land Acquisition vs. Affordable Housing

- With the years in which funding was put towards environmentally land acquisition, relatively little was invested affordable housing. What is a smart split between the 2 purposes?

Transportation and the Keys.

- The transit service from Miami-Dade to Marathon and north in the Upper Keys is currently funded by the Dade County local transit ½ penny, state and federal dollars but no Monroe County support for the transit service.
- As job opportunities grow in Miami Dade, what impact will this have on the supply of lodging industry and related tourist industry employees in the Upper Keys? "Getting on bus at Walmart in Florida City to go south for work, the

question for workers is How available is work, where and how much does it pay."

- Homestead and Florida City provide high densities of immigrant populations which housing in Monroe County does not offer.
- Hotels in the Upper Keys are interested in working with Monroe and Dade Counties in finding a solution to sustaining and improving the transit service that provides lodging and hospitality works from Marathon and north. Some hotels are supplementing the bus routes with their own busses.
- We need better transit in the lower Keys to support the workforce transportation needs.
- Better public transportation in the lower keys. Reliability and cost of public transportation options to deal with fact that more affordable housing is further away from jobs.
- Need reliable transit from workforce housing to work especially with parking issues in Key West. Alternatives such as biking and scooters are not practical given weather. Consider using smaller and more transit vehicles in the Key West area.

Employee turnover

- Person dependent industries cannot outsource jobs. Need to find ways to reduce employee turnover which often relates to housing/rental costs.

Vacation rentals and Preserving Affordable Units

- This is a large problem throughout the Keys impacting the supply of workforce housing. However it may be that many are above the workforce housing price range.
- More important than building new workforce housing is how can we maintain what is affordable for the median income workers. During the downturn property values went down while rentals went up. Workforce housing is primarily the rental housing market. Consider whether there might be restrictions or new regulations creating some disincentives for converting units to vacation rentals.

Online Vacation Rentals Marketplace

- Address the online market place for vacation rentals that connects users with property to rent with users looking to rent the space(e.g. AirBnB) and its impact on bed tax revenue
- Also, related to this is the new addition of Air B&B and lack of regulation and enforcement. This raises safety issues as well as the "free ride" by not paying the bed tax. It may be much easier to rent through this approach than to a workforce tenant.

Help Workforce Renters

- Consider providing down payment/deposit assistance.

Hospitality Industry Data

- Hotels have been reluctant to share data on workforce housing as some is tied to employment contracts and privacy concerns.

Disseminating Workforce Housing Information

- We need more effective affordable housing information that is available to workers.

Height restrictions

- Can build more rental units on both 2nd and 3rd floors with first floor commercial in the lower Keys if the height restrictions are eased. For example consider strip malls with the upper level dedicated to housing.

Public Property

- County and Cities may be the biggest land owners and should identify public property with buildings that might be torn down to build housing.

Balance environmentally land acquisition with affordable housing

- investment. Historically, nothing or little has been allocated towards AH effort. What is a smart split between the 2 purposes.

NIMBYism ("Not in my back yard")

- Lodging industry did general marketing efforts focusing on nurses and police and workforce housing which helped. However, there continues to be a lack of creating new workforce housing.
- Give Land Authority the ability to devote some of the bed tax funding to purchase workforce housing.

Retention and the High Cost of Housing

- Tourist Development Council data shows that 94% of those leaving the County are leaving because of high cost of living and housing.

Rents going up

- While land values dropped down during the recession, rentals went up as many owners faced with increases in wind storm and flood insurance and property taxes passed these on to tourism workers.

7. Business Sector including Real Estate

Island economy and community

- Housing has always presented a dilemma and changes in an island community and economy. 100 years ago the cigar manufacturers had to address this.
- We have a dynamically changing environment with a finite piece of real estate and nothing else to fall back on. Over the past 15 years, credit should be given for successfully putting together affordable housing units in the face of regulatory and NIMBY hurdles, but we are still far short of bridging the gap and meeting the demand.
- "Checks and land" can solve the workforce housing problem.

Clarify our workforce targets for housing

- It is not clear what kind of workforce and housing are we seeking to provide? Hotel, motel, restaurant or managers- each with a different set of problems.
- We don't know anymore what the community needs. Do we need single residential occupancy for 500 guest workers in Key West? Probably not.
- We may not have an analytical feel for what we need in terms of workforce housing throughout the Keys.

Impact on community of transient workforce

- What are we doing to the cultural makeup of the community with a transient workforce? Children grow up and move to less expensive places instead of making Monroe County their home.

- Biggest concern is the character and flavor of Monroe county may be going away and losing our foundation. The next generation shrinking.

Wind and flood insurance

- Rising insurance costs are compounding the housing problem- driving rents up beyond affordability.

Political will

- We will need the political will to make changes to bridge the gap of workforce housing
- Previous Task Forces on affordable housing have been very difficult and challenging to serve on in terms of pleasing the elected leaders and citizens.
- Do we have the political will to continue grappling with this problem and implementing solutions? Is the problem only a shortage of affordable units suitable for workforce housing?
- We have opportunities but do we have the political will to get this done? There's too much, "I've got mine," in the community. How many of our elected leaders works or owns a business?

Land trusts as a tool

- The Bahama Land Trust debacle has made serious discussion of land trusts as part of the tool kit very difficult.

Prioritize units over "money in lieu of"

- Is it even possible to prevent gentrification on island that is 2X3 square miles? Don't look for $$ in lieu of as we need units.

Hold off major changes to workforce housing pending the Affordable Housing Committee's work

- The County appears to be getting ready to change income limitations to target working households at the middle level. Hold off implementing changes until we have reinstituted and charged the Affordable Housing Committee.

Permit Bed Tax to support purchase/building of workforce housing

- Change the law to allow purchase and building of workforce housing. Put it where people can get to work.

8. Non-Profit Sector Ideas and Perspectives

Living wages

- Affordable housing programs for low income earners range from 80 to 140 % of AMI, yet real wages for career type workers are closer to 60% AMI.
- Employers in Monroe County are not expected to pay a living wage. The wealth created in our tourist economy depends upon low wage, high turnover, and low skill employees.

Limited housing supply and investment wealth

- The outside wealth that purchases a second home or invests in real estate in the Keys drives up the asking and selling prices for all properties where the dynamic of a limited supply of land and great wealth seeking investment churns on constantly. This dynamic is shared with other resort locations. The compromises workers make then is to work several jobs and/or to live in substandard housing or to leave.

- We need to get more citizens of Monroe County invested in the future of this place.

ROGO and affordable housing

- The measured gap between the number of units needed and the available ROGOs demonstrates the futility of trying to build our way out of the crisis. The negotiations with DEO provide affordable housing units for the next 20 years within the frame work of evacuation limits. These new affordable units are critical but will not solve the need.
- The operative assumption for allowing more density for certain types of affordable housing is that all of the types of ROGOs are not necessarily equal. Consider assigning a ROGO value of less than one unit for affordable homes less than 600 square feet or so. The Comprehensive Plan, the DEO, and evacuation models can be examined for alternative methods to allow more density for affordable units that are smaller.
- The second home owners who are not necessarily in residence during the hurricane evacuation season is an example of units counted against evacuation times where the actual impact may not exist. The number of homes that are vacant in Monroe County due to second home ownership has been noted in several studies
- The Area of State Critical Concern uses the dwelling unit as its basic unit of control. The management of and regulation of all home types will become critical to assessing evacuation time. Monroe County should audit all housing types and create an inventory detailing the status of each ROGO. Benefits from an audit would include identifying flood prone structures, uninhabitable units, illegal units, etc.
- Change ROGO to square footage.

Affordable housing has not been protected

- When government has granted greater densities or used inclusionary zoning it has not always registered, audited or tracked compliance to ensure the permanency of these precious units. Deed restrictions were not monitored.
- The temptation to convert affordable units into market rate units, rental or ownership, is too great and with little penalty or notice.

Affordable housing "lost units"

- The community has a strong common interest in protecting those affordable units it has lost after subsidizing or underwriting their creation. If the will were to exist, these "lost "units could be investigated and the current owner asked to revert them to affordable status. Liens and other mechanisms exist to "take" on the public's behalf what was not proper to convert in the first place.

Redevelopment and inclusionary zoning

- Inclusionary zoning as a government policy has been in place for new development. It is time to explore requiring affordable housing units from redevelopment projects.

Lower and Middle Keys different workforce housing issues

- The lower and middle keys have different issues and solutions from the upper keys where day labor bused in from the mainland can assist in the workforce. But the market dynamics are found in common through all of the keys.

Funding inequity

- A strong argument can be made to correct the inequity of the donor/recipient that exists, based on the $6 million a year that Monroe County gives to The Sadowski Housing Trust Fund every year compared to the pittance of $300,000 in SHIP funds returned this year and in the past.

Transportation

- Lack of transportation infrastructure makes workforce housing more problematic.

New workforce housing partnerships needed

- Many differing approaches in scope and scale will be required with various partnerships between government, private, for profit and nonprofit developers.

Affordable yet substandard housing

- Rental housing that costs less than $900 a month, regardless of size or condition, is termed affordable despite being unsafe or substandard or very small.

Political will

- The political will to make real changes in policies, incentives, regulations and to commit resources remains to be sustained.

Don't repeat studies, focus on action

- The comprehensive studies, recommendations and published works on the topic do not need to be repeated. The metrics of this problem are well known and documented. The dynamics and facts have changed little over the years: outside wealth creates seasonal homes that are not available; the profit generated from transient units puts pressure on dense mobile home and RV parks; tourist industry wages are low, turnover is high, landlords can rent substandard units due to high demand for any type of housing, etc.

Other related issues

- While workforce housing is the focus of the moment, there are important related issues of food insecurity, education, child care for employees are critical to the workforce housing discussion.
- While addressing workforce housing, we should address homelessness (and the growing youth % of this population) and help with the path back to working for families.
- Where will the employees of the new lodging establishments be housed?
- There has been a huge uptick in the demand at food pantries across the County and not just among homeless people but with working families still in homes. 47% of families countywide with kids under 18 are eligible for reduced lunch. Of this population, 46% are minorities. Lack of affordable workforce housing has led to food insecurity. If we didn't have a housing problem we wouldn't have a food security issue.
- Many elected leaders are not aware of the childcare challenges faced by those working and living in the Keys. Those who haven't raised family here are not aware of the lack of child care options and its impact on the work force.
- If we can't control housing costs for working families, all other costs such as childcare, food prices, etc. are related and compounded.

Expand the Keys Economy.

- We need to think outside the box and expand our efforts to build a future Keys

economy beyond tourism.

- We need all parts of the demographic in Monroe County.

9. Military Sector Ideas and Perspectives

Recruitment and retention

- Workforce housing affects the recruitment and retention. The housing set aside for the base workforce has a long wait list. Housing is the #1 issue for their civilian workforce. There is not a week where the Commander is not involved in a family housing issue.

Communication and coordination

- In terms of the Naval Air Station lines of communication and coordination have been improved with the Commander now the point of contact for coordination.

Presence in the community

- In terms of presence in Monroe County, there are roughly 1600 military (including Coast Guard), 1000 civilians and 400 contractors or about 3000 employees and about 5500 including families, spouses and dependents.

Evacuation procedures

- In terms of evacuation, the Commanding Officer implements the recommendations of the County Emergency Manager and will close the base and issue evacuation orders for military personnel. Civilian workers are urged to evacuate and are provided travel orders and funds to evacuate. The 550 RV units in the Naval Air Station campgrounds evacuated first.

Need for buffer areas and workforce housing

- In terms of searching for solutions to locating workforce housing in Key West, the Naval Air Station strives to protect public health and welfare and its mission by keeping buffer areas separate without housing in the high noise of unsafe areas surrounding the base.
- The Naval Air Station does not get directly involved in growth issues such as density and intensity unless it directly impacts the buffer areas. Only exception to this was their support for the widening of the 18-mile stretch of US 1.
- General concern with the impact of vacation rentals on the supply of workforce rental housing for the over 5,500 Base employees and their families, spouses and dependents.

1. WHAT ARE THE MOST IMPORTANT ISSUES AFFECTING MONROE COUNTY'S WORKFORCE HOUSING?

What is working well?

- The 100-year deed restriction.
- Consideration of workforce housing.
- Collection of affordable housing (in-line) fees.
- When funded, Sadowski.
- Florida housing finance Corporation funding. Monroe County 40 funding. Key West housing authority and Munroe County Housing Authority's management of government owned apartments.
- Tax-credit housing has made gains recently, particularly in the Upper Keys. Building has slowed over the past several years and presently is proceeding but only at a moderate rate.
- Land Authority – somewhat.
- PPP's (public private partnerships)
- Our park provides for visitors accommodation and tourist revenues.
- Habitat does well because they use partnerships and provide permanent housing.
- Habitat for humanity.
- Gorman developments in Upper Keys.
- New projects on Stock Island.
- Habitat for humanity-- he is one of the leading builders and renters of homes. They need more assistance from government to provide land to build.
- Not enough information to know.
- Not much, if anything.
- Nothing.
- Nothing!

What's not?

- Confusion on definitions.
- Financing, high costs
- Cost of insurance.
- Set up funds for new construction, first time home buyers.
- Sadowski fund--replenished for Monroe County.
- Sadowski Act funding.
- Lack of incentives for building affordable housing.
- More work, fewer people to do it,
- Workforce/affordable housing programs do not cover the full range of individuals struggling to afford to live and work in the Keys.
- Insufficient collaboration and comprehensive county wide planning.
- I don't see a strategic plan all encompassing of all entities. This confusing topic must be simplified, and can be.
- We need to figure out how to put the land authority/Housing Authority and bed tax money together and form development plan for affordable housing.
- Workforce housing is not affordable for working people.

- Availability of housing to reduce out of pocket rental cost to less than 20% salary. Personally I am being priced out of housing as I do not qualify for affordable housing. My rent went up $350 in the past three years with 10 pay raises to offset.
- Tourism/service jobs with low salaries. Wages insufficient for high cost of living.
- Not enough housing.
- Lack of availability.
- Buildable land for affordable housing.
- More second-home owners eating up properties.
- Limitations with non-tier 3 land
- Regulations, density, height.
- Length of permitting time,
- State housing allocations, land development,
- Legislation to cut taxing rates on affordable housing.
- Connection with job creators and requirements for housing.
- Many affordable units historically approved had short-term (20 years) deed restrictions that are now expiring.
- Prior developers have not developed workforce housing as required.
- Housing for new businesses which require numerous employees. Identifying property to locate workforce housing and providing incentives to builders. Always being, as we are now, lagging behind the need.
- Landlords are having to raise their rent as they incur more costs for their properties through tax increases, sewer, etc.
- Needs to be split between rental and home ownership. Not a one-size-fits-all solution.
- Availability of rentals.
- HGTV.
- Affordable housing advisory committee,

2. WHAT DO YOU BELIEVE THE FUTURE HOLD FOR WORKFORCE HOUSING IN MONROE COUNTY?

What are the future challenges that need to be addressed?

- Affordable housing allocations.
- Limited land/permitting.
- Difficulty to get permits.
- Finding a formula that functions as a continuum. One size fits all will not work.
- Lack of land on which to build housing.
- Land acquisition. There are less vacant buildable lots available each year. The market rate applications/construction is increasing rapidly.
- Height ordinances
- Higher cost for rental properties, wind and flood insurance, plus higher taxes.
- Funding to offset housing costs.
- County requirements to match funding sources (HUD).
- Lack of funds to subsidize or offer incentives.

- Changing state legislation to Land Authority and Housing Authority money to be used for workforce housing. Using our bed tax money for workforce housing.
- Much of our current affordable housing is aging and not up to par for hurricanes which could lead to a future loss of workforce housing.
- Ways to bring in new workforce housing for those at the top of the wage spectrum.
- Environmental regulations often "trump" the ability to build.
- Rising sea levels.
- Insurance rates,
- Tax rates,
- The same as the past 15 years.
- Focus! We need heads down, rolled up sleeves, and accountability! Distinct set aside time and deliverables.

What are the future opportunities that should be leveraged?

- Funding is increasing.
- Land Authority money.
- Counties (municipalities) inclusionary housing requirements should be funded partly by business development with funding for employee/affordable housing.
- Sadowski fund--replenished for Monroe County. Set up funds for new construction, first time home buyers.
- Local, state and federal funds.
- State leverage for units to become allocated for affordable housing/workforce housing.
- Huge opportunities if we effectively link workforce housing to development and redevelopment projects.
- Housing units must be incorporated in new developments being constructed.
- Require developers to build housing for the workforce.
- As energy efficient technology becomes better and better it should be used to make new housing more affordable in the long term, especially since electricity is not cheap.
- Smoke free housing as an amenity for the health and safety of residence as a cost-saving benefit for refurbishing units.
- Explore increasing height limit of structures and increase densities in certain zonings. Use state and federal land for large affordable projects.
- Buildable land for affordable housing.
- Density requirements.
- Build up! Build new! Much of the KWHA properties are old, ugly, small and inefficiently sparse. Density needs to increase.
- The greatest opportunity is the current threat to our service economy. This threat has to be leveraged to bring this issue to the forefront.
- Need to greatly increase the affordable workforce rentals.
- Housing requirements for commercial development.
- Rising flood and windstorm insurance rates.

3. HOW SHOULD THE COUNTY BEST ADDRESS THESE OPPORTUNITIES AND CHALLENGES AS WELL AS THE NEEDS OF THE BUSINESS COMMUNITY AND RESIDENTS IN THE FLORIDA KEYS?

What strategies should Monroe County consider in addressing workforce housing issues going forward?

- Putting together a task force/committee.
- Task force with staff (and legal support). Suggestions:
  - All transient unit development and re-development to be inclusionary housing ordinance, or impact fee assessment.
  - Add commercial development and redevelopment based on employees/square feet (use industry standards and sales tax codes) for an impact fee assessment.
  - Fund the Monroe County Housing Authority or other similar successful organizations to build workforce housing.
  - Implement a ROGO transfer ordinance whereby a market rate unit may be dislodged if an affordable unit replaces the dislodged market rate.
  - Issue no market rate ROGO units for multi-unit development projects, instead, issue "affordables" and require developers to take the affordable units and deed restrict existing market rate properties and then dislodge the market rate for use elsewhere as their market rates.
  - Use land authority money or impact fees to buy down interest rates for development costs for work force housing projects.
  - Increased density in appropriate zoning districts within commercial areas to facilitate workforce housing.
  - Increase height in appropriate areas.
- Special considerations for landlords to make rental units affordable, while monitoring them to verify affordability.
- Again, unifying developers, county and Key West city government representatives and finding funding streams for us to define land acquisitions, builders to build on this land, and the Housing Authority to oversee these affordable units.
- Offer additional subsidies or incentives. Countywide effort to identify and acquire property to build.
- Work with DEO to increase ROGO allocations.
- Leveraging all resources.
- Many need more space.
- Focus all tier-3 properties on workforce housing.
- Give commercial properties that are used for workforce rental the same tax and insurance (flood) breaks as primary homestead properties.
- Focus land acquisition on workforce housing properties.
- Provide funding for nonprofit affordable housing entities.
- Develop a comprehensive plan that also deal with density and height restrictions.
- Create a strategy. There is no 1 year, 5 year, 10 year plan. Set goals. Consider "Outside the box" ideas.
- Keep our unique parks.
- Adding to the planning smoke free amenity to curb costs in renovation. it is a CDC best practice for reducing secondhand smoke and it's related to chronic health issues.

THE CITY OF KEY WEST
Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

Date: September 4, 2014

To: Jim Scholl, City Manager

From: Donald Leland Craig, AICP Planning Director and Nicole Malo, AICP, Planner II

Subject: Affordable Housing Needs Solutions

Copy To: Sarah Spurlock, Assistant City Manager and Shawn Smith, City Attorney

Attachments:

1. 2012 Comprehensive Plan Affordable Housing Data and Analysis Report
2. 2014 U.S. HUD Income and Rent Limits
3. City of Key West 2014 Income and Rental Limits
4. 2008 South Florida Workforce Housing Best Practices
5. Florida Statutes 259 - Land Acquisitions for Conservation or Recreation
6. Florida Statutes 420.5095 – Community Workforce Housing Innovation Pilot Program
7. U.S. Census Bureau American Community Survey 2010-2012 Median Household Income for the City of Key West

Purpose

This presentation is in response to requests from the City Commission to improve the way the City's workforce housing issues are addressed. Over the next ten years the City will be receiving over 500 residential Building Permit Allocation System (BPAS) units that are required to be deed restricted affordable. The availability of these new BPAS units provides the City an opportunity to create a significant number of net new affordable housing units for the first time in over a decade. The following discussion describes several key scenarios for potential action to provide workforce housing in order to maintain a sustainable local economy.

Method

This presentation is the result of staff review and discussion of relevant data, the Comprehensive Plan and site visits to certain City and Key West Housing Authority owned properties which could be candidates for the construction of affordable housing. It is also the product of several meetings with the Executive Director of the Key West Housing Authority to discuss specific methods for creating new

housing and updating the Workforce Housing Ordinance. Finally, staff reviewed key state statutes whose subject matter is, or relates to, affordable housing; and identified Land Development Regulations (LDRs) in local Florida jurisdictions addressing affordable housing which may be models for amendments to the City's LDRs.

Problems and Key Findings Identified

There are currently 508 privately held affordable housing units, with varying degrees of deed restrictions and subsidy assistance, and 581 public housing units in the City representing 7% of the 14,892 residential dwelling units in the City, as identified by staff in the May 2010 Affordable Housing Deed Restriction Audit. The 2010 Census and the City Comprehensive Plan report a lower number of 14,107. Of the total 1,089 affordable units, 223 are expected to have their deed restrictions expire, or have expired by year's end. However, according to the findings of the 2012 Data and Analysis report (Attachment 1), prepared to support the Comprehensive Plan and confirmed by updated data provided by the Key West Housing Authority (08/2014) there continues to be and will continue to be a significant number of cost burdened households and a shortage of decent, reasonably priced, available housing, particularly one bedroom rentals. Specifically, data from the Comprehensive Plan and the 2010 Census indicate that at every income level from 30% to 140% of the Monroe County Median Income ($63,500 in 2014), individuals and families are cost burdened as to amount paid for rent or mortgage. The City's Comprehensive Plan, the City's Land Development Regulations, and U.S. HUD guidelines indicate that not more than 30% of incomes should be expended for housing costs. In Key West over seventy-five percent (77% - 10,352) of all households, both renters and owners are cost burdened utilizing this guideline.

According to the Comprehensive Plan and the University of Florida Shimberg Center for affordable Housing, there is a need (deficit) of affordable housing units across the income spectrum. The deficit is at least 6,500 units. The City's Comprehensive Plan identifies the City of Key West median household Income as $52,004 while the average annual wages earned by a worker in the City are approximately $37,844, indicating that by standard guidelines for mortgage lending at the median level a home should cost no more than $156,012, or three time the median income. This is clearly inconsistent with actual cost of housing in the City, when the Key West Board of realtors' reports that at the end of July 2014 the median sales price of 162 single family homes sold in the preceding 7 months was $630,000, and the median sales price for Condo/Townhouses was $368,000. Clearly persons and and families making the median income or average wage cannot afford for sale housing, even if such were being built.

As to rental housing, the situation is no better. Even though dated and most assuredly higher the 2010 reported median gross monthly rent in the City was $1,359. In order to be affordable to the average wage earner in the City, the then monthly rent should be no more than $946. Rent such as this is not available in the City at this point in time, and result in workers sharing housing in increasing numbers, or paying 40-50% of their income for housing.

The Workforce Housing Ordinance (WFHO) of the City' Land Development Regulations has not been updated since 2005. At the time the WFHO was created real estate values, affordable housing stocks, and demands were different. The WFHO's stratification across the income spectrum from 80% to 140% of the median income at the Monroe County level (now $63,500) is out of date with the actual incomes of today's workforce. Further, at the time and up until 2012, there were very, very few BPAS allocations available to create new housing, regardless of the WFHO's emphasis for housing for all income groups, resulting in very few new deed restrictions being built.

Since 2008 lending practices have been tightened and it is very difficult to both finance and construct units at any level except at the 60% of median through heavily subsidized tax credit funding, and none of these types of project have been built in the City due to the lack of reasonable priced land. Additionally, the cost of constructing units is extremely high at $200-$250 per square foot. Factored into the equation the focus in recent years has been to use

Land Authority Funds to acquire property together with Habitat for Humanity processes to reconstruct and manage the units. This has resulted in an emphasis being place on the acquisition of existing units, often at high prices, which though deed restricted, require renovation and result in no net new units.

There are not enough very low (60% AMI) to low (80% AMI) income deed restricted units in the City to meet the needs of the local workforce. Yet the mechanisms to provide this housing are limited by outdated regulations and state statutes. For instance, in addition to the outdated Workforce Housing Ordinance, the Monroe County Land Authority (MCLA) statute, as presently written, does not work efficiently for Key West because it is limited to the purchases of land for three distinct purposes:

1. Conservation of environmentally sensitive lands;
2. Preservation of coastal access and recreation;
3. Affordable Housing.

The first two objectives have been met in the City as all conservation lands are now in the public realm and the access to coastal areas assured and adequate monies allocated through infrastructure taxes and Tourist Development Council grants. The third use of MCLA funds for affordable housing has experienced some successes, but at a very high price due to the very high cost of land. The City of Key West MCLA fund is presently approximately $7 million which has been generated primarily from transient unit bed tax, as the City accounts for approximately 49% of the hotel rooms in the County. The $7million is expected to increase to approximately $8milllion after the start of the new fiscal year. While the funds have increased steadily the opportunities to use the funds have proven difficult to identify due to high land and costs and until recently the lack of new BPAS allocations.

Possible Solutions

Invest in Immediate Solutions while Planning for the Long Term

While there is an array of long term solutions which should be pursued, some of which are listed below, there may also be a nearer solution. This specific method can utilize existing publicly owned land together with MCLA funds, in order to create monies to build or subsidize net new affordable housing. The method has the following steps:

1. Identify land held by the City of Key West or the Key West Housing Authority which is capable of further development as affordable housing.
2. If necessary, rezone the property to achieve a higher density, which in Key West would be Medium Density Residential (MDR) at 16 units per acre, or High Density Residential (HDR) at 22 units per acre. If necessary, the Comprehensive Plan designations can be amended in an expedited manner for parcels whose use is to be affordable housing, enabled by state statute 163.3187. As a part of this effort the City may borrow forward one year from its annual allocation of 91 BPAS units.
3. The City of Key West sells its interest in the land to the Monroe County Land Authority, and restricts its use in the conveyance, consistent with the MCLA statute, to affordable housing.
4. The MCLA conveys the land to the Key West Housing Authority, and the city modifies its existing Inter-Local agreement with the KWHA to provide for the construction of affordable housing in partnership with city, and/or a developer partner.
5. The City uses the funds yielded from the sale of the property for the direct construction of the affordable housing on the site or uses the funds to otherwise subsidize the cost or operation of the affordable housing. The housing remains the property of the Housing Authority and or the City depending on the parcel and the arrangement reached with the transfer of the property to the Housing Authority.
6. Target projects which can accommodate mixed income users that provide relief to developers of affordable housing projects.

7. Repeat the process with other City or Housing Authority properties until all remaining affordable housing BPAS units are utilized.

Provide a Holistic Approach to Adjusting All Elements of Affordable Housing Tool

1. Work towards **reducing wind and flood insurance** premiums which increase the cost of homeownership and rental rates. If the proposed referendum on building height flexibility in response to FEMA insurance rates passes the ability to lower insurance rates may occur.
2. **Amend Comprehensive Plan** – Add policy(ies) to the City's Comprehensive Plan Housing Element to provide that all future development shall not result in a "net loss" of existing workforce/affordable rental housing for households earning 80% or less than the area mean income. (Findings of Municipal Scorecard for Affordable Housing Delivery: Best Management Case Study for South Florida. Prepared for the South Florida Regional Business Alliance by FIU Metropolitan Center).
3. **Ask State Representative Raschein and State Senator Bullard to Sponsor Legislation to Amend the Land Authority Statute as it Applies to the City of Key West**
   Currently the statute has been interpreted by local attorneys such that it allows the funds accumulated to be used for land purchases **only**. As has been demonstrated the cost of land reasonably priced for affordable housing in the City is very sparse. Also demonstrated is that conservation lands in the City have been acquired and protected. Couple that with the fact that the City has already protected its undeveloped lots with sufficient BPAS allocations to prevent inverse condemnation("takings") litigation against the City. Therefore , new state legislation to allow the City the ability to use MCLA funds for construction or other subsidy to provide affordable housing.
4. **Revise the Workforce Housing Ordinance:**
   The Planning Department has requested proposals for a consultant who will assist staff with amendments to the Land Development Regulations, specifically the Workforce Housing Ordinance. Staff has researched the American Community Survey to extract data for the City's area median income (AMI) in order to compare it to that of the County's, which is used as the current baseline. However, the ACS survey shows that the County's and City's AMI are within a few thousand dollars of each other with the City's being higher in a few critical income household sizes. Further, petitioning HUD to allow the City to use the ACS numbers instead of the universally excepted US Census figures to establish the AMI may put our federal funding in jeopardy when using such federal subsidies. However, if the model put forth above as immediate action is pursued and no federal funds or subsidies are utilized or otherwise compromised , the use of the lower City median income may be possible.

   The Workforce Housing Ordinance, based on income and workforce data from the early 2000, is confusing and out of date. As a result the inclusionary housing provisions (122-1467) and eligibility requirements (122-1469) are out of touch with the current housing needs. The ordinance also lacks incentive programs to encourage private developers to build new affordable housing.

   Based on meetings with Manny Castillo, Executive Director of the KW Housing Authority and planning analysis supported by the 2013 Comprehensive Plan Data and Analysis, staff recommends the following approach to amending the WFHO:

   a. **Add provisions for inclusionary housing for *redevelopment***, not just new development.

b. **Revise Section 122-1496 for required income category mix** - Determine what the target incomes are and use current income level data to establish new ratios for 30% rule, such as more lower income category units. Reestablish inclusionary housing provisions requiring more low (80% AMI) and median (100% AMI) income level units. This can only be provided for by applying an approach like that used by the Village of Islamorada, wherein significant expansions of residential and commercial development, or net new development is evaluated, by type, as to the employees and jobs created to serve the new or expanded development, and thus the need for new affordable housing. A specific economic analysis for Key West, must be created to support the inclusionary housing provisions, recognizing the unique market of the City of Key West.

b. **Revise Eligibility Requirements (Section 122-1469)** - Maintain category income *range* within the low, median, moderate etc. categories for pro forma purposes, but allow the actual sales and rental levels to be determined based on a person's actual percentage of income (25-30%). Currently the City's one bedroom rental rates are higher than HUD's rates but the City's three and four bedroom rental rates are all lower than HUD's. The City needs to find a method to lower rents for the most sought after units (1 bedroom). This may require the mixing of market rate units in mixed income projects to provide indirect subsidy to the affordable units.

c. Create **innovative regulatory and financial incentive programs** for building workforce housing and maintaining rental housing. Such as:
   1. Tax abatement etc.
   2. Waiver all permitting fees (except impact fees which guarantee bond obligations).
   3. Expedited review.

5. Potential Funding Opportunities

1. Community Workforce Housing Innovation Pilot Program loans and State Housing Initiatives Partnership Program (F.S. 420.5095).

2. Staff

1. Create a City Affordable Housing Officer, whose responsibility it would be to assist workers in finding and qualifying for housing.

2. Create an Economic Development Officer whose responsibility it would be to identify possible Public private partnerships for redevelopment/development potential and who can offer incentives.

3. SHIP – State Housing Incentive Program;

4 HOME – Need more information

5. CDBG – Community Development Block Grants

6. TIF – Tax Increment Financing

7. Surtax – Such as additional sales tax on alcoholic beverage sales

8. CHDO - Need to establish CHDO (Community Housing Development Organization) per Section 122-1471 a non-profit organization, to serve as developer for AH on City owned property and administer the Affordable Housing Trust Fund

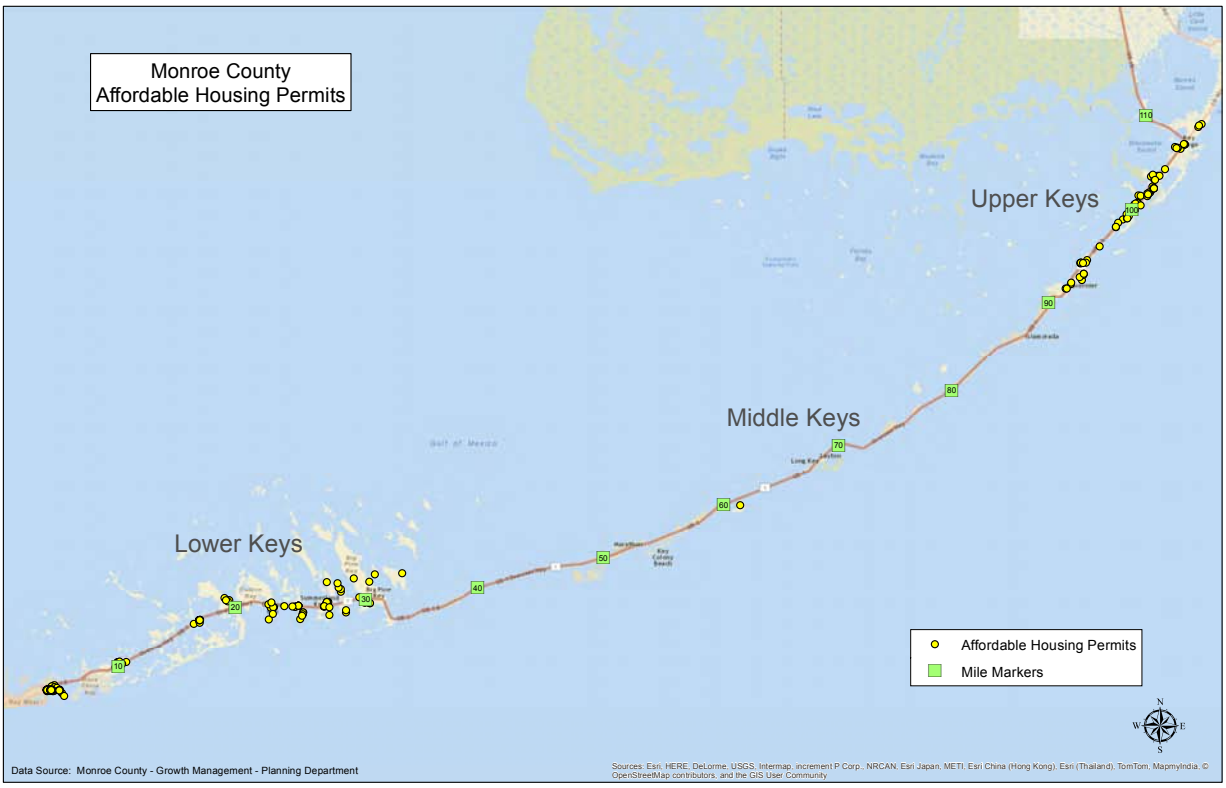
10. Create a rental affordable housing trust fund for providing security deposits for rental housing

The possible solutions described above are all consistent to one degree or another with the City's Strategic Plan and previous recommendations off many study groups dealing with eh affordable housing issue.

Recommendation: It is recommended that the City Commission direct staff to immediately proceed with the Land Authority/City of Key West/City of Key West Housing Authority program outlined above, while prioritizing the analysis of items 1 through 8 above.

MONROE COUNTY WORKFORCE HOUSING STAKEHOLDER ASSESSMENT REPORT

APRIL 2015



Assessment Report Prepared by:
Robert Jones, Director
FCRC Consensus Center, Florida State Uniersity

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MONROE COUNTY WORKFORCE HOUSING STAKEHOLDER ASSESSMENT REPORT- EXECUTIVE SUMMARY

Monroe County faces the quadruple impact of high land values, land limited by geographic and environmental features, housing supply limited by controlled growth (the Rate of Growth Ordinance) and a tourism economy with a prevalence of lower paying service-sector employment. In August 2014 the Monroe County Commission approved a stakeholder assessment effort, to be conducted by the FCRC Consensus Center at Florida State University (Consensus Center), to solicit perspectives and ideas on workforce housing challenges and on whether a county-wide consensus building effort should be convened to address the complex issues surrounding workforce housing in the Florida Keys.

This assessment report sets out the context for addressing workforce housing issues and used interviews, meetings and review of data and documents to assess stakeholder perspectives on the County's workforce housing challenges. These perspectives include county, city, regional, state and federal government levels, housing and tourist development leaders in Monroe County, the business and tourist community and non-profit community and civic organizations. Based on this stakeholder input, the assessment report summarizes the themes, concerns, issues, and interests that stakeholders believe ought to be considered in addressing workforce housing needs in Monroe County. *(See below)*

The workforce housing affordability crisis in the Florida Keys identified by the Monroe County Commission in 2014 is real. "Cost-burdened" households pay more than 30% of income for rent or mortgage costs. In 2013, 51% (or 16,849) of Monroe County households pay more than 30% of income for housing while statewide that figure is 43%. More than half of Monroe County renters are cost burdened (8,350 of 14,002) while about 45% of Monroe County homeowners are cost burdened (8,499 of the 18,936).

In November 2014 the United Way of Florida released its report, ALICE (Asset Limited, Income Constrained, Employed: Study of Financial Hardship, which indicates that nearly half of all Monroe County households (14,221of 29,241) live above the federal poverty line but still struggle to afford basic expenses including housing, child care, food, transportation and health care.[1] The Report also evaluates community conditions for each of Florida's counties using a weighted "Economic Viability Dashboard" in three core areas using a scale of 1 (worst) to 100 (best).[2] Monroe County's results area as follows:

Core Areas	*Rating*	*Grade*
Housing Affordability (40%)	14 of 100	**Poor**
Job Opportunities (40%)	67 of 100	**Good**
Community Support (20%)	48 of 100	**Poor**

[1] The Report was initially developed in New Jersey and now five other states including Florida, California, Michigan, Indiana and Connecticut, have used the model and developed reports in 2014.
https://www.frbatlanta.org/commdev/publications/partnersupdate/2015/01/study-sheds-light-on-working-families-in-florida

[2] The Index provides the means to compare counties in Florida and to see changes over time. The Housing Affordability area includes three key indicators including: the Household Survival Budget (quantifying the cost of the housing, child care, food, health care, transportation); health insurance; and housing burden. The Job Opportunities area includes three key indicators including: Income Distribution; Employment Rate; and New Hire Wages. The Community Support area includes three key indicators: Violent crime rate; the annual payroll of human services nonprofits per capita; and Access to good basic health care.

The findings of all of several recent reports on Monroe County's current housing situation confirm that there is a significant and growing shortage of affordable workforce housing, both rental and ownership. In addition there exists a policy gap in that affordable housing for the working and middle classes is largely left to individual municipalities and counties to deal with.

Over 75 persons participated in the interviews and meetings and identified a range of workforce housing issues. While some offered perspectives from the same sector, they live and work in different parts of the Keys and the ideas they offer are not necessarily the same as others sharing that perspective. However, across the various perspectives the following emerged as six common themes regarding key workforce housing issues:

1. A Shared vision of success for Workforce Housing in Monroe County
2. Take Action on Workforce Housing
3. Build upon the past affordable housing studies and reports
4. Defining the problem first based on data
5. Seek a balanced package of options as there is no single strategy that will solve the workforce housing crisis
6. View housing as community infrastructure, like transportation and water supply

Issues generally identified as important from most perspectives included:

1. Addressing the ROGO system and workforce housing, including transfers and fractional ROGOs
2. Density and livable workforce housing
3. Relaxing height restrictions in light of Federal flood insurance changes and to create more workforce housing
4. Monroe Housing Authority role in workforce housing
5. Transportation and its relationship to and role in workforce housing
6. Workforce Housing site identification and audit of publicly owned property.
7. Creation of new workforce housing units that are both affordable and livable with development incentives and public private partnerships
8. Preservation and maintenance of existing workforce housing and incentives to preserve workforce housing
9. Related workforce issues due to high cost of housing (insurance, childcare, food insecurity etc.)
10. County, City and state affordable housing policies and regulations including length of deed restrictions
11. Explore and expand funding sources to expand workforce housing in Monroe County

The Stakeholder Assessment sought to identify how different stakeholders viewed the challenges of workforce housing facing Monroe County and its residents. The over 50 issues and ideas identified and summarized from the many interviews and meetings, help to shed light on the complexity of the issues and on the healthy diversity of views on how to best address the challenges even among those sharing the same stakeholder perspective. The assessment interviews were conducted with the understanding that the themes and ideas identified would be shared with the Commission and inform any committee that would engage in subsequent consensus building on workforce housing solutions. It was also understood that individual views would not be attributed but the related themes perspectives would be summarized. The report provides input from following perspectives: County Government; City Government; Education; Development; Lodging/Hospitality/Tourism; Business; Non Profit; and Military. Over 50 workforce housing ideas and

issues were identified in the Assessment from different perspectives in the following categories:

Overall	Workforce Housing Planning & Zoning
1. No single solution, menu of options 2. Build on work to date (studies, task forces, etc.) 3. Target different levels of workforce to provide WH 4. Engage private and public sector employers in finding WH solutions 5. Political will to implement solutions 6. Focus on rental housing 7. Addressing NIMBY and workforce housing 8. Encourage public private partnerships for WH 9. Encourage WH affordability and livability 10. Support living wages in the Keys 11. Expand the Keys economy beyond tourism 12. Address negative impacts on Keys communities of transient workforce 13. Clarifying workforce housing and affordable housing definitions	1. Create a County Workforce Housing Development Plan 2. Consider adjusting height restrictions to increase workforce housing 3. Allow increased density for WH 4. Tax Credit Property Management after 15 yrs. 5. Encourage mixed use 6. Explore "Micro Housing" 7. Enforce Housing Codes 8. ROGO Allocations and Transfers, Fractional ROGO for WH 9. ROGO Formula 10. Address redevelopment and WH 11. Encourage commercial construction of WH by reducing impact fee. 12. Explore and assess the role of live-aboard boats in WH 13. Encourage hospitality industry and the commercial sector to build WH
Workforce Housing Funding	**Preserve Existing Workforce Housing**
1. Workforce housing site identification and audit 2. Remedy Sadowski Trust Fund donor inequity 3. Land Authority funds for workforce housing construction 4. Dedicated local funding for workforce housing 5. Consider inclusionary WH fee 6. Address online marketplace for vacation rentals that connects users with property to rent with users looking to rent the space(e.g. AirBnB) and its impact on bed tax revenue 7. Provide assistance to workforce renters (down payment/deposit)	1. Preserve/maintain affordable units 2. Address "lost" AH/WH units 3. Revisit land trusts as a tool 4. Provide for "no net loss" principle of affordable & workforce housing in the County housing element 5. Adopt a "lease form" for local governments owning underlying land for WH 6. Address loss of deed restrictions for AH 7. Address RV/Trailer Parks as WH and conversion issues
Workforce Housing & Transportation	**Workforce Housing & Related Issues**
1. Increase highway capacity to adjust ROGO evacuation formula 2. Address related issues- Transportation options for employees 3. Address & improve transit issues in the upper and lower Keys	1. Address related issues insurance costs- wind 2. Address 2018 FEMA flood insurance issues. 3. Address related issues- Daycare 4. Homelessness & Workforce Housing 5. Protect military buffer areas 6. Address "food security" (i.e. access by all people at all times to enough food for an active, healthy life) and workforce housing.
Workforce Housing & Site Identification	**Workforce Housing Construction**
1. Audit Local Government owned public lands for WH 2. Re-purpose land owned by local government for WH 3. Focus all 3-tier properties on WH	1. Waive building fees for WH 2. Buy down interest rates for WH projects 3. Cut taxing rates on WH 4. Commercial properties for WH-tax and insurance breaks
Workforce Housing & the Education Sector	
1. Engage the school system as largest employer 2. Improve teacher housing needs data	

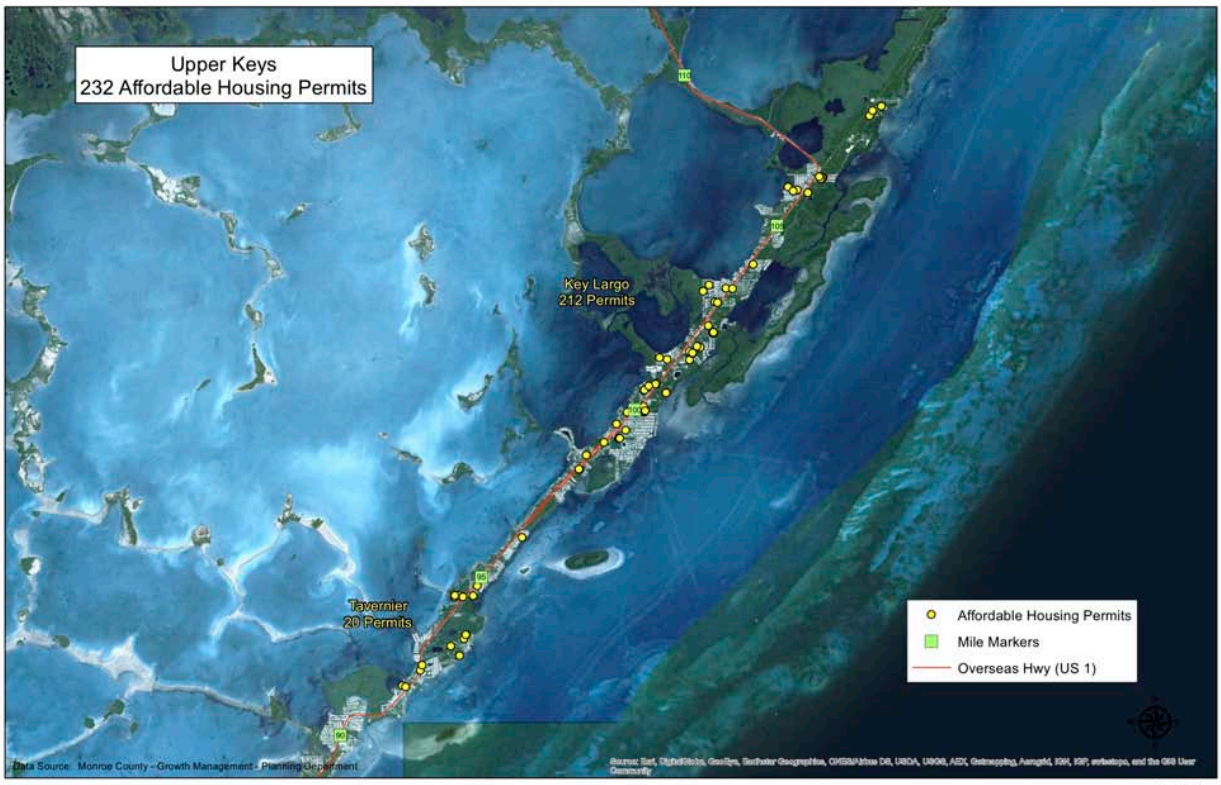
Monroe County staff has gathered detailed baseline data that included an inventory of affordable and workforce housing projects completed over the past 2 decades in Monroe County, along with the public incentives that were made to assist in the housing development. In the course of the assessment interviews and meetings, various studies and data sources were identified on best practices from other jurisdictions and ideas developed or considered but not implemented by previous affordable housing task forces. Among the range of stakeholders interviewed, all expressed the need for a focused and comprehensive county-wide workforce housing dialogue that involved those with a stake in the outcome. Many believed that such a committee should develop a package of consensus recommendations, informed by data and the range of stakeholder and public perspectives, that can provide for both short and longer term actions for the Board of County Commission's consideration.

While some of those interviewed remained skeptical that there will be sufficient "political will" to implement the Committee's recommendations as has been the case in the past, many believed that this was an urgent and timely issue for the County to address in light of hotel redevelopment and the economic upturn.

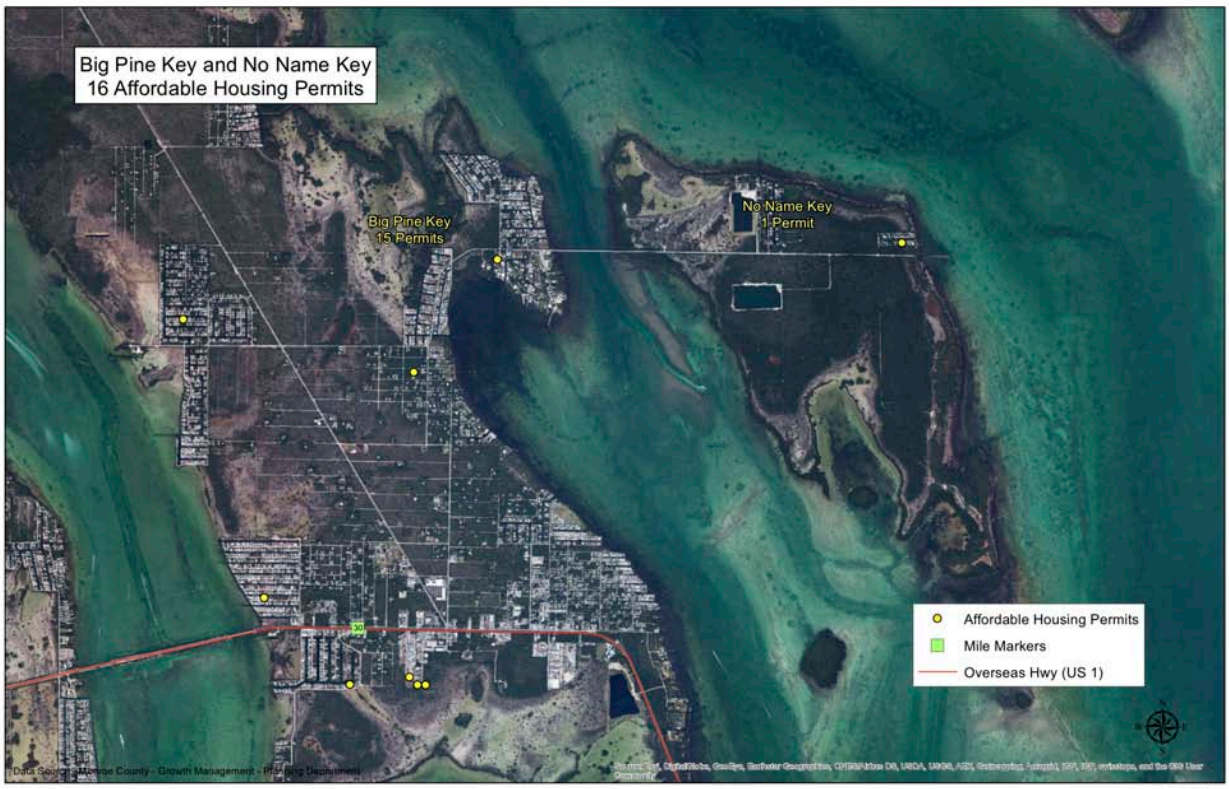
In the Fall of 2014, following the initiation of this Assessment, the Commission re-appointed members to the existing Affordable Housing Advisory Committee and with the thought of convening and charging them with addressing workforce housing issues and providing the County Commission with its recommendations. The reconvened committee would review this assessment report and other data as it addressed its charge. A workforce housing committee, ad hoc or otherwise, appointed and charged by the County Commission to address workforce housing issues in the Florida Keys was explored in the assessment interviews. A significant number of those interviewed applauded the County Commission's action in re-purposing the existing Affordable Housing Advisory Committee to focus, at least in the short term, on workforce housing. It was suggested that this approach could provide representation from each District in the County, offer workforce housing perspectives from the public, private and nonprofit sectors, and minimize confusion and any duplication of effort that an ad hoc workforce housing committee might create. It was also pointed out that this charge would be consistent with the Committee's current mission to address affordable housing opportunities in Monroe County for both "residents and workforce."

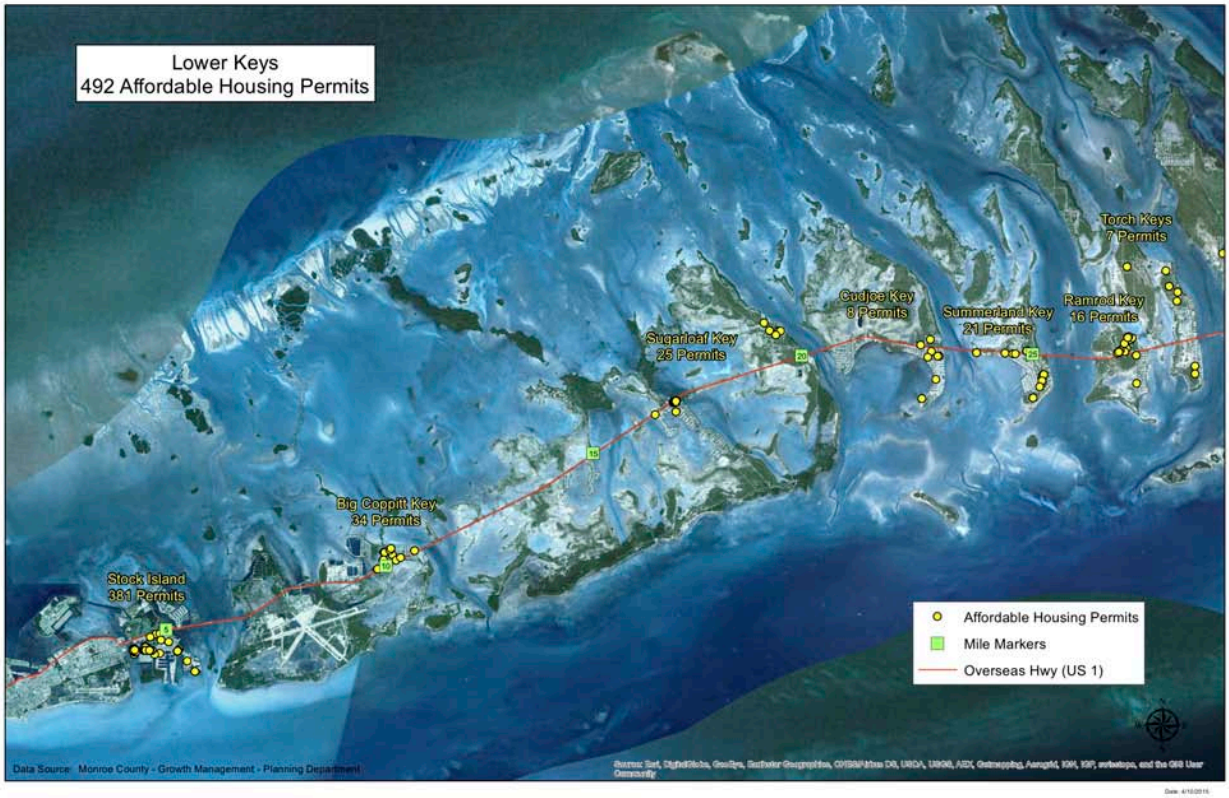
The Commission should review the current Committee appointments to ensure that a balance of workforce housing stakeholder perspectives are included in its membership. If the Commission charges the Affordable Housing Advisory Committee to develop consensus recommendations on workforce housing actions for consideration by the Monroe County BOCC, most stakeholders interviewed suggested there should be a sufficient range of stakeholder perspectives represented and participating in the consensus building. This would allow the Committee to develop informed workforce housing consensus findings and recommendations that stakeholders might support and the County Commission could act upon.

There is a great deal of public and stakeholder interest in the workforce housing issues the Committee will take up. The membership requirements, as set forth in both Florida statute and the Monroe County Resolution, do not reference representation of the municipalities in the County, the military, the School Board and perhaps other organizations impacted by workforce housing policies and programs and with a stake in contributing to solutions to improve the availability of workforce housing in the Florida Keys.


Upper Keys
232 Affordable Housing Permits
Key Largo
212 Permits
Tavernier
20 Permits
Affordable Housing Permits
Mile Markers
Overseas Hwy (US 1)
Data Source: Monroe County - Growth Management - Planning Department


Duck Key
1 Affordable Housing Permit
Duck Key
1 Permit
Affordable Housing Permits
Mile Markers
Overseas Hwy (US 1)
Data Source: Monroe County - Growth Management - Planning Department


Big Pine Key and No Name Key
16 Affordable Housing Permits
Big Pine Key
15 Permits
No Name Key
1 Permit
Affordable Housing Permits
Mile Markers
Overseas Hwy (US 1)
Data Source: Monroe County - Growth Management - Planning Department


Lower Keys
492 Affordable Housing Permits
Torch Keys
7 Permits
Cudjoe Key
8 Permits
Summerland Key
21 Permits
Ramrod Key
16 Permits
Sugarloaf Key
23 Permits
Big Coppitt Key
34 Permits
Stock Island
381 Permits
Affordable Housing Permits
Mile Markers
Overseas Hwy (US 1)
Data Source: Monroe County - Growth Management - Planning Department

The format for the Committee meetings should encourage constructive public and stakeholder input. The Commission might consider charging the Committee with establishing an engagement strategy to involve a broader range of stakeholders in their development of findings and recommendations. This might be accomplished through opportunities for public input during their own meetings, as well as through Committee sponsored advisory workgroups, joint workshops with municipal taskforces and city commissions, workshops at key moments in the development of options and recommendations, online surveys and other techniques.

It was observed by many that an advisory committee developing recommendations on workforce housing will require dedicated staff, including legal and planning expertise, and facilitation support for the Committee to do its work expeditiously. This is because of the complexity of the charge, the intense public interest in the issue, the linkages with other issues and programs and activities in the public, private and non-profit sectors, and the desire for timely actions to address the current workforce housing challenges.

The Monroe County Board of County Commissioners should review this Assessment Report and charge the Affordable Housing Committee to focus its efforts in the coming year on workforce housing. With a charge from the County Commission, the Committee should establish its procedures and approach and a schedule for meetings that would permit it to deliver back to the BOCC its workforce housing recommendations by mid-2016. The Committee should consider:

- Developing a shared vision of success;
- Jointly defining the workforce problems faced in the Florida Keys;
- Reviewing the range of issues and options identified in previous studies;
- Reviewing the experience and lessons learned with successful workforce housing projects developed in the Keys to date;
- Reviewing this Stakeholder Assessment Report; and
- Developing a package of consensus findings and recommended solutions for consideration by the Monroe County Board of County Commission.

This stakeholder assessment report confirms that there is wide agreement that Monroe County is facing a significant and growing workforce housing crisis with shortages for both affordable rental and ownership units. There is also agreement that no single strategy will solve the workforce housing crisis in Monroe County. Instead the challenge ahead is to craft a balanced package of targeted options that have been refined through discussion and debate and that can serve as a consensus framework for addressing and implementing solutions.

MONROE COUNTY WORKFORCE HOUSING STAKEHOLDER ASSESSMENT REPORT

I. ASSESSMENT SCOPE AND ORGANIZATION

Monroe County faces the quadruple impact of high land values, land limited by geographic and environmental features, housing supply limited by controlled growth (the Rate of Growth Ordinance) and a tourism economy with a prevalence of lower paying service-sector employment. In August 2014 the Monroe County Commission approved a stakeholder assessment effort, to be conducted by the FCRC Consensus Center at Florida State University (Consensus Center), to solicit perspectives and ideas on workforce housing challenges and on whether a county-wide consensus building effort should be convened to address the complex issues surrounding workforce housing in the Florida Keys.

The 2005 Harvard report, "Strengthening the Workforce and Communities through Housing Solutions" suggests, solutions to the workforce housing challenge require a broad-based, proactive approach.[3] This stakeholder assessment engaged a broad range of public, private and non profit stakeholders to clarify substantive issues involved, options to consider, information needed and process and coordination issues.

This assessment report sets out the context for addressing workforce housing issues and used interviews, meetings and review of data and documents to assess stakeholder perspectives on the County's workforce housing challenges. These perspectives include county, city, regional, state and federal government levels, housing and tourist development leaders in Monroe County, the business and tourist community and non-profit community and civic organizations. Based on this stakeholder input, the assessment report summarized the themes, concerns, issues, and interests that stakeholders believe ought to be considered in addressing workforce housing needs in Monroe County. The assessment seeks to address the following questions:

1. What are the range of affordable workforce housing and related issues from the perspectives of County, City, State and Federal housing and tourist development leaders, the business and tourist community and the non-profit community and civic organizations and residents?
2. What are the linkages with development and land use issues, transportation mobility?
3. What interests, organizations and individuals should participate in a stakeholder county-wide committee process to develop consensus recommendations on affordable workforce housing issues in Monroe County? How Should the County convene a stakeholder committee to develop recommendations on workforce housing in Monroe County and its cities?
4. What is needed in terms of base line current data on workforce housing programs in

[3] http://bit.ly/1kcpnfm, "By the time a workforce housing affordability problem begins to affect the bottom line, the forces that contribute to high housing costs have long been in place and are difficult to reverse. For the housing and business communities to forestall such an outcome, they must establish a working relationship characterized by respect, trust, and an awareness of each other's interests. They must have access to information about the causes of the affordability problem and data that demonstrate its effects."

Monroe County? What information and data on best practices should be considered in any subsequent stakeholder consensus building process?

II. WORKFORCE HOUSING[4] IN MONROE COUNTY- CONTEXT

The workforce housing affordability crisis in the Florida Keys identified by the Monroe County Commission in 2014 is real. "Cost-burdened" households pay more than 30% of income for rent or mortgage costs. In 2013, 51% (or 16,849) of Monroe County households pay more than 30% of income for housing while statewide that figure is 43%. More than half of Monroe County renters are cost burdened (8,350 of 14,002) while about 45% of Monroe County homeowners are cost burdened (8,499 of the 18,936).

In November 2014 the United Way of Florida released its report, ALICE (Asset Limited, Income Constrained, Employed: Study of Financial Hardship, which indicates that nearly half of all Monroe County households (14,221of 29,241) live above the federal poverty line but still struggle to afford basic expenses including housing, child care, food, transportation and health care.[5] The Report also evaluates community conditions for each Florida county using a weighted "Economic Viability Dashboard" in three core areas employing a scale of 1 (worst) to 100 (best).[6] Monroe County's results area as follows:

Core Areas	*Rating*	*Grade*
Housing Affordability (40%)	14 of 100	**Poor**
Job Opportunities (40%)	67 of 100	**Good**
Community Support (20%)	48 of 100	**Poor**

[4] Workforce housing can refer to any form of housing, including ownership of single or multi-family homes, as well as occupation of rental units. Workforce housing is generally understood to mean affordable housing for households with earned income that is insufficient to secure quality housing in reasonable proximity to the workplace. The term "workforce" is meant to connote those who are gainfully employed, a group of people who are not typically understood to be the target of affordable housing programs. Workforce housing, then, implies an altered or expanded understanding of affordable housing. Workforce housing is commonly targeted at "essential workers" in a community i.e. police officers, firemen, teachers, nurses, medical personnel. However resort communities generally define "essential" more broadly to include service workers, as they often are characterized by high real estate costs and a high number of low-paying service jobs essential to the local tourism economy.

[5] The Report was initially developed in New Jersey and now five other states including Florida, California, Michigan, Indiana and Connecticut, have used the model and developed reports in 2014. https://www.frbatlanta.org/commdev/publications/partnersupdate/2015/01/study-sheds-light-on-working-families-in-florida

[6] The Index provides the means to compare counties in Florida and to see changes over time. The Housing Affordability area includes three key indicators including: the Household Survival Budget (quantifying the cost of the housing, child care, food, health care, transportation); health insurance; and housing burden. The Job Opportunities area includes three key indicators including: Income Distribution; Employment Rate; and New Hire Wages. The Community Support area includes three key indicators: Violent crime rate; the annual payroll of human services nonprofits per capita; and Access to good basic health care.

KEY FACTS AND ALICE STATISTICS FOR MONROE COUNTY

(From the ALICE Florida Report: Study of Financial Hardship, Fall, 2014, Appendix H)

Big Coppitt Key /Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
2016	**833**	**12%**	**35%**	**53%**	**9%**	**55%**	**72%**
Big Pine Key/Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
3777	**1619**	**10%**	**35%**	**56%**	**4%**	**44%**	**42%**
Key Largo/Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
11409	**4517**	**15%**	**38%**	**47%**	**9%**	**44%**	**57%**
Key West							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
24870	**9322**	**9%**	**35%**	**56%**	**4%**	**44%**	**68%**
Lower Keys/Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
10394	**4314**	**8%**	**23%**	**62%**	**5%**	**42%**	**56%**
Marathon							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
8389	**3371**	**14%**	**41%**	**45%**	**9%**	**40%**	**65%**
Middle Keys/Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
9731	**4068**	**13%**	**40%**	**47%**	**10%**	**42%**	**64%**
North Key Largo/Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
1166	**510**	**11%**	**20%**	**69%**	**4%**	**36%**	**25%**
Stock Island/ Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
3736	**1111**	**14%**	**62%**	**24%**	**8%**	**53%**	**69%**
Tavernier/ Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
2491	**953**	**6%**	**46%**	**48%**	**7%**	**46%**	**37%**
Upper Keys/Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
21234	**8633**	**13%**	**37%**	**50%**	**9%**	**43%**	**54%**

The findings of all of several recent reports on Monroe County's current housing situation confirm that there is a significant and growing shortage of affordable workforce housing, both rental and ownership. In addition there exists a policy gap in that affordable housing for the working and middle classes is largely left to individual municipalities and counties to deal with.

In Monroe County an hourly wage needed to afford a two-bedroom FMR is $26.27/hour.[7] In order not to pay more than 30% of family income on housing, a household must earn $4,553 monthly or $54,640 annually.

The findings of all of the reports on Monroe County's current housing situation confirm that there is a significant and growing shortage of affordable workforce housing, both rental and ownership. A significant portion of the current workforce housing in Monroe County is rental and there is a large rental housing deficit. As is the case throughout Florida, there has been increase in the demand for rental housing in Florida following the great recession and subsequent housing crisis, particularly among younger households and families with children. Statewide, the percent of households renting increased from 29.4 percent in 2007 to 34.4 percent in 2012 (American Community Survey, 2012; Shimberg Center for Housing Studies, University of Florida, 2013)." The Shimberg Center has found that affordable rental shortages are most pronounced in southeast Florida. (SCHS, 2013).

In an Affordable Housing Solutions White Paper (October 2014)[8] Donald Craig, Planning Director for the City of Key West, projected a deficit of amore than 6,500 units of affordable housing units in the City and characterized the affordability challenge as follows:

> "The City's Comprehensive Plan identified the City of Key West median household income as $52,004 while the average annual wages earned by a worker in the City are approximately $37,844 indicating that by standard guidelines for mortgage lending at the median level, a home should cost no more than $166,012, or three times the median income. This is clearly inconsistent with actual cost of housing in the City, when the Key West Board of Realtors reports that at the end of July 2014 the median sales prices of 162 single family homes sold in the preceding 7 months was $630,000 and the median sales prices for Condo/Townhouses was $368,000. Clearly persons and families making the median income or average wage cannot afford for-sale housing, even if such were being built. As to rental housing, the situation is not better. Even though dated and most assuredly higher, the 2010 reported median gross monthly rent in the City was $1,359. In order to be affordable to the average wage earner in the City, the monthly rent should be no more than $946. Rent such as this is not available in the City at this point and time and results in workers sharing housing in increasing numbers, or paying 40-50% of their income for housing."

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[7] "Out of Reach 2014: Florida", http://nlihc.org/oor/2014/FL, National Low Income Housing Coalition

[8] Affordable Housing White Paper- Donald Craig, AICP Director of Planning & Nicole Malo AICP,Planner, City of Key West: http://legistar1.granicus.com/KeyWest/meetings/2014/10/2491_A_City_Commission_14-10-07_Meeting_Agenda_Full_Detail.pdf

The 2015 Home Matters Report from the Florida Housing Coalition[9] confirms what other reports have found regarding rapid increases in rents for vacant units on the market while Florida's home ownership has declined steadily since its peak in 2007. Tighter mortgage lending standards, rising mortgage interest rates and fees, and a high percentage of cash sales have squeezed many low and moderate income homebuyers out of the market.

There currently exists a policy gap to fund workforce housing development. Federal programs through HUD or state governments are generally targeted towards low-income programs designed for people that make less than 60% of Area Median Income (AMI). The Low-Income Housing Tax Credit, which mainly spurs development of rental properties, is an example of this. Affordable housing for the working and middle classes has been largely left to individual municipalities and counties to deal with.

III. WORKFORCE HOUSING CHALLENGES- STAKEHOLDER IDEAS AND PERSPECTIVES

A. Critical Affordable Workforce Housing Common Themes

The over 75 persons participating in the interviews and meetings identified a range of workforce housing issues. While some offered a perspective from the same sector, they lived and worked in different parts of the Keys and the ideas they offered were not necessarily the same as others sharing that perspective. However, across the various perspectives the following six common themes regarding key workforce housing issues emerged:

1. **A Shared vision of success** for Workforce Housing in Monroe County will be important to guide and gauge the menu of strategies and actions needed to address workforce housing.

2. **Action orientation.** All acknowledge the workforce housing context is complex and challenging but needs immediate focus and attention and that addressing gaps in workforce housing throughout the Florida Keys will require immediate and longer term actions, even if those interviewed had differences in emphasis on those options and actions.

3. **Build upon the past affordable housing studies and reports.** Many agreed with the following statement, "The comprehensive studies, recommendations and published works on the topic do not need to be repeated. The metrics of this problem are well known and documented. The dynamics and facts have changed little over the years."

4. **Define the problem(s) first.** There needs to be a careful effort to define the shared workforce housing problem facing Monroe County in a multifaceted way (different levels and needs of workers, rental vs. ownership, different locations in the Keys) and then based on data and knowledge, move to identify, craft and implement "solutions.

[9] http://issuu.com/flhousing/docs/home_matters_report_02.2015_final

5. **No single strategy.** There does not appear to be a single strategy to pursue but rather a menu of combined strategies to address the workforce housing challenges in the Florida Keys. Any committee should seek to develop a balanced package of both short term and longer-term strategies and actions that are targeted to addressing the needs of different sections of the workforce and to different parts of Monroe County.

6. **Housing as community infrastructure.** Given its importance to the local economy, the County should consider workforce housing as it considers other critical infrastructure such as transportation and water supply. Workforce housing should receive the policy, planning and financial attention that other areas of local infrastructure receive. The County should seek to better integrate the housing element with other plan elements such as the future land use, public facilities, transportation and capital improvements.

B. Critical Affordable Workforce Housing Common Issues

Issues generally identified as important to address from most perspectives included:

1. Addressing the ROGO system and workforce housing, including transfers and fractional ROGOs

2. Density and livable workforce housing

3. Relaxing height restrictions in light of Federal flood insurance changes and to create more workforce housing

4. Strengthen Monroe County Housing Authority's role in workforce housing

5. Address transportation and its relationship to and role in workforce housing

6. Update Monroe County's workforce housing site identification and audit of publicly owned property

7. Create new workforce housing units that are both affordable and livable with development incentives and public private partnerships

8. Preserve and maintain existing workforce housing and provide incentives to preserve workforce housing

9. Address related workforce issues due to high cost of housing (insurance, childcare, food insecurity etc.)

10. Review and consider changes in the County, City and state affordable housing policies and regulations including length of deed restrictions

11. Explore and expand funding sources to expand workforce housing in Monroe County

C. Stakeholder Ideas and Perspectives on Workforce Housing Matrix

The Stakeholder Assessment sought to identify how different stakeholder perspectives viewed the challenges of workforce housing facing Monroe County and its residents. The over 50 issues and ideas identified and summarized from the many interviews and meetings, help to shed light on the complexity of the issues and on the healthy diversity of views on how to best address the challenges. The assessment interviews were conducted with the understanding that the themes and ideas identified would be shared with the Commission and inform any committee that would engage in subsequent consensus building on workforce housing solutions. It was also understood that individual views would not be attributed but related perspectives would be summarized.

Workforce housing ideas and issues identified in the Assessment from different perspectives and included issues displayed in the matrix below in the following nine categories:

1. Overall *(12 Issues/Ideas)*
2. Workforce Housing Funding *(7 Issues/Ideas)*
3. Workforce Housing Planning, Zoning & Enforcement *(13 Issues/Ideas)*
4. Workforce Housing & Transportation *(4 Issues/Ideas)*
5. Workforce Housing & Site Identification *(3 Issues/Ideas)*
6. Workforce Housing Construction *(4 Issues/Ideas)*
7. Workforce Housing- Preserve Existing *(7 Issues/Ideas)*
8. Workforce Housing & the Education Sector *(2 Issues/Ideas)*
9. Workforce Housing & Related Issues *(6 Issues/Ideas)*

ISSUES/IDEAS		STAKEHOLDER PERSPECTIVES (✔=*Noted as issue/idea in the interviews*)							
	County	*City*	*State*	*Education*	*Development*	*Lodging/Hospitality Tourism*	*Business*	*Non-Profit*	*Military*
OVERALL									
1. No single solution, menu of options	✔	✔	✔	✔	✔	✔	✔	✔	✔
2. Build on work to date (studies, task forces, etc.)	✔	✔	✔	✔	✔	✔	✔	✔	✔
3. Target different levels of workforce to provide WH	✔	✔	✔	✔	✔	✔	✔	✔	✔
4. Engage private and public sector employers in finding WH solutions	✔	✔	✔	✔	✔	✔	✔	✔	✔
5. Political will to implement solutions	✔	✔		✔	✔	✔	✔	✔	
6. Focus on rental housing	✔	✔	✔	✔	✔	✔	✔	✔	✔
7. Addressing NIMBY and workforce housing	✔	✔	✔	✔	✔	✔	✔	✔	
8. Encourage public private partnerships for WH	✔	✔	✔	✔	✔	✔	✔	✔	
9. Encourage WH affordability and livability	✔	✔	✔		✔			✔	
10. Support living wages in the Keys								✔	
11. Expand the Keys economy beyond tourism	✔						✔	✔	
12. Address negative impacts on Keys communities of transient workforce	✔							✔	
13. Collect data on WH provided by hoteliers	✔	✔				✔	✔		

ISSUES/IDEAS	STAKEHOLDER PERSPECTIVES								
	County	*City*	*State*	*Education*	*Development*	*Lodging/Hospitality Tourism*	*Business*	*Non-Profit*	*Military*
WORKFORCE HOUSING FUNDING									
14. Workforce housing site identification and audit	✔	✔	✔	✔	✔	✔	✔	✔	✔
15. Changing the Tourist Development Council (TDC) law to allow those dollars to be used for affordable housing development.	✔	✔	✔					✔	
16. Remedy Sadowski Trust Fund donor inequity	✔	✔	✔	✔	✔	✔	✔	✔	✔
17. Land Authority funds for workforce housing construction	✔	✔	✔	✔	✔	✔	✔	✔	
18. Dedicated local funding for workforce housing	✔	✔	✔	✔	✔	✔	✔	✔	
19. Consider inclusionary WH fee	✔	✔			✔			✔	
20. Address Air B&B and impact on bed tax revenue						✔			
21. Provide assistance to workforce renters (down payment/deposit)						✔	✔	✔	
WORKFORCE HOUSING- PLANNING, ZONING, ENFORCEMENT									
22. Create a County Workforce Housing Development Plan	✔	✔				✔	✔	✔	
23. Consider adjusting height restrictions for more WH	✔	✔	✔	✔	✔	✔	✔	✔	
24. Allow increased density for WH	✔	✔	✔		✔	✔	✔	✔	
25. Tax Credit Property Management after 15 years	✔	✔						✔	
26. Encourage mixed use	✔	✔			✔	✔	✔	✔	

ISSUES/IDEAS		STAKEHOLDER PERSPECTIVES							
	County	*City*	*State*	*Education*	*Development*	*Lodging/Hospitality Tourism*	*Business*	*Non-Profit*	*Military*
27. Enforce Housing Codes	✔	✔	✔						
28. Explore "Micro Housing"	✔				✔			✔	
29. ROGO Allocations and Transfers, Fractional ROGO	✔	✔	✔	✔	✔	✔	✔	✔	
30. ROGO Formula	✔	✔	✔	✔	✔	✔	✔	✔	
31. Address redevelopment and WH	✔	✔			✔	✔	✔		
32. Encourage commercial construction of WH by reducing impact fee.	✔	✔			✔	✔	✔	✔	
33. Explore the role of live-aboard boats in WH	✔	✔			✔				
34. Encourage hospitality industry to build WH	✔	✔	✔	✔		✔		✔	
WORKFORCE HOUSING & TRANSPORTATION									
35. Increase highway capacity to adjust ROGO evacuation formula	✔	✔	✔	✔	✔	✔	✔	✔	
36. Address related issues-Transportation options for employees	✔	✔		✔	✔	✔	✔	✔	
37. Address transit issues in the upper Keys	✔	✔				✔	✔		
38. Address & improve transit issues in the lower Keys	✔	✔				✔	✔	✔	
WORKFORCE HOUSING & SITE IDENTIFICATION									
39. Re-purpose land owned by local government for WH					✔	✔	✔	✔	
40. Focus all 3-tier properties on WH		✔							

ISSUES/IDEAS	STAKEHOLDER PERSPECTIVES								
	County	*City*	*State*	*Education*	*Development*	*Lodging/Hospitality Tourism*	*Business*	*Non-Profit*	*Military*
41. Audit Local Government owned public lands for WH	✔	✔	✔		✔	✔			
WORKFORCE HOUSING – CONSTRUCTION									
42. Waive building fees for WH	✔	✔			✔			✔	
43. Buy down interest rates for WH projects					✔	✔			
44. Cut taxing rates on WH					✔				
45. Commercial properties for WH-tax and insurance breaks					✔	✔	✔		
WORKFORCE HOUSING – PRESERVE EXISTING WH									
46. Preserve/maintain affordable units	✔	✔	✔	✔	✔	✔	✔	✔	✔
47. Address "lost" AH/WH units			✔					✔	
48. Revisit land trusts as a tool	✔	✔						✔	
49. Provide for "no net loss" of affordable & WH in County housing element	✔	✔							
50. Adopt a "lease form" for local governments owning underlying land for WH	✔	✔	✔		✔			✔	
51. Address loss of deed restrictions for AH	✔	✔	✔	✔	✔	✔	✔	✔	
52. Address RV/Trailer Parks as WH and conversion issues	✔	✔	✔		✔	✔	✔	✔	
WORKFORCE HOUSING – EDUCATION									
53. Engage the school system as largest employer in WH	✔	✔		✔					
54. Improve teacher housing needs data collection				✔					

ISSUES/IDEAS	STAKEHOLDER PERSPECTIVES								
	County	*City*	*State*	*Education*	*Development*	*Lodging/Hospitality Tourism*	*Business*	*Non-Profit*	*Military*
WORKFORCE HOUSING – RELATED ISSUES									
55. Address related issues insurance costs- wind	✔	✔		✔	✔	✔	✔	✔	
56. Address 2018 FEMA flood insurance issues.	✔	✔	✔	✔	✔	✔	✔	✔	
57. Address related issues- Daycare	✔							✔	
58. Homelessness & Workforce Housing	✔	✔				✔	✔	✔	
59. Protect military buffer areas			✔						✔
60. Address "food security" and WH								✔	

D. Stakeholder Ideas and Perspectives on Workforce Housing

Over 75 persons participated in the interviews and meetings and identified a range of workforce housing issues. Below is a compilation summary of the input received from individuals representing different sectors (public, private and non-profit) and residing in different parts of Monroe County.

1. County Government- Ideas and Perspectives

Build on affordable housing work to date

- We need to understand and build on what's been learned from various task forces and studies and apply to the current workforce housing situation in the Keys. Review what incentives are in ordinances and how have they worked. How do we retool to work better. What about inclusionary zoning? What about density bonuses and density waivers? What they are how they work. How to retool to work better. What doesn't work.
- Come up to speed on what was done previously so we know where things were when walked away.

No silver bullet, no easy fix

- We need a balanced menu of options. Acknowledge the broad range of different of solution and levels of housing.
- There is no easy fix, no one way to handle this problem.

Workforce Housing Shortages

- We are short over 6000 units and under ROGO we will get 700 over the next 10 years. That does not come close to solving the problem.
- The Affordable Housing Committee should focus initially on workforce.
- We are short 6,800 units of work- force housing. This is a crisis and housing is the most expensive item on the County's list.
- Housing affordability in the Keys includes insurance, the cost of food and the cost of daycare as well as housing.

Rental workforce housing focus

- Our most critical need is in lower income and service ranges and we should focus especially on rentals for this segment of the workforce.
- 98% of the residents of county-run public housing is workforce housing for working individuals (with the exception of the elderly and disabled). Rent is capped to 30% of household income and the remaining amount is subsidized.

Windstorm and Flood Insurance Rates

- The current windstorm and flood insurance situation is huge affecting all residents not just lower income.
- If you can't pay cash, you need insurance to secure a bank loan.
- FIRM- Fair insurance rates for Monroe- is engaged in grass roots advocacy work.
- The Federally subsidized program flood insurance program was amended and will set a new basis for Florida insurance rates, setting the stage for immediate dramatic increases flood insurance rates for both residential and commercial properties.

County growth management and affordable housing.

- Should affordable housing be part of the County growth management function

which is built more to slow growth or placed elsewhere with good staff support to allow it to be more active in identifying parcels and developers in getting the job done?

Empower and support the Affordable Housing Committee

- The Committee needs to consider a menu of recommended consensus workforce housing solutions as a package for the County Commission to consider and implement.

Protect and support the Committee's affordable housing staff.

- In the past considering the complex incentives and transactions for developers to build affordable housing has opened staff to attack by those opposing development in general. It has been a very public and vitriolic situation where staff have been personally attacked.

Site Identification.

- We should identify every piece of county property that is vacant, demolished, big enough for affordable housing and zoned properly.

Preserve and maintain affordable units.

- We've lost some affordable housing that was bought at low rates and sold at market rate and restrictions were ignored. We have to pay attention so games are not played with this and we lose these units.

Mixed Use.

- We should encourage this but it has not caught on except in Key West.
- We should explore mixed use and mixed income levels vs. low income property projects makes for better self policing and safer and more livable communities.
- The only exception to this is tax credit properties where everyone is low income with no one is over 60% AMI.

Address Management on Tax Credit Properties after 15 years.

- For the first 15 years, the developer is liable and responsible to maintain the tax credits and the housing. After the 15th year property management tends to deteriorate as less cash is devoted to upkeep.

Consider allowing Land Authority bed tax funds for construction.

- Currently they can only use the funding for land acquisition.
- Consider changing the Tourist Development Council (TDC) law to allow those dollars to be used for affordable housing development.

Height Restrictions.

- Should be open to relaxing this where this could produce more workforce housing.
- Consider handling this on a site specific basis.
- There are areas in town where building higher would not block views. The City of Key West would have the capacity to implement this although it would first have to be approved by referendum.

Explore Micro Housing.

- This is being implemented in cities such as New York. It might be applied in cities in the Keys to cut down on the commute time.
- Note that 1–bedroom units are the shortest in supply for the public housing and tend to be occupied longer, usually by elderly and disabled.

Enforce Housing Codes.

- Enforce housing codes in terms of illegal multiple occupancy.

ROGO

- ROGO allocation system for permits early on effectively eliminated affordable housing construction. Three things need to come together for successful workforce housing: funding, available land and allocations. However these have not coincided. Years ago funding was available but land and allocation were not.

Hospitality Industry and Workforce Housing.

- The industry should step up and participate in efforts to provide more affordable workforce housing. Some are, others should.
- Some wonder why County taxes would be used to subsidize the hotels' workforce housing. Hotels should do more.
- We should collect data on what hoteliers are doing in providing workforce housing for their employees.

Local Dedicated Funding Source.

- We need a local dedicated funding source (sales tax, "sin" tax, etc.) that can support the construction of workforce housing not just land acquisition.

Address Sadowski Trust Fund Donor Inequity.

- Monroe County contributes 60% and gets back 8%. This should be addressed when funding resumes.

AddressNIMBY

- Historically there has been community reactions to the old low income projects. This may continue to be an issue.

Related Affordability Issues

- Insurance and Day Care can figure in challenges for workers in terms of costs on tight family budgets.
- Many work 2-3 service jobs to be able to afford housing and other costs such as food.
- The "situationally" homeless are part of the workforce housing puzzle in Monroe County.

Hurricanes and Workforce Housing.

- In the last hurricanes in the Keys transportation from Miami stopped and restaurant and lodging businesses in the Upper Keys had to shut their doors for lack of employees.

2. Municipal Government- Ideas and Perspectives

Target the Levels of Workforce to Serve

- We need to define more clearly what kind(s) of workforce housing we want for the community. Hourly wage earners may always be renters in the Florida Keys. There is a shortage of decent, reasonably priced, available housing, especially one-bedroom rentals.

Engage Employers

- We need the businesses in Monroe County with the different types of employees (hourly, salaried) to be at the table and part of the solution. Hotels have the highest occupancy rate and the most profits of any place in the country. They have begun to help with workforce housing and they should continue to do

more.

Vacation rentals

- We need to address this challenging issue and its impact on workforce housing in the current marketplace.

Height restrictions

- Ease height restrictions where there aren't view issues to allow for more workforce housing.

Mixed use.

- Seek more mixed uses with the school board and other public properties.

Land Acquisition

- Focus land acquisition on workforce housing properties.

Focus on Redevelopment

- Key West is nearing build out and most construction is redevelopment and remodeling.

Loss of Deed Restrictions

- Address and audit the Loss of Deed Restrictions. ("Of the total 1,089 affordable units, 223 are expected to have their deed restrictions expire, or have expired by the end of 2015." *(See Appendix #6)*.

"No net loss" of existing workforce housing

- Amend the Comprehensive Plan's housing element so that future development will result in "no net loss" of existing workforce/affordable rental housing for households earning 80% or less than the area mean income.

High land values limit tax credit funded affordable units

- Difficult to both finance and construct units at any level except at the 60% of median through heavily subsidized tax credit funding. Lack of reasonably priced land has meant few of these projects have been built.
- In the City of Key West, its annual allocation of 91 affordable housing BPAS units.

Re-purpose land owned by local government

- Land owned by the county should be re-purposed for affordable and workforce housing.

Consider additional funding sources

- A tax on every alcoholic beverage sold or a 1% real estate transfer tax could generate funding for workforce housing. Relying upon the Land Authority funds won't be enough.

Development Plan and Funding for Workforce Housing

- We need to figure out how to put the land authority/Housing Authority and bed tax money together and form development plan for affordable housing.

ROGO AH Allocations

- Each year in City of Key West there are 90 affordable housing ROGO allocations with the City able to borrow up to 10 years ahead to create more affordable housing.
- Focus all tier-3 properties on workforce housing if it doesn't raise a property rights issue.

Adopt lease form

- Cities should consider adopting a lease form with the public sector owning the

underlying land.

Support non-profits and their work on affordable and workforce housing

- Provide funding for nonprofit affordable housing entities.

3. State Government- Ideas and Perspectives

FFHC Set Aside for Monroe County

- Work to preserve the Monroe County set aside Florida Finance Housing Corporation competitive applications for affordable housing tax credit

Sadowski Fund

- Sadowski Fund affordable housing funding has not been available for affordable housing since 2006. Work to bring that funding back.

Tourist Development Tax and Workforce Housing

- Tourist Development Tax should support the building of workforce housing. Funds go to the Monroe County Land Authority ($4 million) and Key West ($8 million).
- Consider changing the tourism bed tax statute to allow for supporting the construction of workforce housing.

Combination of Issues

- In the Keys need to consider four factors: hurricane evacuation; environmental protection of land and species; affordable housing; and water supply.
- During the economic downturn there was less interest in building AH.

Rising Rents

- Rising rents represent a big challenge for workforce housing and strategies to address this should be considered.

NIMBY issues and Workforce Housing

- Monroe County needs to address the NIMBY issue that is a barrier to workforce housing.

Protect Navy Noise and Crash Zone but look for workforce housing opportunities

- Work with the Navy to protect noise and crash zones while looking for opportunities to build workforce housing.

Support Deed Restrictions

- Support the use of 99 year leases for $1- Affordable forever.
- Assess current state of enforcement of deed restricted land and work to extend leases to 99 years.

Identify and Aggregate Workforce Housing Parcels

- More could be done to identify parcels of land and aggregate them and analyze opportunities for workforce housing on surplus lands.
- There may be opportunities for duplexes and quadaplexes on scarified small lots for rental units.

Height Restrictions

- Consider relaxing height restrictions especially in the center of the islands with existing tall buildings. This would provide additional workforce housing

FEMA Flood Maps

- Address the impacts of the new FEMA flood maps on Monroe County and workforce housing.

Homeless

- Homeless are an important issue to address in a tourist economy. How many of the homeless are there because of lack of affordable housing in the Keys?

ROGO System

- ROGO system has evolved and the modeling is scientifically and statistically defensible in terms of hurricane evacuation time.
- There are affordable housing ROGOs that have not been used.
- The most recent annual travel study that shows how long takes to get over the 22 segments of the U.S. 1 highway, indicates a segment starting to fail in Islamorada.

Engage the Hotel and Hospitality Industry

- Hoteliers should be more engaged in the workforce housing discussion. Convened a recent meeting for hoteliers in Islamorada to discuss this issue and only 3 came.

Enforcement of Housing Ordinances

- Need to address and enforce the ordinances regarding unlawful modifications of homes and overcrowding of residences.

Mobile Homes and RV Parks and Workforce Housing

- Need to address the question of the role of mobile/RV parks in supplying workforce housing and the impact of conversions of these parks on availability of affordable housing.

4. Education Sector Ideas and Perspectives

Target the kind of housing needed

- Education has the same levels of workforce housing needs as other sectors.
- Have to focus on the target population in terms of addressing gaps in workforce housing, e.g. Teachers, support and administrative staff, service industry workers, etc.

Partnerships for workforce housing

- Interested and exploring partnerships for workforce housing development on school board owned property.

Recruitment and Retention

- Recruiting and retaining teachers and professors in the Keys is a very challenging problem due to the relatively high cost of housing.
- Retention continues to be a problem and accessible and affordable workforce housing is part of it. There is a huge organizational cost to retrain.

Student Enrollment Stable

- The current context in terms of student enrollment is stable but not increasing, having decreased during the economic downturn.

Single vs. Family Teachers

- "We have lot of young employees with over 70 new teachers." Young single teachers may rent space with roommate(s), but teachers with family is another matter as there is very little family friendly workforce housing.
- Many teachers in Upper Keys commute to Miami Dade vs. secure housing in

Monroe County.

- In Key West and the lower keys, the property values are the highest and present a challenge for young teachers and teachers with families.

Involve the Public School System at the Workforce Housing Table

- Since the Public School system one of the larger employers in the County in terms of teachers, support and administrative staff, there should be place at a workforce housing table for this perspective.

Increasing reliability of teacher housing needs data

- The School system is working on improving the reliability of their data and its collection related to employee housing needs.

Public private partnerships

- Encourage and support public private partnerships as part of the workforce housing solution.

5. Development Stakeholder Ideas and Perspectives

Development Constraints

- The critical areas of state concern and environmental issues constrain the available land for workforce housing.
- The cost of labor and insurance is climbing so incentives for workforce housing will be an important stimulus.

Authorize Land Authority to Build Workforce Housing

- Fund the Monroe County Housing Authority or other similar successful organizations to build workforce housing.

Convert public land for workforce housing

- The school board and the city may have large tracts that can be converted for workforce housing.
- Need to use infrastructure $$ making land improvements for property we should own- RFPs for developers.

Tax credit housing and workforce

- Meridian West- 102 units for very low income. It has the lowest turnover of any very low-income housing project in Florida with 3 bedroom apartment renting for around $1100. The very low and low income are the best served in terms of affordable housing of the workforce population. Workforce housing is where the gaps are.

Livability and Affordability

- Tax credit developers- Designed for good purpose but because of bureaucratic overhead, can only do large scale projects that may look out of place and unattractive to the people living in and nearby the units/development.
- Livability ideas are secondary with landscaping and signage not given a high priority. Need to consider "livability" not just tax credits and affordability when building workforce housing.
- Scale is an issue here with smaller projects there is a greater chance of empowering residents to maintain their homes. The larger projects have ongoing maintenance and management costs

Address Spectrum of Workers and Housing Needs

- Have to clarify what workers want and need in terms of housing. What is the real need? Employees from Eastern Europe- Hawks Cay- Vast majority of employees- 6 months at a time. Is sharing an apartment for these workers a bad idea?
- What portion of staff/employers made up of transient migrant workers? What are their needs? How many are working in City of Key West and where can their housing needs be best addressed? What role might dormitories play?

Incentives for smaller unit projects

- Consider providing incentives for more smaller unit projects that will be more livable. The tax credit resource funding for this doesn't practically work below 20-25 units because of costs.
- Provide incentives for small apartment complexes, not big units, e.g. develop 10-20 units with multiple occupancy.
- They can be nicely done dorm style with shared kitchen consistent with character, built to code and also preserve green space.

Hotels re-openings and workforce housing impacts

- May not be new hotels coming on but those that were shut down are reopening. We need to be careful about what that means in terms of housing demand. There may not be growth in the population going forward.

Workforce Housing and Live Aboard Boats

- What are the City of Key West statistics on Mooring Fields. There may be more than 120 boats in mooring fields providing affordable housing. How many boats are there for a short or longer time? How many are providing workforce housing? What is the quality?

Addressing Trailer and RV Parks as Workforce Housing

- What role do existing trailer and RV parks play in affordable workforce housing in Monroe County?
- What has been the enforcement experience with the 30% rule in converting trailer parks in the County?

Waive building permit fees

- Have local governments waive building permit fees for affordable and workforce housing projects.

Political will

- Is there the political will to implement workforce housing solutions?
- There has been at times, for example the last Workforce Housing Task Force in 2007 had some of it recommendation implemented.

Encourage mixed use

- We should be encouraging mixed use in central areas throughout the Keys.

Consider greater use of an inclusionary affordable housing fee

- The County should set a fee for inclusionary housing such as the $40,000 per inclusionary housing credit that Marathon is proposing. This fee would be paid to the Monroe County Housing Authority in an affordable housing trust fund to be distributed to those who actually build affordable housing. This would create a subsidy paid from new market rate or transient (hotel) projects to be distributed to those who actually build the affordable housing.

- To assure the housing is built and completed, the subsidy would not be funded until the certificates of occupancy for the affordable housing are issued.
- This type of commitment would incentivize those who are willing to build affordable housing, and the funds would come from those building the projects that require inclusionary housing without the market rate developer from having to use some of his/her market rate allocations on affordable housing.
- All transient unit development and re-development should require inclusionary affordable housing ordinance, or impact fee assessment.

Increase density and height

- With limited lands on which to build affordable housing, increase the density and height (e.g. 40 feet vs. 35 feet) for affordable housing to make this feasible.
- Increased density in appropriate zoning districts within commercial areas to facilitate workforce housing.
- Increase height in appropriate areas.
- Build up! Build new! Much of the KWHA properties are old, ugly, small and inefficiently sparse. Density needs to increase.

Increase the capacity of highways

- To increase ROGO allocation work together to secure funding to increase the capacity of highways.

Review city and county owned lands for use as workforce housing

- Identify all city and county owned lands for workforce housing that do not present environmental issues and utilize for workforce housing.

Develop a workforce housing 10-year strategic plan.

- Look for early successes in the first 3-5 years in adjusting regulations. Set a goal of cutting the gap in workforce housing by 50%.
- The approach to "renter vs. ownership" should be "both/and."

Address the 2018 FEMA changes

- We need to prepare in required elevations (AE 7 becomes 9) and 60% of houses will be in jeopardy making them harder to resale or rebuild.

Surplus land

- The County and Cities should inventory surplus land and identify land that can be used for workforce housing.
- Lift the cap on the number of credits, keep construction costs per unit low ($25,000)
- Consider additional sales subsidy to help deals that are short.

Identify and Aggregate Parcels of Public Land

- County and the Cities haven't done enough to identify parcels of land and aggregate them. We need to do more surplus land analysis.

Additional density for workforce housing

- We have to be creative. We should consider giving additional density to developers who are constructing a workforce community/development with a couple market rate units.

Add commercial development and redevelopment

- Based on employees and square feet (use industry standards and sales tax codes) for an impact fee assessment.

ROGO Transfers

- Implement a ROGO transfer ordinance whereby a market rate unit may be dislodged if an affordable unit replaces the dislodged market rate.
- Issue no market rate ROGO units for multi-unit development projects, instead, issue "affordables" and require developers to take the affordable units and deed restrict existing market rate properties and then dislodge the market rate for use elsewhere as their market rates.

Buy Down Interest Rates for Workforce Housing Projects

- Use land authority money or impact fees to buy down interest rates for development costs for work force housing projects.

Cut Taxing Rates on Workforce Housing

- Legislation to cut taxing rates on affordable and workforce housing.

Commercial Properties for Workforce Housing

- Give commercial properties that are used for workforce housing rental the same tax and insurance (flood) breaks as primary homestead properties.

6. Lodging, Hospitality and Tourist Development-- Ideas and Perspectives

The Hospitality Economy

- Hospitality represents 80% of the economic activity in the Keys. Its workforce is very transient and generally looking to rent not purchase.

Lodging Industry and Workforce Housing

- Lodging industry may be only industry in the Keys that is trying to address workforce housing for new properties. For example the Westin in Key West has 75 units set aside housing 105 people from managers to cooks.

Marketing and the Keys

- Focusing on creating a year round destination with success in Key West. Spreading the marketing effort out over the year to increase visits and occupancy in the off season and slow season. Colorado recently decided it had marketed sufficiently and moved to disband their statewide marketing effort. The next season resulted in a big drop in tourism. Tourism remains the key part of the Key's economy.

Importance of continuing to market the Keys

- Colorado experience in cutting budget for statewide marketing led to big drop in the tourism economy.

Environmental Land Acquisition vs. Affordable Housing

- With the years in which funding was put towards environmentally land acquisition, relatively little was invested affordable housing. What is a smart split between the 2 purposes?

Transportation and the Keys.

- The transit service from Miami-Dade to Marathon and north in the Upper Keys is currently funded by the Dade County local transit ½ penny, state and federal dollars but no Monroe County support for the transit service.
- As job opportunities grow in Miami Dade, what impact will this have on the supply of lodging industry and related tourist industry employees in the Upper Keys? "Getting on bus at Walmart in Florida City to go south for work, the

question for workers is How available is work, where and how much does it pay."

- Homestead and Florida City provide high densities of immigrant populations which housing in Monroe County does not offer.
- Hotels in the Upper Keys are interested in working with Monroe and Dade Counties in finding a solution to sustaining and improving the transit service that provides lodging and hospitality works from Marathon and north. Some hotels are supplementing the bus routes with their own busses.
- We need better transit in the lower Keys to support the workforce transportation needs.
- Better public transportation in the lower keys. Reliability and cost of public transportation options to deal with fact that more affordable housing is further away from jobs.
- Need reliable transit from workforce housing to work especially with parking issues in Key West. Alternatives such as biking and scooters are not practical given weather. Consider using smaller and more transit vehicles in the Key West area.

Employee turnover

- Person dependent industries cannot outsource jobs. Need to find ways to reduce employee turnover which often relates to housing/rental costs.

Vacation rentals and Preserving Affordable Units

- This is a large problem throughout the Keys impacting the supply of workforce housing. However it may be that many are above the workforce housing price range.
- More important than building new workforce housing is how can we maintain what is affordable for the median income workers. During the downturn property values went down while rentals went up. Workforce housing is primarily the rental housing market. Consider whether there might be restrictions or new regulations creating some disincentives for converting units to vacation rentals.

Online Vacation Rentals Marketplace

- Address the online market place for vacation rentals that connects users with property to rent with users looking to rent the space(e.g. AirBnB) and its impact on bed tax revenue
- Also, related to this is the new addition of Air B&B and lack of regulation and enforcement. This raises safety issues as well as the "free ride" by not paying the bed tax. It may be much easier to rent through this approach than to a workforce tenant.

Help Workforce Renters

- Consider providing down payment/deposit assistance.

Hospitality Industry Data

- Hotels have been reluctant to share data on workforce housing as some is tied to employment contracts and privacy concerns.

Disseminating Workforce Housing Information

- We need more effective affordable housing information that is available to workers.

Height restrictions

- Can build more rental units on both 2nd and 3rd floors with first floor commercial in the lower Keys if the height restrictions are eased. For example consider strip malls with the upper level dedicated to housing.

Public Property

- County and Cities may be the biggest land owners and should identify public property with buildings that might be torn down to build housing.

Balance environmentally land acquisition with affordable housing

- investment. Historically, nothing or little has been allocated towards AH effort. What is a smart split between the 2 purposes.

NIMBYism ("Not in my back yard")

- Lodging industry did general marketing efforts focusing on nurses and police and workforce housing which helped. However, there continues to be a lack of creating new workforce housing.
- Give Land Authority the ability to devote some of the bed tax funding to purchase workforce housing.

Retention and the High Cost of Housing

- Tourist Development Council data shows that 94% of those leaving the County are leaving because of high cost of living and housing.

Rents going up

- While land values dropped down during the recession, rentals went up as many owners faced with increases in wind storm and flood insurance and property taxes passed these on to tourism workers.

7. Business Sector including Real Estate

Island economy and community

- Housing has always presented a dilemma and changes in an island community and economy. 100 years ago the cigar manufacturers had to address this.
- We have a dynamically changing environment with a finite piece of real estate and nothing else to fall back on. Over the past 15 years, credit should be given for successfully putting together affordable housing units in the face of regulatory and NIMBY hurdles, but we are still far short of bridging the gap and meeting the demand.
- "Checks and land" can solve the workforce housing problem.

Clarify our workforce targets for housing

- It is not clear what kind of workforce and housing are we seeking to provide? Hotel, motel, restaurant or managers- each with a different set of problems.
- We don't know anymore what the community needs. Do we need single residential occupancy for 500 guest workers in Key West? Probably not.
- We may not have an analytical feel for what we need in terms of workforce housing throughout the Keys.

Impact on community of transient workforce

- What are we doing to the cultural makeup of the community with a transient workforce? Children grow up and move to less expensive places instead of making Monroe County their home.

- Biggest concern is the character and flavor of Monroe county may be going away and losing our foundation. The next generation shrinking.

Wind and flood insurance

- Rising insurance costs are compounding the housing problem- driving rents up beyond affordability.

Political will

- We will need the political will to make changes to bridge the gap of workforce housing
- Previous Task Forces on affordable housing have been very difficult and challenging to serve on in terms of pleasing the elected leaders and citizens.
- Do we have the political will to continue grappling with this problem and implementing solutions? Is the problem only a shortage of affordable units suitable for workforce housing?
- We have opportunities but do we have the political will to get this done? There's too much, "I've got mine," in the community. How many of our elected leaders works or owns a business?

Land trusts as a tool

- The Bahama Land Trust debacle has made serious discussion of land trusts as part of the tool kit very difficult.

Prioritize units over "money in lieu of"

- Is it even possible to prevent gentrification on island that is 2X3 square miles? Don't look for $$ in lieu of as we need units.

Hold off major changes to workforce housing pending the Affordable Housing Committee's work

- The County appears to be getting ready to change income limitations to target working households at the middle level. Hold off implementing changes until we have reinstituted and charged the Affordable Housing Committee.

Permit Bed Tax to support purchase/building of workforce housing

- Change the law to allow purchase and building of workforce housing. Put it where people can get to work.

8. Non-Profit Sector Ideas and Perspectives

Living wages

- Affordable housing programs for low income earners range from 80 to 140 % of AMI, yet real wages for career type workers are closer to 60% AMI.
- Employers in Monroe County are not expected to pay a living wage. The wealth created in our tourist economy depends upon low wage, high turnover, and low skill employees.

Limited housing supply and investment wealth

- The outside wealth that purchases a second home or invests in real estate in the Keys drives up the asking and selling prices for all properties where the dynamic of a limited supply of land and great wealth seeking investment churns on constantly. This dynamic is shared with other resort locations. The compromises workers make then is to work several jobs and/or to live in substandard housing or to leave.

- We need to get more citizens of Monroe County invested in the future of this place.

ROGO and affordable housing

- The measured gap between the number of units needed and the available ROGOs demonstrates the futility of trying to build our way out of the crisis. The negotiations with DEO provide affordable housing units for the next 20 years within the frame work of evacuation limits. These new affordable units are critical but will not solve the need.
- The operative assumption for allowing more density for certain types of affordable housing is that all of the types of ROGOs are not necessarily equal. Consider assigning a ROGO value of less than one unit for affordable homes less than 600 square feet or so. The Comprehensive Plan, the DEO, and evacuation models can be examined for alternative methods to allow more density for affordable units that are smaller.
- The second home owners who are not necessarily in residence during the hurricane evacuation season is an example of units counted against evacuation times where the actual impact may not exist. The number of homes that are vacant in Monroe County due to second home ownership has been noted in several studies
- The Area of State Critical Concern uses the dwelling unit as its basic unit of control. The management of and regulation of all home types will become critical to assessing evacuation time. Monroe County should audit all housing types and create an inventory detailing the status of each ROGO. Benefits from an audit would include identifying flood prone structures, uninhabitable units, illegal units, etc.
- Change ROGO to square footage.

Affordable housing has not been protected

- When government has granted greater densities or used inclusionary zoning it has not always registered, audited or tracked compliance to ensure the permanency of these precious units. Deed restrictions were not monitored.
- The temptation to convert affordable units into market rate units, rental or ownership, is too great and with little penalty or notice.

Affordable housing "lost units"

- The community has a strong common interest in protecting those affordable units it has lost after subsidizing or underwriting their creation. If the will were to exist, these "lost "units could be investigated and the current owner asked to revert them to affordable status. Liens and other mechanisms exist to "take" on the public's behalf what was not proper to convert in the first place.

Redevelopment and inclusionary zoning

- Inclusionary zoning as a government policy has been in place for new development. It is time to explore requiring affordable housing units from redevelopment projects.

Lower and Middle Keys different workforce housing issues

- The lower and middle keys have different issues and solutions from the upper keys where day labor bused in from the mainland can assist in the workforce. But the market dynamics are found in common through all of the keys.

Funding inequity

- A strong argument can be made to correct the inequity of the donor/recipient that exists, based on the $6 million a year that Monroe County gives to The Sadowski Housing Trust Fund every year compared to the pittance of $300,000 in SHIP funds returned this year and in the past.

Transportation

- Lack of transportation infrastructure makes workforce housing more problematic.

New workforce housing partnerships needed

- Many differing approaches in scope and scale will be required with various partnerships between government, private, for profit and nonprofit developers.

Affordable yet substandard housing

- Rental housing that costs less than $900 a month, regardless of size or condition, is termed affordable despite being unsafe or substandard or very small.

Political will

- The political will to make real changes in policies, incentives, regulations and to commit resources remains to be sustained.

Don't repeat studies, focus on action

- The comprehensive studies, recommendations and published works on the topic do not need to be repeated. The metrics of this problem are well known and documented. The dynamics and facts have changed little over the years: outside wealth creates seasonal homes that are not available; the profit generated from transient units puts pressure on dense mobile home and RV parks; tourist industry wages are low, turnover is high, landlords can rent substandard units due to high demand for any type of housing, etc.

Other related issues

- While workforce housing is the focus of the moment, there are important related issues of food insecurity, education, child care for employees are critical to the workforce housing discussion.
- While addressing workforce housing, we should address homelessness (and the growing youth % of this population) and help with the path back to working for families.
- Where will the employees of the new lodging establishments be housed?
- There has been a huge uptick in the demand at food pantries across the County and not just among homeless people but with working families still in homes. 47% of families countywide with kids under 18 are eligible for reduced lunch. Of this population, 46% are minorities. Lack of affordable workforce housing has led to food insecurity. If we didn't have a housing problem we wouldn't have a food security issue.
- Many elected leaders are not aware of the childcare challenges faced by those working and living in the Keys. Those who haven't raised family here are not aware of the lack of child care options and its impact on the work force.
- If we can't control housing costs for working families, all other costs such as childcare, food prices, etc. are related and compounded.

Expand the Keys Economy.

- We need to think outside the box and expand our efforts to build a future Keys

economy beyond tourism.

- We need all parts of the demographic in Monroe County.

9. Military Sector Ideas and Perspectives

Recruitment and retention

- Workforce housing affects the recruitment and retention. The housing set aside for the base workforce has a long wait list. Housing is the #1 issue for their civilian workforce. There is not a week where the Commander is not involved in a family housing issue.

Communication and coordination

- In terms of the Naval Air Station lines of communication and coordination have been improved with the Commander now the point of contact for coordination.

Presence in the community

- In terms of presence in Monroe County, there are roughly 1600 military (including Coast Guard), 1000 civilians and 400 contractors or about 3000 employees and about 5500 including families, spouses and dependents.

Evacuation procedures

- In terms of evacuation, the Commanding Officer implements the recommendations of the County Emergency Manager and will close the base and issue evacuation orders for military personnel. Civilian workers are urged to evacuate and are provided travel orders and funds to evacuate. The 550 RV units in the Naval Air Station campgrounds evacuated first.

Need for buffer areas and workforce housing

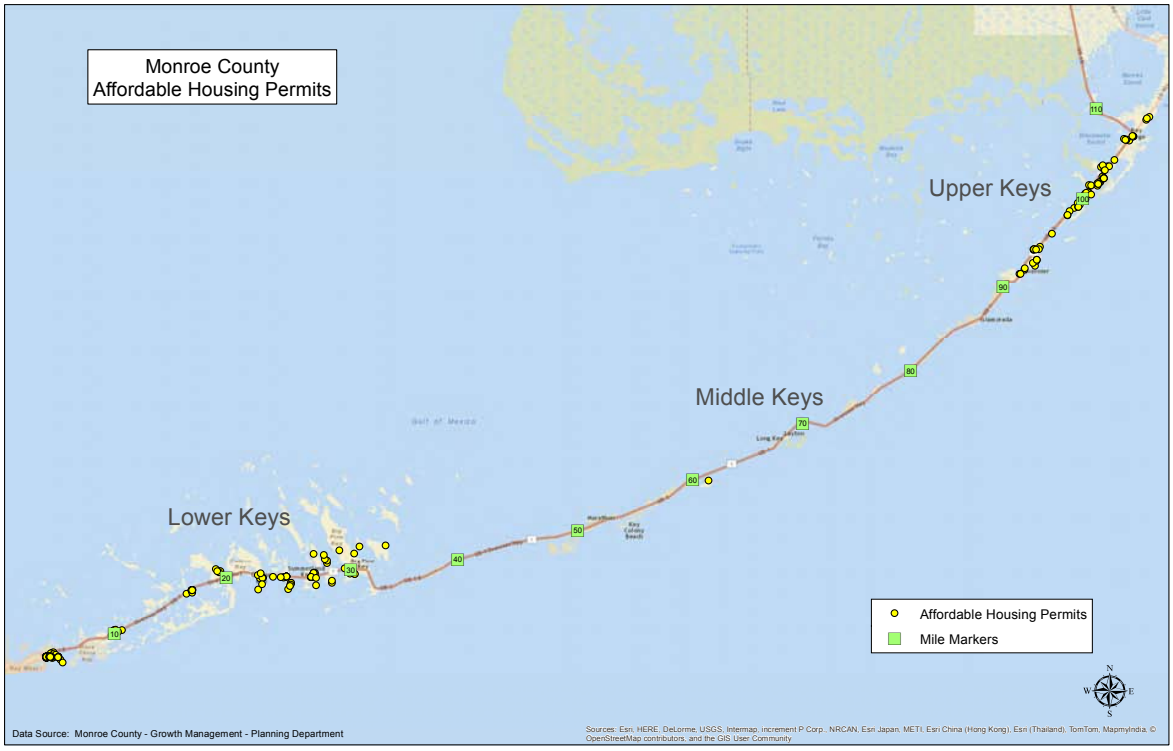
- In terms of searching for solutions to locating workforce housing in Key West, the Naval Air Station strives to protect public health and welfare and its mission by keeping buffer areas separate without housing in the high noise of unsafe areas surrounding the base.
- The Naval Air Station does not get directly involved in growth issues such as density and intensity unless it directly impacts the buffer areas. Only exception to this was their support for the widening of the 18-mile stretch of US 1.
- General concern with the impact of vacation rentals on the supply of workforce rental housing for the over 5,500 Base employees and their families, spouses and dependents.

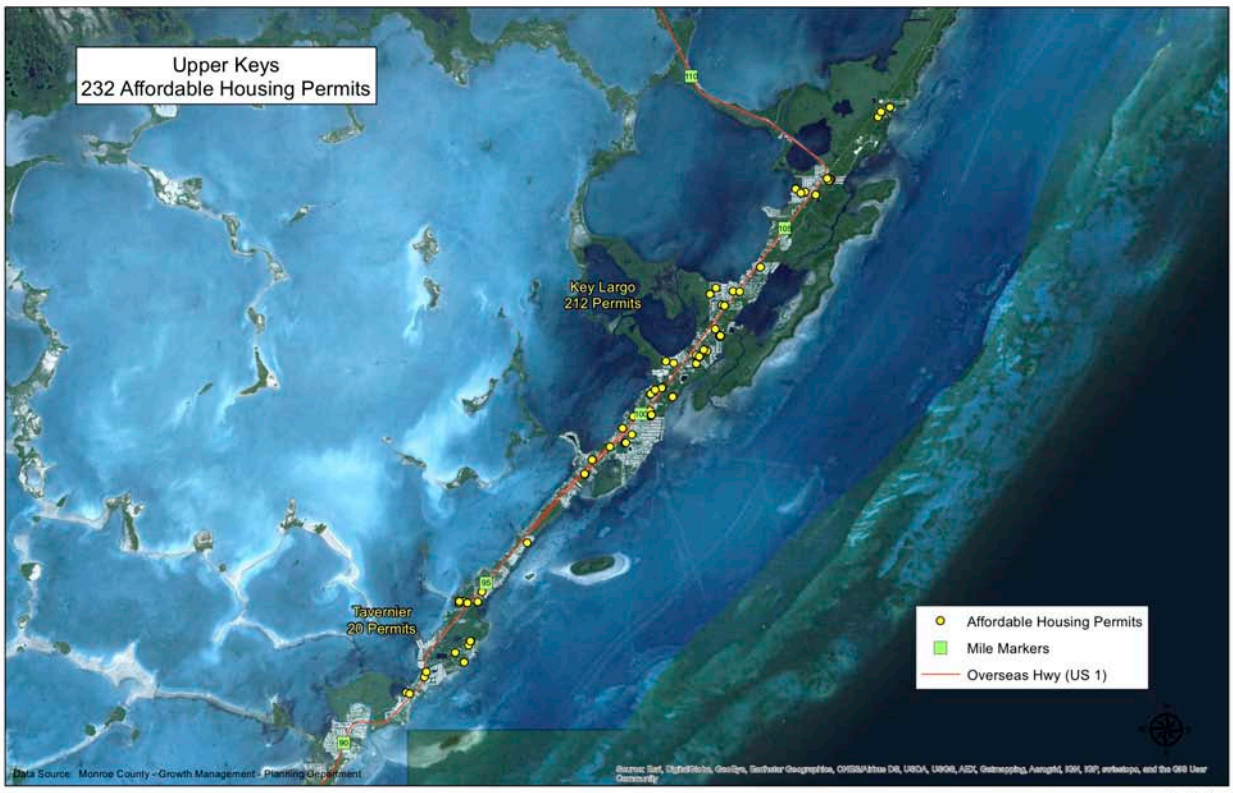
IV. WORKFORCE HOUSING PROCESS- STAKEHOLDER PERSPECTIVES

A. Information Needed to Inform Consensus Building on Workforce Housing

Monroe County staff has gathered a draft detailed baseline data that included an inventory of affordable and workforce housing projects completed over the past 2 decades in Monroe County, along with the public incentives that were made to assist in the housing development.
(See: http://consensus.fsu.edu/Workforce-Housing-Assessment/pdfs2/DRAFT_County_AFF_Housing_Developments_and_Incentives_v9-2.pdf

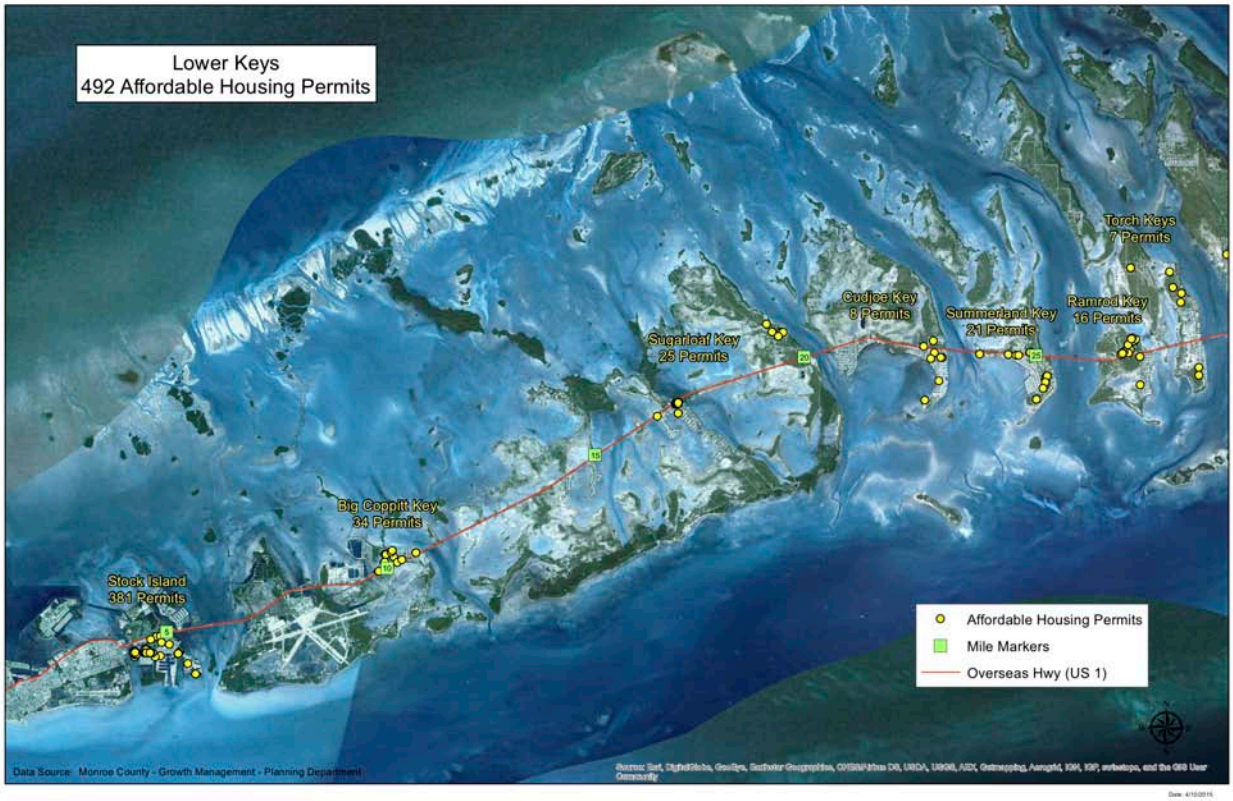
The maps that provide the locations of the developments included in the Table throughout Monroe County:




Upper Keys
232 Affordable Housing Permits
Key Largo
212 Permits
Tavernier
20 Permits
Affordable Housing Permits
Mile Markers
Overseas Hwy (US 1)
Data Source: Monroe County - Growth Management - Planning Department


Duck Key
1 Affordable Housing Permit
Duck Key
1 Permit
Affordable Housing Permits
Mile Markers
Overseas Hwy (US 1)
Data Source: Monroe County - Growth Management - Planning Department


Big Pine Key and No Name Key
16 Affordable Housing Permits
Big Pine Key
15 Permits
No Name Key
1 Permit
Affordable Housing Permits
Mile Markers
Overseas Hwy (US 1)


Lower Keys
492 Affordable Housing Permits
Torch Keys
7 Permits
Cudjoe Key
9 Permits
Summerland Key
21 Permits
Ramrod Key
16 Permits
Sugarloaf Key
25 Permits
Big Coppitt Key
34 Permits
Stock Island
381 Permits
Affordable Housing Permits
Mile Markers
Overseas Hwy (US 1)
Data Source: Monroe County - Growth Management - Planning Department

Staff also provided information on the ROGO system and annual allocations. Based on the affordable housing units that are in the Affordable and Workforce Housing Projects Table, the distribution of deed restricted affordable housing units is currently:

ROGO Subarea[10]	**# Units**
Upper Keys	346
Lower Keys	431
Big Pine Key and No Name Key	19
Total	**796**
Now incorporated as Islamorada	5
Now incorporated as Marathon	4
Total including those now incorporated	**805**

The balances of Affordable Housing Allocation[11] available as of Quarter 3 Year 23 (Jan. 13, 2015-April 13, 2015) are:

a. Big Pine/No Name Key Subarea affordable housing allocation breakdown into the two income categories are as follows: 1) very low, low, & median income *8 allocations* and 2) moderate income *8 allocations*; and
b. Unincorporated Monroe County excluding the Big Pine/No Name Key Subarea affordable housing allocation breakdown into the two income categories are as follows: 1) very low income, low income and median income *114 allocations* and 2) moderate *112 allocations*.

The additional affordable allocations by Subarea up through 2023 include 710 total including 20 to Big Pine Key/No Name Key Subarea and 690 available for countywide allocation except for Big Pine Key/No Name Key subarea

10 The ROGO subareas are defined in Section 138-20 of the land development code as follows:
Sec. 138-20. - General provisions. (c) The ROGO allocation system shall apply within the unincorporated area of the county outside of the county mainland, and such area, for purposes hereof, has been divided into subareas as follows:
(1) Upper Keys: the unincorporated area of the county north of Tavernier Creek and corporate limits of the Village of Islamorada (approximately mile marker 90).
(2) Lower Keys: the unincorporated area of the county from the corporate limits of the Village of Islamorada (approximately mile marker 72) south to the corporate limits of the City of Key West at Cow Key Bridge on U.S. Highway 1 (approximately mile marker 4), excluding Big Pine Key and No Name Key.
(3) Big Pine Key and No Name Key: the islands of Big Pine Key and No Name Key within unincorporated the county.

11 Monroe County Code Sec. 138-24**. Residential ROGO allocations……**
(1) Yearly residential ROGO allocation ratio. Each subarea shall have its number of market rate residential ROGO allocations available per ROGO year. Affordable ROGO allocations shall be available for countywide allocation except for Big Pine Key and No Name Key. The annual allocations for Big Pine Key and No Name Key shall be eight market rate and two affordable dwelling units.

In the course of the assessment interviews and meetings, various studies and data sources were identified on best practices from other jurisdictions and ideas developed or considered but not implemented by previous affordable housing task forces. These background papers can be found at: http://consensus.fsu.edu/Workforce-Housing-Assessment/

B. Workforce Housing Stakeholder Perspectives on the Process Going Forward

Among the range of stakeholders interviewed, all expressed the need for a focused and comprehensive county-wide workforce housing dialogue that involved those with a stake in the outcome. Many believed that such a committee should develop a package of consensus recommendations, informed by data and the range of stakeholder and public perspectives, that can provide for both short and longer term actions for the Board of County Commission's consideration. While some of those interviewed remained skeptical that there will be sufficient "political will" to implement the Committee's recommendations as has been the case in the past, many believed that this was an urgent and timely issue for the County to address in light of hotel redevelopment and the economic upturn.

As one stakeholder put it, "the re-establishing of the Affordable Housing Committee is a good step. Funding staff to work with it will be a measure of the commitment to effect real solutions. The mix of expertise, perspective and operating experience that the committee can bring to bear has great potential value. However, the community support and political will must be nurtured for difficult decisions on the demonstrated effective approaches of density, height and permanent protection and the mix of rentals and ownership."

In the Fall of 2014, following the initiation of this Assessment, the Commission re-appointed members to the existing Affordable Housing Advisory Committee and with the thought of convening and charging them with addressing workforce housing issues and providing the County Commission with its recommendations. The reconvened committee would review this assessment report and other data as it addressed its charge.

A workforce housing committee, ad hoc or otherwise, appointed and charged by the County Commission to address workforce housing issues in the Florida Keys was explored in the assessment interviews. A significant number of those interviewed applauded the County Commission's action in re-purposing the existing Affordable Housing Advisory Committee to focus, at least in the short term, on workforce housing. It was suggested that this approach could provide representation from each District in the County, offer workforce housing perspectives from the public, private and nonprofit sectors, and minimize confusion and any duplication of effort that an ad hoc workforce housing committee might create. It was also pointed out that this charge would be consistent with the Committee's current mission to address affordable housing opportunities in Monroe County for both "residents **and workforce**." *(emphasis added)*

A workforce housing committee, ad hoc or otherwise, appointed and charged by the County Commission to address workforce housing issues in the Florida Keys was explored in the assessment interviews. A significant number of those interviewed suggested the County

Commission should consider utilizing and re-purposing the existing Affordable Housing Advisory Committee to focus at least in the short term on workforce housing.[12] It was suggested that this would provide representation from each District in the County and minimize confusion and any duplication of effort that an ad hoc workforce housing committee might create in relation to the Affordable Housing Advisory Committee. It was also pointed out that this would be consistent with the Committee's current mission to address affordable housing opportunities in Monroe County. The Ordinance also provides that, "The advisory committee may perform additional responsibilities related to affordable housing at the request of the BOCC, including creating best management practices for the development of affordable housing in the community." [2-701(c)]

The Commission should review the current Committee appointments to ensure that a balance of workforce housing stakeholder perspectives are included in its membership. If the Commission charges the Affordable Housing Advisory Committee to develop consensus recommendations on workforce housing actions for consideration by the Monroe County BOCC, most stakeholders interviewed suggested there should be a sufficient range of stakeholder perspectives represented and participating in the consensus building. This would allow the Committee to develop informed workforce housing consensus findings and recommendations that stakeholders might support and the County Commission could act upon.[13]

There is a great deal of public and stakeholder interest in the workforce housing issues the Committee will take up. The membership requirements, as set forth in both Florida statute and the Monroe County Resolution, do not reference representation of the municipalities in the County, the military, the Monroe County School Board and perhaps other organizations impacted by workforce housing policies and programs and with a stake in contributing to solutions to improve the availability of workforce housing in the Florida Keys.[14]

The format for the Committee meetings should encourage constructive public and stakeholder input. The Commission might consider charging the Committee with establishing an engagement strategy to involve a broader range of stakeholders in their development of findings and recommendations. This might be accomplished through opportunities for public input during their own meetings, as well as through Committee

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[12] This would be consistent with their responsibility for developing every three years an affordable housing incentive recommendations report to the BOCC. The next triennial report will be due December 31 2017

[13] The Current membership includes the following 11 members: Sylvia Murphy, Monroe County BOCC, Expires 11/2015, Tim Root, District 1, Expires 11/2016, Heather Roberts, District 1, Expires 11/2016, James D. Cameron, District 2, Expires 11/2018, Randy Wall, District 2, Expires 11/2018, Warren Leamard, District 3, Expires 11/2016, Ken Naylor, District 3, Expires 11/2016, Hana Eskra, District 4, Expires 11/2018, Edwin Swift III, District 4, Expires 11/2018, William Wiatt, District 4, Expires 11/ 2016, Jim Saunders, District 5, Expires 11/2016 and Stephanie Scuderi District 5, Expires 11/2016.

[14] http://www.monroecounty-fl.gov/DocumentCenter/Home/View/695 The membership follows the requirements of Florida Statute 420.9076 and Monroe County Resolution 062-2009, and calls for representation from those involved in affordable housing in: the residential home building industry from both a business and labor perspective, the mortgage and banking industry, the real estate industry, an advocate for low income persons, a for profit and a not for profit provider of affordable housing, a representative of employers in the County and a member of the local planning, and a representative of essential services personnel.

sponsored advisory workgroups, joint workshops with municipal taskforces and city commissions, workshops at key moments in the development of options and recommendations, online surveys and other techniques. *(See Appendix #7 for Advisory Group process recommendations).*

It was observed by many that an advisory committee developing recommendations on workforce housing will require dedicated staff, including legal and planning expertise, and facilitation support for the Committee to do its work expeditiously. This is because of the complexity of the charge, the intense public interest in the issue, the linkages with other issues and programs and activities in the public, private and non-profit sectors, and the desire for timely actions to address the current workforce housing challenges.

V. WORKFORCE HOUSING IN MONROE COUNTY--NEXT STEPS

The Monroe County Board of County Commissioners should review this Assessment Report and charge the Affordable Housing Committee to focus its efforts in the coming year on workforce housing.

With a charge from the County Commission, the Committee should establish its procedures and approach and a schedule for meetings that would permit it to deliver back to the BOCC its workforce housing recommendations by mid-2016. The Committee should consider:

- Developing a shared vision of success;
- Jointly defining the workforce problems faced in the Florida Keys;
- Reviewing the range of issues and options identified in previous studies;
- Reviewing the experience and lessons learned with successful workforce housing projects developed in the Keys to date;
- Reviewing this Stakeholder Assessment Report; and
- Developing a package of consensus findings and recommended solutions for consideration by the Monroe County Board of County Commission.

This stakeholder assessment report confirms that there is wide agreement that Monroe County is facing a significant and growing workforce housing crisis with shortages for both affordable rental and ownership units. There is also agreement that no single strategy will solve this crisis. Instead the challenge ahead for Monroe County and municipalities and the range of stakeholders interested in workforce housing, is to craft a balanced package of targeted options that have been refined through discussion and debate and that can serve as a consensus framework for addressing and implementing solutions.

APPENDIX #1
LIST OF MONROE COUNTY WORKFORCE HOUSING INTERVIEWS AND MEETINGS

Name	Organization	Position
1. Tony Allen	Allen-Beyer Funeral Home	Owner
2. Steven Auger	Florida Housing Finance Corporation	Executive Director
3. Debbie Swift Batty	Historic Tours of America	Director of Property Development
4. Jennifer Bennett	Tourist Development Council	Research Director
5. Kristen Brenner	American Caribbean Real Estate	Realtor
6. Dustan Carpenter	Divine Dining by Dustan	Caterer
7. Heather Carruthers	Monroe County Board of County Commissioners	Commissioner, District 3
8. J. Manuel Castillo*, Sr.*	Key West Housing Authority	*Executive Director*
9. Harold Cates	City of Key West	Mayor
10. Don Craig	City of Key West	Planning Director
11. Pornchai Davidson	Naval Air Station, Key West	Commander, Executive Officer
12. Ron Demes	Naval Air Station, Key West	Special Asst. Advisor to the Commanding Officer
13. Brenda Edmonds	Remax Realty, Marathon	Realtor
14. Hana Eskra	Gorman Development Inc.	Florida Market President
15. Debra Farrell,	21st Century Schwartz Realty	Realtor
16. George Garrett	City of Marathon	Planning Director
17. Roman Gastesi	Monroe County	Administrator
18. Karen Hamilton	South Florida Regional Planning Council	Regional Planner
19. Christine Hurley	Monroe County Growth Management	Division Director
20. Rebecca Jetton	Florida Department of Economic Opportunity	Planner
21. Derrick Johnson	Coco Plum Real Estate	Realtor
22. Danny Kolhage	Monroe County Board of County Commissioners	Commissioner, District 1 (Mayor Pro Tem)
23. Kurt Lewin	First State *Bank* of the Florida Keys	Executive Vice President
24. Kara Lundgren	The Islamorada Resort	General Manager
25. Ysela Llort	Miami-Dade Transit	Director
26. Capt. Steve McAlearney	Naval Air Station, Key West	Commanding Officer
27. Ashley Monnier	Naval Air Station, Key West	Community Planning Liaison Officer
28. Nancy Muller	Florida Housing Finance Corporation, Tallahassee	Policy & Special Programs Director
29. Jim Murley	South Florida Regional Planning Council	Executive Director
30. Sylvia Murphy	Monroe County Board of County Commissioners	Commission, District Five
31. Mark Moss	Habitat for Humanity Key West	Executive Director
32. Virginia Panico	Key West Chamber of Commerce	Executive Vice President
33. Mary Pecorino	Coast to Coast Real Estate Group	Realtor
34. Mark Porter	Monroe County Schools	Superintendent
35. Barbara Powell	Florida Department of Economic Opportunity	Planner

36. Dick Ramsey	City of Marathon	Mayor
37. Holly Raschein	Florida House of Representatives, District 120	Representative
38. David Rice	Monroe County Board of County Commissioners	Commissioner, District 4
39. Mark Rison	Citizen *(email comment)*	
40. *Tim Root	Mingo & Company	CEO, Commercial construction
41. Mark Rousch	Monroe County Land Authority	Director
42. Mayte Santamaria	Growth Management, Monroe County, Florida	Assistant Director of Planning and Environmental Resources
43. Jim Saunders	Bayview Land Development & Permitting	Manager
44. Stephanie Scuderi	Home BancShares- Centennial Bank	Senior VP, Director of Business Development
45. Jeff Sharkey	The Capitol Alliance Group, Tallahassee	CEO
46. Jeff Sharp, Ray Freis, & Christy Crooks	Florida Keys Seahorse Park, Homeowner's Association Big Pine Key	Homeowners Seahorse Park
47. Pritam Singh	The Singh Company, Key West	Developer
48. Andrew Spann	Mt. Carmel Communications, St. Louis, Real Estate Investment & Development	Developer
49. Terry Strickland	Yankee Freedom II	Manager
50. Ed Swift	Historic Tours of America	CEO
51. Lisa Tennyson	Monroe County	
52. David Thompson	Key Largo	Developer
53. Sandy Tuttle	American Caribbean Real Estate, Marathon and Lower Keys Assoc. of Realtors	Realtor
54. Jodi Weinhofer	The Lodging Association of the Florida Keys & Key West	President
55. Donna Windle	Southernmost Realty, Key West	Realtor

Monroe County Workforce Housing Roundtable Participants, August 2014

56. Debbie Swift Batty	Historic Tours of America/Habitat for Humanity
57. Richard Beal	Skeeter's Marine
58. Heather Carruthers	Monroe BOCC (District 3 Commissioner)
59. J. Manual Castillo Sr.	Key West and Monroe Co. Housing
60. Rita Cotter	Congressman Garcia's Office
61. Raymond Fries	Florida Keys Seahorse Park Association
62. Johnathan Gueverra	Florida Keys Community College
63. Derrick Johnson	Marathon and Lower Keys Assoc. of Realtors
64. Amber Ernst-Leonard	Florida Keys Community College
65. Mark Moss	Habitat for Humanity, Lower Keys and Key West
66. Jack Niedbalski	Habitat for Humanity, Upper Keys
67. Holly Raschein	Florida House of Representatives
68. David Rise	AOCC
69. Timothy W. Root	Utility Board Keys Energy/Workforce Housing member
70. Mark Rosch	Monroe Co. Land Authority
71. Jim Saunders	Bayview Homes/Development
72. Bob Shillinger	Monroe Co. Attorney's Office

73. Donna Stayton	Florida DOH, Monroe Co.
74. Jeff Stuncard	Village of Islamorada
75. Owen Trepanier	Trepanier and Associates, Inc.
76. Mark Warmouth	Individual Advocate/Wells Fargo Bank
77. Tim Wonderlin	Habitat for Humanity, Middle Keys
78. Charles Todd Young	Habitat for Humanity, Middle Keys

APPENDIX #2
MONROE COUNTY WORKFORCE HOUSING ASSESSMENT BACKGROUND DOCUMENTS

http://consensus.fsu.edu/Workforce-Housing-Assessment/

AFFORDABLE HOUSING STUDIES-FLORIDA

Sadowski Housing Coalition Press Release, 2015
Report from the Florida Housing Coalition, 2015
Out of Reach 2014: Florida- Link
ALICE Report: Study of Financial Hardship 2014 United Way of Florida

AFFORDABLE & WORKFORCE HOUSING MONROE COUNTY

Monroe County Affordable Housing Developments and Incentives DRAFT 3/25/2015
FCRC Consensus Center: Assessing A Workforce Housing Initiative, 2014
ALICE Report: Study of Financial Hardship 2014 Monroe County Excerpt
Monroe County 2014 Income Limits and Rent Limits Florida Housing Finance Corporation
Key West Data Updates, 2012
Affordable Housing Advisory Committee, 2012
Monroe County Housing Needs Assessment, 2008
Islamorada _Workforce Housing Support Study, 2007
Affordable Housing Presentation, 2007
Affordable Housing Background, 2006
Affordable Housing Needs Assessment 2006
Report on Retaining Tourism Workers II, 2006
Affordable Housing White Paper, Don Craig, City of Key West, 2014
Monroe County and Acquisition and Management Master Plan, 2006
Summary of Workforce Housing Task Force Recommendations I, 2006
Summary of Workforce Housing Task Force Recommendations II, 2006
Study of the Monroe County Tourism Workforce: Report on Retaining Tourism Workers, 2005
Florida Keys Strategy Paper, 2001
Operation Seamless, 2000 DCA

GENERAL INFORMATION- MONROE COUNTY

Monroe County Profile, 2012
Monroe County Population Projections 2010-2030, 2011
Housing and Population Chart, 2010

MONROE COUNTY AREA OF CRITICAL STATE CONCERN

Florida Keys Areas of Critical Concern, 2013
Florida Keys Areas of Critical Concern, 2012

AFFORDABLE HOUSING- BEST PRACTICES AND TOOLS

Affordable Housing Funding Sources, 2014 FHC
Workforce Housing Tools, 2009
Workforce Housing Best Practices

AFFORDABLE HOUSING- LOCAL MEDIA COVERAGE

Video Link: Key West Housing Crisis Part I-Video
Video Link: Key West Housing Crisis Part II Video

APPENDIX #3
MONROE COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE ORDINANCE
SECTION 2-700-703

Sec. 2-700. - Establishment of affordable housing advisory committee.

(a) The affordable housing advisory committee shall be established and operational by June 30, 2008. It shall comply with all requirements in F.S. § 420.9076 (2007) or as subsequently amended.

(b) The committee shall consist of 11 members who shall be appointed by the BOCC by resolution.

(c) The committee must include:

(1) One citizen who is actively engaged in the residential homebuilding industry in connection with affordable housing.

(2) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.

(3) One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.

(4) One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.

(5) One citizen who is actively engaged as a for-profit provider of affordable housing.

(6) One citizen who is actively engaged as a not-for-profit provider of affordable housing.

(7) One citizen who is actively engaged as a real estate professional in connection with affordable housing.

(8) One citizen who actively serves on the local planning agency pursuant to F.S. § 163.3174.

(9) One citizen who resides within the jurisdiction of the local governing body making the appointments.

(10) One citizen who represents employers within the jurisdiction.

(11) One citizen who represents essential services personnel, as defined in the local housing assistance plan.

(d) All meetings of the advisory committee are public meetings, and all committee records are public records.

(e) Staff, administrative, and facility support to the advisory committee shall be provided by the BOCC. The advisory committee shall be cooperatively staffed by the local government department or division having authority to administer local planning or housing programs to ensure an integrated approach to the work of the advisory committee. (Ord. No. 014-2008, § 1)

Sec. 2-701. - Duties of the affordable housing advisory committee.

(a) The affordable housing advisory committee shall review established policies and procedures, ordinances, land development regulations, and the adopted local government comprehensive plan of the appointing local government and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The recommendations may include the modification or repeal of exiting policies, procedures, ordinances, regulations, or plan provisions; the creation of exceptions applicable to affordable housing or the adoption of new policies, procedures, regulations, ordinances, or plan provisions, including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances and other policies.

(b) By December 31, 2008, the affordable housing advisory committee is required to submit its

incentive recommendations report to the BOCC. After this initial submission, the reports are required to be submitted triennially on December 31, of the year preceding the submission of the local housing assistance plan. At a minimum, the advisory committee shall submit a report to the local governing body that includes recommendations on, and evaluates the implementation of, affordable housing incentives in the following areas: (1) The processing of approvals of development orders or permits as defined in F.S. § 163.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects; (2) The modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing; (3) The allowance of flexibility in densities for affordable housing; (4) The reservation of infrastructure capacity for housing for very low income, low income and moderate income persons; (5) The allowance of affordable accessory residential units in residential zoning districts; (6) The reduction of parking and setback requirements for affordable housing; (7) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing; (8) The modification of street requirements for affordable housing; (9) The establishment of a process by which a local government considers, before adoptions, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing; (10) The preparation of a printed inventory of locally owned public lands suitable for affordable housing; (11) The support of development near transportation hubs and major employment centers and mixed-use developments; (12) Other affordable housing incentives as recommended.
(c) The advisory committee may perform additional responsibilities related to affordable housing at the request of the BOCC, including creating best management practices for the development of affordable housing in the community. (Ord. No. 014-2008, § 1)

Sec. 2-702. - Public hearing. The approval of the advisory committee of its local housing incentive strategies recommendations and its review of local government implementation of previously recommended strategies must be made by affirmative vote of a majority of the members of the advisory committee taken at a public hearing. Notice of time, dates, and place of public hearing of the committee to adopt final local housing incentive strategies recommendations must be published in a newspaper of general paid circulation, must contain a short summary of the incentives strategies recommendations to be considered by the committee, and must state the public place where a copy of the tentative recommendations can by obtained by interested persons. (Ord. No. 014-2008, § 1)

Sec. 2-703. - Commission action required.
(a) Within 90 days after the date of receipt of the local housing incentive strategies recommendations from the advisory committee, but no later than March 31, 2009, the BOCC shall adopt an amendment to its local housing assistance plan (LHAP) to incorporate the local housing incentive strategies it will implement within its jurisdiction. The BOCC must consider all of the strategies specified in subsection2-701 as recommended by the committee.
(b) However, the amendment at a minimum, must include:
(1) Assurance that permits for affordable housing are expedited to a greater degree than other projects. ("Permits" are defined by statute to include development orders, building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land);
(2) An ongoing process for review of local policies, ordinances, regulations, and plan provisions that increase the cost of housing prior to their adoption; and
(3) A schedule for implementing the incentive strategies… b) By May 2, 2009, the BOCC shall notify the Florida Housing Finance Corporation by certified mail of its adoption of the amended LHAP and include a copy of the approved amended plan. (Ord. No. 014-2008, § 1)

APPENDIX #4
MONROE COUNTY WORKFORCE HOUSING ROUNDTABLE SUMMARY OF COMMENTS, AUGUST 2014

WORKFORCE HOUSING ROUNDTABLE
August 25, 2014 Marathon, Florida
Representative Holly Raschein, Florida House of Representatives District 120

ROUNDTABLE COMMENT FORM SUMMARY

Participants in the Workforce Housing Roundtable were invited to provide comments for consideration in the Workforce Housing Assessment being conducted by the FCRC Consensus Center at FSU. Below is a list of the respondents and the compiled responses for the Comment form questions:

1. **Debbie Swift Batty** Organization: **Historic Tours of America/Habitat for Humanity**
2. **Richard Beal** Organization: **Skeeter's Marine**
3. **Heather Carruthers** Organization: **Monroe BOCC (District 3 Commissioner)**
4. **J. Manuel Castillo Sr**., Organization: **Key West and Monroe Co. Housing**
5. **Rita Cotter** Organization: **Congressman Garcia's Office**
6. **Raymond Fries** Organization: **Florida Keys Seahorse Park Association**
7. **Derrick Johnson** Organization(s): **Marathon and Lower Keys Association of Realtors, American Legion, Overseas Village Homeowners Association.**
8. **Johnathan Gueverra,** Organization: **Florida Keys Community College**
9. **Amber Ernst-Leonard** Organization: **Florida Keys Community College**
10. **Mark Moss** Organization: **Habitat for Humanity, Lower Keys and Key West**
11. **Jack Niedbalski** Organization: **Habitat for Humanity, Upper Keys**
12. **Holly Raschein** Organization: **Florida House of Representatives**
13. **David Rice** Organization: **Monroe County Commission**
14. **Mark Rosch**, Organization- **Monroe County Land Authority**
15. **Timothy W. Root** Organization: **Member of Utility Board Keys Energy, Appointed member of Workforce Housing Committee by Commissioner Kohlage**
16. **Bob Schillinger** Organization: **Monroe Co. Attorney's Office**
17. **Donna Stayton** Organization: **Florida DOH, Monroe Co.**
18. **Jeff Stuncard** Organization: **Village of Islamorada**
19. **Jim Saunders** Organization: **Bayview Homes/Development**
20. **Owen Trepanier** Organization: **Trepanier and Associates, Inc**.
21. **Mark Warmouth** Organization: **Individual Advocate/Wells Fargo Bank**
22. **Tim Wonderlin** Organization: **Habitat for Humanity, Middle Keys**
23. **Chris Todd Young** Organization: **Habitat for Humanity, Middle Keys**

1. WHAT ARE THE MOST IMPORTANT ISSUES AFFECTING MONROE COUNTY'S WORKFORCE HOUSING?

What is working well?

- The 100-year deed restriction.
- Consideration of workforce housing.
- Collection of affordable housing (in-line) fees.
- When funded, Sadowski.
- Florida housing finance Corporation funding. Monroe County 40 funding. Key West housing authority and Munroe County Housing Authority's management of government owned apartments.
- Tax-credit housing has made gains recently, particularly in the Upper Keys. Building has slowed over the past several years and presently is proceeding but only at a moderate rate.
- Land Authority – somewhat.
- PPP's (public private partnerships)
- Our park provides for visitors accommodation and tourist revenues.
- Habitat does well because they use partnerships and provide permanent housing.
- Habitat for humanity.
- Gorman developments in Upper Keys.
- New projects on Stock Island.
- Habitat for humanity-- he is one of the leading builders and renters of homes. They need more assistance from government to provide land to build.
- Not enough information to know.
- Not much, if anything.
- Nothing.
- Nothing!

What's not?

- Confusion on definitions.
- Financing, high costs
- Cost of insurance.
- Set up funds for new construction, first time home buyers.
- Sadowski fund--replenished for Monroe County.
- Sadowski Act funding.
- Lack of incentives for building affordable housing.
- More work, fewer people to do it,
- Workforce/affordable housing programs do not cover the full range of individuals struggling to afford to live and work in the Keys.
- Insufficient collaboration and comprehensive county wide planning.
- I don't see a strategic plan all encompassing of all entities. This confusing topic must be simplified, and can be.
- We need to figure out how to put the land authority/Housing Authority and bed tax money together and form development plan for affordable housing.
- Workforce housing is not affordable for working people.

- Availability of housing to reduce out of pocket rental cost to less than 20% salary. Personally I am being priced out of housing as I do not qualify for affordable housing. My rent went up $350 in the past three years with 10 pay raises to offset.
- Tourism/service jobs with low salaries. Wages insufficient for high cost of living.
- Not enough housing.
- Lack of availability.
- Buildable land for affordable housing.
- More second-home owners eating up properties.
- Limitations with non-tier 3 land
- Regulations, density, height.
- Length of permitting time,
- State housing allocations, land development,
- Legislation to cut taxing rates on affordable housing.
- Connection with job creators and requirements for housing.
- Many affordable units historically approved had short-term (20 years) deed restrictions that are now expiring.
- Prior developers have not developed workforce housing as required.
- Housing for new businesses which require numerous employees. Identifying property to locate workforce housing and providing incentives to builders. Always being, as we are now, lagging behind the need.
- Landlords are having to raise their rent as they incur more costs for their properties through tax increases, sewer, etc.
- Needs to be split between rental and home ownership. Not a one-size-fits-all solution.
- Availability of rentals.
- HGTV.
- Affordable housing advisory committee,

2. WHAT DO YOU BELIEVE THE FUTURE HOLD FOR WORKFORCE HOUSING IN MONROE COUNTY?

What are the future challenges that need to be addressed?

- Affordable housing allocations.
- Limited land/permitting.
- Difficulty to get permits.
- Finding a formula that functions as a continuum. One size fits all will not work.
- Lack of land on which to build housing.
- Land acquisition. There are less vacant buildable lots available each year. The market rate applications/construction is increasing rapidly.
- Height ordinances
- Higher cost for rental properties, wind and flood insurance, plus higher taxes.
- Funding to offset housing costs.
- County requirements to match funding sources (HUD).
- Lack of funds to subsidize or offer incentives.

- Changing state legislation to Land Authority and Housing Authority money to be used for workforce housing. Using our bed tax money for workforce housing.
- Much of our current affordable housing is aging and not up to par for hurricanes which could lead to a future loss of workforce housing.
- Ways to bring in new workforce housing for those at the top of the wage spectrum.
- Environmental regulations often "trump" the ability to build.
- Rising sea levels.
- Insurance rates,
- Tax rates,
- The same as the past 15 years.
- Focus! We need heads down, rolled up sleeves, and accountability! Distinct set aside time and deliverables.

What are the future opportunities that should be leveraged?

- Funding is increasing.
- Land Authority money.
- Counties (municipalities) inclusionary housing requirements should be funded partly by business development with funding for employee/affordable housing.
- Sadowski fund--replenished for Monroe County. Set up funds for new construction, first time home buyers.
- Local, state and federal funds.
- State leverage for units to become allocated for affordable housing/workforce housing.
- Huge opportunities if we effectively link workforce housing to development and redevelopment projects.
- Housing units must be incorporated in new developments being constructed.
- Require developers to build housing for the workforce.
- As energy efficient technology becomes better and better it should be used to make new housing more affordable in the long term, especially since electricity is not cheap.
- Smoke free housing as an amenity for the health and safety of residence as a cost-saving benefit for refurbishing units.
- Explore increasing height limit of structures and increase densities in certain zonings. Use state and federal land for large affordable projects.
- Buildable land for affordable housing.
- Density requirements.
- Build up! Build new! Much of the KWHA properties are old, ugly, small and inefficiently sparse. Density needs to increase.
- The greatest opportunity is the current threat to our service economy. This threat has to be leveraged to bring this issue to the forefront.
- Need to greatly increase the affordable workforce rentals.
- Housing requirements for commercial development.
- Rising flood and windstorm insurance rates.

3. HOW SHOULD THE COUNTY BEST ADDRESS THESE OPPORTUNITIES AND CHALLENGES AS WELL AS THE NEEDS OF THE BUSINESS COMMUNITY AND RESIDENTS IN THE FLORIDA KEYS?

What strategies should Monroe County consider in addressing workforce housing issues going forward?

- Putting together a task force/committee.
- Task force with staff (and legal support). Suggestions:
  - All transient unit development and re-development to be inclusionary housing ordinance, or impact fee assessment.
  - Add commercial development and redevelopment based on employees/square feet (use industry standards and sales tax codes) for an impact fee assessment.
  - Fund the Monroe County Housing Authority or other similar successful organizations to build workforce housing.
  - Implement a ROGO transfer ordinance whereby a market rate unit may be dislodged if an affordable unit replaces the dislodged market rate.
  - Issue no market rate ROGO units for multi-unit development projects, instead, issue "affordables" and require developers to take the affordable units and deed restrict existing market rate properties and then dislodge the market rate for use elsewhere as their market rates.
  - Use land authority money or impact fees to buy down interest rates for development costs for work force housing projects.
  - Increased density in appropriate zoning districts within commercial areas to facilitate workforce housing.
  - Increase height in appropriate areas.
- Special considerations for landlords to make rental units affordable, while monitoring them to verify affordability.
- Again, unifying developers, county and Key West city government representatives and finding funding streams for us to define land acquisitions, builders to build on this land, and the Housing Authority to oversee these affordable units.
- Offer additional subsidies or incentives. Countywide effort to identify and acquire property to build.
- Work with DEO to increase ROGO allocations.
- Leveraging all resources.
- Many need more space.
- Focus all tier-3 properties on workforce housing.
- Give commercial properties that are used for workforce rental the same tax and insurance (flood) breaks as primary homestead properties.
- Focus land acquisition on workforce housing properties.
- Provide funding for nonprofit affordable housing entities.
- Develop a comprehensive plan that also deal with density and height restrictions.
- Create a strategy. There is no 1 year, 5 year, 10 year plan. Set goals. Consider "Outside the box" ideas.
- Keep our unique parks.
- Adding to the planning smoke free amenity to curb costs in renovation. it is a CDC best practice for reducing secondhand smoke and it's related to chronic health issues.

APPENDIX #5
EMAIL COMMENTS

From: Mike Rison <dfcmike@iserv.net>
Subject: **Re: Article in Key West Citizen regarding Affordable Housing Monroe County**
Date: August 28, 2014 11:28:02 AM EDT
To: Bob Jones rmjones@FSU.edu

I was reading an article in the Key West Citizen regarding "Affordable Housing" and your name was mentioned soliciting Citizen comments. I would like to submit a comment about the "Affordable Housing" issue in Monroe County. Please suggest the best way to submit a comment.

I might suggest some background information that could form the basis for your continued study of this issue.

As follows: The only place there is an "Affordable Housing" issue in the Florida Keys (Monroe County) is Key West). That pressure is caused by a 2 by 4 mile Island with 22,000 permanent residents that welcomes 2,000,000 Visitors per year. To service those 2,000,000 Visitors Key West has approximately 7000 lodging units.

In most areas across the country prices flow percentage wise from the cost of residential housing (for many different reasons) in the case of Key West because the Tourist Development Council has done such a spectacular job of enticing visitors to visit Key West all pricing flows from the room rates of lodging. Consider this; a company was formed to purchase 4 old and aging hotels, closed them down, spent 3 years re-constructing them and will soon add 700 additional rooms to the lodging supply! The first thing that appears necessary is a fee on all Lodging to build "Affordable Housing" for all working people as almost everyone in Key West is impacted by these huge numbers to support the Lodging Industry.

A solution put forward by (probably by Developers) was to provide cheap transportation to areas of Monroe County that have cheap housing costs, like Florida City. So enter the Lower Keys Shuttle (Key West to Marathon, $2.00), The Upper Keys Shuttle (Marathon to Florida City $0.50 with a transfer). So for a maximum $2.50 you can ride anywhere between mm1 and mm120, 120 miles the only problem is you could spend 2-4 hours on an air conditioned bus each way every day. All subsidized by the Federal Government with no cost borne by the recepientants of this great service. I have personally spent about $4.50 to ride to Fort Lauderdale International Airport (the Senior price). That's the Lower Keys Shuttle, The Upper Keys Shuttle, #38 Busway, The Metro Rail, The Tri Rail, free shuttle to Fort Lauderdale Int. Airport.

Also as printed in the news paper your e-mail address is listed incorrectly (rmjones@fsu.edu.) that last dot after edu will cause an e-mail program to "choke". This may be your first indication of how the "powers that be" try to impede your work while still appearing to support the idea of Citizen input! If you need a copy I have included as an attachment a copy of the Citizen containing your e-mail address as printed in the Citizen.

Regards
MR
dfcmike@iserv.net

APPENDIX #6
"AFFORDABLE HOUSING WHITE PAPER- CITY OF KEY WEST
DONALD CRAIG & NICOLE MALO

Affordable Housing White Paper- Donald Craig, AICP Director of Planning & Nicole Malo AICP,Planner, September 2014 City of Key West:
http://legistar1.granicus.com/KeyWest/meetings/2014/10/2491_A_City_Commission_14-10-07_Meeting_Agenda_Full_Detail.pdf

APPENDIX #7
SAMPLE COMMITTEE PROTOCOLS

There was a request for a sample of protocols that the Board of County Commission and any committee they charge with addressing workforce housing might consider as they develop the charge and organize the Committee's efforts. These are based on protocols developed and used by a variety of local , regional and statewide committees that have been charged with seeking consensus on policy options.

COMMITTEE PROCESS OVERVIEW

CONSENSUS

Defining Consensus

Consensus is a deliberative process where a group seeks a shared understanding of a problem considers and evaluates all options and strives to achieve a practical agreement that all can live with.

Consensus means that, to the extent possible, each member commits to work toward agreements that meet their own and other members needs so that all can support the outcome.

Consensus is a **process, an attitude and an outcome**. Consensus processes have the potential of producing better quality, more informed and better-supported outcomes.

As a **process**, consensus is a problem solving approach in which all members:

1. Jointly share, clarify and distinguish their concerns;
2. Educate each other on substantive issues;
3. Jointly develop alternatives to address concerns; and then;
4. Seek to adopt recommendations everyone can embrace or at least live with.

In a consensus process, members should be able to honestly say:

- I believe that other members understand my point of view;
- I believe I understand other members' points of view; and
- Whether or not I prefer this decision, I support it because it was arrived at openly and fairly and because it is the best solution we can achieve at this time.

Consensus as an **attitude** means that each member commits to work toward agreements that meet their own and other member needs and interests so that all can support the outcome.

Consensus as an **outcome** means that agreement on decisions is reached by all members or by a significant majority of members after a process of active problem solving. In a consensus outcome, the level of enthusiasm for the agreement may not be the same among all members on any issue, but on balance all should be able to live with the overall package. Levels of consensus on a committee outcome can include a mix of:

- Participants who strongly support the solution;
- Participants who can "live with" the solution; and,

- Some participants who do not support the solution but agree not to vote against it.

SUCCESSFUL MEETINGS

Successful Meetings Overview

A successful meeting is a collaboration between members, staff, chair, facilitator, consultants (if relevant) and affected stakeholder interest groups. Consensus-based processes and decisions, developed working with diverse stakeholder interests affected by the issue(s), takes time to educate members' on the range of issues and possible solutions. Members have different levels of expertise and knowledge on the issues and require different levels of preparation and education ("getting up to speed") before they are prepared to evaluate options and make decisions. This is especially relevant to consensus-based decisions that strive for unanimity, or at a minimum a 75% level of support. In consensus-based processes one is not dealing with a simple majority decision requirement, instead the full range of issues and options are evaluated with the goal of ensuring stakeholder interests are addressed to the extent possible, and at a minimum are fairly considered. The reality is that consensus decisions, once reached, are durable, efficacious, long-lasting, and will have achieved the support of most if not all of the stakeholder interests affected by the issue(s).

A meeting will be successful to the extent that staff, chair, facilitator(s) and project consultants plan meetings and meeting objectives, ensure members receive relevant materials, and design and prepare agenda packets, worksheets, surveys, and summary reports sufficiently in advance of meetings.

A meeting will be successful to the extent that members' review materials, study the issues, consult with constituent stakeholders between meetings, complete pre and between meeting assignments, and prepare prior to the meetings. If there are documents and/or information members believe should be evaluated they should let chair/staff/facilitator know. Similarly, if there are meeting objectives and/or agenda items member's think should be added to the agenda, they should identify them during "Agenda Review" and during the "Next Steps" phase of each meeting where next meeting agenda items are requested.

In summary, meeting success is a group effort requiring collaboration, cooperation, planning, commitment, time and resources. It is the responsibility of staff, chairs, facilitators, consultants, members, stakeholder groups, and the public to ensure meetings are productive and successful. In short, it is "our" responsibility.

ADVISORY COMMITTEE
ORGANIZATIONAL AND PROCEDURAL POLICES AND GUIDELINES

CONSENSUS-BUILDING AND DECISION-MAKING PROCEDURES

The Monroe County Affordable Housing Committee (Committee) will seek consensus on guidance and recommendations to the Monroe County Board of County Commissioners (BOCC)

The Committee's consensus building and decision making process is participatory, on matters of substance, the members will jointly strive for agreements which all of the members can accept,

support or at least agree not to oppose. In instances where, after vigorously exploring possible ways to enhance the members' support for the final decision on an issue or package of advisory recommendations, and where 100% acceptance or support is not achievable, final recommendations of the Committee will require at least a 75% favorable vote of all members present and voting. This super majority decision rule underscores the Committee's view of the importance of seeking consensus. In the event the Committee can not reach consensus (75% in favor) on a decision, a minority report may be requested immediately following the vote, describing the rationales and preferences of those dissenting, to be included in the meeting summary report.

The Committee will make advisory recommendations only when a quorum is present. A quorum shall be constituted by at least 51% of the appointed members being present (simple majority).

The Committee will utilize Robert's Rules of Order, as modified by the Committee's adopted consensus guidelines and procedures, to make and approve motions; however, the 75% supermajority voting requirement will supercede the normal voting requirements used in Robert's Rules of Order for decision making on substantive motions and amendments to motions. In addition, the Committee will utilize their adopted meeting guidelines for conduct during meetings. The Committee will make substantive advisory recommendations using their adopted facilitated consensus-building procedures, and will use Robert's Rules of Order only for formal motions once a facilitated discussion is completed.

The Committee's facilitation team, in general, should use parliamentary procedures set forth in Robert's Rules of Order, as modified by Committee's adopted procedural guidelines.

Any voting member may make a motion when a quorum is present, and after a thorough discussion. A second is required to discuss the motion. If a motion is seconded, the Facilitator will open the floor for discussion. The Facilitator will recognize members wishing to speak on the motion. The Facilitator will, if time permits, recognize other participants wishing to speak on the motion.

The Facilitator may elect or be requested by the member making the motion to take a "straw poll" on the motion. Based on the result, the Facilitator may table the motion with the agreement of the member moving it, pending further discussion. The member making the motion may accept friendly amendments to the motion. After completing discussion, the Facilitator will call the discussion to a close and restate the motion, with any friendly amendments, and call for a vote. If the motion receives a 75% or more favorable vote of the members present and voting it will be approved.

COMMITTEE PROCEDURAL GUIDELINES

MEMBER'S ROLE

- ✓ Prepare for meetings. Review documents and background material prior to meetings.
- ✓ Keep to the agenda and meeting procedural polices and guidelines.
- ✓ The Committee process is an opportunity to explore possibilities. Offering or exploring an idea does not necessarily imply support for it.
- ✓ Listen to understand. Seek a shared understanding even if you don't agree.
- ✓ Be focused and concise—balance participation & minimize repetition. Share the airtime.
- ✓ Look to the facilitator(s) to be recognized. Please raise your hand (or tent card) to speak.
- ✓ Speak one person at a time. Please don't interrupt each other.
- ✓ Focus on issues, not personalities. *"Using insult instead of argument is the sign of a small mind."*
- ✓ Avoid stereotyping or personal attacks. *"Mud thrown is ground lost."*

- ✓ To the extent possible, offer options to address other's concerns, as well as your own.
- ✓ Participate fully in discussions, and complete meeting assignments as requested.
- ✓ Represent and communicate with member's constituent group(s).
- ✓ Refrain from using electronic devices during the meetings; Keep electronic devices turned off or silent.

FACILITATOR'S ROLE (FCRC Consensus Center @ FSU)

- ✓ Design and facilitate a participatory Committee process.
- ✓ Ensure a fair process during which all perspectives are considered.
- ✓ Enhance the opportunity for consensus building encouraging constructive discussions among the members.
- ✓ Assist the Committee to build consensus on advisory recommendations.
- ✓ Assist participants to stay focused and on task.
- ✓ Assure that participants follow ground rules.
- ✓ Prepare agenda packets and provide meeting summary reports.

MONROE COUNTY STAFF ROLE

- ✓ Respect meeting process and guidelines.

MEMBERS OF THE PUBLIC ROLE

- ✓ Respect meeting process and guidelines.
- ✓ Provide input during provided public comment opportunities.
- ✓ Consult and provide input to their representative stakeholder members to enhance the efficacy of the process.

GUIDELINES FOR BRAINSTORMING

- ✓ Speak when recognized by the Facilitator(s).
- ✓ Offer one idea per person without explanation.
- ✓ No comments, criticism, or discussion of other's ideas.
- ✓ Listen respectively to other's ideas and opinions.
- ✓ Seek understanding and not agreement at this point in the discussion.

THE NAME STACKING PROCESS

- ✓ Determines the speaking order.
- ✓ Participant raises hand to speak (or raise name tent). Facilitator(s) will call on participants in turn.
- ✓ Facilitator(s) may interrupt the stack (change the speaking order) in order to promote discussion on a specific issue or, to balance participation and allow those who have not spoken on an issue an opportunity to do so before others on the list who have already spoken on the issue.

GUIDELINES FOR REPORTS AND PRESENTATIONS

- ✓ Facilitator introduces presenter.
- ✓ Hold all questions until report or presentation is complete, unless invited by the speaker.
- ✓ Facilitator stacks names.
- ✓ Facilitator calls on members to speak.
- ✓ Clarifying questions only. (For discussions, see guidelines below.)

GUIDELINES FOR DISCUSSIONS AND PROPOSALS

- ✓ Facilitator guides process.
- ✓ Meeting guidelines remain in effect.
- ✓ Facilitator stacks names.
- ✓ Proposal is presented (no comments or discussion).
- ✓ Clarifying questions are taken (no comments or discussion of the proposal).
- ✓ Discussion of proposal (focus on issues, refine proposal, and consensus building).
- ✓ Consensus/Acceptability ranking as needed.
- ✓ Facilitator tests for consensus with a motion to approve and a vote.

ACCEPTABILITY RANKING SCALE

During the meetings, members will be asked to develop and rank options, and following discussion and refinement, may be asked to do additional rankings of the options if requested by members and staff. Please be prepared to offer specific refinements or changes to address your reservations. The following scale will be utilized for the ranking exercises:

ACCEPTABILITY RANKING SCALE	*4= Acceptable, I agree*	*3= Acceptable, I agree with **minor reservations***	*2= Not Acceptable, I don't agree unless **major reservations** addressed*	*1= Not Acceptable*

PRIORITIZATION RANKING SCALE

5 Highest Level of Priority; Urgent
4 High Priority
3 Moderate Level of Priority
2 Low Level of Priority
1 Lowest Possible Priority; Committee Should not Pursue

TOPIC	RANK	5	4	3	2	1	RAW SCORE	AVERAGE

AGENDA SUBMITTAL AND CONSIDERATION PROCEDURES

All agenda items must be submitted by close of business ten (10) days prior to the next scheduled Committee meeting.

The staff will review a proposed agenda item for a determination of whether the issue falls under the charge of the Committee. Staff will notify the member proposing the agenda item of the determination whether the issue will be placed on the Committee's next agenda.

Committee members will receive all proposed agenda items and supporting documentation at least seven days prior to the next scheduled Committee meeting.

No new agenda items will be considered at the Committee meeting with the exception of those issues raised by the staff that have been determined to require immediate Committee action, or by the unanimous (100%) approval of a quorum of the Committee through the Chair.

Agenda items that meet submittal criteria and arrive after the established deadline will be placed on the next regularly scheduled Committee meeting agenda.

Based on number of agenda items the Facilitator, in consultation with the Chair, may allocate a specific amount of time for each agenda item.

The Committee by a 75% favorable vote may discuss requested agenda items not meeting the submittal criteria requirements but may not take any formal action on the issue until the next scheduled Committee meeting.

Special meetings may be called by the staff in consultation with the Chair, based on urgency and necessity for immediate action.

Agenda Item Submittal Criteria

Agenda item must be submitted 10 days prior to regularly scheduled Committee meetings.
Proposed agenda item must clearly state the action requested of the Committee. If applicable, proponent should provide exact ordinance, rule or statutory references that the proposal addresses.
Proponent should provide all necessary supporting documentation required for Committee and staff to determine the merits of the request. Proponent must indicate that they have not requested any additional actions on the proposed agenda items such as an administrative hearing or declaratory statement. Proponent must provide the following contact and agenda information:

Contact Information	
Name:	
Organization/Representation:	
Address:	
Phone and Fax Numbers:	
E-Mail Address:	
Date Submitted:	

Agenda Item Information	
Date of Committee Meeting:	
Name of Presenter:	
Representation of Presenter:	
Agenda Item Title:	
Amount of Time Requested:	
Rationale for Agenda Item:	
Specific Action Requested:	
Background Documentation:	

Meeting Process—Agenda Item Consideration Procedures

1. Facilitator introduces the agenda item/proposal.
2. Proponent states the action requested and provides rationale for proposal.

3. Facilitator asks Committee members only for clarifying questions (a clarifying question addresses a specific point that is not understood, and should not indicate support or opposition to the proposal).
4. After questions, the facilitator opens the issue up for discussion. All Committee members and Staff wishing to speak raise their name tents and be acknowledged by the Facilitator prior to speaking. Committee approved meeting guidelines are in effect at all times.

FOR PROPOSALS (issues requiring Committee action): Following Committee member's preliminary discussion, the facilitator asks if any members of the public wishes to address the Committee on the current issue under Committee consideration. The facilitator serves as a moderator for public input. The facilitator asks for those who wish to speak in favor of the proposal or topic under discussion to offer brief comments, others who wish to speak in favor will be asked to offer new points or simply state agreement with previous speakers. The same opportunity and requirements will be offered for those who wish to speak in opposition to the proposal or topic under discussion. The facilitator ensures that all views are expressed and similar views are not repeated. Members may, through the facilitator or chair, ask clarifying questions to members of the public offering comments. The facilitator or chair may limit public comment to three (3) minutes per person. This process will be used for substantive Committee issues and not for procedural matters before the Committee.

FOR DISCUSSION ISSUES (no formal action required): Following Committee member's preliminary discussion, the facilitator asks if any members of the public wishes to address the Committee on the current issue under Committee consideration. The facilitator serves as a moderator for public input. Members of the public will be provided one opportunity to comment per discussion agenda item, and may be limited to three (3) minutes. Members may, through the facilitator or chair, ask clarifying questions to members of the public offering comments. This process is used for Committee substantive issues and not for procedural matters before the Committee.

FOR PROPOSALS AND DISCUSSION ISSUES (Substantive Agenda Items): After discussion and public comment, a Committee member may make a motion for an action on the issue. If there is a second to the motion, the facilitator will call for discussion. Once a motion is made and seconded the discussion will be restricted to only Committee members unless the facilitator or chair requests specific clarification from the staff or a member of the public. Members may request specific clarification from a member of the public through the facilitator/chair. A member may wish to second a motion for the purpose of Committee discussion and not necessarily as a show of support for the motion. If the motion involves an option that the public has already commented on, then the vote is taken, if the proposed action (motion) is materially different from what was discussed, an additional opportunity should be provided for public comment, and then the Committee votes on the motion.

Only motions to approve will be considered. There will be no motions to disapprove. If there is no motion after discussion or a motion with no second, the requested action is not approved.

MEETING PROCESS PROCEDURES

- Facilitator introduces each agenda item.
- Proponent/Presenter provides overview, rationale for proposal, and any requested action.
- Clarifying questions from members (i.e. something you don't understand). Names stacked (raise name tents).
- Committee begins discussion only after all questions are answered.
- General discussion by Committee members.
- When appropriate: Facilitator asks if any members of the public wishes to address the Committee on the current issue under Committee consideration. Facilitator asks for those who wish to speak in favor of the proposal or topic under discussion to offer brief comments, others who wish to speak in favor will be asked to offer new points or simply state agreement with previous speakers.
- The same opportunity and requirements will be offered for those who wish to speak in opposition to the proposal or topic under discussion.
- Facilitator ensures that all views are expressed and similar views are not repeated.
- Facilitator may instruct members of the public to avoid repeating points, and encourage them to summarize key points and to submit lengthy prepared statements into the record that will be included in the meeting summary (instead of reading them).
- When appropriate: Members of the public will be provided one opportunity to comment and may be limited to three (3) minutes.
- Members may, through the facilitator or chair, ask clarifying questions to members of the public offering comments.
- After public comment, facilitator calls for members' discussion and stacks names of members wishing to speak.
- Members explore the pros and cons of all options prior to making a formal motion.
- Any voting member may make a motion when a quorum is present which will require a second.
- If a motion is seconded, the facilitator opens the floor for discussion. The Facilitator will recognize members wishing to speak on the motion.
- Committee votes on the motion.
- Once a motion is on the floor discussion is restricted to Committee members except as allowed by the facilitator or chair for purposes of clarification.
- For Committee members offering a second, is it understood that they may be seconding for purposes of discussion, and not necessarily due to agreement with the motion.
- Committee members may offer friendly amendments. If accepted by maker of the motion, the friendly amendment becomes a part of the motion currently under discussion.
- In order to get a "read" on a motion, the Facilitator may elect or be requested by the member making the motion to take a "straw poll" on the motion. Based on the result, the Facilitator may suggest to the member moving that they withdraw or table the motion pending further discussion.
- Committee members may offer an amendment to the motion: second required, discussion, vote on the amendment only.
- The motion on the table is now the motion as amended (if amendment was accepted by the mover and approved by 75% or greater of the Committee). After completing discussion, the Facilitator will call the discussion to a close and restate the motion, with any friendly amendments or approved amendments, and the Facilitator will call for a vote. If the motion receives a 75% or greater favorable vote of the Committee members it will be deemed approved.

PUBLIC PARTICIPATION PROCEDURES POLICY

PUBLIC COMMENT PROCEDURES: Public comment opportunities provided during Committee meetings are for comments only. The public is also encouraged to provide their comments in writing using the Public Comment Forms to ensure accuracy. All written and or electronic comments will be included as in the Facilitator's Summary Report. Public comment provided orally during meetings will be summarized and included in the Facilitator's Summary Report.

TIME LIMITS FOR PUBLIC COMMENT POLICY: The minimum time allowed per person wishing to comment is three (3) minutes and the maximum is five (5) minutes. The facilitator will check for the number of people wishing to comment and the amount of time left in the meeting, and poll Committee members for the amount of time they prefer to allow for each person wishing to comment from three (3), four (4) or five (5) minutes.

PUBLIC OPPORTUNITY TO BE HEARD POLICY: The Committee will provide a regularly scheduled general public comment opportunity at each Committee meeting. In addition, the public will be provided an opportunity to comment prior to the Committee voting on substantive policy matters (actions that are not procedural or ministerial in content). If a decision is to be made over the course of multiple meetings (i.e., discussed at one meeting and voted on at another meeting) the public will be allowed an opportunity to speak on the issue during the regularly scheduled Public Comment opportunity. If a decision is to be made at the same meeting where the issue is first discussed the public will be provided an opportunity to speak after Committee discussion but before a vote is taken.

If there are a large number of individuals wishing to speak from the same group, the Committee Chair and facilitator may decide to require representatives of groups to speak on behalf of their respective groups, rather than all members of a group speaking. The group shall elect one person to speak on their behalf and notify the Committee of their selected representative prior to public comment.

PROCEDURE FOR REQUESTING TO MAKE PRESENTATIONS TO THE COMMITTEE: Members of the public wishing to make a presentation to the Committee should contact their constituent stakeholder representative on the Committee. If the Committee member agrees that the presentation is relevant and beneficial to the Committee they will discuss the presentation with staff, and staff will review the presentation for relevance, accuracy of data, and balance of perspective and if deemed beneficial to the Committee, they will present the request to the Committee for their consideration. If the Committee is interested in having the presentation it will be scheduled for a subsequent meeting with appropriate time set for the agenda per agenda submittal policy.

DISTRIBUTION OF INFORMATION TO COMMITTEE PROCEDURES: Members of the public wishing to distribute information to the Committee should provide the information to the facilitator or staff in electronic format for distribution to the Committee.

Committee Meeting Attendance Policy

Any members of the Committee who fails to attend two consecutive regularly scheduled meetings will be contacted by staff to determine why the member was not able to attend and if the member still wishes to serve on the Committee. If the member cannot demonstrate his or her absence was for good cause, which includes but is not limited to personal or family illness or military service, or no longer wishes to serve on the Committee, Staff will request the member submit a written resignation from the Committee to their appointing member of the County Commission. If the member refuses to resign, the Committee will recommend to the Board that the member's appointment be terminated and a new member be appointed as a replacement.

Committee Adopted Guiding Principles

1. The Committee will adhere to their charge and purpose by providing advisory recommendations to the County Commission
2. The Committee will strive to achieve consensus on the evaluation and development of substantive advisory recommendations submitted to the County Commission.
3. The Committee will operate under adopted policies and procedures that are clear and concise, and consistently and equitably applied.
4. Committee members will serve as liaisons between the stakeholder groups they have been appointed to represent on the Committee, and they should strive to both inform and seek input on issues the Committee is addressing from those they represent.

Meeting Frequency Policy

The Committee shall agree on a workplan and schedule consistent with meeting its charge at its organizational meeting. Additional meetings may be called by the Staff or Committee chair as required.

Absentee Committee Member Comment Policy

Any member of the Committee who wishes to have their comments/opinions read into the record at a meeting they will not be able to attend, may send their written comments by e-mail to the Facilitator and the Staff. The member should identify the agenda item(s) that the comment(s) pertains to. The Facilitator will read the absentee member's comments into the record during the discussion portion of the specific agenda item the member is commenting on, and the member's comments will be included in the Facilitator's meeting summary report. The Committee member may only make one comment per agenda item, and each comment will be limited to a maximum of five-hundred (500) words.

Chair Election Policy

The Committee will elect a chair from within the existing membership, who will serve in that position for a one-year term. The Chair will work with the facilitator to moderate the Committee meetings.

APPENDIX #8
INFORMATION ON FCRC CONSENSUS CENTER, FLORIDA STATE UNIVERSITY

CONSENSUS CENTER

"Facilitating Consensus Solutions, Supporting Collaborative Action."

The Florida State University
Morgan Building, Suite 236
2035 East Paul Dirac Drive
Tallahassee, FL 32310
Phone: (850) 644-6320
Fax: (850) 644-4968
http://consensus.fsu.edu

THE FLORIDA STATE UNIVERSITY

The FCRC Consensus Center serves as an independent public resource facilitating consensus solutions and supporting collaborative action.

The Consensus Center, based at Florida State University in Tallahassee and University of Central Florida in Orlando, provides consensus building and collaborative planning services, education, training and applied research. Through our work, we strive to build a broader understanding of the value of collaborative approaches and create a cadre of leaders, professionals, managers, stakeholders and students skilled in using collaborative consensus building processes to produce and implement solutions.

The Center offers neutral technical assistance to a wide range of public and private organizations, professionals, agency staff and private citizens engaged in collaboration on public and organizational challenges throughout Florida and the country. We help to design and implement efforts for strategic planning and public problem-solving. We have substantial experience assisting with a range of stakeholder collaborations on topics such as building codes, land use, water resources, environmental, energy, airspace.
Contact us if you'd like to explore utilizing a collaborative approach and the Center's services.

Robert M. Jones, Director FCRC Consensus Center rmjones@fsu.edu